

Case No.: 24-2022

Decision Date: 5/3/2022

Hearing History:

Hearing 05/03/2022

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

PREMISES AFFECTED: 2828 and 2832 West 44th Avenue

LEGAL DESCRIPTION: Lengthy Legal

APPELLANT(S) Todd Taylor, 2828 and 2832 West 44th Avenue, Denver, CO 80211

Filed By: Dave Marquez, 4251 North Kipling Street, Suite 250, Wheatridge, CO 80033

APPEARANCES:

APPELLANT: Todd Taylor, 4380 Easley Road, Golden, CO 80403

Dave Marquez, 4291 North Kipling Street, Suite 250, Wheatridge, CO 80033

Four (4) Letters of Support

OPPOSITION: One (1) Letter of Opposition (Sunnyside United Neighbors Inc.)

FOR THE CITY: Ron Jones, Zoning Representative

Adam Hernandez, Senior Assistant City Attorney

SUBJECT:

Appeal of a denial of a permit to erect a three story structure encroaching 1 foot into the 10 foot west side interior setback adjacent to a protected district, 9 5/8 inches into the east side interior setback adjacent to a protected district, 10 feet into the 25 foot west side upper story setback adjacent to a protected district, and 10 feet into the 25 foot east side interior setback, in a U-MS-3 zone

ACTION OF THE BOARD:

The request for a variance is DENIED by operation of law, for failure of the motion in favor of the request to obtain the four concurring votes required to overturn the administrator or to decide in favor of the applicant under Section 12.2.6.9.A. DZC. 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. Questions regarding this decision, including possible appeals and reconsideration, may be addressed to Austin Keithler at the Board of Adjustment, 720-913-3050.

BOARD OF ADJUSTMENT FOR ZONING APPEALS

James Keavney, 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.