

1 allow people to live there without any services. In this
2 particular permit the note about the 180 days indicates
3 that if there are building permits required in order to
4 get this use established that's the time period they have
5 to have their building permit by.

6 And essentially, if I may, with the transition
7 of the old Code to the new Code **City Council tried** to
8 **accommodate situations where plans were in progress to**
9 **develop under the old Code** and rules were written to
10 allow a certain amount of time for a land owner to
11 exercise their rights under the old Code.

12 THE COURT: And how long does this process of
13 zoning informational notice require -- how long does that
14 normally take?

15 THE WITNESS: It's in best -- the best case is
16 it's about at 30 day process. They usually -- the -- the
17 process runs longer. And the process can run longer.
18 And actually it's a -- it's a 45 day total. Because the
19 30 day process -- actually, no, it is 30 days. By 30
20 days we need to make a decision. When we -- when Zoning
21 decides to approve a permit under this process there's an
22 additional 15 day posting period, there's a second
23 posting that occurs to notify people that the use was
24 approved. And that allows for someone to appeal our
25 decision if they wish to.



RE: 740 Clarkson Street, Denver, CO, 80218. Zoning Use Permit Z-Log # 2010Z04720

Wednesday, July 13, 2011 4:08 PM

From: "O'Flaherty, Mike - Development Services" <Michael.O'Flaherty@denvergov.org>

To: "Jesse Lipschuetz" <jnlpc@yahoo.com>

Cc: "Robb, Jeanne - City Council Dist. #10" <Jeanne.Robb@denvergov.org>, "Buckey, Kerry A - Department of Law" <Kerry.Buckey@denvergov.org>

1 File (167KB)



2011070...

Dear Mr. Lipschuetz,

I have reviewed the attached letter requesting revocation of the Use Permit for Rooming & Boarding for 740 Clarkson St, citing provisions of Denver Zoning Code (DZC) section 12.4.1.10 (a). However since the permit in question was not authorized under the DZC, it is not subject to the provisions of the cited section.

Under the provisions of Ordinance 333-2010 the Use permit for Rooming and Boarding at 740 Clarkson St was properly issued on 12/30/2010 for the use allowed by former chapter 59, R-3 zoning. Since a Building permit for Change of Occupancy was not required to establish the use the 180 day provision to acquire Building Permits in Ordinance 333-2010 is not applicable and has no impact on the validity of the zoning permit.

Consequently, I will not revoke the use permit as requested.

Additionally, I will not grant an extension of time to appeal issuance of the 12/30/2010 Use Permit.

However, this decision may be appealed to the Board of Adjustments—Zoning within 15 days of the date of this email.

Mike O'Flaherty
Zoning Administrator
Development Services
720-865-2984

Please click on this link to take our customer survey <http://www.DenverGov.Org/CPDSurvey>

From: Jesse Lipschuetz [mailto:jnlpc@yahoo.com]

Sent: Friday, July 08, 2011 2:41 PM

To: O'Flaherty, Mike - Development Services

Cc: Jesse Lipschuetz; Robb, Jeanne - City Council Dist. #10

Subject: 740 Clarkson Street, Denver, CO, 80218. Zoning Use Permit Z-Log # 2010Z04720

Mr. O'Flaherty

Attached is my letter of today's date asking you to reconsider the decisions in your June 7 email to David Warren and to revoke the above rooming and boarding zoning permit on the grounds that a building permit has not been issued and the rooming and boarding use has not been established as of 180 days after the issuance of the permit.

I would appreciate your prompt attention to this matter.

Jesse N. Lipschuetz