



**TOWN OF WINTER PARK
BOARD OF ADJUSTMENT
Tuesday, May 11, 2021 8:00AM
following the Planning Commission
Online Meeting (instructions below)**

A G E N D A

- I. Meeting Call to Order.
- II. Roll Call of BOA Members.
- III. Minutes for Review: April 13, 2021
- IV. Conflicts of Interest.
- V. Action Items:
 - A. Resolution 3 & 4, Series 2021
 - B. Lot 3, Silverado Condominiums II and a Metes and Bounds Parcel – Building Coverage

Online Meeting Log-In Instructions – See next page

Computer Log-In Instructions

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85723122052?pwd=WXd6Z2tlRnpwb1haTDU4SDJxOVhqZz09>

Passcode: 742862

Phone Log-In Instructions

Dial In Numbers

US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 436 2866 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 857 2312 2052

Passcode: 742862

You can log into the Zoom meeting through the link above to view what is projected on the screen. You can use either your computer audio or the number above. Everyone will be muted upon entry into the meeting to ensure that we have manageable background noise and limited interruptions.

Public Hearing Process

If you would like to participate in the public hearing, please follow these instructions so we can make sure everyone that wants to speak has the opportunity. When you log into Zoom you will be automatically muted to limit background noise. When the public hearing is opened for public comment, please use the “raise your hand” feature and staff will unmute citizens in the order they were received. To enable “raise your hand” feature, click on the “Participants” button the bottom of the screen.



**TOWN OF WINTER PARK
BOARD OF ADJUSTMENT
Tuesday, May 11, 2021 8:00AM
(Following the Planning Commission)**

MINUTE

- I. The meeting was called to order at. Due to the high number of members of the public who are attending the BOA Meeting today and some time restrictions from some of the BOA Members. It has been decided to move from the Planning Commission meeting programmed for 8:00 am to the BOA first thing in the morning.
- II. Roll Call indicated present BOA Chairman Brad Holzwarth, BOA Members Angela Sandstrom, George Stevens, Dave Barker, Roger Kish and Jonathan Larson (alternate). Community Development Director James Shockey and Town Planner Hugh Bell are also present. BOA Member Doug Robbins is absent today.
- III. Minutes for Review: March 23, 2021. BOA Member Kish makes a motion to approve the minute. BOA Member Sandstrom seconds. The BOA minute is approved 6, 0.
- IV. Conflicts of interest. BOA Member Kish states that he has conflict of interest regarding the Silverado (item C) action item and he recuses himself. BOA Member Larson is the alternate.
- V. Action Items:

The BOA decides to move to point C: Lot 3, Silverado Condominiums II and a Metes and Bounds Parcel: Building Height.

Chairman Holzwarth explains to the public how the BOA works so everyone will have a clear picture about how to participate and how the discussion will be carried out.

The Town Counsel, Hilary Graham (from HPC Law), asks who the voting members of the BOA are. She would like to have their names for this particular item. Chairman Holzwarth replies that the voting members are BOA Chairman Brad Holzwarth, BOA Members Angela Sandstrom, George Stevens, Dave Barker and Jonathan Larson (alternate). BOA Member Roger Kish has recused himself.

Director Shockey begins his presentation. The TOWP has requested a height variance for building height to the midpoint building height of ~45'-6½" for Pods A, B, C, and D and a midpoint building height of ~36'-0" for Pod E. Fireside Creek is a proposed workforce housing apartment development comprised of two buildings. Director Shockey shows on the screen the elevations of the project. After, Director Shockey mentions that the Staff report has the reasons why the applicant believes the height variance should be granted.

Then, Director Shockey refers to the Code (Section 7-4-B-4) in which the maximum height is mentioned. The applicant is exceeding the midpoint height for this project and the criteria that must be met in order to grant the variance. Then, Director Shockey mentions the steps the Staff took in order to notify the surrounding neighbors and the general public. Later, Director Shockey talks about the comments received from the public. Additionally, the Staff got a petition on March 26, 2021. The petition was received before

the public notice was sent. This petition seems to focus on density, parking and open spaces. As of today though, Director Shockey makes emphasis that the focus of this BOA meeting is to discuss the height variance and no other items like the ones mentioned on the petition.

It should be noted that back in 2008 the BOA did approve a similar height variance request for a similar project on this site that did not go through (this was for a condominium type project which was called Fireside Creek as well). Finally, Director Shockey informs the BOA and the general public that, in order for this height variance to be approved, a vote in favor must be achieved by a supermajority (4 out of 5 votes).

BOA Member Barker would like to make clear that what is being discussed today is the height variance and no other topics as Director Shockey has mentioned before. In a future date the design review component will be discussed during the Planning Commission.

The applicant comes forward. Mr. Jake Moody, Main Presenter and Mr. Kevin Ciccarelli, from JVA, will talk about the site restrictions and limitations. Mr. Mike Kleffner, Architect, will talk about the buildings structures. This public/private partnership has been working for the last four years with the goal of providing affordable housing to the workforce of Winter Park and the County. The original project has been modified several times. At the beginning there were 80 units but then they were reduced to 66. The current design meets the main goal of providing affordable housing to the town. Mr. Vecchiarelli mentions that there are some limitations for this project involving easements, setbacks and topography. Mr. Moody states that they are willing to answer any questions the BOA or the general public may have about the height variance request. He says that they have submitted the data in order to have a clear picture about this variance request supported by real numbers specially for Pod E which, according to Mr. Moody the variance request is only 1 ft. He also mentions the light and air movement design aspects for this project.

Mr. Kevin Vecchiarelli, from JVA Consulting Engineers, comes forward. Mr. Vecchiarelli talks about the steep topography of this site. He uses the screen to show on the map the items he is talking about. Then, Mr. Vecchiarelli shows on the map a blue area that corresponds to the existing sanitary and water easement location. Then, he talks about the slopes on the parking area and the number of parking stalls. There is mention of how the applicant is working on lowering the grade as much as possible.

Mr. Mike Kleffner comes forward. Mr. Kleffner talks about the elevations. He mentions that the project consists of two buildings with five pods. He talks about how the measurements were taken and that one of the buildings has three stories and the other four. Mr. Kleffner talks about the R-2 zoning setbacks. Then, he moves to the variance request of 10 ft. 6 ½ in. The building that was taken down a story is asking for a foot in height variance in order to meet the already reduced density.

Mr. Kleffner then moves to the next slide that shows the roof from the north elevation and the numbers of stories exposed. He states that the measurements were taken from the most restrictive point of the buildings. The next slide he comments about a summary of the notes the applicants came up with for requesting the height variance. Mr. Kleffner also talks about the roof pitch and the red lines on the drawings explaining the mid roof height from different elevations.

On the next couple of slides, the applicants are explaining how this site has unusual conditions and those unusual conditions could be addressed from their point of view.

BOA Member Barker asks for clarification about the term pod. Mr. Kleffner replies that a pod is basically a step down of about 3 ft. in elevation to work with the natural topography of the site in a better way.

BOA Member Stevens asks about if this type of construction is wood frame and plumb heights. The

applicant replies that they are planning on having a VB construction type. It will also have a fire suppression system in all units and common areas. They are also planning on having a ceiling height of 8 ft.

BOA Member Larson says he has read the current Town Code Title 7 Zoning and the criteria about the property not yielding a reasonable return in use or service. BOA Member Larson would like the applicant to address that specific criterion. Mr. Jake Moody replies that they have reduced the number of units from 80 to 66. He states that this is not about profitability but about the feasibility to the project to move forward. If they continue reducing the number of units down, the project will not yield reasonable return. They consider that with 66 units the feasibility will not be compromised while providing workforce housing to the Town.

BOA Member Sandstrom asks how many units would be reduced if the top floor is taken off reduced. Mr. Moody replies that 20 units will be taken away making the total of units 46. BOA Member Sandstrom asks how many units would be reduced if pod E is altered. Mr. Moody replies that it would be four units.

BOA Member Barker has a question about for parking and if the applicant has considered underground parking. Mr. Moody replies that they did look into it but the cost would be too high. He adds that the sitework does not really change even by reducing the number of units. By building an underground parking space there would be a restraint of meeting the income requirements from the potential applicants since the cost of the units will go up. The goal is to have a fine balance in order to avoid this situation and provide true affordable housing for the workforce. BOA Member mentions a similar project in the TOWP that has underground parking. Director Shockey clarifies that the project BOA Member Barker is referring to had a different type of funding.

BOA Chairman Holzwarth opens the public comment session.

Mr. Roger Hankey comes forward. He lives at 490 Kings Crossing Road, Unit 611 in Silverado II. He is a permanent resident for this address. He is also a representative of the Board of Directors for Silverado II Homeowners Association. He is presenting evidence opposing the height variance. According to Mr. Hankey, they should put height variance request under the context of density and other zoning requirements. He says that affordable housing shall be excluded when calculated density. He believes that this density exclusion is unreasonable. He adds that, fortunately, the TOWP's Zoning Code has other requirements. Mr. Hankey says that the 66 unit per acre exceed the 35 units per acre stipulated on the Code by almost double the allowed density. He also makes reference to the building coverage which would also apply.

Mr. Erik Boye lives at 212 Wolf Park Lane, he is also on the Board of Directors for the Homeowners Association. Mr. Boye believes that the proposed height is nearly 10 ft. taller than the one allowed by the Code and the sole purpose for this height variance is to fit the 66 units in this project. He adds that, because of the topography of the site, the height variance would be really detrimental to the neighboring buildings. Mr. Boye talks about the balance between profit and reasonable return and questions the latter. Mr. Boye believes that this project will alter the essential character of the neighborhood. Finally, Mr. Boye asks the BOA to diminish or deny the height variance.

Mr. Steven Koon, he is the president for Kings Crossing Place HOA and lives at 476 Kings Crossing Road. He starts by saying that the TOWP has made repeated statements that neighbors to be more involved in the planning process. Mr. Koon reads some notes from the minutes taken at previous meetings. He mentions that the design review for this project is scheduled for early May. In summary, the evidence opposing this height variance shows that the criteria to grant this variance have not been met and he is asking the BOA to deny it.

Ms. Stella (last name inaudible) lives at 520 Kings Crossing Road, (she did not say her unit number) in Silverado I. She mentions that she walks every day around the area with her dog. Her main objection has to do with the number of stories. She considers that this would be the tallest building in the area. Ms. Stella says that this is a single family home zone. She adds that this project would be very restrictive to movement and views and the information given by the applicant is misleading. She considers that these buildings look like a giant wall or a hotel-like structure in a residential area. Ms. Stella also says that access would be obstructed and have a great negative impact and having just 50 units would create a lot of density and traffic. She believes that two people minimum would be living per unit and, they would be all workers so, they would be there at the same time. Finally, Ms. Stella says that she would welcome a three-story proposal but is requesting to the BOA to deny the current height variance.

Mr. Timothy Kovac lives at 104 Wolf Park Lane. He says that this is an opportunity to discuss the kind of town they want as he has discussed with the developers in the past. Mr. Kovac says that this project would be a giant tower 20 ft from his house. Mr. Kovac says that the hardship to the current neighboring owners is that they purchased their properties assuming the Town would do the right thing, conserve this open space and would follow its own rules and not allowing the construction of a bunker-style tower on their property which will destroy their views and affects their property value. He adds that he thinks the TOWP proposes to take his property rights away without compensation since he considers his property a bundle of rights. Mr. Kovac would look forward litigating this variance if granted and if this project moves forward with its current configuration. He continues by saying that this project will create huge density 20 ft. from him. Mr. Kovac considers that his privacy rights would be negatively affected by people looking through his windows, he would have to deal with pot smoke flowing through his property from the workforce that they (it is not clear who "they" Mr. Kovac is referring to) intent to attract from Florida and Texas and recruit them, here. He adds that, easily, there are other alternatives that must be studied like lower the density. Mr. Kovac says that, other alternative, is to pay the people who they intent to recruit, firefighters, teachers, whatever, a living wage. As a property owner and as a taxpayer, Mr. Kovac would be in full support to subsidize the TOWP for these people. He adds that this project would create a huge eyesore for his community and will totally destroy the environment and the atmosphere of what they have enjoyed for five generations like some people like him.

Mr. John Thompson lives at 214 Wolf Park Lane. He is the president of the Wolf Park Townhomes HOA. Mr. Thompson agrees with all the comments previously mentioned. He points out to the BOA that one of the views on side six is totally misrepresented according to him. He believes that it looks like a horrible wall. Also, Mr. Thompson points out to the BOA that, in order to grant a variance, the three criteria must be met along with light, air and traffic impacts on the area. Public safety and property values will be affected as well.

Mr. John Reddan. He lives at Bear Creek Crossing. Mr. Reddan agrees with the previous comments. He does not believe that the community immediate to this development should endure the disproportioned burden of the affordable housing issue in Winter Park. Mr. Reddan adds that the height is misrepresented in the renderings presented by the applicant.

Mr. Bill Keither (he did not provide his address) says that he concurs with the concerns raised by the public.

Mr. Miller Schuck lives at 1435 Bear Trail. He wants to state that he agrees with the previous speakers.

Ms. Heidi Halus also lives at 104 Wolf Park Lane. Ms. Halus agrees with all the concerns and comments made the previous members of the public. She adds that the traffic would be increased and this would mean an unquestionable danger for pedestrians and bikers. She also mentions that this project would suppose a public health issue as well.

Mr. Steve (he did not provide his last name nor his address). He thinks that, from the last meeting, the height variance request is based on profitability. Therefore, he does not appreciate the change of direction. Since this is a public/private partnership, he hopes the public has the right to review the feasibility statements from the applicant among other documents. He would like the BOA to study and compare those documents. Also, Mr. Steve agrees with all the previous comments. Finally, he believes that it is not fair that the \$3.00 fee for affordable housing is not enough to meet the need for affordable housing and now there is a private/public partnership where the private part seeks profit and he strongly disagrees with this variance since he believes the children who live in the area might be in danger due to the increase traffic.

Ms. Pamela Shuckhoene lives at 300 Kings Crossing Road Unit D. She is member of the board for Timber Ridge Townhomes as a Secretary. She concurs with the previous comments.

Mr. Jake Moody comes forward one more time. He would like to say that the variance request is based on the lowest exposed foundation. He adds that they have already removed a story. Mr. Moody explains how the measurements were taken.

The public comments session is closed.

BOA Member Barker would like to talk about the red lines shown of the Building One Front Elevation and Building Two Rear Elevation. There is a discussion about digging on the ground, what the Code says and the comparison between the two elevations. BOA Member Barker is not sure if the pictures are clear. Vice Chairman Holzwarth asks Director Shockey if the applicant is allowed to can clarify this since the public comment session has been closed. Town Counsel Hilary Graham says that it is better to allow the applicant to answer some questions the BOA may have. Mr. Mike Kleffner comes forward and explains the relation between the pods, the height and the elevations.

BOA Member Larson makes reference to the comment Mr. Timothy Kovac made about threatening with litigation. He would like to know if this has any bearing from today's meeting and if it is fair to continue with this discussion. Ms. Hilary Graham, the Town Counsel, replies that it is certainly appropriate to continue. The BOA still needs to make a decision based on the criteria that have been outlined. If there are parties who would like to pursue litigation, that is up to them. BOA Member Larson says that the BOA meeting is in light specific to height to variance request, he feels the criteria have been met and, because of that, he feels confident granting this height variance.

BOA Member Stevens says that he is not sure the three criteria have been met. He believes that, if granted, this variance will alter the essential character of the neighborhood. He believes they should take this criterion pretty seriously. He adds that a four-story building does alter the area. BOA Member Stevens also mentions some architectural detailing about the buildings but he is not going to elaborate in those since those are more related to the design of the project.

BOA Member Sandstrom asks a question to Director Shockey about the number of units in Hideaway Place. Director Shockey replies that there are 38 units in Hideaway Place. BOA Member Sandstrom continues giving her opinion and says the applicant's request regarding Pod E is reasonable but she cannot justify criterion number 3 and she agrees with BOA Member Stevens.

BOA Member Larson elaborates about the reason he feels comfortable granting the variance based on his interpretation of the Zoning Code. He cannot find a way to argue against this case based on the Code. BOA Member Barker interjects and says that the BOA is obliged to go through the three criteria and support the reasons why or why not the criteria have been met or not. BOA Member Larson says that he specifically to the applicant to describe the reasons why the property cannot yield reasonable return if the height variance

is not granted and, according to BOA Member Larson, the applicant has addressed that. Chairman Holzwarth mentions the existence of three-story townhomes nearby.

BOA Member Stevens says that Silverado I or II consists of a three story complex. Essentially, the residential part consists of three-stories. Chairman Holzwarth interjects and says that Silverado II has the parking, the pool, the restaurant and other facilities on the ground level but, as a whole, it is a four story building. Director Shockey says that Silverado it is considered a four story building per the Code. Director Shockey shows on the screen a map illustrating Silverado II. There is a discussion about this in comparison to Wolf Park Townhomes which are a three-story structure.

BOA Member Barker questions why the BOA is not going through each one of the criteria.

BOA Member Sandstrom says that she feels comfortable with 1 ft height variance in one of the buildings but for the other two is significant. She does go through the criteria. She also questions the feasibility of the project in the area. She would like to know if this project could be built in a more commercial area. In conclusion, she believes criterion number three has not been met and she states that she agrees with BOA Member Stevens again.

BOA Member Barker adds that other projects could use that land and there might be other ways to have reasonable return in that property. He does this in other to stablish a relation to criterion number one.

Chairman Holzwarth says that the believes that they can only look to what it is in front of them on today's meeting. There is a discussion about the property v. the project yielding reasonable return to the applicant. Ms. Hilary Graham says that she would agree is the property but the property as zoned without making any additional changes. Chairman Holzwarth believes that they can go up to 80 units. Director Shockey says that they there can be 20 units per acre. This project is talking about 66 units in total. BOA Member Barker mentions that one of the comments from the public talks about density. Director Shockey says that since this is an affordable housing project, the density requirements do not count towards affordable housing units. Even if this project was not affordable housing, the density is still under the density guidelines.

Director Shockey asks if the architectural components will be discussed. Chairman Holzwarth says that only the height variance is being discussed today.

BOA Member Larson makes a motion to approve the applicant's height variance. No one seconds. The motion is not accepted. BOA Member Stevens makes a motion to deny the height variance. BOA Member Sandstrom seconds. Motion to deny the height variance is approved 4, 1.

A. Resolution 2, Series 2021

Planner Bell begins his presentation. This resolution refers to the previous BOA meeting: Resolution Approving a Variance To Increase the Maximum Building Height for Lot 1B, Jane Creek Division. This Resolution does approve height variance for the building. Planner Bell says that the Staff has prepared this document and it is ready for ratification.

BOA Member Barker asks if the BOA is just approving the Resolution. Director Shockey confirms this. The Resolution will be recorded after being ratified. Planner Bell adds that he will have a printed copy for the BOA Chairman's signature.

BOA Member Barker makes a motion to ratify the Resolution. BOA Member Larson seconds. The motion

to ratify the Resolution is approved 5, 0.

B. Lot 34, Hideaway Village South – Front Yard Setback

Planner Bell begins his presentation. The applicants, Mr. and Mrs. Tybus requested a for front yard setback variance of 15'-5" for their existing single-family residence. The Tybus argue that they are requesting an 18" variance on their property for their house caused by previous misjudged variance. They add that they are full-time residents of Grand County and that their son goes to Fraser Valley Elementary and this house is their primary residence. Planner Bell continues by says that back in 2019 the applicant received an erroneous survey that encroached the foundation 8' into the 25' front yard setback. The applicants discovered the encroachment after the excavation for the foundation was completed. The house has been constructed and the owners have been issued a Temporary Certificate of Occupancy (TCO) that expires on June 11, 2021. The property most affected by the encroachment is 78 Timber Drive; their view would be more blocked.

Michal and Kate Tybus come forward. They make a summary of how this mistake was made which is essentially on the Staff report.

Chairman Holzwarth opens the public comment period. No one comes forward.

BOA Member Barker talks about a similar situation during the construction of a house. He talks about the role of an approved ILC. Director Shockey said that the ILC BOA Member Barker is referring to was never turn in to the Town Hall. BOA Member Barker says that the applicant relied on the professional who conducted the survey. Director Shockey informs the BOA that the process has changed so this type of situation should be avoided in the future since the ILC is reviewed by the Building Division before. No inspections on the foundation will be further made until and ILC is submitted by the Planning Division. The Building Division will review the ILC and verifies that the structure is within the setbacks.

Director Shockey says that there are still some permits from years ago that might come back with a similar situation. The Building Division is working on that.

BOA Member Larson makes a motion to approve the applicants' variance request. BOA Member Barker seconds. Chairman Holzwarth asks the BOA Members if they feel confident the three criteria have been met. All the BOA Members reply yes. The variance request is approved 5, 0.

No other items are on the BOA Agenda for discussion.

Upon a previously adopted motion, the BOA Meeting is adjourned at 10:07 am.

TOWN OF WINTER PARK
BOARD OF ADJUSTMENT
RESOLUTION NO. 3
SERIES OF 2021

A RESOLUTION DENYING A VARIANCE TO INCREASE THE MAXIMUM BUILDING HEIGHT FOR FIRESIDE CREEK APARTMENTS, LOT 3, SILVERADO CONDOMINIUMS II, RECORDED AT RECEPTION NO. 191577,

WHEREAS, pursuant to Winter Park Town Code (the "Code") §7-8-1, the Board of Adjustment is authorized to grant variances from the requirements of Title 7 of the Winter Park Town Code (the "Code");

WHEREAS, pursuant to the Code §7-4B-4, no dwelling or other structure permitted in the R-2 district shall exceed thirty-five feet (35') in "height", as defined in chapter 2 of this title and further described in chapter 3 of this title;

WHEREAS, on March 4, 2021, the Town of Winter Park (the "Applicant"), as the owners of the real property described as Lot 3, Silverado Condominiums II (Reception No. 191577) and a Metes and Bounds Parcel (the "Property"), filed an application for a variance to allow a new structure to exceed the 35' maximum height limit by approximately 10'-6½" and by approximately 1'-0" (the "Application");

WHEREAS, on April 13, 2021, the Board of Adjustment held a properly-noticed public hearing on the Application; and

WHEREAS, after considering the Application and public comment, the Board of Adjustment finds and determines as provided below.

NOW THEREFORE BE IT RESOLVED by the Board of Adjustment as follows:

1. Findings. The Board of Adjustment hereby finds and determines that the Application fails to meet the following criteria set forth §7-8-1(A) and (C) of the Code that would justify a variance:

- a. The Property can yield a reasonable return in use or service when used only under the conditions already allowed by the Town;
- b. The plight of the owner is not due to unusual circumstances;
- c. The variance, if granted, will alter the essential character of the locality;
- d. The need for the requested variance has been created by the owners of the Property; and
- e. The granting of the variance would be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the Property is located.

In particular, the Board finds compelling the public testimony indicating additional height, as requested in the Application, would alter the essential character of the area and would be

detrimental to the surrounding property. Further, the Board finds there is a lack of evidence that the project could not be financially feasible without the requested additional height.

2. Decision. Based on the foregoing findings, the Board of Adjustment hereby **denies** the variance requested by the Application.

PASSED, ADOPTED, AND APPROVED this ___ day of May 2021.

BOARD OF ADJUSTMENT

Brad Holzwarth, Chair

ATTEST:

Danielle Jardee, Town Clerk

TOWN OF WINTER PARK
BOARD OF ADJUSTMENT
RESOLUTION NO. 4
SERIES OF 2021

A RESOLUTION APPROVING A VARIANCE TO ENCROACH A STRUCTURE INTO THE FRONT YARD SETBACK FOR LOT 34, HIDEAWAY VILLAGE SOUTH,

WHEREAS, pursuant to Winter Park Town Code §7-8-1, the Board of Adjustment is authorized to grant variances from the requirements of Title 7 of the Winter Park Town Code (the "Code");

WHEREAS, pursuant to the Code §7-4A-3, there shall be a front yard setback of at least twenty-five feet (25') for any principal use and accessory structure;

WHEREAS, on March 10, 2021 Michal Tybus (the "Applicant"), as the owner of the real property described as Lot 34, Hideaway Village South (the "Property"), filed an application for the variance to allow a new dwelling to encroach into the 25' front yard setback by 9'-7" (the "Application");

WHEREAS, on April 13, 2021, the Board of Adjustment held a properly-noticed public hearing on the Application; and

WHEREAS, after considering the Application, the recommendation from Town staff and any public comment, the Board of Adjustment finds and determines as provided below.

NOW THEREFORE BE IT RESOLVED by the Board of Adjustment as follows:

1. Findings. The Board of Adjustment hereby finds and determines that the Application meets all of the applicable criteria set forth in Title 7 of the Code, in that:
 - a. The variance, if granted, will not alter the essential character of the Town or the neighborhood in which the Property is located.
 - b. The difficulty or hardship alleged in the Application has not been created by any person presently having an interest in the Property.
 - c. The granting of the variance would not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the Property is located.
2. Decision. Based on the foregoing findings, the Board of Adjustment hereby approves the variance, as set forth in the Application, subject to the following conditions:
 - a. The variance granted herein shall run with the land but shall apply only to the structure described in the Application. If that structure is destroyed or removed, any new or replacement structure shall be subject to the then applicable front yard setback requirements.

b. Neither this Resolution nor the variance granted herein creates any vested rights under statute or common law.

c. This Resolution shall be recorded in the records of the Grand County Clerk and Recorder within 30 days of approval.

PASSED, ADOPTED, AND APPROVED this 13th day of April 2021.

BOARD OF ADJUSTMENT

Brad Holzwarth, Chair

ATTEST:

Danielle Jardee, Town Clerk



MEMO

TO Board of Adjustment
FROM James Shockey, Community Development Director
DATE May 11, 2021
RE Building Coverage Request – Fireside Creek Apartments - Lot 3, Silverado
Condominiums II and a Metes and Bounds Parcel

Applicant: Town of Winter Park

Description of Property:

The property is zoned "[R2 MULTIPLE-FAMILY RESIDENTIAL DISTRICTS](#)" with the following entitlements –

Zoning – R2
Density – 20 units per acre
Setbacks – 25' Front / 20' Rear / 5'-11' Side
Building Coverage – 40% maximum
Building Height – 35' midpoint / 42' overall

Variance Request:

Request to increase building coverage for the site from 40% as required in the R2 Zone District to 56%.

Owner's Reasons Why the Variance Should Be Granted:

The current development site plan reflects a total site building coverage of 56%, which is 16% over the permitted 40% maximum. Building coverage is calculated to include all improvements on the property, and in this case, the requested additional 16% building coverage variance is requested to allow additional parking for the project. The site coverage for buildings themselves is only 19%; the remaining 37% of site building coverage is comprised of driveways and parking areas.

As a workforce housing development, Fireside Creek will be the primary home for critical members of the local workforce. The current site design exceeds the Town's parking standards to ensure that as much parking as possible is provided on-site. Currently 70 parking spaces are proposed. For this site, surface parking is the only economically feasible form of parking, so more surface parking and therefore more lot coverage is needed.

Part of the challenge of developing affordable housing is building enough density to enjoy economies of scale in development costs. More density tends to bring down the per-unit cost; yet, the opportunity for more density in this location is quite limited.

The slope of the site means the cost of providing covered or underground parking instead of surface parking would be cost-prohibitive. Other site limitations include the central location of the utility easement, which restricts possible locations for building, parking, and access. Ensuring adequate positive drainage around the buildings on the site adds to the overall development costs and challenges of developing this site as an attainable workforce housing development

See applicant's full application for further details.

Applicable Town Code:

7-4B-4: BUILDING REQUIREMENTS:

- A. Maximum Building Coverage: The maximum area of a lot which may be covered by buildings (including roof overhangs), decks, patios, balconies, paths or walkways, parking areas and access drives shall not exceed forty percent (40%) of the "lot area" as defined in section [7-2-3](#) of this title.

6-2-9: VARIANCES:

- A. Intent of Variance Provision: Variance from the terms of this chapter shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this chapter deprives such property privileges enjoyed by other property in the vicinity, and under identical zoning classification and other restrictions.

Criteria to Grant Variance (Town Code, Title 8, Chapter 7):

7-8-1B: No variance shall be granted unless the board of adjustment finds, based on evidence, that ALL of the following criteria exist:

1. The property in question cannot yield a reasonable return in use or service if permitted to be used only under the conditions allowed by the regulations for the municipality.
2. The plight of the owner is due to unusual circumstances.
3. The variation, if granted, will not alter the essential character of the locality.

7-8-1C: For the purpose of implementing the above rules, the Board shall also, in making its determination whether there are practical difficulties or particular hardships, take into consideration the extent to which the following facts favorable to the applicant have been established by the evidence:

1. The particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
2. The conditions upon which the petition for a variance is based would not be applicable, generally, to the other property within the same zoning classification.
3. The purpose of the variation is not based primarily upon a desire to make more money out of the property.
4. The alleged difficulty or hardship has not been created by any person presently having an interest in the property.
5. The granting of the variation would not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion in the public streets or increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the neighborhood.

Public Notification:

This variance request has had proper public notification pursuant to Section 7-8-3 of the Town Code. A Public Notice was published in the Middle Park Times on April 22, 2021, providing notification of the meeting and requesting comments. Mailings were sent to property owners within 300 feet of the property on April 26, 2021 and the property was posted on April 26, 2021.

Twelve comments and one petition have been received as of May 7, 2021 and are attached.

Staff Comments:

The applicant is requesting to increase building coverage on the site from 40% to 56% to accommodate additional surface parking for the proposed project. Because the site will be developed as a year-around affordable housing apartment complex, additional parking for the residents is desired by the applicant and the surrounding neighborhood. The project is required to provide 56 parking spaces per Town Code. The applicant is requesting the variance to increase building coverage to allow for 14 additional parking spaces, for a total of 70 parking spaces.

Note: the site plan and initial description included with this variance application erroneously showed 82 parking spaces with 56% lot coverage (which was actually 62% coverage) instead of 70 spaces with 56% lot coverage. During its review, Town staff identified this error and is now requiring additional notice showing the correct parking space information. As such, a hearing will be held today and continued to June 1, 2021, to allow additional opportunity for public comment based on the site plan as corrected.

Additional public note including the correct number of parking spaces (70) will be published, posted, mailed as of May 13, 2021...inviting public comment at the continued June 1, 2021 public hearing.

During a public open house in February 2021 and at subsequent public hearings since, parking has been identified as a potential issue with this year-around apartment complex. Adjacent neighbor's feel additional parking is needed beyond what the Town Code required. The applicant has taken these concerns into consideration and is seeking to exceed the Town's parking requirements. Yet, it can only do so at a reasonable cost with surface parking, which causes the project to exceed the building coverage maximum, necessitating this variance request. Staff concurs that adding parking without exceeding the 40% building coverage requirement (by using covered or underground parking) would be prohibitively expensive.

The site's topographic constraints and large utility easement limit the buildable area, making it difficult to yield a reasonable return in use if additional parking is required without also allowing that parking to be surface parking that exceeds the building coverage maximum. The location of the parking will be minimized using topography and landscaping to shield the parking lot from surrounding neighbors.

Staff Recommendation:

Staff does not provide a recommendation for variance requests. To approve the request, the Board of Adjustment must determine that a hardship exists and must establish findings of fact as related to the particular difficulties of the site. The hardship must include ALL the following criteria:

1. The property in question cannot yield a reasonable return in use or service if permitted to be used only under the conditions allowed by the regulations for the municipality.
2. The plight of the owner is due to unusual circumstances.
3. The variation, if granted, will not alter the essential character of the locality.

After allowing all interested public to comment, the Board will CONTINUE this public hearing until June 1, 2021, at 8:00 a.m., to allow additional time for public comment on the site plan as corrected, showing 70 (not 82) parking spaces.



VARIANCE REQUEST GUIDE AND APPLICATION

Background: A variance is a deviation from the set of rules a municipality applies to land use and land development. In the Town of Winter Park, this set of rules is Title 7 (Zoning) of the Winter Park Town Code. The body that hears and decides any application for a variance is the Board of Adjustment as detailed in Title 7, Chapter 8 of the Town Code.

Purpose: The Board of Adjustment has the ability to authorize variances from Title 7 of the Town Code so as to relieve undue hardships that are caused by reason of unusual narrowness, shallowness or shape of a specific piece of property, or by reason of unusual topographic conditions or other extraordinary and unusual practical difficulties.

VARIANCE REQUIREMENTS:

In order to apply for a variance, the applicant must show that, owing to unusual and extraordinary circumstances, strict enforcement of the provisions of the Town Code will result in undue hardship.

The Board of Adjustment **cannot** grant a variance unless it finds, based on evidence, that **ALL** the following conditions exist:

1. The property in question cannot yield a reasonable return in use or service if permitted to be used only under the conditions allowed by the regulations for the municipality.
2. The plight of the owner is due to unusual circumstances.
3. The variation, if granted, will not alter the essential character of the locality.

The Board shall also, in making its determination whether there are practical difficulties or particular hardships, take into consideration the extent to which the following facts have been established by the evidence:

1. The particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
2. The conditions upon which the petition for a variance is based would not be applicable, generally, to the other property within the same zoning classification.
3. The purpose of the variation is not based primarily upon a desire to make more money out of the property.
4. The alleged difficulty or hardship has not been created by any person presently having an interest in the property.
5. The granting of the variation would not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion in the public streets or increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the neighborhood.

VARIANCE PROCEDURE:

1. Staff will post notice at the affected property in not less than two (2) places at least 15 days before the date set for the hearing. Posting shall be located within 300 feet (300') of the exterior boundaries of the affected land in conspicuous places at distances of not less than 200 feet (200') apart.
2. Staff will publish notice at least one time in the official newspaper of the Town – the last publication of the notice shall be at least 15 days before the date set for the hearing.
3. The notice of hearing, which is posted and published, should contain:
 - a. The time and place of hearing.
 - b. A brief description of the land which is the subject of the matter to be heard.
 - c. The purpose of the hearing and the variance request.
 - d. Any other information which the Board of Adjustment considers necessary or desirable in the public interest.
4. Notification via the U.S. mail to property owners within three hundred feet (300') of the property a minimum of 15 days prior to the hearing.
5. The decision of the Board of Adjustment shall be reported to the applicant after the hearing.

Board of Adjustment hearings are scheduled as needed at the Winter Park Town Hall. Hearing dates will be determined at time of application based on the time needed to complete proper notification.

REQUIRED APPLICATION MATERIALS:

(electronically submitted to permits@wpgov.com unless otherwise indicated)

- Completed Variance Application Form** (see next page).
- Variance Application Fee - \$250 via check or credit card** (fee of mailing and legal publication will be invoiced after mailing and publication).
- Electronic certified list of the names and addresses of the surrounding property owners within 300 feet (300') of the extreme limits of the subject property to be printed on mailing labels.** ***Contact the Grand County Assessor's Office to obtain certified list and labels co.grand.co.us***
- Electronic site survey of the subject property from a registered surveyor.** ***Refer to [ILC/ISP Survey and Certification Standards](#) for required survey elements.***
- Electronic site plan of the subject property. The site plan should include any proposed structure footprints.**
- Additional information to support variance request. This may include drawings or photographs, letters of support, or other information which may be of benefit.**
- Additional information as required by the Town to clarify the variance request.**



VARIANCE APPLICATION FORM

Date: 04 / 26 / 2021

Applicant Name: Town of Winter Park

Mailing Address: 50 Vasquez Road PO Box 3327

Phone Number: 970-726-8081 x 209 Email: ajanes@wpgov.com

Applicant is the: Property Owner Other: representative / Town of Winter Park

Street address of property for which variance is requested: N/A not yet addressed - see legal notice

Legal description of property: see attached

Detailed description of the variance requested and an explanation of why the applicant believes the variance should be granted (attach additional sheets if necessary):

See attached

Indicate which conditions listed below relate to the property for which variance is requested.

The Board of Adjustment cannot grant a variance unless it finds, based on evidence, that ALL the following conditions exist.

- The property in question cannot yield a reasonable return in use or service if permitted to be used only under the conditions allowed by the regulations for the municipality*
- The plight of the owner is due to unusual circumstances*
- The variation, if granted, will not alter the essential character of the locality*

**For each condition checked above, applicant must provide adequate supporting evidence with this application.*

Indicate which of the following facts favorable to your application apply to this request:

- The particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out*
- The conditions upon which the petition for a variance is based would not be applicable, generally, to the other property within the same zoning classification*
- The purpose of the variation is not based primarily upon a desire to make more money out of the property*
- The alleged difficulty or hardship has not been created by any person presently having an interest in the property*
- The granting of the variation would not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located*
- The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion in the public streets or increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the neighborhood*

**For each condition checked above, applicant must provide adequate supporting evidence with this application.*

Applicant Signature: Alisha Janes

Submit all materials electronically to permits@wpgov.com

Date Received: _____ \$250 Fee Received: _____ Received By: _____



Fireside Creek Apartments
Variance Application Attachment

Legal Description:

PARCEL A: THAT PORTION OF THE SOUTH ONE HALF OF THE NORTHWEST ONE QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 75 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF WINTER PARK, COUNTY OF GRAND, STATE OF COLORADO; and

PARCEL B: LOT 3, SILVERADO CONDOMINIUMS II, ACCORDING TO THE MAP THEREOF FILED MARCH 2, 1981 AT RECEPTION NO. 191577, AS AMENDED BY RESOLUTION RECORDED OCTOBER 30, 1995 AT RECEPTION NO. 95009470.

Detailed Description of Variance Requested:

The current development site plan reflects a total site coverage of 56%. The requested 16% building coverage variance is sought to provide additional parking for the project. As a workforce housing development, Fireside Creek will be the primary home for critical members of the local workforce. The current site design includes 82 off-street parking spaces, and while this number could be reduced to the minimum number of spaces required by the Town's standards and specification to further limit overall site coverage, there is a desire to ensure that as much parking as possible is provided on-site. This is reflected in the overall site coverage proposed, which includes approximately 19% structure coverage and 37% driveway and parking coverage. Even though the primary goal of the development is to provide attainable workforce housing and over parking the development does add both upfront and long-term expense, the requested variance allows the parking to be provided at a reasonable cost. Adding parking that is covered or underground would be prohibitively expensive. The slope of the site also adds to the hypothetical cost of providing covered or underground parking.

Part of the challenge of developing affordable housing is achieving enough density to achieve affordable development costs. This plight is unique to this development within the neighborhood. The slope of the development site and the central location of utility easement limits the possible site designs including, building, parking, and access locations. Additionally, the drainage on the site and positive drainage required around the building adds to the overall development costs and challenge of developing this site as an attainable workforce housing development. The site itself would provide a challenge to a private developer building for-profit housing to park the site with the required number of spaces for the allowed density for R-2 zoning.

Should the variance request be denied, the site will still be pursued as an affordable housing development, but parking will be reduced to the minimum number of spaces required under the Town's standards and specifications.

Alisha Janes

Alisha Janes
Assistant Town Manager, Town of Winter Park



**PUBLIC NOTICE
TOWN OF WINTER PARK
BOARD OF ADJUSTMENT
ZONING VARIANCE REQUEST**

Applicant / Owner: Town of Winter Park
Mailing Address: PO Box 3327, Winter Park, CO 80482

Street Address of Properties for Which the Variance Is Requested: N/A; not yet addressed

Legal Description of Properties for Which the Variance Is Requested: PARCEL A: THAT PORTION OF THE SOUTH ONE HALF OF THE NORTHWEST ONE QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 75 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF WINTER PARK, COUNTY OF GRAND, STATE OF COLORADO; and PARCEL B: LOT 3, SILVERADO CONDOMINIUMS II, ACCORDING TO THE MAP THEREOF FILED MARCH 2, 1981 AT RECEPTION NO. 191577, AS AMENDED BY RESOLUTION RECORDED OCTOBER 30, 1995 AT RECEPTION NO. 95009470.

Owner's Detailed Description of Request: "The current development site plan reflects a total site coverage of 56%. The requested 16% building coverage variance is sought to provide additional parking for the project. As a workforce housing development, Fireside Creek will be the primary home for critical members of the local workforce. The current site design includes 82 off-street parking spaces, and while this number could be reduced to the minimum number of spaces required by the Town's standards and specification to further limit overall site coverage, there is a desire to ensure that as much parking as possible is provided on-site. This is reflected in the overall site coverage proposed, which includes approximately 19% structure coverage and 37% driveway and parking coverage. Even though the primary goal of the development is to provide attainable workforce housing and over parking the development does add both upfront and long-term expense, the requested variance allows the parking to be provided at a reasonable cost. Adding parking that is covered or underground would be prohibitively expensive. The slope of the site also adds to the hypothetical cost of providing covered or underground parking. Part of the challenge of developing affordable housing is achieving enough density to achieve affordable development costs. This plight is unique to this development within the neighborhood. The slope of the development site and the central location of utility easement limits the possible site designs including, building, parking, and access locations. Additionally, the drainage on the site and positive drainage required around the building adds to the overall development costs and challenge of developing this site as an attainable workforce housing development. The site itself would provide a challenge to a private developer building for-profit housing to park the site with the required number of spaces for the allowed density for R-2 zoning. Should the variance request be denied, the site will still be pursued as an affordable housing development, but parking will be reduced to the minimum number of spaces required under the Town's standards and specifications."

Applicable Provisions of the Town Code:

§7-4B-4. BUILDING REQUIREMENTS:

A. Maximum Building Coverage: The maximum area of a lot which may be covered by buildings (including roof overhangs), decks, patios, balconies, paths or walkways, parking areas and access drives shall not exceed forty percent (40%) of the "lot area" as defined in section [7-2-3](#) of this title.

Due to this building coverage requirement, a building coverage of 56% is not permitted in the Town Code as seen in §7-4B-4 and consequently requires a zoning variance.

The Board of Adjustment will review this case and render a decision under Section 7-8-1 of the Town Code.

Property Posted On: April 26, 2021

Additional information is available at this link: <https://wpgov.com/current-development-projects/>

A Public Meeting at Winter Park Town Hall, 50 Vasquez Road or online via Zoom is scheduled for:

Tuesday, May 11, 2021 at 8:00 A.M. immediately following the Planning Commission meeting. Please see agenda for decision on meeting's location. This will be posted at wpgov.com under "Agendas and Minutes" by Friday, May 7th at 5 P.M.

Members of the public wishing to make comment regarding the variance request may do so at the scheduled meeting, or write to James Shockey, Director, Town of Winter Park, P.O. Box 3327, Winter Park, CO 80482, or jshockey@wpgov.com.



LEGEND

- ACCESSIBLE ROUTE (36" MIN. WIDTH, 2% CROSS SLOPE MAX, 5% RUNNING SLOPE MAX, REPLACE AS REQUIRED.)
- ♿ UFAS ACCESSIBLE
- x-x- FENCE
- ▨ AREAS OF CONCRETE SIDEWALK/SURFACE
- Ⓟ ACC. PARKING SIGN

NOTE: INSTALL HANDRAILS @ ACCESSIBLE ROUTES AND WHERE OTHERWISE NOTED EXCEEDING 5% BUT LESS THAN 8.33% 5'-0" LANDING REQUIRED AT TOP AND BOTTOM OF RAMP.

NOTE: APARTMENT NUMBERS ARE TO BE FIELD VERIFIED BY GENERAL CONTRACTOR. ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCY PRIOR TO FINAL PRODUCTION/INSTALLATION.

- ACCESSIBILITY NOTES**
- SIDEWALK ON THE ACCESSIBLE ROUTE SHALL NOT EXCEED 5% (1'-0" IN 20'-0") RUNNING SLOPE WITH A 2% (1'-0" IN 50'-0") CROSS-SLOPE AND SHALL BE 4' WIDE MIN. EXCEPT AS NOTED ON SITE PLAN. PROVIDE STAIRS, RAMPS, CURBS, ETC., AS NOTED AND DETAILED.
 - PARKING AREAS AND ACCESSIBLE SPACES AND ACCESS AISLES SHALL NOT EXCEED A 2% (1'-0" IN 50'-0") SLOPE IN EACH DIRECTION. OTHER PORTIONS OF THE ACCESSIBLE ROUTE SHALL NOT EXCEED A 5% (1'-0" IN 20'-0") LONGITUDINAL SLOPE NOR A 2% (1'-0" IN 50'-0") CROSS-SLOPE.
 - POSITION RECREATIONAL EQUIPMENT FOR WHEELCHAIR ACCESSIBILITY PER UFAS AND ADAAG. 25% OF EQUIPMENT AND AT LEAST ONE OF EACH TYPE OF EQUIPMENT MUST BE ACCESSIBLE.

ARCHITECTURAL SITE PLAN

SCALE: 3/8" = 1'-0"

ARCHITECTURAL SITE PLAN

REVIEW SET

303 906 2720

Support for Fireside Creek Apartment proposal

As business owners, managers, and workers trying to live and work in Winter Park, we support the workforce housing Fireside Creek Apartment project. Affordable, available housing for people working in Fraser Valley's businesses is impossible to find. Having additional apartments built in Winter Park will give people more options to find a place to live when they take a year-round job in our community. Apartments are critical to the community housing inventory as they allow our workforce, who fill crucial positions, an opportunity to build a life and save money.

We understand a variance is needed to allow the Fireside Creek apartments to be built with surface parking instead of a parking garage. We support the granting of the variance; anything that can be done to keep the rents affordable should be. The parcel is zoned for multifamily residential development. Building on this lot will mean the loss of some open space; however, the east lot line abuts the railroad tracks, often viewed as undesirable; we view this as a perfect site for this project. We agree that this is an ideal site for workforce housing apartments. If the variance request is not granted, the lack of feasibility may only allow for more condos, creating more demand for workers who have no place to live. By developing affordable housing, we can bridge the overwhelming wealth gap that does not allow critical workers to make a reasonable, sustainable living in the Fraser Valley.

Please approve the variance for the Fireside Creek Apartments. This project is desperately needed in Winter Park and the Fraser Valley. Thank you.

Name	Address	Email or phone #
1 <u>SHANNON HEINN</u>	<u>PO 3192, WP-169 VAN ANDERSON</u>	<u>303 518 8938</u>
2 <u>Joseph Mulhearn</u>	<u>244 Lions Gate</u>	<u>318-371-2794</u>
3 <u>REGALD SMIT</u>	<u>28941 GEMER DITCH OS HWY 40</u>	<u># 207-669-5663</u>
4 <u>Mark Tupa</u>	<u>Ditch on 40</u>	<u>970-531-6271</u>
5 <u>DUSTIN COCCOYAN</u>	<u>Ditch on 40</u>	<u>720-827-4917</u>
6 <u>Matt Almeida</u>	<u>Ditch on 40</u>	<u>(203) 676 2564</u>
7 <u>Josely Childs</u>	<u>78911 OS 40 Apt 3</u>	<u>970-393-8408</u>
8 <u>Greg Klittner</u>	<u>1800 Green Ct. White Hot</u>	<u>802-240-2204</u>
9 <u>Morty Brown</u>	<u>DEMO'S MOUNTAIN BISTRO</u>	<u>303-819-2810</u>

Name	Address	Email or phone #
10 <u>Matt Hammond</u>	<u>Deno's Mountain Bistro</u>	<u>(321) 501-9727</u>
11 <u>Stewart Micali</u>	<u>Deno's / WP Resort</u>	<u>703.509.4571</u>
12 <u>FOOD SKILLING STR</u>	<u>1460 S. GLENCOE DENVER</u>	<u>720 320 4133</u>
13 <u>Sandra Woodward</u>	<u>207 8th St granby, CO (Deno's)</u>	<u>910-406-8557</u>
14 <u>Amy Beumelschick</u>	<u>HIDEAWAY PARK BREWERY 78927 US Hwy 40</u>	<u>720-402-6513</u>
15 <u>Sara Edwards</u>	<u>78737 US-40 #3000 WP 80482</u>	<u>970 531 3834</u>
16 <u>Stefan Barboe</u>	<u>675 Wapiti Dr unit 17A Fraser (Fraserby)</u>	<u>570-916-3129</u>
17 <u>Keith Reffitt</u>	<u>233 waterside Dr Fraser (Fraserby)</u>	<u>(40) 993-9534</u>
18 <u>Ally Tatman</u>	<u>412 Trailhead Lodge, winter (Fraserby)</u>	<u>7201-737-3577</u>
19 <u>Liz Burch</u>	<u>375 county Rd 874</u>	<u>(616) 648-1305</u>
20 <u>Leif Eggert</u>	<u>375 cr 874</u>	<u>(269) 655-6051</u>
21 <u>Milky Cross</u>	<u>Be... Boutique</u>	<u>(970) 531-9667</u>
22 <u>Jeanne Jackson</u>	<u>Charlies FTS</u>	<u>(970) 531-4656</u>
23 <u>George Jackson</u>	<u>Charlies FTS</u>	<u>(970) 531-4656</u>
24 <u>Nich James</u>	<u>Divide Board Shop 78966 US HWY 7 40 Wapiti Park</u>	<u>970-7261001</u>
25 <u>Jeremy Hawn</u>	<u>VARRIPING 78878 Hwy 40, WP</u>	<u>303 986 2728</u>
26 <u>Jason Kellogg</u>	<u>200 Backer Dr WP, CO</u>	<u>303-809-1557</u>
27 <u>Law Thyne</u>	<u>220 Village Drive 20-14</u>	<u>970-531-7120</u>

Name	Address	Email or phone #
Cardace Williams	247 Lions Gate Dr	cardacewilliams@hotmail.com
Jerry Fowlkes	Doc Susie	phonegotjacked@gmail.com
Warren Estinger		warren.estinger@gmail.com
Martin Arthur	239 Forest Trail	303-263-1088
Bobby Parajus	79114 125 Hwy 40	402-953-5731
Robb Bradford	P.O. Box 3632 W.P. CO. 80482	865.936.2024
Jan. July	47 CR SDE	617-224-8438
Paul King	P.O. Box 1562 W.P.	734-4764132
Andrew McElwre	PO Box 1236 W.P.	970 531-0399
DAVID Hoover	294 Vasquez WP	303 229 5365
Jack Bain	201 Village Dr	303 472 6072
Tee Paddock	63 Cooper Creek Way	303-419-6011
Will Cowgill		wp7njoguy@gmail.com
Keagan Jameson	171 Vasquez AF	keagan.jameson@gmail.com
Doug Cox	175 Fox Run Ln	dougcoxcox@yahoo.com
Brian Hoglund	373 Forest Tr WP CO	Brian@frecwp.com
Billy Allen	185 Vasquez WPCO	303-710-1804
EL	52 mm Dr	404 212 9476
Rebecca Aither	WP Wine & Spirit	b.aither@hotmail.com (303)263-6813
4# Allen Cheney	504 Vasquez Rd	817 86 73815

NAME	ADDRESS	PHONE / EMAIL
46 Angella Lucisano	326 Mallard Lane	The Pub
47 Jeff Williams	515 Fox Lane Fraser	jeff@winterparkpub.com
48 Robin Dresen	31 CR 8562	rbhin@fraservalleyrec.org
49 David Dresen	31 CR 8562	3057871133/smartmoulderse opt.com
50 Peter Jordan	685 CR 5141 Tabasco Ct	Pete@winterparkpub.com
51 Troy Washam	151 High Seasons Wy #15	troywasham@yahoo.com
52 Janae Champlin	411 High Country Dr.	janae.champlin@yahoo.com
53 Barry Young	410 Zerex Street	b5young54@gmail.com
54 Jenna Young	420 Zerex Dr. 410 Zerex Street	jmy715@gmail.com
5 Amber Donaldson	396 Elk Horn Dr	amaryahjoy@gmail.com
6 Kristen Spronz	481 Fawn Dr	kristenspronz@gmail.com
7 John Repasky	50 Fox Run Ln. 125.D	jrepasky27@gmail.com
8 Nick Kutumbos	78 Timber Dr	Nick@denoswp.com
9 Ashley Kutumbos	78 Timber Dr.	ashley@localsocialwp.com
10 h st	370 Forest Trail	jerde@denoswp.com
1 Brian Kightlinger	184 Idlewild Ln	briank@denoswp.com
2 Liam Rand	100 HIDEAWAY DR (DENO'S)	liamrand@gmail.com
3 Phenix Bordwine	P.O. Box 700 Fraser	phenix0824@yahoo.com
Dylan Woodward	207 8th St granby	9704068557
Kiyah Woodward	207 8th St granby	9704068623

NAME:	ADDRESS	PHONE
6 Eric Mowrey	EP Mountain Chateau Property Mgmt	303 478 3169
7 ALEXANDRA 8 MOWREY	EPIC MTN SPORTS	970.531.2717
9 Blake Alexander Linckey	DENO'S	907-862-0993
10 Dennis Standley	Restaurant Repair	970 726 8779
1 WILLIAM R HANSON	44 WANDERERS WAY WP, CO 80482	(970) 531-6493
2 Joe Reichart	PO BOX 582 WP 80482	480-250-7122
3 Eduardo Sotelo	CASA MEXICO	(970) 688-2489
4 ESTEBAN ROCHA	CASA MEXICO	(970) 393-0874
5 Sixto Reyes	CASA MEXICO	(970) 393 9334
6 Rogelio Pajaro	CASA MEXICO	(970) 393 6452
7 Leonel Sanchez	RETIRED	(217-) 836-2483
8 Michael R Woods	PO BOX 1085	305-304 6407
9 Ashley Trucks	P.O. Box 917 Granby 80446	817-583-2829
2 Jessica Garrison	PO " "	913-660-8262
1 Nick Maffett	853 Winter Park, CO 80482	203-448-3915
2 Brian Wood	370 Forest Trail 80482 Unit C WP CO	970-581-8149
3 Jamie Edgecomb		

Roxanne King	PO Box 461 Fraser CO	Roxy Ficcardi@gmail.com
Brad King	PO Box 461 Fraser CO	BJK311@Hawaii.com
Steve Hughes	900 Vagquez Rd. WP, CO	SAH2@gmail.com
Suzannah Maded	200 Baker Dr unit 100 WP, CO	smacked47@gmail.com
Nickenzie Raymond	625 Quail Dr Fraser CO	nickenzie.raymond@gmail.com
REID AMASON	625 QUAIL DR FRASER CO	REIDAMASON@GMAIL.COM
Robyn Daily	200 Baker Dr Unit 102 Winter Park	robyndaily@yahoo.com
Arnon Heiser	7221-US 40 #1 Tabernash Co	nichavlos@gmail.com
Josh Keen	200 Baker Dr Unit 102 Winter Park, Co	jshkeen@msn.com
Bradley Levereuz	530 Wapiti Ln. Unit A, Fraser, CO 80442	217-497-4178
Sam Spence	504 Willow Lane, unit F, Fraser, CO 80442	Spence184@hotmail.com
Madison Zesiger	504 Willow Lane, unit F, Fraser, CO 80442	madi.zesiger@gmail.com
Ivy Compton	200 Baker Dr. #308, WP, CO 80482	ivycompton358@gmail.com
IRENE KILBURN	200 BAKER DR. #206, WP, CO 80482	irenealbail@gmail.com
Hugh Bell	200 BAKER DRIVE #402, WP, 80482	HBMODERN@GMAIL.
Matthew Robert	333 Conner Ave #6 FRASER 80442	Matthew.Robert@Gmail Matthew.Robert@Gmail
Dennis Nelson	737 Polar Bear FRASER, CO 80442	dennis.nelson@outlook.com
Eric Almanzar	233 Fraser Ave. #6 80442	ealmanzar13@gmail.com
Jake Virus	100 Carriage road 80442	JakeVirus@gmail.com
Tyler P.	100 carriage rd 80442	Tylerper@comcast.net
Kir & Smith	10 Alpine Way 80482	Ksmith@craftdev.com
Suzanne Smith	10 Alpine Way 80482	smsmith303@me.com
Justin Boransky	795 CR 8311 Tabernash 80482	Wboransky@gnail.com

Tam Alden	50 Vasquez Rd Suite F Winter Park	bistrotbrewing@gmail.com
CHRISTOPHER PEARSON	812 wolverine Ln. FRASER	PEARSON.chizis236@V.A.H.W
Annie M. Mitchell	P.O. BOX 2256 FRASER, CO	Amm101588@gmail.com
Dean Thompson	1201 S 6th St	dt3_0482@geocities.com
Justin Cook	475 Plattbecker Pr	15 @ Balla @ gmail.com
Michael Wall	6348 Pierce St	Mikedhull4312@gmail.com
Garrick Compel	169 Van Anderson Pr	303-990-1711
Monique Compel	PO BOX 454	(720) 371-2607
Michael Campagna	551 Summit Tr	(303) 907-5947

127

182

Support for Fireside Creek Apartment proposal

As business owners, managers, and workers trying to live and work in Winter Park, we support the workforce housing Fireside Creek Apartment project. Affordable, available housing for people working in Fraser Valley's businesses is impossible to find. Having additional apartments built in Winter Park will give people more options to find a place to live when they take a year-round job in our community. Apartments are critical to the community housing inventory as they allow our workforce, who fill crucial positions, an opportunity to build a life and save money.

We understand a variance is needed to allow the Fireside Creek apartments to be built with surface parking instead of a parking garage. We support the granting of the variance; anything that can be done to keep the rents affordable should be. The parcel is zoned for multifamily residential development. Building on this lot will mean the loss of some open space; however, the east lot line abuts the railroad tracks, often viewed as undesirable; we view this as a perfect site for this project. We agree that this is an ideal site for workforce housing apartments. If the variance request is not granted, the lack of feasibility may only allow for more condos, creating more demand for workers who have no place to live. By developing affordable housing, we can bridge the overwhelming wealth gap that does not allow critical workers to make a reasonable, sustainable living in the Fraser Valley.

Please approve the variance for the Fireside Creek Apartments. This project is desperately needed in Winter Park and the Fraser Valley. Thank you.

Name	Address	Email or phone #
<u>Brendan Mcgrath</u>	<u>78515 US Hwy 40, Winter Park</u>	<u>brendanmcgrath@gmail.com</u>
<u>Bruce Isakson</u>	<u>110 Trestle Dr Winter Park</u>	<u>bisakson@christysports.com</u>
<u>Jerry Fowlkes</u>	<u>219 Doc Susie Ave</u>	<u>phone got jacked@gmail.com</u>
<u>Michael Harris</u>	<u>227 Lake Dr.</u>	<u>brudy-harris23@yshoo.com</u>
<u>STEVEN CHRIS SHEPHERD</u>	<u>189 6CR 6660, GRAND LAKE</u>	<u>SCHRIST@MSN.COM</u>
<u>CHRIS LAFAUCI</u>	<u>PO BOX 451 WP</u>	<u>CHRIS.LAFAUCI@GMAIL.COM</u>
<u>Jeke Moore</u>	<u>LIVE IN ^{since} 07/2020</u>	<u>607-240-6254</u>
<u>HANNAH YEAGLEY</u>	<u>BVS, Rent too High</u>	<u>330 913 9103</u>
<u>Austin Self</u>	<u>Winter park Lodge 2</u>	<u>austinselfmusic@gmail.com</u>

Support for Fireside Creek Apartment proposal

As business owners, managers, and workers trying to live and work in Winter Park, we support the workforce housing Fireside Creek Apartment project. Affordable, available housing for people working in Fraser Valley's businesses is impossible to find. Having additional apartments built in Winter Park will give people more options to find a place to live when they take a year-round job in our community. Apartments are critical to the community housing inventory as they allow our workforce, who fill crucial positions, an opportunity to build a life and save money.

We understand a variance is needed to allow the Fireside Creek apartments to be built with surface parking instead of a parking garage. We support the granting of the variance; anything that can be done to keep the rents affordable should be. The parcel is zoned for multifamily residential development. Building on this lot will mean the loss of some open space; however, the east lot line abuts the railroad tracks, often viewed as undesirable; we view this as a perfect site for this project. We agree that this is an ideal site for workforce housing apartments. If the variance request is not granted, the lack of feasibility may only allow for more condos, creating more demand for workers who have no place to live. By developing affordable housing, we can bridge the overwhelming wealth gap that does not allow critical workers to make a reasonable, sustainable living in the Fraser Valley.

Please approve the variance for the Fireside Creek Apartments. This project is desperately needed in Winter Park and the Fraser Valley. Thank you.

Name	Address	Email or phone #
<u>ETHAN HANEY</u>	<u>219 Du Susie AVE, Apt 4</u>	<u>haney.ethan.j@gmail.com</u> <u>913-558-7238</u> <u>531-9503</u>
<u>Michael DeMarco</u>	<u>219 VASQUEZ RD, #23</u>	<u>MICHAELDEMARCOT1@GMAIL.COM</u>
<u>Tenille Obe</u>	<u>200 Baker Dr #201 WP</u>	<u>tenilleobe@gmail.com</u>
<u>Chris Besenbrock</u>	<u>500 Wapiti lane</u>	<u>CBesenbrock@gmail.com</u>
<u>Sarah Morin</u>	<u>PO Box 2933 Winter Park CO</u>	<u>sjm13@gmail.com</u>
<u>Cameron Mock</u>	<u>PO Box 2933 Winter Park CO</u>	<u>ctmokee@yahoo.com</u>
<u>Robert Kohler</u>	<u>P.O. Box 2001 Fraser</u>	<u>harper60@hotmail.com</u>
<u>Patrick Hayes</u>	<u>PO Box 1099 Fraser</u>	<u>GreatSkiesBldg.com</u>
<u>Colt Reed</u>	<u>PO Box 613</u>	<u>Stephen.Lehman@gmail.com</u>

Support for Fireside Creek Apartment proposal

As business owners, managers, and workers trying to live and work in Winter Park, we support the workforce housing Fireside Creek Apartment project. Affordable, available housing for people working in Fraser Valley's businesses is impossible to find. Having additional apartments built in Winter Park will give people more options to find a place to live when they take a year-round job in our community. Apartments are critical to the community housing inventory as they allow our workforce, who fill crucial positions, an opportunity to build a life and save money.

We understand a variance is needed to allow the Fireside Creek apartments to be built with surface parking instead of a parking garage. We support the granting of the variance; anything that can be done to keep the rents affordable should be. The parcel is zoned for multifamily residential development. Building on this lot will mean the loss of some open space; however, the east lot line abuts the railroad tracks, often viewed as undesirable; we view this as a perfect site for this project. We agree that this is an ideal site for workforce housing apartments. If the variance request is not granted, the lack of feasibility may only allow for more condos, creating more demand for workers who have no place to live. By developing affordable housing, we can bridge the overwhelming wealth gap that does not allow critical workers to make a reasonable, sustainable living in the Fraser Valley.

Please approve the variance for the Fireside Creek Apartments. This project is desperately needed in Winter Park and the Fraser Valley. Thank you.

Name	Address	Email or phone #
<u>Ellen Cowman</u> <u>Ellen Cowman</u>	<u>400 Kings Crossing Rd. 2C</u> <u>Winter Park, CO 80482</u>	<u>970-531-0951</u>
<u>Matt Cowman</u> <u>Matt Cowman</u>	<u>400 Kings Crossing 2C W.P. CO 80482</u>	<u>303-229-6696</u>
<u>Sead Lachance</u> <u>John Rain</u>	<u>219 Vague Rd unit 14</u>	<u>970-531-3006</u>
<u>[Signature]</u>	<u>384 Forest Trail Unit 4</u>	<u>970-281-9681</u>
<u>Krystal Pestio</u> <u>[Signature]</u>	<u>370 Forest Trail Unit A</u>	<u>719-240-0337</u>
<u>Tenilla Ober</u> <u>[Signature]</u>	<u>200 Baker Drive #201</u>	<u>507 809 7117</u>
<u>[Signature]</u> <u>Steven Carpenter</u>	<u>4A Jalderswocky Way</u>	<u>720-694-0639</u>
<u>[Signature]</u>	<u>155 Van Anderson #3</u>	<u>970-281-2907</u>
<u>Alyssa Fawkes</u> <u>Alyssa Fawkes</u>	<u>50 Fox Run Lane</u>	<u>970-406-8780</u>

Support for Fireside Creek Apartment proposal

As business owners, managers, and workers trying to live and work in Winter Park, we support the workforce housing Fireside Creek Apartment project. Affordable, available housing for people working in Fraser Valley's businesses is impossible to find. Having additional apartments built in Winter Park will give people more options to find a place to live when they take a year-round job in our community. Apartments are critical to the community housing inventory as they allow our workforce, who fill crucial positions, an opportunity to build a life and save money.

We understand a variance is needed to allow the Fireside Creek apartments to be built with surface parking instead of a parking garage. We support the granting of the variance; anything that can be done to keep the rents affordable should be. The parcel is zoned for multifamily residential development. Building on this lot will mean the loss of some open space; however, the east lot line abuts the railroad tracks, often viewed as undesirable; we view this as a perfect site for this project. We agree that this is an ideal site for workforce housing apartments. If the variance request is not granted, the lack of feasibility may only allow for more condos, creating more demand for workers who have no place to live. By developing affordable housing, we can bridge the overwhelming wealth gap that does not allow critical workers to make a reasonable, sustainable living in the Fraser Valley.

Please approve the variance for the Fireside Creek Apartments. This project is desperately needed in Winter Park and the Fraser Valley. Thank you.

Name	Address	Email or phone #
<u>STEVE KAUBERZ</u>	<u>188 MARMOT DR GRANDY CO 80446</u>	<u>970 531 2083</u>
<u>Tim KLINE</u>	<u>675 WAPITI DR. / FRASER, CO 80442</u>	<u>tkline.wp@gmail.com</u>
<u>Bern Blanking</u>	<u>447 GCR 830 FRASER, CO 80442</u>	<u>bernweyer05@gmail.com</u>
<u>Trouis Wheeler</u>	<u>69176 US Hwy 40 Tab⁸⁰⁴⁷⁸</u>	<u>T Wheeler@wpGov.com</u>
<u>Raoni Orlandi</u>	<u>509 Mercy Dr. #C Fraser</u>	<u>rorlandi@wpgov.com</u>
<u>Gerry Vernon</u>	<u>145 Spinner Rd 63, Fraser</u>	<u>moghawk1@yahoo.com</u>
<u>John Simon</u>	<u>884 Wapiti Dr Fraser</u>	<u>Colorado firefighter 1972^{g.mai} or chm</u>
<u>JORDAN ENNIS</u>	<u>116 FRASER AVE, FRASER CO 80442</u>	<u>JORDAN4775@GMAIL.COM</u>
<u>TUCKER FOLKES</u>	<u>35 CR 5221, TABERNASH, CO 80478</u>	<u>TUCKER.FOLKES@GMAIL.COM</u>

Support for Fireside Creek Apartment proposal

As business owners, managers, and workers trying to live and work in Winter Park, we support the workforce housing Fireside Creek Apartment project. Affordable, available housing for people working in Fraser Valley's businesses is impossible to find. Having additional apartments built in Winter Park will give people more options to find a place to live when they take a year-round job in our community. Apartments are critical to the community housing inventory as they allow our workforce, who fill crucial positions, an opportunity to build a life and save money.

We understand a variance is needed to allow the Fireside Creek apartments to be built with surface parking instead of a parking garage. We support the granting of the variance; anything that can be done to keep the rents affordable should be. The parcel is zoned for multifamily residential development. Building on this lot will mean the loss of some open space; however, the east lot line abuts the railroad tracks, often viewed as undesirable; we view this as a perfect site for this project. We agree that this is an ideal site for workforce housing apartments. If the variance request is not granted, the lack of feasibility may only allow for more condos, creating more demand for workers who have no place to live. By developing affordable housing, we can bridge the overwhelming wealth gap that does not allow critical workers to make a reasonable, sustainable living in the Fraser Valley.

Please approve the variance for the Fireside Creek Apartments. This project is desperately needed in Winter Park and the Fraser Valley. Thank you.

Name	Address	Email or phone #
<u>Jordan McIntyre</u>	<u>PO BOX-2082</u>	<u>972 281 2221</u>
<u>Jackson Cranford</u>	<u>Fraser CO 80442</u> <u>48 Fawn Drive</u>	<u>478-952-3175</u>
<u>Alan Nicholson</u>	<u>PO 2817 Winter Park CO</u>	<u>303-990-3428</u>
<u>Scott Emery</u>	<u>P.O. 1825 Fraser, CO</u>	<u>970 531-0562</u>
<u>Devin White</u>	<u>116 Eisenhower Dr Fraser</u>	<u>970 531-8100</u>
<u>Anna Brown</u>	<u>252 W. Garnet, Granby</u>	<u>865-363-7653</u>
<u>Jeremy McMillen</u>	<u>510 Mercy Drive, Apt A Fraser</u>	<u>662 322 8838</u>
<u>MATTHEW FOSTER</u>	<u>62927 US HWY 40, GRANBY</u> <u>PO BOX 4071</u>	<u>11AMASVS ROBOTS@GMAIL.COM</u>
<u>Jacqui Sabo</u>	<u>PO B 1685 Fraser</u>	<u>jacqui.sabo@gmail.com</u>

Name	Address	Email or phone #
<u>Jenn Fosterick</u>	<u>10 Idlewild Ln, WP</u>	<u>612-859-6911</u>
<u>Kristen Webb</u>	<u>105 Elk Creek DR</u>	<u>Kwebbchua@gmail.com</u>
<u>Tom Duro</u>	<u>147 ## Road Rd</u>	<u>970-448-8226</u>
<u>Evelina Riventate</u>	<u>PO Box 1232 Granby CO</u>	<u>970-531-6639</u>
<u>Megan Kempton</u>	<u>P.O. Box 1232</u>	<u>504 239 4540</u>
<u>Maureen Touis</u>	<u>Granby, CO P.O. Box 1098</u>	<u>303 520 4057</u>
<u>Mark Paternoster</u>	<u>PO Box 645, Granby CO</u>	<u>505-695-0025</u>
<u>Austin Nichols</u>	<u>P.O. Box 2286, Fraser CO</u>	<u>nicholseustina97@gmail.com</u>
<u>Michere Wiedl</u>	<u>PO. Box 654 Fraser CO</u>	<u>203 948 1659</u>
<u>Kyira Schrock</u>	<u>75 Fox Run Ln</u>	<u>202 817 4027</u>
<u>Freddy Adams</u>	<u>75 Fox Run Ln</u>	<u>239 351 9774</u>
<u>Janel Crawford</u>	<u>75 Fox Run Ln</u>	<u>706 830-4179</u>
<u>Kayla Milligan</u>	<u>75 Fox Run Ln</u>	<u>970 672 7975</u>
<u>Sarah Owens</u>	<u>200 Palmer Dr. #400</u>	<u>9-531-4009</u>
<u>Mike Solomon</u>	<u>1376 stage Coach Drive</u>	<u>303-877-3177</u>
<u>Andrew Mont</u>	<u>30 Hughes Ave</u>	<u>303-854-7102</u>
<u>Justin Liberty</u>	<u>200 Carnicy Road</u>	<u>970 531 0154</u>
<u>Peter Newman</u>	<u>420 Muse DR FRASER</u>	<u>217-842-8401</u>

Name	Address	Email or phone #
<u>DAVID M Kunkle</u>	<u>521 Wapiti Lane Fraser CO</u>	<u>970-531-8916</u>
<u>Marco E Caceres</u>	<u>77601 US Hwy 40 Fraser, CO 80442</u>	<u>720-314-9787</u>
<u>John Krueger</u>	<u>535 City Rd 856, Tabernash</u>	<u>970-531-9846</u>
<u>Shawn Rayburn</u>	<u>11750 US Hwy 34 Grand Lake CO 80447</u>	<u>(970) 531-9126</u>
<u>Garrett Sullivan</u>	<u>60 GCR 526 Tabernash</u>	<u>303 898 9832</u>
<u>Fritz Douglas</u>	<u>60 CR 526 Tabernash</u>	<u>281 750 4005</u>
<u>Ryan Maxwell</u>	<u>820 CR 509 Fraser</u>	<u>970-531-8445</u>
<u>Ricardo Lopez</u>	<u>101 NORFERN ROAD FRASER</u>	<u>909 658 5642</u>
<u>Ehren Samuelson</u>	<u>93 Doc Susie Ave FRASER</u>	<u>970-531-7071</u>
<u>Jed Henry</u>	<u>103 Elk creek Dr Fraser</u>	<u>970-531-8388</u>
<u>Rachal Hoyhtya</u>	<u>140 Fraser Ave Fraser</u>	<u>rchoyhtya@gmail.com</u>
<u>Katie Oliver</u>	<u>AKERIN</u>	<u>oliversarakate@gmail.com</u>
<u>Jeremy Ema</u>	<u>110 Doc Susie Ave Fraser</u>	<u>rickybenders@gmail</u>
<u>GINIACHTAS SUTKUS</u>	<u>276 PINE VIEW DR. TABERNASH</u>	<u>970 531 2536</u>
<u>JON PEARCE</u>	<u>390 CITY RD 5001 FRASER, CO</u>	<u>970-531-9819</u>
<u>Gary Edwards</u>	<u>200 Baker Dr Apt 402</u>	<u>210-317-3041</u>
<u>Brian Burke</u>	<u>57 Mulligan Dr. Fraser CO</u>	<u>780-341-6528</u>
<u>Chris KucharSKI</u>	<u>88 Jabberwocky Fraser CO</u>	<u>512-709-4407</u>

Name	Address	Email or phone #
Cynthia Washburn	216 Alpine Dr Tabernash	970-531-7493
Beth Requist	PO Box 909 Fraser CO 80424	970-531-2934
Joe Stephan	171 Vasquez Rd #2	626-644-2543
Harina McClain	481 Trailhead Cir #414	720-275-9663
Chris Mck	481 Trailhead Cir #414	970-681-5811
Kerrin Nesby		949-842-5453
Cody Martin	370 Forest trail Unit A	C.Martin.2337@gmail.com
Rebecca Kaufman	78515 US Hwy 40 Apt D204 Winter Park	970-531-5637
Tim Thim	Winter Park Lodge 2 Apt D204	970-281-2403
Edgar Bank	1889 Sandy lake road	330-860-4668
Jor Grestie	327 D Vasquez Rd	508-579-4451
Gwen Kays	327 D Vasquez Rd.	303-437-8372
W. Popkey	913 Elk trail	715-374-4904
Jose Arellano	87 van Anderson	970-281-9866
Connor Bahde	100 Carriage Rd	970-846-9793
Daniel Morrissey	753 Mulligan St A-2	720-415-6783
Kendall Velasquez	820 Carriage Rd	661-333-6111
JENNIFER HUGHES	900 VASQUEZ RD	970-531-1006

Name

Address

Email or phone #

Josh Fawley
~~Josh Fawley~~

5550 CR5 Tabernash

joshr2mmw@lyll.com

Ryan Singleton
By Day

1619 County Rd 8955

720-415-1764 terrapin.rrs@gmail

Matt Newkirk
H/H

444 Forest trail AE

785-236-9364 slushyking@tdn.net

Bair Baker
B/B

95 Doc Susie Fraser

970-531-7633

Wanna Kaydale

716 Herling way

116-728-5726

Nate Zuercher

400 BAKER Dr. #104 WP, CO

828-974-6357

Andrew McFarland

194 Byers Ave Fraser

719-221-5244

The trailhead

78321 US 40 Winter park

970-281-4198

Strip + Tal

78259 us 40 wint park

302-809-2451

Steve Bromley

78259 us 40 wint park

302-809-2451

Rhonda Bromberg

78259 us 40 WP

970-531-0325

Frank Reed

100 Fox Run Ln Apt F Fraser

317-956-0857

LIA Hovezak

500 Willow Lane Apt E Fraser

478-955-3236

Adam Bolton

78259 us Hwy 40 unit 4 WP

970-531-5495

Kyrin Little

~~78259~~ 78259 "" ""

720-591-6649

Dylan Walle

34CR640 Unit 42 Granby CO

970-575-0866

Jane Suchy

580 fawn drive, Tabernash

+44 7968 012464

Leigha Kline

171 Ski Idlewild Rd

970-531-3138
leigharyankline@gmail.com

Name	Address	Email or phone #
<u>Nakera Ledin</u>	<u>391 Elk Dale Dr</u>	<u>970-531-3839</u>
<u>Pachin Pawan</u>	<u>Namaste India Owner</u>	<u>970 281 2537</u>
<u>Ricky Biswas</u>	<u>Namaste India owner</u>	<u>970 281 2287</u>
<u>Keith Spencer</u>	<u>48491 US-40 ^{Peak} Manager</u>	<u>317 701 0864</u>
<u>Charre Martin-Laclair</u>	<u>851 Wink Ln Apt D, ^{Fraser CO} 80442</u>	<u>206 855 0236</u>
<u>Sam Ritchison</u>	<u>327D Vasquez</u>	<u>517 285 0289</u>
<u>Kyle Jenkins</u>	<u>200 Baker Dr. #103</u>	<u>318 934 2068</u> <u>Kyle.jenkins.27@gmail.com</u>
<u>Madison Tonn</u>	<u>200 Baker Dr. #204</u>	<u>317-709-4899</u> <u>MadisonTonn@gmail.com</u>
<u>Enzo Riggs</u>	<u>200 Baker Dr. #193</u>	<u>720 636 6842</u>
<u>Roger Brasola</u>	<u>70 Capt W Rd 820 #6 ^{Fraser} FRASER</u>	<u>970-531-1410</u>
<u>Michele Anderson</u>	<u>50 Fox Run Ln #H ^{Fraser, CO}</u>	<u>970-531-0335</u>
<u>Seth Selby</u>	<u>478 Hyles Ave</u>	<u>225-329-2063</u>
<u>Jamal Baker</u>	<u>479 Hughes Ave.</u>	<u>337-516-1184</u>
<u>Nathan Keel</u>	<u>50 Fox Run lane unit 2510</u>	<u>360 720 4668</u>
<u>Justin Busse</u>	<u>479 Hughes Ave</u>	<u>352-512-5647</u>
<u>Kevin Guillen</u>	<u>200 Baker Dr</u>	<u>864 706 4666</u>
<u>Quinn Hildebrandt</u>	<u>530 Wapiti Ln Apt. A, ^{Fraser}</u>	<u>248-361-8903</u>
<u>Tracy Leese</u>	<u>PoB 813, WP - lived in WP 16 years - just moved due to lack of affordable housing</u>	<u>970 509-0453</u>

Name	Address	Email or phone #
<u>KYLE BENNETT</u>	<u>5946 CR 5 TAB</u>	<u>KLB3333@gmail.com</u>
<u>LAREN BERNAN</u>	<u>680 WAPITI PRSUE</u>	<u>LJBERM@GMAIL.COM</u>
<u>LINDA BENNETT</u>	<u>5946 CR 5 - TABERNASH</u>	<u>limbelb@aol.com</u>
<u>Jackson Pletten</u>	<u>64226 US Hwy 40 - Grumbly W.</u>	<u>JKPletten34@gmail.com</u>
<u>ANA HUBERS</u>	<u>368 CR. 8300, TABERNASH, CO</u>	<u>918-764-6380</u>
<u>Car + Long</u>	<u>Polemink Lane, Fraga Co</u>	<u>913-575-5339</u>
<u>Kat ESTEP</u>	<u>SNOWB Ldell 306</u>	<u>423 443 2602</u>
<u>Felton Schmitz</u>	<u>2038 WP</u>	<u>507 766 0179</u>
<u>Griffen A</u>	<u>234 380 215</u>	<u>234 380 2315</u>
<u>Alyson Heon</u>	<u>95 Doc Susie Ave ^{#DS}</u>	<u>703 915-6098</u>
<u>Matt Stefanski</u>	<u>95 Doc Susie Ave.</u>	<u>970-531-8705</u>
<u>Manila Szalay</u>	<u>201 Zephyr Way</u>	<u>970 531 6664</u>
<u>Randy Peterson</u>	<u>201 Zephyr Way</u>	<u>303-807-9951</u>
<u>Lori Hannan</u>	<u>101 Ironhorse Way</u>	<u>918 808 3426</u>
<u>Geo SS Hannan</u>	<u>101 Ironhorse Way</u>	<u>440-759-3989</u>
<u>Ceciliaham Pyn</u>	<u>Granny 8484 Eureka. com</u>	<u>303-483-5102</u>
<u>Michael Demaris</u>	<u>101 Doc Susie Ave</u>	<u>918-284-0831</u>
<u>Chris Moris</u>	<u>10 Idlewild lane</u>	<u>303-817-5175</u>

Name	Address	Email or phone #
Jason Albers	P.O. Box 1890 200 Baker Dr #211	jehlers@level development, com
Cody Slechta	P.O. Box 844 200 Baker Dr #211	Codr.Slechta@gmail.com
Amy Jardee	P.O. Box 2231	jardeest6@gmail.com
- Rick Agostini	P.O. Box 565 ^{Dabernoch}	R.C. Agostini@gmail.com
Charles Kutrambos	POB 312 Winter Park	denuap@gmail.com
Daniell Schacht	200 Fox Run Ln - I-1822	clintschacht@yahoo.com
Trevor Finger	101 Waterside Dr. Fraser CO	Trevor.finger@gmail.com
Cody A Carroll	173 Byers Ave Fraser Co.	mrbigfox@gmail.com
John Wierzyk	100 Fox Run Ln. Fraser, CO	JWierzyk@gmail.com
Rosie Nelles	500 Wapiti Ln. Fraser, CO	rosienelles@gmail.com
Kevin R. Wiedell	97 DOC SUSIE AVE, APT C3 FRASER CO 80442	(305) 948-4498 kevinryanwiedell@gmail.com
Ben Booty	P.O. Box 1223 Winter Park, CO. 80482	(970) 629-2979
Heidi May	P.O. Box 401, Fraser, CO 80442	720 (352) 4763
Matt Olsen	P.O. Box 275 Fraser, CO, 80442	(303) 993-9431
Seth Eldridge	PO Box 3423 Winter Park, CO 80482	et 186357@yahoo.com
Kathryn Eldridge	PO Box 3423 Winter Park, CO 80482	keldridge@winterparkcolorado.com
Mack Beidler	General Delivery Winter Park, CO 80482	mjbaidler@gmail.com
Thomas Gorman	P.O. Box 2035 Fraser, CO 80442	Gorman576@gmail.com

Name

Address

Email or phone #

Jerome Ng

420 Muse Dr., CO

jeromeng2109@gmail.com

Shelby McDaniel

469 Pioneer Trail

hishelby22@aol.

Lindsay Karge

PK 100 carriage rd, Frax

Lkshea77@gmail.com

916-765
3286

CARIN AULTHE

410 N 5th St GRANBY CO

CAA.SUBLIMETRAVEL@GMAIL.COM

From: [Dustin Hubbard](#)
To: [James Shockey](#)
Subject: Opposing building variance for 56% building coverage of Parcel A
Date: Thursday, April 29, 2021 7:10:09 PM

Hello,

I am an owner in Silverado 1 and I oppose the building variance of 56% which is 16% over the maximum of 40%. This is in regard to Parcel A, that portion of the south one half of the northwest one quarter of Section 33. The maximum of 40% ensures our town maintains a mountain town feel. By allowing this variance it would turn this area into a concrete jungle. No one that lives in WP wants this, if they did they would live in Denver.

Respectively,
Dustin Hubbard

Please verify receipt

Sent from my iPad

Town of Winter Park
Attn: Board of Adjustment
c/o James Shockey
P.O. Box 3327
Winter Park, CO 80482

Dear James Shockey,

This letter is in support of the lot variance needed to complete the proposed Fireside Creek Housing Project. We do not live in Winter Park, but do work in the Winter Park area. We are often struck by the increase in development and influx of new community neighbors, with a relatively small increase in service industry employment. In discussing issue with business owners this appears to have a great deal to do with limited capacity of the local workforce. Which we all know is a direct result of limited affordable housing options. My husband and I have lived in the Fraser Valley for over 13 years and we both have very stable employment, but with current housing prices, if we were forced to leave our location (which we rent), we would have to move out of the county. We know that we are not the only community members who are passionate about housing affordability and we struggle daily to understand why systemic issues continue to be a crutch for actually solving housing needs. We would like to suggest that the Board of Adjustment look closely at the concerns that lead to denying the height variance and offer a small compromise to the 16% land variant request, knowing that this does not require them to approve similar requests moving forward. If a variance was not an option, there would be no need for a Board of Adjustment. It does appear that the design of the proposed project exceeds the existing curbside appeal of some of the surrounding neighborhood community, so it begs the question, what is the underlying issue? Neighborhood character? We believe that given the circumstances, the Board of Adjustment could look at the proposed project as a true way to support the need for workforce housing in our community. The benefits of such a project will far exceed the anxiety expressed over open space or traffic congestion. Our small community is growing and if this development worries our neighbors, they might need to revisit what it means to live in a tourist community. Winter Park is no longer a hidden gem and is no longer a sleepy mountain town, which we will all have to embrace at some point. Thank you for your commitment to the Winter Park community and for taking the time to address our concerns.

Warmest Regards,

Banning & Stacy Starr

From: [FINN HAUG](#)
To: [James Shockey](#); [Board @Silverado2](#); [bkeitler@gmail.com](#); [jreddan@consultbfg.com](#)
Subject: Fireside Creek Development
Date: Tuesday, May 04, 2021 1:42:09 PM

Dear Mr. Shockey.

The Board of Adjustment voted four to one not to approve the town's request for a height variance on April 13, 2021.

That proposal asked for 82 parking spots for the proposed 66 units, which by the disapproval of the height variance now would be around 50 units.

I am in receipt of the town's request for another 16% variance to the parking area, which would bring the total parking spots to 95 and cover virtually all open spaces of the development site and create a parking area more like that of a high school's - and that in the middle of a residential area!

Since I was working with you and the Town of Winter Park regarding the land swap between the Town and Silverado II, starting in 2017, I am very well aware of the town's concern about the congestion and poor visibility at the entrance to Silverado II.

On May 2, 2017 I met with you, Drew Nelson, the Town Manager, as well as two other town employees regarding the land swap; two pieces belonging to Silverado II on the North side of Kings Crossing Road and one piece belonging to the town located in the middle of Silverado II's driveway/ Fire Pit.

The meeting was based on the town's memo to the Town Council, dated November 1, 2011, which points out the importance of getting the exchange done, citing in particular the sight problems along Kings Crossing Road where it passes the entry to Silverado II as well as concern about the amount of water carried in the adjacent ditch.

Since the survey of these pieces of land needed to be updated, The Board of Silverado II agreed to share the cost of the new survey and on June 18, 2017, authorized the survey agreement.

The survey was completed and you stated on May 13, 2019 that you believed that the title work was completed as well and that the proposed exchange would be presented to the Town Council for approval. You also stated you would contact me if there were any unresolved items.

I never heard back from you, neither did the Board of Silverado II.

The Town of Winter Park issued a request for The Development of Fireside Creek on March 12, 2019.

Among the many stipulations for the development I wish to highlight the following:

- It is the Town's strong preference that all units be provided with enclosed garages and

sufficient storage space for objects such as bicycles and skis.

- Developer shall have " Similar Project in Colorado- including project name, date, owner, and location of project. Include information on any projects that include mountain communities.

- References- List references (at least three)identifying each client, a contact person, the client's email and telephone, for similar projects completed by the contractor.

- Provide background information on all senior members of the project team including critical sub-contractors

The proposed developer, Winter Park Partners, LLC was incorporated on March 11, 2019 in Denver, Colorado, but I have been unable to find any projects undertaken by that corporation in the state of Colorado.

We all know the importance of knowledgeable developers in mountain communities and the Town knows that as well based on their stipulations clearly **stated** in their "Request for Proposal".

Based on the criteria for the development, how did an unknown entity like Winter Park Partners get selected for the Fireside Creek Development?

The entire proposal by The Town of Winter Park for this specific site is without merit- as the site is not suited for the project. It will clearly put an undesired burden on the neighborhood and cause even more congestion and create further traffic problems and dangers for anyone along Kings Crossing Road.

The site would be much better suited for a development similar to the proposed one across the street to the North of Silverado II, the "Retreat at Atlas"/ "Snow Creek Townhomes" for 20-23 townhomes.

The statement, as quoted in Sky-Hi News on April 23, 2021 by the Mayor, Nck Kutrumbos, regarding the "Board of Adjustments" denial for the height variance, puts the blame on the neighborhood of the proposed Fireside Creek development when in fact the entire fault lies with the town for proposing this in the first place.

We all see the need for Affordable/ Attainable housing in the valley as we have friends working and owning businesses. We simply objected to that particular plan of development.

The Town Of Winter Park owns a large number of pieces of land and aside from two projects under development, South of Kings Crossing Road and along Lions Gate Road, many of these would lend itself to workforce housing.

Without going into detail regarding land owned by the town, I wish to point out a few select ones:

- 'The Gondola Site.

Five parcels totalling 3.354 acres- will we ever have a gondola from the town to the resort.

From what I gather the resort is not very interested and if they were- do you need more than three acres?

There are another three parcels between 1,89 and 5.730 acres that would probably be suitable and all within a very short walk to Highway 40 and transportation.

The new Bus Depot construction is slated to start this summer (on County Road 5) and is scheduled to be completed within two years.

The present location on Winter Park Drive consists of more than three acres and would be a perfect site for a housing project for The Resort workers as well as for other local ones looking for attainable housing.

During the construction of the new Winter Park maintenance building on Highway 40, the town made a deal with Roam to temporarily house their people and equipment until the new building was complete. Maybe a similar solution can be found for where the buses are presently located so that site can be developed?

I am well aware that the parcel is owned by the resort and that they don't really want to get into housing, but maybe the town of Winter Park could require ownership and develop it.

It seems to me that the town needs to go back to the drawing board and do an extensive evaluation of all the land it owns and come up with a long term solution for the workforce and not try to force something through that has a major impact on so many people as well as creating major logistic problems.

Finn Haug,

Concerned resident.



May 6, 2021

Dear Town of Winter Park Board of Adjustments,

As the Executive Director of Grand Kids Learning Center, our childcare center supports the workforce housing Fireside Creek Apartment project. Affordable, available housing for people working in Fraser Valley's businesses is impossible to find. As the one that hires all the teachers for our childcare center, I can give you 3 specific instances in just the last 4 months where lack of housing and/or the cost of housing caused teachers to leave the valley and not accept the job we offered. At the end of April, we sent surveys out to our teachers and 50% of our teachers cited cost of living/lack of housing as a huge concern for their ability to continue working for us. Not only is this issue concerning to us as our own organization but it should be very concerning to the entire community as we serve the largest population of childcare for Winter Park, Fraser & Tabernash. If we aren't able to retain teachers, we won't be able to offer care for other employees to continue to work.

As a nonprofit, our wages are lower than most and our opportunity to offer benefits is lacking as well. We are desperately trying to find ways to attract and retain quality teachers. When Hideaway Place Apartments were built, I was under the impression businesses would be able to, in a sense, be the responsible party to an apartment to use for their employees as they saw fit. I understand that it filled up quickly with individuals which I understand was needed. However, I would propose that businesses would be able to claim an apartment for their own employees. It would be a HUGE benefit for our childcare center to be able to offer that to our employees! I know this would take some work but I am more than willing to do my part in helping see this come to light.

We understand a variance is needed to allow the Fireside Creek apartments to be built with surface parking instead of a parking garage. We support the granting of the variance; anything that can be done to keep the rents affordable should be. The parcel is zoned for multifamily residential development. Building on this lot will mean the loss of some open space; however, the east lot line abuts the railroad tracks, often viewed as undesirable; we view this as a perfect site for this project. We agree that this is an ideal site for workforce housing apartments. If the variance request is not granted, the lack of feasibility may only allow for more condos, creating more demand for workers who have no place to live. By developing affordable housing, we can bridge the overwhelming wealth gap that does not allow critical workers to make a reasonable, sustainable living in the Fraser Valley.

Please approve the variance for the Fireside Creek Apartments. This project is desperately needed in Winter Park and the Fraser Valley.

Thank you,

Ashley Bobo
Executive Director
Grand Kids Learning Center

From: [John Knight](#)
To: [James Shockey](#)
Subject: Zoning Variance Request Fireside Creek
Date: Friday, April 30, 2021 11:40:52 AM

I'm writing to oppose granting a zoning variance request for the Fireside Creek project.

It is troubling that the developer requested both a variance for the height of the building and now another request for variance with parking.

The city has zoning codes for a reason. From the many comments about the height variance request, many in the community feel that the project is too big for the parcel of land. Too many units, the units covering more land than is allowed under zoning, and inadequate parking.

The final sentence of the letter states that should the variance be denied, the site will be pursued as affordable housing with reduced parking, but no remark is made that the number of units will also be decreased if the variance is denied. Am I correct that if this variance is denied, the development goes on as currently proposed, but with less parking? How can this be compliant with code or common sense? The Wolf Park Townhomes and Silverado cannot accommodate the overflow parking from reduced parking spaces in the proposed development.

As currently proposed, the parking is already inadequate. It makes the assumption that each unit will be occupied by one person who has one car. An additional four spaces to accommodate visitors for the entire development. It is extremely unlikely that each unit will have only one occupant, and it is likely that each occupant will have a car.

I understand that breaking ground is to commence this summer, but with both variances being as for now still under review. It appears that the project was approved with the understanding that the variances will be granted as a matter of course. For the height variance I saw many comments in opposition but none in favor. Is the opportunity to voice concerns a formality?

All of the reasons listed for the variance apparently include keeping the number of units the same. If code does not allow for using the space as requested, the solution is to downscale the project. Less units require less parking.

The letter remarks on the "challenge" of achieving enough density to achieve affordable development costs. This is true of any affordable housing project, contradicting the assertion in the next sentence that this "plight" is unique to this development. The developer is claiming that they cannot make a project dense enough under current zoning. This is unfortunate for the developer that they chose to ignore current zoning with the hope that by citing challenges and plights that zoning rules can be ignored for this project. By granting this variance, it signals to future developers that Winter Park zoning rules can be ignored.

The development should not have either current variance granted. The zoning codes exist to prevent exactly this kind of overreach.

Thank you for your consideration,

John Knight
100 Wolf Park Lane

From: [Mark Kocourek](#)
To: [James Shockey](#)
Subject: Opposition To Zoning Variance Request
Date: Friday, April 30, 2021 11:37:58 AM
Attachments: [WinterPark-ParkingConcerns.pdf](#)

Hi Mr. Shockey,

I'm writing to oppose the zoning variance request for the Fireside Creek development which proposes additional parking for this project. I've attached a pdf which outlines the concerns with the addition of a minimum of 85 cars making multiple trips a day through a neighborhood that will not support this level of traffic without danger to residents, pedestrians and a significant negative impact on the quality and character of this quiet area of Winter Park.

As you will see in the attached document, Kings Crossing Rd is not meant to be a highly trafficked road, as there are blind curves (including at stop signs), many of which are already ignored today. Kings Crossing Rd, as you know, has no sidewalks and many pedestrians (residents, tourists, etc.) use this road to access Wolf Park, shuttle stops, hiking trails and to access town.

When reviewing the attachment, please consider the many bottlenecks existing on this corridor, the safety ramifications, and negative impacts to multiple areas as this increased number of cars access Hwy. 40 via Vasquez Rd, or Kings Crossing Trail **multiple** times a day.

I understand the need for affordable housing for deserving residents, but I oppose this variance request for all of the reasons mentioned above. As is evidenced in the Owner's Detailed Description of Request, this development is not suited for this piece of property, and it is apparent that this is another attempt to circumvent existing zoning to the detriment of many. Certainly, with all of the rapid and ongoing development going on in Winter Park (Beaver Village for example), a more sustainable and plausible location exists for affordable housing of this density.

Sincerely,

Mark Kocourek

300 Kings Crossing Road

Blind Curve – Already dangerous to pedestrians and traffic without the additional proposed traffic. Please consider the impact of 85 more cars multiple times per day, a number of which will be speeding.

The stop sign on Kings Crossing Road has a blind curve with traffic coming both ways on Forest Trail. Consider 85 more cars, multiple times a day at this intersection, and the danger to pedestrians, traffic, shuttle traffic and tourists.



The reroute of traffic across the tracks here barely accommodates the width of two cars, and involves pedestrian traffic accessing the trails, as well as a railroad crossing.

The intersection of Forest Trail and Kings Crossing Rd will be much more dangerous with 85+ cars speeding through this intersection with oncoming traffic both ways.



There is a stop sign at this intersection, which would create bottlenecks and danger with 85+ more cars a day on multiple trips. Additionally many families and children use Wolf Park, and increased traffic speeding through the section of Kings Crossing between Forest Trail and Alpine Ln would be dangerous to children, pedestrians, pets, and disruptive to the neighborhood.



wp Cowboy's, Inc dba
Hernando's Pizza Pub

5/4/2021

To whom it may concern,

We are writing this letter as business owners as well as a home owner in the Timber Ridge complex. We are in support of the Fireside Creek Workforce Housing Project to begin to address the housing crisis in Grand County. Many of our employees are renters and in the last few years housing has become more and more expensive and limited. Any additional affordable housing for year-round workforce is welcomed.

Sincerely,

Matt and Ellen Cowman

From: [Ned & Janet](#)
To: [James Shockey](#)
Subject: Fireside Creek Request for Zoning Variance for Maximum Building Coverage
Date: Tuesday, May 04, 2021 7:12:22 PM

May 4, 2021

From: Janet Rogers & Ned Wallace
Post Office Box 3074
Winter Park, CO 80482-3074

To: James Shockey, Director, Town of Winter Park
P.O. Box 3327
Winter Park, CO 80482

Subject: Fireside Creek Request for Zoning Variance for Maximum Building Coverage

The Fireside Creek workforce housing development is being planned for a two-acre parcel located just south of Wolf Park. The Town of Winter Park is requesting a 16% building coverage variance to allow for additional parking for this project. Specifically, the zoning variance requests total site coverage of 56%, consisting of 19% (~16,550 square feet) structure coverage and 37% (~33,145 square feet) driveway and parking coverage.

These coverage figures are consistent with the architectural site plan submitted with the variance request for maximum height of building structures that the Board of Adjustment addressed on April 13, 2021. However, in addition to structure, driveway and parking coverage, the site plan shows ~4,000 square feet of sidewalk coverage and ~4,000 square feet of access road coverage that should have been included in the calculation of building coverage. Thus, we contend the variance should be seeking permission for ~66% coverage, not the stated 56% coverage.

Regardless, we think the request for a maximum building coverage variance should be denied because, if allowed, it would mean that nearly half of the site would be covered in concrete and asphalt (or cars) and this would not be compatible with the surrounding established neighborhood of detached single-family homes, townhomes and condominiums.



May 7, 2021

Danielle Jardee
Town Clerk
Town of Winter Park
djardee@wpgov.com

Dear Ms. Jardee,

On behalf of the National Sports Center for the Disabled I am writing today in support of the Fireside Creek Apartment project and any additional projects that will focus on and increase the amount of available affordable and accessible housing for employees and for our elite athletes who train with us and live in the community.

The NSCD has been a community program serving people living with disabilities in Winter Park and Grand County for over 50 years and in the past 5-7 years we have seen a dramatic decline in qualified applicants to run and instruct in our adaptive outdoor experience programming. As you can imagine, the level of expertise, compassion and passion required to work for an organization that provides these individualized and unique adaptive experiences for people living with disabilities is rare and on top of the limited pool of potential employees those that are qualified often drop out of the hiring process due to the lack of affordable and accessible housing. The NSCD is limited in the number of programs we can provide for people living with disabilities, not due to a lack of interest in attending, but by the number of reservations we can take due to not having enough qualified staff to teach.

The National Sports Center for the disabled also operates one of two key national competition training centers for aspiring alpine and Nordic Paralympians. We have elite athletes from around the world that would like to come to the NSCD to train with our competition team, but are also, like our employees, restrained in their ability to do that only by the lack of access to affordable and accessible housing. Many aspiring elite athletes are moving to the program in Utah due to this lack of housing availability.

The NSCD would welcome the opportunity to be part of the community conversation around working toward the development of additional affordable and accessible housing in the Winter Park and Fraser community. Please do let me know how I can be of assistance in this effort.

Thank you for considering this request.

Best,

A handwritten signature in blue ink that reads "Kim Easton".

Kim Easton, CEO

First, we thank the Board for its action on April 13, denying the building height variance for the Fireside Creek development. The only design change we have seen is the height reduction, which reduces the number of units. We continue to oppose this variance, since the project conflicts with zoning requirements and the Town's pledge that this project will meet or exceed all of the Town's Standards.

The Town code states the maximum allowable number of dwelling units is twenty (20) per gross acre, but also states that **affordable housing units shall be excluded when calculating densities.**

If the density exclusion is taken literally, affordable housing can be at ANY density. While not part of this variance request, the density exclusion is UNREASONABLE. This site should be limited to 38 units (20x1.9 acres) per the town code.

This variance request involves the maximum area of a lot which may be covered by buildings, decks, patios, balconies, paths or walkways, parking areas and access drives which "shall not exceed forty percent (40%) of the lot area".

The Architectural Site Plan shows the proposed building, parking area, and drive covers far MORE than 40% of the lot area. Also the parking area as drawn does NOT conform to the requirements for areas with more than 40 spaces. (Plus the 8'x18' landscaped islands required between every ten spaces.)

Pursuant to the Criteria to Grant Variance (Town Code Section 7-8), paragraph 7-8-1B, in order to apply for a variance, the applicant must show that, owing to unusual and extraordinary circumstances, strict enforcement of the provisions of the Town Code will result in undue hardship. The Board of Adjustment **cannot grant a variance** unless it finds, based on evidence, that **ALL** the following conditions exist:

1. The property in question cannot yield a reasonable return in use or service if permitted to be used only under the conditions allowed by the regulations for the municipality.

*The Town's variance application admits that if the variance is denied, the site will still be pursued as an affordable housing development, but parking will be reduced to the minimum number of spaces required by the Town's standards. We have not seen a drawing for this reduced # of spaces. The minimum parking for 52 units would be 44x1 (1 br) + 8x1.5 (2 br) = 56 spaces plus 5 parking islands. The landscaping code also requires a periphery area of at least 25% of the parking lot and drives be designed for snow storage. Regardless of the # of parking spaces the current design does not resolve snow removal concerns. Condition #1 refers to the TOWN's PROPERTY, not the developer. The purpose of affordable housing should be to aid the occupants, NOT to create profit. A "reasonable return" for a COMPLIANT use could be non-economic, that is, a quality of living for new occupants AND existing property owners is a reasonable return in use. **We OPPOSE developing this site in excess of town regulations to benefit a for-profit enterprise.***

2. The plight of the owner (Town of W. P.) is due to unusual circumstances.

*The Town's variance application admits that the site is challenging due to its steep slope, drainage, and the utility easement through the center of the site. **These are NOT unusual circumstances, since these site limitations have been known to the Town for 10 years.** The Town claims this site would challenge a developer building for-profit housing to park the site with the required number of spaces for the allowed density for R-2 zoning. This is nonsense as 38 two bedroom units could built with as few as 57 parking spaces. If the challenge is real, then this explains why nothing has been built here. The application claims that part of the challenge of developing affordable housing is achieving enough density for affordable development costs and that this plight is unique to this development within the neighborhood.*

The application offers NO evidence a lower density is not affordable within the neighborhood (not this site) and does not define boundaries of the neighborhood.

3. The variation, if granted, will not alter the essential character of the locality. *Existing buildings in the neighborhood have MUCH greater separation from their neighbors and have more open space due to underground parking or garages. The proposed development has NO covered parking. **The uncovered parking is a fatal flaw in the design since it does not facilitate snow removal.** The development would cover 56% of the lot, and **WOULD ALTER** the essential character of this mature neighborhood. **It is unreasonable to force neighboring property owners to accept high density projects that do not comply with the Town Code.***

Pursuant to the Criteria to Grant Variance (Town Code Section 7-8), paragraph 7-8-1C **we also object to the variance on points 3, 5, & 6 of the practical difficulties or particular hardships the Board of Adjustment SHALL take into consideration.**

3. The purpose of the variation is not based primarily upon a desire to make more money out of the property.

*At the March 3, 2021 presentation to neighbors **Mr. Birt or Mr. Moody of Winter Park Partners stated that 66 units were necessary to ensure “the financial viability” of the project. This statement is evidence that consideration #3 is NOT met.***

5. The granting of the variance would not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

*If the variance is granted and the project moves forward at its current density, 52 units would be 14 units MORE than the 1.9-acre site permits. (1.9 acres X 20 units per acre equals 38.) **This is over a third more density than allowed for market rate housing.** Bus service to this site hourly, so it is likely that during snow season (peak occupancy) the site will have over 60 cars. Pedestrians going downhill have no safe legal crossing of the UP-RR tracks immediately east of the site except for long walks to the RR crossings at Vasquez Rd. and Kings Crossing Rd. There will be considerably more vehicle traffic on the driveway shared with Silverado II (71 units) and the Kings Crossing Place Townhomes. This driveway has a steep slope at the edge of Kings Crossing Rd. Further, as shown in site plans, the parking lot entry/exit from Fireside Creek to the shared driveway may not have a radius large enough for large delivery trucks to turn in or out of Fireside Creek. **These facts are detrimental to the public welfare, injurious to our property, and are evidence that consideration #5 is NOT met.***

6. The proposed variance will not...**substantially increase congestion in the public streets or increase the danger of fire or endanger the public safety..**

*The existing driveway, as stated in #5, is at a curve and hill with **a blind spot for vehicles on Kings Crossing Road, and for vehicles exiting the shared driveway.** This blind spot causes drivers to pause at the top of the sloped driveway as they approach Kings Crossing Road to look for traffic. Vehicles have been stuck in the snow/ice at the top of the driveway. This condition will increase unless the driveway and/or street are modified. Truck access onto the shared driveway seems inadequate, and will increase the potential for damage, increasing maintenance costs to Silverado II and Kings Crossing Place Townhomes. **These facts are evidence that consideration #6 is NOT met.***

Neighborhood response to 2nd Variance Request for Fireside Creek, Board of Adjustment, May 11, 2021

The Town has publicly pledged "...Planning staff will review the details of the plan proposal and ensure that all provisions of the Town Code and the Standards and Specifications for Design and Construction are met." And "the Town is committed to ensuring that this project meets and exceeds all of the development standards from traffic to parking, landscaping to design."

The evidence shows three considerations that the Board of Adjustment SHALL take into consideration are NOT met, and that all 3 of the primary variance conditions are not met, therefore we request the Board vote to DENY the variance.

I have to imagine these days that everyone can easily agree that affordable, attainable, and available housing is this valley's largest and most critical need. That is an easy thing for people to agree on and an easy tag line. The unfortunate reality is I know too many folks who repeat that line without the courage to actually step up and contribute to solving our communities most pressing need.

As we all know, economic shifts in the last few years have changed the landscape in our valley. The number and availability of Long-term rental units has decreased with the proliferation of short-term rentals. Short-term rentals has increased the number of visitors to our community resulting in an economic positive. However, the result has been increased demand on businesses (normally a positive) while at the same time creating an employee shortage (due to housing) directly affecting those businesses' ability to fully staff their business. Simply put, there is not one business owner I know who would tell you that they have a fully staffed operation. That is the problem in a nutshell.

It is easy for everyone to agree to the problem, but it is not easy to agree on the solution. As solutions come forward, various interests always try to water down projects according to their own interests. It happened with the Byers Peak project, it has happened here, and it will continue to happen. It is easy to adopt the not in my backyard mentality, which is natural, but those concerns are secondary to the need of the majority of our community. We are talking about housing for locals who works, live, play, and contribute to our community every day. Those interests are considerably more important than protecting mostly second home-owners views.

With the appreciation in real-estate value's, if our local governments aren't engaged in active mitigation of our housing crisis then our valley is in trouble. Businesses are already understaffed, and most are at or seriously considering only being open certain days of the week rather than 7 days due to staffing. The solution to this problem is multi-pronged, but this project is an important piece. Reducing units, increasing costs, is quite frankly the opposite of what our community needs.

I recall sitting through a similar meeting a few years ago in relation to the Idlewild property. As I recall this board voted for a height variance blocking views of existing homes in the hope that the developer would build their chain hotel that you could then use your credit card points to stay at. So please don't be the board that votes for projects you personally find intriguing while denying your constituents their needs.

Housing isn't a question of "want"....it is a question of "need". I implore you to do what your constituents need. Second homeowners are part of our community....but they are not constituents. Vote for the local serving your food, tuning your skis, and caring for our children.

Respectfully,

Ryan Barwick

05/06/2021

To Winter Park Board of Adjustment,

As a business owner in the Fraser Valley, I support the workforce housing Fireside Creek Apartment project. Finding affordable and available housing for employees has been an ongoing issue, and makes it very difficult to hire or retain qualified employees. The availability of additional housing in Winter Park would give employees more options for places to live when finding year-round employment in the valley.

I understand that a variance is needed in order for the Fireside apartments to be built with surface parking instead of a parking garage. I support the granting of this variance, anything that can be done to insure the construction of affordable housing, should be. Building on this lot would mean the loss of some open space, but it's proximity to the railroad makes much of this lot undesirable and thus not a big impact on the character of the neighborhood. The lack of housing for employees puts a large strain on local business, creating an undue hardship for businesses and employees alike. With the development of the Fireside Creek Apartment project we can begin to bridge the gap that exists for workers in the valley that cannot secure affordable long-term housing.

Please approve the variance for the Fireside Creek Apartments. This project is a true necessity in the Fraser Valley.



Scott Linn
Owner of Winter Park Optical