Case No.: 47-20

Hearing History:

BOARD OF ADJUSTMENT ZONING APPEALS
CITY AND COUNTY OF DENVER
201 West Colfax Avenue, Department 201
Denver CO, 80202

PREMISES AFFECTED: 3460 East Floyd Drive
LEGAL DESCRIPTION: Lot 11, Block 4, Cherry Hills Heights, Subdivision B, Filing Number 1
APPELLANT(S): Brooke Michaels Medoshch, 3460 East Floyd Drive, Denver, CO, 80210, Filed By: Bill Parker, Bormann Eitemiller Architects, P.C., 132 West 12th Avenue, Denver, CO, 80204
APPEARANCES: Appellant: Brooke Michaels Medoshch and Keith Medoshch, 3460 East Floyd Drive, Denver, CO, 80210
Bill Parker, Bormann Eitemiller Architects, P.C., 132 West 12th Avenue, Denver, CO, 80204
Christopher Faulkner
Letter of Support (Councilwoman Kendra Black, District 4, May 24, 2020)
Letter of Support (Cherry Hills Heights Homeowners Association, May 19, 2020)
Five (5) Letters of Support
FOR THE CITY: Nathan Lucero, Assistant City Attorney
Ron Jones, Zoning Representative

SUBJECT:
Appeal of a denial of a permit to expand an existing suburban house building form resulting in new nonconformities to the existing nonconforming structure (nonconforming structures may be altered or enlarged so long as no existing nonconformity is increased and no new nonconformity is created), encroaching 9 feet 1 3/4 inches into the 44 foot 4 1/4 inch Primary Street block sensitive front setback, with an attached garage located beyond the Primary Street facing facade comprising 65% of the total width of the Primary Structure enclosing the Primary Use, and a garage door width of 24 feet or 40.4% of the entire width of the Primary Street facing facade of the Primary Structure in the front 50% of the lot depth (maximum of 16 feet or 35% width of the Primary Street facing facade in the front 50% of lot depth allowed, whichever is greater), in an S-SU-I zone

ACTION OF THE BOARD:
The denial is found to be proper. However, THE VARIANCE IS GRANTED according to the plans submitted to the Board (Exhibit 6), and the testimony at the hearing. NOTE: The Board-approved plans may be picked up at the Board of Adjustment’s office, 201 West Colfax Avenue, Dept. 201, Denver, CO 80202, 720-913-3050. These approved plans MUST be submitted to the Development Services Log-In counter when applying for final construction permits for this project.

BOARD OF ADJUSTMENT FOR ZONING APPEALS
Penny Elder, Chair

Austin Keithler
Austin E Keithler, Director

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