

Adaptable Use Staff Report

October 7, 2019

| 903 W. 5 th Street – Accessory Dwelling Unit | | |
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| Application | PZ # 19-00116 | Adaptable Use |
| Location | 903 W. 5 th Street-Located on the north side of w. 5 th Street, on the east side of N. California Avenue | |

Project Summary

This Adaptable Use application proposes to remove an existing single story garage and an existing single story accessory dwelling unit with a new two-story structure that would have a first story garage and a second story accessory dwelling unit. The existing structures do not meet current setback requirements. The proposed new structure would be in compliance with all setback and height requirements of the Unified Development Code. Accessory dwelling units are permitted by right in the R1e zoning district if the lot size is 10,000 square feet or larger. The request for this accessory dwelling unit is being processed as an adaptable use due to the smaller 8,400 square foot lot size.

| Applicant Information | Development Review Team Contacts |
|----------------------------------|--|
| Applicant: Todd Wilderman | Planner: Jennifer Hewett-Apperson, Senior Planner |
| Owner: Matt Bockelmann | |

Vicinity Map

903 W. 5th Street

Located at the NW corner of W. 5th Street and N. California Drive



| Relevant Zoning District Regulations | |
|--|---|
| R1e – Established Low Density Residential Code Requirements for Accessory Dwelling Units | Proposed |
| Maximum size of unit: 900 square feet | 588 square feet |
| Lot area minimum: 10,000 square feet (process as Adaptable Use if smaller) | 8,400 square feet – processed as an adaptable use |
| Located on the same lot, either integrated into the principal single-family dwelling or detached building | Detached building |
| Separate entrance from the principal dwelling unit | Yes, the accessory unit has a separate entrance as it will be in a separate building |
| Cooking and bathing facilities independent of the principal dwelling unit | Yes, there will be separate kitchen and bathrooms |
| On-site for one parking space for the accessory dwelling unit in addition to required parking for the principal dwelling unit | Yes, a total of 4 spaces will be provided on-site |
| Water and electric utilities for the accessory dwelling unit can be shut off independently from the principal dwelling unit | Yes, there will be the ability to shut off water and electric utilities independent from the principal dwelling unit |
| Neighborhood Outreach | |
| Notification | A neighborhood meeting was held on September 26, 2019 at 6:00 p.m. in the Development Center (410 E. 5 th Street). Property owners within a 150-foot radius of 903 W. 5 th Street were notified by mail 15 days in advance of the neighborhood meeting. |
| Meeting Summary | Two people from the neighborhood attended the meeting on September 26, 2019. Both attendees were in support of the proposed Accessory Dwelling Unit. |
| Adaptable Use Findings | |
| Pursuant to Section 18.02.04.13 of the City of Loveland Unified Development Code, an application for adaptable use may be approved if it is demonstrated that: | |
| Criteria | |
| B. 1. The proposed adaptable use will not tend to frustrate the implementation of current, adopted plans of the City, including, but not limited to, the Comprehensive Plan. | |
| <i>The applicant has demonstrated that the proposed adaptable use meets the above criteria.</i> | |
| <i>Analysis: The proposed adaptable use will not impact implementation of any of the City of Loveland’s adopted plans. The property located at 903 W. 5th Street is located within the R1e zoning district, which permits accessory dwelling units, and prescribes the adaptable use process for accessory dwelling units on lots less than 10,000 square feet, which is the case here.</i> | |
| B. 2. The location, size, design and operating characteristics of the proposed adaptable use will be consistent with or complimentary to the existing and future land uses within the surrounding neighborhood and will not create significant noise, traffic, or other conditions that may be objectionable or detrimental to other permitted uses in the vicinity. | |
| <i>The applicant has demonstrated that the proposed adaptable use meets the above criteria.</i> | |
| <i>Analysis: The proposed attached accessory dwelling unit is consistent with the characteristics of the neighborhood and will not have detrimental impacts to the neighborhood. Further, the proposed Accessory Dwelling Unit will be ancillary to the principal dwelling and cannot be established as a principal dwelling unit.</i> | |

B. 3. The proposed adaptable use will not negatively impact the land use patterns of existing or approved development within the neighborhood or discourage permitted uses or reinvestment in permitted uses by making the vicinity less desirable for them.

The applicant has demonstrated that the proposed adaptable use meets the above criteria.

Analysis: The proposed accessory dwelling unit will not negatively impact the neighborhood, nor will it discourage existing permitted uses or reinvestment in the surrounding neighborhood. The proposed adaptable use is part of a larger renovation of the property and will remove two structures that do not conform with current required setbacks, and replace them with a single structure that is in compliance with current R1e zoning standards.

B. 4. The proposed adaptable use is consistent with the standards in the UDC, as amended, and meets the requirements in [Chapter 18.15 Adequate Community Facilities](#).

The applicant has demonstrated that the proposed adaptable use meets the above criteria.

Analysis: All relevant zoning district regulations for accessory dwelling units per Section 18.04.07.02 of the UDC have been addressed with this Adaptable Use application. The accessory dwelling unit will have no impact to the City's Adequate Community Facilities standards.

City Approval

Approved this _____ day of _____, 2___, by the Development Services Director of the City of Loveland, Colorado.

Development Services
Director