



Meeting Date: March 19, 2026

### **AGENDA MEMORANDUM**

**To:** Board of Adjustment

**From:** Tammy King  
Zoning Manager

**Title:** Request for Approval of Variance from the Minimum Rear Yard Setback Zoned R-2 (SINGLE-FAMILY & DUPLEX RESIDENTIAL)

**Subject Property:** 607 Sixth Street

---

#### **Summary**

The purpose of this staff memorandum is to seek action by the Board of Adjustment on a request by Luke and Elissa Peach for variance from the minimum required 25' rear setbacks for an addition on a single-family property in the R-2 Zone (Single Family & Duplex Residential). The subject property is addressed as 607 6<sup>th</sup> Street, also known as LOT 5A BLOCK 2 CRAIG & GOULDS ADD TO CASTLE ROCK 19TH AMD.

The applicant has submitted a site plan which will require a 11' 2 ¼" rear variance from the required 25' rear setback.

#### **Discussion**

- The existing home was built in 1939
- Existing home is 1320sf with 960sf finished basement
- The existing home is 13' 9 3/4" from the rear property line.
- The addition will be in line with the existing rear setback of the home.
- If Approved by the Board of Adjustment (BOA), owner will also need approval from the Historic Preservation Board (HPB) for final approval.
- The Peach family also owns the property to the east and the most affected property.
- No opposition.
- The required setback:

Minimum Setbacks:

Front: 25'

Rear: 25'

Accessory Rear: 10'

Side: 5'

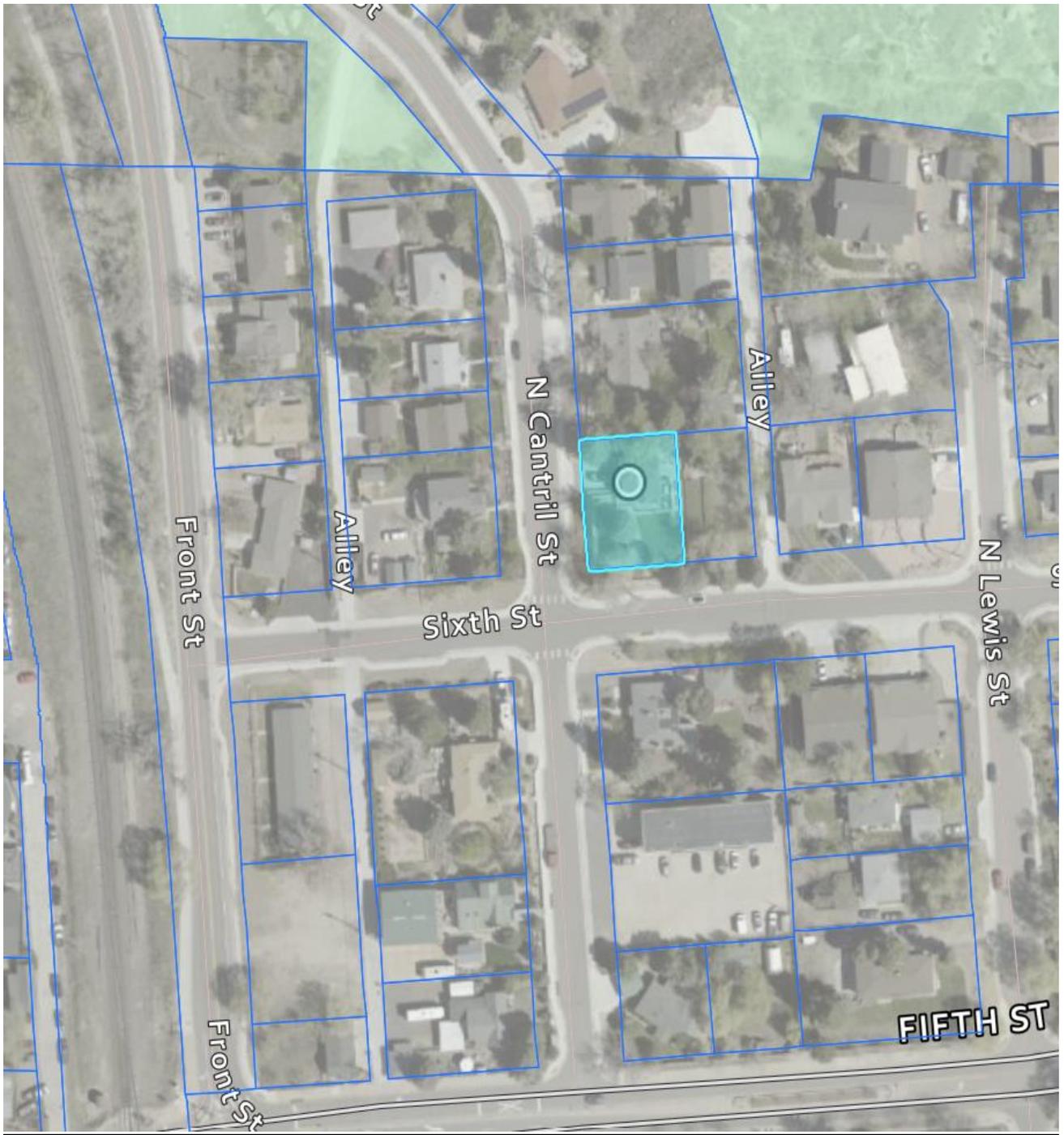
Accessory Side: 2' (in rear 1/3)

Accessory Side: 5' (not in rear 1/3)

Street: 20'

Height: 35'

**Vicinity Map:**





**Existing Residence:**



**Town of Castle Rock Municipal Code 17.06.020 Powers and Duties**

B. Variances

1. Following proper notice; the Board shall hear and decide an appeal on specific cases for a variance to the following: *Minimum front and rear yard.*
2. In making its decision on a variance application, the Board shall consider the following and find:
  - a. The strict enforcement of the provisions of this Code will result in practical difficulties or unnecessary hardship to the applicant, inconsistent with the intent and purpose of this Code;
  - b. The practical difficulties or unnecessary hardship were not created by the applicant;
  - c. Unique physical conditions or exceptional topography exist on the subject property and similar unique conditions do not exist on neighboring properties;
  - d. The property is unable to be reasonably developed in conformity with the provisions of this Code due to unique physical conditions or exceptional topography;

- e. The variance, if granted, will not substantially alter the character of the neighborhood in which the property is located, or impair the use or development on adjacent property; and
  - f. The variance, if granted, will not create an adverse effect on public health, safety and welfare or cause harm to adjacent properties.
3. The Board may impose reasonable conditions on the grant of a variance. In addition, upon approval of a variance, the Board shall determine whether the variance is limited to the condition existing on the property at the time of approval, or whether the variance runs with the land regardless of whether the conditions on the property change.
  4. The decision of the Board shall be final, subject to judicial review.

### **Staff Findings**

- A. The strict enforcement of the provisions of this Code will result in practical difficulties or un-necessary hardship to the applicant, inconsistent with the intent and purpose of this Code:

***Staff finds** that strict enforcement of the Code may result in practical difficulties inconsistent with the intent and purpose of the Code due to the existing grandfathered rear setback.*

- B. The practical difficulties or unnecessary hardship **were not** created by the applicant:

***Staff finds** that the practical difficulties or unnecessary hardship were not created by the applicant, but rather are the result of the existing construction.*

- C. Unique physical conditions or exceptional topography exist on the subject property and similar, unique conditions do not exist on neighboring properties:

***Staff finds** that unique physical conditions exist on the subject property due the grandfathered setback on the existing home. This condition is not specific to this property and are not generally applicable to neighboring properties.*

- D. The property is unable to be reasonably developed in conformity with the provisions of this Code due to unique physical conditions or exceptional topography:

***Staff finds** that, due to the existing grandfathered setbacks. The addition will follow the existing grandfathered setback.*

- E. The variance, if granted, will not substantially alter the character of the neighborhood in which the property is located, or impair the use or development on adjacent property:

***Staff finds** that the variance, if granted, will not substantially alter the character of the surrounding neighborhood. The proposed addition to the single-family residence will be generally harmonious with other nearby properties, as other such variances have been granted in the Craig & Gould neighborhood.*

- F. The variance, if granted, will not create an adverse effect on public health, safety and welfare, or cause harm to adjacent properties:

***Staff finds** that the variance, if granted, will not create an adverse effect on public health, safety, or welfare, nor cause harm to adjacent properties, provided that all new construction complies with current building and safety code requirements.*

## **Staff Recommendation**

Staff recommends APPROVAL due to:

- The existing home was built in 1939
- Existing home is 1320sf with 960sf finished basement
- The existing home is 13' 9 3/4" from the rear property line.
- The addition will be in line with the existing rear setback of the home.
- The Peach family also owns the property to the east and the most affected property.
- No opposition

If Approved by the Board of Adjustment (BOA), owner will also need approval from the Historic Preservation Board (HPB) for final approval

## **Motion Options**

**In accordance with criteria as stated in the Town of Castle Rock Municipal Code Section 17.06.020 BOARD OF ADJUSTMENT:**

Option 1

**I MOVE THAT THE BOARD OF ADJUSTMENT APPROVE** Luke and Elissa Peach's request for approval of a variance from the minimum required rear setback to construct an addition on an existing single-family home, as shown in the attached plot plan in the R-2 zone; based upon the required hardship has been demonstrated.

Option 2

**I MOVE THAT THE BOARD OF ADJUSTMENT DENY** Luke and Elissa Peach's request for approval of a variance from the minimum required rear setback to construct an addition on a single-family home, as shown in the attached plot plan, in the R-2 zone based on the required hardship has not been demonstrated.

Option 3

**I MOVE THAT THE BOARD OF ADJUSTMENT CONTINUE THE PUBLIC HEARING TO THE NEXT REGULAR MEETING ON April 2, 2026.**

## **Attachments:**

Attachment A: BOA Application Packet