

# Project Statement – Non-Use Variance Application

File #: NVAR-25-0004

**Address:** 2826 Beacon Street, Colorado Springs, CO

**Schedule #:** 6331311001

**Zoning District:** R-2

**Applicant:** StreamHome Construction

**Owner:** Caleb Kowalski

**Note:** This non-use variance application is seeking a variance to allow one future subdivided lot at this property to have a total area of less than 5,000 sq ft lot, and is not a subdivision/plat application itself. If/when this non-use variance application is approved, the subdivision/replat application will follow.

## 1. Clear Description of the Proposed Development

The applicant proposes to subdivide an existing 9,375 square foot R-2 zoned parcel located at 2826 Beacon Street into two single-family home lots (see variance site plan for details):

- Lot A: 5,000 sq ft (meets R-2 minimum lot size)
- Lot B: 4,375 sq ft (requires a non-use variance)

There are existing structures on site. One of these structures falls within the boundaries of the proposed second lot ("Proposed Lot B" in the site plan document) and will be removed/relocated as part of this development process.

The proposed (future, once lot size non-use variance is approved) subdivision enables the construction of two detached single-family homes that are compatible with the neighborhood's existing character.

*Image: Subject property highlighted within local plat map. The six blocks shown make up the "Study Area" for purposes of this application. The 6 reference numbers match the properties reference in Section 2 of this document.*



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## 2. Justification Based on Review Criteria

### Extraordinary or Exceptional Condition

- The subject parcel is a corner lot, a condition that applies to only 31% of lots in the six-block study area. This means the majority (69%) of properties do not share this condition, making it non-general and qualifying as an exceptional site attribute.
- The lot was originally platted as 2½ lots, reflecting historical subdivision patterns that support smaller lot configurations.
- At 9,375 sq ft, the parcel is slightly smaller than nearby 10,000 sq ft corner lots, many of which have already been subdivided.
- 6 of 24 corner lots (25% in the study area (study area = 6 blocks as pictured in study area map image above) have been subdivided in a similar configuration, maximizing use of the corner lot, and demonstrating clear neighborhood precedent, with 3 of the 6 being non-conforming with current dimensional standards (reference numbers below match study area map image reference numbers above ; the subject property is highlighted green).
  - 1) 217 Taylor St was subdivided from lots 1,2,3 Blk 22 of Roswell ADD 1, and is 4,500 sq ft (legal, non-conforming)
  - 2) 215 W Taylor St was subdivided from lots 1,2 Blk A Northmoor, and is 5,000 sq ft (legal non-conforming in R1-6 zone district)
  - 3) 214 W Polk St was subdivided from Lots 6,7 Blk A Northmoor, and is 5,000 sq ft (legal non-conforming in R1-6 zone district)
  - 4) 415 W Polk St was subdivided from Lots 1,2 Blk 6 Roswell, and is 5,000 sq ft (legal, conforming in R-2 zone district)
  - 5) 410 W Polk St was subdivided from Lots 12 to 14 Blk 2 Roswell Add 1 and is 5,625 sq ft (legal, conforming)
  - 6) 316 W Polk St was subdivided from lots 15 to 18 Blk 12 Roswell Add 1 and is 5,000 sq ft (legal, conforming)
- The site's dual frontage and shape provide opportunities for infill that are not typical to interior R-2 lots.

### Deprivation of Reasonable Use

- An Accessory Dwelling Unit (ADU) is permitted by right but comes with limitations: it must remain rental-only, has strict size caps, and cannot be sold separately.
- A subdivision would allow development of two modest homes, both capable of supporting ownership and offering greater flexibility for family use or aging in place.
- The ability to create a 3+ bedroom home on the subdivided lot adds value and meets unmet housing needs in the immediate neighborhood.
- Many nearby lots have achieved similar subdivisions, particularly within the six-block study area surrounding the subject property. Of the 24 corner lots in this area, 6 (25%)

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have already been subdivided, following a pattern of splitting larger parcels into two smaller, single-family lots. In half of those cases (217 Taylor St, 215 W Taylor St, and 214 W Polk St), at least one of the two resulting lots is below the current dimensional standards, making these lots legal and non-conforming, demonstrating that this form of development is both common and contextually accepted.

- Strict enforcement of the 5,000 sq ft minimum in this case would uniquely deprive the applicant of the opportunity to pursue a development pattern that is visibly present and well-integrated into the neighborhood fabric. This proposal mirrors that precedent, providing two modest homes—rather than one large house plus an ADU—and contributes meaningfully to the City's goals of increasing housing access, promoting infill, and supporting incremental neighborhood evolution.

## No Adverse Impact

- The project will result in two detached single-family homes, which is no denser in unit count than an SFR + ADU configuration.
- The proposal directly supports the City's planning goals for promoting homeownership opportunities as a component of stable, healthy neighborhoods as referenced in the Unified Development Code and Comprehensive Plan.
- The development will conform with applicable setback, height, and lot coverage standards.
- There is no anticipated impact to public infrastructure, traffic, or drainage.
- The proposal supports the City's goals for infill housing, walkability, homeownership, and affordability.
- No known opposition has been expressed, and the project is expected to blend seamlessly into the built environment.

## Variance Request Summary

The applicant respectfully requests approval of a non-use variance to allow a future proposed lot to be slightly below the R-2 minimum lot size. This request is based on clear evidence of:

- A **non-general, extraordinary condition** due to corner lot geometry and historical platting;
- A demonstrated **lack of reasonable use** under strict application of the code, especially considering ADU limitations and the community need for flexible, ownership-oriented housing;
- **No adverse impact** to the public or adjacent properties, with full compliance to all applicable site design standards.

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This is a modest, well-supported request that reflects existing development patterns, aligns with neighborhood context, and fulfills the spirit and intent of Colorado Springs' zoning and housing policy goals.