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

**Variance Application of Paul Ludwick, on behalf of Mary Ann Habermeyer for 630 W. 5<sup>th</sup>  
Street, Loveland, Colorado**

**FINDINGS AND DETERMINATIONS OF HEARING OFFICER**

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**Regarding:** A variance to a parcel of land for residential use within the R1e – Established Low Density Residential zoning district. The applicant, Paul Ludwick, on behalf of Mary Ann Habermeyer (“Applicant”), seeks a variance from the building setback standards for reduction of both front and rear yard setbacks for the construction of a new detached single-family at 630 W. 5<sup>th</sup> Street, Loveland, Colorado (“Variance”).

The above matter came to be heard on November 14, 2016 by Michele Forrest, Hearing Officer designated by the Zoning Board of Adjustment pursuant to Section 18.60.060 of the Loveland Municipal Code.

Appearing at the hearing for the Applicant was Paul Ludwick. Appearing for the City of Loveland was Troy Bliss, Staff Planner (“City Staff”).

The following exhibits were received in the ZBA packet and are accepted by the Hearing Officer as relevant evidence: Staff Report dated November 14, 2016 (“Staff Report”), including without limitation, Recommended Conditions of approval identified in Section VIII and Attachments 1-3 identified in Section II of the Staff Report.

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

**FINDS:**

1. That proper notice of the hearing was given.
2. That the Findings and Analysis of Section VIII of the Staff Report in relation to the required findings and conditions of Chapter 18.60 to authorize the Variance are hereby adopted as the findings of the Hearing Officer and incorporated herein by reference, subject to the conditions set forth below.

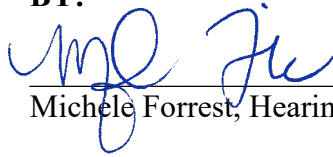
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3. That the characteristics of the proposed property is in keeping of the older well-established neighborhood.

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

1. The minimum distance as measured from the face of garage to the sidewalk along N. Franklin Avenue shall be 19 feet.

Dated this 14th day of November, 2016.

**BY:**



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Michele Forrest, Hearing Officer



## Current Planning Division

410 E. 5th Street • Loveland, CO 80537  
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### MEMORANDUM

**TO:** Loveland Zoning Board of Adjustments, aka Loveland Planning Commission  
Loveland City Council  
Brett Limbaugh, Director of Development Services  
Paul Ludwick, PJL Schuman  
Mary Ann Habermeyer  
Owners of property within the mailing radius  
Participants in the public hearing

**FROM:** Troy Bliss, Current Planning Division

**DATE:** 11/23/2016

**RE:** Appeal period for Variance application PZ# 16-00177

On 11/14/2016 the Hearings Officer of the Loveland Zoning Board of Adjustments conducted a public hearing to consider a variance application filed with the City of Loveland by Paul Ludwick, on behalf of Mary Ann Habermeyer as owner of 630 W. 5<sup>th</sup> Street, Loveland, CO. The following is a summary of the application that was heard:

*“Variance Application PZ #16-00177 proposes to allow the reduction of both front and rear yard setbacks for the construction of a new detached single-family.”*

The proposed determination by the Hearings Officer for this application is **APPROVAL**, as set forth in the proposed Findings and Determination, attached hereto. The proposed Findings and Determination constitutes the final decision of the Hearings Officer and is included for your review. Section 18.60.040 of the Municipal Code stipulates that the proposed Findings and Determinations made by the Hearings Officer for the variance shall be submitted to the members of the Board, the Applicant, each person who participated in the public hearing, each owner of property within the mailing radius stipulated by the Municipal Code, the Director of Development Services, and the City Council (Parties-of-Interest. If any Party-of-Interest, wish to object to the proposed Findings and Determinations for the application, an appeal may be filed).

Any appeal must be filed with the Current Planning Division, City of Loveland, 410 East 5th Street, Loveland, CO. 80537, **no later than 5:00 P.M., 12/5/2016**. Any appeal must be submitted in writing. Appeals must specifically state the matters objected to, based on the criteria described in sub-section 18.80.030.B. of the Loveland Municipal Code. (Appeals by two or members of the City Council are exempt from the requirement for a written basis for appeal.) If no appeal is filed by the aforesaid time, date and place, the proposed Findings and

Determinations made by the Hearings Officer shall become the final decision of the Zoning Board of Adjustments in this matter, with no further action by the Board. If an appeal is filed, the full record of the hearing conducted on 11/14/2016 shall be forwarded to the Board for their review and a public hearing will be scheduled for final action by the Board.

If you have any questions, please feel free to contact Troy Bliss, Senior Planner, Current Planning Division at (970) 962-2579 or [Troy.Bliss@cityofloveland.org](mailto:Troy.Bliss@cityofloveland.org).