Case No.: 16-2024
Decision Date: 3/26/2024
Hearing History:
Hearing 03/26/2024

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

PREMISES AFFECTED: 9958 East 63rd Place, Building 2
LEGAL DESCRIPTION: Lot 26, Block 17, Central Park Filing 57
APPLICANT(S): FC Stapleton Homes LLC, 127 Public Square, Suite 3200, Cleveland, OH 44114
Filed By: John Geary, 6465 Greenwood Plaza Boulevard, #700, Centennial, CO 80111
Rosi Klein, 6465 Greenwood Plaza Boulevard, #700, Centennial, CO 80111

APPEARANCES:
APPLICANT: John Geary, Rosi Klein & Brad Wilkin, 6465 Greenwood Plaza Boulevard, #700, Centennial CO 80111
Donald Penning & Hillary Harrell-Penning, 9964 East 63rd Place, Building 1, Denver, CO 80238
Power of Attorney Filed

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

SUBJECT:
Request for a Variance for a patio encroaching 1.5 feet into the 3-foot south side interior setback, in an M-RX-5 zone

ACTION OF THE BOARD:
The Variance is granted under the Permits Issued in Error variance criteria, according to the plans submitted to the Board (Exhibit 6), and the testimony at the hearing. NOTE: A digital copy of the Board-approves plans may be obtained by contacting the Board’s staff. 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
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.

NOTE!! VARIANCES AUTHORIZING CONSTRUCTION WILL EXPIRE UNLESS START OF CONSTRUCTION HAS OCCURRED WITHIN 3 YEARS AND IS COMPLETED WITHIN 5 YEARS FROM THE DATE THE VARIANCE WAS GRANTED. (FOR EXTENSIONS, SEE SECTION 12.4.4.7.A.2.)