

## Rezoning Waiver(s) and/or Condition(s) Request Form

PROPERTY OWNER/ APPLICANT INFORMATION			
Property Owner/ Applicant Name	Focus Points Family Resource Center		
SUBJECT PROPERTY INFORMATION			
Address of property to be rezoned that waiver is requested	2501 East 48th Ave, Denver CO.		
Current Zone District:	R-1 With Wavers		
Requested/Proposed Zone District:	CMP-EI2 With Wavers		
BACKGROUND AND INSTRUCTIONS			
<p>Section 12.4.10.6 of the Denver Zoning Code (DZC) authorizes the City Council to adopt waivers or reasonable conditions to an Official Map Amendment at the request of the applicant, provided the applicant approves such waivers in writing.</p> <p>In the first column of the table below, list the current code section (as it is today in the DZC) that is requested to be modified in the proposed zone district. In the second column, write the proposed alternative standard. In the third column, list the difference between the existing and proposed, if applicable. In the fourth column, provide justification or reasoning on why the current standard can't be met and a waiver/condition is necessary and justified.</p> <p>If requesting more than one waiver, repeat on the second page. Once completed, submit with your rezoning application or return to your case manager via email.</p> <p>Once the rezoning request with waivers is approved by City Council and adopted, the waivers cited below shall apply to all successors and assigns of the property, who along with the present owner(s), shall be deemed to have waived all objections as to the constitutionality of these provisions.</p>			
WAIVER REQUEST			
Current Standard	Proposed Waiver	Difference between current and proposed standard	Justification
<i>Example: DZC Sec. 3.3.4.5.A Detached accessory dwelling unit - minimum lot size 8,500 sq. ft.</i>	<i>Waive minimum lot size requirement from 8,500 sq ft to 7,000 sq ft for detached accessory unit in the S-SU-D1 zone district</i>	<i>A reduction of 1,500 sq. ft. to the minimum lot size in the S-SU-D1 zone district</i>	<i>There currently is not a zone district that allows for ADU's on parcels smaller than 8,500 sq. ft. in the Suburban Context. The subject parcel is 7,000 sq. ft. in size.</i>
DZC Section 9.2.4.3: Building Form Standards (Division 9.2) Maximum CMP-EI2 Building Height: 150'	Waive current allowed maximum building height from 150' to 75'  See attached for additional information	A reduction in allowed building height from 150' to 75'  See attached for additional information	To be responsive to community feedback and perspectives Focus Points would like to reduce the maximum allowed building height to 75' across the entire site.

# REZONING GUIDE



## Rezoning Waiver Request Form

### WAIVER REQUEST (CONTINUED, IF APPLICABLE)

Current Standard	Proposed Waiver	Difference between current and proposed standard	Justification

### 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 provided and attached to the official map amendment application and that we do hereby request consideration of the following waivers as part of the associated 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 Email	Signature
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 sample@sample.gov	
Will Wagenlander (representative)	RVi Planning + Landscape Architecture 3461 Ringsby Ct. Ste 420 • Denver, CO 80216 720.989.3010 Mobile • 303.462.1100 Main	
Jules Kelty	Focus Points Family Resource Center 2501 East 48th Avenue Denver, CO 80216	

## WAIVER AND CONDITION REQUEST FORM

**Rezoning Case Application No.:** \_\_\_\_\_

Applicant Name: Focus Points Family Resource Center

Section 12.4.10.6, Denver Zoning Code, authorizes the City Council to adopt waivers or reasonable conditions to an Official Map Amendment at the request of the applicant, provided the applicant approves such waivers or conditions in writing.

List each requested waiver and/or condition in the following tables. Include a justification for each waiver or condition.

### Waivers

Code Reference	Code Provision	Proposed Alternative	Justification
DZC Section 9.2.4.3: Building Form Standards (Division 9.2) Maximum CMP-EI2 Building Height: 150'	Building Heights	<u>Waiver for the property located at 2501 E 48<sup>th</sup> Avenue:</u> Per Denver Zoning Code Section 12.4.10.6, Waivers of Rights and Obligations and Approval of Reasonable Conditions, I, the undersigned applicant for the property under application for the rezoning referenced herein, request that the CMP-EI2 zoning classification of the land described herein include the following waiver: <ol style="list-style-type: none"><li>1. Waive the right to use or erect any primary structure with a maximum permitted building height of 150</li></ol>	Making change based on the GES communities desire to limit future development height.

		feet and 75 feet when within 175 feet of a protected district pursuant to Section 9.2.4.3.C.2 (General 2 Building form) DZC and instead comply with the following: No primary structure erected on the subject property according to the General primary building form standards shall exceed 75 feet in building height. Height exceptions shall be allowed in accordance with Section 9.2.7.1 (Height Exceptions) as applicable to the CMP-EI2 zone district	

### Conditions

Code Reference	Code Provision	Proposed Alternative	Justification

Once adopted, the waivers and/or conditions cited above shall apply to all successors and assigns, who along with the present owner(s), shall be deemed to have waived all objections as to the constitutionality of these provisions.