Case No.: 38-2024

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

PREMISES AFFECTED: 4935 West 29th Avenue
LEGAL DESCRIPTION: Lots 5 to 8 Inclusive, Block 3, De Lappe Place

APPLICANT(S): Xavier Suites LLC - Ilan Salzberg & John Cianci, 4433 West 29th Avenue, Denver, CO 80212,
Filed By: Dave Marquez, 4251 Kipling Street, Suite 250, Wheatridge, CO 80033

APPEARANCES:
APPLICANT: Ilan Salzberg, 4433 West 29th Avenue, Denver, CO 80212
Dave Marquez, 4251 Kipling Street, Suite 250, Wheatridge, CO 80033
Joe Hildebrand, 2860 Utica Street, Denver, CO 80212
Operating Agreement of Xavier Suites LLC
Two (2) Letters of Support

OPPOSITION: Lee Byrd, 2928 Yates Street, Denver, CO 80212
Katherine Mahoney, 2924 Yates Street, Denver, CO 80212
Michael Delo, 2981 Wolff Street, Denver, CO 80212
Two (2) Letters of Opposition

FOR THE CITY: Jim Larsen, Zoning Representative
Nathaniel Lucero, Senior Assistant City Attorney

SUBJECT:
Request for a Variance for a 4-story Multi-Unit Residential structure with the proposed building / structure
at 53 feet 7 5/8 inches in height, exceeding the maximum allowed height of 45 feet by 8 feet 7 5/8 inches,
with a proposed staircase enclosure at 60 feet 6 7/8 inches, exceeding the maximum allowed height of 45
feet by 15 feet 6 7/8 inches, in a U-MX-3 zone

ACTION OF THE BOARD:
The VARIANCE IS GRANTED under the Neighborhood Compatibility 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-
approved 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
Ignacio Correa-Ortiz, Chair

Austin Keithler
Austin E Keithler, Director

THIS ACTION BY THE BOARD OF ADJUSTMENT IS NOT AN APPROVAL TO PROCEED WITH DEVELOPMENT. PLEASE
CONTACT YOUR ASSIGNED REVIEWER WITH CPD TO COMPLETE AND FINALIZE YOUR ZONING PERMIT OR ZONE LOT
AMENDMENT APPLICATION. CONSTRUCTION OR ANY OTHER DEVELOPMENT ACTIVITY IS PROHIBITED ON THE
SUBJECT REAL PROPERTY UNTIL YOU COMPLETE ALL ZONING AND PERMIT APPROVAL PROCESSES.

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 DENVER ZONING CODE, SECTION 12.4.7.7.A.2.)