

**ZONING BOARD OF ADJUSTMENT  
IN AND FOR THE CITY OF LOVELAND, COLORADO**

**Variance Application of Aaron Thomas, on behalf of Karyn Johanssen for 4752 Parachute  
Circle, Loveland, Colorado**

**FINDINGS AND DETERMINATIONS OF HEARING OFFICER**

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**Regarding:** A variance to a rear yard setback reduction for the construction of a deck within the Harvest Gold Village PUD (P# 55). The applicant, Aaron Thomas, on behalf of Karyn Johanssen, seeks a 9 foot rear yard setback reduction from the required 15 foot rear yard setback in order to build a deck on the rear of the home located at 4752 Parachute Circle, Loveland, Colorado.

The above matter came to be heard on October 24, 2016 by Michele Forrest, Hearing Officer designated by the Zoning Board of Adjustment pursuant to Section 18.60.060 of the Loveland Municipal Code.

Appearing at the hearing for the Applicant Was The applicant is Aaron Thomas, with Woodwrights Custom Designs. Appearing for the City of Loveland was Emily Tarantini, Planning Technician.

The following exhibits were received in the ZBA packet and are accepted by the Hearing Officer as relevant evidence: Staff Report dated October 24, 2016, including without limitation, Recommended Conditions of approval identified in Section VIII and Attachments 1-7 identified in Section II of the Staff Report.

The Hearing Officer has considered the presentation by City Staff and Applicant at the hearing, invited public comment and has reviewed the Staff Report. Pursuant to Chapter 18.60 of the Loveland Municipal Code, the Hearing Officer hereby

**FINDS:**

1. That proper notice of the hearing was given.
2. That the Findings and Analysis of Section VII of the Staff Report in relation to the required findings and conditions of Chapter 18.60 to authorize the Variance are hereby adopted as the findings of the Hearing Officer and incorporated herein by reference, subject to the conditions set forth below.
3. That the Applicant, on behalf of the property owner, agreed on the record to the acceptance of Conditions 1 and 2.

**NOW, THEREFORE, IT IS ORDERED BY THE HEARING OFFICER DESIGNATED BY THE BOARD** that the application by Applicant for the Variance be and hereby is, **APPROVED**, subject to the following conditions:

1. The deck shall be constructed per the attached site plan, meeting the 6 foot rear yard setback variance.
2. The maximum rear yard setback for the deck shall be 6 feet.

Dated this 31st day of October, 2016.

**BY:**

  
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Michele Forrest, Hearing Officer



**DEVELOPMENT SERVICES**  
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## MEMORANDUM

**TO:** Loveland Zoning Board of Adjustments, aka Loveland Planning Commission  
Aaron Thomas, with Woodwrights Custom Designs  
Karyn Johanssen, homeowner  
Brett Limbaugh, Director of Development Services  
Loveland City Council  
Owners of property within the mailing radius

**FROM:** Emily Tarantini, Current Planning Division

**DATE:** November 1, 2016

**RE:** Appeal period for Variance application # 16-161

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On October 24, 2016 the Hearings Officer of the Loveland Zoning Board of Adjustments conducted a public hearing to consider a variance application filed with the City of Loveland by Aaron Thomas, on behalf of Karyn Johnassen as owner of 4752 Parachute Circle, Loveland, CO. The following is a summary of the application that was heard:

*“Variance Application # 16-161 proposes a 6’ rear yard setback to allow for the construction of a deck. The required rear yard setback is 15’ and the proposed setback is 6’, which is a reduction of 9’. The particular location of the lot can support the proposed deck with the reduced rear yard setback due to the 30’ open landscaped common area behind the property. The proposed deck has been approved by the HOA president as well as the neighbors on Parachute Circle who signed a letter of non-objection.*”

The proposed determination by the Hearings Officer for this application is **APPROVAL**, as set forth in the proposed Findings and Determination, attached hereto. The proposed Findings and Determination constitutes the final decision of the Hearings Officer and is included for your review. Section 18.60.040 of the Municipal Code stipulates that the proposed Findings and Determinations made by the Hearings Officer for the variance shall be submitted to the members of the Board, the Applicant, each person who participated in the public hearing, each owner of property within the mailing radius stipulated by the Municipal Code, the Director of

Development Services, and the City Council (Parties-of-Interest. If any Party-of-Interest, wish to object to the proposed Findings and Determinations for the application, an appeal may be filed.

Any appeal must be filed with the Current Planning Division, City of Loveland, 410 East 5<sup>th</sup> Street, Loveland, CO. 80537, no later than 5:00 P.M., November 11, 2016. Any appeal must be submitted in writing. Appeals must specifically state the matters objected to, based on the criteria described in sub-section 18.80.030.B. of the Loveland Municipal Code. (Appeals by two or members of the City Council are exempt from the requirement for a written basis for appeal.) If no appeal is filed by the aforesaid time, date and place, the proposed Findings and Determinations made by the Hearings Officer shall become the final decision of the Zoning Board of Adjustments in this matter, with no further action by the Board. If an appeal is filed, the full record of the hearing conducted on October 24, 2016 shall be forwarded to the Board for their review and a public hearing will be scheduled for final action by the Board.

If you have any questions, please feel free to contact Emily Tarantini, Planning Technician, Current Planning Division at (970) 962-2581 or [Emily.Tarantini@cityofloveland.org](mailto:Emily.Tarantini@cityofloveland.org).