Case No.: 58-2023               Decision Date: 4/30/2024
Hearing History:
Hearing 06/27/2023
Action 12/05/2023
Action 04/30/2024

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

PREMISES AFFECTED: 2200 North Stuart Street
LEGAL DESCRIPTION: Lots 16 & 17, Block 3, Tuxedo Park Addition
APPLICANT(S) David Thurman, 2200 North Stuart Street, Denver, CO 80212

APPEARANCES:

FOR THE CITY: Request to Dismiss (Alicia Bock, April 26, 2024)

SUBJECT:
Appeal of an order to discontinue maintaining a retaining wall encroaching onto the adjacent property by approximately 1 foot 2 1/2 inches, an Urban House building form projecting 8 feet 4 inches into the 10 foot upper story setback above 25 feet in height, with a handrail projecting 9 inches through the north bulk plane in the front 65% of the zone lot, and with a patio (including concrete seat wall and concrete fire pit) encroaching 11 feet 6 inches into the 22.5 foot front setback, with an Other Detached Accessory Structure (water feature) encroaching 1 foot 2.5 inches into the 5 foot side street setback, with a 21.45 square foot outdoor kitchen / built-in BBQ increasing the existing building coverage excess up to 2,543.59 square feet, exceeding the maximum allowed coverage by 161.75 square feet (37.5% or 2,381 square foot maximum building coverage permitted), with walls and fence / gate(s) located forward of the Primary Street facing facade ranging in height from 6 feet 3 inches to 6 foot 4.5 inches (4 foot maximum height permitted), with retaining walls located in the primary street setback ranging from 4 feet 7 inches to 4 feet 8 inches in height (4 foot maximum height permitted), with retaining walls in the primary street setback separated by approximately 3 feet 9 inches (4 foot separation required), with fences on top of retaining walls in the primary street setback area 0% open for portions of the fences more than 4 feet above the lowest grade at the base of the retaining wall (50% or more open required), and a change in grade of up to 2 feet within the side interior setback (regrading of the zone lot within the side interior setbacks not permitted), in a U-SU-C1 zone

ACTION OF THE BOARD:
CASE DISMISSED at the request of CPD staff. CPD notes that all permits related to the grade change within the side interior setback have been issued so there is no further relief needed from the Board.

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.