

**STAY OF EFFECTIVE DATE OF ORDER: 59-57(5)**

The Department of Zoning Administration has the authority to issue an order to cease and desist in cases of an excess number units in a building. When this occurs, the Board of Adjustment may find that the Zoning Department's order is valid, but stay the execution of that order for up to five years in the event that the Board finds unusual circumstances leading to unnecessary hardship.

Factors that the Board considers include the owner's physical condition or age, and/or other factors as deemed by the Board to be unique or exceptional.

When the delay expires, the Board may review, at a regular hearing before the Board, an applicant's request for a further extension and grant an extension should the Board find that the conditions still exist. All stays and extensions of stays by the Board shall be recorded\*\* in the office of the Clerk and Recorder of the City. Such stays shall not be variances on the use of the premises, and shall be personal to the applicant and shall not be transferable. \*\*\*

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\* Section 59-54(5) D.R.M.C.

\*\* Recording shall be by means of an agreement filed upon the real estate records of the premises.

\*\*\* At the expiration of a stay of one year or more, call Neighborhood Inspection Services, 720-865-3200, for another cease and desist order. This new order may be appealed to the Board within 15 days (new filing fee, posting sign, public hearing, etc.).