

Case No.: 39-2023

Decision Date: 6/6/2023

Hearing History:

Hearing 06/06/2023

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

**PREMISES AFFECTED:** 20 South Elm Street

**LEGAL DESCRIPTION:** Lots 1 & 2, Block 28, East Capitol Hill Subdivision, Second Filing, DIF Book 9324-094

**APPELLANT(S)** Constance Anderson & Glenn Turner, 20 South Elm Street, Denver, CO 80246,

**Filed By:** Brian Barath, 6875 South Santa Fe Drive, Denver, CO 80120

**APPEARANCES:**

**FOR THE CITY:** Request to Dismiss (Scott Wisniewski, May 30, 2023)

**SUBJECT:**

Appeal of a denial of a permit to erect a patio encroaching 20 feet into the 20 foot rear setback, in an E-SU-G zone

**ACTION OF THE BOARD:**

CASE DISMISSED at the request of Community Planning and Development staff, upon a finding that the project could be properly permitted under the Denver Zoning Code and did not need to be sent to the Board. A 100% refund of the \$200 filing fee is authorized by the Board's Revised Rules of Procedure under Article VII.3.b. NOTE: The refund check will arrive under separate cover from the Denver Controller's Office. Please contact the Board's staff at 720-913-3050 if the check has not arrived within 45 days.

BOARD OF ADJUSTMENT FOR ZONING APPEALS

Ignacio Correa-Ortiz, 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.**