Case No.: 7-20

Decision Date: 2/25/2020
Hearing History: Hearing 02/25/2020

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

PREMISES AFFECTED: 955 North Saint Paul Street
LEGAL DESCRIPTION: Lot 6 and the North 2/3 of Lot 7, Chamberlin’s Capitol Heights
APPELLANT(S): Mary Ellen Caiati and Daniel Jacobs, 955 Saint Paul Street, Denver, CO, 80206, Filed By: Maggie Janco, Janco Designs, 1624 South Leyden Street, Denver, CO, 80224

APPEARANCES:
APPELLANT: Mary Ellen Caiati and Daniel Jacobs, 955 Saint Paul Street, Denver, CO, 80206
Maggie Janco, Janco Designs, 1624 South Leyden Street, Denver, CO, 80224
Three (3) Letters of Support

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

SUBJECT:
Appeal of a denial of a permit to expand an existing compliant Urban House building form resulting in new nonconformities to the existing compliant structure (compliant structures may be altered or enlarged if no existing compliant element is increased and no new compliant element or nonconformity is created), encroaching 1 foot 1/2 inch into the 5 foot rear setback, and resulting in total building coverage of 2,185 square feet, exceeding the maximum building coverage by 229.75 square feet (37.5% or 1,955.25 square foot maximum building coverage permitted), in a U-SU-B 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, with the condition that the total building coverage variance is specific to a one story structure. If a property owner decides to convert the structure into a two story structure, the total building coverage must be brought into compliance. This decision will be recorded with the Denver Clerk and Recorder’s Office on the title of the property as required by the Zoning Code. Questions about this decision may be addressed to Austin Keithler, 720-913-3050, at the Board’s office. 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 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