

## 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	Willy Salas	Representative Name	
Address	945 Irving St.	Address	
City, State, Zip	Denver, CO. 80204	City, State, Zip	
Telephone	310-386-9838	Telephone	
Email	greenarchwill@yahoo.com	Email	
*All standard zone map amendment applications must be initiated by owners (or authorized representatives) of at least 51% of the total area of the zone lots subject to the rezoning. See page 4.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.	
SUBJECT PROPERTY INFORMATION			
Location (address):	945 N Irving St. Denver CO. 80204		
Assessor's Parcel Numbers:	05053-21-018-000		
Area in Acres or Square Feet:	6,250 sf or .14 acres		
Current Zone District(s):	E-SU-D		
PROPOSAL			
Proposed Zone District:	E-SU-D1		
PRE-APPLICATION INFORMATION			
Did you have a pre-application meeting with Development Services Residential Team?	<input checked="" type="checkbox"/> Yes - if yes, state the meeting date <input type="checkbox"/> No - if no, describe why not	<u>12/29/2020</u> <hr/>	
Did you contact the City Council District Office regarding this application?	<input checked="" type="checkbox"/> Yes - if yes, state date and method <input type="checkbox"/> No - if no, describe why not (in outreach attachment)	<u>1/7/2021, Virtually</u> <hr/>	

**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 checked="" type="checkbox"/> <b>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.</b></p> <p><b>Denver Comprehensive Plan 2040</b> The proposed map amendment is consistent with the strategies in the adopted Denver Comprehensive Plan 2040, including:</p> <ul style="list-style-type: none"> <li>• <b>Goal 2, Strategy A. Equitable, Affordable and Inclusive</b> – "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.</li> <li>• <b>Goal 8, Strategy A. Environmentally Resilient</b> - "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.</li> </ul> <p><b>Blueprint Denver</b> 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"> <li>• <b>Policy 4, Strategy E - Diversify housing choice</b> through the expansion of accessory dwelling units throughout all residential areas.</li> </ul> <p>Neighborhood/ Small Area Plan (list all, if applicable): <u>Villa Park Neighborhood Plan, 1991</u></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 checked="" type="checkbox"/> <b>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.</b></p> <p><input checked="" type="checkbox"/> <b>Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</b></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 Rezonings: The proposal must comply with both of the additional review criteria.</p> <p>(Check boxes to affirm.)</p> <p>DZC Sec. 12.4.10.8</p>	<p><input checked="" type="checkbox"/> <b>Justifying Circumstances - One of the following circumstances exists:</b>          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"> <li>a. Changed or changing conditions in a particular area, or in the city generally; or,</li> <li>b. A City adopted plan; or</li> <li>c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</li> </ul> <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 checked="" type="checkbox"/> <b>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.</b></p> <p>The proposed map amendment is consistent with the neighborhood context description, stated purpose and intent of the proposed <u>E-SU-D1</u> 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 of subject property(s). **Submit as a separate Microsoft Word document.** View guidelines at: <https://www.denvergov.org/content/denvergov/en/transportation-infrastructure/programs-services/right-of-way-survey/guidelines-for-land-descriptions.html>
- Proof of Ownership Document (e.g. Assessor’s record, property deed, etc). Proof of ownership 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. 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.

**ADDITIONAL ATTACHMENTS (IF APPLICABLE)**


Please check boxes identifying additional attachments provided with this application (note that more information may be required. Please confirm with your pre-application/case manager planner prior to submittal.):

- 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)
<b>EXAMPLE</b> 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>	01/01/12	(A)	YES
Willy Salas	945 Irving St. Denver CO. 80204 310-386-9838 greenarchwill@yahoo.com	100%		1/14/2021	(B)	NO

**Legal description of property:**

Lots 35 and 36, Block 20

Villa Park,

City and County of Denver, State of Colorado

Page: 1 of 2 Reception #: 2011097467  
08/31/2011 01:18 P R:\$ 16.00 D:\$ 4.60  
eRecorded in C/C of Denver, CO Doc Code: WD  
Debra Johnson, Clerk and Recorder

STATE DOCUMENTARY FEE  
\$ 4.60

## SPECIAL WARRANTY DEED

**Fannie Mae A/K/A Federal National Mortgage Association organized and existing under the laws of the United States of America**, having an address at 13455 Noel Road, Suite 600, Dallas Texas 75240, ("Grantor"), for and in consideration of the sum of **Forty-Six Thousand And No/100 Dollars (\$46,000.00)**, and other good and valuable consideration in hand paid to Grantor herein by **Willy Salas**, in severalty, having an address of **945 Irving Street, Denver, CO 80204**, ("Grantee(s)") receipt of which is hereby acknowledged and confessed; has **GRANTED, SOLD AND CONVEYED**, and by these presents does **GRANT, SELL AND CONVEY** unto Grantee(s) all of the following real property ("Property"), described as follows:

**Lots 35 and 36, Block 20,  
Villa Park,  
City and County of Denver, State of Colorado.**

which has a street address of: **945 Irving Street, Denver, CO 80204.**

### THIS CONVEYANCE IS MADE BY THE GRANTOR SUBJECT TO THE FOLLOWING EXCEPTIONS:

- a. Discrepancies, conflict in boundary lines shortage in area and encroachments which would be disclosed through a correct and proper survey or physical inspection of the Property.
- b. Any and all covenants, conditions, easements, reservations, rights of way and restrictions affecting the Property as evidenced by instruments filed in the public records of the county wherein the Property is located.
- c. Any water rights, claims or title to water, in, on or under the land, or ditches or ditch rights, water share, water stock, whether shown by public record or otherwise.
- d. Any interest in oil, coal and other minerals or mineral rights, whether express or implied, associated with, or incidental to the ownership of the Property, or the exercise of rights under any oil, gas, coal or mineral reservation, grant or lease and all rights, privileges and easements with respect thereto, or assignments thereof, or interest therein, and;
- e. Real Property Taxes, general assessments and special assessments on the Property being conveyed hereby, becoming due and payable after the date of this Deed.

**GRANTEE(S) by acceptance of the Deed acknowledge(s) that Grantor acquired title to the Property through foreclosure, deed in lieu of foreclosure or other means of enforcement of a lien in favor of the Grantor and/or assigns. Grantor while in title, has not been in actual physical possession of the Property, and therefore, the Property is being sold to Grantee(s), and Grantee(s), by acceptance of this Deed accepts the Property "AS IS", "WHERE IS", without any recourse to Grantor, and with no representations or warranties of any kind or nature being made by Grantor as to the condition, fitness or status of the Property, except as to the special warranties of title as specifically set forth herein.**

CAT 40339w



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STATE DOCUMENTARY FEE

\$ 4.60

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- b. Any and all covenants, conditions, easements, reservations, rights of way and restrictions affecting the Property as evidenced by instruments filed in the public records of the county wherein the Property is located.
- c. Any water rights, claims or title to water, in, on or under the land, or ditches or ditch rights, water share, water stock, whether shown by public record or otherwise.
- d. Any interest in oil, coal and other minerals or mineral rights, whether express or implied, associated with, or incidental to the ownership of the Property, or the exercise of rights under any oil, gas, coal or mineral reservation, grant or lease and all rights, privileges and easements with respect thereto, or assignments thereof, or interest therein, and;
- e. Real Property Taxes, general assessments and special assessments on the Property being conveyed hereby, becoming due and payable after the date of this Deed.

**GRANTEE(S) by acceptance of the Deed acknowledge(s) that Grantor acquired title to the Property through foreclosure, deed in lieu of foreclosure or other means of enforcement of a lien in favor of the Grantor and/or assigns. Grantor while in title, has not been in actual physical possession of the Property, and therefore, the Property is being sold to Grantee(s), and Grantee(s), by acceptance of this Deed accepts the Property "AS IS", "WHERE IS", without any recourse to Grantor, and with no representations or warranties of any kind or nature being made by Grantor as to the condition, fitness or status of the Property, except as to the special warranties of title as specifically set forth herein.**



TO HAVE AND TO HOLD the herein described Property, together with all in singular the rights appurtenances thereto belonging unto the said Grantee(s), Grantee(s)' heirs, legal representatives, successors and assigns forever. Grantor does hereby bind itself and its successors and assigns to WARRANTY AND FOREVER DEFEND the Property described herein, unto the said Grantee(s) and Grantee(s)' heirs, legal representatives, successors and assigns against every person whomsoever lawfully claiming the same or any part thereof, by, through or under Grantor, but not otherwise.

EFFECTIVE AS OF THIS 26<sup>th</sup> DAY OF August, 2011

**GRANTOR:**

Fannie Mae A/K/A Federal National Mortgage Association organized and existing under the laws of the United States of America, By Castle Stawiarski, LLC, as Attorney-in-Fact

By *Elizabeth Marcus Moore*

By: Managing Attorney, Elizabeth  
Marcus Moore, Esq.  
Attorney Reg. No: 16092

**STATE OF COLORADO**

**CITY AND COUNTY OF DENVER**

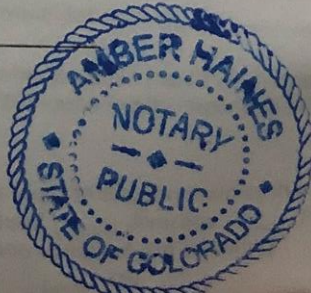
The foregoing Special Warranty Deed was acknowledged before me this 26<sup>th</sup> day of August, 2011 by Elizabeth Marcus Moore, Esq. as Managing Attorney for Castle Stawiarski, LLC, as Attorney-in-Fact for **Fannie Mae A/K/A Federal National Mortgage Association organized and existing under the laws of the United States of America.**

Witness my hand and official seal.

My Commission expires: 8/16/12

*Amber Haines*  
Notary Public

[SEAL]





To whom it may concern,

It is my intent to rezone my property at 945 N. Irving to allow for the construction of an ADU. With regards to steps I've taken to notify my neighbors regarding my intent, I have hand-delivered letters of my intentions to the neighbors to both my north and south as well as across the street. I have also, notified the local RNO's (Federal Boulevard Corridor Improvement Partnership, Inter-Neighborhood Cooperation, United Northwest Denver, and Villa Park Neighborhood Association) of my intent and have personally spoken to Jaime Aguilar of Villa Park RNO. In addition, I have consulted with my neighbor to the far end of the block at 901 N Irving St. Ryan Brisch, to become acquainted with the process. To this date, everyone I've spoken to has been supportive of this rezoning.

Sincerely,

Willy Salas