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

PREMISES AFFECTED: 3995 North Yates Street  
LEGAL DESCRIPTION: Lots 47 & 48 Inclusive, Excluding Rear 8 Feet to City, Block 11, Berkley

APPLICANT(S)  Carolyn Warren & Elizabeth Mathews, 3975 Yates Street, Denver, CO 80212  
Filed By: Clay Nelson, 5460 Ward Road, Suite 385, Arvada, CO 80002

FOR THE CITY: Request to Dismiss with Refund (Alek Miller, Community Planning and Development, January 4, 2024)

SUBJECT: Request for a Variance to amend / divide the bounds of one zone lot into two zone lots resulting in an existing Urban House building form exceeding the maximum allowed height by 5.49 feet (30 foot maximum height permitted), in a U-SU-C1 zone

ACTION OF THE BOARD: CASE DISMISSED without prejudice at the request of Community Planning and Development (CPD) staff, upon a finding that the Board of Adjustment does not have jurisdiction to approve the variance at this time. The Applicants are not barred from seeking a variance on the same subject matter in the future, if and when the Denver Zoning Code is amended to grant the Board of Adjustment jurisdiction to approve the variance. A 100% refund of the $300 filing fee is authorized by the Board’s Revised Rules of Procedure under Article VII.3.b. NOTE: The refund check will arrive under separate cover from the Denver Controller’s Office. Please contact the Board’s staff at 720-913-3050 if the check has not arrived within 45 days.

BOARD OF ADJUSTMENT FOR ZONING APPEALS  
Ignacio Correa-Ortiz, 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.