

# FTK: Variance

<b>NARRATIVE QUESTIONNAIRE</b>
<b>VARIANCE</b>

<b>A.</b>	<b>General Property Information:</b>	
1.	Property Address or Parcel Identification Number (PIN):	6525 Olive Street, Commerce City CO 80022
2.	Applicant's Name:	Laurel E. LaFramboise
3.	Property Owner's Name:	Colin R. LaFramboise
4.	Current Zoning of the Subject Property:	R-2
5.	Future Land Use Plan Designation:	Central Neighborhoods

<b>B.</b>	<b>Background Information:</b>	<b>Yes</b>	<b>No</b>	
1.	Is this request an amendment to an existing variance?		No	If yes, what was the previous case number? Case # _____
2.	Is this application an attempt to correct a violation of some kind?		No	If yes, please provide a copy of the violation.
3.	Do you anticipate having employees at this location?		No	If yes, how many employees do you anticipate?  _____ employees

The following pages contain specific questions about the nature of your request. Therefore, it

is in your best interest to answer them in as much detail as possible to help limit the number of questions and review cycles.

**DO NOT ANSWER WITH A 'YES' OR 'NO' OR 'N/A' - BE SPECIFIC!**

5

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NARRATIVE QUESTIONNAIRE	
<b>C.</b>	<b>Specific Requests for Information</b>
1.	What is your hardship? Describe in <b>detail</b> what makes your property or circumstance so unique that it is unfeasible for you to meet the applicable standard? <i>(A hardship <b>does not</b> include: (1) it would increase the value of the property; (2) it would cost too much; or (3) the land could produce more profit, supply jobs, or increase the tax base.)</i>

The existing house was built in 1955 and is a flat-capped over walk out basement that is 3' tall from the street view. The garage behind it was built in 1980 with a hipped roof that puts it about 4-5 feet higher than the main roof as seen from the street, and was turned into living quarters shortly after permits were required by the City but the former property owner didn't file one. It currently has separate gas and electric meters but a shared water bill with the main house (although it has a second hookup charge). The current homeowner wants to turn the garage into an accessory dwelling unit (ADU) but the new rules require that the ADU be no higher in elevation than the main building and that there be no separate electric or gas hookup from the main house. This would require substantial and unnecessary modification to the garage and main house, especially when the owner plans to build a second story on the main house in the near future and thus meet the standards.

6

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2.	Describe in <b>detail</b> how the hardship, stated in Question #1, is not been self-imposed.

The property owner is low income (\$23/hour) and requires the income from renting the main house to meet basic needs/taxes, and to apply for any financing. By turning the garage into an ADU he can legally move in or rent out the ADU, replacing at least part of the legal income lost when he must evict the current tenants to build onto the main house. The current garage is in livable condition (has a bathroom, laundry, kitchen, separate utilities) and has had occupants living there illegally for decades. The property owner is trying to use the new ADU statute to legalize this building but the height requirement and shared utilities requirement are blocking this for no reasonable purpose other than to impose unnecessary financial hardship on the property owner.

<b>NARRATIVE QUESTIONNAIRE</b>	
3a.	What uses are located adjacent to the subject property?
North:	Residential houses
South:	Residential houses
East:	Residential houses
West:	Residential houses

### FTK: Variance

<b>NARRATIVE QUESTIONNAIRE</b>	
3b.	Will the variance cause a real or perceived loss in surrounding property values?

No. It doesn't change any existing exterior structures.

3c.	Will the variance substantially or permanently injure the legal use of any adjacent conforming property?
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No.

### FTK: Variance

<b>NARRATIVE QUESTIONNAIRE</b>	
4.	Will the requested variance alter the character of the neighborhood?

No.

5.	Will the requested variance block solar access, create glare, or produce air pollution impacting the surrounding area?
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No.

**FTK: Variance**

<b>NARRATIVE QUESTIONNAIRE</b>	
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6.	Will the requested variance create or increase traffic and/or parking problems in the area?
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No.

7.	Will the construction or operation for which the variance is needed create a police, fire, or building safety hazard?
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No, it will actually solve some building safety hazards by having the garage pass code standards.

**FTK: Variance**

<b>NARRATIVE QUESTIONNAIRE</b>	
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8.	Why is the requested variance the minimum needed?
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The garage is taller than the main house by more than 20%, so a minor modification cannot apply. In order for the owner to get the financing necessary to build on the main house he will need the income from the ADU. The variance is also needed to maintain the existing separate electrical and gas meters, as eliminating them would need a costly change that is unnecessary to otherwise bring the garage into code compliance for an ADU.

## **ADDRESSING THE VARIANCE APPROVAL CRITERIA FOR 6525 OLIVE STREET**

May 26, 2026

To: Variance Board  
Commerce City, CO

RE: Variance request AV26-0008 first round comments

From: Laurel LaFramboise, applicant  
Colin LaFramboise, property owner

At the request of the Planning Department in their first round comments we are addressing specific Variance approval criteria in a separate document.

(3) Approval Criteria. A variance may be approved if:

(a) All of the following criteria are met:

(i) The physical character of the property, including dimensions, topography or other extraordinary situation or condition of the property, create a situation where the strict enforcement of the standards in this land development code will deprive the property of privileges generally enjoyed by property of the same classification in the same zoning district (hardship);

**This neighborhood was developed in the 1950's before Commerce City had a "land development code". It therefore is a mixture of properties developed through the years of different stages of that code. For various reasons this property went undeveloped from the time the owner bought TWO nearly 1 acre lots in 1951 and built a walk out basement into a slope (so it is 3' tall viewed from the street) and put a flat roof on it as a primary residence on one of the lots along with a concrete block garage with a nice brick facade behind the residence. The garage was converted to living quarters for the owners' son (so I was told by a longtime neighbor) in the 1980s about the time Commerce City began restricting development through permitting.**

**Although zoned for two residences on one property (and there are quite a few duplexes in this neighborhood) attempts by previous owners to develop this property failed. Laurel LaFramboise attempted a PUD in 2017 but gave up when a PRELIMINARY drainage survey would cost \$10,000. The Attensio's who bought the property from the original owner's estate in 2000 spent \$60,000 to develop the property into several duplex lots in 2006 and was denied by the City. In between the Attensio's and the LaFramboise a church group tried and failed to develop it.**

**This property is therefore an “eyesore” with its 3’ high main house and a huge empty lot that developers have passed over due to this history.**

(ii) The hardship is not self-imposed;

**The City has deemed the property is worth over a half million dollars (and is taxing it as such). The current owner, who bought the property from his parents in 2020 (they had bought it in 2015 for the same price the Attensio’s had bought it in 2000—\$150,000), has seen taxes tripled in the last 6 years. He makes \$23/hour as a solar energy tech and relies on the income from renting out the main house (\$1200/mo) and living in the “garage” house to meet the tax burden. We were THRILLED when the City finally adopted ADU standards and were extremely frustrated when we had to file for a variance because Colin couldn’t afford to build on the main house first. He would not only lose the rental income but could not legally live in the garage house to get a permit to build on the main house. All because the garage house is a few feet higher than the capped over basement main house.**

(iii) The variance will not be of substantial detriment to adjacent property; **If the variance is approved not only will the property physically be unchanged (the interior remodeling of the garage into an ADU will not change the look of the property) but it will also remove the City’s current objection to development of this property (the illegal dwelling). Colin intends to develop the property as soon as the garage house is legally an ADU, starting with at least a one story addition on the main house that will no longer make the ADU taller than the main residence.**

And (b) One of the following criteria is met:

(i) The variance granted is the minimum needed for the reasonable use of the land, building, or structure; **If this variance is not granted a perfectly livable house must be demolished or turned back into a garage before further development can occur.**

Or (ii) The character of the district will not be changed by the granting of the Variance. **As previously stated, bringing the existing illegal dwelling up to code to become a legal ADU will be an internal renovation and won’t change the external aspect of the property.**