

Case No.: 57-2021

Decision Date: 6/15/2021

Hearing History:

Hearing 06/15/2021

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

PREMISES AFFECTED: 4201 East 2nd Avenue

LEGAL DESCRIPTION: South 1/2 of Plot 5, Block 30, The Eastern Capitol Hill Subdivision, Excluding the Rear 6 Feet of South 1/2 of Plot 5

APPELLANT(S) Sara and Galen Bellamy, 4201 East 2nd Avenue, Denver, CO 80220-5604
Filed By: Cassandra Covotsos, 7900 East 29th Avenue, Denver, CO 80231

APPEARANCES:

APPELLANT: Sara and Galen Bellamy, 4201 East 2nd Avenue, Denver, CO, 80220
Cassandra Covotsos, 7900 East 29th Avenue, Denver, CO, 80231
Suzette Emerson, 1668 South Ogden Street, Denver, CO, 80210
Seven (7) Letters of Support

FOR THE CITY: Josh Roberts, Assistant City Attorney
Ron Jones, Zoning Representative

SUBJECT:

Appeal of a denial of a permit to erect additions and alterations to an existing Urban House building form resulting in new nonconformities to the existing nonconforming structure (nonconforming structures may be altered or enlarged so long as no existing nonconformity is increased and no new nonconformity is created), resulting in a total building coverage of 2,238.86 square feet (37.5% or 2,233.83 square foot maximum building coverage permitted), exceeding the maximum number of stories in the rear 35% of the zone lot by one story (one story maximum permitted in the rear 35% of zone lot), exceeding the maximum height in the rear 35% of the zone lot by 8 feet 6 3/4 inches (17 foot maximum height in rear 35% of the zone lot), projecting approximately 8 inches through the south bulk plane in the front 65% of the zone lot, and projecting approximately 7 feet 2 inches through the south bulk plane in the rear 35% of the zone lot, in an E-SU-D 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

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.

NOTE!! THIS VARIANCE WILL EXPIRE: UNLESS PERMITS ARE OBTAINED AND CONSTRUCTION IS STARTED WITHIN THREE (3) YEARS, AND COMPLETED WITHIN FIVE (5) YEARS. (FOR EXTENSIONS, SEE SECTION 12.4.7.7.A.1