

Board of Adjustment

**May 20, 2020
6:30 PM**

ELECTRONIC MEETING

This meeting will be held electronically. Residents interested in participating electronically or listening to this meeting should visit the City's website here to link to the meeting:

<https://www.louisvilleco.gov/government/board-of-adjustment>

The Board of Adjustment will accommodate public comments as much as possible during the meeting. Anyone may also email comments to Planning Commission prior to the meeting at: planning@louisvilleco.gov

For agenda item detail see the Staff Report and other supporting documents included in the complete meeting packet.

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes
 - February 19, 2020
5. Public Comment on Items Not on the Agenda
6. Regular :
 - **701 Grant Avenue – Variance Request** - Request for a variance from the Old Town Overlay and preservation zoning incentives to allow:
 - i. Maximum Floor Area of 3,819 sf, exceeding the landmark incentive standard of 3,000 sf by 819 sf;
 - ii. Maximum Lot Coverage of 2,978 sf, exceeding the landmark incentive standard of 2,700 sf by 278 sf;
 - iii. A Rear Setback of 0', encroaching 25' into the setback standard of 25';
 - iv. A Side Setback of 2', encroaching 3' into the setback standard of 5'.
 - **Case VAR-0275-2020 – Public Hearing**
 - v. Applicant: Paul and Cheryl Ehmen
 - vi. Case Manager: Lisa Ritchie
 1. Open Public Hearing
 2. Opening Statement by Chair
 3. Public Notice and Application Certification
 4. Disclosures
 5. Staff Presentation and Questions of staff

6. Applicant Presentation and Questions of applicant
7. Public Comment
8. Applicant discussion of public comment, if any
9. Closing statement by staff and applicant and Final questions by board
10. Close public hearing and Board discussion and action

7. Business Items Tentatively scheduled for the meeting on June 17, 2020:

- 104 Rose Variance

8. Adjourn

9. Staff Comments

10. Board Comments

11. Discussion Items for Next Meeting June 17, 2020

12. Adjourn

***Board of Adjustment
Meeting Minutes***
February 19, 2020
City Hall, Council Chambers
749 Main Street
6:30 PM

Call to Order: Leedy calls the meeting to order at 6:30 PM.

Roll Call is taken and the following members are present:

Board Members Present: Chair Jessica Leedy
Karen Cooper
John Ewy
James Stuart
Mark Koepke
Jonathan Mihaly

Board Members Absent:

Staff Members Present: Harry Brennan, Planner
Rob Zuccaro, Director of Planning & Building
Safety
Elizabeth Schettler, Senior Administrative
Assistant

Approval of Agenda:

Stuart moves and **Cooper** seconds a motion to approve the February 19, 2020 agenda as prepared by Staff. Motion passes by voice vote.

Approval of Minutes:

Stuart moves and **Ewy** seconds a motion to approve the August 21, 2019 minutes. Motion passes by voice vote. Board members Koepke, Mihaly, and Cooper abstain from voting because they were not present for the August 21, 2019 meeting.

Public Comments on Items not on the Agenda:

None heard.

Regular Business:

- **940 McKinley Avenue (Case # VAR-0276-2020):** Request for a variance from the Old Town Overlay maximum floor area standard of 2,799SF to allow

3,147SF; maximum lot coverage standard of 2,450SF to allow 2,526SF; rear setback standard of 25' to allow 20'6"; and side setback standard of 7' to allow 5'5", to allow an addition that connects the principal structure to the garage, and a new porch and deck.

Leedy reviews the procedures for the meeting; opens the public hearing; and states there are six criteria which must be met for the board to approve a variance request.

Leedy states that for the requested variance to be approved, five (5) of the six (6) votes would need to be affirmative.

Leedy then states that copies of the criteria are located on the table next to entryway. He asks for verification of proper public notice.

Brennan verifies the application to be heard this evening is complete, and was mailed to surrounding property owners on January 31, 2020, published in the Boulder Daily Camera on February 2, 2020, and the property was posted on February 3, 2020.

Leedy moves and **Cooper** seconds a motion that all requirements have been satisfied and the application submitted by the applicants has been properly filed. Motion passes by unanimous voice vote.

Leedy asks if anyone at the hearing has any objections to the hearing procedures he described and asks if there were any other preliminary matters that needed to be taken care of. None are heard.

Conflict of Interest and Disclosure:

Leedy asks for disclosures from the board members for any site visits, ex parte communications, and any conflicts of interest or required disclosures on the application.

All Board members indicate they did not have any ex parte communications or any conflicts of interest for the application.

Leedy asks the applicants if they are ready to proceed with the hearing. The applicant(s) indicated they are ready to proceed with the hearing.

Staff Report of Facts and Issues:

Brennan reviews the location of the property, summarizes the applicant's proposal, and presents staff's analysis of the six variance criteria.

Staff Recommendations:

Staff finds that all six criteria in Municipal code Section 17.48.110 are not met and recommends the Board of Adjustment denial of the variance request.

Board Questions of Staff:

Stuart thinks that the homeowners purchasing the house as already being nonconforming is a unique circumstance.

Cooper agrees with Stuart's remark and asks staff if they considered the slope during their evaluation.

Brennan says they did look at the topographical change. There is an eight-foot difference between the highest and lowest points. The topography though did not have a huge impact since the property was already over the floor area ratio.

Cooper asks staff if they think it impacted the development when the remodeling was done. She says it appears that it did have impact on why the structure was built the way it was. Did staff look at the slope as to why the construction was built the way that it was at that time?

Brennan says because of the slope, that is probably why the current floor plan was a split-level. Staff did not think it was a big enough barrier to the development though.

Zuccaro says there are topographical constraints that can play into a setback variance. Those physical constraints can affect setbacks. Lot coverage is related to the size of the lot regardless of the topography. The structure meets the setbacks so it appears the topography was not an issue to the setbacks.

Cooper states that based on the topographical way the plot is, the structure meets all requirements that it is now.

Brennan agrees except the current property is already over the maximum floor area. The setback is not changing so that was not taken into account for staff's analysis.

Cooper asks if the city penalizes the homeowner for that.

Brennan says they do not but it is allowed to remain in place. Staff calls that legally nonconforming because it was built before the old town overlay regulations were adopted.

Ewy says that if roughly half of the garages are detached, what makes up the other half?

Brennan says it is a mixture of attached garages, carports, and some cases no garage at all.

Ewy states that there are three letters of support. He then asks if staff can show them where the letters of support are in relation to the variance property and asks if there were any letters of rejection.

Brennan says there are no letters of rejection. He then reviewed the locations of the letters of support.

Koepke asks regarding the park's vegetation, would there be a clear view of the porch from the park?

Brennan says the vegetation would probably obscure the porch.

Koepke asks that in relation to the size of garage, does staff have any comparisons of other garages in the area?

Brennan says that staff did not run any data on the garages. It appears that it is one of the larger garages in comparison to the others though.

Koepke asks if the finished space above the garage is unique.

Brennan states that it is not unique. Staff sees it happening more often in the downtown area.

Milhaly says that in regards to criteria five's language, when does it become significant?

Brennan says that because the allowed floor area ratio is already roughly 2800 sq ft, 350 sq ft seems to be fairly sizable. It is only the addition that is related to that, not the deck or covered front porch. Given the fact that the property is already over the maximum floor area, staff viewed it as more significant because it further pushes that limit.

Cooper asks if that includes the square footage that was already built in the garage.

Brennan says that it includes the existing house, the enclosed space of garage, and the bonus room in the garage. It does not include the open-air breezeway.

Leedy asks what is preventing any of the nonconformities from being grandfathered in.

Brennan says the existing detached garage meets the setback requirements for an accessory structure but the setbacks for a principal structure are greater; therefore, the action of connecting the existing house to the existing detached garage creates a nonconformity because then the entire structure has to comply with the whole structure setback requirements.

Applicant Presentation:

Marty Beauchamp, Red Pencil Architecture

Beauchamp recaps the homeowner's history with the property and past remodeling projects with the property. He then proceeds to inform the board of the applicant's proposed design and compares the house's percentages with other Old Town houses. The average floor area for old town is 39% of the average lot size and the applicant is proposing 40.5%. The average lot coverage is 33% and the applicant is proposing 33.5%.

Beauchamp reminds the board that the proposed design is not changing the garage or footprint of the home. It is just connecting the two. They believe their design is the most reasonable solution and have full support from their adjacent neighbors.

Beauchamp mentions that the applicants originally wanted to landmark the house, but too much work had already been done to the property. He then mentions other options the applicants considered such as demoing the garage and moving the location or demoing the bonus room. Their last option was to sell the property. They considered these options, but did not feel they were the best for themselves or the property itself.

James Crouch, Owner of 940 McKinley Ave

Crouch overviews their design for the property and states his reasoning for this design. He reiterates that they looked and reviewed each option and found their design as the best fit for themselves and the property. Their design will look similar with other Old Town homes, which is important to them to keep that looking consistent over all.

Board Questions of Applicant:

Cooper asks Beauchamp to discuss how their design will be increasing the aesthetics of the property.

Beauchamp says they will be adding shed dormers into the roof to raise the ceiling line to make the existing floor area usable. They will not be changing the garage. The only exterior addition is the breezeway connection.

Cooper asks if he can elaborate on how the alleyway is unique to the property and how it affects the street and neighbors.

Beauchamp says the alley to the north of the property has very little vehicle traffic but heavy pedestrian traffic. The homeowners maintain the alley, and there is a large buffer between the alley and their property. He also mentions that the front porch cannot be seen from the park.

Stuart moves and **Leedy** seconds a motion to add photos as presented by the applicant and a document of support to the meeting packet. Motion passes by unanimous voice vote.

Stuart asks if the letter of support is a neighbor of the applicant.

Brennan says the letter was written from a local architect.

Public Comment in Favor:

Gail Wetrogan, 930 McKinley Ave

Wetrogan states that she will have the most affected property by this project. She thinks what the applicant is requesting is a very reasonable variation and it is a thoughtful design. Her concern is that if the variance is not approved, in the future, the house will be scraped and a larger home will be built there, overwhelming her smaller house.

Jessie Kowalski, 945 McKinley Ave

Kowalski tells the board that she lives across the street from the property. She believes the design is very much within the character of Old Town, and explains the uniqueness of the property to the board. The home is not visible from McKinley Park and the visual impact is very minimal.

Public Comment Against:

None heard.

Summary and request by Staff and Applicant:

None heard.

Closed Public Hearing and discussion by Board:

Stuart believes that all six criteria are met. Beginning with the first criteria, the property was nonconforming when they bought it so that is not the homeowner's fault. He also mentions that it has several unique aspects and unique physical characteristics.

Cooper discusses criteria one. She goes into detail of the uniqueness of the lot. She also mentions that the lot areas footprint was created long before the current owners lived in the house.

Stuart says regarding criteria two, the lot is unique. It was nonconforming from the very beginning.

Cooper agrees and says that the front of the home is smaller than the garage in the back. The garage is bigger than most in the area, and that creates an unusual circumstance.

Milhaly says he agrees so far with what Stuart and Cooper has said.

Stuart says that regarding criteria three, the property is already nonconforming. It cannot be made conforming without taking things away.

Cooper says that it is apparent by reviewing the north and south elevations of the home that there is inefficient space for the lot. The garage takes up space of the area of the lot in comparison to the home. This proposal will correct the existing odd proportions.

Milhaly mentions that the homeowners have put considerable effort into reviewing their other options, and their proposal is the most reasonable to renovate the property.

Stuart says regarding criteria four, no hardship was caused by the homeowners because they bought the property as nonconforming.

Cooper agrees with Stuart's evaluation of criteria four.

Stuart says regarding criteria five, the proposal does not alter the essential character of the neighborhood. The buffer of trees and extra space will look fine with the rest of the neighborhood. It is important that the neighbors like the design as well. It seems that the adjacent neighbors have expressed their approval.

Cooper agrees with Stuart and says that the design of the breezeway and the rest of the design by the applicant is well thought out.

Milhaly states that the applicant is not impairing the adjacent properties. The neighbors are in favor. He thinks the design enhances the character of the neighborhood.

Stuart says regarding criteria six, the design looks like it will be modest changes. He believes this is not an excessive change.

Cooper agrees with Stuart. She states that the homeowners are trying to stay within the existing footprint of the home. Also visually, the house will not look larger from the curbside.

Ewy thinks staff did a good job reviewing this case. He says to staff that it sounded like the architect tried to work with staff to minimize the impact.

Brennan says that staff did not provide any formal comments on their design.

Ewy asks staff if the applicant tried to find a way to come into compliance or did they discuss ways that they could with staff?

Brennan says that yes, informally they discussed ways that they could.

Ewy points out that the house is disjointed and segmented. The architect's proposal is a good way to bring it all together. The neighbors are behind this design and Ewy expresses how important this is to him. He leans towards approving the proposal.

Cooper appreciates that the applicant does not want to scrape the property and believes that the board would be following the original wishes of the residential property in downtown Louisville.

Leedy agrees that all six criteria are met and leans towards approving the variance

Koepke thinks staff did a good job with their report. He mentions that he had been struggling with criteria one and two. He now sees that there are mitigating circumstances and looking at its entirety, he is inclined to agree with the other board members.

Milhaly thought staff laid the facts out well. He thinks it is the board's job to interpret those facts. He continues with saying that he thinks all six criteria are met and thanks the applicant for looking at the other alternatives.

Motion is made by **Stuart** to approve 940 McKinley Ave's request for a variance from the Old Town Overlay maximum floor area standard of 2,799SF to allow 3,147SF; maximum lot coverage standard of 2,450SF to allow 2,526SF; rear setback standard of 25' to allow 20'6"; and side setback standard of 7' to allow 5'5", to allow an addition that connects the principal structure to the garage, and a new porch and deck. Motion is seconded by **Ewy**. Roll call vote.

Name	Vote
Karen Cooper	Yes
John Ewy	Yes
James Stuart	Yes
Mark Koepke	Yes
Jessica Leedy	Yes
Jonathan Milhaly	Yes
Motion passed/failed:	Pass

Motion passes 6-0.

Discussion Items:

Election of Officers

Stuart moves and **Ewy** seconds a motion to elect Jessica Leedy as chair. Motion passes by unanimous voice vote.

Stuart moves and **Ewy** seconds a motion to elect Karen Cooper as vice chair. Motion passes by unanimous voice vote.

2020 Posting Locations

Zuccaro reminds the board that the agenda postings are located at the City Hall Lobby, 749 Main Street, Louisville Public Library Bulletin Board, 951 Spruce Street, Louisville Recreation Center, 900 West Via Appia, Police / Municipal Court building, 992 Via Appia, and the City of Louisville website, www.LouisvilleCO.gov.

Stuart moved and **Leedy** seconded a motion to approve the agenda posting locations mentioned above. Passed by voice vote.

2020 Meeting Dates

Stuart moved and **Leedy** seconded a motion to approve the 2020 meeting dates as is. Passed by voice vote.

2020 Open Government Pamphlet

Zuccaro informs the board that the new open government and ethics pamphlet is attached in the packet for the board to review.

Business Items tentatively scheduled for March 18, 2020:

None heard.

Staff Comments:

None heard.

Board Comments:

None heard.

Discussion Items for March 18, 2020 Meeting:

None heard.

Adjourn:

Stuart moves and **Ewy** seconds a motion to adjourn the meeting. Motion passes unanimously by voice vote. Meeting adjourns at 7:55 PM.

DRAFT

CITY OF LOUISVILLE
BOARD OF ADJUSTMENT
STAFF REPORT
May 20, 2020

APPLICANT: 701 Grant, Ltd

OWNER: Paul and Cheryl Ehmen

STAFF PLANNER: Lisa Ritchie, Senior Planner

LOCATION: 701 Grant Avenue; Lots 10 & 11, Block 8, Pleasant Hill subdivision

ZONING: Residential Low Density (RL); Old Town Overlay

REQUEST: **Case #VAR-0275-2020** – Request for a variance from the Old Town Overlay and preservation zoning incentives to allow:

1. Maximum Floor Area of 3,819 sf, exceeding the landmark incentive standard of 3,000 sf by 819 sf;
2. Maximum Lot Coverage of 2,978 sf, exceeding the landmark incentive standard of 2,700 sf by 278 sf;
3. A Rear Setback of 0', encroaching 25' into the setback standard of 25';
4. A Side Setback of 2', encroaching 3' into the setback standard of 5'.



SUMMARY:

The applicant requests a variance from the Old Town Overlay and landmark incentive standards to allow an addition to the existing residence as part of a local landmark application that would preserve the historic church building on the site. The application includes the following requests:

- 1. Floor area standard of **3,000** square feet to allow **3,819** square feet
- 2. Lot coverage standard of **2,700** square feet to allow **2,978** square feet
- 3. Rear setback standard of **25'** to allow **0"**
- 4. Side setback standard of **5'** to allow **2'-0"**

BACKGROUND:

The property is located in the Pleasant Hill subdivision, platted in 1894. The building was originally constructed in 1901 to be the Louisville Baptist Church. A rear addition was constructed in 1946, and records indicate this annex was expanded further in 1958. More expansion work was done in the 1960s and 1980s. The home currently includes 3,748 SF of finished area, not including the basement, and is nonconforming to the existing zoning requirements for lot coverage, floor area, and setbacks (described in more detail under the Proposal section below).

The building served as the Baptist Church until about 1971, when church leaders sold it to be used as a residence. This building and the Methodist Church building at 741 Jefferson Ave are the only original church buildings that date back to that early era that are still standing. A more complete history of the property through February 2019 prepared by Bridget Bacon of the Louisville Historical Museum is included as an attachment.

701 Grant Ave, early 1900s



The applicants purchased the property in 2019 with the intent to continue its use as a single family home. The structure is in need of significant repairs and upgrades to become livable. The applicants also intend to Landmark the property through the Historic Preservation program, but are seeking the variance first to ensure the reconstruction proposal is approved under the zoning regulations prior to requesting approval of Landmark status, and a City-funded grant to help with funding preservation work. If the variance requests are approved, they would need be conditional upon approval of a Landmark application since this application is being reviewed in the context of a landmark request and associated zoning allowances.

Existing Conditions – 701 Grant Ave
View of front along Grant Ave



View of northern property line from front yard



View of front and street side from Pine Street and Grant Ave



View of rear additions from Pine Street



View of rear additions from the alley at Pine Street



View of northern property line at the rear from the alley



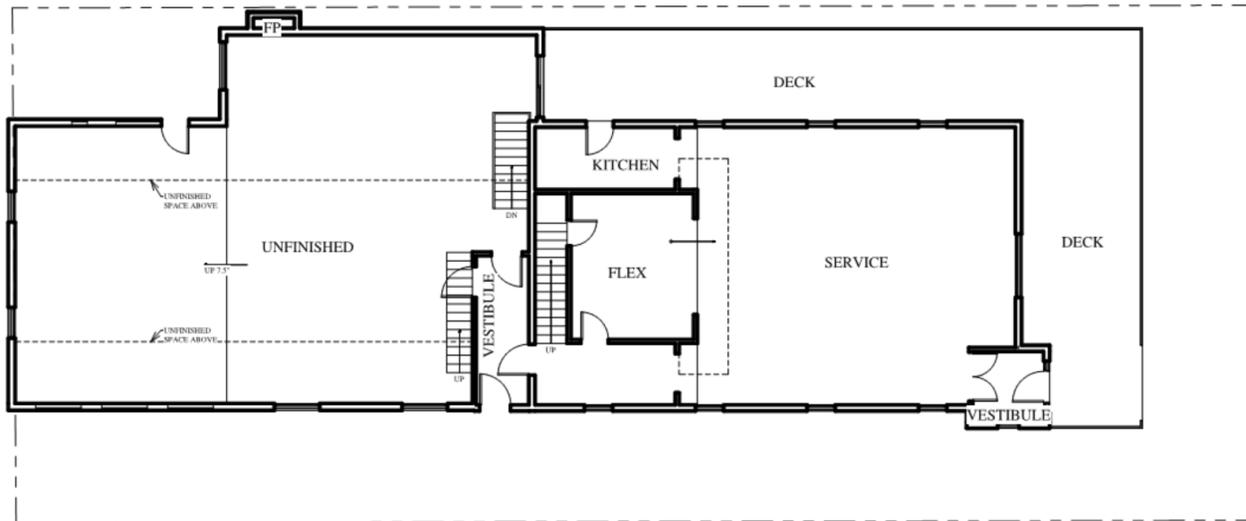
PROPOSAL:

The applicant desires to do a major remodel to the entire home. The plans preserve the front portion of the building that was the original church and reconstruct the rear of the building, where major additions had been made over time. The existing structure has many elements that do not conform to the zoning regulations applicable to the property. The table below summarizes the existing conditions and the proposal.

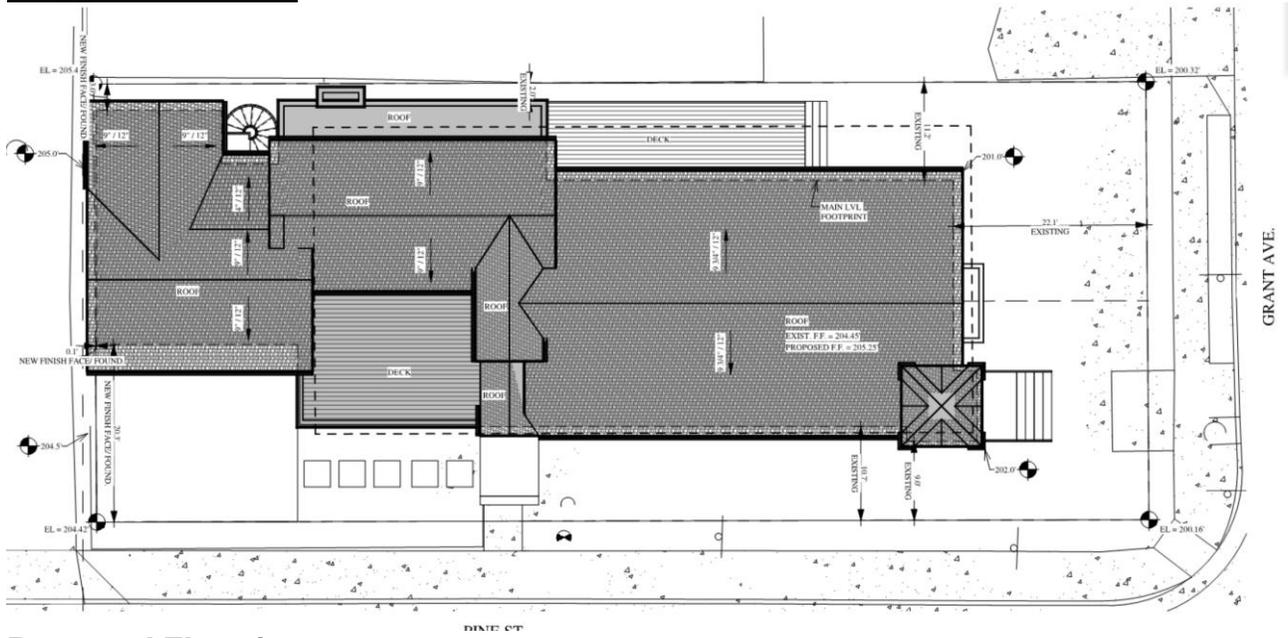
Standard	Requirement	Existing	Proposed
Front Setback	20'-0" Min.	22'-1"	No Change
Rear Setback	25'-0" Min.	-0'-7" (into the alley)	0'-1"
Street Side Setback	10'-0" Min.	10'-7"	No Change
Interior Side Setback	5'-0" Min.	2'-0"	No Change
Maximum FAR	3,000 sf (.50)	3,748 sf (.62)	3,819 sf (.64)
Maximum Lot Coverage	2,700 sf (45%)	3,971 sf (66%)	2,978 sf (50%)

The proposal substantially reduces lot coverage of the property by the removal of existing decks on the front and northern sides of the structure. The floor area ratio (FAR) is increasing through the addition of a second floor on the new addition at the rear of the property.

Existing Site Plan



Proposed Site Plan



Proposed Elevations

Front



Rear



South (Pine Street)



North (interior side)



REVIEW CRITERIA:

The BOA has authority to grant or deny a variance request based on the review criteria found in Municipal Code Sections 17.48.110.B.1-6. Following is staff's analysis of the criteria with recommended findings on each.

1. *That there are unique physical circumstances or conditions such as irregularity, narrowness or shallowness of lot, or exceptional topographical or other physical conditions peculiar to the affected property.*

Staff finds that the structure and condition of the property is a unique circumstance within the Old Town Overlay area. The structure was originally built and subsequently added on to prior to current zoning regulations, and the original use of the property as a church resulted

in a unique design not typical to other residential development in the area. The large interior space of the original church results in a unique layout, and necessitates the request for the addition to the rear to provide living spaces beyond of the portion of the building that will be preserved. **Staff finds the proposal meets this criterion.**

- 2. That the unusual circumstances or conditions do not exist throughout the neighborhood or district in which the property is located.*

Staff finds that 701 Grant Ave is a unique circumstance in the neighborhood. As noted above, there are only two remaining church structures from Louisville's earliest days that are still in place. The other, located at 741 Jefferson is still operating as a church, and for comparison has a lot coverage of 66% and an FAR of .86. The preservation of the structure at 701 Grant Ave for use as a residence is a unique circumstance that does not exist throughout the neighborhood. **Staff finds the proposal meets this criterion.**

- 3. That because of such physical circumstances or conditions, the property cannot reasonably be developed in conformity with the provisions of Title 17 of the Louisville Municipal Code.*

Staff finds that through preservation of the existing structure, the property cannot reasonably be developed in conformity with the provisions of Title 17. Due to the interior configuration of the structure, the addition off the rear provides reasonable living spaces and a garage to provide off-street protected parking. Staff notes that, with the exception of FAR, all other non-conforming circumstances are remaining the same or improving. **Staff finds the proposal meets this criterion.**

- 4. That such unnecessary hardship has not been created by the applicant.*

Staff finds that the hardship was not created by the applicant. They are not responsible for the existing non-conformities, nor the state of severe disrepair. **Staff finds the proposal meets this criterion.**

- 5. That the variance, if granted, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property.*

Staff finds that the proposal will not alter the essential character of the neighborhood nor impair the use or development of adjacent property. The property currently is in a non-conforming status and the proposal allows for improvements that preserve the important portion of existing structure, remove dilapidated portions of the structure and provide overall betterment of the property. Staff also notes that currently a portion of the rear of the structure is located within the alley right-of-way, and the proposal relocates this out of the alley and entirely on to the subject property. **Staff finds the proposal meets this criterion.**

- 6. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the provisions of Title 17 of the Louisville Municipal Code that is in question.*

Staff finds that the proposal is the minimum variance that will afford relief and allows reasonable development while meeting the preservation goals of the City. **Staff finds the proposal meets this criterion.**

PUBLIC COMMENTS:

To date, staff received six letters of support from surrounding neighbors and one letter opposing the application. These comments are included as attachments.

STAFF RECOMMENDATION:

Staff finds the proposal meets the applicable variance criteria in Section 17.48.110 of the LMC, and therefore, recommends approval of the variance request with the following condition:

- The applicant shall obtain approval of a Landmark status for the property prior to issuance of a building permit under this variance.

BOARD ACTION:

The Board may approve (with or without condition or modification), deny, or continue the application to a future meeting for additional consideration. The Board may also request additional information if they feel it is needed for their proper consideration of the variance application. In approving an application, the Board must find that all six variance criteria, insofar as applicable, have been met. The Board should adopt specific findings for each review criterion in support of any motion.

ATTACHMENTS:

1. Application materials
2. Old Town Overlay Zone District Regulations
3. 701 Grant Ave history
4. Public Comments

ELECTRONIC LAND USE HEARING REQUEST CASE NO. _____

APPLICANT INFORMATION

Firm: 701 Grant, Ltd.

Contact: Paul and Cheryl Ehmen

Address: 701 Grant Ave., Louisville, CO 80027

Mailing Address: PO Box 907
Broomfield, CO 80038

Telephone: 303-638-1861, 303-517-4868

Fax: 303-438-0124

Email: cheryl@aerodrysystems.com;
paulbroomfield@comcast.net

OWNER INFORMATION

Firm: same as applicant

Contact: _____

Address: _____

Mailing Address: _____

Telephone: _____

Fax: _____

Email: _____

REPRESENTATIVE INFORMATION

Firm: Barsch Design

Contact: Stephen Barsch

Address: 743 West Sixth Ave
Denver, CO 80204

Mailing Address: same

Telephone: 303-870-1303

Fax: 303-534-1118

Email: steve@barschdesign.com

PROPERTY INFORMATION

Common Address: 701 Grant

Legal Description: Lot 10,11 Blk 8
 Subdivision Pleasant Hill Addition

Area: 6236 Sq. Ft.

TYPE (S) OF APPLICATION

- Annexation
- Zoning
- Preliminary Subdivision Plat
- Final Subdivision Plat
- Minor Subdivision Plat
- Preliminary Planned Unit Development (PUD)
- Final PUD
- Amended PUD
- Administrative PUD Amendment
- Special Review Use (SRU)
- SRU Amendment
- SRU Administrative Review
- Temporary Use Permit: _____
- CMRS Facility: _____
- Other: (easement / right-of-way; floodplain; variance; vested right; 1041 permit; oil / gas production permit)

I hereby request the public hearing(s) on this application be scheduled to be conducted by Electronic Participation in accordance with the attached Resolution No. 30, Series 2020, as adopted by the City Council on April 7, 2020, if such hearing(s) can be scheduled during a time period when in-person meetings are not being held due to a health epidemic or pandemic. I acknowledge that holding a quasi-judicial hearing by Electronic Participation may present certain legal risks and involves an area of legal uncertainty, and that having this application heard at a meeting held by Electronic Participation is optional and undertaken at my own risk. I also understand that in-person meetings are preferred for quasi-judicial hearings, and that even if electronic hearing(s) are scheduled, this application will be heard at an in-person meeting if in-person meetings have resumed by the scheduled hearing date(s). I further agree to defend and indemnify the City of Louisville in any action that may arise out of, or in connection with, conducting the hearing by Electronic Participation.

SIGNATURES & DATE

Applicant: _____

Print: 701 Grant, Ltd

Owner: Paul & Cheryl Ehmen 4/19/20

Print: Paul and Cheryl Ehmen

Representative: [Signature]

Print: STEPHEN BARSCH

CITY STAFF USE ONLY

- Electronic Hearing Approved: _____
- Date(s) of Hearing(s): _____

GENERAL NOTES TO DRAWINGS:

1. ALL WORK SHALL BE PERFORMED IN STRICT CONFORMANCE WITH ALL LAWS, THE ADA, ALL CODES, ORDINANCES, RULES AND REGULATIONS OF ALL GOVERNING AUTHORITIES HAVING JURISDICTION.
2. THESE PLANS ARE BASED UPON THE DESIGNER'S BEST INTERPRETATIONS OF THE AMERICAN DISABILITIES ACT (ADA). THE ADA IS SUBJECT TO INTERPRETATION BY THE COURTS. THEREFORE, THE DESIGNER, BARSCH DESIGN, AND ITS AGENTS, ASSUME NO LIABILITY OR RESPONSIBILITY FOR INTERPRETATIONS OR APPLICATION OF THE ADA TO THIS PROJECT, NOR FOR WORK UNDERTAKEN TO CORRECT ACTUAL OR UNDERSTOOD DEFICIENCIES.
3. THE CONTRACTOR FOR THE PROJECT SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED PERMITS.
4. BEFORE COMMENCEMENT OF THE WORK, THE GENERAL CONTRACTOR AND HIS SUBCONTRACTORS SHALL FIELD VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS WITH THE CONTRACT DOCUMENTS. ANY DEVIATIONS, DISCREPANCIES, AND/OR CONFLICTS SHALL BE REPORTED TO BARSCH DESIGN PRIOR TO PROCEEDING WITH CONSTRUCTION. ANY QUESTIONS OR CLARIFICATIONS REGARDING "BUILDING STANDARD" CONSTRUCTION OR MATERIALS SHALL BE DIRECTED TO BARSCH DESIGN PRIOR TO PROCEEDING WITH CONSTRUCTION. SHOULD THE CONTRACTOR PROCEED WITHOUT CONTACTING BARSCH DESIGN, THE CONTRACTOR MAY, AT NO COST TO THE OWNER, TENANT, BARSCH DESIGN, OR THE LIKE, BE REQUIRED TO REPAIR, REPLACE AND CORRECT ANY AND ALL DEFECTS AND PROBLEMS ARISING DUE TO HIS PROCEEDING WITHOUT CONTACT, CLARIFICATION AND/OR RECOMMENDATION.
5. DO NOT SCALE DRAWINGS: DIMENSIONS GOVERN, LARGE SCALE DETAILS GOVERN OVER SMALL SCALE.
 - A. NEW DRYWALL PARTITIONS ARE DIMENSIONED FROM FACE OF STUD TO FACE OF STUD UNLESS OTHERWISE NOTED ON PLANS (I.E. "FINISH" OR "CLEAR").
 - B. EXISTING PARTITIONS ARE DIMENSIONED TO ROUGH WALL SURFACE.
 - C. MASONRY WALLS ARE DIMENSIONED TO ROUGH WALL SURFACE.
 - D. WINDOW WALLS ARE DIMENSIONED FROM CENTRLINE OF MULLION. GLASS SIZES SHOWN ON DRAWINGS ARE NOMINAL. ACTUAL SIZES MAY BE SMALLER.
6. THE PRESENCE OF A BARSCH DESIGN REPRESENTATIVE ON THE JOB SITE DOES NOT IMPLY CONCURRENCE WITH OR APPROVAL OF THE WORK.
7. THE CONTRACTOR SHALL HALT THE WORK WHEN NOTIFIED OF A PROPOSED CHANGE OR IF UNSATISFACTORY RESULTS ARE ANTICIPATED. PROCEED ONLY AFTER RECEIVING ADDITIONAL INFORMATION AND INSTRUCTIONS FROM BARSCH DESIGN.
8. THE CONTRACTOR SHALL PERFORM HIGH QUALITY PROFESSIONAL WORK. MATERIALS SHALL BE JOINED UNIFORMLY AND ACCURATELY SO THEY MEET WITH NEAT, STRAIGHT LINES, FREE OF BLENDSHES OR OVERLAPS. INSTALL EXPOSED MATERIALS APPROPRIATELY LEVEL, PLUMB, AND AT ACCURATE RIGHT ANGLES, OR FLUSH WITH ADJOINING MATERIALS AS APPROPRIATE. WORK OF EACH TRADE SHALL MEET OR EXCEED ALL NATIONAL STANDARDS PUBLISHED BY OR FOR THAT TRADE.
9. THE CONTRACTOR SHALL COORDINATE ALL WORK PERFORMED BY THE OWNER, TENANT, AND THEIR AGENTS. WHEN INFORMATION IS INADEQUATE, REQUEST FURTHER INSTRUCTIONS BEFORE PROCEEDING.
11. UNLESS OTHERWISE SHOWN ON THE DRAWINGS, CONSTRUCTION TECHNIQUES SHALL CONFORM TO ACCEPTED CONSTRUCTION INDUSTRY PRACTICE AND GOVERNING REGULATORY STANDARDS. CONTRACTOR SHALL THOROUGHLY REVIEW THE DRAWINGS AND FIELD CONDITIONS AND NOTIFY THE DESIGNER OF ANY ERRORS OR CONFLICT BEFORE COMMENCING WITH THE WORK.
12. THE CONTRACTOR WARRANTS TO THE DESIGNER THAT HE/SHE POSSESSES THE PARTICULAR COMPETENCE AND SKILL IN CONSTRUCTION NECESSARY TO BUILD THIS PROJECT WITHOUT FULL ENGINEERING AND ARCHITECTURAL SERVICES, AND FOR THE REASON THAT THE CONTRACTOR WISHES TO RELY UPON HIS OWN COMPETENCE, THE CONTRACTOR OR OWNER HAS RESTRICTED THE DESIGNER'S SCOPE OF PROFESSIONAL SERVICES, IN RELIANCE ON THE CONTRACTOR'S WARRANTY AND AT THE EXPRESS REQUEST OF THE CONTRACTOR OR OWNER, THE DESIGNER HAS UNDERTAKEN A LIMITED SCOPE OF PROFESSIONAL SERVICES. THE CONSTRUCTION DOCUMENTS PROVIDED BY THE LIMITED SERVICES SHALL BE TERMED "BUILDER'S PLANS" IN RECOGNITION OF THE CONTRACTOR'S SOPHISTICATION. CONSTRUCTION WILL REQUIRE THAT THE CONTRACTOR ADAPT THE "BUILDER'S PLANS" TO FIELD CONDITIONS ENCOUNTERED AND MAKE LOGICAL ADJUSTMENTS IN FIT, FORM, DIMENSION AND QUANTITY THAT ARE TREATED ONLY GENERALLY BY THE "BUILDER'S PLANS". IN THE EVENT ADDITIONAL DETAIL OR CLEARANCE IS NEEDED BY THE CONTRACTOR OR OWNER FOR CONSTRUCTION OR ANY ASPECT OF THE PROJECT, HE/SHE SHALL IMMEDIATELY NOTIFY THE DESIGNER. FAILURE TO GIVE A SIMPLE NOTICE SHALL RELIEVE THE DESIGNER OF RESPONSIBILITY FOR THE CONSEQUENCES.
13. DIMENSIONS ARE TO FACE OF WALL, TOP OF FLOOR SHEATHING, FACE OF CONCRETE OR MASONRY EXCEPT AS NOTED OTHERWISE. DO NOT SCALE DRAWINGS. INTERIOR FRAME WALLS ARE WOOD 1/2" THICK UNLESS OTHERWISE INDICATED. COPPER BOARD SHEATHING IS 1/2" THICK UNLESS OTHERWISE NOTED. ROUGH DOOR JAMB OFFSETS ARE 3" UNLESS OTHERWISE NOTED. ANGLES WHICH APPEAR TO BE 45 DEGREES ARE SO UNLESS OTHERWISE INDICATED. ITEMS WHICH APPEAR TO BE CENTERED, ARE SO UNLESS OTHERWISE INDICATED.
14. FIXTURES, EQUIPMENT, MILL WORK, HARDWARE, FINISHES WHICH ARE NOT FULLY SPECIFIED IN THE DRAWINGS SHALL BE SUBMITTED TO THE OWNER FOR APPROVAL PRIOR TO THEIR ACQUISITION AND INSTALLATION.

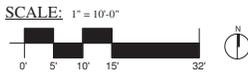
NOTE:
THESE DRAWINGS ARE FOR THE SOLE USE OF THIS PROJECT EXCLUSIVELY. ANY MEANS TO REPRODUCE, DUPLICATE ANY PORTION, ENABLE DISCLOSURE, OR OTHER USE FOR WHICH IT IS INTENDED TO REPRESENT IS PROHIBITED WITHOUT EXPRESS WRITTEN CONSENT BY BARSCH DESIGN.

ZONING LAND USE INFORMATION

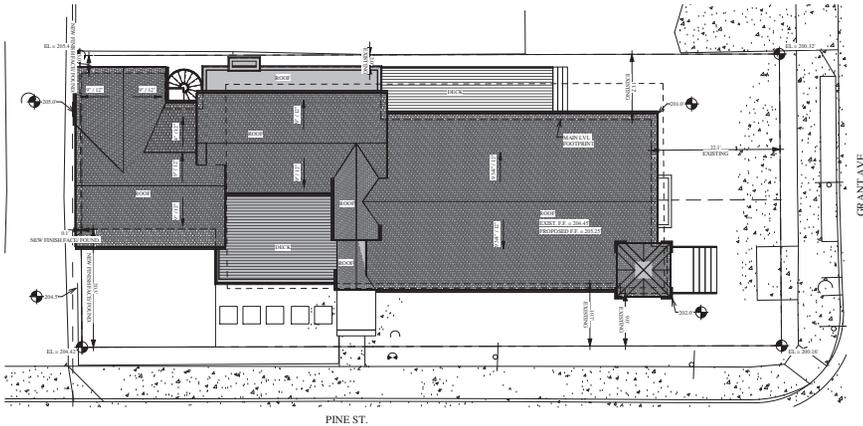
BUILDING FORM ON ZONE LOT HABITABLE STORY	ZONING LAND USE(S)	GROSS FLOOR AREA (SF)
PRIMARY URBAN HOUSE BUILDING FORM		
LOWER LEVEL	ONE UNIT DWELLING	2,446 SF
MAIN LEVEL	ONE UNIT DWELLING	2,446 SF
SECOND LEVEL	ONE UNIT DWELLING	1,184 SF
2-CAR GARAGE		643 SF
TOTAL (W/ GARAGE)		6,719 SF

CODE ANALYSIS:
BUILDING CODE:
 2015 IRC,
 2015 IECC COMPLIANCE METHOD (PRESCRIPTIVE)

ZONE DISTRICT:
 OLD TOWN OVERLAY



OPEN SPACE:



- SHEET INDEX:**
- A1.0 EXISTING PLANS
 - A2.0 EXISTING ELEVATIONS
 - A3.0 PROPOSED LOWER LEVEL PLAN
 - A3.1 PROPOSED MAIN LEVEL PLAN
 - A4.0 PROPOSED NS ELEVATIONS
 - A4.1 PROPOSED EW ELEVATIONS
 - A6.0 PROPOSED 3D VIEWS
 - A7.0 PROPOSED IECC 2015 COMPLIANCE
 - A7.1 PROPOSED IECC 2015 COMPLIANCE

PROJECT DATA:
LEGAL DESCRIPTION:
OWNER:
DESIGNER: STEPHEN BARSCH, MARCH
STRUCTURAL ENGINEER:
CONTRACTOR:

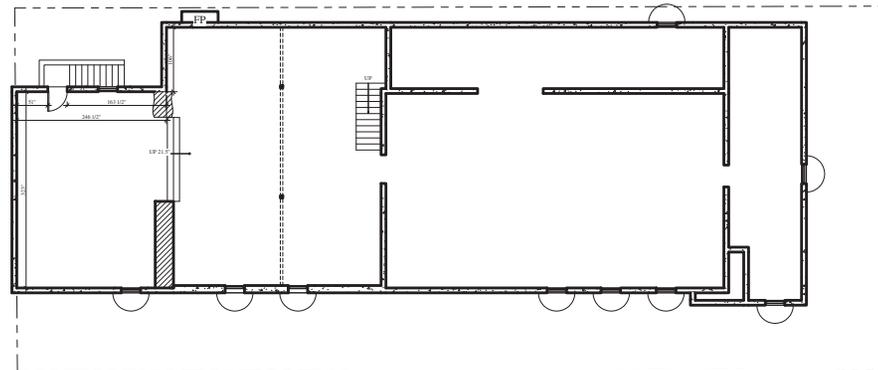
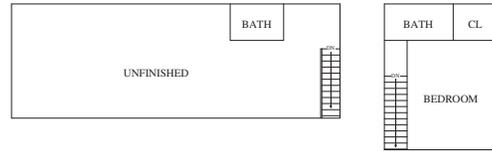
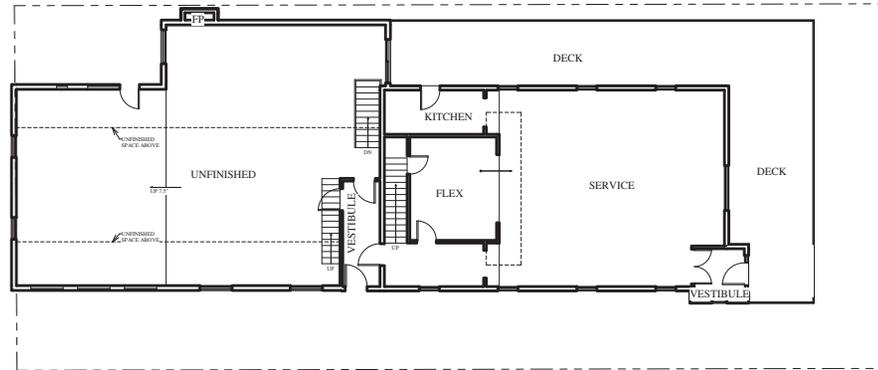
BARSCH DESIGN
 743 WEST SIXTH AVENUE
 DENVER, COLORADO 80204
 303 - 534 - 1121
INTERNATIONAL MAILING

701 GRANT AVE
LOUISVILLE, CO

DESIGN DEVELOPMENT

APRIL 30, 2020
 REVISION:





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 DEVELOPMENT

APRIL 30, 2020

REVISIONS:

A2.0



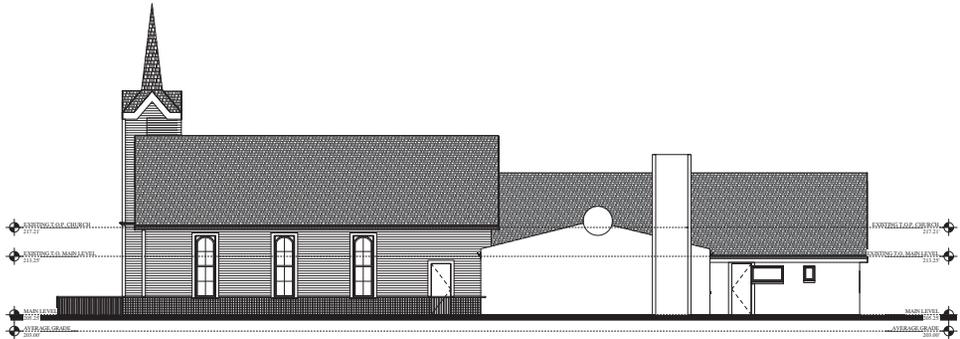
EXISTING SOUTH ELEVATION

SCALE: 1/8" = 1'-0" @ 24" X 36"



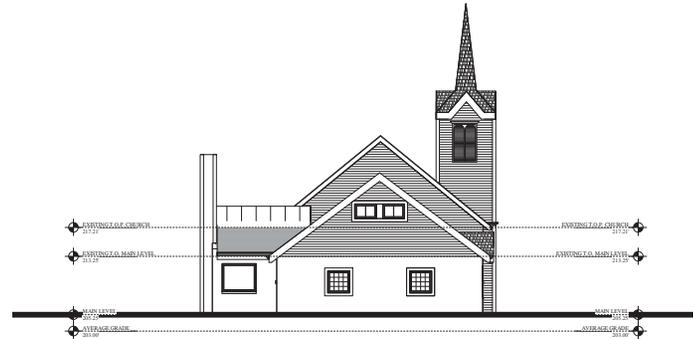
EXISTING EAST ELEVATION

SCALE: 1/8" = 1'-0" @ 24" X 36"



EXISTING NORTH ELEVATION

SCALE: 1/8" = 1'-0" @ 24" X 36"

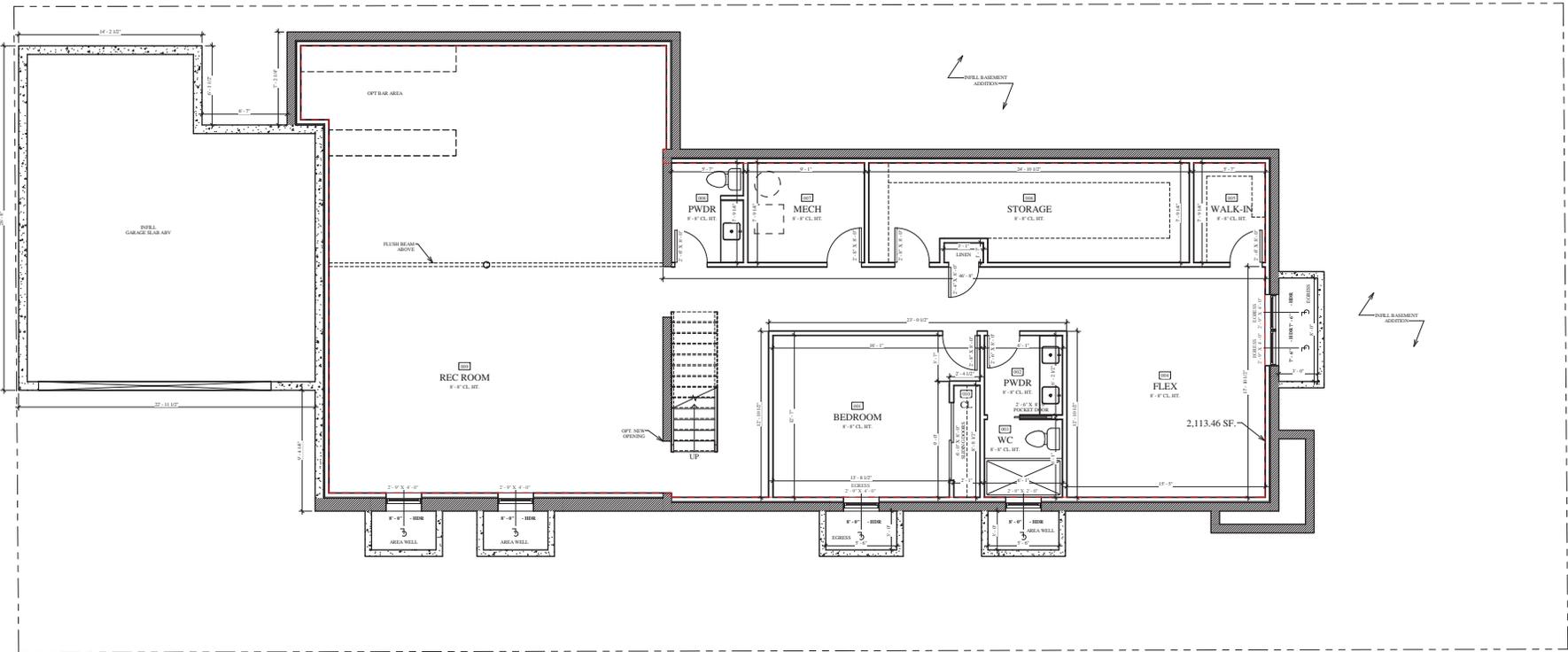


EXISTING WEST ELEVATION

SCALE: 1/8" = 1'-0" @ 24" X 36"



REVISION:



PROPOSED LOWER LEVEL PLAN

SCALE: 1/8" = 1'-0"



LEGEND

	NEW MASONRY WALL
	NEW WALL
	EXISTING MASONRY WALL
	EXISTING WALL

	SPOT ELEVATION AT ORIGINAL GRADE
	BASE PLANE
	BULK PLANE
	PROPERTY LINE
	PROPOSED FENCE

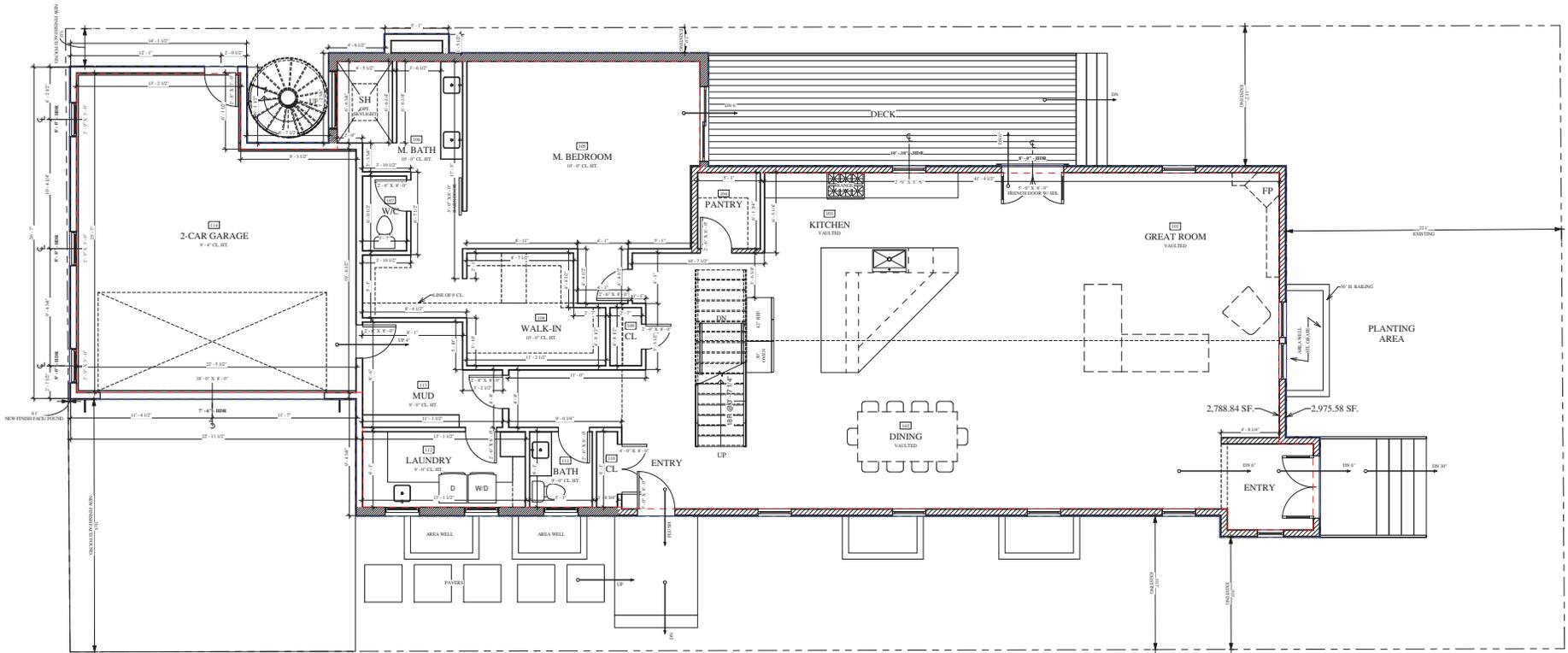
	REQUIRED OR ZONE LOT SETBACK
	65%/35% ZONE LOT DEPTH LINE
	GAS METER
	ELECTRIC METER
	SMOKE & CARBON MONOXIDE DETECTOR

LIGHTING

	OUTLET
	J-BOX / PENDANT
	RECESSED CAN
	WALL MOUNTED LIGHT FIXTURE

	LED STRIP LIGHTING
	BATHROOM FAN
	UNDER CABINET STRIP LIGHTING
	UPLIGHT
	SINGLE - / DOUBLE - SWITCH

REVISION:



PROPOSED MAIN LEVEL PLAN

SCALE: 1/8" = 1'-0" @ 24" X 36"



LEGEND

	NEW MASONRY WALL
	NEW WALL
	EXISTING MASONRY WALL
	EXISTING WALL

	SPOT ELEVATION AT ORIGINAL GRADE
	BASE PLANE
	BULK PLANE
	PROPERTY LINE
	PROPOSED FENCE

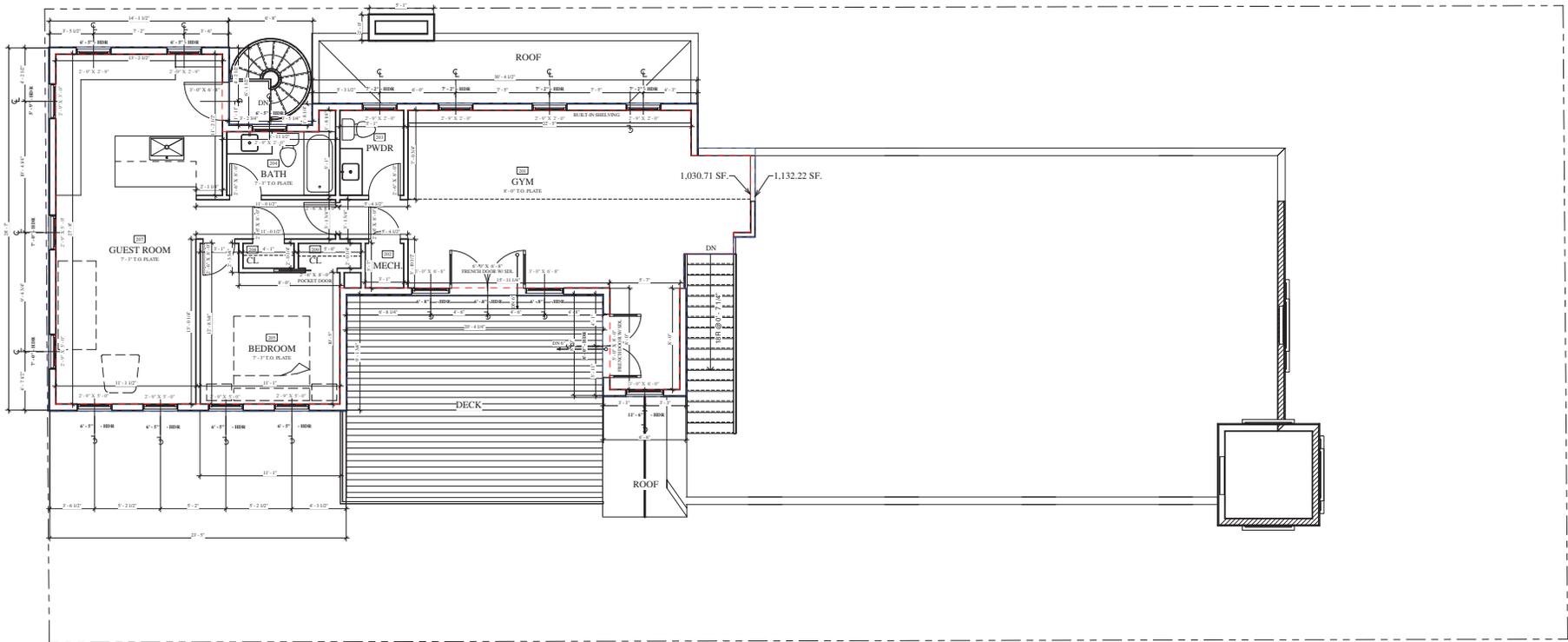
	REQUIRED OR ZONE LOT SETBACK
	65%/35% ZONE LOT DEPTH LINE
	GAS METER
	ELECTRIC METER
	SMOKE & CARBON MONOXIDE DETECTOR

LIGHTING

	OUTLET
	J-BOX / PENDANT
	RECESSED CAN
	WALL MOUNTED LIGHT FIXTURE

	LED	LED STRIP LIGHTING
	BATHROOM FAN	
	UNDER CABINET STRIP LIGHTING	
	UPLIGHT	
	SINGLE - / DOUBLE - SWITCH	

REVISIONS:



PROPOSED SECOND LVL
SCALE: 1/8" = 1'-0" @ 20X & 30X



LEGEND

	NEW MASONRY WALL		SPOT ELEVATION AT ORIGINAL GRADE
	NEW WALL		BASE PLANE
	EXISTING MASONRY WALL		BULK PLANE
	EXISTING WALL		PROPERTY LINE
			PROPOSED FENCE

	REQUIRED OR ZONE LOT SETBACK
	65%/35% ZONE LOT DEPTH LINE
	GAS METER
	ELECTRIC METER
	SMOKE & CARBON MONOXIDE DETECTOR

LIGHTING

	OUTLET		LED STRIP LIGHTING
	J-BOX / PENDANT		BATHROOM FAN
	RECESSED CAN		UNDER CABINET STRIP LIGHTING
	WALL MOUNTED LIGHT FIXTURE		UPLIGHT
			SINGLE- / DOUBLE- SWITCH

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APRIL 30, 2020
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A4.1





SE 3D VIEW



NE 3D VIEW



NW 3D VIEW



SW 3D VIEW

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 DEVELOPMENT

APRIL 30, 2020

REVISIONS:

A6.0

Variance Criteria

Under [Section 17.48.110](#), the Board of Adjustment has the power to hear and decide variances if all of the following criteria are met:

1. That there are unique physical circumstances or conditions such as irregularity, narrowness or shallowness of lot, or exceptional topographical or other physical conditions peculiar to the affected property;
The existing church structure currently violates the north, rear and front setbacks as well as the lot coverage and floor area ratio and height. The proposed project utilizing the church structure will in turn violate the rear setback and height limit
2. That the unusual circumstances or conditions do not exist throughout the neighborhood or district in which the property is located;
This a unique property in that it is a church that has been converted to a private residence.
3. That because of such physical circumstances or conditions, the property cannot reasonably be developed in conformity with the provisions of this title;
In order to save this historic structure, it cannot be reasonably developed without a variances to the title.
4. That such unnecessary hardship has not been created by the applicant;
The hardship was not created by the applicant.
5. That the variance, if granted, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property;
The proposed project is aiming to keep the essential character of the neighborhood and enhance the adjacent properties
6. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the provisions on this title which are in question.
The proposed project has been designed to try to keep the variance requests to a minimum.

OLD TOWN OVERLAY ZONING DISTRICT REGULATIONS

REVISED JULY 2017

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Old Town Overlay Zoning District Regulations

Sec. 17.12.050. Yard and bulk requirements; Old Town overlay district.

A. *Conflicting requirements.* Within the area designated on the zoning district map as the Old Town overlay district, the regulations of this section shall apply in addition to any other applicable section of this title. To the extent that a specific yard and bulk requirement set forth in this section establishes a standard or requirement which conflicts with a yard and bulk requirement set forth in any other applicable section of this title, the specific requirement of this section shall control.

B. *Building height.* The maximum building height for principal uses shall not exceed 27 feet.

C. *Design and Slope of Roof.*

1. 80 percent of the roof surface area of all roofs on each structure on a property must have a pitch of 6:12 or greater.
2. The roof pitch that constitutes more than 50 percent of the roof surface area shall be considered the existing roof pitch. Additions to existing homes where the existing roof pitch is less than 6:12 shall be exempt from the requirements of subsection C.1 of this section. Such additions shall continue the existing roof pitch, or may have a lesser roof pitch as long as no more than 20 percent of the entire structure, including addition, has a roof pitch less than the existing roof pitch.
3. Additions to existing homes which remove and rebuild 50 percent or more of the existing roof must meet the requirements of subsection C.1 of this section.
4. Structures under 120 square feet are exempt from the requirements of this subsection C.

D. *Lot coverage.* The maximum lot coverage (expressed as square feet of lot area or as a percentage of lot area) shall be as follows:

1. For a lot having a lot area of less than 4,000 square feet: 40 percent.

2. For a lot having a lot area of 4,000 to 5,999 square feet: 1,600 square feet or 37.5 percent, whichever is greater.
3. For a lot having a lot area of 6,000 to 6,999 square feet: 2,250 square feet or 35 percent, whichever is greater.
4. For a lot having a lot area greater than 7,000 square feet: 2,450 square feet or 30 percent, whichever is greater.

E. Floor area ratio. For the purposes of this subsection, the term "floor area ratio" shall not include the floor area of basements if more than one-half of the vertical distance between the basement floor and ceiling is below the grade of the site, or the floor area of unenclosed porches, balconies, canopies, decks, or patios. The maximum floor area ratio shall be as follows:

1. For a lot having a lot area of less than 4,000 square feet: 0.50.
2. For a lot having a lot area of 4,000 to 5,999 square feet: 0.45 or 1,999 square feet, whichever is greater.
3. For a lot having a lot area of 6,000 to 6,999 square feet: 0.40 or 2,699 square feet, whichever is greater.
4. For a lot having a lot area greater than 7,000 square feet: 0.35 or 2,799 square feet, whichever is greater.

F. Front yard setback. The minimum front yard setback for principal uses shall be 20 feet unless reduced per section 17.16.080. The maximum front yard setback shall be the lesser of 25 feet or five feet plus the minimum front yard setback determined per section 17.16.080.

G. Access and front setback requirements for garages. Where a developed alley with a minimum right-of-way width of 15 feet, or a side street, adjoins a rear or side lot line of a lot, access to a garage or off-street parking space from a street adjoining a front lot line shall be prohibited. Where the only access available to a lot is from a street adjoining the front lot line, the minimum front yard setback for an attached or detached garage shall be not less than 20 feet greater than the setback between the front property line and the front building line of the dwelling.

H. Street side yard setback. The minimum side yard setback from a street for principal and accessory uses shall be as follows:

1. For a lot having a lot width less than 30 feet: Eight feet.
2. For a lot having a lot width of 30 to 60 feet: Ten feet.

3. For a lot having a lot width greater than 60 feet: 15 feet.

I. Interior side yard setback for principal uses. The minimum side yard setback from an interior lot line or platted alley for principal uses shall be as follows:

1. For a lot having a lot width less than 30 feet: Three feet.
2. For a lot having a lot width of 30 to 60 feet: Five feet.
3. For a lot having a lot width greater than 60 feet: Seven feet.

J. Interior side yard setback for accessory uses. The minimum side yard setback from an interior lot line or platted alley for accessory use shall be three feet.

K. Exceptions to front yard and side yard setbacks. The minimum front yard setback and the minimum side yard setback from a street may be reduced as follows:

1. A covered porch attached to a principal use may extend not more than six feet into the required front yard setback and the required side yard setback from a street.
2. An addition to an existing principal structure may extend into a required side yard setback provided all of the following conditions are met:
 - a. The resulting setback is not less than three feet;
 - b. The resulting sum of both side yard setbacks for a lot is equal to or greater than the sum of both required side yard setbacks for a lot; and
 - c. The resulting distance from any principal structure on an adjacent lot shall not be less than ten feet for lots having a lot width equal to or greater than 30 feet, and shall not be less than six feet for lots having a lot width less than 30 feet.

L. Rear yard setback. The rear yard setback shall be as follows:

1. The minimum rear yard setback for principal uses shall be 25 feet.
2. The minimum rear yard setback from a rear lot line for accessory uses shall be three feet except that there shall be no minimum rear yard setback from a rear lot line which is a common boundary line with a platted alley, provided, however, that garages with vehicle entrances facing an alley shall have a minimum rear yard setback of 20 feet from the

right-of-way line of the alley which is opposite the rear lot line forming the common boundary with the alley.

Sec. 17.12.055. Preservation zoning incentives; Old Town overlay district.

Background:

As properties are purchased and houses are remodeled, there appears to be a trend towards scraping the existing house of the lot to allow for a larger house that maximizes the development standards which is threatening the character of the Old Town District as well as the architectural integrity of the area. In response, the Historic Preservation Program offers zoning incentives that provide property owners more square footage and FAR in exchange for the retention of the street-facing façade of the home.

Louisville City Council adopted Ordinance No. 1519, Series 2007 which:

- 1) encourages and rewards the designation of properties as landmarks or districts.*
- 2) encourages and rewards building activities that preserve structures and features of historic architectural significance.*
- 3) encourages the preservation of houses and maintain the street level character of residential areas in the district.*

A. Notwithstanding the provisions of section 17.12.050 to the contrary, there shall be granted within the Old Town overlay district a lot coverage bonus and a floor area ratio bonus for preserving the street-facing facade or for obtaining a landmark designation pursuant to chapter 15.36 of this code. Such bonuses, referred to as the preservation bonus and the landmark bonus, shall be as set forth in subsection B of this section and shall be granted for qualifying projects as provided in subsection C of this section.

B. The preservation bonus and landmark bonus be as follows:

1. Table of Preservation and Landmark Bonuses

Lot Size	Existing Lot Coverage	Preservation Bonus Lot Coverage	Landmark Bonus Lot Coverage	Existing FAR	Preservation Bonus FAR	Landmark Bonus FAR
< 4000 sf	40%	45%	50%	.50	.55	.60
4000-5999 sf	37.5 % or 1600 sf	42.5%	47.5%	.45 or 1999 sf	.50	.55
6000-6999 sf	35 % or 2250 sf	40%	45%	.40 or 2699 sf	.45	.50
>7000 sf	30% or 2450 sf	35%	40%	.35 or 2799 sf	.40	.45

- 2. Additionally, for lots greater than 60 feet in width, the minimum side-yard interior setback requirement may be lowered to five feet and the minimum side-yard street setback requirement may be lowered to ten feet as a part of the preservation bonus.

3. Additionally, if the front setback on the property is nonconforming and foundation work is needed to obtain a preservation bonus or landmark bonus, then such work will not trigger the need to bring the nonconforming setback into compliance.
- C.** To qualify for a preservation bonus or a landmark bonus, the residential project for which such bonus is requested must meet each of the following requirements:
1. The house must be at least 50 years old.
 2. The project must save and preserve the full width of the front street-facing façade of the house as well a minimum amount of the original sidewalls or other features adjoining the front street-facing façade. Such minimum amount shall be 10 feet or 25 percent of the depth of the house, whichever is less, and the project must save and preserve all walls, porches, windows, and architectural elements located partially or entirely in such minimum footage.
 3. The project shall not include a new addition attaching to the front street-facing façade or to the preserved original wall or architectural elements.
 4. Any second story addition to an existing structure shall be set back 12 feet from the front wall of the existing front street-facing façade.
 5. The second floor square footage shall be no more than 75 percent of the total square footage of the lower floor.
 6. In order to obtain a landmark bonus, a landmark designation must also be obtained pursuant to the provisions of chapter 15.36 of this code. The landmark resolution must be adopted prior to granting of any landmark bonus.
- D.** Nothing in this section 17.12.055 affects the requirement to obtain a landmark alteration certificate for a project, when and to the extent required by chapter 15.36 of this code. The applicant for a landmark alteration certificate may request that any approved certificate include a preservation bonus or landmark bonus as authorized by this section.
- E.** The planning department shall administer the provisions of this section. Projects that qualify for a preservation bonus or landmark bonus shall be granted such bonus by administrative action of planning department, which grant shall be evidence by written instrument issued by the planning department and signed by the director of planning or his designee. Reference to an approved preservation bonus or landmark bonus may also be set forth in any landmark alteration certificate(s) or building permit(s).
- F.** Eligibility for, receipt of, or an interest in fully utilizing any preservation bonus or landmark bonus shall not constitute grounds for the granting of a variance from any other provision of this title.

Sec. 17.16.050. Projections from buildings.

Cornices, eaves, canopies, sunshades, gutters, chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, and other similar architectural features may project not more than three feet into a required yard or into required open space as established by coverage standards.

Sec. 17.16.080. Exceptions to yard requirements.

The following exceptions to the front yard requirement for dwellings abutting local streets, not including collector or arterial streets, are authorized for a lot in any district:

- A. If there are dwellings on both abutting lots with front yards of less than the required depth for the district, the front yard for the lot need not exceed the average front yard of the abutting dwellings.
- B. If there is a dwelling on one abutting lot with a front yard of less than the required depth for the district, the front yard for the lot need not exceed a depth one-half way between the depth of the abutting lot and the required front yard depth.

Sec. 17.16.100. Vision clearance areas.

- A. A vision clearance area shall contain no plantings, walls, structures or temporary or permanent obstructions exceeding 2 1/2 feet in height, measured from the top of the curb or existing grade, unless such structure or obstructions are more than 80 percent open.
- B. The minimum distance establishing the size of the vision clearance area shall be 30 feet, except that at intersections including an alley, the minimum distance shall be 15 feet.
- C. Vision clearance areas shall not be required at street intersections not including an alley in the area designated as the central business district, except with respect to fences and structures similar to fences. Vision clearance areas at intersections including an alley are required in the area designated as the central business district with respect to all the requirements of subsection A. The minimum distance establishing such vision clearance areas shall be 15 feet measured from the curb lines of the street and the right-of-way lines of the alley.
- D. Where a designated recreational trail intersects a street, there shall be a vision clearance area and the minimum distance establishing such area shall be 15 feet measured from the curb lines of the street and the edge of the trail.

Sec. 17.16.130. Principal buildings on the same lot.

No part of a principal building (including eaves and overhangs) shall be located closer than five feet to any other principal building on the same lot in residential zone districts.

Sec. 17.16.030. Accessory uses.

Accessory uses shall comply with all requirements for the principal use except where specifically modified by this title, and shall also comply with the following limitations:

- A. A greenhouse or hothouse may be maintained accessory to a dwelling only if there are no sales from the premises.
- B. A guesthouse may be maintained in a residential district accessory to a dwelling provided such guesthouse is used for the occasional housing of guests of the occupants of the principal dwelling, and so long as such guesthouse is not used for commercial purposes and no charge is made for the use of such premises.
- C. The minimum rear yard setback from a rear lot line for accessory structures shall be ten feet. No part of an accessory building (including eaves and overhangs) shall be located any closer than five feet to any principal structure, either on the same lot or an adjacent lot, in residential zone districts. No part of an accessory building (including eaves and overhangs) shall be located any closer than ten feet to any principal structure, either on the same lot or an adjacent lot, in nonresidential zone districts.
- D. Accessory buildings on corner lots shall be set back from the side street a distance not less than that required for the principal building.
- E. Accessory structures and uses shall comply with the yard and bulk regulations applicable in the district in which they are located as set forth under chapters 17.12 and 17.13.

Helpful Definitions

Sec. 17.08.165. Floor area.

Floor area means the area included within the outside walls of a building or portion thereof including habitable tenant houses and attic space, but not including vent shafts, courts or uninhabitable areas below ground level or in attics.*

**This measurement shall not include the area within in a wall.*

Sec. 17.08.275. Lot coverage.

Lot coverage means the percentage of the total lot area available for bulk or buildings.

Sec. 17.08.045. Building height.

Building height means the vertical distance measured from grade to the highest point on the roof surface.

Sec. 17.08.035. Building.

Building means a structure built for the shelter or enclosure of persons, animals, chattels, property or substances of any kind, excluding fences.

Sec. 17.08.550. Structure.

Structure means anything constructed or erected with a fixed location from the ground above grade, but does not include poles, lines, cables, or other transmission or other distribution facilities of public utilities.

Sec. 17.08.205. Grade (ground level).

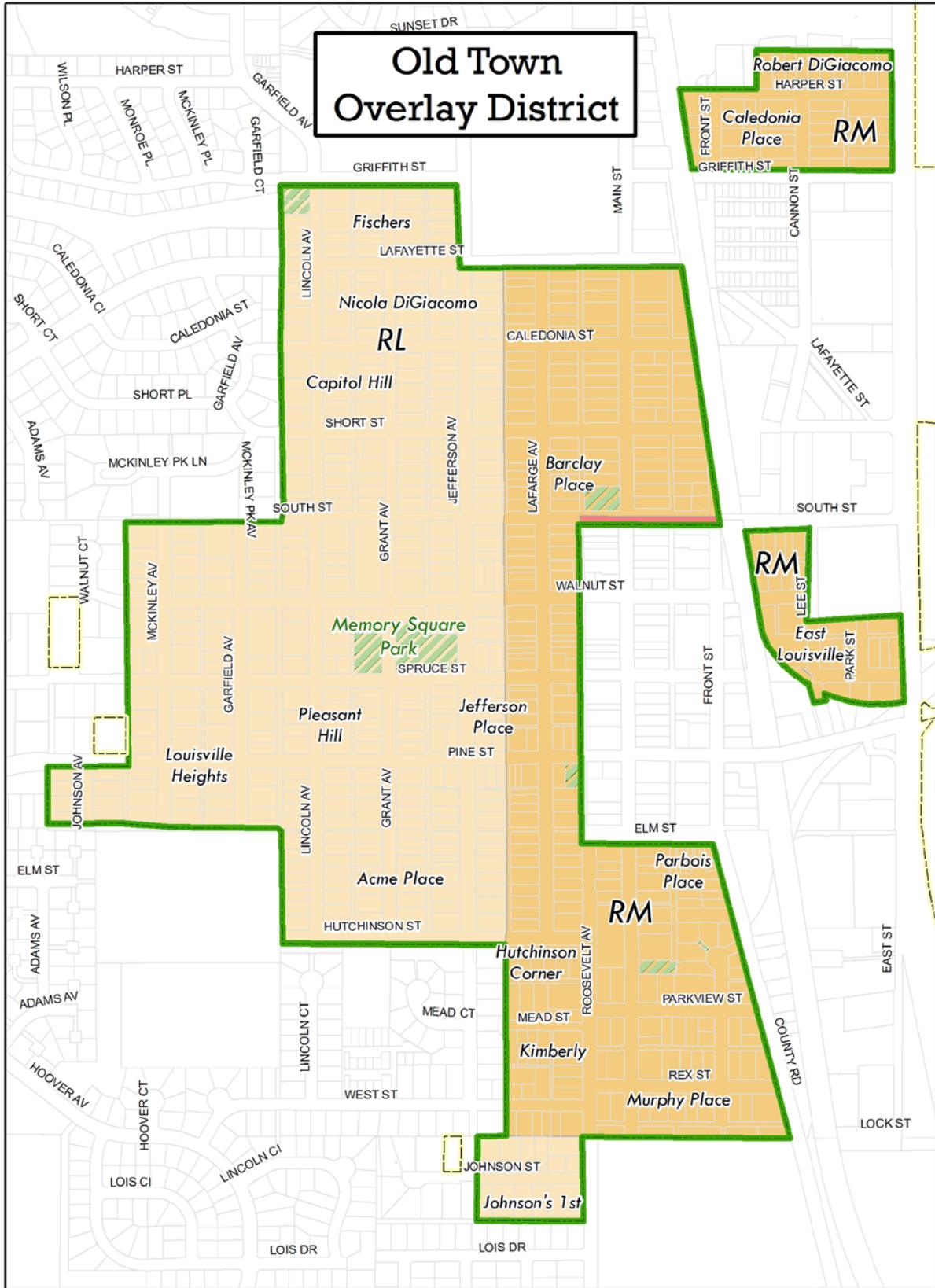
Grade (ground level) means the average of the finished grade surface elevation measured at the highest and lowest exterior corners of a structure. If fill is added to raise the surface elevation at the structure by more than one foot, then grade is determined from the finished site grade level a distance of ten feet from the structure wall, or from the property line if the property line is closer than ten feet to the structure wall.

Underlying District Regulations

Existing lots of record that do not meet the regulations listed below are considered legally nonconforming. (Sec. 17.36.090)

	RL District	RM District
Minimum lot area (SF)'	7,000	7,000
Minimum lot area per dwelling unit (SF)	7,000	3,500
Minimum lot width (ft.)	70	60
Maximum height for accessory structure (ft.)	20	20

'8,000 SF for a corner lot





701 Grant Avenue – Baptist Church Building

Legal Description: Lots 10 & 11, Block 8, Pleasant Hill Addition

Year of Construction: 1901

Summary: This building was constructed in 1901 to be the Louisville Baptist Church. It was both a place of worship and a Louisville gathering place where many thousands of people have sought community since it was built. A rear addition was added in 1946, and records indicate that this annex was expanded further in 1958. Yet more expansion work was done in at least the 1960s and 1980s. The building served as the Baptist Church until about 1971, when church leaders sold it to be a residence and established a new church elsewhere. It has been owned as a residence for nearly fifty years, after about seventy years as a church. This building and the Methodist Church building at 741 Jefferson are the only original church buildings in Louisville that date back to that early era and that are still standing.

1. Development of Louisville’s Pleasant Hill Addition; Date of Construction

The subdivision in which this house is located, Pleasant Hill Addition, was platted in 1894. The subdivision was developed in the name of Orrin Welch, the half-brother of Charles C. Welch. Charles Welch was the person most responsible for the establishment of Louisville in 1878 after he established the first coal mine in this area in 1877. Orrin Welch is not known to have ever lived in Colorado, and it is Charles C. Welch who is thought to have been the de facto developer.

A Boulder County Assessor card for this property could not be located, and one may not have been created since this was a church building. Typically, such a card would include at least an estimated date of construction.

The Boulder County website gives 1904 as the date of construction of this building. Boulder County has been found to be in error with respect to the date of construction of some Louisville buildings, so other evidence is looked to. In this case, we know that the Baptist Church congregation was established in Louisville in 1898 and that the Church leaders went to work to acquire property and construct a building. Boulder County property records show that in 1899, Church leaders acquired ownership of Lots 10 and 11, Block 8, from Orrin Welch (by power of attorney given to his half-brother, Charles C. Welch).

Sources other than the County point to the construction date of 1901, not 1904. *Louisville Times* articles dated June 15, 1968 and June 21, 1973 stated that on Feb. 10, 1901, the first meeting was held in the building at Pine and Grant. These articles have particular credibility because there would have been congregation members still living in Louisville in 1968 and 1973 who had been at the first church meeting in the building or had heard about it. Also, the 1901 construction date was stated in the Church's own history booklet, "First Baptist Church of Louisville: One Hundred Years Serving the Lord 1898-1998," and in other records, such as the 1982 Inventory Record completed for 701 Grant as part of a Historic Survey. For these reasons, the date of construction is assumed to be 1901, not 1904.

2. Baptist Church Building History, 1901-1972

Church organizers received financial and other support from the Northern Baptist Home Mission Society, according to the booklet "First Baptist Church of Louisville: One Hundred Years Serving the Lord 1898-1998." The 1973 *Louisville Times* article about the 75th anniversary of the organization of the Baptist, cited above, also contains other pertinent details and provides a good summary. It states, "The First Baptist Church was organized on June 20, 1898, when 12 people met together for that purpose. Through the efforts of a missionary, Rose J. Clark, the group first started meeting in local homes. One year later Mr. Welch and C. A. Clark presented two lots for a building site. In 1900 Rev. William Bingham was called to be the first pastor. . . . Four years [after the Church began to have its meetings in the new building at 701 Grant] a parsonage was built at 500 Pine St. Since Louisville was a coal mining town this had an effect upon the life of the church and in 1917 the doors of the church were closed for three years due to the differences of opinion on labor and management. The work was again started in 1920. . . [I]n 1967 it was decided to rebuild and relocate the church. A \$60,000 bond program was initiated and in 1970 five acres of ground were purchased on South Boulder Rd."

Church leaders had the building constructed so that the front faced to the east. This may have been done for intentional religious reasons, and it may have been dictated to some extent by the placement of the lots, but it also means that the Church was built to face the commercial district of Louisville just a few blocks away. It was constructed on a rise in the ground, with its height further emphasized by vertical architectural features such as its bell tower and its tall, narrow windows.

The original part of the building appears on the 1909 Drumm's Wall Map of Louisville. An excerpt of this map is shown below, with the Church building at center on lots 10 and 11:



A June 18, 1986 *Louisville Times* article, written on the occasion of the Church congregation's 88th anniversary, gave additional historical details. The article states, "[I]n the early years the Baptists let the German Lutherans of the community hold their services in the building on Sunday afternoons. The Lutherans paid \$1 a month in winter and 50 cents a month in summer to use the building."

In 1905, the *Lafayette News* reported that the superintendent of Louisville’s Baptist Sunday School was planning to start a Sunday School at the mine camp at the Sunnyside Mine south of Louisville, an interesting example of outreach by the Church into one of the mining camps.

The Baptist Church was both an important place of worship for Louisville and a community center. Appendix I contains a list of some of the different community and church events that were held in the building. According to a *Louisville Times* article (June 20, 1998) that appeared in the paper on the occasion of the 100th anniversary of the organization of the Baptist Church, “The effects the church has had on the community of Louisville, as well as its community of believers may be immeasurable. ‘The relationships that have been built within the church that meets here have been profound and life-changing,’ [Pastor Craig] Watters said.”

A. Early Photos

The following is the oldest known photo of the Baptist Church, likely dating from the early 1900s:



The next two photos show a parade on Pine Street in circa 1920 with the Church building on the right:





This photo shows the Baptist Church in the background of a photo of Edna Carveth standing in her yard at 637 Lincoln Ave. in about 1920:



This screen shot is an excerpt from Louisville's World War II film, "Our Boys and Girls in the Armed Forces, 1943-44" showing servicemen and women while they were home on leave in Louisville. This particular scene shows Charles "Chuck" Davis in the front yard of 500 Pine St., which was the Baptist parsonage that his mother was renting at the time. The Baptist Church can be seen in the background. This view and other views in this scene of the film show that the rear addition had not yet been constructed.



This undated photo from the Church booklet cited above shows the interior of the sanctuary. Information about the placement of pews or chairs in the building could not be located for this report.



B. Pastor History and Parsonage History

The Louisville Baptist Church had a number of different pastors over the 70 years that it was located at 701 Grant. A list of the names of 30 of the pastors with their years of service appears in Appendix II. Some pastors were here with wives as well as children who attended Louisville schools before the family moved on to a church posting in another community. Other pastors were single men who served for shorter periods or as interim pastors, and who commuted from Denver. A number of the pastors were students at Rockmont College in Denver. This college had previously been known as Denver Bible College, and is now Colorado Christian University.

The Church parsonage from 1905 until the 1950s was 500 Pine, which was located just southwest of the Church across Pine Street. When 500 Pine was not needed for the pastor, the Church rented it out. Next, starting in the late 1950s, 705 Grant (just to the north of 701 Grant) served as the parsonage.

C. Additions and Work on the Church Building

According to previous owner Buddy Day in 2010, the sanctuary part of the building has been mostly unchanged from when the Baptist Church used it. The majority of the changes have been in the construction of the rear additions, in stages; the construction of the basement, also believed to have taken place in stages; and in the remodeling of these areas. It is somewhat difficult to ascertain the dates and extent of these changes, so the texts of the relevant *Louisville Times* articles are included as appendices.

By all accounts, the first part of the rear addition was added in 1946. This began to be called the annex. According to the April 18, 1946 *Louisville Times*, "it will be used for Sunday school classes, recreation and entertaining. It will be equipped with a kitchen for serving." This addition was of mostly cinder block construction. The 1946 article can be read in Appendix III.

The following photo appeared in the locally-published book entitled *Service Record Book of Men and Women of Louisville, Colorado and Community* and that was sponsored by the American Legion post in

Louisville. The book includes some scenes of buildings in Louisville, in addition to containing photos of members of the Armed Forces from Louisville who served in World War II. While it is undated, it is believed to have come out in the late 1940s. The following photo from the book is significant because it shows the first stage of the rear addition, before the second stage of cinder block construction was added to it.



On August 30, 1957, the *Louisville Times* reported on the progress of the next addition: “Construction was started Monday for the addition to the Sunday school department of the Baptist Church. There will be a kitchen, dining room and recreation space in the basement of the 21 by 28 foot new addition and Sunday school rooms on the main floor.” This article and a 1958 article about the dedication of the new space appear in Appendix IV. The 1958 article specifically states, “The new annex, a 22 by 34 foot building with full basement, was added to the west end of the first annex at the west of the church proper.” This indicates that the rear addition was added in at least two parts in 1946 and 1958. (A look at the area at the back of the Baptist Church today shows that the additions appear to have been made in stages, in that the cinder blocks of the 1958 addition don’t match up exactly with the cinder blocks of the 1946 addition.)

The following excerpt of a 1962 aerial photo of Louisville shows the Baptist Church building at the center, on the corner of Grant and Pine. Pine is seen as the street going vertically, and the view is facing east. By that time, the rear cinder block additions extended all the way west to the alley, but the small addition on the north side had not yet been added.



This undated photo shows 701 Grant while it was still being actively used as a church:



In a 2010 interview with then-owner Buddy Day, he stated that it was his understanding that the original sanctuary part of the building was lifted so that a concrete foundation and basement could be added. This may have been done as part of the remodeling work performed in 1966, as described in the text of a *Louisville Times* article that appears in Appendix V.

By 1967, Church leaders made the decision to build a new church building with more space for a growing congregation and to sell 701 Grant. The property was sold in 1971 and services began to be held in the new building in 1972. The exact date of the last services at 701 Grant could not be located.

(Former owner Buddy Day stated that he believed that the front and side decks were more recent additions. Appendix VII contains the text of a 1983 article about remodeling done at that time, which may have included this change plus the construction of the small addition to the north side of the building.)

3. The Building's History as a Residence, 1971-Present

A. Reindl Ownership, 1971-1976

In 1971, as Baptist Church leaders prepared for the construction of a new church building on South Boulder Rd., they sold 701 Grant to Warren and Lois Reindl. A Louisville directory from 1974 listed them as living there at that time.

B. Michael Jenkins Ownership, 1976-1988

In 1976, the Reindls sold 701 Grant to Jack and Donnette Nair. The same year, they sold it to Michael Jenkins. Michael Jenkins would end up owning it for 12 years, until 1988.

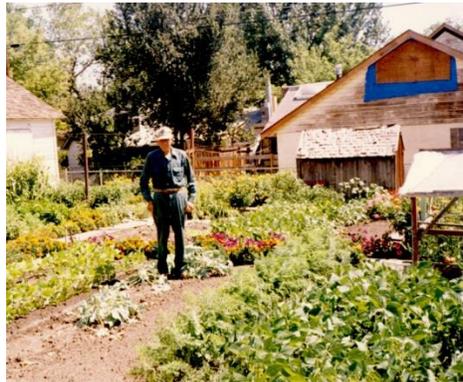
During Michael Jenkins' ownership, the first of two lawsuits against the City of Louisville concerning this property were filed. One was resolved against the City and the other was for the City. Michael Jenkins sued the City of Louisville for damages on the basis that the City caused repeated backups of sewage into his building. In 1982, the court ordered the City to pay \$150,000 in damages, and this was later reported to have been changed to a settlement of over \$100,000 that the City of Louisville's insurer paid

to Jenkins. The court ordered the City to solve the sewage problem. See Appendix VI to read the text of a *Louisville Times* article dated March 23, 1983 regarding the lawsuit and the steps that the City took to address the problem at 701 Grant.

Michael Jenkins reportedly used the funds to make some major renovations to the building. See Appendix VII to read a *Louisville Times* article dated Nov. 9, 1983 and entitled “Old Louisville Baptist Church Property Being Remodeled.” It includes a photo of roof work that was performed on the building.

According to a 2010 oral history interview with later owner Herbert “Buddy” Day, it was owner Michael Jenkins who added the koi pond inside the residence. He also noted that Jenkins did design work on the building at 732 Main when it became the Black Diamond restaurant with an actual mine tipple brought in from New Mexico to add to the building.

These two photos show the annex, likely in the early 1980s, which was during Mike Jenkin’s ownership. The first photo shows Quentin Thomas standing in his garden at 700 Lincoln, with the back of 701 Grant seen across the alley to the east. The second photo shows a similar view.



C. Arlin Lehman Ownership, 1988-1994

In 1988, Arlin Lehman purchased this parcel. (The same year, he purchased 705 Grant next door, which he owned until 1998.)

During his ownership, there was a second lawsuit concerning the property. Lehman said that he had been told that he could convert some of the property into commercial offices that he would lease out. He went to some expense to prepare the office space, and it turned out that it would not be permitted.

He brought a lawsuit to claim that a City staff member had given incorrect information about what he would be able to do with the property, and sued on the basis of the City violating his due process rights.

This lawsuit was ultimately dismissed. Appendix VIII contains the text of a 1991 *Louisville Times* article about the case. Lehman is known for having later served as President of the Louisville Downtown Business Association.

D. Herbert “Buddy” Day Ownership, 1994-2010

Buddy Day owned 701 Grant for 16 years. He also owned a business in Louisville, the CD Depot, which was located at 630 Front St. The extensive shelving that is said to still exist at 701 Grant is believed to have been put in for the purpose of storing his CD collection.

In September 2010, as he was preparing to sell the house, Buddy Day gave an oral history interview for the Louisville Historical Museum’s Oral History Program. As part of the interview, he gave information about the history of the building, the kinds of events held there during his ownership, and work that had been done on the building.

Buddy Day said that he was drawn to the building and asked then-owner Arlin Lehman to let him know if it was ever going to be sold. Of his own ownership, Day emphasized that the building “is a community space.” While he lived there, he hosted many spiritual and cultural events in the sanctuary to highlight such visitors as Tibetan monks and Peruvian shamans, and to hold musical events. He also hosted events for the organization Dances of Universal Peace in the building for multiple years and spoke of having had a Thanksgiving dinner in the sanctuary with about forty people in the sanctuary. He spoke of the tight-knit neighborhood and of participating in community block parties for the 700 block of Grant.

When the City placed the Historic Preservation Tax issue on the ballot for Louisville voters to approve in 2008, Buddy Day served as the campaign’s treasurer and held at least one meeting of the campaign organization in the sanctuary.

Day knew of much of the work on the building by previous owners Mike Jenkins and Arlin Lehman, and he had a substantial amount of work done on it as well. Day stated that he put in a French drain along the north side of the building, had electrical work done, and added insulation to the attic. The Historic Preservation Commission and the City of Louisville in 2007 presented Buddy Day with a historic preservation award for adaptive reuse in connection with his preservation efforts at 701 Grant. The award was presented at the Louisville City Council meeting on May 15, 2007.

In the course of the interview, Day recalled an accident when a woman driving on Pine Street crashed her car into the north side of the annex, with the result that the car hood was peeled back. He recalled jumping up to see the car with its exposed engine having crashed into his bathroom. Day also recalled that under Arlin Lehman’s ownership, Lehman made his home in the sanctuary of the building and rented out the annex.

This undated photo of the Church that was donated to the Louisville Historical Museum is believed to have been taken in the 1990s:



The following film screenshots show the house and Buddy Day at the time of his oral history interview on September 23, 2010. He stated that he was the owner who added the angel to the top of the bell tower.



E. Alexander Allen Pritchard Ownership, 2010-current

Alexander Allen Pritchard purchased 701 Grant in 2010 and he is the current owner of record.

This photo was taken in October 2017, during his ownership:



4. Church Bell Saved by City of Louisville, 2014

The City of Louisville is the owner of the original Baptist Church bell. Church leaders kept the bell when they sold 701 Grant in 1971, and they installed the bell in their new church building in 1986. The new church property at 9000 South Boulder Road next to Cottonwood Park became available in 2014 after that church shut its doors. The City of Louisville purchased the property in 2014 and demolished the building the same year. When the City acquired the South Boulder Rd. property, the bell was included in the real estate transaction. Louisville City staff was aware of the historical significance of the old church bell and was aware that it had come from the old Baptist Church building when it was at 701 Grant, and the staff went to some effort to make sure that it was retrieved from the building on South Boulder Road before it was torn down.

This 2014 photo shows the newer Baptist Church when it was located on South Boulder Rd. The architectural feature containing the bell from the original church at 701 Grant can be seen in the photo.



5. 1982 Historic Survey of 701 Grant

In 1982, Steve Whissen completed an Inventory Record on the building at 701 Grant and on selected other historic building in Louisville for the Louisville Historic Survey, according to the standards of the Colorado Historical Society. The following is a transcription of the relevant text.

“some weathering, but still structurally sound”

Management Recommendations: “adaptive reuse might violate zoning requirements, if used as a commercial property; its advanced design elements are significant, however, and should be preserved as a local landmark”

Explanation about the building having been altered: “an adjoining single story building added to the rear (west) – 1946; serves as a four-bedroom residence” [See also Appendix III and Appendix IV regarding the annex having been added in two sections, in 1946 and 1958.]

Construction Date: “1901”

Architectural Style(s): “late 19th C. frame vernacular church”

Special Features/Surroundings: “the bell tower at the southeast corner is the most distinctive feature; the octagonal spire is broken at the cornice by peaked gables on all four sides; entablature style window heads; fan light panels arranged in a semi-circle above the entrance and main front windows; high gabled main roof; narrow, yet long side windows proved an added vertical sensation of height; new west addition is cinder block construction”

Significance: “Although architecturally distinct from the other early churches in town, this Baptist church is representative of the religious diversity which Louisville had experienced early in its history as a result of the varied ethnic and geographic backgrounds of its settlers. It offered visible evidence that Louisville was to be a table and respectable community despite the ‘rougher’ qualities of life associated with coal mining towns. This structure served as the local Baptist church until 1973 [sic] when a larger building was erected on South Boulder Road. The peaked cornice of the spire provides a similarity in style with other forms of commercial architecture at the time (the old post office and the ‘later’ town hall built in 1902).”

The preceding research is based on a review of relevant and available online County property records, census records, oral history interviews, Louisville directories, and Louisville Historical Museum maps, files, obituary records, and historical photographs from the collection of the Louisville Historical Museum.

List of Appendices

- I. List of Typical Church and Community Events Held at 701 Grant
- II. List of the Names of the Known Louisville Baptist Church Pastors at the 701 Grant Ave. Location
- III. *Louisville Times* Article About 1946 Addition
- IV. *Louisville Times* Articles from 1957 and 1958 About Expansion Project
- V. *Louisville Times* 1966 Article About Remodeling Project
- VI. *Louisville Times* 1983 Article Regarding Lawsuit by Owner Mike Jenkins
- VII. *Louisville Times* 1983 Article About Remodel of 701 Grant by Owner Mike Jenkins
- VIII. *Louisville Times* 1991 Article Regarding Lawsuit by Owner Arlin Lehman

Appendix I – List of Typical Church and Community Events Held at 701 Grant

The Baptist Church was both an important place of worship for Louisville and a community center. The following lists different events held at the Church.

The *Louisville Times* on Feb. 8, 1940 gave this typical schedule for the Baptist Church: Sunday school at 10:00 a.m.; Morning Worship at 11 a.m.; Wednesday evening prayer service; young people's meeting at 6:30 p.m. each Sunday. "Everyone is invited to attend any or all of these services."

In addition, the following religious events and activities were identified in *Louisville Times* articles. These newspapers from 1942 on (with a few papers predating 1942) are accessible and keyword-searchable at <https://www.coloradohistoricnewspapers.org/>.

- Immersion baptisms
- Talks by missionaries and other special speakers
- Musical events such as performances by visiting choirs
- Ice cream socials and Fellowship suppers
- Meetings of the Naomi Class, believed to be a women's bible study group
- Revival meetings
- Halloween costume party (mentioned in the *Louisville Times* in 1965)
- Annual ham and pancake supper (mentioned in the *Louisville Times* in 1966)
- 1966 dedication of a new Kimball organ
- Mission Circle meetings
- Countless weddings, such as that of Dorothy Wilson to Arthur Hensley (1958). In a later reminiscence, Dorothy Wilson Hensley recalled that she had invited a lot of people in Louisville to her wedding at the Baptist Church when she was 18 years old and that the sanctuary was so crowded with invitees that she and her wedding dress could barely squeeze down the aisle.

At some point, believed to be in the 1920s, the Henning Mortuary at 844 Main St. began to be the primary location for Louisville funerals. It is thought that for this reason, there aren't many records of funeral services having been held at the Baptist Church.

The following 1955 article paints a picture of the kinds of Easter activities that took place at the Church. The link to this article is here: <https://www.coloradohistoricnewspapers.org/?a=d&d=LVT19550415-01.2.11&srpos=1&e=-----en-20-LVT-1-byDA-txt-txIN-%22Easter+was+an+outstanding+day%22-----2-Boulder>.

Louisville Times, April 15, 1955: Easter was an outstanding day at the Baptist church with big attendance for every service. The church was filled and people were standing for the sunrise service. The Rev. G. N. Stratton, who has had the sermon for this service for years, said he never had seen so many in attendance. The pastor, Walter Radke, estimated around 170 were present. Sunday school had attendance of 153 and then between 90 and 100 were in the church for the morning worship hour. At the evening service Sunday, four adults and 14 youth and children were baptised and taken into membership in the church. Those in the group were Mrs. Alfred McClary, Roger McClary, Mrs. Wayne Newell, Duane Newell Mrs. William Brimble, David Brimble, Mrs. Huston Sheets, Diane Hilton, Leroy Jones, Dennis Burns, Dean Burns, Karen Burns, Alice Radke, Joy Belle Radke, Judith Paxton, Laura Anne Paxton, Douglas Paxton and John Paxton.

**Appendix II – List of the Names of the Known Louisville Baptist Church Pastors
at the 701 Grant Ave. Location**

1. William Bingham, pastor 1900-1905
2. George Stretch, 1906-1907
3. W.L. Troyer, 1908-1909
4. Thomas Bingham. 1909-1911
5. Parnum St. Joh, 1912-1914
6. Asa Z. Hall, 1914-1915
7. C.H Hartson in 1917, 1918 directories (then switched to Bible Truth Mission at Spruce and McKinley)
8. F.W. Starring, 1920
9. George Bird, about 1920-1921
10. Cleveland Autry, 1923-1925
11. William Owen, 1925-1926
12. J.W. Bailey, 1926-1927
13. Mr. Lucae, 1927-1928
14. A.L. Froet, 1930-1934
15. G.N. Stratton, 1934-1937
16. Gerald O. Fealy, 1937-1939
17. John Nichoes 1939
18. Orvall C. Majors 1940
19. George Maxwell, 1942-1945
20. Gordon Lindstrum, 1945-1948
21. Clark Wyly, 1948
22. Keith Fredrickson, 1949
23. Frank Euler Jr., 1949-1951
24. Charles Dunbar, 1951-1952
25. William Moore, 1952
26. Walter Radke, 1952-1956
27. Lawrence Dumont, 1956-1961
28. James Bridge, 1961-1966
29. Robert Alden, 1966-1967
30. James Greene, 1967-1980

Appendix III – *Louisville Times* Article About 1946 Addition

<https://www.coloradohistoricnewspapers.org/?a=d&d=LVT19460418-01.2.11&srpos=1&e=-----en-20-LVT-1-byDA-txt-txIN-%22It+will+be+equipped+with+a+kitchen+for+servng%22-----2-Boulder>

Louisville Times, April 18, 1946: Churches Beautify Inside, Out, Make Addition to Fill Needs

Churches of the town are making improvements, some of them to be completed in time for Easter service. . . .

The Baptist church is building an extra room on the west end of the church which will be used for Sunday school classes, recreation and entertaining. It will be equipped with a kitchen for serving. The labor is being donated by friends and members of the church.

Appendix IV – *Louisville Times* Articles from 1957 and 1958 About Expansion Project

<https://www.coloradohistoricnewspapers.org/?a=d&d=LVT19571018-01.2.19&srpos=1&e=-----en-20-LVT-1-byDA-txt-txIN-%22Baptist+Church+Extends+Annex+%22-----2-Boulder>

Louisville Times, Oct. 18, 1957: Baptist Church Extends Annex

The Baptist church will have space for six Sunday school classes and a kitchen in its annex when the new addition under construction is completed. The new addition is 21 by 28 and has a 20 by 28 foot basement under it. This is on the back of the old annex built 12 years ago.

The new addition put onto the old part which is 28 feet wide and 32 feet long extends the annex back to the alley.

The kitchen will be moved from the old room into the basement where a dining room will be set up. A door will be cut in the wall between old and new part of the annex. Partitions will divide the space into classrooms.

The addition is all enclosed and workers were putting sheet rock on the ceiling this week. Wiring is about finished and they hope to run concrete in the basement floor Saturday, the Rev. Lawrence Dumont said. The plumbing still has to be done and the floor laid in the upper room. Walls of the basement are concrete blocks and the upper walls are cinder block. The block walls will be painted inside and out but not plastered.

Except for a man hired to lay the cinder blocks, all the labor has been volunteer.

<https://www.coloradohistoricnewspapers.org/?a=d&d=LVT19581205-01.2.12&srpos=11&e=-----en-20-LVT-1-byDA-txt-txIN-baptist+Stratton+of+Englewood-----0-Boulder>

Louisville Times, Dec 5, 1958: Baptist Church To Dedicate New Annex

The Baptist church will conduct dedication service for the new annex to the church at 3:00 o'clock Sunday afternoon.

The Rev. G. N. Stratton of Englewood, a former pastor of the parish here who has delivered the Easter sunrise service for years will be present and take in part in the service. The people present will participate in the dedication which will be led by the pastor, the Rev. Lawrence Dumont.

Special music will be presented by the Rev. Paul Anderson and Mrs. Gordon Carlson, both of Denver, and the church choir.

Women of the church will serve tea at the close of the ceremony.

The new annex, a 22 by 34 foot building with full basement, was added to the west end of the first annex at the west of the church proper. It is all complete and connected to the sewer. The kitchen was moved from the first annex into the basement of the new addition.

Appendix V – *Louisville Times* 1966 Article About Remodeling Project

<https://www.coloradohistoricnewspapers.org/?a=d&d=LVT19660715-01.2.11&srpos=1&e=-----en-20-LVT-1-byDA-txt-txIN-%22CHURCH+REMODELING+COMES+TO+TEMPORARY+HALT+%22-----2-Boulder>

Louisville Times, July 15, 1966: CHURCH REMODELING COMES TO TEMPORARY HALT

Work on the remodeling program at the Louisville Baptist Church come to a brief halt when the walls came tumbling down over the weekend.

The existing church structure had been elevated so that excavation of a basement could be undertaken. Plans called for the original building to be replaced on the foundation with a newly constructed full basement and remodeled sanctuary resulting.

Plans were drastically changed when the weakened north and south walls of the original building collapsed into the excavation over the weekend. One of the walls gave away Saturday night and the other one fell in Sunday night.

Workers who gathered Monday to help clear the debris stated the accident would cause only a slight delay. They were most grateful that it was at night when the area was cleared of workers and onlookers so there were no injuries.

The walls which had been constructed of cinder block were completely destroyed. Plans for completing the structure are now being expanded to allow for extensive renovating of the church.

Working together on Monday to clean up the project were a number of church families, including women and children.

Appendix VI – *Louisville Times* 1983 Article Regarding Lawsuit by Owner Mike Jenkins

<https://www.coloradohistoricnewspapers.org/?a=d&d=LVT19830323-01.2.3&srpos=1&e=-----en-20-LVT-1-byDA-txt-txIN-%22City+ordered+to+fix+sewer+problem%22-----2-Boulder>

Louisville Times, March 23, 1983: City ordered to fix sewer problem

As a result of a court order, the city of Louisville will take immediate steps to correct a sewer line problem at 701 Grant Avenue which has been the cause of months of legal wrangling.

City Administrator Leon Wurl informed the City Council at a work session Tuesday night he intended to advertise for bids on the project as soon as possible because of the court order.

The corrective action arises out of a lawsuit filed against the city by Mike Jenkins, owner of the house that has the sewer problems. A jury in Boulder District Court awarded Jenkins \$150,000 in damages last June because of numerous occasions since 1977 that his basement has been flooded with raw sewage.

Post-trial motions since that decision delayed a final court ruling on the matter until last week. The jury's decision was upheld and the court gave the city 30 days in which to either reach a settlement with Jenkins or file an appeal.

City Attorney Curt Rautenstrauss said Tuesday no decision has been reached yet on which course of action to take. He said a 30-day injunction has been issued by the judge in the case, part of which requires the city to solve the sewer back-up problem. The process will require replacement of about 100 feet of sewer line.

Testimony in last summer's trial showed that Jenkins suffered from 10 major sewer backups into his basement and 20 to 30 minor backups since a sewer lap was installed in 1977.

The jury found the city negligent in refusing to correct the problem.

Appendix VII – *Louisville Times* 1983 Article about Remodel of 701 Grant by Owner Mike Jenkins

<https://www.coloradohistoricnewspapers.org/?a=d&d=LVT19831109-01.2.29&srpos=1&e=-----en-20-LVT-1-byDA-txt-txIN-%22Old+Louisville+Baptist+Church+property+being+remodeled%22-----2-Boulder>

Louisville Times, Nov. 9, 1983: Old Louisville Baptist Church property being remodeled

By RUSS ARENSMAN

Mike Jenkins began renovating his house when he first bought it in 1972, and he is still working on it 11 years later.

It is not an ordinary renovation job. Neither is it an ordinary house.

The building, in fact, started out as a Baptist church located on the corner of Pine Street and [Grant] Ave. in old Louisville. The first service was held there on Feb. 10, 1901. . . .

Over the years a cinder block addition was added to the west side of the building, and in its last years as a church, the congregation made a disastrous attempt to gain more space by putting in a basement where there had been only a crawlspace.

The old building began to shift when it was jacked up to put it on a new foundation, and cables had to be run from one side of the sanctuary to the other to keep the walls from collapsing.

Jenkins moved in in 1972 and began turning the west-side addition into a living quarters. He started by installing two loft bedrooms in what had been the ceiling area. The next year he began an ambitious project to remodel the addition area further, by knocking out part of the main floor to create an open area extending from the basement all the way up to the roof.

That is now the dominant feature of the house, with light from a large overhead skylight providing a spacious, airy atmosphere, surrounded by a low, curved balcony. In the center of the opening is a sort of rustic garden area, complete with a hot tub, a haphazard jumble of moss rock, and a massive dead tree trunk extending toward the roof and covered with a stately, climbing philodendron.

Adding to the visual impression of all this are the curves. There is hardly a straight line to be found anywhere in the room, as walls take on cylindrical shapes, and doorways are cut into arches. The cumulative effect is an architectural style that falls somewhere between mid-Eastern and modern pop sculpture.

Jenkins himself has done most of the design, with a little help from his friends. He admits to being more of a carpenter than an architect, but points out that he has picked up a lot of design ideas from helping to build a number of homes over the years.

His style may be eccentric, but it is not without admirers. In recent months he has done much of the design work on the soon-to-be-commenced expansion of the Black Diamond restaurant in downtown Louisville.

His own renovation project bogged down (literally) for close to six years while he battled with the Louisville city government over a recurring sewer problem that caused sewage to back up into his basement.

The city claimed it was not responsible for the problem and Jenkins claimed that it was. Eventually the matter was resolved in the courts, with the city being ordered to fix the problem and pay damages to Jenkins, thought to be well in excess of \$100,000 (neither party has disclosed the precise amount of the settlement.)

Jenkins says the settlement money has made it possible for him to pay off some of his debts and resume work on renovating the old building. A few weeks ago he installed new roof trusses that have helped stabilize the walls of the former sanctuary. That, along with some work on the foundation, will allow the supporting cables to be removed.

Currently he is putting a new roof on the west-side addition, and is expanding the kitchen area on the north side to accommodate several large skylights, and another dead tree trunk that stretches through a wall and up toward the ceiling.

The framing work has proved difficult wherever he has worked on the building, because parts of it were not built straight and other parts have sagged over the years. As a result, a good deal of improvising, and some unusual angles have been required to connect new improvements to the old structure.

He hopes to have the expanded kitchen finished soon and a roof in place sometime this fall. Sooner or later, he promises, he will get to the restoration work on the exterior.

The outside of the building has been deteriorating for years, and it is sorely in need of a paint job. Jenkins says he already has plans for that, a light sky blue for the primary color, with gray and maroon trim.

First of all, he says, "There are a lot of major steps to just restore it, before I can make it look pretty."

He plans to eventually recreate the original picket fence around the yard, and re-cover the platform area around the building with a redwood deck and railing.

Possibly last of all will come the restoration work on the interior of the sanctuary. Currently that area is being used to store building materials and is usually closed off from the rest of the house. When it is cleaned up and refurbished it should make a good area for classes or meetings.

Jenkins says he is not sure what he'll do with it when it is all done, but then he adds, "I don't know if I'll ever have it finished." He considers himself "basically an artist" and says he hopes someday to devote his energies to creating sculpture and custom furniture.

Until then, he intends to take things one project at a time, and at the moment his main project is renovating his home—in his own way and at his own pace.



TO STABILIZE the sagging walls of the old church building at 701 Grant Ave., owner Mike Jenkins had to install new roof trusses. The new roof is only one of several improvements underway this fall, funded by a recent settlement in Jenkins' lawsuit against the city.

Appendix VIII – *Louisville Times* 1991 Article Regarding Lawsuit by Owner Arlin Lehman

<https://www.coloradohistoricnewspapers.org/?a=d&d=LVT19910410-01.2.3&srpos=1&e=-----en-20-LVT-1-byDA-txt-txIN-%22Suit+says+City+violated+civil+rights%22-----2-Boulder>

Louisville Times, April 10, 1991: Suit says City violated civil rights

Lawsuit over use of old Louisville church goes to Denver federal court

A lawsuit against the City of Louisville, filed by several local businesses, has taken a new twist with the plaintiffs now claiming that the city deprived them of due process.

Businessman Arlin Lehman and several associates claim that Community Development director John Franklin ruined their relocation plans by giving them misleading information regarding city zoning ordinances.

Lehman, president of Pulmonary Data Services and vice president of M&J Medical, is joined by local plaintiffs Oliver & Associates, a CPA firm, and Sunshine Acres, a dairy management consulting firm.

In addition to the City of Louisville, Franklin, city administrator Annette Brand, former city administrator Dave Stahl and the entire City Council have been named as defendants.

Lehman and the other plaintiffs initiated their suit in District Court in Boulder last August. Lehman had planned to convert the old Baptist Church building at 701 Grant Ave. to a private residence with several commercial offices. According to Lehman, Franklin verbally okayed the plan, on condition that no more than 20% of the structure be used commercially. Lehman said Franklin assured him that there was no specific regulation limiting the number of employees at the building.

During renovation, Lehman and his associates maintained offices in the Fischer Building at 950 Spruce St. In 1989, the city purchased the Fischer Building for its new library, forcing Lehman to accelerate construction of his new offices for relocation.

In October 1989, before the offices were finished, then city administrator Dave Stahl notified Lehman that renting office space in a residential area would violate the city's zoning ordinance.

In filing his suit, Lehman objected to having to change his plans after investing more than \$40,000 in the renovation. He claimed the renovation would have increased the property's value and made it easier to refinance. Lehman said he also incurred opportunity costs by sinking his money into the renovation instead of other investments.

Lehman's fellow plaintiffs claimed that having to find new offices at the last minute was a hardship for them.

The plaintiffs filed their initial complaint against the city in District Court on Aug. 30 last year. Louisville responded that no action could be taken on the case because the city is protected by the Colorado Governmental Immunity Act. District Judge Morris W. Sandstead, Jr., agreed and dismissed the case in December.

Lehman and his associates sought clarification of the judge's ruling and asked for permission to amend their complaint. The court denied clarification, but allowed the amendment. Last January, Franklin, Stahl, Brand and the entire Louisville City Council were added to the list of defendants and the case was moved to U.S. District Court in Denver on March 8.

Louisville has again asked for dismissal, claiming that the right to substantive and procedural due process does not apply in this case. Attorneys for Louisville say that due process protects only those rights created by the U.S. Constitution, not property rights resulting from state law. The city is again claiming governmental immunity. Louisville insists that Lehman and his associates are disguising a claim of negligent misrepresentation as a civil rights issue.

Louisville further claims that Brand had no part in the controversy and that Stahl's only role was to notify Lehman of a possible violation of city zoning ordinances. The city also discards the idea that Lehman's associates had any, vested rights in the church renovation, because Oliver & Associates and Sunshine Acres, Ltd. were not investors in Lehman's project.

According to Louisville defense attorney Hal B. Warren, the plaintiffs have asked federal judge Jim Carrigan to return the case to Boulder County District Court. The city must now respond to that request. Warren said he's not certain when a decision will be reached on the case.

[A further update on this case, regarding its dismissal for the second time, can be found here: <https://www.coloradohistoricnewspapers.org/?a=d&d=LVT19910710-01.2.31&srpos=8&e=-----en-20-LVT-1-byDA-txt-txIN-arlin+lehman+district+court-----0-Boulder>]

Lisa Ritchie

From: Maureen Gulas <mgulas80@gmail.com>
Sent: Wednesday, May 6, 2020 7:28 PM
To: Planning
Subject: 701 Grant Avenue

Hi,

My name is Maureen Gulas and my husband and I live at 633 Jefferson Avenue, the Southwest corner of Pine and Jefferson. I won't be able to attend the meeting to be held concerning the request for exceeding the variances, but would like to express my disappointment in how so many homes on lots in Old Town have been consistently built over those limitations.

We purchased the property almost 9 years ago, and had the Preservation Board come take a look to see if the then existing home had any historical value. I told the representatives that a contractor we had used in the past informed us that the house had many areas that contained asbestos: the outdoor siding, indoor wall texturing, kitchen flooring and piping in the basement. I had lost my brother two years prior to asbestosis, so we decided to have the home demolished. We had a licensed company do the abatement, and we worked with an architect to ensure that our home was designed to fit the character of Old Town.

We were well aware that since the house was gone, we would have to abide by the new setbacks and the lot limitations. We would have been unable to add any additional square footage due to those limitations, and knew that the reason the as to preserve the look and feel of Old Town.

At the beginning of this email I mentioned how many of the new builds have exceeded the setbacks and the lot limits. I've seen houses "landmarked" so that those setbacks and limitations don't apply. I know of at least one new build (that has been under construction for over a year and still not finished) has absolutely nothing left of the original home. If the variances are not going to be upheld, I would like to see the City not waste anymore money on paying owners to preserve some history and then build a home that totally disregards the City's Codes and Regulations.

Therefore I would like to go on record; I would like to see this request DENIED. I'd be happy to speak with anyone about my opinion, and how I see the charm of Old Town fading due to such large homes...

Sincerely,
Maureen Gulas

701 Grant Avenue
Board of Adjustment Meeting
March 18, 2020

As a neighbor to 701 Grant Avenue, I have seen the
plans for the remodel being proposed by Paul and
Ehmen. I have do not have an objection to

Vince Garcia printed name

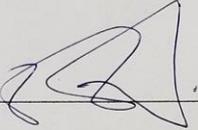
Vince Garcia signature

732 Grant A address

701 Grant Avenue
Board of Adjustment Meeting
March 18, 2020

As a neighbor to 701 Grant Avenue, I have seen the exterior plans for the remodel being proposed by Paul and Cheryl Ehmen. I have do not have an objection to these plans.

Mike DeBorski printed name

 signature

601 PINE STREET address

701 Grant Avenue
Board of Adjustment Meeting
March 18, 2020

As a neighbor to 701 Grant Avenue, I have seen the exterior plans for the remodel being proposed by Paul and Cheryl Ehmen. I ~~do not have~~ have an objection to these plans.

ROBERT "MIKE" MCHUGH printed name

 signature

700 WINGLY AVE address

701 Grant Avenue
Board of Adjustment Meeting
March 18, 2020

As a neighbor to 701 Grant Avenue, I have seen the exterior plans for the remodel being proposed by Paul and Cheryl Ehmen. I have do not have an objection to these plans.

Rhonda Fiore printed name

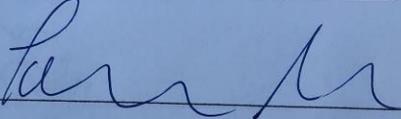
Rhonda Fiore signature

637 Grant Ave address

701 Grant Avenue
Board of Adjustment Meeting
March 18, 2020

As a neighbor to 701 Grant Avenue, I have seen the exterior plans for the remodel being proposed by Paul and Cheryl Ehmen. I ~~have~~ do not have an objection to these plans.

Tommy McHugh printed name

 signature

700 LINCOLN AVE address

701 Grant Avenue
Board of Adjustment Meeting
March 18, 2020

As a neighbor to 701 Grant Avenue, I have seen the exterior plans for the remodel being proposed by Paul and Cheryl Ehmen. I have do not have an objection to these plans.

LeAnn Lowman, Cate Lowman printed name

 signature

705 GRANT AVE 90027 address