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

PREMISES AFFECTED: 450 East 52nd Avenue  
LEGAL DESCRIPTION: Lengthy Legal  
APPELLANT(S) DB Smalls, LLC., by Nicholas Earle, Tesla, Inc., 5681 Willow Wood Drive, Morrison, CO, 80465, Filed By: Lule Hoda, 38 Technology Drive, Irvine, CA, 92618

APPEARANCES:  
APPELLANT: Lule Hoda, 38 Technology Drive, Irvine, CA, 92618  
Nicholas Earle, Tesla, Inc., 5681 Willow Wood Drive, Morrison, CO, 80465  
Joel Scott, 5120 Osage Street, Denver, CO, 80221

FOR THE CITY: Martin Plate, Assistant City Attorney  
Ron Jones, Zoning Representative  
Staff Report (Kristen Cowan, Community Planning and Development, July 28, 2020)

SUBJECT:  
Request for Zoning Permit with Special Exception Review to operate/maintain an Automobile Services, Heavy Use; and a denial of a permit to maintain an Automobile Services, Heavy Use, without the required screening/fencing (solid fencing required to conceal any vehicles, equipment, or parts on zone lot and to ensure that occupants of adjacent structure are not unreasonably disturbed, either day or night, by movement of vehicles), in an I-A UO-2 zone. (AS AMENDED 7/15/20)

ACTION OF THE BOARD:  
The request for A ZONING PERMIT WITH SPECIAL EXCEPTION REVIEW (ZPSE) IS GRANTED under Section 12.4.9.3 DZC, to allow the Applicant to operate an Automobile Services, Heavy, Use, according to the plans (Exhibit 6), the testimony at the hearing, with the condition that the Applicant acts in accordance with the conditions outlined in the City Staff Report. The denial is found to be proper. However, THE VARIANCE IS GRANTED to allow the Automobile Services, Heavy Use without the required screening/fencing, according to the plans (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  
James Keavney, 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)