

Written Code Interpretation and Clarification — Maximum Building Footprint and Gross Area of Footprint

DZC Sections Affected: §3.3.4.5.A and similar — Building Footprint (max)
§13.1.5.13.C — Gross Area of Footprint
Issued by: Matthew Seubert for Tina Axelrad, Zoning Administrator
Date of Interpretation: August 31, 2018 (Revised: 6/10/2020)
Authority for Interpretation: Denver Zoning Code, §12.4.6

Interpretation of Undefined Term – “Maximum Building Footprint”

This memo provides a written interpretation of an undefined term in the Denver Zoning Code (DZC) — Maximum Building Footprint, a specific Design Element building form standard applicable to the Detached Accessory Dwelling Unit (DADU), Detached Garage, and Other Detached Accessory Structure building forms. This term, which is abbreviated “Building Footprint (max)” in the specific form tables, is found in the following sections of the DZC: Sections 3.3.4.5.A, 3.3.4.5.B, 3.3.4.5.C, 4.3.4.5.A, 4.3.4.5.B, 4.3.4.5.C, 5.3.4.5.A, 5.3.4.5.B, 5.3.4.5.C, 6.3.4.5.A, 6.3.4.5.B, 6.3.4.5.C, 9.7.4.5.A, and 9.7.4.5.B.

More specifically, this memo provides the following DZC interpretation:

“Maximum Building Footprint” is interpreted to mean and is calculated the same as “gross area of footprint”. DZC §13.1.5.13 provides a Rule of Measurement (ROM) for Building Coverage. This ROM states the building coverage shall be measured as the ‘gross area of (a structure) footprint’ on the zone lot. §13.1.5.13.C provides a list of items to be included in ‘gross area of a footprint’ as well as an illustration in Figure 13.1-70. As Maximum Building Footprint is interpreted to mean “gross area of a footprint,” calculations for Maximum Building Footprint shall follow this ROM, as further clarified below.

Clarification – “Gross Area of Footprint”

As noted above, DZC §13.1.5.13.C includes a Rule of Measurement for ‘Gross Area of Footprint.’ However, the explanation of this ROM includes a circular reference:

The gross area of the actual footprint measured to the exterior faces of the structure and any enclosed projections beyond the footprint of all Primary and/or Accessory: (emphasis added)

- a. *Structure, Completely Enclosed;*
- b. *Structure, Partially Enclosed;*
- c. *Deck, Raised; and*
- d. *Balcony, Exterior.*

The underlined phrase is circular, rendering the ROM unclear and difficult to administer consistently. This phrase in §13.1.5.13.C is hereby clarified to mean:

The gross area of the actual footprint measured to the exterior faces of the structure, plus the gross area of any enclosed projections beyond the exterior faces of such structure, as applied to the following types of Primary and/or Accessory Structures found on the zone lot:

- a. Structure, Completely Enclosed;*
- b. Structure, Partially Enclosed;*
- c. Deck, Raised; and*
- d. Balcony, Exterior.*

This code interpretation is a final decision of the Zoning Administrator and may be appealed to the Denver Zoning Board of Adjustment within 15 days from the date of this interpretation according to DZC, §12.4.8, *Appeal of Administrative Decision*.