

**REGULAR MEETING OF THE
ARAPAHOE COUNTY BOARD OF ADJUSTMENT
THURSDAY, 14 JULY 2016, 1:00 P.M.**

GENERAL BUSINESS ITEMS

APPROVAL OF THE MINUTES FROM 9 JUNE 2016	VOTE:
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REGULAR AGENDA ITEMS

ITEM 1:	CASE NO. BOA-2016-00009	VOTE:
LOCATION:	21037 E JEFFERSON CIRCLE	
ACREAGE:	N/A	<input type="checkbox"/> IN FAVOR
EXISTING ZONING:	MU	<input type="checkbox"/> OPPOSED
APPLICANT:	JEONGMI AND NAM CHOI	<input type="checkbox"/> ABSTAIN
CASE MANAGER:	MICHELLE LANTZ	
REQUEST:	TO GET APPROVAL FOR CHILD CARE HOME, LARGE	<input type="checkbox"/> CONTINUED TO:
ITEM 2:	CASE NO. BOA-2016-00010	
LOCATION:	6384 S EMPORIA CIRCLE	VOTE:
ACREAGE:	N/A	<input type="checkbox"/> IN FAVOR
EXISTING ZONING:	R-4PUD	<input type="checkbox"/> OPPOSED
APPLICANT:	MATHEW A STUCKY	<input type="checkbox"/> ABSTAIN
CASE MANAGER:	ALAN SNYDER	
REQUEST:	TO CONSTRUCT A NEW DECK THAT WILL ENCROACH TO WITHIN 5' OF THE REAR PROPERTY LINE	<input type="checkbox"/> CONTINUED TO:
ITEM 3:	CASE NO. BOA-2016-00011	
LOCATION:	5690 E CORNELL AVE	VOTE:
ACREAGE:	N/A	<input type="checkbox"/> IN FAVOR
EXISTING ZONING:	R-3	<input type="checkbox"/> OPPOSED
APPLICANT:	ANDREW AND MELANIE SCHIFF	<input type="checkbox"/> ABSTAIN
CASE MANAGER:	ALAN SNYDER	
REQUEST:	TO CONTRCT A SECOND STORY AND AN ATTACHED TWO CAR GARAGE THAT WILL: <ul style="list-style-type: none"> • EXCEED HEIGHT MAXIMUM OF 25' BY 1.5' • SIDE (WEST) SETBACK VARIANCE OF 18" FOR GARAGE AND SECOND STORY • SIDE (WEST) SETBACK VARIANCE OF 4' TO REPLACE EXISTING PATIO COVER • SIDE (EAST) SETBACK VARIANCE OF 18" 	<input type="checkbox"/> CONTINUED TO:

ANNOUNCEMENTS:

The next regular Board of Adjustment meeting is scheduled for: **11 AUGUST 2016 .**

- Planning Commission, Board of Adjustment, and Board of County Commissioner agendas, and other important Arapahoe County information, may be viewed online at www.arapahoegov.com or you may contact the Zoning Division at 720-874-6711.

BOARD OF ADJUSTMENT MEMBERS:

REGULAR MEMBERS:	ALTERNATES:
Howard Buchalter, Chair	George A Robinson
Ken Dingman, Chair Pro Tem	Mary Garin
Ronald Lombardo	Elizabeth Crowe
Stephen Sholler	Ryan Turbyfill
Beth Kinsky	

Arapahoe County is committed to making its public meetings accessible to persons with disabilities. Please contact the Zoning Division at 720-874-6711 or 720-874-6574 TDD, at least three (3) days prior to a meeting, should you require special accommodations.

July 14, 2016
1:00 P.M.

**SUBJECT: CASE NO. BOA-2016-00009, JEONGMI CHOI AND NAM CHOI
SPECIAL EXCEPTION USE**

Michelle Lantz, Community Compliance Officer

June 22, 2016

LOCATION: The site is located at 21037 E. Jefferson Circle. The property is zoned MU (Mixed Use) and located within Election District 3.

ADJACENT SUBDIVISIONS, ZONING, AND LAND USES:

- North - MU (Mixed Use), existing fully developed subdivision
- South - MU (Mixed Use), existing fully developed subdivision
- East - MU (Mixed Use), existing fully developed subdivision
- West - MU (Mixed Use), existing fully developed subdivision

PROPOSAL:

The applicant(s), Jeongmi and Nam Choi, are requesting approval to be a designated as a Child Care Home, Large. The designation requires Special Exception Use approval. The applicants are proposing to care for 12 children in their home from 9:00am to 2:30pm Monday through Friday.

I. BACKGROUND

The subject property is zoned MU (Mixed Use) which allows, Single Family dwelling units and Type A group Homes as principal permitted uses. Accessory uses permitted in the zone district include uses customarily appurtenant to the permitted use, home occupations and CMRS facilities.

13-803 APPROVAL STANDARDS

A Special Exception Use shall be approved only if the Board of Adjustment finds that the proposed Special Exception Use:

- A. Complies with the minimum zoning requirements of the zoning district in which the Special Exception Use is to be located;
- B. Complies with the submittal requirements of this Chapter;
- C. Complies with the Arapahoe County Subdivision Regulations;
- D. Will be in harmony and compatible with the character of the surrounding areas and neighborhood;

- E. Will be consistent with the Arapahoe County Comprehensive Plan;
- F. Will not result in an over-intensive use of land;
- G. Will not have material adverse effect on community capital improvement programs;
- H. Will not require a level of community facilities and service greater than that which is available;
- I. Will not cause significant air, water, or noise pollution or any other detrimental environmental impacts;
- J. Will be adequately landscaped, buffered, and screened;
- K. Will not otherwise be detrimental to health, safety, or welfare of the present or future inhabitants of the County.

13-804 LENGTH OF APPROVAL

A Special Exception Use shall be permitted for a duration of time specified by the Board or until the land use changes or is terminated, whichever occurs first. The Special Exception Use may transfer with the sale of the land.

II. DISCUSSION

Staff review of this application included a comparison of the proposal to the Comprehensive Plan, zoning and subdivision regulations, and an analysis of referral comments.

1. Comprehensive Plan:

The Comprehensive Plan designates this area for single family residential.

2. Ordinance Review and additional Background Information

The Land Development Code (LDC) stipulates that a Child Care Home, Large requires a Special Exception Use approval .The LDC defines Child Care Home, Large as “CHILD CARE HOME, LARGE. A dwelling unit used for the purposes of providing care for seven (7) to twelve (12) children.

A. Child care may be provided to children from 24 months to 13 years of age. This does not prohibit the care of children ages 13 to 18.

B. Care may be provided to no more than two (2) children under the age of two (2) whether or not other siblings are in care.”

3. Referral Comments

Comments received as a result of the referral process are as follows:

- Board of County Commissioners:
- Planning: No comment
- Engineering: No comment
- Building:
- Colorado Department of Human Services: Applicant is licensed with the state and has had no violations or negative licensing action.

III. STAFF FINDINGS:

Staff has visited the site, reviewed the plans and supporting documentation, referral comments, as well as citizen input in response to this application. Based upon review of applicable policies and goals in the Land Development Code and analysis of referral comments, our findings include:

- What the applicants have proposed meets the LDC definition of Child Care Home. Large.
- .

IV. ATTACHMENTS

1. Application
2. Letter of Intent
3. Aerial Photo
4. Home Occupation Regulations
5. Photo of property

PIN: 034451820
AIN: 2073-02-1-05-027
Situs Address: 21037 E Jefferson Cir
Situs City: Aurora

Full Owner List: Choi Nam S, Choi Jeongmi
Ownership Type: Joint Tenancy
Owner Address: 21037 E Jefferson Cir
City/State/Zip: Aurora, CO 80013-7414

Neighborhood: Saddl Rock Highlands #1
Neighborhood Code: 1940.00
Acreage: 0.1800
Land Use: Single Family
Legal Desc: Lot 27 Blk 12 Saddle Rock Highlands Sub 1st Flg

	Total	Building	Land
2016 Appraised Value	395,700	345,700	50,000
2016 Assessed Value	31,498	27,518	3,980
		2015 Mill Levy:	155.846

<i>Sale</i>	Book Page	Date	Price	Type
	B801 3810	01-31-2008	355,000	
	B314 9267 *Multi Sched	07-11-2003	14,855,000	
	B314 9284 *Multi Sched	06-23-2003	6,847,200	

<i>Building</i>	Building	Attributes	Recorded
	1	Quality Grade	Average Plus
		Improvement Type	Single Family
		Bedrooms	4.00
		Bathrooms	3.00
		Architectural	2 Story
		Heat Method	Forced Air Unit
		Cool Method	Central Air / Package Unit
		Year Built	2007
		Roof	Asphalt/Composition Shingle Roof
		Fireplaces	1.00
		Exterior Wall	Wood Siding
		Construction Type	D - Wood or Steel Studs Frame

<i>Area</i>	Building	Description	SqFt
	1	Second Floor	1710
		Covered Porch	102
		Attached Garage	660
		First Floor	1440
		Basement Total	1412
		Bldg Total Area:	3150

<i>Land Line</i>	Units	Land Value	Land Use
	1.0000 LT	50,000	Single Family Residential

Note: Land Line data above corresponds to the initial appraised value and does not reflect subsequent appeal related adjustments, if any.

* Not all parcels have available photos / sketches.

In some cases a sketch may be difficult to read. Please contact the Assessors Office for assistance. Measurements taken from the exterior of the building.

The Arapahoe County Assessors Office does not warranty the accuracy of any sketch, nor assumes any responsibility or liability to any user.

Although some parcels may have multiple buildings and photos, at this time our system is limited to 1 sketch and 1 photo per parcel number. Sorry for any inconvenience.



ARAPAHOE COUNTY BOARD OF ADJUSTMENT
APPLICATION FOR
SPECIAL EXCEPTION USE

CASE # BOA-2016-00009

DATE 4/18/2016 CASE MANAGER _____

NAME OF APPLICANT Jeongmi Choi and Nam Choi

ADDRESS 21037 E Jefferson Cir, Aurora, CO

ZIP CODE 80013 PHONE 720-277-5790 E-MAIL namchoi@gmail.com

NAME OF PROPERTY OWNER Nam Soo Choi & Jeongmi Choi

ADDRESS 21037 E Jefferson Cir, Aurora, CO

ZIP CODE 80013 PHONE 720-277-5790

ADDRESS OF PROPOSED USE 21037 E Jefferson Cir, Aurora, CO 80013

ZONE MU-PUD ACREAGE _____

LEGAL DESCRIPTION _____

PROPOSED SPECIAL EXCEPTION USE Large capacity child care

Jeongmi Choi
Jeongmi Choi
Owner's signature

Jeongmi Choi
Applicant's signature

Referred To:

Board of County Commissioners
Planning
Engineering
East End Advisory
Sheriff
CDOT
Other

You will receive posting instructions for the property AFTER COMPLETE APPLICATION is received by the Zoning Division of Arapahoe County at 6924 S Lima Street, Centennial, CO 80112 Phone: (720) 874-6711

Regular Meeting \$450.00
Special Meeting \$900.00

POSTING SIGN \$11.00

13 May 2016
Date Received

[Signature]
Received by Zoning Department signature

Submit by Email

Tammy King

Subject: FW: 21037 E Jefferson Circle

From: Nam Choi [mailto:namschoi@gmail.com]

Sent: Wednesday, May 11, 2016 8:32 PM

To: Tammy King <TKing@arapahoegov.com>

Subject: Re: 21037 E Jefferson Circle

Hello Tammy,

We are looking to expand our home child care from 6 to 12 children. The home child care hours are from 9:00 am - 2:30 pm, Monday through Fridays, so should not be an inconvenience to our neighbors. Please let me know if there is more information that we need to provide.

Thank you,
Nam Choi

CASE REFERRAL

DATE: 06/22/2016

CASE #: BA-2016-00009

TO: Chuck Haskins - Engineering

FROM: ARAPAHOE COUNTY BOARD OF ADJUSTMENT

CASE MANAGER: Michelle Lantz

HEARING DATE: 07/14/2016

DATE TO BE RETURNED: 06/30/2016

Please examine this Special Exception Use request, which has been referred to you because of the possible effect of the proposed land development upon your area and after review, check the appropriate line below and return to:

**RECORDING SECRETARY TO THE BOARD OF ADJUSTMENT
PUBLIC WORKS AND DEVELOPMENT
6924 South Lima Street
Centennial, CO 80112**

If you have any questions/comments, please feel free to call at (720)874-6711 or fax (720)874-6611. Please respond as soon as possible or no later than the abovementioned date.

Have **NO** comments on this case as submitted.

Cathleen Valencia Digitally signed by Cathleen Valencia
DN: cn=Cathleen Valencia, o, ou, email=CValencia@arapahoegov.com,
c=US
Date: 2016.08.22 15:48:27 -0600

Signature/Date

Have the following comments to make related to this case:

Signature/Date

(attach additional sheets as necessary)

Submit by Email

CASE REFERRAL

DATE: 06/22/2016

CASE #: BA-2016-00009

TO: Jason Reynolds - Current Planning Manager

FROM: ARAPAHOE COUNTY BOARD OF ADJUSTMENT

CASE MANAGER: Michelle Lantz

HEARING DATE: 07/14/2016

DATE TO BE RETURNED: 06/30/2016

Please examine this Special Exception Use request, which has been referred to you because of the possible effect of the proposed land development upon your area and after review, check the appropriate line below and return to:

**RECORDING SECRETARY TO THE BOARD OF ADJUSTMENT
PUBLIC WORKS AND DEVELOPMENT
6924 South Lima Street
Centennial, CO 80112**

If you have any questions/comments, please feel free to call at (720)874-6711 or fax (720)874-6611. Please respond as soon as possible or no later than the abovementioned date.

Have **NO** comments on this case as submitted.

Jason Reynolds

Digitally signed by Jason Reynolds
DN: cn=Jason Reynolds, ou=Public Works and Development,
ou=Planning, email=jreynolds@arapahoe.gov, c=US
Date: 2016.06.23.13.25.01 -0600

Signature/Date

Have the following comments to make related to this case:

Signature/Date

(attach additional sheets as necessary)

Submit by Email

Michelle Lantz

From: Romero - CDHS, Marlene <marlene.romero@state.co.us>
Sent: Wednesday, June 22, 2016 2:40 PM
To: Michelle Lantz
Cc: Carin Rosa - CDHS; Kathi Wagoner - CDHS; Erin Hayes - CDHS; Erin Mewhinney - CDHS
Subject: Re: Home Child Care referral
Attachments: Jeongmi Choi #1624562.pdf

Ms. Lantz,

Jeongmi Choi #1624562 was issued a Permanent Child Care license on 7/1/13 and license continues valid to 7/1/16. Ms. Choi is licensed to care for 6 children, plus 2 children of school age during non school times. This provider does not have any Complaints, Child Abuse & Licensing Followup Investigations, or Adverse Licensing on record. Provider Summary Report is attached.

Please feel free to contact me if I can be of assistance.

Regards,

~Marlene Romero

On Wed, Jun 22, 2016 at 1:16 PM, Mewhinney - CDHS, Erin <erin.mewhinney@state.co.us> wrote:
Hi Marlene, are you the right person to respond to the county regarding this provider? If so, please be sure to include their licensed capacity.

Thank you!

-Erin

----- Forwarded message -----

From: Michelle Lantz <MLantz@arapahoegov.com>
Date: Wednesday, June 22, 2016
Subject: Home Child Care referral
To: "erin.mewhinney@state.co.us" <erin.mewhinney@state.co.us>

Ms. Mewhinney,

I have an applicants, Jeongmi and Nam Choi, are applying to increase the number of children they may have in their care at one time per Arapahoe County codes.

Jeongmi and Nam Choi

21037 E. Jefferson Circle

--
Marlene Romero
Information Specialist



P 303.866.5088 | Fax 303.866.4453
1575 Sherman Street, Denver CO 80203

Marlene.Romero@state.co.us | www.coloradoofficeofearlychildhood.com

This email message and any included attachments, from the Colorado Department of Human Services, are confidential and intended solely for the use of the individual or entity to which it is addressed. The information contained herein may include protected health information or otherwise privileged information. Unauthorized review, forwarding, printing, copying, distributing, or using such information is strictly prohibited and may be unlawful. If you received this message in error, please notify the sender by replying to this message and delete the email without disclosure.

**COLORADO DEPARTMENT OF HUMAN SERVICES
DIVISION OF CHILD CARE
DCC Licensing System Report**

Summary Sheet of Licensing History

Provider Name: JEONGMI CHOI

License ID: 1624562-DCH

GENERAL FACILITY INFORMATION

Worker Name Kimberly Homuth

Provider Type Day care home

Location Address 21037 E Jefferson CIR
Aurora, CO 80013

Mailing Address 21037 E Jefferson CIR
Aurora, CO 80013

County Name Arapahoe

Director Name

Location Phone 303-627-2493

CAPACITY INFORMATION

# of Children	Gender	From	Years	Months	To	Years	Months
6	Either		2	0		12	0

OTHER CONDITIONS AND RESTRICTIONS

1. Upper floor may not be used for child care
2. Basement shall be secured/locked during child care hours
3. 2 additional school-age children during non-school times
4. License capacity and exhibits include provider's own children
5. Garage should be locked during child care

OTHERS INFORMATION

School District

Continuation Date 06/29/2015

Ownership Type

Fire Inspection Date

License Type Permanent

Health Inspection Date

Visit Freq Code 12 MONTH

Facility Inspection Date 3/22/2016

COLORADO DEPARTMENT OF HUMAN SERVICES
DIVISION OF CHILD CARE
DCC Licensing System Report

Summary Sheet of Licensing History

Provider Name: JEONGMI CHOI

License ID: 1624562-DCH

Licensing Inspections

Contact Date	Reason
3/21/2016	Supervisory
4/24/2015	Supervisory
5/ 7/2014	Other
5/ 7/2014	Supervisory
6/24/2013	Original

Complaints

No Complaints

Child Abuse Investigation & Licensing Follow Up

No Child Abuse Investigations

Adverse Licensing Action

No Adverse Action

Critical Incident

No Critical Incidents

Provider’s children under 12 years attending full-day school	Additional day care children permitted during school hours
0	0
1	1
2	2

- C. Such “day care home” shall obtain proper licensing as may be required by Colorado Department of Human Services, and/or any other agency as may be required by Colorado laws.
- D. A “day care home” is exempt from the provisions of 12-402 A. and 12-402 D. through 12-402 G. above.

12-404 EXPERIENCED FAMILY CHILD CARE PROVIDER

An “Experienced Family Child Care Provider” (see definition) shall be permitted subject to the following Provisions:

- A. Such “Experienced Child Care Provider” shall be approved by the Board of Adjustment under Special Exception Use
- B. Such “Experienced Child Care Provider” shall not be allowed signage.
- C. Such “Experienced Child Care Provider” shall obtain proper licensing as may be required by Colorado Department of Human Services and/or any other agency as may be required by Colorado laws.
- D. An “Experienced Child Care Provider” is exempt from the provisions of 12-402 A. and 12-402 D. through 12-402 G. above.

12-405 CHILD CARE HOME, LARGE

A “Child Care Home, Large” (see definition) shall be permitted subject to the following Provisions:

- A. Such “Child Care Home, Large” shall be approved by the Board of Adjustment under Special Exception Use.
- B. Such “Child Care Home, Large” shall not be allowed signage.
- C. Such “Child Care Home, Large” shall obtain proper licensing as may be required by Colorado Department of Human Services and/or any other agency as may be required by Colorado laws.
- D. A “Child Care Home, Large” is exempt from the provisions of 12-402 A. and 12-402 D. through 12-402 G. above.

Chapter 19: Definitions

CATERING SERVICE. An establishment in which the principal use is the preparation of food and/or meals on the premises, and where such food and meals are delivered or taken to another location for consumption.

CEMETERY. Land used or dedicated for the burial of the dead, including such accessory uses as mortuaries, sales of burial plots, mausoleums, columbarium's, crematoriums and maintenance facilities.

CENTRAL (COMMUNITY) SEWER SYSTEM. A system or facility for treating, neutralizing, stabilizing, or disposing of sewage, which system or facility has a designed capacity to receive more than 2,000 gallons of sewage per day, but not including an on-site wastewater system (individual sewage disposal system). The term "central sewer system" includes appurtenances such as interceptors, collection lines, outfall and the outlet sewers, pumping stations, and related equipment.

CENTRAL (COMMUNITY) WATER SYSTEM. A system for the provision to the public of water for human consumption through pipes or other constructed conveyances, and which serves at least 15 service connections used by year-round residents of the area served by the system; or that regularly serves at least 25 year-round residents.

CHANNELIZATION. The artificial creation, enlargement or realignment of a drainageway.

CHECK CASHING FACILITY. A commercial business that provides personal or business check cashing services and may include personal loans and/or payment services to individuals.

CHILD CARE CENTER. A facility, by whatever name known, which is maintained for the whole or part of a day for the care of five or more children under the age of sixteen years and not related to the owner, operator, or manager thereof, whether such facility is operated with or without compensation for such care and with or without stated educational purposes. The term includes facilities commonly known as day care centers, day nurseries, nursery schools, kindergartens, preschools, play groups, day camps, summer camps, and centers for mentally retarded children and those facilities which give twenty-four (24) hour care for dependent and neglected children, and includes those facilities for children under the age of six (6) years with stated educational purposes operated in conjunction with a public, private, or parochial college or a private or parochial school; except that the term shall not apply to any kindergarten maintained in connection with a public, private, or parochial elementary school system of at least six (6) grades.

CHILD CARE HOME, LARGE. A dwelling unit used for the purposes of providing care for seven (7) to twelve (12) children.

- A. Child care may be provided to children from 24 months to 13 years of age. This does not prohibit the care of children ages 13 to 18.
- B. Care may be provided to no more than two (2) children under the age of two (2) whether or not other siblings are in care.

CHURCH. A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.

CLUSTER DEVELOPMENT. A type of land use design concentrating development in one or more areas of the project and allowing for a reduction in lot size below minimum requirements when compensating amounts of open space are provided within the proposed project.

NOTICE OF SPECIAL EXCEPTION USE

NOTICE IS HEREBY GIVEN THAT THE PROPERTY UPON WHICH THIS SIGN IS POSTED SHALL BE CONSIDERED FOR A SPECIAL EXCEPTION USE WITHIN THE MLA ZONING DISTRICT, SAID USE BEING A child care home, large

ADDITIONAL INFORMATION MAY BE OBTAINED FROM THE RECORDING SECRETARY TO THE BOARD OF ADJUSTMENT AT 720-874-6711. SUCH HEARING IS TO BE HELD ON 14 DAY OF July, 20 16, AT 7:00 P.M. IN THE PUBLIC HEARING ROOM AT 6934 S. LIMA ST., CENTENNIAL, COLORADO, OR AS SOON THEREAFTER AS POSSIBLE.

DATE OF POSTING

6/14/2016

NAME OF APPLICANT

Jeongmi Choi





ARAPAHOE COUNTY
COLORADO'S FIRST

Public Works and Development

6924 South Lima Street
Centennial, Colorado 80112-3853
Phone: 720-874-6500
Fax: 720-874-6611
TDD: 720-874-6574
www.arapahoegov.com
publicworks@arapahoegov.com

DAVID M. SCHMIT, P.E.
Director

I, Michelle Lantz, hereby certify that the attached notice of the public hearing for Board of Adjustment case no. BOA-2016-00009 was sent by regular U. S. Mail on the 24 day of June, 2016 to the property owner of record for the addresses indicated on the attached map.

Michelle Lantz
Signature

6.24.16
Date

Notice of Public Hearing

June 24, 2016

Sample of letter sent to owners

Re: **Case:** **BOA-2016-00009 Jeongmi & Nam Choi**
Location: **21037 E. Jefferson Circle, Aurora, CO 80013**

Please be advised that Jeongmi & Nam Choi, have made application to Arapahoe County for a **Special Exception Use** on above referenced property. Special Exception Uses require the approval of the Board of Adjustment.

The applicant(s), Jeongmi and Nam Choi, are requesting approval to be designated as a Child Care Home, Large. The designation requires Special Exception Use approval. The applicants are proposing to care for 12 children in their home from 9:00am to 2:30pm Monday through Friday.

A Public Hearing will be conducted on the referenced application at:

- **Type of Hearing:** Board of Adjustment
- **Time:** 1:00 pm
- **Date:** **July 14, 2016**
- **Location:** **6954 S Lima Street**
 Centennial, CO 80112
 Arapahoe Hearing Room

As neighboring landowner and members of the public, you are encouraged to attend this Public Hearing. For particularity as the content of this application, contact **Jeongmi & Nam Choi** at **720-277-5790** or contact your case manager, **Michelle Lantz, Community Compliance Officer** at **720-874-6710**.

**SUBJECT: CASE NO. B0A-2016-00010, MATTHEW STUCKY
VARIANCE**

Alan Snyder, Community Compliance Officer

June 30, 2016

LOCATION: The site is located at 6384 S. Emporia Cir. in the Cherry Creek Farm sub-division. The property is zoned R-4 PUD (Residential-Planned Unit Development) and is located within Election District 2.

ADJACENT SUBDIVISIONS, ZONING, AND LAND USES:

- North - R-4 PUD (Residential-Planned Unit Development)
- South - R-4 PUD
- East - R-4 PUD
- West - R-4 PUD

PROPOSAL:

The owner, Matthew Stucky, is requesting a variance to replace the existing old deck on the property with a new deck. The new deck will encroach into the required 15' rear setback by 10'. The home was built in 1977 and there is no history of a building permit for the original deck.

BACKGROUND:

The subject property is zoned R-4 PUD which allows for single family, multi-family residences and Type A Group Homes.

13-1004 CONDITIONS FOR VARIANCE

The establishment of a hardship shall be clearly demonstrated by the applicant for variance, and the following conditions must be shown by the applicant:

13-1004.01

The strict application of these Regulations would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Regulations.

13-1004.02

Any variance shall not grant special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district in which the subject property is located.

13-1004.03

Because of special, applicable circumstances, including size, shape, topography, or location, the strict application of these Regulations will deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification; or that there are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

13-1004.04

That the condition or situation for which the variance is sought is not of so general a nature that the formulation of regulations would be necessary to insure consistent application of the regulations.

13-1004.05

That the granting of a variance will not be substantially detrimental to the public good and will not substantially impair the intent and purpose of these Regulations.

13-1004.06

That the granting of a variance will not be contrary to the objectives of the Arapahoe County Comprehensive Plan.

DISCUSSION:

Staff review of this application included a comparison of the proposal to the Comprehensive Plan, zoning and subdivision regulations, and an analysis of referral comments.

1. Comprehensive Plan:

The Comprehensive Plan designates this area as a Residential Neighborhood...

2. Ordinance Review and additional Background Information

The rear setback requirement for the Cheery Creek Farm sub-division is 15'. The lot is .12 acres (5227 sf) in size and backs up to E. Caley Ave. The original deck was built without a building permit being issued. The site slopes toward the rear property line.

3. Referral Comments

Comments received as a result of the referral process are as follows:

- Board of County Commissioners: N/A

- Planning:
- Engineering:
- County Attorney:

STAFF FINDINGS:

Staff has visited the site, reviewed the plans and supporting documentation, referral comments, as well as citizen input in response to this application. Based upon review of applicable policies and goals in the Land Development Code and analysis of referral comments, our findings include:

1. The proposed variance request will allow the new deck to be built to within 5' from the rear property line. The property slopes toward E. Caley Ave. The new deck will meet all current building codes and provide a safe, compliant structure for the home owner. The neighboring property at 6384 E. Emporia Cir. was granted a rear setback variance for a deck/spa encroachment, BOA-2015-00002.

ATTACHMENTS:

1. Variance application
2. Letter of intent
3. Site plan/ original survey
4. Cheery Tree Farm setback requirements
5. Aerial of property
6. Ownership record
7. Resolution BOA-2015-00002
8. Referral Comments
9. Map of Variances in area



ARAPAHOE COUNTY BOARD OF ADJUSTMENT
APPLICATION FOR VARIANCE

CASE NO. BOA-2016-00010

DATE 6-10-2016 MANAGER ALAN

NAME OF APPLICANT MATTHEW A STUCKY

ADDRESS 6384 S. Emporia Cir

ZIP CODE 80111 PHONE 303-522-1568 E-MAIL stuckym44@yahoo.com

ADDRESS OF PROPERTY NEEDING VARIANCE Residence of Matthew & Family
6384 S. Emporia Circle Englewood CO 80111

→ LEGAL DESCRIPTION OF PROPERTY Lot 7 BIK 1 CHERRY CREEK FARM 1st Flg

→ CURRENT ZONING R-4 PUD SURROUNDING ZONING _____

STATE VARIANCE REQUEST IN (FEET & INCHES) Request to build a deck to
distance within 5 feet of back of property

EXPLANATION OF HARDSHIP (LIST REASON WHY VARIANCE IS NEEDED) Request is to extend
new deck to within 5 feet of rear property line. without it,
our backyard is only 20 feet deep and our neighbors have
a deck to 5' from the rear property.

ZONING RESOLUTION REFERENCE:
REQUIRED HEIGHT, QUANTITY OR LOCATION:

OWNER OF PROPERTY (PLEASE PRINT)
MATTHEW A. STUCKY

Matthew Stucky PROPERTY OWNER'S SIGNATURE

Matthew Stucky APPLICANT'S SIGNATURE

REGULAR MEETING: SECOND THURSDAY OF EACH MONTH, 1:00 P.M. IN THE ARAPAHOE ROOM
AT ARAPAHOE COUNTY PUBLIC WORKS AND DEVELOPMENT BUILDING:
6924 S Lima Street., CENTENNIAL CO 80112 Phone: 720-874-6711

FEE: REGULAR MEETING: \$450.00
FOLLOWING
SPECIAL MEETING: \$900.00
POSTING SIGN: \$ 11.00

TO FILE APPLICATION, SUBMIT THE
COMPLETED APPLICATION FORM
PLOT PLAN (8 1/2" X 11" OR 8 1/2" X 14")
FILING FEE
OTHER SUBMITTALS-NO LARGER THAN 11" X 17"

YOU WILL RECEIVE POSTING INSTRUCTIONS FOR THE PROPERTY AFTER COMPLETED APPLICATION IS RECEIVED.

6-10-16
DATE RECEIVED

Alan
RECEIVED BY ZONING DEPARTMENT

6-10-2016

MATTHEW A STUCKY
6384 S. Emporia Cir
Englewood CO 80111

303.522.1568
stuckym44@yahoo.com

LETTER OF INTENT

I am submitting a request for a zoning variance in order to build a 16'x16' deck in my back yard. The existing back yard is only ~20' deep and on the North side of the house. Our property backs to Coley street and across the street is Cherry Creek Academy Elementary school, so I don't believe there are any property owners who would be negatively impacted by this variance.

Further, the neighbors on each side have decks to within ~5' and ~7.5'. Lastly, the previous (unpermitted and un-zoned) deck (we purchased the house last summer, 2015) was 10' wide.

Thank you for your consideration and if there are any questions I can answer I am happy to help

R/
Matthew Stucky

Scale
5' = 1"

Hand

Sliding Door

Kitchen Window

Concrete Pad
Stairs Down

Basement Windows

Replace Deck 16' x 16'

Black Is Existing
Blue Is New

Existing Deck outline

Two 2x12x16'

Concrete Post

5' o.c.

7' o.c.

Beams 12" o.c.

2x12x16' Beam

Concrete Pool

Stairs Down

Living

Property Line

Handwritten notes:
11/21/12
Plans
13/12
13/12

STREET

CALEY STREET

Street

Street

Street

Street

Street

Street

Elementary (S.I.)

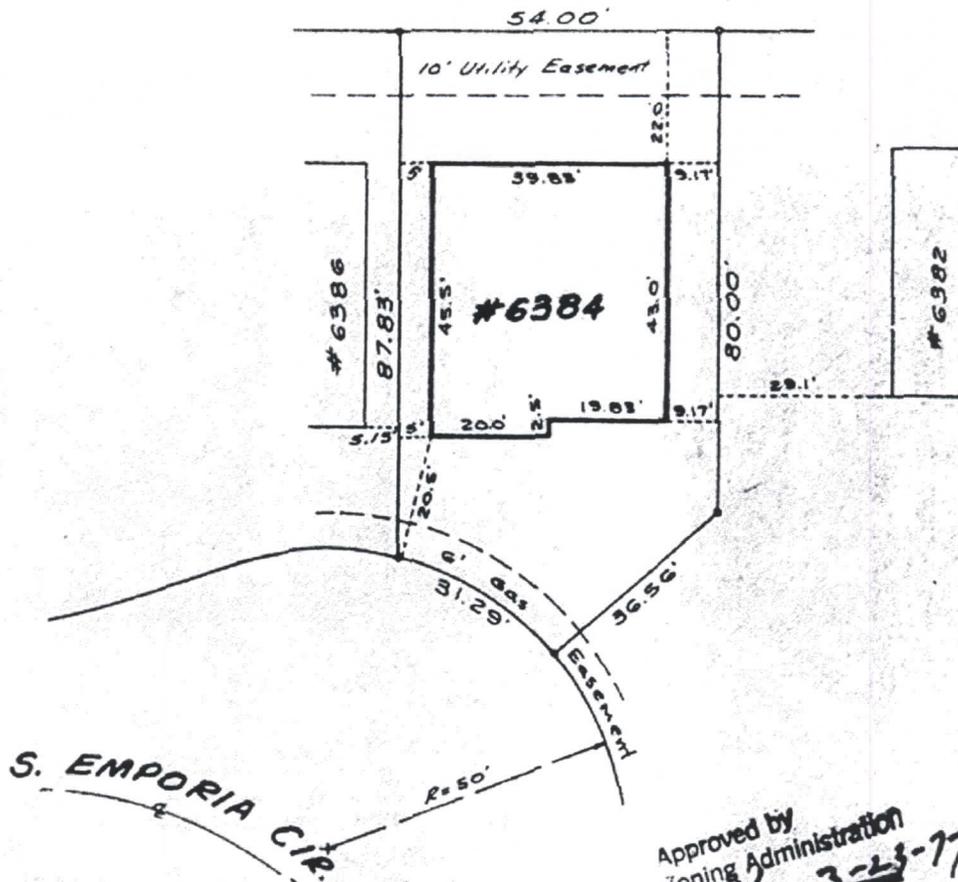
Address side of street is Cherry Creek Acad.

SURVEYOR'S CERTIFICATE

CHERRY CREEK FARM, FILING NO. ONE
ARAPAHOE COUNTY, COLORADO
BLOCK 1 LOT 7

76-44384A

E. CALEY AVE.



Approved by
Zoning Administration
JK 3-23-77

CERTIFICATE OF SURVEY:

This is to certify that on February 15, 1977, a survey was made under my supervision of Lot 7, Block 1, Cherry Creek Farm, Filing No. One, County of Arapahoe, State of Colorado, and the 2-story brick and frame residence with basement and attached garage at 6384 S. Emporia Circle, was found to be located entirely within the boundary lines of the above described property as shown on this plat. The location and dimensions of all buildings, improvements, easements and rights of way in evidence or known to me and encroachments by or on the premises are accurately shown. This plat shall not be used to establish encumbrances for boundary fences or walls.

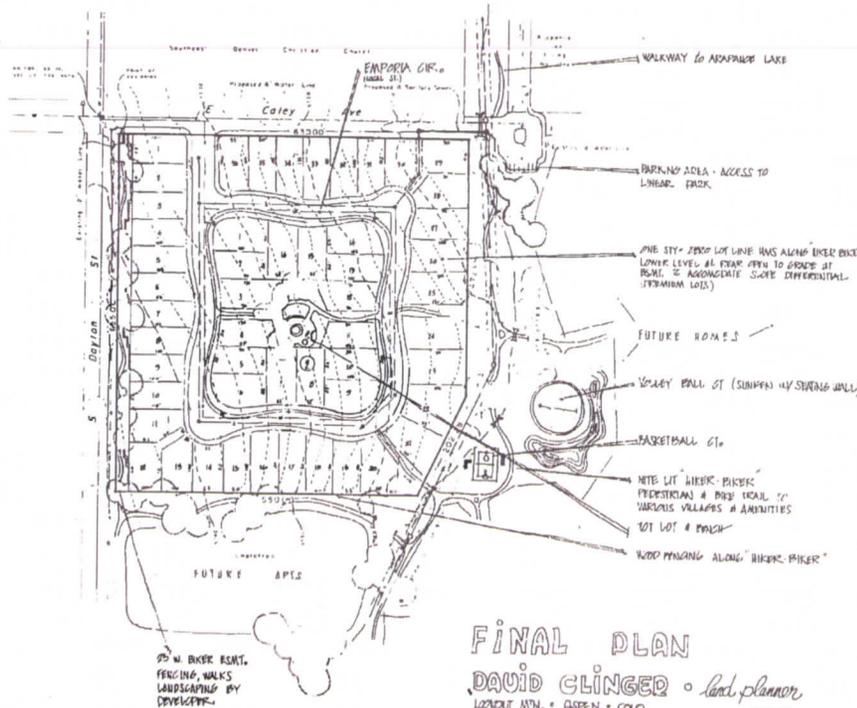
John W. Williams
John W. Williams
Registered Land Surveyor



FOR: Alpert Corp.	J. W. WILLIAMS & ASSOCIATES CONSULTING ENGINEERS 5680 S. ULSTER - ENGLEWOOD - 771-5370	NO. 2199-20-1-7 DATE 2/15/77
-------------------	--	---------------------------------

CHERRY CREEK FARM, FILING NO. ONE

A PART OF THE N1/2 OF THE SE1/4 OF SEC 22, T5S, R67W OF THE 6th PM.
COUNTY OF ARAPAHOE, STATE OF COLORADO



FINAL DEVELOPMENT PLAN

OWNER AND SUBDIVIDER: ASPEN CONY - GLENDA, COLORADO
SURVEYOR: J.W. WILLIAMS AND ASSOCIATES - ENGLEWOOD, COLORADO

LAND AREA & LEGAL DESCRIPTION

A parcel of land in the SE 1/4 of Section 22, T5S, R67W of the 6th PM., County of Arapahoe, State of Colorado and more particularly described as follows:

Beginning at a point 57 feet north and 10 feet east of the SW corner of said 1/4; thence South parallel with said 10 feet East of the West line of said 1/4; a distance of 655.00 feet to a point in a line to the left of 84° 42' 10" a distance of 297.25 feet thereon to a point on the left of 21° 17' 41" a distance of 474.75 feet to a point on the South right of way line of Caley Ave. thence in an angle to the left of 84° 15' 14" and along said right-of-way line which is 47 feet South of the parallel with the North line of said 1/4; a distance of 107.00 feet to the point of beginning. Containing in all an area of 4.121 acres, more or less.

PROPOSED LAND USE

	Acres	% Acreage	Total El.
Single Family	0.428	70%	52
Walk & Driveway	0.634	7%	0
House & Pool	2.961	23%	0
Total	4.023	100%	52

STREETS

DEATHLY, CALLEY, ONE, SE 1/4 - 051644 - 5, 5, 0000

SINGLE FAMILY AREAS

M = Lot Area - square feet
M = Lot width at front building line
M = Spacing

Max. Building Height (SEE FRONT TO REAR)
Min. Distance Between Structures
M = Dist. Between Parking/Driv. (Attached)

OPEN SPACE

Common Area To be landscaped

CONTOUR INTERVAL: 2 U.S.C.S. Contour

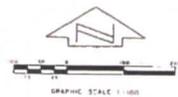
EXISTING ZONING - R-6 PUD

Approved by the Board of County Commissioners of Arapahoe County, State of Colorado

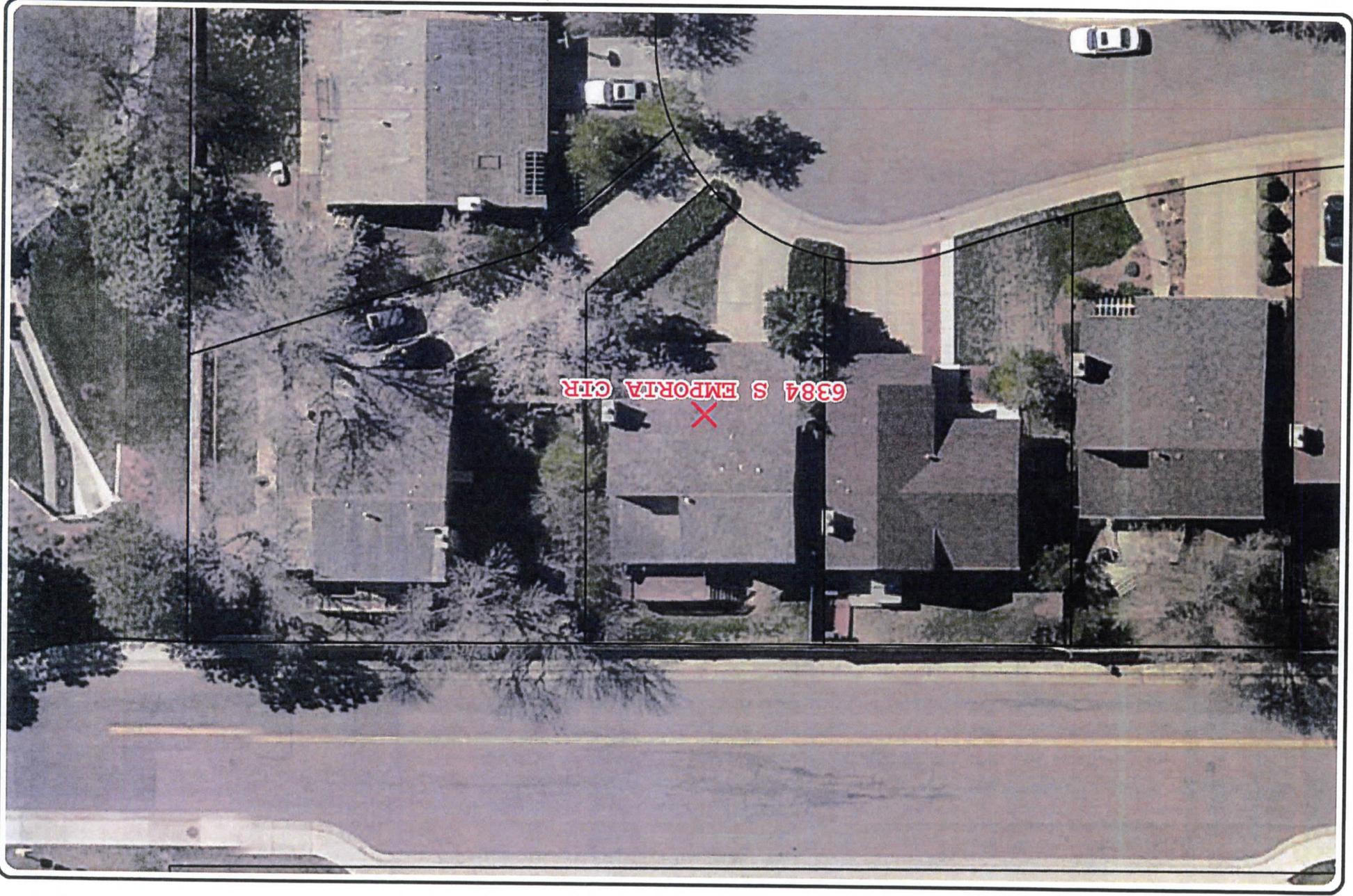
John J. Mitchell
Date: February 9, 1974

FINAL PLAN

DAVID GLINGER - Land Planner
LEONARD WYNNE - ASPEN - COLORADO
JULY 75



ARAPAHOE LAKES
CHERRY CREEK
FARMS #1
(ARAPAHOE LAKES)



ARAPAHOE COUNTY MAKES NO REPRESENTATION
OR WARRANTY AS TO THE ACCURACY OF THIS MAP
OR THE DATA THAT IT DISPLAYS.
ARAPAHOE COUNTY ASSUMES NO RESPONSIBILITY
OR LIABILITY TO ANY USER.
THIS MAP IS NOT A LEGAL DOCUMENT.
IT IS INTENDED TO SERVE AS AN AID IN
GRAPHIC REPRESENTATION ONLY.
Map Generated On: 6/10/2016

Generated by Arapahoe County's **ArapaMAP**



Map Location

New Search

Printer Friendly

PIN: 031831351
AIN: 2075-22-4-01-032
Situs Address: 6384 S Emporia Cir
Situs City: Englewood
 *Photo Sketch
[View Parcel Map](#)

Treasurer's Tax Information
 Sales by Tax Year and Neighborhood
 2015/2016
 2013/2014
 2011/2012
 2009/2010
 2007/2008
 2005/2006
 Complete Neighborhood Sales Information History
 Tax District Levies

Full Owner List: Stucky Matthew A, Stucky Jena B
Ownership Type: Joint Tenancy
Owner Address: 6384 S Emporia Cir
City/State/Zip: Englewood, CO 80111-5545
Neighborhood: Cherry Creek Farm
Neighborhood Code: 428.00
Acreage: 0.1200
Land Use: Single Family
Legal Desc: Lot 7 Blk 1 Cherry Creek Farm 1st Flg

	Total	Building	Land
2016 Appraised Value	367,600	297,600	70,000
2016 Assessed Value	29,261	23,689	5,572
	2015 Mill Levy:		87.025

Sale	Book Page	Date	Price	Type
	D508 4789	07-30-2015	398,000	
	B908 0716	07-01-2009	0	
	B609 1987	06-19-2006	0	
	B117 9726	10-19-2001	250,000	
	A904 6366	03-03-1999	192,000	
	7728 0573	09-29-1994	157,000	
	5751 0486	08-10-1989	112,000	
	3615 0117	04-01-1982	113,000	
	2569 0482	03-01-1977	63,100	

Building	Attributes	Recorded
1	Quality Grade	Average
	Improvement Type	Single Family
	Bedrooms	4.00
	Bathrooms	3.00
	Architectural	2 Story
	Heat Method	Forced Air Unit
	Cool Method	Central Air / Package Unit
	Year Built	1978
	Roof	Asphalt/Composition Shingle Roof
	Fireplaces	1.00
	Exterior Wall	Wood Siding
	Construction Type	D - Wood or Steel Studs Frame

Area	Building	Description	SqFt
	1	First Floor	1360
		Second Floor	836
		Basement Total	1340
		Basement Finish	418
		Attached Garage	420
		Covered Porch	42
		Deck	200
		Bldg Total Area:	2196

Land Line	Units	Land Value	Land Use
	1.0000 LT	70,000	Single Family Residential

Note: Land Line data above corresponds to the initial appraised value and does not reflect subsequent appeal related adjustments, if any.

required 15' rear setback. Jurisdiction for the Board to hear the case was established as verified by legal counsel to the Board. The Board heard testimony on the matter. The Board, after discussion and consideration of the evidence and testimony provided at the hearing, found that the property was eligible under the Arapahoe County regulation.

Upon motion duly made by Mr. Buchalter and seconded by Mr. Sall, the **Variance** was APPROVED, as requested, based on:

- Topography
- Small lot

The motion passed unanimously.

CASE NO. BOA-2015-00002

Courtney Errico presented for the property at 6386 S Emporia Circle located in the R-4PUD Zone. The Board was presented with a request for a **Variance** to build a deck that will encroach 5' into the required 20' rear setback. Jurisdiction for the Board to hear the case was established as verified by legal counsel to the Board. The Board heard testimony on the matter. The Board, after discussion and consideration of the evidence and testimony provided at the hearing, found that the property was eligible under the Arapahoe County regulations.

Upon motion duly made by Mr. Sall and seconded by Mr. Buchalter, the **Variance** was APPROVED, as requested, based on:

- Slope of the lot
- Obsolete Zoning

The motion passed unanimously.

CASE NO. BOA-2015-00003

Eleutherios Stefandoudakis presented for the property at 1718 S Uinta Way located in the R-3 Zone. The Board was presented with a request for a **Variance** to build a front covered porch that will encroach 5'8" on the required 25' front setback. Jurisdiction for the Board to hear the case was established as verified by legal counsel to the Board. The Board heard testimony on the matter. The Board, after discussion and consideration of the evidence and testimony provided at the hearing, found that the property was eligible under the Arapahoe County regulations.

Upon motion duly made by Mr. Sall and seconded by Mr. Buchalter, the **Variance** was APPROVED, as requested, based

CASE REFERRAL

DATE: January 26, 2015 **CASE #:** BOA-2015-00002

TO: Jason Reynolds, Current Planning Program Manager

FROM: ARAPAHOE COUNTY BOARD OF ADJUSTMENT

CASE MANAGER: Mary Zaitz

HEARING DATE: February 12, 2015

DATE TO BE RETURNED: Before hearing date

Please examine this Variance for a deck, which has been referred to you because of the possible effect of the proposed development upon your area and after review, check the appropriate line below and return to:

**RECORDING SECRETARY TO THE BOARD OF ADJUSTMENT
PUBLIC WORKS AND DEVELOPMENT
6924 S Lima Street
Centennial, CO 80112**

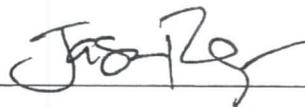
If you have any questions/comments, please feel free to call at (720) 874-6710 or fax (720) 874-6611. Please respond as soon as possible or no later than the abovementioned date.

Have **NO** comments on this case as submitted.

Signature/Date

Have the following comments to make related to this case:

The proposed deck location should be coordinated with utility providers; as depicted, the deck encroaches 5 feet into a 10 foot wide utility easement.

 2/4/15

Signature/Date

(attach additional sheets as necessary)

CASE REFERRAL

DATE: January 26, 2015 **CASE #:** BOA-2015-00002

TO: Chuck Haskins, Engineering

FROM: ARAPAHOE COUNTY BOARD OF ADJUSTMENT

CASE MANAGER: Mary Zaitz

HEARING DATE: February 12, 2015

DATE TO BE RETURNED: Before hearing date

Please examine this Variance for a deck, which has been referred to you because of the possible effect of the proposed development upon your area and after review, check the appropriate line below and return to:

**RECORDING SECRETARY TO THE BOARD OF ADJUSTMENT
PUBLIC WORKS AND DEVELOPMENT
6924 S Lima Street
Centennial, CO 80112**

If you have any questions/comments, please feel free to call at (720) 874-6710 or fax (720) 874-6611. Please respond as soon as possible or no later than the abovementioned date.

Have **NO** comments on this case as submitted.

Signature/Date

Have the following comments to make related to this case:

Please apply appropriate Best Management Practices (BMPs) in order to minimize sediment transport onto adjacent properties.

Signature/Date

CASE REFERRAL

DATE: 06/14/2016

CASE #: BA2016-00010

TO: Jason Reynolds - Planning

FROM: ARAPAHOE COUNTY BOARD OF ADJUSTMENT

CASE MANAGER: Alan Snyder

HEARING DATE: 07/14/2016

DATE TO BE RETURNED: 06/24/2016

Please examine this VARIANCE request, which has been referred to you because of the possible effect of the proposed land development upon your area and after review, check the appropriate line below and return to:

**RECORDING SECRETARY TO THE BOARD OF ADJUSTMENT
PUBLIC WORKS AND DEVELOPMENT
6924 South Lima Street
Centennial, CO 80112**

If you have any questions/comments, please feel free to call at (720)874-6711 or fax (720)874-6611. Please respond as soon as possible or no later than the abovementioned date.

Have **NO** comments on this case as submitted.

Have the following comments to make related to this case:

Signature/Date

The proposed structure is located in the 10' utility, traffic and sidewalk easement along the north property line. Any structures should be kept out of that easement to avoid conflicts with utilities and potential future roadway improvements.

Jason Reynolds

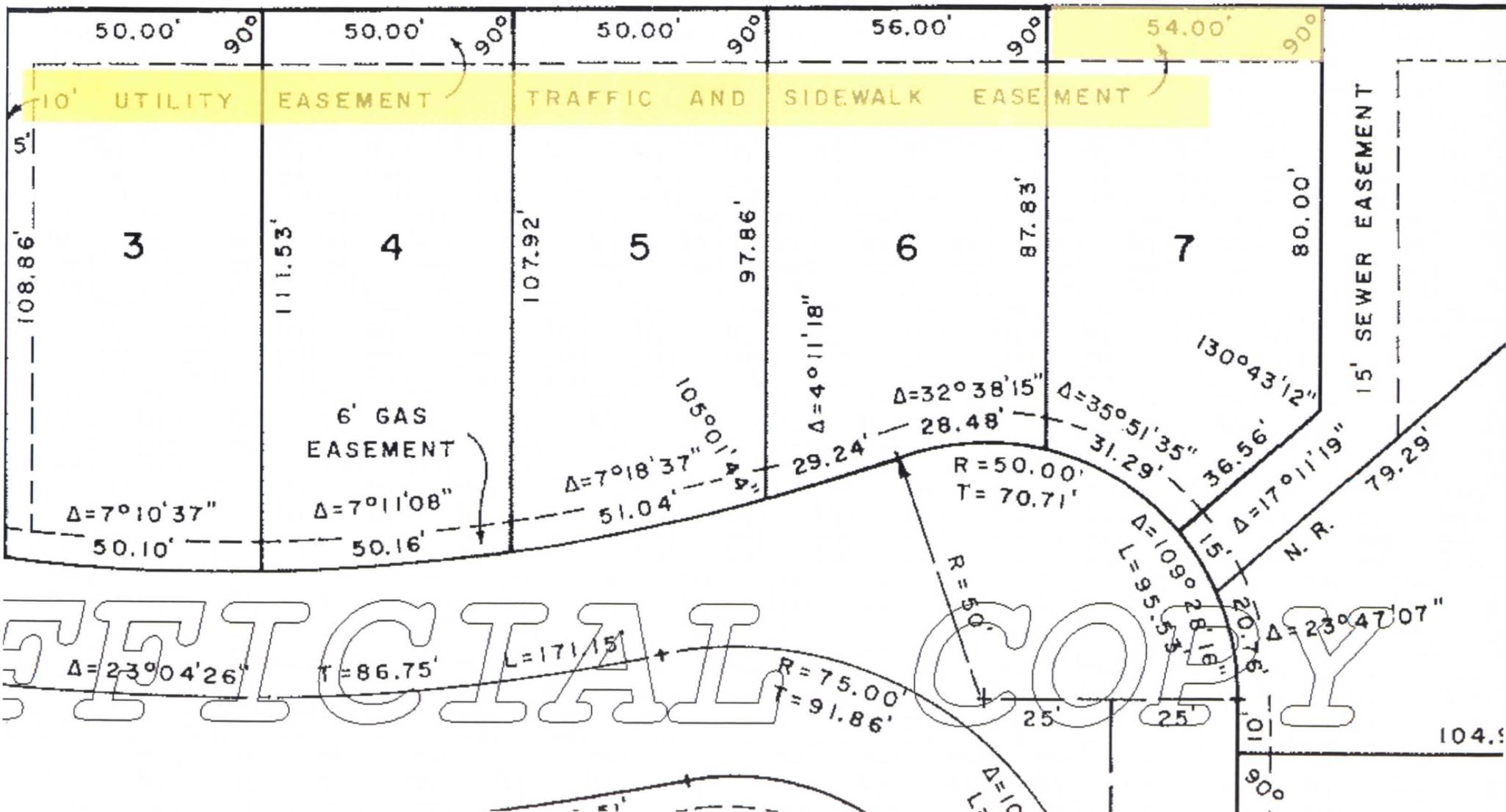
Signature/Date

(attach additional sheets as necessary)

Submit by Email

Caley Ave.

630.00'



CASE REFERRAL

DATE: 06/14/2016

CASE #: BA2016-00010

TO: Chuck Haskins - Engineering

FROM: ARAPAHOE COUNTY BOARD OF ADJUSTMENT

CASE MANAGER: Alan Snyder

HEARING DATE: 07/14/2016

DATE TO BE RETURNED: 06/24/2016

Please examine this VARIANCE request, which has been referred to you because of the possible effect of the proposed land development upon your area and after review, check the appropriate line below and return to:

**RECORDING SECRETARY TO THE BOARD OF ADJUSTMENT
PUBLIC WORKS AND DEVELOPMENT
6924 South Lima Street
Centennial, CO 80112**

If you have any questions/comments, please feel free to call at (720)874-6711 or fax (720)874-6611. Please respond as soon as possible or no later than the abovementioned date.

Have **NO** comments on this case as submitted.

Have the following comments to make related to this case:

Signature/Date

Applicant will need to obtain permission from the existing 10' utility easement owner(s) to build a structure within the easement.

Spencer M. Smith

Digitally signed by Spencer M. Smith
DN: c=US, e=smsmith@arapahoeco.com, ou=Arapahoe County Public Works and Development,
ou=Engineering Services Division, cn=Spencer M. Smith
Date: 2016.06.14 13:02:07 -0500

Signature/Date

(attach additional sheets as necessary)

Submit by Email

BOARD OF ADJUSTMENT PUBLIC HEARING

July 14, 2016

1:00 P.M.

**SUBJECT: CASE NO. BOA-2016-00011, ANDY SCHIFF
VARIANCE**

Alan Snyder, Community Compliance Officer

June 30, 2016

LOCATION: The site is located at 5690 E. Cornell Ave. in the Gaiser Holly Hills Subdivision. The property is zoned R-3 (Obsolete-Residential) and located within Election District 1.

ADJACENT SUBDIVISIONS, ZONING, AND LAND USES:

- North - R-3 (Obsolete-Residential)
- South - R-3 (Obsolete-Residential)
- East - R-3 (Obsolete-Residential)
- West - R-3 (Obsolete-Residential)

PROPOSAL:

The owner, Andy Schiff, is requesting approval of a variance to construct a 2nd story addition and 2 car garage and rear patio cover. The 2nd story addition will exceed the 25' allowable height by 1' 6". The garage and second story will line up with the existing residence and encroach 1' 6" into both side setbacks. The rear patio cover will encroach 1' 6" into the side setback and 4' into the rear setback. It will also line up with the home on the rear and side. The house was built in 1958 prior to zoning and does not meet the Obsolete R-3 Zone District's setback requirements. The lot is 15,028 square feet in size and the applicant needs more space for a growing family and vehicles.

I. BACKGROUND

The subject property is zoned R-3 (Obsolete-Residential) which allows single-family dwelling units and Type A group Homes as principal permitted use. The maximum building height is 25 feet. The minimum lot size for the R-3 zone district is 12,500 sf.

13-1004 CONDITIONS FOR VARIANCE

The establishment of a hardship shall be clearly demonstrated by the applicant for variance, and the following conditions must be shown by the applicant:

13-1004.01

The strict application of these Regulations would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Regulations.

13-1004.02

Any variance shall not grant special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district in which the subject property is located.

13-1004.03

Because of special, applicable circumstances, including size, shape, topography, or location, the strict application of these Regulations will deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification; or that there are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

13-1004.04

That the condition or situation for which the variance is sought is not of so general a nature that the formulation of regulations would be necessary to insure consistent application of the regulations.

13-1004.05

That the granting of a variance will not be substantially detrimental to the public good and will not substantially impair the intent and purpose of these Regulations.

13-1004.06

That the granting of a variance will not be contrary to the objectives of the Arapahoe County Comprehensive Plan.

II. DISCUSSION

Staff review of this application included a comparison of the proposal to the Comprehensive Plan, zoning and subdivision regulations, and an analysis of referral comments.

1. Comprehensive Plan:

The Comprehensive Plan designates this area for residential uses.

2. Ordinance Review and additional Background Information

The property in question consists of .345 acres (15,028 sf). The applicant is proposing construction of a 2nd story, 2 car garage and a rear patio cover. The 2nd story addition will exceed the 25' allowable height by 1'6". The existing home already encroaches 1' 6" into the side setbacks and 4' into the rear setback. The R-3 setback requirements are 10' for side and 25' rear. The new addition and garage and patio cover will line up with the home's existing building lines. The home was built in 1958 prior to Zoning regulations being implemented and there is a history of many variances in the subdivision.

3. Referral Comments

Comments received as a result of the referral process are as follows:

- Board of County Commissioners: N/A
- Engineering: See attachments
- County Attorney: N/A

III. STAFF FINDINGS:

Staff has visited the site, reviewed the plans and supporting documentation, referral comments, as well as citizen input in response to this application. Based upon review of applicable policies and goals in the Land Development Code and analysis of referral comments, our findings include:

1. The addition/garage and will encroach into the side setbacks and the patio cover will encroach into the rear and side setback.
2. There have been no inquiry calls.

Attachments

1. Variance application
2. Letter of intent
3. Site plan/aerial of property
4. Property ownership data
5. R-3 setback requirements
6. Engineering/planning referral
7. Map of Variances in Area



ARAPAHOE COUNTY BOARD OF ADJUSTMENT
APPLICATION FOR VARIANCE

CASE NO. BOA-2016-00011

DATE June 13, 2016 MANAGER ALAN

NAME OF APPLICANT Andrew and Melanie Schiff

ADDRESS 5690 E. Cornell Avenue

ZIP CODE 80222 PHONE 720-422-9935 E-MAIL andy@scoutdenver.com

ADDRESS OF PROPERTY NEEDING VARIANCE 5690 E. Cornell Avenue Denver CO 80222

LEGAL DESCRIPTION OF PROPERTY LOT 20 BLK 20 GAISER HOLLY HILLS 2ND FLG

CURRENT ZONING R3 SURROUNDING ZONING R3

STATE VARIANCE REQUEST IN (FEET & INCHES) See Attached Letter

EXPLANATION OF HARDSHIP (LIST REASON WHY VARIANCE IS NEEDED) See Attached Letter

ZONING RESOLUTION REFERENCE:
REQUIRED HEIGHT, QUANTITY OR LOCATION:

OWNER OF PROPERTY (PLEASE PRINT)

[Signature]
PROPERTY OWNER'S SIGNATURE

Andrew Schiff
APPLICANT'S SIGNATURE

REGULAR MEETING: SECOND THURSDAY OF EACH MONTH, 1:00 P.M. IN THE ARAPAHOE ROOM
AT ARAPAHOE COUNTY PUBLIC WORKS AND DEVELOPMENT BUILDING:
6924 S Lima Street., CENTENNIAL CO 80112 Phone: 720-874-6711

FEE: REGULAR MEETING: \$450.00
FOLLOWING
SPECIAL MEETING: \$900.00
POSTING SIGN: \$ 11.00

TO FILE APPLICATION, SUBMIT THE
COMPLETED APPLICATION FORM
PLOT PLAN (8 1/2" X 11" OR 8 1/2" X 14")
FILING FEE
OTHER SUBMITTALS-NO LARGER THAN 11" X 17"

YOU WILL RECEIVE POSTING INSTRUCTIONS FOR THE PROPERTY AFTER COMPLETED APPLICATION IS RECEIVED.

6.14.16
DATE RECEIVED

[Signature]
RECEIVED BY ZONING DEPARTMENT

To Whom It May Concern:

My name is Andrew Schiff, my wife, Melanie Schiff and I bought our house 12 years ago. We now have three children and would like to expand our house to accommodate to our growing family. We live in a single level home that was built in 1958 on a 15,028 square foot lot. We would like to add a second story over the existing footprint of the house including the 1 car attached garage and add an attached 2 car garage. In order to this we need 5 variances due to the age of the home and obsolete zone district we are located in.

The variances labeled on the site plan are:

- A. We are requesting height variance of 1' 6" over the 25' existing height restriction.
- B. We are requesting side setback (west side of property) variance of 18" for the garage to be in-line with the existing structure.
- C. We are requesting side setback (west side of property) variance of 18" for the second story addition to be built over the existing structure at 8' 7"
- D. We are requesting side setback (west side of property) variance of 4' to remove and replace the existing covered patio and again keep it in-line with the existing structure.
- E. We are requesting side setback (east side of property) variance of 18" for the second story addition to be built over the existing structure at 8' 7"

Our primary reasons for asking for these variances are due to the fact our house was built in 1958 and we are located in an obsolete zoning district on an irregular shaped lot. Furthermore, there have been numerous side setback variances similar to these that have been approved within our neighborhood. We have one neighbor one block over on an interior lot that was approved the height variance as well.

We have discussed and reviewed our plans with both of our adjacent neighbors to the east and west, they are both in favor of us doing this. We back to the Highline Canal so these are the primary neighbors we felt that would be impacted by this situation.

We thank you for your time and consideration of our project and please let us know if you have any questions.

Thank you!

Andy Schiff
5690 E. Cornell Ave
Denver CO 80222
andy@scoutdenver.com
720-422-9935



AAKAR ARCHITECTS
2755 SOUTH LOKUST STREET, SUITE 207
DENVER, CO 80222

tel 303.897.0949
web www.aakararchitects.com
email dfr@aararchitects.com

ARCHITECT/CONSULTANT/STAMP

CONSULTANT INFORMATION

SCHIFF RESIDENCE RENOVATION

5690 EAST CORNELL AVE., DENVER CO
80223

Project No. 2015_0110
Drawn By: AA
Checked By: AA

REVISIONS
ZUNING VARIANCE 6/14/2016

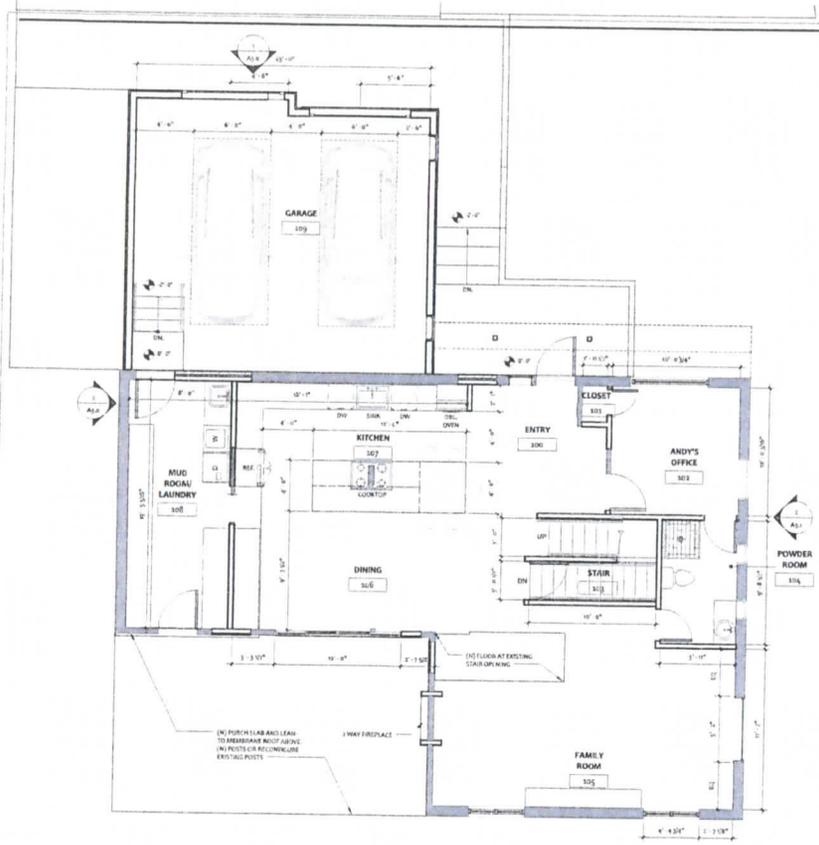
THIS DRAWING AND SPECIFICATIONS ARE THE PROPERTY OF AAKAR ARCHITECTS. NO PART OF THIS DRAWING OR SPECIFICATIONS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF AAKAR ARCHITECTS. THE USER OF THIS DRAWING AND SPECIFICATIONS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

Sheet Title

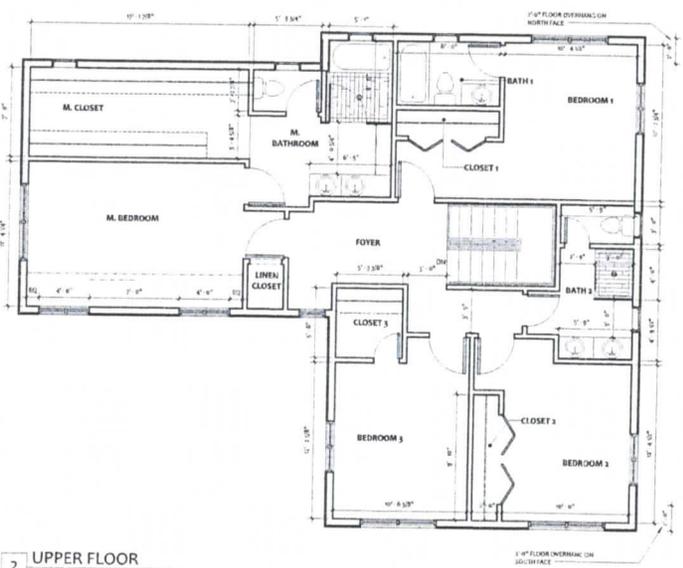
FLOOR PLANS

Sheet No.

A2.0



1 MAIN FLOOR PLAN
1/4" = 1'-0"



2 UPPER FLOOR
1/4" = 1'-0"

FLOOR PLAN GENERAL NOTES

1. CONTACT THE ARCHITECT FOR DIMENSIONS NOT SHOWN. DO NOT SCALE DRAWINGS.
2. ALL DIMENSIONS ARE TO FINISH FACE OF WALL, UNLESS NOTED OTHERWISE.
3. GENERAL CONTRACTOR, ARCHITECT, AND MILLWORMER TO OBTAIN ALL DIMENSIONS IN FIELD.
4. ALL FINISH CONDITIONS AT EXISTING EXTERIOR WALLS TO ALIGN FINISHES AT BOTH SIDES.
5. ALL MATERIALS AND ASSURANCE TO BE NEW UNLESS OTHERWISE NOTED.
6. QUALIFIED CONTRACTORS SHALL PROVIDE THE MEANS TO REMOVE SPECIFIED PRODUCTS IN TIME TO MEET THE SCHEDULE. ARCHITECT WILL NOT ACCEPT SUBSTITUTES FOR PRODUCTS NOT ORDERED OR A TIME SCHEDULE CONTRACTOR TO OBTAIN LEAD TIMES AT TIME OF BID.
7. CONTRACTOR TO LEVEL FLOOR AS REQUIRED TO INSTALL NEW FINISHES.
8. ALL PAINTED SURFACES ARE TO BE PAINTED WITH TWO COATS OF PAINT AND ONE COAT OF PRIMER ON ALL INTERIORS. ALL AREAS IN WHICH AN ALTERNATE COLOR CONTRACTOR IS REQUIRED AS SHOWN ON PLAN SHALL RECEIVE ONE LIGHT PINK PRIMER AND ONE COAT TWO FINISH COATS OF PAINT TO MATCH EXISTING FINISHES.
9. FLAKE SPRAY: ALL FINISH MATERIALS AND ACCESSORIES ATTACHED TO INTERIOR WALLS OR CEILING SHALL BE CLASS B OR BETTER. FINISH MATERIALS AT ALL OTHER INTERIOR WALLS TO BE CLASS C OR BETTER.

KEYNOTES

WALL TYPE LEGEND:

	EXISTING WALL
	ENCLOSED WALL
	PARTY WALL
	NON-WALL



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 2725 SOUTH LOCUST STREET, SUITE 217
 DENVER, CO 80222

tel 303.807.3048
 web www.aakararchitects.com
 email dtsa@aarar.architects.com

ARCHITECT/CONSULTANT STAMP

CONSULTANT INFORMATION
**SCHIFF RESIDENCE
 RENOVATION**

5100 EAST CONNELL AVE., DENVER CO
 80222

Project No. 2025.4.230
 Drawn By: PG
 Checked By: DTS

Issue
 ZONING VARIANCE: 6/29/2026

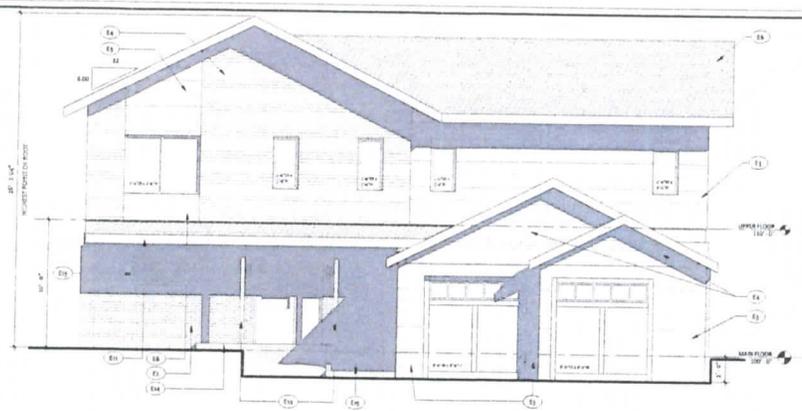
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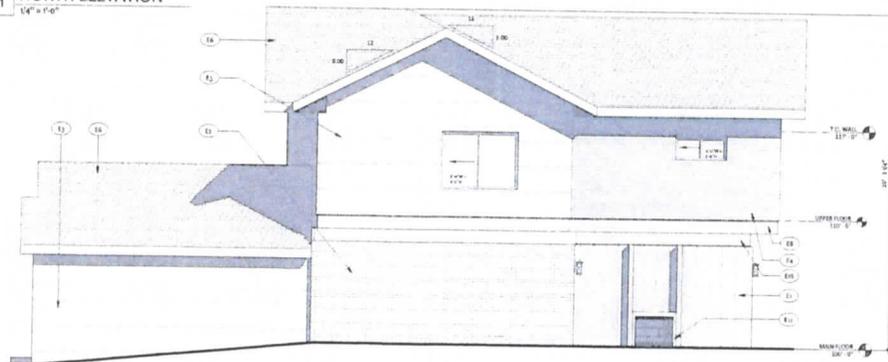
BUILDING ELEVATIONS

Sheet No.

A3.0



1 NORTH ELEVATION
 1/4" = 1'-0"



2 WEST ELEVATION
 1/4" = 1'-0"

BUILDING ELEVATION GENERAL NOTES

1. ALL NEW WINDOWS TO BE LOW-E, DOUBLE GLAZED VINYL WINDOWING OPERATION, TYPE AND COLOR PER OWNER.
 2. ALL WINDOWS TO BE 6'-0" HIGH 4'-0" WIDE.

KEYNOTES

- E1 EXISTING BRICK TO REMAIN, PAINT
- E2 EXISTING BRICK TO REMAIN
- E3 NEW SIDING, TYPE & HORIZONTAL BRICKS SIDING
- E4 NEW SIDING, TYPE & HORIZONTAL ALUMINUM SIDING
- E5 NEW APPLANT SIDING & SIDING
- E6 OVERHANG OF UPPER FLOOR
- E7 POLYURETHANE SIDING
- E8 LEAN TO ROOF AT TRANSITION OF SIDING
- E9 1" GIBBS PROFILE
- E10 BRICK & SIDING OPENING FOR DAMAGED/OLD NEW WINDOW
- E11 SITE REPAIRING WALLS PER ARCH. SITE PLAN
- E12 SIDE STOPS BY ARCH. SITE PLAN
- E13 1/2" GIBBS PROFILE
- E14 1/2" GIBBS PROFILE
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- E100 1/2" GIBBS PROFILE



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 web www.aakararchitects.com
 email dtna@aararchitects.com

ARCHITECT/CONSULTANT STAMP

CONSULTANT INFORMATION

**SCHIFF RESIDENCE
 RENOVATION**

1650 EAST CORNELL AVE., DENVER CO
 80232

Project No. 2015_A333
 Drawn By: JPS
 Checked By: DKS

ZONING VARIANCE 6/10/2016

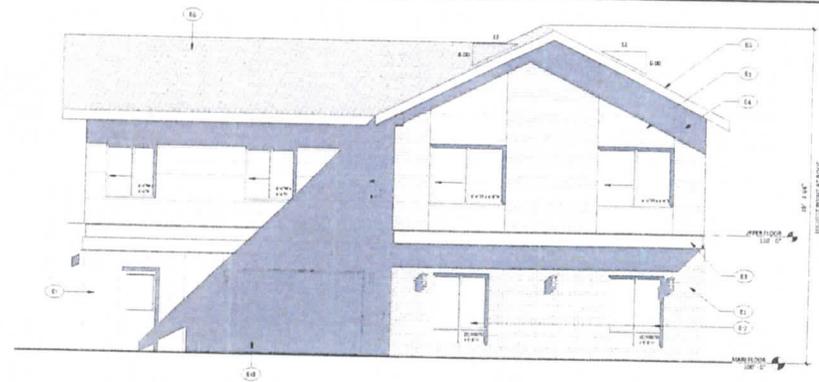
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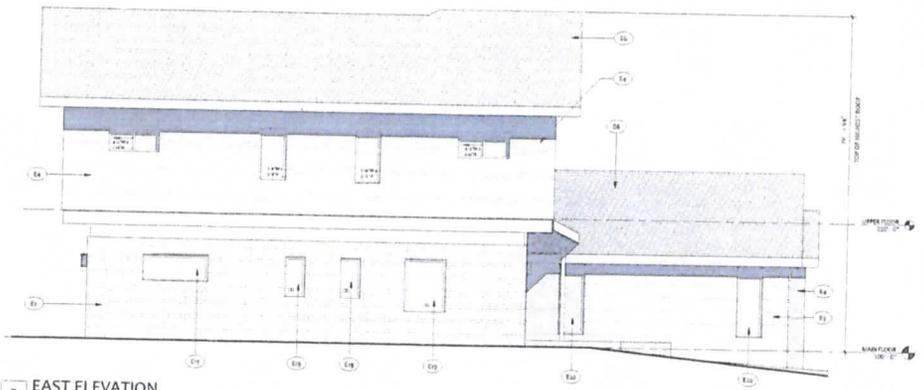
BUILDING ELEVATIONS

Sheet No.

A3.1



1 SOUTH ELEVATION
 1/4" = 1'-0"



2 EAST ELEVATION
 1/4" = 1'-0"

BUILDING ELEVATION GENERAL NOTES

1. ALL NEW WINDOWS TO BE LEAD-FREE, DOUBLE-GLAZED VINYL WINDOWS, OPERATING TYPE AND COLOR PER OWNER.

2. ALL WINDOWS TO BE 4'-0" MAX. L.W.D.

KEYNOTES

- E1 EXISTING SIDING TO REMAIN, PAINT
- E2 EXISTING BRICK TO REMAIN
- E3 NEW SIDING TYPE 1 HORIZONTAL BRICK SIDING
- E4 NEW SIDING TYPE 2 HORIZONTAL MASONRY SIDING
- E5 NEW ALUMINUM SIDING SIDING
- E6 COFFERBOARD UPPER FLOOR
- E7 MAKE EXISTING OPENING WIDER PER DIMENSION, NEW WINDOW
- E8 MAKE EXISTING OPENING TALLER PER DIMENSION, NEW WINDOW
- E9 NEW 4' PANEL VINYL SLIDING DOOR
- E10 EXISTING WINDOW OPENING TO REMAIN
- E11 NEW 4' PANEL WINDOW

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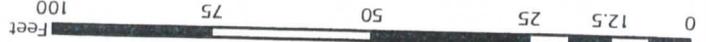
Map Location



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Map Generated On: 6/13/2016



New Search

Printer Friendly

PIN: 031278180
AIN: 1973-32-2-04-020
Situs Address: 5690 E Cornell Ave
Situs City: Denver

*Photo Sketch

[View Parcel Map](#)

Treasurer's Tax Information

Sales by Tax Year and Neighborhood
 2015/2016
 2013/2014
 2011/2012
 2009/2010
 2007/2008
 2005/2006
 Complete Neighborhood Sales Information History

Full Owner List: Schiff Andrew W, Schiff Melanie A
Ownership Type: Joint Tenancy
Owner Address: 5690 E Cornell Ave
City/State/Zip: Denver, CO 80222-7029

Tax District Levies

Neighborhood: Gaiser Holly Hills
Neighborhood Code: 870.00
Acreage: 0.3450
Land Use: Single Family
Legal Desc: Lot 20 Blk 20 Gaiser Holly Hills 2nd Flg

	Total	Building	Land
2016 Appraised Value	317,300	200,300	117,000
2016 Assessed Value	25,257	15,944	9,313

2015 Mill Levy: 89.784

<i>Sale</i>	Book Page	Date	Price	Type
	B711 2629	08-22-2007	0	
	B415 1669	08-23-2004	262,000	
	B213 8244	07-19-2002	0	
	B110 6740	06-22-2001	229,900	
	A918 5409	11-19-1999	0	
	6999 0785	06-24-1993	118,000	
	4488 0519	07-01-1985	89,500	

<i>Building</i>	Building	Attributes	Recorded
	1	Quality Grade	Average
		Improvement Type	Single Family
		Bedrooms	3.00
		Bathrooms	3.00
		Architectural	1 Story/Ranch
		Heat Method	Forced Air Unit
		Cool Method	Central Air / Package Unit
		Year Built	1958
		Roof	Asphalt/Composition Shingle Roof
		Exterior Wall	Masonry Veneer
		Construction Type	D - Wood or Steel Studs Frame

<i>Area</i>	Building	Description	SqFt
	1	Covered Porch	350
		Patio slab or Terrace	32
		Basement Finish	935
		First Floor	1169
		Basement Total	1169
		Attached Garage	231
		Bldg Total Area:	1169

<i>Land Line</i>	Units	Land Value	Land Use
	1.0000 LT	117,000	Single Family Residential

Note: Land Line data above corresponds to the initial appraised value and does not reflect subsequent appeal related adjustments, if any.

* Not all parcels have available photos / sketches.

In some cases a sketch may be difficult to read. Please contact the Assessors Office for assistance. Measurements taken from the exterior of the building.

3-110 VOIDED/DE-ANNEXED/DISCONNECTED LAND REGULATIONS

This zone district may affect land that has been de-annexed from a municipality as set forth in these Regulations.

SECTION 3-200 R-3 RESIDENTIAL

3-201 INTENT

THIS DISTRICT IS AN OBSOLETE ZONE DISTRICT. SEE SECTION 1-502 FOR EXPLANATION OF DEVELOPMENT RESTRICTIONS.

Only one principal use and/or structure is permitted per lot, unless approved by the Board of Adjustment as a Special Exception Use.

3-202 PRINCIPAL PERMITTED USE

- A. Single-family dwelling unit.
- B. Type A Group Home.

3-203 ACCESSORY USES

- A. Building and use customarily appurtenant to the permitted use.
- B. Home occupation.
- C. See 12-1100 - Commercial Mobile Radio Facilities.
- D. There shall be a maximum combination of three (3) pets.

3-204 SPECIAL EXCEPTION USES

Small wind energy conversion system.

3-205 USE BY SPECIAL REVIEW

- A. Type B Group home.
- B. Quasi-public use (church, etc.).

3-206 MAXIMUM BUILDING HEIGHT

Not to exceed twenty-five Feet (25').

3-207 MINIMUM AREA, LOT WIDTH AND YARD REQUIREMENTS

- A. Minimum lot width is 75'.
- B. Front yard is 25' (principal structure); front building line (accessory structure).
- C. Side yard is 10' (principal structure); 5' (accessory structure).
- D. Rear yard is 25' (principal structure); 10' (accessory structure).
- E. Minimum lot area is 12,500 square feet.

3-208 AIRPORT INFLUENCE AREA REGULATIONS

This zone district may be affected by the special use and height restrictions and performance regulations as set forth in these Regulations.

CASE REFERRAL

DATE: 06/09/2016

CASE #: BA2016-00011

TO: Chuck Haskins - Engineering

FROM: ARAPAHOE COUNTY BOARD OF ADJUSTMENT

CASE MANAGER: Alan Snyder

HEARING DATE: 07/14/2016

DATE TO BE RETURNED: 06/24/2016

Please examine this Variance request, which has been referred to you because of the possible effect of the proposed land development upon your area and after review, check the appropriate line below and return to:

**RECORDING SECRETARY TO THE BOARD OF ADJUSTMENT
PUBLIC WORKS AND DEVELOPMENT
6924 South Lima Street
Centennial, CO 80112**

If you have any questions/comments, please feel free to call at (720)874-6711 or fax (720)874-6611. Please respond as soon as possible or no later than the abovementioned date.

Have **NO** comments on this case as submitted.

Have the following comments to make related to this case:

Signature/Date

A Grading Erosion and Sediment Control (GESC) Permit may be necessary for this project. Please coordinate with Tiffany Clark at the Southeast Metro Stormwater Authority (SEMSWA) at 303-858-8844.

Cathleen Valencia

Digitally signed by Cathleen Valencia
DN: cn=Cathleen Valencia, o=ARC, email=CValencia@arapahoecogov.com, c=US
Date: 2016.06.16 11:29:44 -0500

Signature/Date

(attach additional sheets as necessary)

Submit by Email

CASE REFERRAL

DATE: 06/09/2016

CASE #: BA2016-00011

TO: Jason Reynolds - Planning

FROM: ARAPAHOE COUNTY BOARD OF ADJUSTMENT

CASE MANAGER: Alan Snyder

HEARING DATE: 07/14/2016

DATE TO BE RETURNED: 06/24/2016

Please examine this Variance request, which has been referred to you because of the possible effect of the proposed land development upon your area and after review, check the appropriate line below and return to:

RECORDING SECRETARY TO THE BOARD OF ADJUSTMENT
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If you have any questions/comments, please feel free to call at (720)874-6711 or fax (720)874-6611. Please respond as soon as possible or no later than the abovementioned date.

Have **NO** comments on this case as submitted.

Have the following comments to make related to this case:

Signature/Date

The property does not appear to meet the minimum lot area requirements for the R-3 zoning district; however, the lot is comparable in size to other lots in the immediate vicinity. The existing house already encroaches into the side yard setback. The proposed side yard variances would not increase the amount of encroachment in the side yards. Allowing investment could stabilize or improve property values in the neighborhood.

Jason Reynolds

Signature/Date

(attach additional sheets as necessary)

Submit by Email

REVISIONS

11/25/15 JIM ADESS P/P
 04/20/17 LPPS PRELIMINARY
 12/27/18 LIC. NEW 3.6.6
 04/18/19 LPPS NEW 3.6.6
 10/27/17 LPPS PRELIMINARY



	R68W	R67W	R66W	R65W	R64W	R63W	R62W	R61W	R60W	R59W	R58W	R57W	
T4S	1971	1973	1975	1977	1979	1981	1983	1985	1987	1989	1991	1993	T4S
T5S	2077	2075	2073	2071	2069	2067	2065	2063	2061	2059	2057	2055	T5S

TOWNSHIP CODE MAP

2	1
3	4

QUARTER SECTION

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ARAPAHOE COUNTY COLORADO

TOWNSHIP	SECTION	QUARTER SECTION
1973	32	2

12-31-2015

VARIANCES IN AREA 1978-2016