



**CITY OF BOULDER  
BOARD OF ZONING ADJUSTMENT  
MEETING AGENDA**

**DATE:** Tuesday, January 13, 2026

**TIME:** 4 p.m.

**PLACE:** Virtual Meeting

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE GIVEN BY THE CITY OF BOULDER, BOARD OF ZONING ADJUSTMENT, AT THE TIME AND PLACE SPECIFIED ABOVE. ALL PERSONS, IN FAVOR OF OR OPPOSED TO OR IN ANY MANNER INTERESTED IN ANY OF THE FOLLOWING VARIANCES FROM THE LAND USE REGULATIONS, TITLE 9, BOULDER REVISED CODE 1981; MAY ATTEND SUCH HEARING AND BE HEARD IF THEY SO DESIRE. (APPLICANT OR REPRESENTATIVE MUST APPEAR AT THE MEETING.)

**1. CALL TO ORDER**

**2. BOARD HEARINGS**

**Docket No.:** BOZ2025-00013

**Address:** 836 9<sup>th</sup> Street

**Owner:** Miles Eldon

**Representative:** Patrick Gubitose, SoBo Homes

**Setback Variance:** As part of an overall renovation project to the home, the applicant would like to recognize and establish an attached carport/elevated deck off the back of the home in order to meet setback requirement for a principal structure in the RL-1 zoning district. This carport/deck structure was originally permitted as detached but at some point many years ago and by previous owners, was attached to the home without permit creating a non-standard setback situation that needs to be resolved to allow for future permits at this property. The request includes a small expansion of an existing elevated landing connecting the carport/deck to the home and providing direct access to the rear yard. The resulting rear/east setback from the subject carport/deck will be approximately 4.9 feet where 25 feet is required and approximately 4.9 feet exists today. Section of the Land Use Code to be modified: Section 9-7-1, BRC 1981.

**3. GENERAL DISCUSSION**

**A. Approval of Minutes:** The 08/12/25 and 12/9/25 BOZA Meeting Minutes are scheduled for approval.

**B. Matters from the Board:**

**C. Matters from the City Attorney**

**D. Matters from Planning and Development Services:**

**4. ADJOURNMENT**

For more information call Robbie Wyler ([wylerr@bouldercolorado.gov](mailto:wylerr@bouldercolorado.gov)), Brian Holmes ([holmesb@bouldercolorado.gov](mailto:holmesb@bouldercolorado.gov)) or Thomas Remke ([remket@bouldercolorado.gov](mailto:remket@bouldercolorado.gov)). Board packets are available after 4 p.m. Friday prior to the meeting, online at [www.bouldercolorado.gov](http://www.bouldercolorado.gov).

\*\*\* SEE REVERSED SIDE FOR MEETING GUIDELINES \*\*\*

**CITY OF BOULDER  
BOARD OF ZONING ADJUSTMENT  
MEETING GUIDELINES**

**CALL TO ORDER**

The board must have a quorum (three members present) before the meeting can be called to order.

**AGENDA**

The board may rearrange the order of the agenda or delete items for good cause. The board may not add items requiring public notice.

**ACTION ITEMS**

An action item requires a motion and a vote. The general format for hearing of an action item is as follows:

**1. Presentations**

- Staff presentation.\*
- Applicant presentation.\*Any exhibits introduced into the record at this time must be provided in quantities of seven to the Board Secretary for distribution to the board and admission into the record.
- Board questioning of staff or applicant for information only.

**2. Public Hearing**

Each speaker will be allowed an oral presentation.\*

- Speakers should introduce themselves, giving name and address. If officially representing a group, homeowners' association, etc., please state that for the record as well.
- Speakers are requested not to repeat items addressed by previous speakers other than to express points of agreement or disagreement. Refrain from reading long documents, and summarize comments wherever possible. Long documents may be submitted and will become a part of the official record. When possible, these documents should be submitted in advance so staff and the board can review them before the meeting.
- Speakers should address the Land Use Regulation criteria and, if possible, reference the rules that the board uses to decide a case.
- Any exhibits introduced into the record at the hearing must be provided in quantities of seven to the Board Secretary for distribution to the board and admission into the record.
- Citizens can send a letter to Planning and Development Services staff at 1739 Broadway, Boulder, CO 80302, two weeks before the board meeting, to be included in the Board packet. Correspondence received after this time will be distributed at the board meeting.

**3. Board Action**

- Board motion. Motions may take any number of forms. With regard to a specific development proposal, the motion generally is to either approve the project (with or without conditions), to deny it, or to continue the matter to a date certain (generally in order to obtain additional information).
- Board discussion. This is undertaken entirely by members of the board. The applicant, members of the public or city staff participate only if called upon by the Chairperson.
- Board action (the vote). An affirmative vote of at least three members of the board is required to pass a motion approving any action. If the vote taken results in a tie, a vote of two to two, two to one, or one to two, the applicant shall be automatically allowed a rehearing. A tie vote on any subsequent motion to approve or deny shall result in defeat of the motion and denial of the application.

**MATTERS FROM THE BOARD, CITY STAFF, AND CITY ATTORNEY**

Any board member, Planning and Development Services staff, or the City Attorney may introduce before the board matters, which are not included in the formal agenda.

**VIRTUAL MEETINGS**

For Virtual Meeting Guidelines, refer to <https://bouldercolorado.gov/boards-commissions/board-of-zoning-adjustments-boza-agenda> page for the approved Board of Zoning Adjustment Rules for Virtual Meetings.

\*The Chairperson, subject to the board approval, may place a reasonable time limitation on presentations.

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## Board of Zoning and Adjustment (BOZA) Variance Application Form

### Application Information

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Variance Request Types

### General Data

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Street Address or General Location of Property

Legal Description Lot

Legal Description Block

Legal Description Subdivision

Lot Size

Existing Use of Property

### Area, Coverage and Height Table

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AREA	EXISTING	PROPOSED
Total gross floor area		
Total gross building coverage		
Building height		



Detailed Description of Proposal

**Owner Contact Information**

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Owner Name \_\_\_\_\_

Owner Address \_\_\_\_\_

Owner Phone \_\_\_\_\_

Owner Email Address \_\_\_\_\_



### **Applicant Information (if other than Owner)**

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Applicant Name

---

Applicant Address

---

Applicant Phone

---

Applicant Email Address

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Relationship to Project

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### **Attestation**

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I have read the requirements for submitting this application and understand that board decisions are final and if a request is denied I may not resubmit the same request for a variance for one year without substantial revisions.

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Date Submitted

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## SIGN POSTING REQUIREMENTS APPLICANT'S ACKNOWLEDGMENT FORM

Required for Certain Land Use Review, Administrative Review, Technical Document Review,  
and Board of Zoning Adjustment Applications

### CITY CODE REQUIREMENTS FOR SIGN POSTING OF LAND USE REVIEW APPLICATIONS (SECTION 9-4-3, "PUBLIC NOTICE REQUIREMENTS", B.R.C. 1981):

- (1) Posting: After receiving such application, the manager will cause the property for which the application is filed to be posted with a notice indicating that a development review application has been made, the type of review requested, and that interested persons may obtain more detailed information from the planning department. The notice shall meet the following standards:
  - (A) The notice shall be placed on weatherproof signs that have been provided by the City and placed on the property that is the subject of the application.
  - (B) All such notice shall be posted no later than ten days after the date the application is filed to ensure that notice is posted early in the development review process.
  - (C) The signs shall be placed along each abutting street, perpendicular to the direction of travel, in a manner that makes them clearly visible to neighboring residents and passers-by. At least one sign shall be posted on each street frontage.
  - (D) The signs shall remain in place during the period leading up to a decision by the approving authority, but not less than ten days.
  - (E) On or before the date that the approving authority is scheduled to make a decision on the application the city manager will require the applicant to certify in writing that required notice was posted according to the requirements of this section.
- (2) Posted notice of the property shall be a minimum of 10 days from receipt of application and prior to final action or any hearing.

I, Patrick Gubiose, am filing a Land Use Review, Administrative Review, BOZA,  
(PRINT NAME OF APPLICANT OR CONTACT PERSON)  
or Technical Document Review application [on behalf of] Miles Eldon  
(PRINT NAME OF OWNER(S) IF OTHER THAN APPLICANT/CONTACT)  
for the property located at 836 9th St Boulder, CO 80302 US. I have read  
(PRINT PROPERTY ADDRESS OR LOCATION)  
the city's sign posting requirements above and acknowledge and agree to the following:

1. I understand that I must use the sign(s) that the city will provide to me at the time that I file my application. The sign(s) will include information about my application and property location to provide required public notice.
2. I am responsible for ensuring that the sign(s) is posted on the property described above in such a way that meets the requirements of Section 9-4-3, B.R.C. 1981 (listed above), including visibility of the sign(s) and time and duration of the sign(s) posting, and including reposting any signs that are removed, damaged, or otherwise displaced from the site. As necessary, I shall obtain a replacement sign(s) from the city for reposting.
3. I understand that certain future changes to my application, including but not limited to, changes to the project description or adding a review type, may require that I post a new sign(s). The city will notify me if such a reposting is required and provide me with a necessary replacement sign(s).
4. I understand that failing to provide the public notice by sign posting required by the city's land use regulation may result in a delay in the city's issuing a decision or a legal challenge of any issued decision.

  
SIGNATURE

December 05, 2025  
DATE



## **Written Statement**

To the City of Boulder Board of Zoning Adjustments,

Job Site Address: 836 9th St  
Boulder, CO 80302  
Parcel ID Number: 146331326007  
Date: December 5th, 2025  
From: Patrick Gubitose, SoBo Homes, Inc.  
cc: Miles Eldon and Kira Harland, Owners  
Mike D'Onofrio, SoBo Homes, Inc.

The homeowners of 836 9th St, Kira Harland and Miles Eldon are seeking a setback variance to:

1. Recognize and establish the existing attached deck/carport.
  - The existing carport has a rear setback of 4.90' where 25' is required.
2. Extend the existing rear landing to serve as a rear yard access.
  - This will be attached to the house and existing deck, extending 5' off the house to match a portion of the existing deck, and 5.5' off the south side of the existing deck.
  - This deck extension is proposed to have a rear yard setback of 20.0' where 25' is required. The existing rear setback of the existing main house rear wall is 24'-11".
  - Includes a new exterior stair heading to the south.
  - Move existing rear door up to match the existing bedroom door that is level with the existing deck.

We have provided drawings, the original permits and satellite imagery from 1999 and 2003 where it looks like the carport structure is attached. The current owners recently purchased the home (Jan '24) and have no prior relations to any of the previous owners.



## Criteria for Variances:

**BOZA may grant a variance if it finds that the application satisfies all of the applicable requirements of Sections (h), subsections (1)a.b.c.d. and (5)a.b.c.d.**

### **(h)(1) Physical Conditions or Disability**

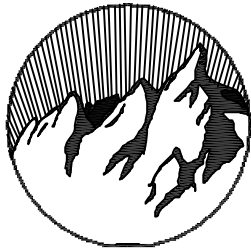
- a. There are:
  - i. Unusual physical circumstances or conditions, including, without limitation, irregularity, narrowness or shallowness of the lot, or exceptional topographical or other physical conditions peculiar to the affected property; or
    - The existing lot at the 836 9th St. address is a non-standard RL-1 lot that measures at 77.5' in length and 50.0' wide. The existing single family residence is 16' from the front property line, and 24'-11" from the rear. The house is 36.1' in length. The home was built in 1925, most likely before these lot standards were put into place. The existing main level finish floor sits about 4.5' off the ground in the rear making it a challenge to get down from main level to grade in the back yard.
  - ii. There is a physical disability affecting the owners of the property or any member of the family of an owner who resides on the property which impairs the ability of the disabled person to utilize or access the property; and
    - The existing deck allows for egress out of the existing bedroom since the window doesn't comply to IRC egress standards. Also, a new door at grade level with a deck and stairs to access the yard outside would allow for the removal of the non-compliant interior stairs from main level finished floor height to the existing door.
- b. The unusual circumstances or conditions do not exist throughout the neighborhood or zoning district in which the property is located; and
  - The required lot area for RL-1 zoning is 7,000 SF. Our lot is only 3,875 SF which makes it an outlier in this zone district. The existing front and rear setbacks are also much shorter than is typical in RL-1.
- c. Because of such physical circumstances or conditions the property cannot reasonably be developed in conformity with the provisions of this chapter; and
  - Since the lot is not deep, the house is not long, and we have to get down from the main level finished floor to grade, the existing deck/carport was most likely built to serve as a multifunction structure to house a car to serve as egress, and to provide protection to the basement bedroom egress. Also since the house is not long, there is no room to retrofit the existing stairs to bring to code, or to place new stairs inside that accesses the rear yard.
- d. Any unnecessary hardship has not been created by the applicant.
  - The current owners purchased the property at 836 9th St. in January of 2024. The existing carport/deck was permitted back in 1993, and satellite imagery shows the existing condition possibly in 1999, but clearly in 2003.
  - There is an existing permit dating back to May 25th of 1993 for a detached deck/carport with what looks like someone scribbled "attached" over the description. There is also a notice of final inspection for a detached carport with deck above from October 11th, 1993.

### **(h)(5) Requirements for All Variance Approvals**

- a. Would not alter the essential character of the neighborhood or district in which the lot is located;
- This variance does not affect the character of the neighborhood. The owners of the adjacent properties to the sides and behind have all endorsed and approved a variance to retain the existing carport and add a deck to allow for a door to match the height of the door from the existing bedroom. This variance is proposing to leave the existing rear carport as is, which has been there for likely 30+ years.
- b. Would not substantially or permanently impair the reasonable use and enjoyment or development of adjacent property;
- The variance does not affect the adjacent neighbors at all. As mentioned above, they have endorsed and approved the retainage of the existing deck and addition of a deck to allow for a new door to match the height of the main level finish floor and the existing door of the adjacent bedroom.
- c. Would be the minimum variance that would afford relief and would be the least modification of the applicable provisions of this title; and
- There is currently an existing shed about 3' from the deck/carport. We plan to move the shed to the south side of the lot to allow for there to be a code required separation.
- The proposed floorplan creates a new interior code compliant stairwell to connect the main level with the basement. We're not adding any square footage to the house or altering the rear facade except for the location of the rear mudroom door.
- The main level bedroom of the house has an existing east facing door that is level with the existing deck which is level with the main level finished floor of the house. This door serves as the bedroom's egress since the window does not meet egress standards.
- There is an existing rear door that accesses the yard, however the door is at grade level and creates an awkward interior split level landing. The interior stairs that connect the main level to the existing door level are not code compliant (currently 9.5" treads and 8.5" risers). This split level landing also connects to the existing steep basement stairs which are dangerously squeezed in where there is only 14" deep landing at the bottom of the stairs. There is currently no room to rebuild a code compliant stairwell inside the house without disrupting the kitchen. The variance allows the rear door to be flush with the main level and creates a new exterior landing and stairs to grade.
- d. Would not conflict with the provisions of Section 9-9-17, "Solar Access," B.R.C.1981.
- The height of the railing is 11' above grade and the deck is 7' away from the property line. There is no conflict with solar access.

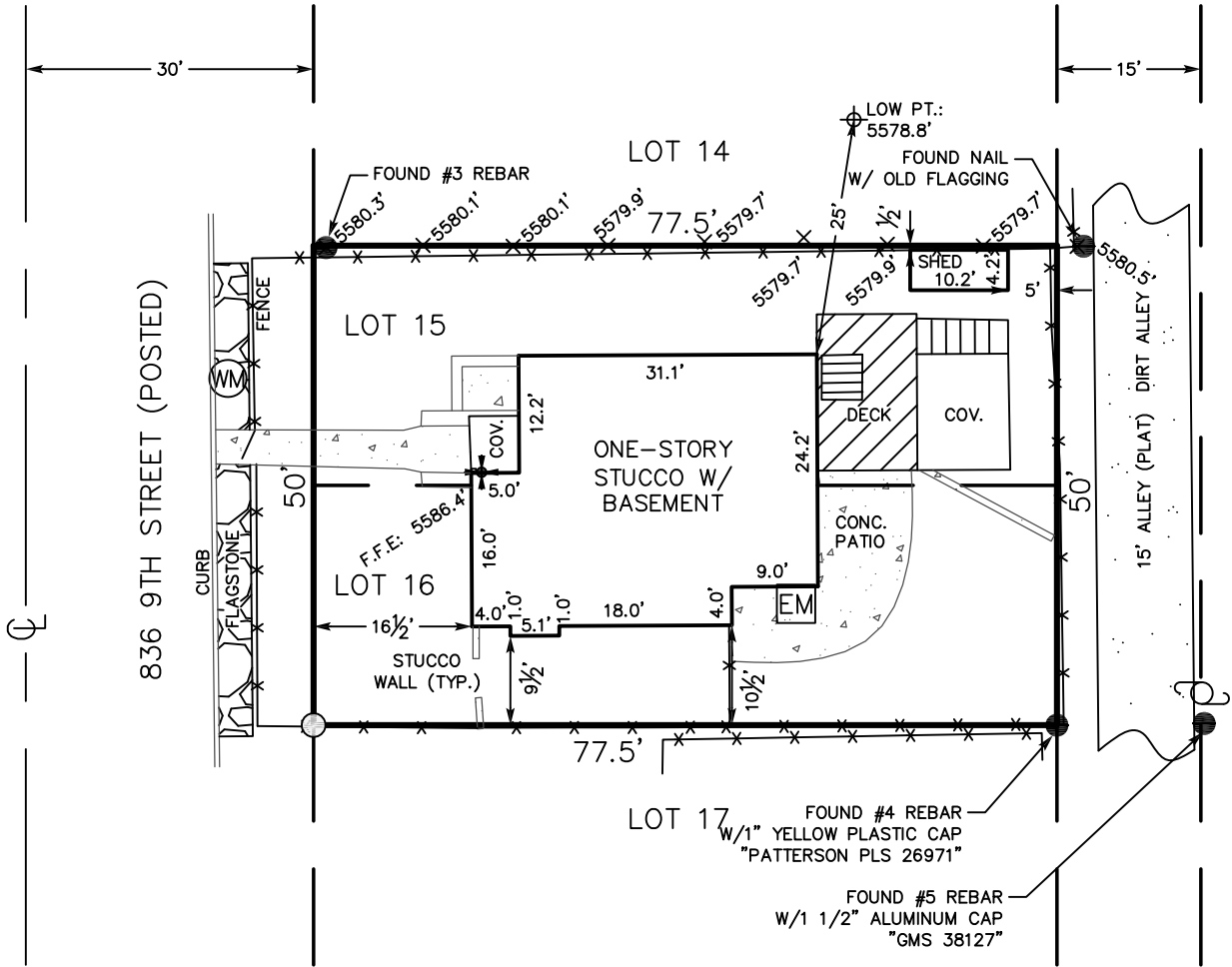
LEGAL DESCRIPTION  
(PROVIDED BY THE CLIENT)  
DEED RECORDED ON 01/25/2024 AT  
REC. NO. 4034812

LOTS 15 AND 16,  
BLOCK 28,  
UNIVERSITY PLACE,  
COUNTY OF BOULDER,  
STATE OF COLORADO.



**Flatirons, Inc.**  
Land Surveying Services  
3825 IRIS AVE,  
SUITE 395  
BOULDER, CO 80301  
(303) 443-7001  
www.FlatironsInc.com

SCALE 1"=20'



- Notes:
- 1-THE CERTIFICATE DOES NOT CONSTITUTE A TITLE SEARCH BY FLATIRONS, INC. TO DETERMINE OWNERSHIP, RIGHTS OF WAY, EASEMENTS OR ENCUMBRANCES NOT SHOWN BY THE PLAT THAT MAY AFFECT THIS TRACT OF LAND. THERE MAY BE EASEMENTS OR RIGHTS OF WAY OF THE PUBLIC RECORD THAT MAY AFFECT THIS TRACT OF LAND THAT ARE NOT SHOWN ON THIS CERTIFICATE.
  - 2-AN IMPROVEMENT SURVEY PLAT IS RECOMMENDED TO DEPICT MORE PRECISELY THE LOCATION OF THE IMPROVEMENTS SHOWN HEREON.
  - 3-THE ELEVATIONS SHOWN HEREON REPRESENT AS-BUILT MEASUREMENTS OBTAINED ON JULY 11, 2025, AND ARE BASED ON CITY OF BOULDER BENCHMARK L-7-1 WITH A PUBLISHED ELEVATION OF 5557.53 FT. (NAVD-88). SURVEYOR MAKES NO REPRESENTATION TO ELEVATIONS ON ANY OTHER DATE. INSTALLATION OF ADDITIONAL IMPROVEMENTS, INCLUDING LANDSCAPING, WILL CHANGE THE RESULTS REFLECTED HEREON.
  - 4-SPOT ELEVATIONS ARE SHOWN AT THE CLIENTS REQUEST.



Tom Willis, Colorado L.S. #34991

IMPROVEMENT LOCATION CERTIFICATE

I hereby certify that this improvement location certificate was prepared for SOBO HOMES, that it is not a Land Survey Plat or Improvement Survey Plat, and that it is not to be relied upon for the establishment of fence, building or other future improvement lines. This certificate is valid only for use by SOBO HOMES and describes the parcel's appearance on JULY 11, 2025. I further certify that the improvements on the above described parcel on this date, JULY 11, 2025, except utility connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the described premises by improvements on any adjoining premises, except as indicated, and that there is no apparent evidence or sign of any easement crossing or burdening any part of said parcel, except as noted.

NOTICE: This Improvement Location Certificate is prepared for the sole purpose of use by the parties stated hereon. the use of this Improvement Location Certificate by any person or entity other than the person or entity certified to without the express permission of Flatirons, Inc. is prohibited. This certificate is only valid for 90 days from the signature date. It is not a Land Survey Plat as defined by C.R.S 38-51-102(12) or an Improvement Survey Plat as defined by C.R.S 38-51-102(9). It does not establish property corners. A more precise relationship of the improvements to the boundary lines can be determined by a Land Survey or Improvement Survey. The improvements are generally situated as shown and only apparent (visible at the time of fieldwork) improvements and encroachments are noted. Flatirons, Inc. and TOM L. WILLIS will not be liable for more than the cost of this Improvement Location Certificate, and then only to the parties specifically shown hereon. Acceptance and/or use of this Improvement Location Certificate for any purpose constitutes acknowledgment and agreement to all terms stated hereon.

Flatirons No. 25-82901  
Drawn By: WRB

Title Co. No.

Borrower:

COPYRIGHT 2025 FLATIRONS, INC.

# ELDON/HARLAND RESIDENCE

CITY OF BOULDER, CO 80302



900 Arapahoe Ave.  
Boulder, CO 80302  
SoBoHomes.com  
720-381-0945

ELDON-HARLAND RESIDENCE

836 9TH AVE., BOULDER, CO 80302

DRAWING SHEET INDEX		
Sheet Number	Sheet Name	Designed By
A0.0	COVER	SoBo Homes
A0.2	VARIANCE HARDSHIPS	SoBo Homes
A0.3	WINDOW & DOOR SCHEDULE	SoBo Homes
A1.1	SITE PLAN	SoBo Homes
A2.1	EXISTING FLOOR PLANS	SoBo Homes
A2.2	LOWER LEVEL PLAN	SoBo Homes
A2.3	MAIN LEVEL PLAN	SoBo Homes
A4.1	EXTERIOR BUILDING ELEVATIONS	SoBo Homes
A4.2	EXTERIOR BUILDING ELEVATIONS	SoBo Homes

PROJECT INFORMATION

OWNER:

ELDON-HARLAND

DESIGN & GENERAL CONTRACTOR:

SOBO HOMES

STRUCTURAL ENGINEER:

TBD

SURVEYOR:

FLATIRONS, INC  
3825 IRIS AVE, SUITE 395  
BOULDER, CO 80301  
303.443.7001

PARCEL#:

146331326007

PROJECT ADDRESS:

836 9TH ST.  
BOULDER, CO 80302

LEGAL DESCRIPTION:

LOTS 15-16 BLK 28 UNIVERSITY  
PLACE  
CITY OF BOULDER,  
STATE OF COLORADO

ZONING DISTRICT:

RL-1

WILDLAND URBAN INTERFACE:

IR3

AREA CALCULATIONS:

FLOOR AREA TABLE:

EXISTING (NO ADDED SF):

BASEMENT

934.06 SF

MAIN LEVEL

829.27 SF

LOT CALCULATIONS:

ZONE LOT = RL-1

LOT AREA = 3,875.00 SF

MAX FLOOR AREA = 2,403 SF

MAX BUILDING COVERAGE = 1,589 SF

EXISTING BUILDING COVERAGE = 975.91 SF

EXISTING DECK/CARPORT = 273.42 SF

NEW REAR DECK = 26.58 SF

EXISTING RELOCATED SHED = 44.05 SF

TOTAL COVERAGE =

975.91 SF + 273.42 SF + 26.58 SF + 44.05 SF = 1,319.96 SF

PRIMARY ST. SETBACK = 25.0'

SIDE INTERIOR SETBACK @ HOUSE = 15.0' COMBINED, 5' MIN.

REAR SETBACK @ HOUSE = 25.0'

## GENERAL NOTES

- Project Narrative:**
- Interior remodel in existing single family residence at 836 9th Ave.
  - Relocation of Existing Shed.
  - Variances sought for a new rear deck to allow for a remodel to the existing yard access door and for retaining the existing deck that encroaches into the rear yard setback.
    - There exists a rear door from the bedroom to the existing deck matching Main Floor finished floor. There also existing a main rear yard access door at grade level which also connects the existing stair to the Basement. The existing stairs that connect the rear access door to the kitchen and to the basement are not compliant with current IRC codes.
- Variance Request:**
- The Basement Stair will be removed and the proposed void will be filled in and replaced with floor to match existing Main Level height. Since there is no room within the home to place an new stair to the exterior, a Variance will be sought for a new rear door to be at the Main Level finished floor level exiting to an exterior deck with stair to grade.
  - The existing SFR currently has an attached deck/carport that encroaches into the rear yard setback. This deck was permitted, built and approved in 1993, yet it is unclear if the permit was approved as an attached or detached structure. However, the permit for the structure was approved. The existing deck structure meets current IRC codes, however the homeowner wants to remove the existing alley facing staircase.
- 1. Do not scale these drawings.**
- Verify all dimensions and conditions prior to commencing work or ordering materials.
  - Any variation should be brought to the attention of the Owner and Design Professional.
- 2. Drawing Dimensions**
- All dimensions are to the face of the foundation and framing studs at new walls, or edge of rough opening unless noted otherwise.
- 3. Existing Conditions**
- It is the responsibility of the Contractor(s) to examine the existing conditions prior to submitting a bid to the Builder as proposals must take into account all such conditions which may affect the work.
  - Finished square footage calculations for this project were made based on plan dimensions only and may vary from the finished square footage of the project as built.
  - Discrepancies in the drawings and actual field conditions shall be reported to the Design Professional. Corrected drawings or instructions shall be issued by the Builder prior to the commencement of the work.
- 4. Code Compliance**
- This project shall comply with current adopted codes including:
    - 2024 International Residential Code
    - 2024 International Fuel Gas Code
    - 2024 International Plumbing Code
    - 2024 International Mechanical Code
    - 2024 City of Boulder Energy Conservation Code
    - 2020 National Electrical Code
    - City of Boulder Amendments to any of the above
  - It is the responsibility of anyone supplying labor, materials, or both to bring to the attention of the Design Professional and Builder any discrepancies or conflicts between requirements of these codes or standards and the drawings.
- 5. Manuals and Warranties**
- All manuals and warranties of all materials and equipment are to be furnished to the Owner upon completion of the project.
- 6. Completeness of Documentation**
- The details shown are intended to further illustrate the visual design concept and minimum weather protection requirements for this project. The Contractor(s) shall incorporate the requirements of the local building codes, structural considerations, trade association manuals, publications and recommendations and the manufacturer's written instructions for complete construction of details. All possible field conditions that may be encountered are not necessarily described. Field conditions encountered that require clarification shall be brought to the Builder's and Design Professional's attention.
- 7. General**
- These plans and details have been designed for construction at one specific location. These plans and details shall not be used at any other building location.
  - Submit all shop drawings and product information for the Design Professional's and Owner's approval.



VARIANCE REQUEST SET

PROJECT #:		2516
The information shown on this document represents copyrighted intellectual property. Reproduction and/or distribution is not permitted without the prior consent of SoBo Homes.		
#	REVISION	DATE
DRAWN:		
CHECKED:		Checker
COVER		
A0.0		
12/08/2025		





1 3D REAR DOOR EXTG1

EXISTING CONDITION



2 3D REAR DOOR

PROPOSED CONDITION



EXISTING REAR DOORS & DECK

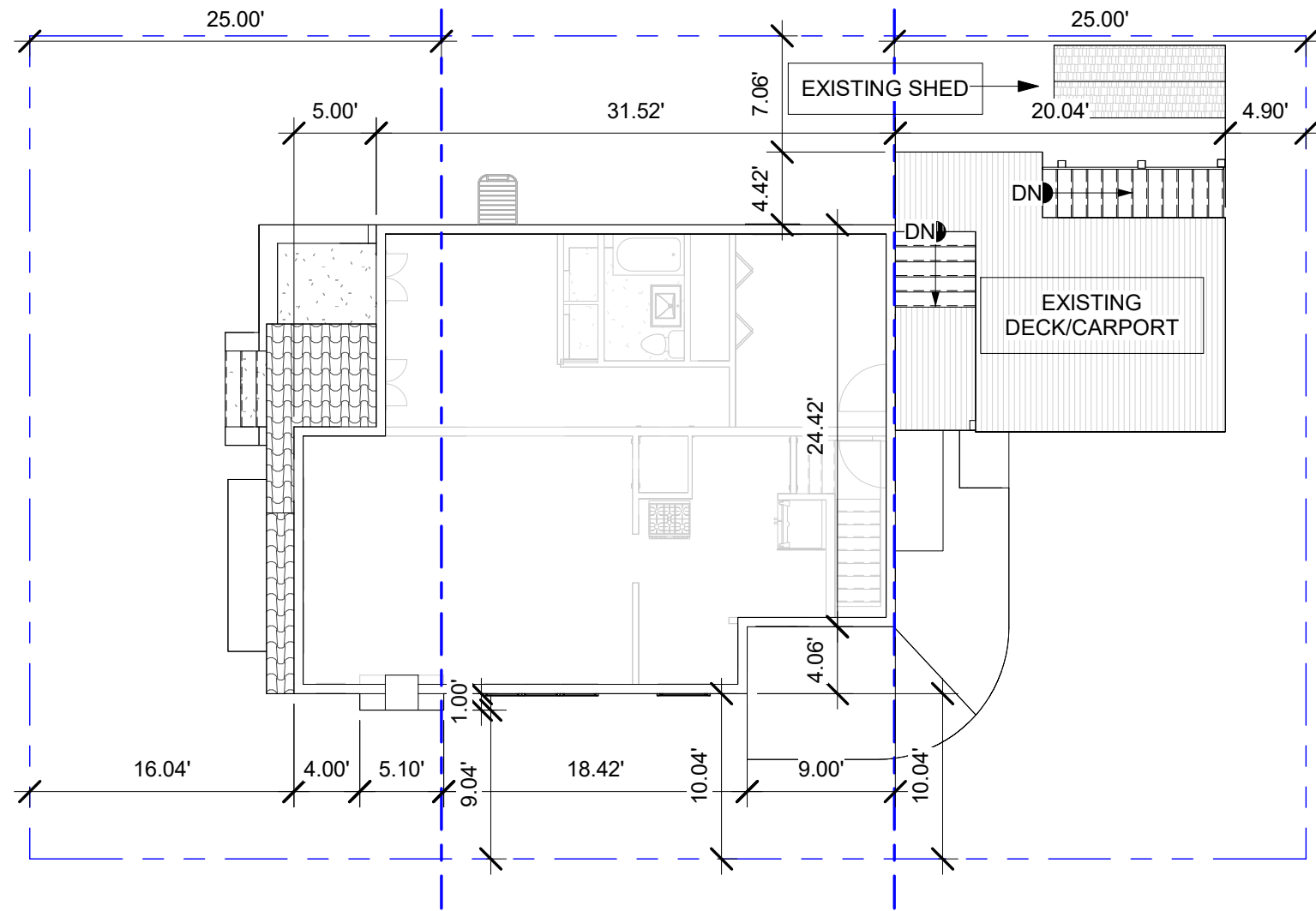


EXISTING REAR YARD ACCESS & STAIR

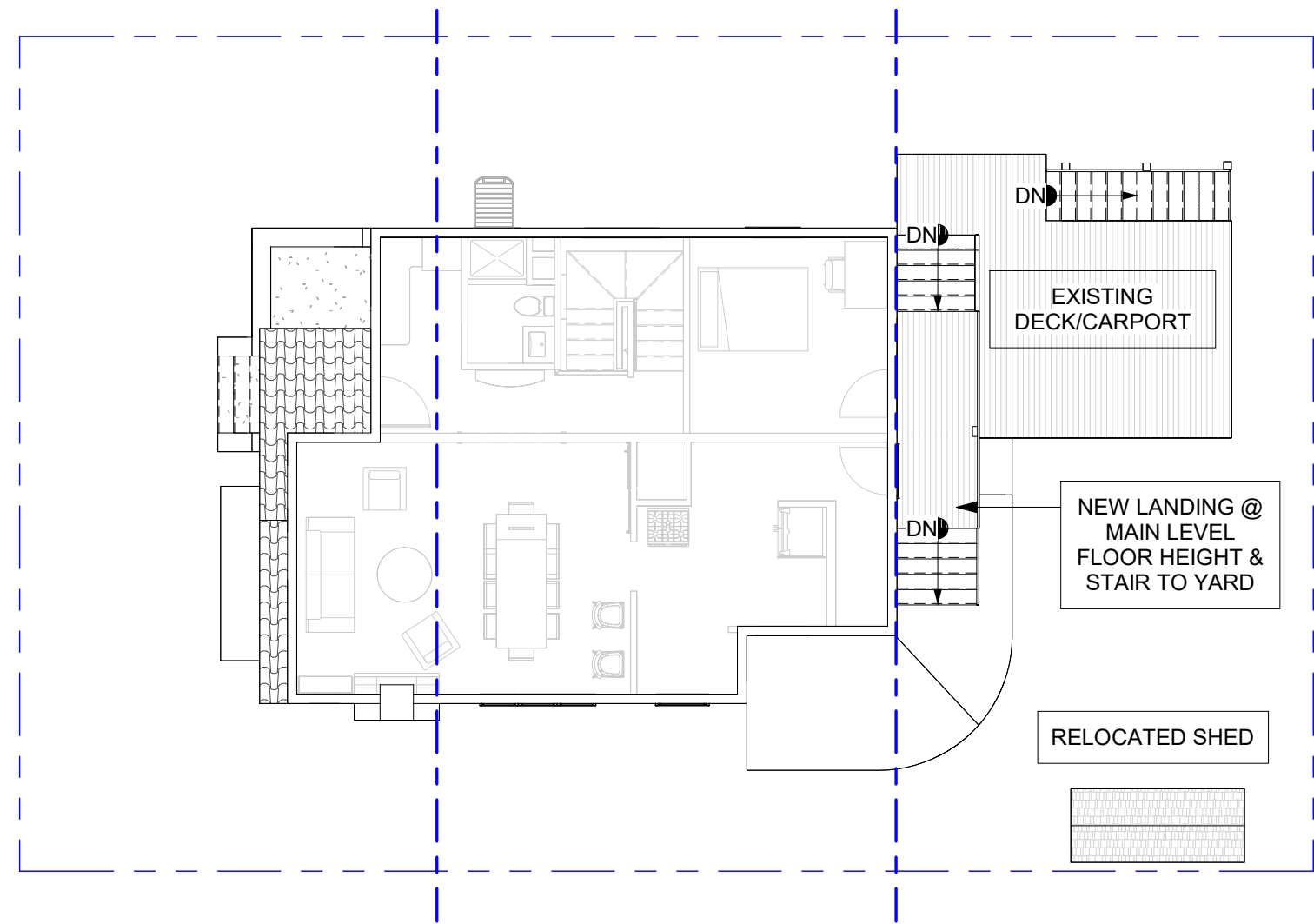


EXISTING STAIR TO BASEMENT

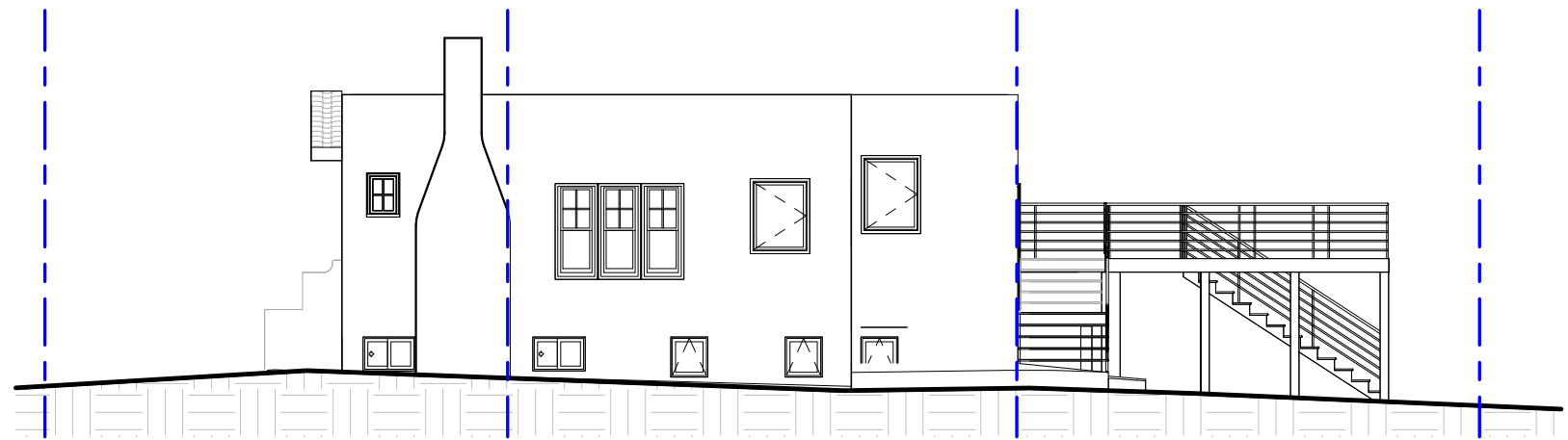




① EXTG SITE PLAN  
1" = 10'-0"



② PROPOSED SITE PLAN  
1" = 10'-0"



③ NORTH ELEVATION ZONING  
1" = 10'-0"

VARIANCE REQUEST SET



900 Arapahoe Ave.  
Boulder, CO 80302  
SoBoHomes.com  
720-381-0945

# ELDON-HARLAND RESIDENCE

836 9TH AVE., BOULDER, CO 80302

PROJECT #: 2516

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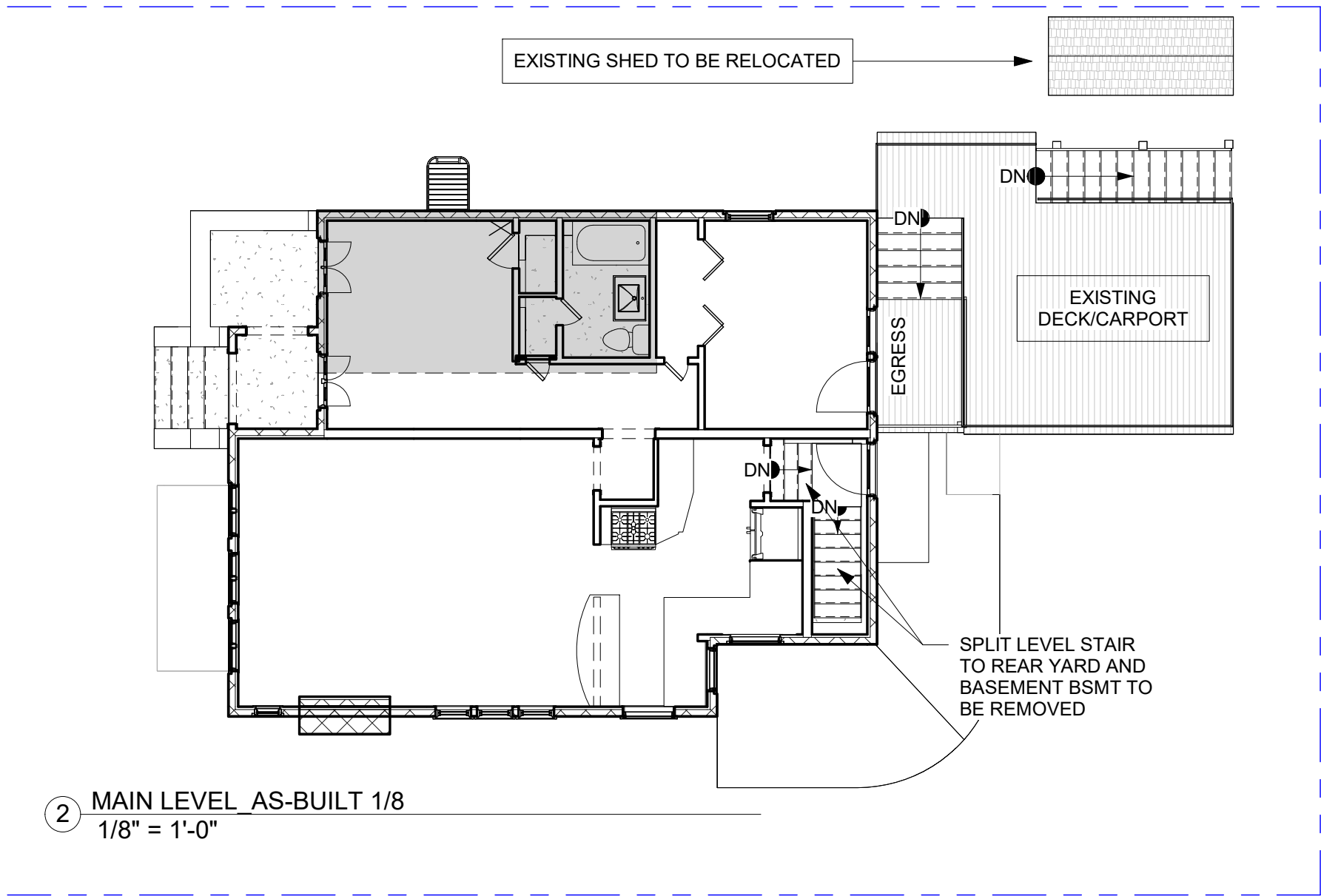
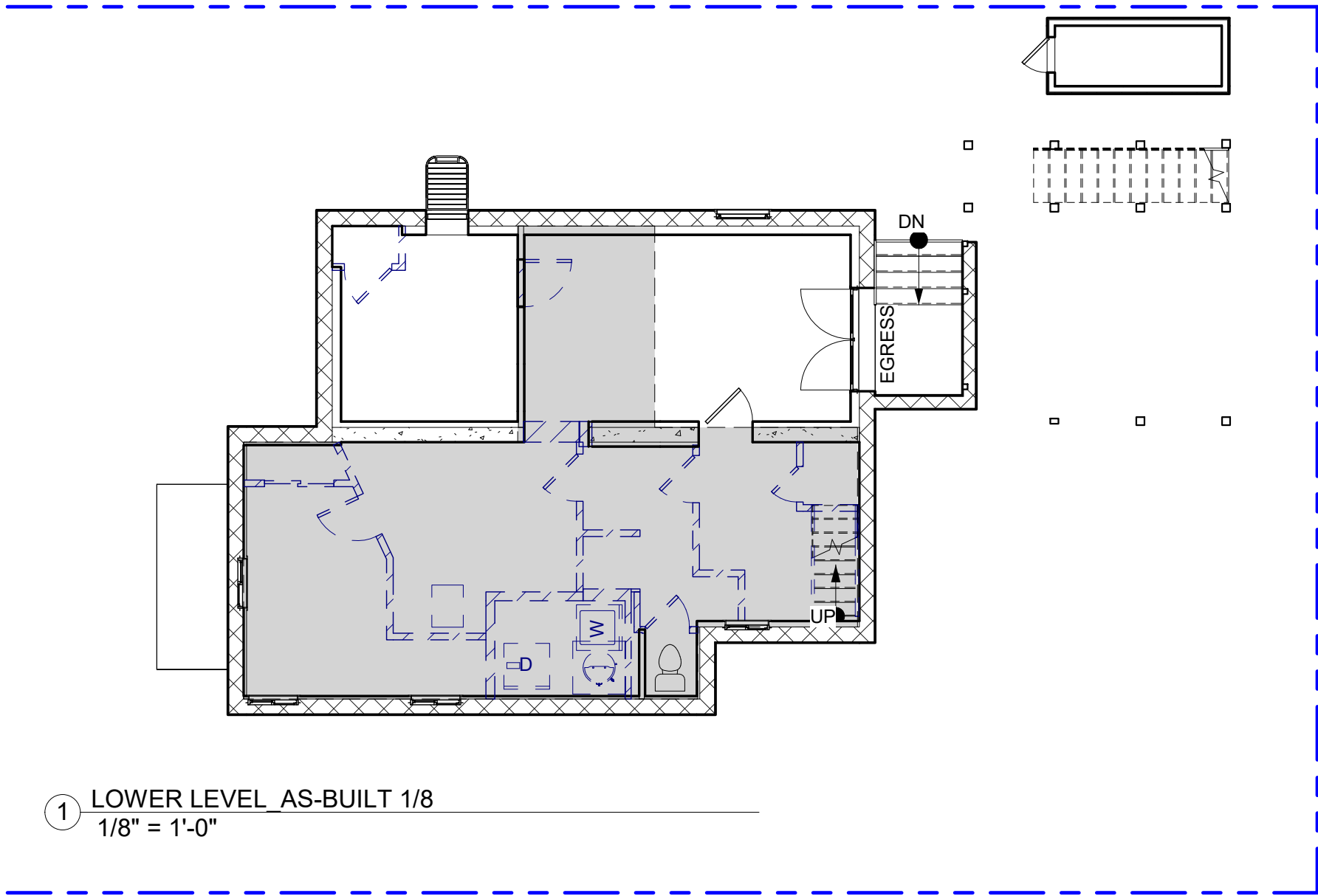
#	REVISION	DATE

DRAWN:  
CHECKED: Checker

SITE PLAN

# A1.1

12/08/2025



VARIANCE REQUEST SET



900 Arapahoe Ave.  
Boulder, CO 80302  
SoBoHomes.com  
720-381-0945

ELDON-HARLAND RESIDENCE

836 9TH AVE., BOULDER, CO 80302

PROJECT #: 2516

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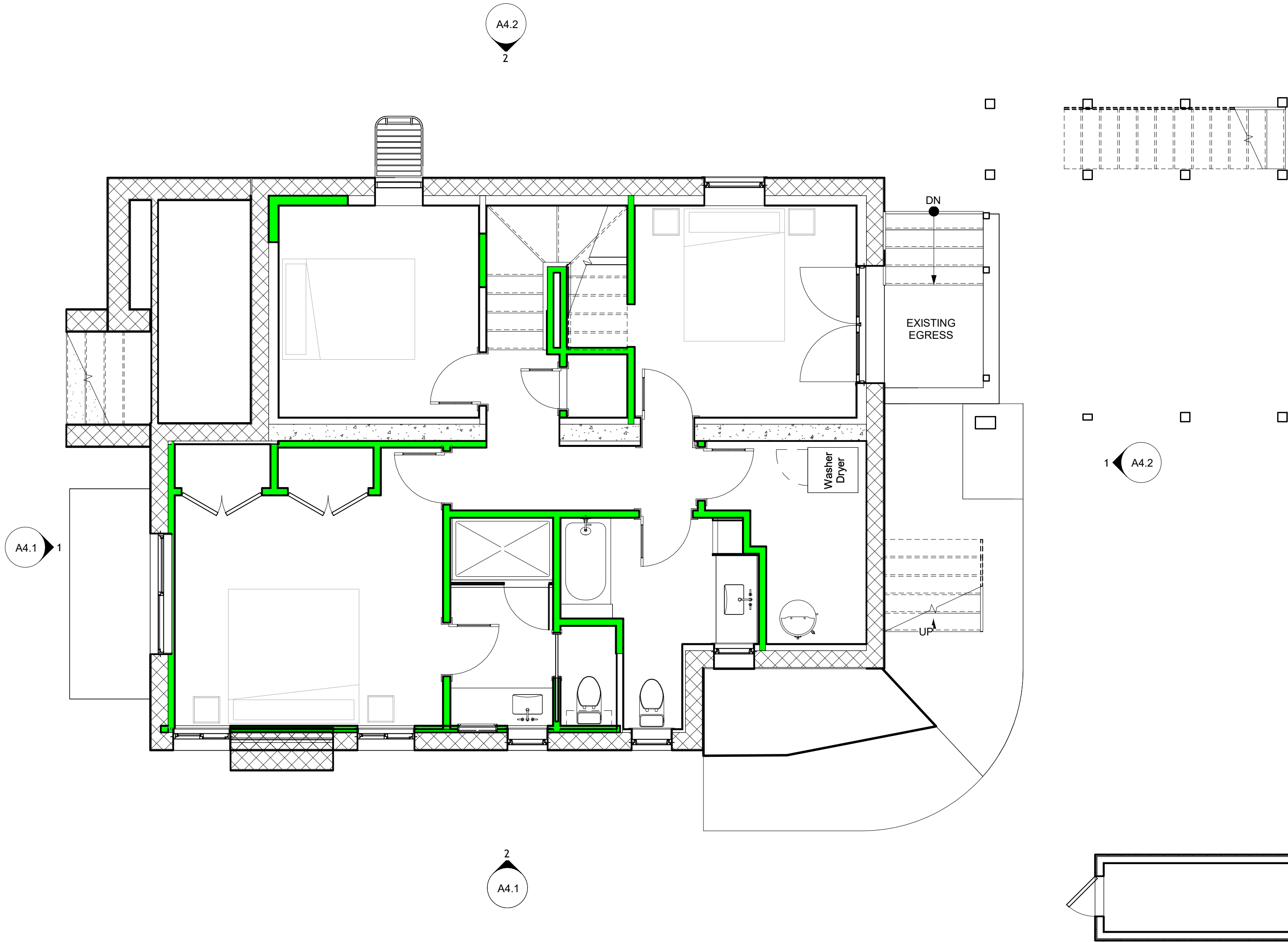
#	REVISION	DATE
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DRAWN:	
CHECKED:	Checker

EXISTING FLOOR PLANS

A2.1

12/08/2025



1 LOWER LEVEL PLAN  
1/4" = 1'-0"

VARIANCE REQUEST SET



900 Arapahoe Ave.  
Boulder, CO 80302  
SoBoHomes.com  
720-381-0945

ELDON-HARLAND RESIDENCE

836 9TH AVE., BOULDER, CO 80302

PROJECT #: 2516

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#	REVISION	DATE
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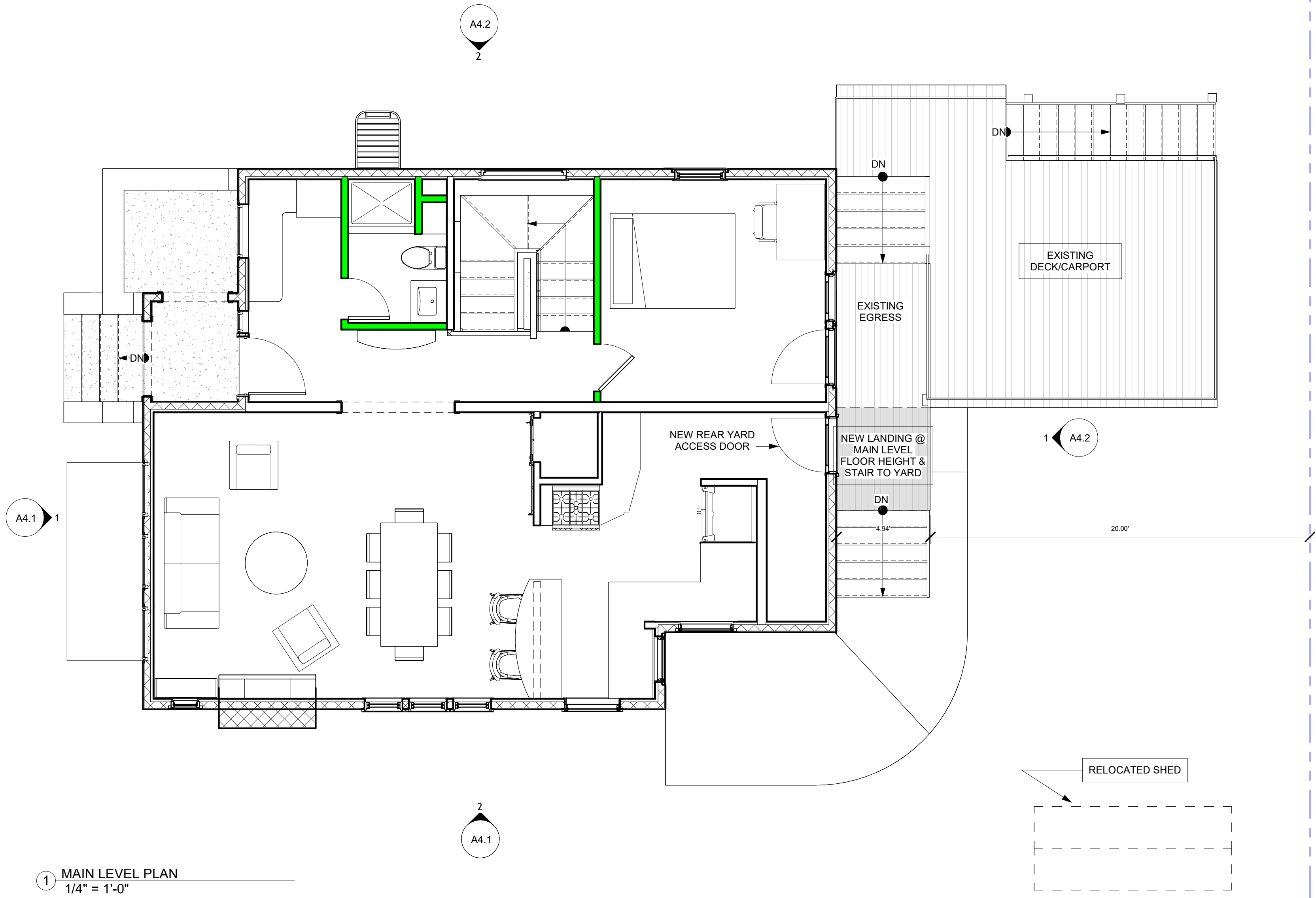
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CHECKED:	Checker

LOWER LEVEL PLAN

A2.2

12/08/2025





1 MAIN LEVEL PLAN  
1/4" = 1'-0"

VARIANCE REQUEST SET



900 Arapahoe Ave.  
Boulder, CO 80302  
SoBoHomes.com  
720-381-0945

ELDON-HARLAND RESIDENCE

836 9TH AVE., BOULDER, CO 80302

PROJECT #: 2516

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#	REVISION	DATE
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DRAWN:	
CHECKED:	Checker

MAIN LEVEL PLAN

A2.3

12/08/2025

ELDON-HARLAND RESIDENCE

836 9TH AVE., BOULDER, CO 80302

VARIANCE REQUEST SET

PROJECT #: 2516

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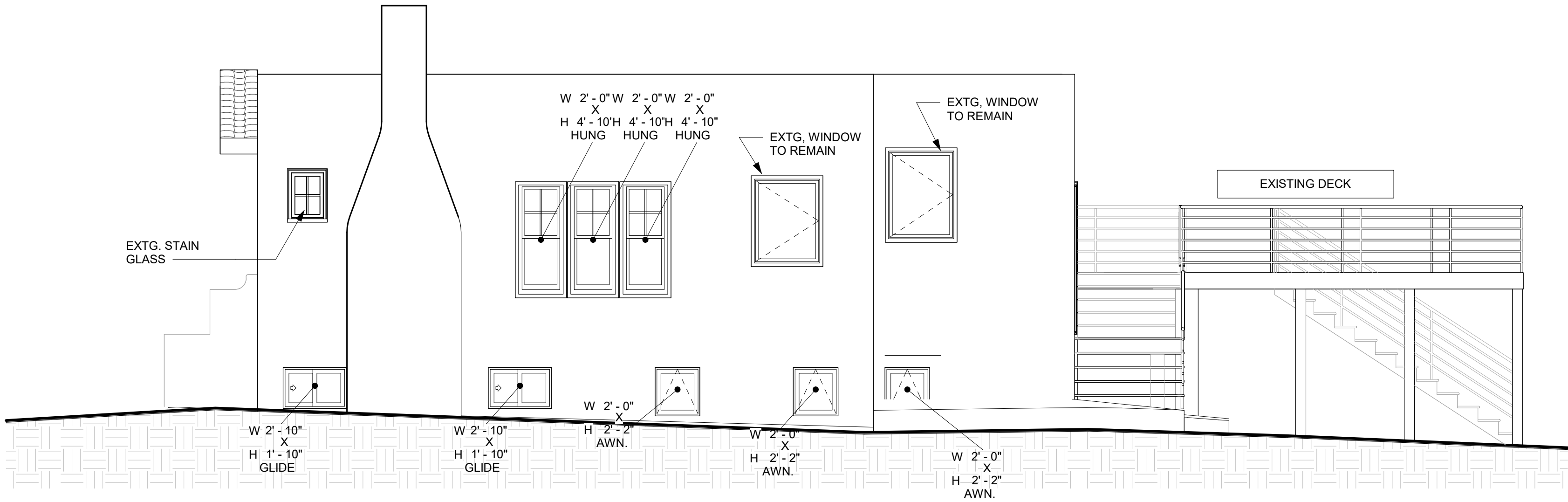
EXTERIOR BUILDING ELEVATIONS

A4.1

12/08/2025



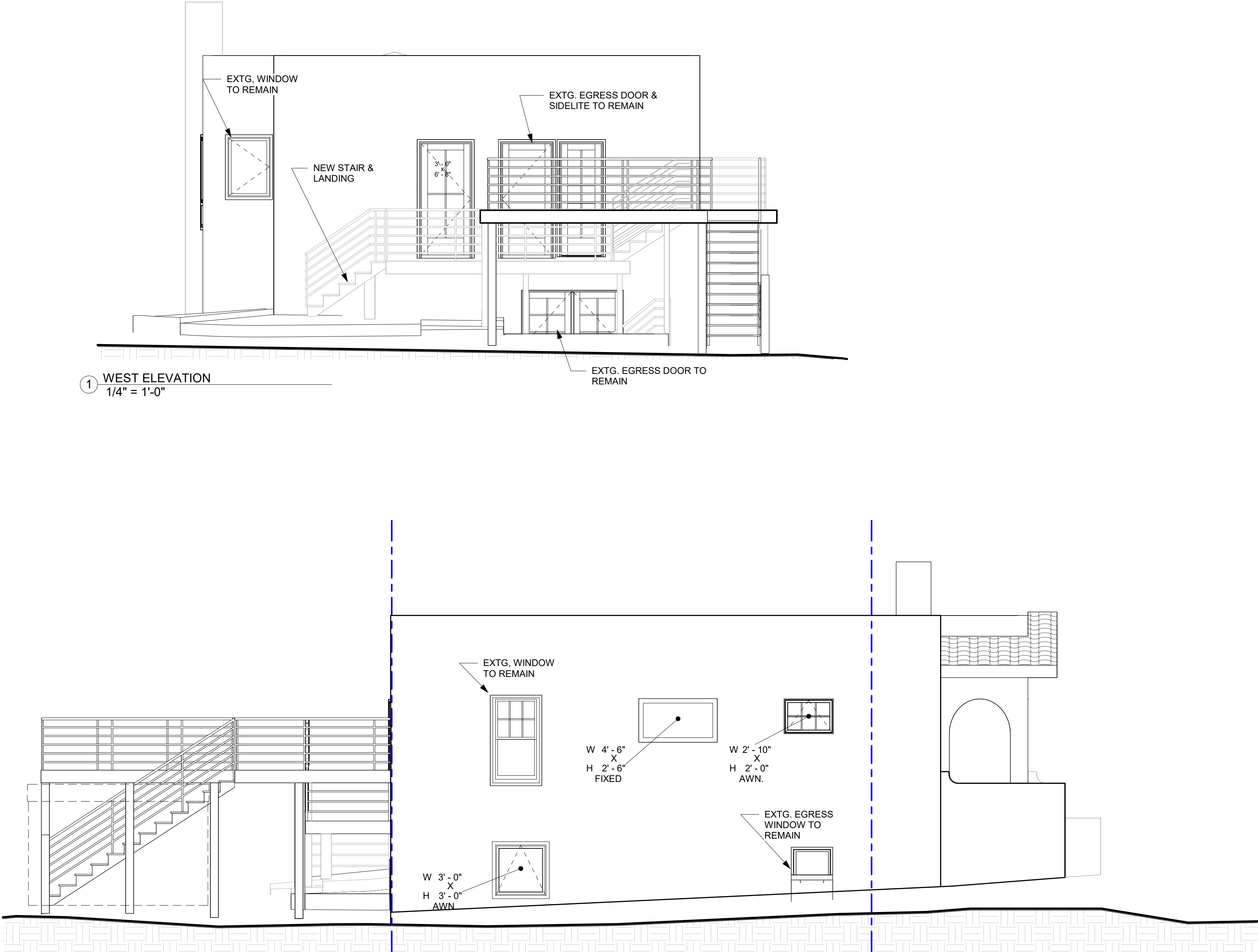
1 EAST ELEVATION  
1/4" = 1'-0"



2 NORTH ELEVATION  
1/4" = 1'-0"

ELDON-HARLAND RESIDENCE

836 9TH AVE., BOULDER, CO 80302



VARIANCE REQUEST SET

PROJECT #: 2516

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# REVISION DATE

DRAWN:  
CHECKED: Checker

EXTERIOR BUILDING ELEVATIONS

A4.2

12/08/2025

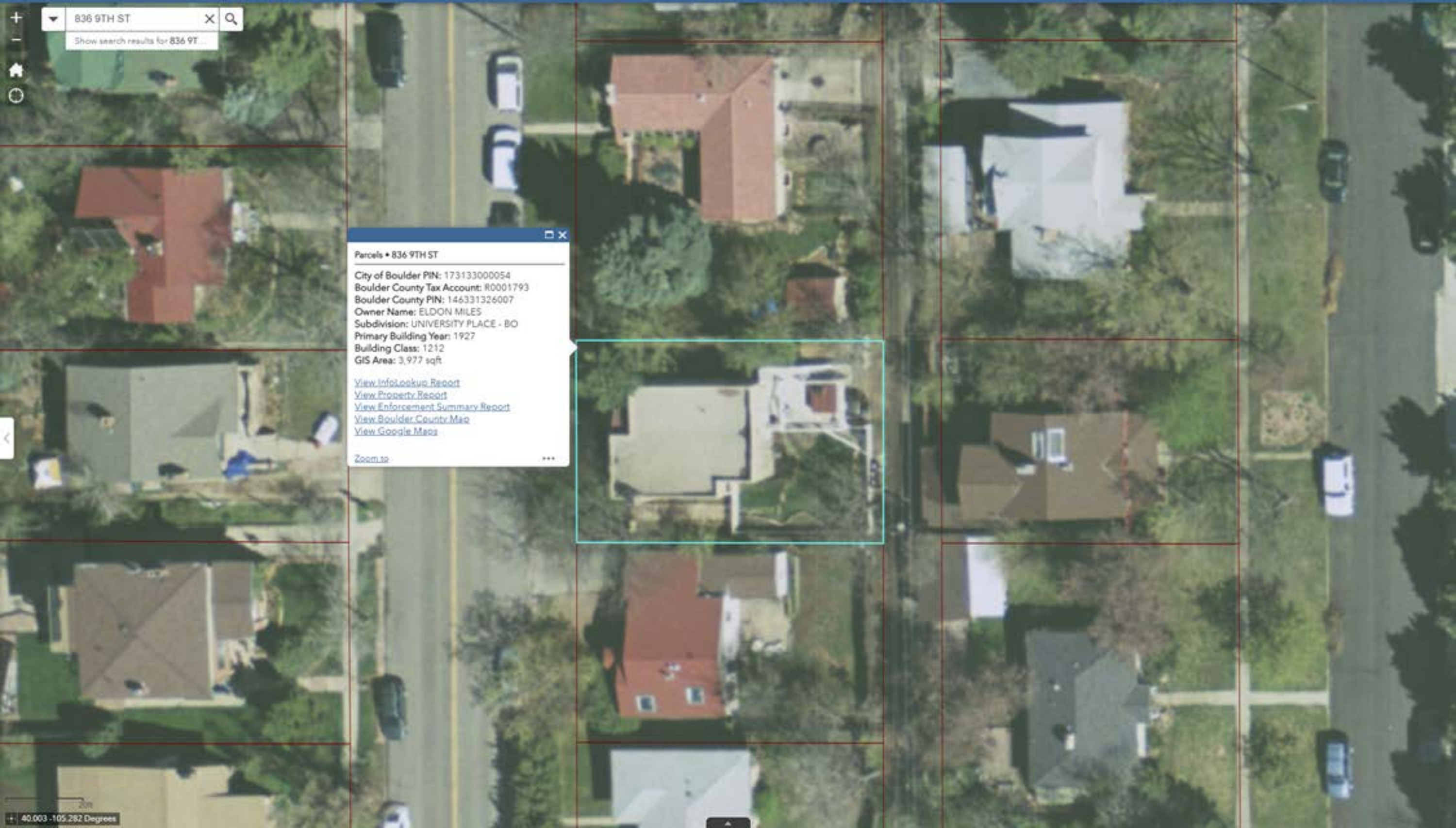
Parcels • 836 9TH ST

City of Boulder PIN: 173133000054  
Boulder County Tax Account: R0001793  
Boulder County PIN: 146331326007  
Owner Name: ELDON MILES  
Subdivision: UNIVERSITY PLACE - BO  
Primary Building Year: 1927  
Building Class: 1212  
GIS Area: 3,977 sqft

[View InfoLookup Report](#)  
[View Property Report](#)  
[View Enforcement Summary Report](#)  
[View Boulder County Map](#)  
[View Google Maps](#)

Zoom to





836 9TH ST

Show search results for 836 9TH ST...

#### Parcels • 836 9TH ST

City of Boulder PIN: 173133000054  
Boulder County Tax Account: R0001793  
Boulder County PIN: 146331326007  
Owner Name: ELDON MILES  
Subdivision: UNIVERSITY PLACE - BO  
Primary Building Year: 1927  
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GIS Area: 3,977 sqft

[View InfoLookup Report](#)  
[View Property Report](#)  
[View Enforcement Summary Report](#)  
[View Boulder County Map](#)  
[View Google Maps](#)

Zoom to

DRS ltr. sent

Date Received \_\_\_\_\_

ZONING INFORMATION SHEET  
(not to be filled in by applicant)Zoning District LR-E

Type of Occupancy \_\_\_\_\_

Lot Area \_\_\_\_\_ Dimensions 50 X 76.5

Number of Floors \_\_\_\_\_ Height \_\_\_\_\_ Frontage \_\_\_\_\_

Total Floor Area of Principal Buildings \_\_\_\_\_ Accessory Buildings \_\_\_\_\_

Open Space Required \_\_\_\_\_ Open Space \_\_\_\_\_

Number of Units Permitted \_\_\_\_\_ Number of Units \_\_\_\_\_

Change of Occupancy from no change to \_\_\_\_\_

Number of Parking Spaces Required \_\_\_\_\_ Provided \_\_\_\_\_

Interior Lot \_\_\_\_\_ Corner Lot \_\_\_\_\_ Through Lot \_\_\_\_\_ "L" Shaped \_\_\_\_\_

New Construction \_\_\_\_\_ Addition \_\_\_\_\_ Alteration \_\_\_\_\_

Landscaping, Paving, Screening or Barriers Required \_\_\_\_\_

Describe \_\_\_\_\_

Comments detached carport w/ deck above  
aprox 16' X 15'6"

## DEPARTMENTAL CLEARANCES

Site Drainage &amp; Flood Control Engineer \_\_\_\_\_ Date \_\_\_\_\_

Transportation Engineer [Signature] Date 4-30-93

Water Utility Engineer \_\_\_\_\_ Date \_\_\_\_\_

Sewer Utility Engineer \_\_\_\_\_ Date \_\_\_\_\_

Parks Department \_\_\_\_\_ Date \_\_\_\_\_

Fire and/or Health Department \_\_\_\_\_ Date \_\_\_\_\_

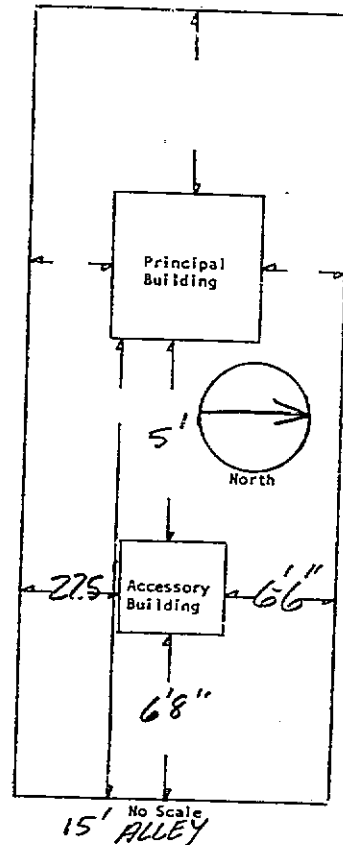
Zoning Administrator G. Kretschmer Date 5/19/93

Current Planner \_\_\_\_\_ Date \_\_\_\_\_

Historic Landmark Approval \_\_\_\_\_ Date \_\_\_\_\_

Energy \_\_\_\_\_ Date \_\_\_\_\_

Street Front



ALLOCATION NO.

**CITY OF BOULDER BUILDING INSPECTION DEPARTMENT**  
**INSPECTION RECORD CARD**  
 Telephone: 441-3280



ADDRESS 836 9TH ST  
 OWNER SUE SAWYER  
 GENERAL CONTRACTOR McCullough Construction  
 BLDG. PERMIT NO. 933689 DATE ISSUED 5/25/93  
 DESCRIPTION DETACHED CARPORT WITH DECK ABOVE  
 BASEMENT: FINISHED / UNFINISHED / CRAWLSPACE  
 BEDROOMS:      BATHS: FULL THREE-QUARTER HALF ROUGH-IN: FULL HALF

NEW ADDITION ALTERATION REPAIR  
 BLDG. TYPE V-N OCCUPANCY R-3  
 SPRINKLERED: YES NO COM/RES  
 USE SFD  
 GARAGE: ATTACHED/DETACHED/CARPORT

**INSPECTIONS WILL NOT BE MADE UNLESS THIS CARD IS POSTED ON THE SITE!**  
**IF THIS CARD IS LOST OR STOLEN, A REPLACEMENT FEE WILL BE CHARGED.**

	TYPE OF INSPECTION	DATE OF INSPECTION	INSPECTOR'S SIGNATURE	NOTES
FOUND	FOOTINGS/CAISSONS			
	FOUNDATIONS			
	<b>DO NOT POUR CONCRETE UNTIL INSPECTED AND APPROVED</b>			
ELECTRICAL	GROUNDWORK			
	ROUGH			
	TEMP. FINAL			
	FINAL			
PLUMBING/INSUL	FOUNDATION			
	WALL/CEIL			
	GROUNDWORK			
	ROUGH			
MECHANICAL	FINAL			
	GAS PIPING			
	DUCTS/FLUE			
	VENTING			
	GAS METER			
	GAS LOG			
	FIREPLACE			
	FINAL			
<b>RAMING INSPECTION TO BE MADE WHEN ALL ROUGH UTILITY INSTALLATIONS HAVE BEEN INSPECTED/APPROVED</b>				
ROOFING	FRAME	<u>9-28-93</u>	<u>RMB</u>	
	SHEETROCK			
	MID-ROOF			
	FINAL ROOF			
	FINAL	<u>10-11-93</u>	<u>RMB</u>	
	ELEVATOR FINAL			
	FIRE PROTECTION			

**OCCUPANCY OF THIS BUILDING PRIOR TO FINAL INSPECTION**  
**AND/OR CERTIFICATE OF OCCUPANCY IS NOT PERMITTED.**



## Variance Approval Letter from Neighboring Property Owner

To the City of Boulder Board of Zoning Adjustments,

Job Site Address: 836 9th St  
Boulder, CO 80302  
Parcel ID Number: 146331326007  
Date: December 5th, 2025

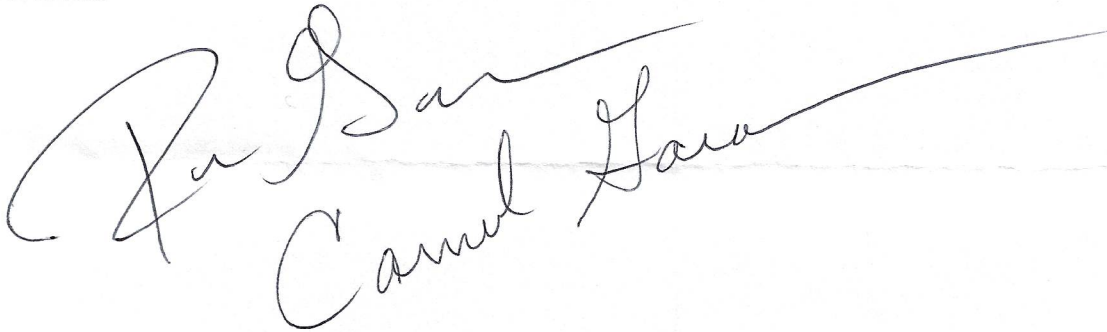
Dear Board of Zoning Adjustments,

We are writing to express our support and approval for the variance requested by our neighbors Kira Harland and Miles Eldon's home at 836 9th St.

We are aware Miles and Kira are seeking a setback variance for the City of Boulder to recognition and establishment of their existing attached deck/carport with a rear setback of 4.90', where 25' is required.

We are also aware Kira and Miles intend to build a new attached deck with a rear setback of 20.0', connected to the existing deck/carport with exterior stairs running to the west which will allow for a new house door built level with the existing main level floor which will give Kira and Miles access to their back yard.

We live at 850 9th St, the neighboring house to the north. We endorse and recommend their proposed variance.

A large, fluid handwritten signature in black ink, appearing to read "Ron & Carmel Garau". The signature is written in a cursive style with long, sweeping strokes.

Ron & Carmel Garau

## Variance Approval Letter from Neighboring Property Owner

To the City of Boulder Board of Zoning Adjustments,

Job Site Address: 836 9th St  
Boulder, CO 80302  
Parcel ID Number: 146331326007  
Date: December 5th, 2025


Dear Board of Zoning Adjustments,

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We are aware Miles and Kira are seeking a setback variance for the City of Boulder to recognition and establishment of their existing attached deck/carport with a rear setback of 4.90', where 25' is required.

We are also aware Kira and Miles intend to build a new attached deck with a rear setback of 20.0', connected to the existing deck/carport with exterior stairs running to the west which will allow for a new house door built level with the existing main level floor which will give Kira and Miles access to their back yard.

We live at 833 Lincoln PL, the neighboring house to the east. We endorse and recommend their proposed variance.



Allison Barrett



Jacob Kaufman-Osborn

## Variance Approval Letter from Neighboring Property Owner

To the City of Boulder Board of Zoning Adjustments,

Job Site Address: 836 9th St  
Boulder, CO 80302  
Parcel ID Number: 146331326007  
Date: December 5th, 2025

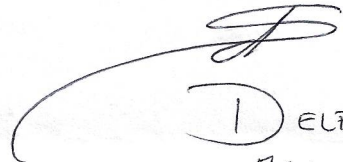
Dear Board of Zoning Adjustments,

We are writing to express our support and approval for the variance requested by our neighbors Kira Harland and Miles Eldon's home at 836 9th St.

We are aware Miles and Kira are seeking a setback variance for the City of Boulder to recognition and establishment of their existing attached deck/carport with a rear setback of 4.90', where 25' is required.

We are also aware Kira and Miles intend to build a new attached deck with a rear setback of 20.0', connected to the existing deck/carport with exterior stairs running to the west which will allow for a new house door built level with the existing main level floor which will give Kira and Miles access to their back yard.

We live at 828 9th St, the neighboring house to the south. We endorse and recommend their proposed variance.

  
DELPHIA SLATER  
720-757-7732

**CITY OF BOULDER**  
**BOARD OF ZONING ADJUSTMENT**  
**ACTION MINUTES**  
**August 12, 2025**  
**Virtual Meeting**

**Board Members Present:** Nikki McCord (Chair), Katie Crane, Sean Haney

**Board Members Absent:** Drew Eisenberg, Ben Doyle (Vice Chair)

**City Attorney Representing Board:** Deshawna Zazueta

**Staff Members Present:** Robbie Wyler, Thomas Remke

**1. CALL TO ORDER:**

N. McCord called the meeting to order at 4:00pm

**2. BOARD HEARINGS:**

**A Docket No.:** BOZ2025-00007

**Address:** 3550 16<sup>th</sup> Street

**Applicant:** Vicki Moore & Kent Dinkel

**Setback Variance:** As part of a proposal to construct a porch cover over an existing (variance-approved and permitted) elevated deck leading to the primary entrance of the home, the applicant is requesting a variance to the front/west yard setback standards for a principal structure in the RL-1 zoning district. The project also includes the construction of a new screen wall around the existing elevated deck as well as the construction of new side stairs from the driveway. The resulting front/west setback will be approximately 19.1 feet where 25 feet is required and approximately 19.1 feet exists today. Section of the Land Use Code to be modified: Section 9-7-1, BRC 1981.

**Staff Presentation:**

R. Wyler presented the item to the board.

**Board Questions:**

R. Wyler answered questions from the board.

**Applicant's Presentation:**

Jeff Borchardt presented the item to the board.

**Public Hearing:**

No one from the public addressed the board.

**Board Discussion:**

The board agreed that the proposal meets the necessary criteria.

**Motion:**

On a motion by **Katie Crane** and seconded by **Sean Haney**, the Board of Zoning Adjustment voted 3-0 (B. Doyle and D. Eisenberg absent) to approve the application **Docket BOZ2025-00007** as submitted.

**3. GENERAL DISCUSSION:**

**A. Approval of Minutes**

The 07/08/25 BOZA Meeting Minutes are scheduled for approval.

**K. Crane** made a motion seconded by **N. McCord** to approve the July 8, 2025 BOZA Meeting minutes. The board voted 3-0 (B. Doyle and D. Eisenberg absent). Motion passed.

**B. Matters from the Board**

There were no matters from the board.

**C. Matters from the City Attorney**

There were no matters from the City Attorney.

**D. Matters from Planning and Development Services**

**4. ADJOURNMENT:**

There being no further business to come before the board at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED AT 4:38 P.M

APPROVED BY

\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
DATE

**CITY OF BOULDER**  
**BOARD OF ZONING ADJUSTMENT**  
**ACTION MINUTES**  
**December 9, 2025**  
**Virtual Meeting**

**Board Members Present:** Katie Crane (Acting Chair), Sean Haney, Jill Lester,  
Drew Eisenberg

**Board Members Absent:**

**City Attorney Representing Board:** Deshawna Zazueta

**Staff Members Present:** Robbie Wyler, Thomas Remke

**1. CALL TO ORDER:**

**A. Swearing in of Board Member Jill Lester**

Jill Lester took the Oath of Office as facilitated by Deshawna Zazueta.

**B. Board Chair and Vice Chair Nominations**

Drew Eisenberg made a motion seconded by Katie Crane to nominate Jill Lester to serve as Chair. The Board voted 4-0. Motion passed.

Jill Lester made a motion seconded by Drew Eisenberg to nominate Katie Crane to serve as Vice Chair. The Board voted 4-0. Motion passed.

**2. BOARD HEARINGS:**

**Docket No.:** BOZ2025-00012

**Address:** 4380 Butler Circle

**Owner:** Amanda Schiewe

**Representative:** Chad Kipfer, Caddis Collaborative

Setback Variance: As part of an addition to the single-family home, including expanding the existing single-car garage, the applicant is requesting a variance to the combined side/west yard setback standard for a principal structure in the RL-1 zoning district. The resulting side/west setback from the garage addition will be approximately 5.3 feet (at the closest point from the west property line) where 9 feet is required and approximately 12.7 feet (at the closest point of the home from the west property line) exists today. Section of the Land Use Code to be modified: Section 9-7-1, BRC 1981.

**Staff Presentation:**

**R. Wyler** presented the item to the board.

**Board Questions:**

**R. Wyler** answered questions from the board.

**Applicant's Presentation:**

Chad Kipfer presented the item to the board.

**Public Hearing:**

- 1) Christine Welker
- 2) Julie Welker

**Board Discussion:**

The board agreed that the proposal meets the necessary criteria. Jill Lester noted that the architect demonstrated through his drawings that there are unusual physical circumstances or conditions under B.R.C., 9-2-3(h)(1)(A)(1).

**Motion:**

On a motion by **Jill Lester** and seconded by **Katie Crane**, the Board of Zoning Adjustment voted 4-0 to approve the application **Docket BOZ2025-00012** as submitted, based on meeting B.R.C., 9-2-3(h)(1)(A-D) and B.R.C., 9-2-3(h)(5)(A-D).

**3. GENERAL DISCUSSION:**

**A. Approval of Minutes**

The 08/12/25 BOZA Meeting Minutes are scheduled for approval.

Approval of the minutes was deferred to a future meeting.

**B. Matters from the Board**

**A. Discussion of Letter to City Council**

The board opted not to draft an annual letter to City Council.

**C. Matters from the City Attorney**

There were no matters from the City Attorney.

**D. Matters from Planning and Development Services**

**4. ADJOURNMENT:**

There being no further business to come before the board at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED AT 5:15 P.M

APPROVED BY

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Board Chair

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DATE