

CITY AND COUNTY OF DENVER
BOARD OF ADJUSTMENT FOR ZONING APPEALS

The proposed changes fall into three categories:

1. Additions to the Rules,
2. Revisions of minor substance,
3. Non-substantial changes in language.

Additions to the Rules are reproduced in full. Revisions of minor substance are reproduced in full with descriptions of the changes. Non-substantial changes in language list the descriptions of the changes.

1. Additions to the Rules

BEFORE ARTICLE I, PARA. 1:

These rules are adopted and issued by the Board of Adjustment for Zoning of the City and County of Denver in accordance with the Denver Zoning Code, Section 12.2.6.4.

ARTICLE II, PARA. 8:

8. During a period of emergency declared by the Mayor or City officials, Board members may be provided alternative methods of participating in the meeting, including but not limited to, by telephone, electronically, or by other means of communication.

ARTICLE V, PARA. 11:

11. During a period of emergency declared by the Mayor or City officials, landowners, applicants, and interested members of the public may be provided alternative methods of participating in the meeting including but not limited to, by telephone, electronically, or by other means of communication

2. Revisions of Minor Substance

ARTICLE 1, PARA. 1: - Changed elections to first date following new Board member terms rather than last date available before new Board member terms.

1. There shall be a Chair and a Vice-Chair elected by the Board each year at the first meeting following February 11, or at a meeting as close to that date as practicable.

ARTICLE VI, PARA. 1: - Changed Reconsideration Request period to 20 days from 30 days. Clarified that Reconsideration Requests do not extend appeal timelines.

1. No case heard by the Board can be considered again except upon a Request for Reconsideration filed with the Board within twenty (20) days of the final decision upon the proper form supplied by the Board's staff which will set forth:

- (a) That new evidence has been discovered which could not have been presented at the original hearing;
- (b) The reasons the evidence could not have been presented at the time of the hearing; and

(c) The new evidence or an offer of proof of new testimony.

The filing of a Request for Reconsideration does not stay or extend the time to file an appeal from a Board decision.

3. Non-substantial Changes in Language

ARTICLE III, PARA. 1, 2, 3, 6, 7, & 8: - Clean up wording to use consistent language throughout. Clean up language on paying filing fees. Change use of numerical to roman numeral. Remove language specifying how to number cases.

ARTICLE IV, PARA. 2: - Updated DRMC Code Section

ARTICLE IV, Para. 7: - Changed font to Italic

ARTICLE V, PARA. 5: - Added words 'of the' following 'solely'

ARTICLE VI, PARA. 2: - Removed 'of modify the original decision'. Modifications are addressed separately, below.