



## City of Florence

600 W. 3<sup>rd</sup> Street  
Florence, Colorado 81226  
(719) 784-4848  
[cityofflorence@florencecolorado.org](mailto:cityofflorence@florencecolorado.org)  
[www.cityofflorenceco.gov](http://www.cityofflorenceco.gov)

Members:  
Bliss Eckland  
Kirk Nelson  
Terri Norton

CITY OF FLORENCE  
BOARD OF ZONING ADJUSTMENT MEETING  
FLORENCE MUNICIPAL CENTER, CITY HALL CHAMBERS  
*Wednesday, April 1, 2026, at 5:00 p.m.*

### AGENDA

- I. Call to Order
- II. Roll Call
- III. Approval of Minutes of June 4, 2025, Meeting
- IV. Old Business:
- V. New Business:
  - a) **Public Hearing** – BOZA 26-001 – Stephen Cowan  
Request for a variance to allow construction of a carport
- VI. Upcoming Agenda Items – Variance request – sidewalks, curb and gutter
- VII. Next Meeting Date and Time: May 6, 2026, at 5:00 p.m.
- VIII. Adjourn



# City of Florence

600 W. 3<sup>rd</sup> Street  
Florence, Colorado 81226  
(719) 784-4848  
cityofflorence@florencecolorado.org  
www.cityofflorenceco.gov

## BOARD OF ZONING ADJUSTMENTS MEETING MINUTES

Wednesday, June 4, 2025, AT 5:00 P.M.

| Commissioners                         | Present | Absent |
|---------------------------------------|---------|--------|
| Board Member Norton                   |         | X      |
| Board Member Roberts                  | X       |        |
| Board Member Henagar                  | X       |        |
| Board Member Eckland                  | X       |        |
| Board Member Nelson                   | X       |        |
| City Council Representative Mergelman |         | X      |

| Staff Present         | Present | Absent |
|-----------------------|---------|--------|
| Planning Director Fox | X       |        |
| City Manager Nasta    | X       |        |

### I. Call to Order

Vice Chair Roberts called the meeting to order at 5:05 p.m.

### II. Roll Call

Chair Norton absent; all the other members present.

City Council Representative Mergelman absent

### III. Approval of Minutes of the July 3, 2024 meeting

Member Henagar motions to approve the minutes from the July 3, 2024, meeting.

Seconded by Vice Chair Roberts.

Members Eckland and Nelson abstain

**Roll Call: 2 Ayes, 2 abstain**

### IV. New Business

#### a) **Public Hearing – 25-001 – C.A.N. Construction** - Requesting variance from sidewalk requirements.

- Planning Director states C.A.N. Construction is in the process of constructing a single-family home located at 224 Moffatt Avenue and is requesting a variance from sidewalk requirements. The applicant requests a variance from Florence Municipal Code 17.68.025A - *“At the time of erection of a new structure within any district in the City, an adequate sidewalk must be provided at the sole cost of the developer of the parcel.”* The subject property is located in a neighborhood that



## City of Florence

600 W. 3<sup>rd</sup> Street  
Florence, Colorado 81226  
(719) 784-4848  
[cityofflorence@florencecolorado.org](mailto:cityofflorence@florencecolorado.org)  
[www.cityofflorenceco.gov](http://www.cityofflorenceco.gov)

currently lacks sidewalks, curbs, gutters, and paved streets, with no plans for such infrastructure improvements in the future. Given that the neighborhood currently lacks sidewalks, the installation of new sidewalks would present significant challenges due to both engineering constraints and substantial associated costs. The timeline listed in the staff report was followed in advance of this meeting regarding notification requirements.

- Vice Chair Roberts inquires if there will be new construction on either side of the new home that C.A.N construction is building.
- Planning Director states that there are existing homes on either side and across the street.
- Vice Chair Roberts opens the public hearing.
- *No comments from the public.*
- Vice Chair Roberts closes the public hearing.

Member Henagar make the motion that based on the requirements delineated in Florence Municipal Code Chapter 17.88.080 A-F, Board of Adjustment, Policy Determinations, the applicant, C.A.N. Construction, shall be granted a variance from Florence Municipal Code Chapter 17.68.025 – Sidewalk Requirements.

Seconded by Member Eckland.

**Roll Call: 4 Ayes, Motion passed.**

By: \_\_\_\_\_  
Board of Zoning Adjustment Chair

Date: \_\_\_\_\_

**BOARD OF ZONING ADJUSTMENT**  
**MEETING DATE: APRIL 1, 2026**  
**STAFF REPORT**

---

**Agenda Item:**           **Public Hearing** – BOZA 26-001 / Stephen Cowan  
Request - variance to construct a carport

**Department:**           Planning

---

**Project Description:**

Mr. Cowan, owner of the property located at 118 Sunnyside Street, has submitted a variance request to allow construction of a carport on the property. The parcel is zoned R-1 (Low-Density Residential) and is currently developed with a single-family residence with an attached garage. The applicant proposes locating the new carport in front of the residence.

**Applicable Code Provisions:**

Pursuant to Florence Municipal Code, the proposed carport does not comply with the following standards:

- Accessory Building and Structures – Florence Municipal Code 17.68.015 (5) A and D
  - Prefabricated metal carports are permitted on single-family residential lots only when the following conditions are met:
    - A) The property contains a single-family residence that does not have an attached or detached garage, carport, carriage house or similar parking structure.
    - D) The carport must be located behind the principal structure or residence and outside of all required setbacks.

**Staff Comments:**

- The applicant is requesting a variance from Florence Municipal Code Section 17.68.015(5) A and D.
- The subject property currently contains an attached garage.
- The proposed carport would be located in front of the principal structure within the required front yard setback. Construction of any structure within the required 25-foot front yard setback is not allowed.
- The applicant states that expanding the existing garage is not feasible due to its close proximity to the southern property line, as well as the need for significant electrical and foundation modifications. The applicant also indicates that locating a carport to the north or east of the residence would present additional challenges, including unstable soil conditions that may result in ground settling.

Under Florence Municipal Code 17.88.080, the Board of Adjustment may approve a variance only upon finding that the criteria listed below, if applicable, have been satisfied.

A. Unique Property Conditions

The property has special physical characteristics (such as unusual shape, narrowness, shallowness, or steep topography) that do not apply to most properties.

B. Not Common in the Area

These conditions are specific to the property and are not typical of the surrounding neighborhood or district.

C. Practical Difficulty

Because of these conditions, the property cannot reasonably be developed in compliance with the requirements of the Municipal Code.

D. Not Self-Created

The hardship is not the result of actions taken by the applicant.

E. Neighborhood Compatibility

Granting the variance will not change the overall character of the neighborhood or negatively impact nearby properties.

F. Minimum Necessary Relief

The variance requested is the smallest adjustment needed to address the hardship.

The timeline below was followed in advance of this meeting regarding notification requirements:

- March 11, 2026: Notification letters were sent to property owners within 300 feet of the subject property.
- March 14, 2026: Public Notice of the Public Hearing was published in the *Cañon City Daily Record*.
- March 16, 2026: Property posted with a Public Hearing Notice sign.

**Attachments included:**

- BOZA Application
- Maps
- Pictures

**Suggested Motion:**

Based on the requirements delineated in Florence Municipal Code Chapter 17.88.080 A-F, Board of Adjustment, Policy Determinations, the applicant, Stephen Cowan, shall / shall not be granted a variance from Florence Municipal Code 17.68.015(5) (A) and (D). – Accessory Building and Structures.

**CITY OF FLORENCE, COLORADO**  
**ZONING VARIANCE APPLICATION**  
(In accordance with Florence Municipal Code Section 17.88)

Has a pre-submittal conference been held with the City of Florence regarding this application? If not, please contact the City of Florence Planning Office at 719-784-4848 Ext. 7 to schedule a pre-submittal conference before proceeding with this application.

1. Date of Application: 2, 23, 2026
2. Application Fee Required with Application: \$125.00
3. Street address of property:  
118 Sunnyside St  
Florence, Colorado 81226
4. Name, Address and Telephone Number of Property Owner(s):  
Stephen L. Cowan [REDACTED]  
Mari L. Cluster [REDACTED]
5. Name, Address and Telephone Number of any Representative:  
NONE
6. Current zoning of the property? Residential
7. What is the current use of the property?  
☒ Residential ☐ Commercial ☐ Vacant  
Describe: Main Home
8. Describe the proposed use of the property? Residential living



9. List the requested variance(s) from the City's regulations, and describe why the requested variance is the best solution:

Difficulty and expense of enlarging the garage is not feasible it too close to the property line, going back would require extensive electrical and foundation work. A Variance Carport allows us to get our vehicles out of the weather and into protected structure without building into easements or Property lines. This creates the best solution.

10. Provide a statement of justification for the variance request in direct response to the following:

- a) That there are unique physical circumstances or conditions, such as irregular shape, narrowness or shallowness of the lot, or exceptional topographical or other physical conditions peculiar to the affected property:
- b) That the unusual circumstances or conditions do not exist throughout the neighborhood or district in which the property is located:
- c) That, because of such physical circumstances or conditions, the property cannot reasonably be developed in conformity with the provisions of the regulations:
- d) That these hardships have not been created by the applicant and/or property owner:

- e) That the variance, if granted will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of the adjacent property: *NO*

- f) That the variance, if granted, is the minimum variance that will afford relief, and is the least modification possible of the provision of the zoning regulation which is in question:

11. Provide a time schedule for construction or occupancy.

*To be determined upon approval of Variance.  
Hoping to be Completed by April or May 2026.*

12. Further explanations and additional pertinent information can be attached if needed.

*The Current Garage is incapable of providing enough space for Vehicles and my Suburban does Not Fit. The cost to add on to existing Garage would be Cost prohibitive. Also I have found other properties that have both Garage and Carport.*

13. Include the following with the application:
- A copy of the deed showing ownership of the property.
  - A site plan of the property, access points and a floor plan for any structures.
- Maximum sheet size of any attachment is limited to 11x17".  
If color printing, larger sheet size, or special handling is required, the applicant must provide two copies of the application materials.

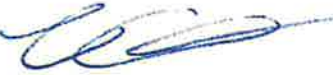
The site plan must include the following information:

- A. Date, sheet title (Name-Variance Request for (address), scale & north arrow.
- B. Property address.
- C. A vicinity map to locate the development in relation to surrounding area, streets, etc.
- D. Property boundaries and adjacent street / alley /sidewalks.
- E. Dimensions of property boundaries.
- F. Existing and proposed man-made features, including buildings, fences, landscaping, parking, screening, dumpsters, signs, driveways, and dimensions of each, and dimensions to the property boundaries. Be sure to include individual parking space dimensions.
- G. Location and size of all drainage-ways or other natural features, which would affect or would have an effect on property that is subject of the variance request.
- H. Location and dimensions of all easements on the property.

By signing this application, you are agreeing to the following:

1. Certifying that the above information is true and correct to the best of your knowledge and belief.
2. Acknowledging that you understand that if any information is untrue or inaccurate this application may be rendered void.
3. Agreeing to all requirements of the City of Florence zoning and code requirements.
4. Agreeing to reimburse the City of Florence for the costs mailings, sign preparation, legal review, and professional reviews, if required.
5. Authorizing City staff to inspect the property for compliance with applicable codes and ordinances.
6. To provide additional information as may be required by the Board of Zoning Adjustments.

Property owner(s) signature and date:

 2-23-2026  
 2-23-2026

Representatives (if any) signature and date:

\_\_\_\_\_

Please remit application fee to the City of Florence. This application will not be processed until the application fee is paid, all questions are answered and all attachments are included. The City staff, or Board of Zoning Adjustments, may require additional information as deemed necessary. Once this application is deemed to be complete and fees have been paid, you will be notified of the initial meeting or public hearing on this application, and your responsibility for posting a public hearing notice on the property.





118 Sunnyside Street



E MAIN ST  
STATE HWY 115





118 Sunnyside Street

E 2ND ST

SUNNYSIDE ST

Front Yard/Property Line

Proposed Carport





