



Accessory Dwelling Unit Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p> <p>If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			
PRE-APPLICATION INFORMATION			
Did you have a pre-application meeting with Development Services Residential Team?		<input type="checkbox"/> Yes - if yes, state the meeting date _____ <input type="checkbox"/> No - if no, describe why not	
Did you contact the City Council District Office regarding this application?		<input type="checkbox"/> Yes - if yes, state date and method _____ <input type="checkbox"/> No - if no, describe why not (in outreach attachment)	

REVIEW CRITERIA - AFFIRM THE PROPOSED ADU REZONING COMPLIES WITH THE CRITERIA BELOW BY CHECKING THE BOX NEXT TO EACH CRITERION

<p>General Review Criteria: The proposal must comply with all of the general review criteria. (Check box to the right to affirm) DZC Sec. 12.4.10.7</p>	<p><input type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.</p> <p>Denver Comprehensive Plan 2040 The proposed map amendment is consistent with the strategies in the adopted Denver Comprehensive Plan 2040, including:</p> <ul style="list-style-type: none"> • Goal 2, Strategy A. Equitable, Affordable and Inclusive – “Create a greater mix of housing options in every neighborhood for all individuals and families” (p. 28). The proposed zone district allows for an additional dwelling unit that is accessory to the primary single-unit dwelling use. Accessory dwelling units can provide housing for individuals or families with different incomes, ages, and needs compatible with the single-unit neighborhoods. • Goal 8, Strategy A. Environmentally Resilient - “Promote infill development where infrastructure and services are already in place” (p. 54). The proposed map amendment will allow an additional housing unit on the site of an existing home where infrastructure and services such as water, stormwater, and streets already exist. This allows Denver to grow responsibly and promotes land conservation. <p>Blueprint Denver The proposed map amendment is consistent with the applicable neighborhood context, places, street type, and strategies in <i>Blueprint Denver</i>, including:</p> <ul style="list-style-type: none"> • Policy 4, Strategy E - Diversify housing choice through the expansion of accessory dwelling units throughout all residential areas. <p>Neighborhood/ Small Area Plan (list all, if applicable): _____</p> <p>Housing an Inclusive Denver The proposed map amendment is consistent with <i>Housing an Inclusive Denver</i>, including: Attainable Homeownership, Recommendation 1: “Promote programs that help households maintain their existing homes. The City and its partners should target existing homeowner rehabilitation programs to residents in vulnerable neighborhoods, promote financial literacy education for prospective and existing homeowners, and promote the development of accessory dwelling units as a wealth-building tool for low and moderate-income homeowners” (p. 14). Legislative and Regulatory Priorities, Recommendation 2: “Expand and strengthen land use regulations for affordable and mixed-income housing. Through <i>Blueprint Denver</i>, and supplemental implementation actions such as zoning modifications, the city should support land use regulations and incentivize affordable and mixed-use housing, including expanding the development of Accessory Dwelling Units” (p. 9).</p>
<p>General Review Criteria: The proposal must comply with all of the general review criteria. (Check boxes to affirm) DZC Sec. 12.4.10.7</p>	<p><input type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p> <p>The proposed map amendment furthers the public health, safety, and general welfare of the city through implementation of the city's adopted plan, including <i>Blueprint Denver</i> which recommends “the expansion of accessory dwelling units throughout all residential areas” (<i>Blueprint Denver</i>, p. 84).</p>

<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria. (Check boxes to affirm.) DZC Sec. 12.4.10.8</p>	<p><input type="checkbox"/> Justifying Circumstances - One of the following circumstances exists: Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:</p> <ul style="list-style-type: none"> a. Changed or changing conditions in a particular area, or in the city generally; or, b. A City adopted plan; or c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning. <p>The proposed map amendment application identifies the adoption of <i>Blueprint Denver</i> as the Justifying Circumstance. As discussed above, <i>Blueprint Denver</i> specifically recommends the city diversify housing choice through the expansion of accessory dwelling units throughout all residential areas. The plan was adopted after the date of approval of the existing zone districts. Therefore, this is an appropriate justifying circumstance for the proposed rezoning.</p> <p><input type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>The proposed map amendment is consistent with the neighborhood context description, stated purpose and intent of the proposed _____ Zone District.</p>
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REQUIRED ATTACHMENTS

Please check boxes below to affirm the following required attachments are submitted with this rezoning application:

Legal Description (required to be separate attachment in Microsoft Word document format.)
 Proof of Ownership Document (e.g. Assessor's record, property deed, etc.)

ADDITIONAL ATTACHMENTS (IF APPLICABLE)

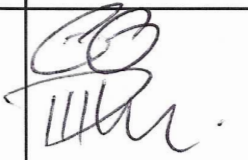
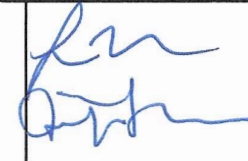


Please check boxes identifying additional attachments provided with this application:

Written Narrative Explaining Project
 Site Plan/ Drawings (if available)
 Narrative describing any outreach to City Council office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors.
 Written Authorization to Represent Property Owner(s) (if applicable)
 Individual Authorization to Sign on Behalf of a Corporate Entity (e.g. if the deed of the subject property lists an LLC/trust as owner, this is document is required.)

Please list any other additional attachments:

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

We, the undersigned represent that we are the owner(s) of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/12/20	(A)	YES
Philip Phifer Heather Phifer	3645 W 46th Ave Denver, CO 80211 (503) 358 3627 heather.phifer@gmail.com	9.09%		2/24/21	A	NO n/a
Steve Moore Jennifer Moore	3655 W 46th Ave Denver, CO 80211 (720) 635 5285 iowasteve@msn.com	9.09%		2/16/21	A	NO
Fred Pedroza Lenore Pedroza	3665 W 46th Ave Denver, CO 80211 (303) 961 8757 lbgmo@aol.com	9.09%		2-22-21 2/28/21	A	NO
Keely Garrou John Garrou	3675 W 46th Ave Denver, CO 80211 (303) 332 7347 jongarrou@gmail.com	9.09%		2/16/21	A	NO

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EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/12/20	(A)	YES
John D. Hortel Leslie Hortel	3685 W 46th Ave Denver, CO 80211 (303) 882 9396 johndavidhortel@gmail.com	9.09%	<i>John D. Hortel</i> <i>Leslie Hortel</i>	2/16/21 2/16/21	A	NO
David Marshall Kasey Cordell	3701 W 46th Ave Denver, CO 80211 (402) 658 5486 dmarshall81x@gmail.com	9.09%	David Marshall <small>Digitally signed by David Marshall Date: 2021.02.12 14:45:42 -0700</small>	01/26/21 2/16/21	A	NO
Chris Florman	3739 W 46th Ave Denver, CO 80211 (303) 882 6793 chris_florman@yahoo.com	9.09%	<i>Chris Florman</i>	2/22/21	A	NO
Oscar Mata Carrillo Anna Ohmes	3745 W 46th Ave Denver, CO 80211 (314) 803 0934 ohmes.anna@gmail.com	9.09%	<i>Anna Ohmes</i> <i>Oscar Mata</i>	2/16/21	A	NO

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PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

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EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/12/20	(A)	YES
Hannah Clayshulte	3801 W 46th Ave Denver, CO 80211 (575) 644-5959 hannahclayshulte@msn.com	9.09%	<i>Hannah Clayshulte</i>	2/16/20	A	NO
Kurt Bargas	3811 W 46th Ave Denver, CO 80211 (720) 261-0733 k.bargas63@gmail.com	9.09%	<i>Kurt Bargas</i>	2/16/21	A	NO
Sadie Baker William Baker	3815 W 46th Ave Denver, CO 80211 (303) 668-8665 sadiejbaker19@gmail.com	9.09%	<i>Sadie Baker</i> <i>William Baker</i>	2/16/21	A	NO
						NO

Attachment A – Reason for Request/History of Application

The reason for the request to rezone the group of properties on this application from U-SU-C to U-SU-B1 is based around the desire to have zoning that would permit the option for an ADU on the properties.

This application began as single application to rezone 3701 W. 46th Ave from U-SU-C to U-SU-C1 to allow a legal ADU designation for a planned basement apartment ADU at that property. During the initial pre-application meeting with CPD, it was explained that the property could not be permitted to have an ADU even if rezoned to U-SU-C1 because it is an undersized lot. The lot size is 5080 sq. ft. and U-SU-C1 requires a minimum of 5500 sq. ft. for an ADU. The options were: (1) request a variance based on hardship or (2) request a rezoning to U-SU-B1, which allows ADU and the minimum lot size in 4500 sq. ft. CPD recommended pursuing option 2. They also suggested that I (the owner of 3701 W. 46th Ave) ask if any neighbors would be interested in joining a group application to rezone multiple properties under one application. This would be more efficient for both CPD and the neighborhood.

15 adjoining neighbors all on the N. side of 46th Ave between Lowell and Osceola with U-SU-C zoning and 5080 sq. ft. lots and eligible for U-SU-B1 zoning were invited to join this group application. The invited addresses were all properties between 3525 and 3815 W 46th Ave.

11 property owners responded that that they would like to join. The property addresses for this application are from 3645 to 3815 W. 46th, with the exclusion of 3735 and 3695 W 46th.

3645 W 46TH AVE

Owner	PHIFER,PHILIP ALAN PHIFER,HEATHER ANN 3645 W 46TH AVE DENVER, CO 80211-1101
Schedule Number	02191-14-029-000
Legal Description	T3 R68 S19 NE/4 BEG N LINE 46TH AVE 404.56FT E OF W LINENEWTON ST TH E 40.63FT N 125FT W 40.63FT S 125FT TO POB
Property Type	SFR Grade C, D, or E, w/RK
Tax District	DENVER

Print Summary

Property Description			
Style:	1 STORY	Building Sqr. Foot:	929
Bedrooms:	2	Baths Full/Half:	1/0
Effective Year Built:	1940	Basement/Finish:	929/750
Lot Size:	5,080	Zoned As:	U-SU-C

Note: Valuation zoning may be different from City's new zoning code.

Current Year			
Actual	Assessed	Exempt	
Land		\$299,700	\$21,430 \$0
Improvements		\$172,300	\$12,320
Total		\$472,000	\$33,750

Prior Year			
Actual	Assessed	Exempt	
Land		\$299,700	\$21,430 \$0

3655 W 46TH AVE

Owner	MOORE,STEVEN D MOORE,JENNIFER L 3655 W 46TH AVE DENVER, CO 80211-1101
Schedule Number	02191-14-028-000
Legal Description	T3 R68 S19 NE/4 DIF RCP #0060366 RCD 12-09-86
Property Type	SFR Grade C
Tax District	DENVER

Print Summary

Property Description			
Style:	1 STORY	Building Sqr. Foot:	992
Bedrooms:	2	Baths Full/Half:	1/0
Effective Year Built:	1940	Basement/Finish:	992/992
Lot Size:	5,080	Zoned As:	U-SU-C

Note: Valuation zoning may be different from City's new zoning code.

Current Year			
Actual	Assessed	Exempt	
Land		\$299,700	\$21,430 \$0
Improvements		\$133,600	\$9,550
Total		\$433,300	\$30,980

Prior Year			
Actual	Assessed	Exempt	
Land		\$299,700	\$21,430 \$0

3665 W 46TH AVE

Owner	PEDROZA,FRED MICHAEL & 3665 W 46TH AVE DENVER, CO 80211-1101
Schedule Number	02191-14-027-000
Legal Description	T3 R68 S19 NE/4 DIF BOOK 2505-142
Property Type	SFR Grade C
Tax District	DENVER

Print Summary

Property Description			
Style:	1 STORY	Building Sqr. Foot:	1012
Bedrooms:	2	Baths Full/Half:	1/0
Effective Year Built:	1940	Basement/Finish:	959/959
Lot Size:	5,080	Zoned As:	U-SU-C

Note: Valuation zoning may be different from City's new zoning code.

Current Year			
	Actual	Assessed	Exempt
Land		\$299,700	\$21,430 \$0
Improvements		\$132,400	\$9,470
Total		\$432,100	\$30,900

Prior Year			
	Actual	Assessed	Exempt
Land		\$299,700	\$21,430 \$0

3675 W 46TH AVE

Owner	GARROU,KEELY GARROU,JON D 3675 W 46TH AVE DENVER, CO 80211-1101
Schedule Number	02191-14-026-000
Legal Description	T3 R68 S19 NE/4 DIF BOOK 0026-253
Property Type	SFR Grade C
Tax District	DENVER

Print Summary

Property Description			
Style:	1 STORY	Building Sqr. Foot:	935
Bedrooms:	2	Baths Full/Half:	1/0
Effective Year Built:	1940	Basement/Finish:	935/400
Lot Size:	5,080	Zoned As:	U-SU-C

Note: Valuation zoning may be different from City's new zoning code.

Current Year			
Actual	Assessed	Exempt	
Land		\$299,700	\$21,430 \$0
Improvements		\$168,500	\$12,050
Total		\$468,200	\$33,480

Prior Year			
Actual	Assessed	Exempt	
Land		\$299,700	\$21,430 \$0

3685 W 46TH AVE

Owner	HORTEL,JOHN DAVID HORTEL ,LESLIE 3685 W 46TH AVE DENVER, CO 80211-1101
Schedule Number	02191-14-025-000
Legal Description	PT OF NE 1/4 SEC 19 TWP 3 SRNG 68W DAF COM 242.04FT E OFINTERS OF N LI OF W 46TH AVE WITH W LI OF NEWTON ST EXT N THE 40.63FT TH N AT R/A
Property Type	SFR Grade C
Tax District	DENVER

Print Summary

Property Description			
Style:	1 STORY	Building Sqr. Foot:	929
Bedrooms:	2	Baths Full/Half:	2/0
Effective Year Built:	1940	Basement/Finish:	929/836
Lot Size:	5,080	Zoned As:	U-SU-C

Note: Valuation zoning may be different from City's new zoning code.

Current Year			
Actual	Assessed	Exempt	
Land		\$299,700	\$21,430 \$0
Improvements		\$156,700	\$11,200
Total		\$456,400	\$32,630

Prior Year			
Actual	Assessed	Exempt	
Land		\$299,700	\$21,430 \$0

3701 W 46TH AVE

Owner	MARSHALL,DAVID CORDELL,KASEY 3701 W 46TH AVE DENVER, CO 80211-1102
Schedule Number	02191-14-023-000
Legal Description	T3 R68 S19 NE/4 BEG N LINE 46TH AVE 160.78FT E OF W LINENEWTON ST EXTD N TH E 40.63FT N 125FT W 40.63FT S 125FT TOPOB
Property Type	SFR Grade C, D, or E, w/RK
Tax District	DENVER

Print Summary

Property Description			
Style:	1 STORY	Building Sqr. Foot:	960
Bedrooms:	2	Baths Full/Half:	2/0
Effective Year Built:	1939	Basement/Finish:	960/850
Lot Size:	5,080	Zoned As:	U-SU-C

Note: Valuation zoning may be different from City's new zoning code.

Current Year			
Actual	Assessed	Exempt	
Land		\$299,700	\$21,430 \$0
Improvements		\$208,100	\$14,880
Total		\$507,800	\$36,310

Prior Year			
Actual	Assessed	Exempt	
Land		\$299,700	\$21,430 \$0

3739 W 46TH AVE

Owner	FLORMAN,CHRISTOPHER PAUL 4001 FIELD DR WHEAT RIDGE, CO 80033-4357
Schedule Number	02191-14-021-000
Legal Description	T3 R68 S19 NE/4 DIF RCP #0043510 RCD 7-24-85
Property Type	SFR Grade C
Tax District	DENVER

Print Summary

Property Description			
Style:	1 STORY	Building Sqr. Foot:	909
Bedrooms:	2	Baths Full/Half:	2/0
Effective Year Built:	1938	Basement/Finish:	909/864
Lot Size:	5,080	Zoned As:	U-SU-C

Note: Valuation zoning may be different from City's new zoning code.

Current Year			
	Actual	Assessed	Exempt
Land		\$299,700	\$21,430 \$0
Improvements		\$146,500	\$10,480
Total		\$446,200	\$31,910

Prior Year			
	Actual	Assessed	Exempt
Land		\$299,700	\$21,430 \$0

3745 W 46TH AVE

Owner	CARRILLO, OSCAR MATA OHMES, ANNA 3745 W 46TH AVE DENVER, CO 80211-1102
Schedule Number	02191-14-020-000
Legal Description	T3 R68 S19 NE/4 BEG N LINE 46TH AVE 38.89FT E OF W LINENEWTON ST EXTD TH E 40.63FT N 125FT W 40.63FT S 125FT TOPOB
Property Type	SFR Grade C
Tax District	DENVER

Print Summary

Property Description			
Style:	1 STORY	Building Sqr. Foot:	903
Bedrooms:	2	Baths Full/Half:	2/0
Effective Year Built:	1938	Basement/Finish:	903/803
Lot Size:	5,080	Zoned As:	U-SU-C

Note: Valuation zoning may be different from City's new zoning code.

Current Year			
Actual	Assessed	Exempt	
Land		\$299,700	\$21,430 \$0
Improvements		\$229,700	\$16,420
Total		\$529,400	\$37,850

Prior Year			
Actual	Assessed	Exempt	
Land		\$299,700	\$21,430 \$0

3801 W 46TH AVE

Owner	CLAYSHULTE,HANNAH 3801 46TH AVE DENVER, CO 80211-1104
Schedule Number	02191-14-019-000
Legal Description	T3 R68 S19 NE/4 DIF RCP #0025875 RCD 2-7-86
Property Type	SFR Grade C, D, or E, w/RK
Tax District	DENVER

Print Summary

Property Description			
Style:	1 STORY	Building Sqr. Foot:	901
Bedrooms:	2	Baths Full/Half:	2/0
Effective Year Built:	1938	Basement/Finish:	901/901
Lot Size:	5,080	Zoned As:	U-SU-C

Note: Valuation zoning may be different from City's new zoning code.

Current Year				
	Actual	Assessed	Exempt	
Land		\$299,700	\$21,430	\$0
Improvements		\$234,700	\$16,780	
Total		\$534,400	\$38,210	

Prior Year				
	Actual	Assessed	Exempt	
Land		\$299,700	\$21,430	\$0

3811 W 46TH AVE

Owner	BARGAS,B KIRK 3811 W 46TH AVE DENVER, CO 80211-1104
Schedule Number	02191-14-018-000
Legal Description	T3 R68 S19 NE/4 DIF BOOK 7590-371
Property Type	SFR Grade C
Tax District	DENVER

Print Summary

Property Description			
Style:	1 STORY	Building Sqr. Foot:	858
Bedrooms:	2	Baths Full/Half:	1/1
Effective Year Built:	1938	Basement/Finish:	858/858
Lot Size:	5,080	Zoned As:	U-SU-C

Note: Valuation zoning may be different from City's new zoning code.

Current Year				
	Actual	Assessed	Exempt	
Land		\$299,700	\$21,430	\$0
Improvements		\$197,000	\$14,090	
Total		\$496,700	\$35,520	

Prior Year				
	Actual	Assessed	Exempt	
Land		\$299,700	\$21,430	\$0

3815 W 46TH AVE

Owner	HANSEN,SADIE J BAKER,WILLIAM C 3815 W 46TH AVE DENVER, CO 80211-1104
Schedule Number	02191-14-017-000
Legal Description	T3 R68 S19 NE/4 DIF RCP #0010460 RCD 5-6-85
Property Type	SFR Grade C
Tax District	DENVER

Print Summary

Property Description

Style:	1 STORY	Building Sqr. Foot:	803
Bedrooms:	2	Baths Full/Half:	2/0
Effective Year Built:	1938	Basement/Finish:	803/750
Lot Size:	5,080	Zoned As:	U-SU-C

Note: Valuation zoning may be different from City's new zoning code.

Current Year

Actual	Assessed	Exempt	
Land	\$299,700	\$21,430	\$0
Improvements	\$155,500	\$11,120	
Total	\$455,200	\$32,550	

Prior Year

Actual	Assessed	Exempt	
Land	\$299,700	\$21,430	\$0

Attachment E - Outreach

Outreach on this application has been ongoing.

Per the pre-application meeting, I contacted the local RNO, Berkeley-Regis United Neighbors (BRUN) and scheduled a meeting with their zoning and planning committee.

As the owner of 3701 W. 46th Ave, I asked 15 neighbors if they would be interested in joining a group application and spoke with District 1 Councilwoman Sandoval's office about the idea. I then scheduled a virtual meeting (13 Aug 2020) to discuss the plan with invited neighbors, CPD, and Councilwoman Sandoval's staff. After talking about the idea with that group and assessing interest with neighbors, a sub-group that was going to join the application was determined. Of the 15 properties invited to join the application spanning from 3625 to 3815 W 46th Ave (all have 5080 sq ft undersized lots), 11 property owners have opted to join the request. Two owners (3735 and 3695) declined to join, but also voiced no objection. Two property owners (3625 and 3635) stated that they had some concerns with the request for this change. They voiced concerns about street parking and lack of alley access. The concerns were addressed by referencing zoning code for non-alley ADUs, adopted plans, and discussions about parking capacity of driveways as all 15 properties invited to join the application properties have off street parking.

Next, I scheduled a new pre-application meeting (10 Sep 2020) with Valarie Herrera from CPD, 10 property owners joining (an 11th property added later), and District 1 staff. This was also necessary since it had been more than 6 months and the application details had changed considerably.

At a monthly BRUN zoning and planning meeting, I presented this application as an agenda item. I explained how it started as a sole application for 3701 W. 46th and a request to change from U-SU-C to U-SU-C1. I also explained how CPD suggested that I go a different route by requesting a change to U-SU-B1 due to being an undersized property for C1 (avoiding a variance request) and suggested that I should see if the other similar properties (all 5080 sq. ft.) along the North side of 46th Ave would like to be part of a group application. There was considerable support for the idea and for doing a group application. BRUN zoning and planning has standardized their outreach process. They informed me that they would commence with a broader solicitation for support or objection from neighbors once they receive formal notification of this application.

Development services has not been contacted (yet) about desired ADU. I referenced zoning codes for both basement ADUs and for a detached unit, to understand square foot requirements, height restrictions, setbacks, etc. The first step is to get zoning approved to allow the possibility of an ADU (like all of the blocks from the S. side of 46th to 44th) and then consult a professional architect and Development services to decide the best design options.



Dave Marshall <dmarshall81x@gmail.com>

Application to re-zone along 46th Ave to correct past zoning error and to allow ADU

Volpe-Beasley, Gina J. - CC City Council Aide <Gina.Volpe@denvergov.org> Wed, Jul 29, 2020 at 12:09 PM
To: "Herrera, Valerie M. - CPD City Planner Associate" <Valerie.Herrera@denvergov.org>, Dave Marshall <dmarshall81x@gmail.com>, "Grunditz, Naomi R. - CC City Council Aide District 1" <Naomi.Grunditz@denvergov.org>
Cc: "wcbconsulting@gmail.com" <wcbconsulting@gmail.com>, "burrismr@hotmail.com" <burrismr@hotmail.com>, "Info@tradewindsheatingandcooling.com" <Info@tradewindsheatingandcooling.com>, "sadiejbaker19@gmail.com" <sadiejbaker19@gmail.com>, "chris_florman@yahoo.com" <chris_florman@yahoo.com>, "iowasteve@msn.com" <iowasteve@msn.com>, "lesliecdouglass@gmail.com" <lesliecdouglass@gmail.com>, "johndavidhortel@gmail.com" <johndavidhortel@gmail.com>, "jen28smith@yahoo.com" <jen28smith@yahoo.com>, "jongarrou@gmail.com" <jongarrou@gmail.com>, Kasey Cordell <kaseycordell@gmail.com>, "Sandoval, Amanda P. - CC Member District 1 Denver City Council" <Amanda.Sandoval@denvergov.org>

Hello All,

I know everyone has busy schedules but please let me know if we could meet on Thursday, August 13th at 11:30?

Thank you,

Gina

From: Herrera, Valerie M. - CPD City Planner Associate <Valerie.Herrera@denvergov.org>
Sent: Wednesday, July 29, 2020 12:01 PM
To: Dave Marshall <dmarshall81x@gmail.com>; Grunditz, Naomi R. - CC City Council Aide District 1 <Naomi.Grunditz@denvergov.org>
Cc: wcbconsulting@gmail.com; burrismr@hotmail.com; Info@tradewindsheatingandcooling.com; sadiejbaker19@gmail.com; chris_florman@yahoo.com; iowasteve@msn.com; lesliecdouglass@gmail.com; johndavidhortel@gmail.com; jen28smith@yahoo.com; jongarrou@gmail.com; Kasey Cordell <kaseycordell@gmail.com>; Sandoval, Amanda P. - CC Member District 1 Denver City Council <Amanda.Sandoval@denvergov.org>; Volpe-Beasley, Gina J. - CC City Council Aide <Gina.Volpe@denvergov.org>
Subject: RE: [EXTERNAL] Application to re-zone along 46th Ave to correct past zoning error and to allow ADU

Good afternoon –

Thank you for your patience in my response. I'm all caught up with the email string and can make myself available to attend a future discussion regarding a potential rezoning that would come from the Council office for more the one

property within the district. I would like to include one of our senior planners for this discussion as I only handle pre-application research and want to be fully prepared to answer specific questions that may come up about the rezoning process.

Is there a tentative meeting date that staff can get on the calendar so that we can coordinate efforts on our end?

Thank you,

Val M. Herrera | Associate City Planner | *Hablo Español*

Community Planning and Development | City and County of Denver

p: (720) 865.2956 | valerie.herrera@denvergov.org

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From: Dave Marshall <dmarshall81x@gmail.com>

Sent: Tuesday, July 28, 2020 2:27 PM

To: Grunditz, Naomi R. - CC City Council Aide District 1 <Naomi.Grunditz@denvergov.org>

Cc: Herrera, Valerie M. - CPD City Planner Associate <Valerie.Herrera@denvergov.org>; wcbconsulting@gmail.com; burrismr@hotmail.com; Info@tradewindsheatingandcooling.com; sadiejbaker19@gmail.com; chris_florman@yahoo.com; iowasteve@msn.com; lesliecdouglass@gmail.com; johndavidhortel@gmail.com; jen28smith@yahoo.com; jongarrou@gmail.com; Kasey Cordell <kaseycordell@gmail.com>; Sandoval, Amanda P. - CC Member District 1 Denver City Council <Amanda.Sandoval@denvergov.org>; Volpe-Beasley, Gina J. - CC City Council Aide <Gina.Volpe@denvergov.org>

Subject: Re: [EXTERNAL] Application to re-zone along 46th Ave to correct past zoning error and to allow ADU

Naomi,

Perfect, when I hear back from CPD, I'll touch base with Gina and the group. Thanks!

I hope all is going well since we last spoke. I'm sure you all are very busy. Talk soon and take care.

Best,

Dave

On Tue, Jul 28, 2020 at 2:17 PM Grunditz, Naomi R. - CC City Council Aide District 1 <Naomi.Grunditz@denvergov.org> wrote:

Hello Dave (and all),

This is very exciting to hear! I'm looping in Gina in our office who handles our master schedule. I think it would be great to have the Councilwoman attend. I will defer to her if we should meet with everyone virtually or have a smaller check-in. Gina, can you help schedule this once we have decided?

Thank you!

~Naomi

Naomi Grunditz | District 1 Planner

Office of Councilwoman Amanda P. Sandoval

[1437 Bannock Street, Room 451 | Denver 80202](#)

naomi.grunditz@denvergov.org

p: (720) 337.7704

c: (720) 656.7281

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From: Dave Marshall <dmarshall81x@gmail.com>

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To: "Herrera, Valerie M. - CPD City Planner Associate" <Valerie.Herrera@denvergov.org>

Cc: "wcbconsulting@gmail.com" <wcbconsulting@gmail.com>, "burrismr@hotmail.com" <burrismr@hotmail.com>, "Info@tradewindsheatingandcooling.com" <Info@tradewindsheatingandcooling.com>, "sadiejbaker19@gmail.com" <sadiejbaker19@gmail.com>, "chris_florman@yahoo.com" <chris_florman@yahoo.com>, "iowasteve@msn.com" <iowasteve@msn.com>, "lesliecdouglass@gmail.com" <lesliecdouglass@gmail.com>, "johndavidhortel@gmail.com" <johndavidhortel@gmail.com>, "jen28smith@yahoo.com" <jen28smith@yahoo.com>, "jongarro@gmail.com" <jongarro@gmail.com>, Kasey Cordell <kaseycordell@gmail.com>, "Sandoval, Amanda P. - CC Member District 1 Denver City Council" <Amanda.Sandoval@denvergov.org>, "Grunditz, Naomi R. - CC City Council Aide District 1" <Naomi.Grunditz@denvergov.org>
Subject: [EXTERNAL] Application to re-zone along 46th Ave to correct past zoning error and to allow ADU

Hi Valerie,

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This change was because our lot (5,080 sq. ft) is undersized for the current zoning US-SU-C (5,500 sq.ft) and therefore would not allow a change to US-SU-C1 to allow a possible ADU (basement or detached). We ended last with a discussion that our lot should have originally been a US-SU-B or B1 based on size and that making a zoning change now to US-SU-B1 would be the most appropriate move for us to allow the option for an ADU.

You also mentioned that because our lot was incorrect, like many of our neighbors in a row of homes along 46th, that it might be better to see if these neighbors would be interested in opting to join in a group application to do them all at once, saving themselves and CPD time, and to see if Amanda Sandoval could sponsor the group application to save each applicant \$1000 since all of our properties were zoned incorrectly in the past...at no fault of the current owners.

I finally spoke with several neighbors about the changes that Kasey and I intend to do with our zoning and I asked if they would be interested in joining the application. There was significant interest from the owners I was able to contact. Right now, there would be seven property owners in addition to us that are interested in at least hearing more about the options and possibly interested in joining a group application. I have not spoken to the remaining few who share the incorrect zoning yet, but I suspect they may have interest in joining too.

Can I schedule a call with you to talk about next steps? Perhaps a group zoom call with the group and maybe even Amanda?

Please advise.

Thanks.

Best,

Dave



Dave Marshall <dmarshall81x@gmail.com>

Dave Marshall & CPD - re: Application to re-zone 3701 W. 46th Ave

1 message

Sandoval, Amanda P. - CC Member District 1 Denver City Council

Wed, Jul 29, 2020 at 1:10

<Amanda.Sandoval@denvergov.org>

PM

To: "Herrera, Valerie M. - CPD City Planner Associate" <Valerie.Herrera@denvergov.org>, Dave Marshall <dmarshall81x@gmail.com>, "Grunditz, Naomi R. - CC City Council Aide District 1" <Naomi.Grunditz@denvergov.org>, "Volpe-Beasley, Gina J. - CC City Council Aide" <Gina.Volpe@denvergov.org>

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[867521695@t.plcm.vc](tel:867521695) VTC Conference ID: 1117280193

[Alternate VTC dialing instructions](#)

Thanks Valeria – I am going to move the meeting up to 11:15, hope that works for everyone, we had another meeting get booked at 12:00 in the few minutes before I could hold the time.

Dave,

I will send a calendar invite and have you forward to the necessary people.

Take care,

Gina

From: Herrera, Valerie M. - CPD City Planner Associate <Valerie.Herrera@denvergov.org>

Sent: Wednesday, July 29, 2020 12:26 PM

To: Volpe-Beasley, Gina J. - CC City Council Aide <Gina.Volpe@denvergov.org>; Dave Marshall <dmarshall81x@gmail.com>; Grunditz, Naomi R. - CC City Council Aide District 1 <Naomi.Grunditz@denvergov.org>

Cc: wcbconsulting@gmail.com; burrismr@hotmail.com; Info@tradewindsheatingandcooling.com; sadiejbaker19@gmail.com; chris_florman@yahoo.com; iowasteve@msn.com; lesliecdouglass@gmail.com; johndavidhortel@gmail.com; jen28smith@yahoo.com; jongarro@gmail.com; Kasey Cordell <kaseycordell@gmail.com>; Sandoval, Amanda P. - CC Member District 1 Denver City Council <Amanda.Sandoval@denvergov.org>

Subject: RE: [EXTERNAL] Application to re-zone along 46th Ave to correct past zoning error and to allow ADU

Works for me, thank you. I will ask for a senior planner to be available at this meeting come Monday at our map team.

Val M. Herrera | Associate City Planner | *Hablo Español*

Community Planning and Development | City and County of Denver

p: (720) 865.2956 | valerie.herrera@denvergov.org

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Sent: Wednesday, July 29, 2020 12:10 PM

To: Herrera, Valerie M. - CPD City Planner Associate <Valerie.Herrera@denvergov.org>; Dave Marshall <dmarshall81x@gmail.com>; Grunditz, Naomi R. - CC City Council Aide District 1 <Naomi.Grunditz@denvergov.org>

Cc: wcbconsulting@gmail.com; burrismr@hotmail.com; Info@tradewindsheatingandcooling.com; sadiejbaker19@gmail.com; chris_florman@yahoo.com; iowasteve@msn.com; lesliecdouglass@gmail.com; johndavidhortel@gmail.com; jen28smith@yahoo.com; jongarro@gmail.com; Kasey Cordell <kaseycordell@gmail.com>; Sandoval, Amanda P. - CC Member District 1 Denver City Council <Amanda.Sandoval@denvergov.org>

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Council Aide <Gina.Volpe@denvergov.org>

Subject: Re: [EXTERNAL] Application to re-zone along 46th Ave to correct past zoning error and to allow ADU

Naomi,

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I hope all is going well since we last spoke. I'm sure you all are very busy. Talk soon and take care.

Best,

Dave

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Thank you!

~Naomi

Naomi Grunditz | District 1 Planner

Office of Councilwoman Amanda P. Sandoval

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Can I schedule a call with you to talk about next steps? Perhaps a group zoom call with the group and maybe even Amanda?

Please advise.

Thanks.

Best,

Dave

 **invite.ics**
27K



Dave Marshall <dmarshall81x@gmail.com>

Payment for Rezoning Application

BRUN Zoning & Planning (ZAP) <brunzoning@gmail.com>

Fri, Dec 4, 2020 at 1:43 PM

To: Dave Marshall <dmarshall81x@gmail.com>

Dave

I'll wait for official notice through the city. We won't start anything without a case number.

Thanks.

On Fri, Dec 4, 2020 at 1:35 PM Dave Marshall <dmarshall81x@gmail.com> wrote:

Happy to do so.

I'd ask that you please wait until I get payment processed and the application formally starts with CPD before you start externally with outreach. I'll update you as soon as I know more.

- DM

On Fri, Dec 4, 2020 at 1:32 PM BRUN Zoning & Planning (ZAP) <brunzoning@gmail.com> wrote:

Dave

Thanks for the update. We'll start coordinating our massive outreach effort to the surrounding neighborhood.

Once all is official, do you plan to give a presentation to ZAP or the board?

Good Luck,

Thanks.

On Fri, Dec 4, 2020 at 1:24 PM Dave Marshall <dmarshall81x@gmail.com> wrote:

Hello,

I'm looking to move along with a rezoning application. I already completed the pre-application process and had a meeting with a planner and my District 1 Councilwoman and have had multiple RNO discussions. Please see the attached pre-application briefing.

It looks like the next step in the process is for me to pay the \$1000 fee for the application. I tried to call and speak with someone to make payment, but I was directed to the website. It doesn't look like there is an online payment option and I was referred online to contact this email address to arrange payment. Please advise.

My cell number is 402.658.5486 if it is easier to discuss versus email.

I look forward to hearing back from you.

Best,

David Marshall

3701 W 46th Ave

Denver, CO 80211



Dave Marshall <dmarshall81x@gmail.com>

RE: Rezoning Pre-app Meeting: Block of W. 46th Ave. (U-SU-C to U-SU-B1)

1 message

Herrera, Valerie M. - CPD City Planner Associate <Valerie.Herrera@denvergov.org> Thu, Sep 10, 2020 at 12:35 PM
To: Dave Marshall <dmarshall81x@gmail.com>, "o.matacarr@gmail.com" <o.matacarr@gmail.com>, "jongarro@gmail.com" <jongarro@gmail.com>, "johndavidhortel@gmail.com" <johndavidhortel@gmail.com>, "Volpe-Beasley, Gina J. - CC City Council Aide" <Gina.Volpe@denvergov.org>, "Stueve, Ella C. - CPD City Planner Senior" <Ella.Stueve@denvergov.org>, "Sandoval, Amanda P. - CC Member District 1 Denver City Council" <Amanda.Sandoval@denvergov.org>, STEVE MOORE <iowasteve@msn.com>, Mick Burris <burrismr@hotmail.com>, Leslie <lesliecdouglass@gmail.com>, Kurt Bargas <k.bargas63@gmail.com>, Kasey Cordell <kaseycordell@gmail.com>, "Info@tradewindsheatingandcooling.com" <Info@tradewindsheatingandcooling.com>, Heather Phifer <heather.phifer@gmail.com>, "Grunditz, Naomi R. - CC City Council Aide District 1" <Naomi.Grunditz@denvergov.org>, Chris Florman <chris_florman@yahoo.com>, Anna Ohmes <ohmes.anna@gmail.com>

Good afternoon,

Checking in to let the group now that I will be signing on about 5 minutes prior to 1pm to share the presentation and give some time for everyone to get situated.

As a remind on how to join us for this virtual rezoning pre-app meeting, please click on the purple link below in the calendar invitation or in this email below that says "[Join Microsoft Teams Meeting](#)".

I will be sending the presentation out post this meeting as a PDF attachment.

Thank you,

Val M. Herrera | Associate City Planner | *Hablo Español*

Community Planning and Development | City and County of Denver

p: (720) 865.2956 | valerie.herrera@denvergov.org

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-----Original Appointment-----

From: Herrera, Valerie M. - CPD City Planner Associate <Valerie.Herrera@denvergov.org>

Sent: Wednesday, September 2, 2020 1:33 PM

To: Dave Marshall; o.matacarr@gmail.com; jongarro@gmail.com; johndavidhortel@gmail.com; Volpe-Beasley, Gina J. - CC City Council Aide; Stueve, Ella C. - CPD City Planner Senior; Sandoval, Amanda P. - CC Member District 1 Denver City Council; STEVE MOORE; Mick Burris; Leslie; Kurt Bargas; Kasey Cordell; Info@tradewindsheatingandcooling.com; Heather Phifer; Grunditz, Naomi R. - CC City Council Aide District 1; Chris Florman; Anna Ohmes

Subject: Rezoning Pre-app Meeting: Block of W. 46th Ave. (U-SU-C to U-SU-B1)

When: Thursday, September 10, 2020 1:00 PM-2:00 PM (UTC-07:00) Mountain Time (US & Canada).

Where:

Hello everyone,

This invitation is to set our official rezoning pre-application meeting for **Thursday, September 10, 2020 from 1-2pm.**

Our meeting will take place on the Teams Virtual Platform. Please click on the link that says "Join Team Meeting" to connect the day of.

Kindly,

Val M. Herrera | Associate City Planner

Community Planning and Development | City and County of Denver

p: (720) 865.2956 | valerie.herrera@denvergov.org

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867521695@t.plcm.vc VTC Conference ID: 1156252290

[Alternate VTC dialing instructions](#)



Dave Marshall <dmarshall81x@gmail.com>

Rezoning Meeting - 46th Ave

Dave Marshall <dmarshall81x@gmail.com>

Fri, Aug 14, 2020 at 11:00 AM

To: Amanda Sandoval <amanda.sandoval@denvergov.org>, "Grunditz, Naomi R. - CC City Council Aide District 1" <Naomi.Grunditz@denvergov.org>, "Volpe-Beasley, Gina J. - CC YA2245 City Council Aide" <Gina.Volpe@denvergov.org>

Cc: Kasey Cordell <kaseycordell@gmail.com>, Anna Ohmes <ohmes.anna@gmail.com>, o.matacarr@gmail.com

Hi Amanda,

I wanted to say thank you for taking time to attend the meeting with CPD yesterday about rezoning our property to correct for lot size and for the option to add an ADU. Kasey and I will be submitting the new pre-application to change from U-SU-C to U-SU-B1. We will submit next Friday, 22 August after we see how many neighbors want to join the application. There is already at least one additional property joining us.

You mentioned one concern yesterday...regarding us not having an alley. Our attached ADU (basement apartment) will be accessed from a separate entrance off our driveway which is accessed from the front of the property off of the street. There should be no negative impact to neighbors related to access to the ADU.

We also don't foresee a substantial parking impact from adding this ADU. Our driveway can accommodate two cars now and possibly three in the future when we plan to replace our garage with a new one further back on the property (within the setbacks and will not require a variance).

It was my understanding that we have the option to request sponsorship from your office for this application to remove the application fee. Depending on the number of co-applicants, I would like to discuss this further with you. CPD initially acknowledged that they sized our lots along the N side of 46th incorrectly but yesterday adjusted that statement. I don't see the point in debating that with them, but it also doesn't seem reasonable to ask us to pay for that correction. Any assistance and support you are willing/able to provide us and our neighbors would be greatly appreciated.

I'll be sure to notify you and your staff once we have submitted our pre-app and provide you with the scope details of the co-applicants. If you want me to schedule another meeting during your virtual office hours, please just let me know.

I hope you had a great trip last weekend and have a good weekend coming up.

Take care.

Best,
Dave



Dave Marshall <dmarshall81x@gmail.com>

Update on Rezoning for 46th Ave Application

Dave Marshall <dmarshall81x@gmail.com>

Fri, Dec 18, 2020 at 12:41 PM

To: wcbconsulting@gmail.com, sadiejbaker19@gmail.com, Kurt Bargas <k.bargas63@gmail.com>, "Hannah M. Clayshulte" <Hclayshulte@bremerwhyte.com>, Anna Ohmes <ohmes.anna@gmail.com>, Chris Florman <chris_florman@yahoo.com>, Leslie <lesliecdouglass@gmail.com>, johndavidhortel@gmail.com, jongarro@gmail.com, Info@tradewindsheatingandcooling.com, STEVE MOORE <iowasteve@msn.com>, jen28smith@yahoo.com, Heather Phifer <heather.phifer@gmail.com>

Cc: Kasey Cordell <kaseycordell@gmail.com>, "Grunditz, Naomi R. - CC City Council Aide District 1"

<Naomi.Grunditz@denvergov.org>, "Herrera, Valerie M. - CPD City Planner Associate"

<Valerie.Herrera@denvergov.org>, "BRUN Zoning & Planning (ZAP)" <brunzoning@gmail.com>, Jeffrey Stine

<jeffrey.stine@gmail.com>

Neighbors,

I had another meeting with Amanda's office a few weeks ago. We discussed the sponsorship option for the rezoning application and reviewed her process again.

The short -- Getting Amanda's sponsorship would further delay our application. It requires additional research/outreach and meetings with the city (CPD) for her staff who would be juggling our effort with the dozens of other projects that they have on their plate. She was very supportive of this effort and agreed to go down that path, if we want to pursue it. I had additional discussions with BRUN/BRUN ZAP to make sure we understand their need for updates along the process so they can collect community feedback. We feel that this application has high likelihood for success after talks with CPD and community leadership. Kasey and I feel that the savings of \$1000 wouldn't be worth potentially months more of delay. We'd like to finally get moving forward with CPD. This process will still take several more months going this route.

Kasey and I discussed it and we have decided that we would like to offer to pay for the group application. The larger group application strengthens the application and supports objectives laid out in the city's BluePrint Denver plan. We would be paying \$1000 for a single application for just our home anyway, so there is no additional expense for us and we think that is the best thing to do based on making the decision above. Please consider the \$91 split for our 11 homes as a replacement for a neighborly christmas card and a nice gifted bottle of wine, so Merry Christmas! If you are in any way uncomfortable continuing with that application, or our offer...no worries at all, please just let us know.

Happy Holiday,
Dave Marshall and Kasey Cordell
3701 W 46th
402.658.5486