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

PREMISES AFFECTED: 1804 South Pearl Street  
LEGAL DESCRIPTION: Lots 1 through 4, Including Block 10, Grant Subdivision  
APPELLANT(S): 1804 South Pearl LLC - Nora Somerville Baldwin, 1859 South Washington Street, Denver CO 80210  
Filed By: Margarita Gonzalez, 863 Santa Fe Drive, Denver, CO 80204

APPEARANCES:  
APPELLANT: Nora Somerville Baldwin, 1859 South Washington Street, Denver, CO 80210  
Margarita Gonzalez, 863 Santa Fe Drive, Denver, CO 80204  
Brian Voss, 1855 South Washington Street, Denver, CO 80210  
Charles Knight, 1620 South Pearl Street, Denver, CO 80210  
Ronald Faleide, 972 South Gilpin Street, Denver, CO 80209  
Bill Taibe, 326 Good Hill Road, Weston CT 06883  
Massimo Tulio, 4 Anchor Lane, Westport CT 06880  
Cassandra Bade  
Outdoor Audio Statement Letter (Kyle Reid, November 15, 2022)

FOR THE CITY:  
Ron Jones, Zoning Representative  
Jim Larson, Senior Development Project Administrator  
Community Planning and Development Staff Report (Jim Larsen, November 7, 2022)  
Breena Meng, Senior Assistant City Attorney

SUBJECT: Request for a Zoning Permit with Special Exception Review to operate / maintain an Outdoor Eating and Serving Area accessory to an Eating and Drinking Establishment within 50 feet of a protected zone district, in a U-MS-2X zone

ACTION OF THE BOARD: The request for a ZONING PERMIT WITH SPECIAL EXCEPTION REVIEW (ZPSE) IS GRANTED under Section 12.4.9 DZC, to allow the Applicant to operate the Outdoor Eating and Serving Area accessory to an Eating and Drinking Establishment within 50 feet of a protected district, according to the plans (Exhibit 6), and the testimony at the hearing, with the following conditions: 1. The Applicant(s) will apply for and maintain any required liquor licenses from Excise and Licensing to serve alcoholic beverages on-site and shall be operated as required, 2. The Applicant(s) shall maintain the fence/screen wall along the south side interior zone lot line (single-family residential use, U-TU-C Zone District), the fence around the proposed Outdoor Eating and Serving Area, and the dumpster screening in a state of good repair, 3. Any proposed change in the use of the proposed Outdoor Eating and Serving Area shall require prior approval, by way of the submittal of a completed zoning application to the Denver Zoning Department, 4. The proposed Tandem parking shall maintain compliance with the standards and limitations of Section 10.4.6.6. of the Denver Zoning Code, 5. Hours of operation for the proposed accessory Outdoor Eating and Serving Area use shall cease by 9:30 p.m. Monday thru Thursday and on Sunday. And shall cease by 11:00 p.m. on Friday and Saturday (DZC Section 11.10.14.1.D.2.a.), and 6. Outdoor speakers / amplification are not permitted to exceed 55 decibels during the operation hours of the proposed Outdoor Eating and Serving area. Questions about this decision may be addressed to Austin Keithler at the Board of Adjustment, (720) 913-3050. NOTE: The Board-approved plans may be picked up at the Board of Adjustment’s office, 201 West Colfax Avenue, Dept. 201, Denver, CO 80202, 720-913-3050. 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  
Tim Camarillo, Chair

Phillip Williams, Deputy 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.