



MOUNTAIN ARCHITECTURE
DESIGN GROUP

719.B.2.b Narrative for Variance, Major Variance

2) Variance Request: CDC 221 Zone District: CK-2, Side Setback

August 25, 2025

Property Information:

Owners: Oak Street Partners, LLC
PO Box 775457, Steamboat Springs, CO
135 11th Street
Development Unit River House Condominium
Steamboat Springs, Routt County, Colorado
PIN: 286700004
Zone District: CK-2

Project Description / Request:

The Development Plan application is for the relocation and adaptive re-use of a historic structure to the subject site. The proposed use of the structure is a restaurant / tavern (speak easy) on the main level, and a cigar lounge on the basement level. The variance request is to locate the historic structure within the zone district's 10'-0" side principal building setback on the northwest corner of the lot. The plan proposes a 5'-0" side setback in the Northwest corner of the site, encroaching into the setback by 5'-0"; see graphic on attached Exhibit 1 Site Plan. The area of the structure encroaching into the setback is predominantly an open porch, and a bump out in the historic living room. Both elements which encroach have lower roof forms, minimizing the visual impact of the encroachment.

Significant effort and studies were done to minimize the setback encroachments given the footprint of the historic structure paired with constraints of the property. The proposed footprint location provides the least impact to the site. Variance criteria response by the applicant to Community Development Code criteria below.

719.D Criteria for Approval

1. *The Variance will not injure or adversely impact legal conforming uses of adjacent property, or the applicant has accurately assessed the impacts of the proposed Variance and has agreed to mitigate those impacts.*

The requested variance to reduce the side setback from 10 feet to 5 feet is a result of the shape of the historic structure, and applies predominantly to the porch, with a portion of a living room 'bump out' also encroaching. This encroachment preserves the great majority of the mass of the primary structure outside of the setback area, while allowing for a historically accurate and architecturally appropriate front porch that enhances the building's streetscape presence and complies with the design guidelines of the CK zone district. The porch is open and visually minimal with slim framing members, maintaining the intent of the side setback by preserving light, air, and visual relief between properties. The living room bump out is a smaller mass attached to the living

room. Its roof is hipped and located lower than the primary roof form and walls are comprised mostly of windows, supporting the intent of light and visual relief at the side setback.

Importantly, a front porch is a required design element in this zone district to promote pedestrian engagement and architectural rhythm. The historic porch satisfies this zoning requirement while also maintaining the character and integrity of the preserved structure.

The encroachment has been carefully considered and does not negatively impact adjacent conforming uses. Instead, it reinforces the pedestrian-oriented goals of the district and contributes to the cohesive, human-scale development pattern envisioned in the transitional zone. The impact of light is mitigated by the transparent nature of the elements encroaching. The impact of proximity to the adjacent lot is minimized by the scale of the elements encroaching – the primary mass of the structure is located within the 10'-0" side setback. Many historic structures in the old town area were constructed prior to zoning requirements. This historic structure is consistent with the rhythm of the neighborhood.

2. *The Variance is compatible with the preferred direction and policies outlined in the Community Plan and other applicable adopted plans.*

Chapter 11 of the Community Plan addresses the community's Historic Preservation vision and notes success of preservation due to voluntary, incentive-based approach to preservation and partnerships among the public and private sectors to preserve our strong sense of history and character, specifically in Old Town. This is precisely the case in preserving the Marshall House which would otherwise be demolished and remembered solely through a few photographs; a strong incentive to approve the side setback encroachment.

Goal HP-2: The Marshall House is planned to be available for historic tours outside of evening business hours to promote education, awareness, and outreach.

Goal HP-4: The subject site is located within the identified Area of Commercial Historic Interest and a prime candidate for furthering the efforts of the Community Plan's Historic Preservation goals.

Section 112.A.1 & 112.A.2 of the Community Development Code addresses the purpose of Steamboat Springs Register of Historic Places. The relocation of this historic resource to the subject site promotes this purpose to '1. Preserve, protect, enhance, and perpetuate the exteriors of historic buildings, structures, ... that reflect outstanding elements of the City's cultural, artistic, social, economic, political, architectural, historic, or other heritage'; and '2. Stabilize or improve aesthetic and economic vitality and values of Historic Resources....'.

Preservation of our local historic resources has been prioritized in recent community surveys and by City Council. A variance to the property's side building setback is minimized in light of preserving a historic resource in downtown Steamboat Springs for generations to experience, learn from, and enjoy.

3. *The Variance application meets either the criteria for unnecessary hardship or practical difficulty, as applicable, or the criteria for an acceptable alternative:*
 - a. *Unnecessary Hardship or Practical Difficulty*

- i. Major Variance The special circumstances of the subject property make the strict application of the standard an unnecessary hardship to the applicant, and the special circumstances are not the result of actions of the property owner or applicant.*

The request to reduce the side setback from 10 feet to 5 feet for the porch and living room bump out of the relocated historic structure meets the criteria for unnecessary hardship. The special circumstances of the subject property—including steep topography, proximity to Soda Creek, and the presence of wetlands and a floodplain at the rear—significantly limit the buildable area on site. These environmental and physical constraints are not the result of actions by the applicant and prevent placement of the structure in strict conformance with all setback requirements. The applicant and design team have studied numerous alternatives and find the proposed orientation to have the least overall impact.

Additionally, the historic structure has a fixed footprint and architectural features, including the front porch, which are integral to its historic character and must be preserved as part of the city’s broader historic preservation goals. The porch & bump out encroachment affects only a portion of the structure and is necessary to retain the architectural integrity of the building while meeting other regulatory requirements such as avoiding disturbance to natural features at the rear of the site.

Strict application of the side setback standard would require altering or removing historically architectural elements, undermining the preservation objective and architectural authenticity of the project. Given the narrow developable footprint and the importance of the porch in meeting both zoning design standards and historic preservation goals, the variance represents the least impactful and most appropriate solution under the circumstances.

Note: Local building codes have allowances for structures to be placed within 5’ of a shared property line without fire separation impacts.

b. ~~Acceptable Alternative~~

The proposed development provides at least one of the following acceptable alternatives to the standard:

- i. ~~The alternative achieves a result that is equal to or better than the code standard to which a variance is being sought; or~~*
- ii. ~~The purpose and intent of the code standard will not be achieved by strict application of the standard in the particular circumstance; or~~*
- iii. ~~The application of other code standards, purposes, or intents will be improved by varying the standard.~~*

End of narrative.