

Case No.: 37-2023

Decision Date: 5/9/2023

Hearing History:

Hearing 05/09/2023

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

**PREMISES AFFECTED:** 128 North Eudora Street  
**LEGAL DESCRIPTION:** Plot 4 & South 25 Feet of Plot 3, & West 1/2 Vacant Alley Adjacent, Block 42, Eastern Capitol Hill Subdivision  
**APPELLANT(S)** Zachary & Mary McGrath, 128 North Eudora Street, Denver, CO 80220,  
**APPEARANCES:**  
**APPELLANT:** Zach and Mary McGrath, 128 North Eudora Street, Denver, CO 80220  
Sally Wagner, 7139 Turweston Lane, Castle Pines, 80108  
Letter of Support (Hilltop Neighborhood Association, May 7, 2023)  
Five (5) Letters of Support  
Four (4) Signatures of Support  
**FOR THE CITY:** Ron Jones, Zoning Representative  
Nathan Lucero, Senior Assistant City Attorney

**SUBJECT:**

Appeal of a denial of a permit to erect an addition to an existing single unit dwelling encroaching 1.4 feet into the 23.7 foot block sensitive Primary Street setback, in an E-SU-G CO-1 zone

**ACTION OF THE BOARD:**

The denial is found to be proper. However, THE VARIANCE IS GRANTED according to the plans submitted to the Board (Exhibit 6), and the testimony at the hearing. 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  
Ignacio Correa-Ortiz, Chair

*Austin Keithler*

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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!! THIS VARIANCE WILL EXPIRE: UNLESS PERMITS ARE OBTAINED AND CONSTRUCTION IS STARTED WITHIN THREE (3) YEARS, AND COMPLETED WITHIN FIVE (5) YEARS.**