PREMISES AFFECTED: 1260 South Fillmore Street
LEGAL DESCRIPTION: Lots 15 and 16, Block 6, Alta Vista
APPELLANT(S): Heidi and Jeff Martin, 1260 South Fillmore Street, Denver, CO, 80210

APPEARANCES:
APPELLANT: Heidi and Sarah Martin, 1260 South Fillmore Street, Denver, CO 80210
Ari Laraz, 2618 Dahlia Street, Denver, CO 80207
Letter of Support (Cory Merrill Neighborhood Association)
Petition of Support (2 Signatures)

FOR THE CITY: Josh Roberts, Assistant City Attorney
Ron Jones, Zoning Representative
Anastasiia Clark, Neighborhood Inspection Services

SUBJECT: Appeal of an order to discontinue maintaining a retaining wall along the south side of the primary structure resulting in a change in grade up to 3 feet 6 inches within the south side interior setback (regrading of side interior setback area not permitted), inconsistent with the approved plans, and for two AC units encroaching 1 foot 2 inches into the 5 foot south side interior setback, built without permits, in an E-SU-DX zone

ACTION OF THE BOARD:
The order is found to be valid. However, THE VARIANCE IS GRANTED to allow the retaining wall resulting in a change in grade up to 3 feet 6 inches within the side setback, and the two AC units to remain as built, according to the testimony at the hearing, with the condition that the Appellants install a walkable cover over any portion of the recessed grade located within the side setback, and with the condition that the Appellants apply for any and all required Denver permits within 30 days, or by January 16, 2020. The Board acknowledges that it has received the required Co-Owner Power of Attorney form from Jeff Martin to Heidi Martin, who appeared at the hearing. Questions about any required permitting may be addressed to Ron Jones, Zoning Representative, at 720-865-2977.

THIS ACTION BY THE BOARD OF ADJUSTMENT IS NOT A ZONING OR BUILDING PERMIT. YOU SHOULD CONTACT/RECONTACT THE ZONING AND BUILDING DEPARTMENTS BEFORE BEGINNING CONSTRUCTION, TO DETERMINE WHETHER ADDITIONAL LAWS OR REGULATIONS APPLY TO YOUR PROJECT AND TO OBTAIN THE NECESSARY PERMITS.

NOTE!! THIS VARIANCE WILL EXPIRE: UNLESS PERMITS ARE OBTAINED AND CONSTRUCTION IS STARTED WITHIN THREE (3) YEARS, AND COMPLETED WITHIN FIVE (5) YEARS. (FOR EXTENSIONS, SEE SECTION 12.4.7.7.A.1)