

Case No.: 22-2022

Decision Date: 4/26/2022

Hearing History:

Hearing 04/26/2022

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

**PREMISES AFFECTED:** 642 South Fulton Street

**LEGAL DESCRIPTION:** Lot 2, Block 1, Park Forest Filing Number 3

**APPELLANT(S)** Steve & Martha Cearley, 642 South Fulton Street, Denver, CO 80247,

**Filed By:** Sarah Murrow, 6708 West 44th Avenue, Unit B, Wheatridge, CO 80033

**APPEARANCES:**

**APPELLANT:** Steve & Martha Cearley, 642 South Fulton Street, Denver, CO 80247

Rochelle Barber, 9871 East Walsh Place, Denver, CO 80247

Dan Gasser, 632 South Fulton Street, Denver, CO 80247

**OPPOSITION:** Marcia Scott Warner, 711 South Fulton Street, Denver, CO 80247

**INFORMATION:** Leah Older

**FOR THE CITY:** Ron Jones, Zoning Representative

Martin Plate, Senior Assistant City Attorney

**SUBJECT:**

Appeal of a denial of a permit to expand a suburban house with an attached garage addition located 26 feet 2 1/16 inches beyond the Primary Street facing façade comprising 65% of the total width of the Primary Structure enclosing the Primary Use, encroaching 3 feet into the 5 foot west side interior setback, projecting up to approximately 5 feet 5 1/6 inches through the west bulk plane, and with a parking and drive lot coverage of 40.67% (maximum of 33% drive lot coverage permitted within the Primary Street setback), in an S-SU-F zone (AS AMENDED 4/22/22)

**ACTION OF THE BOARD:**

The request for a Variance is DENIED for failure of the Appellants to meet all the conditions required for a Variance under Section 12.4.7.5 and 12.4.7.6 of the Zoning Code. The Appellants have 20 days in which to request a Reconsideration if they believe there is new evidence of hardship which was not or could not have been presented at the hearing, or 28 days to appeal this decision to Denver District Court.

BOARD OF ADJUSTMENT FOR ZONING APPEALS

James Keavney, Chair

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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.**

