PREMISES AFFECTED: 2740 and 2742 North Clay Street
LEGAL DESCRIPTION: Lot 5, Block 15, Emery's Subdivision of Highlands
APPELLANT(S): Modern Traditions, Inc., by Todd Potestio and Nick Dunaske, 1932 Cherry Street, Denver, CO, 80220

APPEARANCES:
APPELLANT: Nick Dunaske, 1244 South Pennsylvania Street, 80210
Todd Potestio, 1932 Cherry Street, Denver, CO, 80220
Letter of Support (Connor O'Neill, July 26, 2020)

Letter of Opposition (Elina Moyn & Carol Foster, July 27, 2020)

FOR THE CITY: Martin Plate, Assistant City Attorney
Ron, Jones, Zoning Representative

SUBJECT: Appeal of a denial of a permit to erect a duplex with attached garage encroaching 1 foot 4 inches into the 24 foot Primary Street block sensitive setback, exceeding the maximum height by 3 feet 2 inches (30 foot maximum height permitted), and exceeding the maximum building coverage by 95.5 square feet (50% or 1,862.5 square foot maximum building coverage permitted), in a G-MU-3 UO-3 zone

ACTION OF THE BOARD:
The denial is found to be proper. However, THE VARIANCE IS GRANTED IN PART to allow the duplex to encroach 1 foot 4 inches into the 24 foot Primary Street block sensitive setback, according to the testimony at the hearing. The request for Variance is DENIED as to the excess height and excess building coverage violations. Questions about this decision may be addressed to Austin Keithler, 720-913-3050, at the Board's office.

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