

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2016

COUNCIL BILL NO. CB16-0482
COMMITTEE OF REFERENCE:
Neighborhoods & Planning

A BILL

For an ordinance changing the zoning classification for 45 N. Harrison St., with a waiver.

WHEREAS, the City Council has determined, based on evidence and testimony presented at the public hearing, that the map amendment set forth below conforms with applicable City laws, is consistent with the City's adopted plans, furthers the public health, safety and general welfare of the City, will result in regulations and restrictions that are uniform within the G-RH-3, with a waiver, zone district, is justified by one of the circumstances set forth in Section 12.4.10.8 of the Denver Zoning Code, and is consistent with the neighborhood context and the stated purpose and intent of the proposed zone district;

NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That upon consideration of a change in the zoning classification of the land area hereinafter described, Council finds:

1. That the land area hereinafter described is presently classified as PUD #453.
2. That the Owner proposes that the land area hereinafter described be changed to G-RH-3, with a waiver.

3. The owner approves and agrees to the following described certain waiver to the requested change in zoning classification related to the development, operation, and maintenance of the land area:

Waive the setback requirement for Side Interior, adjacent to a Protected District (minimum) for the Row House building form in Primary Building Form Standards, District Specific Standards for the G-RH-3 zone district, contained in Section 6.3.3.4.D, Denver Zoning Code, as amended, and instead of 10' shall be na.

Section 2. That the zoning classification of the land area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed to G-RH-3 with a certain waiver:

(Legal Description)

LOTS 31 THROUGH 33, INCLUSIVE, AND THE SOUTH 2/3 OF LOT 34, BLOCK 11, BURLINGTON CAPITOL HILL ADDITION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

Section 3. The foregoing change in zoning classification is based upon a certain waiver approved by the owner, which certain waiver is set forth in Section 1(3) hereof; and no permit shall be issued except in strict compliance with the aforesaid certain waiver. Said certain waiver shall be binding upon all successors and assigns of the owner, who along with the owner shall be deemed to have waived all objections as to the constitutionality of the aforesaid certain waiver.

Section 4. That this ordinance shall be recorded by the Manager of Community Planning and Development in the real property records of the Denver County Clerk and Recorder.

COMMITTEE APPROVAL DATE: July 20, 2016

MAYOR-COUNCIL DATE: July 26, 2016

PASSED BY THE COUNCIL August 29, 2016

Al Burke - PRESIDENT

APPROVED: D. J. M. - MAYOR Aug 31, 2016

ATTEST: _____ - CLERK AND RECORDER,
EX-OFFICIO CLERK OF THE
CITY AND COUNTY OF DENVER

NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2016; _____ 2016

PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: July 28, 2016

Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to § 3.2.6 of the Charter.

Denver City Attorney

BY: D. J. M., Assistant City Attorney DATE: July 28, 2016

Signature:

Email: