

**RESOLUTION NO. 14  
SERIES 2003**

**A RESOLUTION APPROVING AN AMENDED FINAL PUD DEVELOPMENT  
PLAN FOR LOTS #1, #12-18 AND #54-102, THE MEADOWS AT COAL CREEK  
PLANNED UNIT DEVELOPMENT PLAN (PUD) TO PERMIT THE LOCATION  
OF DECKS WITH ARBOR COVERINGS TO ENCROACH INTO THE REAR  
YARD SETBACK AREA UP TO 10 FEET, RESULTING IN A  
15-FOOT REAR YARD SETBACK**

**WHEREAS**, there has been submitted to the Louisville City Council, a request for approval of an amended final PUD development plan for a PUD amendment that would permit covered or non-covered decks and arbors, on Lots #1, #12-18, and #54-102 of the Meadows at Coal Creek Subdivision to encroach into the rear yard setback ten (10) feet (equaling a new fifteen (15) foot rear yard setback); and,

**WHEREAS**, all materials related to the amended final PUD development plan have been reviewed by City Staff and the Planning Commission and found, with conditions, to generally be in compliance with the spirit and intent of the City's zoning ordinance, including the provisions of the Meadows at Coal Creek Subdivision Planned Unit Development (PUD) Plan; and,

**WHEREAS**, after a duly noticed public hearing, where evidence and testimony were entered into the record, including the findings in the Louisville Planning Commission Staff Report of April 8, 2003, the Planning Commission recommended approval to the City Council; and,

**WHEREAS**, City Council has reviewed the application, including the requested exceptions to the Meadows at Coal Creek Planned Unit Development Plan (PUD) and finds those requests to be justified as documented in the public record for the April 8, 2003 Planning Commission public hearing; and further finds that said final PUD development plan should be approved, with the following conditions:

1. *Per Planning Commission Resolution #6, Series 2003, the rear yard setback change is for the construction of arbors and decks only and not any other type of construction.*
2. *An arbor is defined as, "An open structure consisting of posts and a roof for the protection from sunlight over patios and decks."*
3. *The existing PUD rear yard setback established a rear yard setback of 25 feet for all structures. The new rear yard setback shall permit the location of decks and arbors within the rear yard only with the following regulations:*
  - A. *The setback requirement for these arbors shall be setback a minimum of fifteen (15) feet from the rear property line;*

- B. *The maximum height of said structure shall be no higher than twelve (12) feet higher than the arbor floor;*
  - C. *The patio or deck floor covered by arbors are not to be higher than the first floor of the house;*
  - D. *No decks or arbors shall be covered with any "all-weather" materials or coverings;*
  - E. *The portion of the arbor within the modified setback area shall not exceed 180 square feet. The portions of arbors inside the standard setback restriction are not considered as part of this 180 square foot allowance;*
4. *The arbor must be of an open design and include the following items:*
- A. *No closed sides. No materials except for the support post structure allowed.*
  - B. *No closed roofs. The minimum rafter separation must be no less than 8" and no roofing material can be used including plastic coverings, shingles or corrugated roof panels.*
  - C. *Minimum post separation is six (6) feet. This is required to maintain the openness of the structure.*
  - D. *The exposed joint ends must be trimmed with a decorative cut.*
5. *The Meadows @ Coal Creek Planned Unit Development (PUD) Plan Mylar pages shall be corrected to include these new PUD notes.*

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of Louisville, Colorado does hereby approve an amended final PUD development plan for Lots #1, #12-18, and #54-102, of the Meadows at Coal Creek Planned Unit Development (PUD) Plan, subject to the above conditions.

**PASSED AND ADOPTED** this 20<sup>th</sup> day of May, 2003.



*Nancy Varra*  
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 Nancy Varra, City Clerk  
 City of Louisville, Colorado

By: *Tom Davidson*  
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 Tom Davidson, Mayor  
 City of Louisville, Colorado