



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

Applicant: Jamie Smith
Property Owner: Firhaus, LLC

Case Numbers: PLN23-099 and PLN23-100

Physical Address of Property for Which the Zoning Variance Approvals are Requested: 137 Fir Drive

Legal Description of Property for Which the Zoning Variance Approvals are Requested: See "Exhibit A"

Description of Requests: Two (2) requests:

1. To plat a new lot, proposed "Lot A", that doesn't meet the 65' minimum lot depth required in R-2-O for Twin Homes; and
2. To plat a new lot, proposed "Lot A", that doesn't meet the 2,178sqft minimum lot area required in R-2-O for Twin Homes.

Applicable Provision(s) of the Unified Development Code (UDC):

Table 3-A-3, Residential Lot and Building Standards

Minimum lot depth for Twin Home dwellings in R-2-O zone district: 65'

Minimum lot area for Twin Home dwellings in R-2-O zone district: 2,178sqft

A lot with 51' lot depth and with 1,829sqft lot area consequently requires a variance.

The Board of Adjustment will review these cases and render a decision under § 5-F-3, *Variance*, of the UDC.

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

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

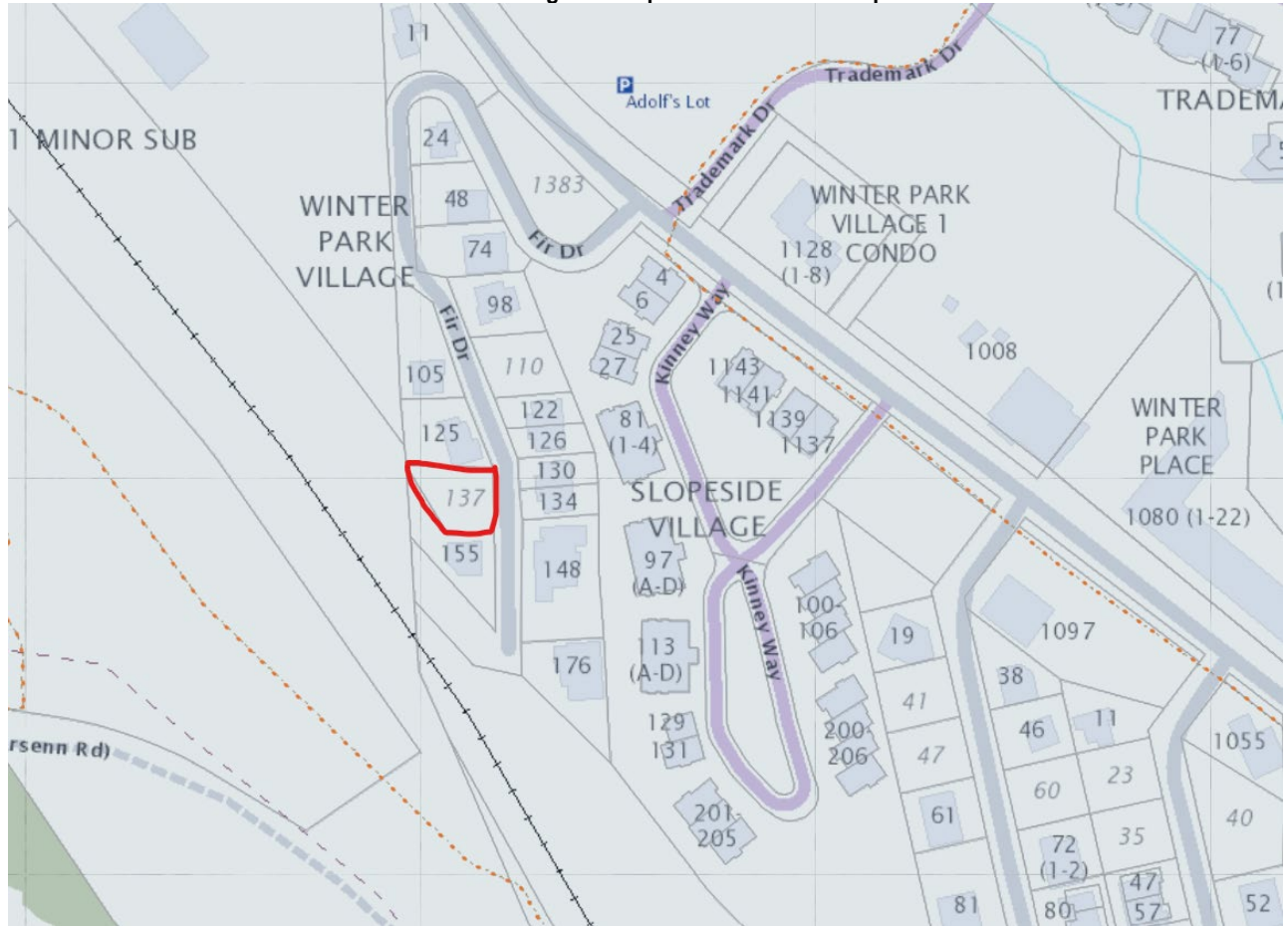
**Board of Adjustment, Tuesday, November 14, 2023 at 8:00 A.M.
immediately following the Planning Commission hearing.**

Members of the public wishing to make comment regarding the zoning variance requests may do so at the scheduled meeting, or write to Hugh Bell, Planner, Town of Winter Park, P.O. Box 3327, Winter Park, CO 80482, or hbelle@wpgov.com. For comments to be included within the digital packet, they must be submitted by 5:00 P.M. on the Wednesday before the hearing.

The Zoom link will be made available in the Board of Adjustment full agenda, which will be published by end of day the Friday before the hearing at <https://wpgov.com/our-government/agendas-minutes/>

The meeting will be broadcast via Zoom and public comment can be made by those attending. If there are technical difficulties with Zoom, public comment via Zoom will not be available and the meeting will continue in person.

Exhibit A – Legal Description and Location Map



Lot 3, Block 11, WINTER PARK VILLAGE according to the Plat filed October 9, 1958 at Reception No. 90263, Town of Winter Park, County of Grand, State of Colorado.

Date: 10 / 23 / 23

Applicant Name (i.e., the Representative, i.e., the point of contact):

Lisanne Smith, Manager, Firhaus LLC

Street address of property: 137 Fir Drive Winter Park

Legal description of property: Winter Park Village Lot 3, B1K 11

Brief description of the variance requested:

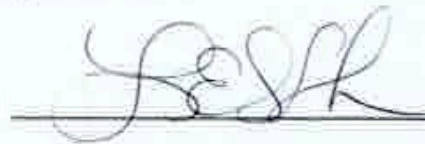
Variance to plat a lot that doesn't meet the
minimum lot depth.

Indicate which conditions listed below relate to the property for which variance is requested. The variance request shall meet all four (4) following criteria for approval:

- Hardship.** The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship that would deprive the Applicant of privileges enjoyed by the owners of other properties in the same zone district;
- Health, Safety, and Welfare.** That the granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity;
- Unusual Circumstances.** The plight of the owner is due to unusual circumstances at the property of the variance that do not generally apply to other properties in the same zone district; and
- Character.** That the granting of the variance will not alter the essential character of the locality.

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

Applicant Signature: _____



Date: 10 / 23 / 23

Applicant Name (i.e., the Representative, i.e., the point of contact):

Lisanne Smith, Manager, Firhaus LLC

Street address of property: 137 Fir Drive, Winter Park

Legal description of property: Winter Park Village Lot 3, Blk 11

Brief description of the variance requested:

Variance to plat a lot that doesn't meet the minimum lot area.

Indicate which conditions listed below relate to the property for which variance is requested. The variance request shall meet all four (4) following criteria for approval:

- Hardship.** The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship that would deprive the Applicant of privileges enjoyed by the owners of other properties in the same zone district;
- Health, Safety, and Welfare.** That the granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity;
- Unusual Circumstances.** The plight of the owner is due to unusual circumstances at the property of the variance that do not generally apply to other properties in the same zone district; and
- Character.** That the granting of the variance will not alter the essential character of the locality.

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

Applicant Signature: _____



Firhaus LLC
P.O. Box 1653
Granby, CO 80446

October 23, 2023

TOWP BOA
P.O. Box 3327
Winter Park, CO 80482

Re: Variance Requests
Lot 3, Block 11, Winter Park Village
137 Fir Drive
PLN23-090
Firhaus LLC

Dear TOWP BOA,

The Alpenbeck Townhome project at our property in Old Town Winter Park is complete. Planning department approved and building permits were issued in May of 2022. Based on the issuance of the permits, we proceeded with the project in which we have invested over \$1.5 million and more than a year of construction work. We relied on the guidance of Planning and Development throughout the process and all inspections were completed.

Last week (October 19, 2023), we were informed by Hugh Bell and James Shockey that we are obligated to request variances for the lot depth and area.

Due to the obvious unusual circumstances and hardship involved, Firhaus LLC respectfully requests these variances be granted from the BOA.

Thank you,

Jamie and Lisanne Smith and Kristen Richards, Managers, Firhaus LLC

Supporting Property Conditions:

1. Hardship

The project is complete and cannot be changed at this point to comply with the lot depth and area requirements. Extensive costs and time have been incurred.

2. Health, Safety, and Welfare

The granting of the variances will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

The project is complete and has fulfilled this criteria.

3. Unusual Circumstances

The project was approved by Planning and building permits were issued. The project is already complete.

4. Character

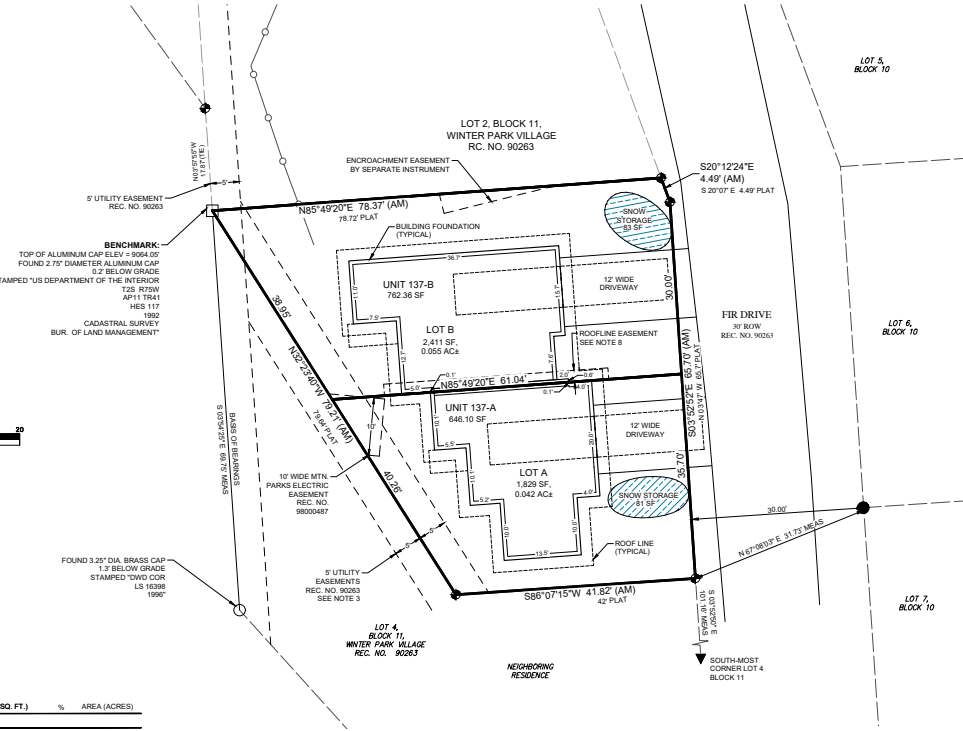
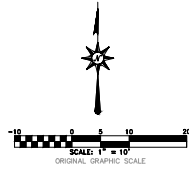
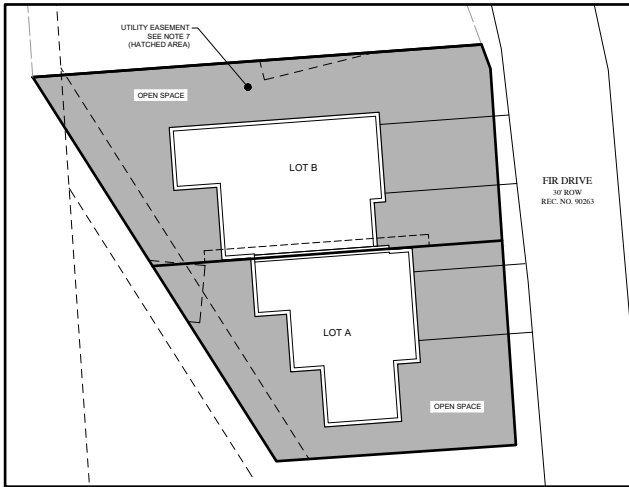
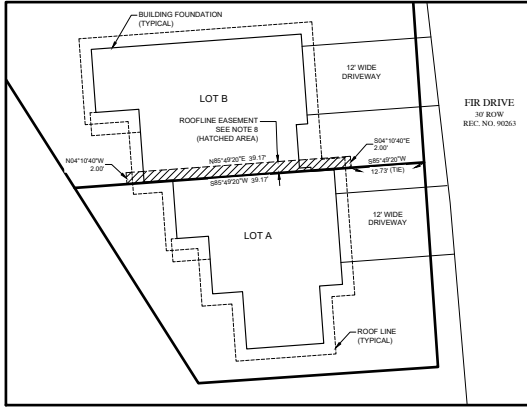
The variation does not alter the essential character of the locality.

The property is zoned R-2-O within Old Town Zone District, which is defined as “Lot and building standards that are flexible and unique to the Old Town neighborhood where development preceded incorporation into the Town and hence the types and patterns of lots and buildings do not conform to a uniform set of requirements.”

The property is similar to others and similar variances have been granted, thus setting precedent. The townhomes do not diminish the character or property values within the neighborhood, but rather enhance them due to their high quality and aesthetic appeal.

MINOR SUBDIVISION ALPENBECK TOWNHOMES

BEING A REPLAT OF LOT 3, BLOCK 11, WINTER PARK VILLAGE, RECEPTION NO. 90263
PART OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 75 WEST OF THE 6TH PRINCIPAL MERIDIAN,
TOWN OF WINTER PARK, COUNTY OF GRAND, STATE OF COLORADO
OWNERSHIP VESTED BY WARRANTY DEED, RECEPTION NO. 2022000412
#125 FIR DRIVE



LAND USE TABLE	AREA (SQ. FT.)	%	AREA (ACRES)
TOTAL LAND AREA	1,829 +/-	43.14%	(0.042 ACRES)
LOT B	2,411 +/-	56.86%	(0.055 ACRES)
TOTAL	4,240 +/-	100.00%	(0.097 ACRES)
HARD SURFACE COVERAGE			
LOT A	188.09 +/-		
DRIVEWAY	81 +/-	43.1%	
SNOW STORAGE	237.71 +/-		
LOT B	83 +/-	34.9%	
DRIVEWAY			
SNOW STORAGE			
LOTS			
RESIDENTIAL TOWNHOMES	2 TOTAL		
LAND USE			
LOT A			
TOWNHOME	646.10 +/-	35.33%	(0.015 ACRES)
HARD SURFACE	188.09 +/-	10.28%	(0.004 ACRES)
OPEN SPACE	994.81 +/-	54.39%	(0.023 ACRES)
LOT B			
TOWNHOME	762.36 +/-	31.62%	(0.018 ACRES)
HARD SURFACE	237.71 +/-	9.86%	(0.005 ACRES)
OPEN SPACE	1,410.93 +/-	58.52%	(0.032 ACRES)
DENSITY			
UNITS PER ACRE:	2 UNITS/ 4,240 SF = 20.5 UNITS PER ACRE		
PARKING			
2 BEDROOMS PER UNIT:			
REQUIRED:	2 SINGLE FAMILY UNITS @ 1.5 PARKING SPACES: 3 TOTAL		
PROVIDED:	2 INTERIOR (10'X20')		
	2 EXTERIOR (10'X20')		
ZONING	4 TOTAL		
TOWN OF WINTER PARK, MULTI-FAMILY RESIDENTIAL-OLD TOWNR-2.0			

LEGEND

- FOUND NO. 5 REBAR W/ 1.5" DIA. ALUMINUM CAP PLS 31842 AT GRADE
- FOUND REBAR W/ 1.5" DIA. ALUMINUM CAP PLS 25971 AT GRADE
- ▼ FOUND IRON T POST 0.6' BELOW GRADE
- FOUND BRASS CAP AS NOTED
- FOUND ALUMINUM CAP AS NOTED



TIM SHENK
LAND SURVEYING, INC.
P.O. BOX 1670
GRANBY, CO 80446
(970) 887-1046

MINOR SUBDIVISION
ALPENBECK TOWNHOMES
BEING A REPLAT OF LOT 3, BLOCK 11, WINTER PARK VILLAGE
SECTION 10 TOWNSHIP 2 SOUTH, RANGE 75 WEST
OF THE 6TH PRINCIPAL MERIDIAN,
TOWN OF WINTER PARK, GRAND COUNTY, COLORADO
#125 FIR DRIVE

JOB: 18187	SCALE: 1" = 10'	DATE: 03/14/2022	DRAWN BY: JAN
DWG: 18197_V_MNR	CRD: N/A	CHECKED: TRS	SHEET: 2 OF 2