

# SUBMITTAL CHECKLIST

FOR ENCROACHMENTS & ENCUMBRANCES IN THE PUBLIC RIGHT-OF-WAY

**Any Submittal not meeting all minimum checklist criteria herein will be rejected as incomplete.**

## Encroachments shall be in accordance with:

- [Rules and Regulations Governing Encroachments & Encumbrances in the Public Right-of-Way](#)
- [Transportation Standards and Details for the Engineering Division](#)

## Application

- Signed by adjacent property owner** as owner of Encroachment or authorized Special District representative

## Evidence of Adjacent Property Ownership & Parcel Land Description

*Required for all Encroachment Permit Applications*

- Current Title Work/Warranty Deed confirming ownership and parcel land description for adjacent property
- Parcel Land Description in Word format

## Land Description sealed and signed by a Professional Land Surveyor licensed in Colorado

*Required for Tier II Underground Encroachments and all Tier III Encroachments (can be submitted after 1<sup>st</sup> review)*

- Encroachment Area Land Description and Exhibit(s) in PDF format stamped and signed by PLS
- Encroachment Area Land Description in Word format

## Site Plans sealed and signed by a Professional Engineer licensed in Colorado

### GENERAL

- Vicinity map
- North arrows and numerical and bar scales (Scale not to exceed 1" = 40')
- Legend
- PE stamp area
- Plan set date and revision number (if applicable)

### PLAN VIEW

*Show, label and dimension existing and proposed final site conditions, including but not limited to the following (aerial imagery is allowed; however, it does not replace requirement for accurately scaled engineering drawings):*

- Property lines, right-of-way width
- Edge of pavement, curb and gutter, sidewalks, nearby driveways and alleys
- Street lights, pedestrian lights, signal poles, utility poles
- Surface utility features (e.g. cabinets, handholes, manholes, inlets, vaults, valves, fire hydrants)
- Regulatory Floodplain boundaries (FEMA)
- Underground and overhead utilities (e.g. water, sewer, power, communications, gas, irrigation)
- Trees and landscaping in the ROW
- Street names and adjacent property address(es)
- Regional Transportation District (RTD) bus stop with any amenities
- Location and size of Encroachment – Show and dimension limits of both above and below ground elements

City and County of Denver – Department of Transportation & Infrastructure

Right-of-Way Services | Engineering & Regulatory  
201 West Colfax Ave. Dept. 507 | Denver, CO 80202

[www.denvergov.org/doti](http://www.denvergov.org/doti)

Phone: 720-865-3003



- Construction Materials
- Projection from building
- Distance from Encroachment to the nearest flowline
- Distance from Encroachment to any other Streetscape feature/obstruction in the vicinity
- Distance from property line to back of curb
- Electrical service alignment, electrical connection location, and voltage/amps
- No proposed Encroachments located in the intersection clear zone per Transportation Std. Dwg. 7.9

**ELEVATION OR CROSS-SECTION VIEWS**

- Location and size of Encroachment – Show and dimension limits of both above and below ground elements
- Existing and final grade
- Existing utilities and their size and depth
- Vertical height/clearance of the Encroachment from finish grade

**DETAIL SHEET(S)**

- Manufacturer’s and/or construction detail(s)
- Referenced City detail(s) by drawing number on the appropriate plan and elevation view(s)
- Office of the Forester’s (OCF) tree protection detail and notes
- Special, non-standard, or modified City details

**STRUCTURAL PLANS**  Not Applicable

- Structural plans
- Manufacturers certification

**ADDITIONAL REQUIRED MATERIAL(S)**  Not Applicable

- Approval from applicable reviewing authorities (e.g. design review district, floodplain, Arts & Venues)
- For properties sharing the Encroachment, appropriate legal documentation for review by the City

**COMMENT RESOLUTION SHEET(S) IF APPLICABLE**  Not Applicable for 1<sup>st</sup> Submittal

- Reviewer’s and Agency Name
- Review comments (reviewer comments must be verbatim)
- Formal written response to each comment

**Fees:**

**Fees must be paid immediately after ER provides a project number and invoice for your application.**

Fees (Non-Refundable):	Tier I Encroachment:	Tier II Encroachment:	Tier III Encroachment:
Initial Processing	No Fee	\$1,500.00	\$1,500.00
Land Description Review	N/A	\$300.00	\$300.00
Resolution Review	N/A	N/A	\$300.00
Annual Permit	No Fee	\$200.00	\$200.00

**Attestation:**

**I hereby attest that the above information is incorporated into the Encroachment Application and plan submittal:**

SIGNATURE: Miles Small DATE: 5/4/22  
 PRINT NAME: Miles Small EMAIL: msmall@liveyourcore.com  
 COMPANY: CORE Consultants, Inc.



# APPLICATION

## FOR ENCROACHMENTS & ENCUMBRANCES IN THE PUBLIC RIGHT-OF-WAY

An Encroachment Permit is required prior to placing privately-owned improvements (“Encroachment” or “Encumbrance”) in the public Right-of-Way (ROW). Only Encroachment Permit Applications in accordance with [Rules and Regulations](#) and [Permit Entrance Requirements](#) for Encroachments in the Public Right-of-Way will be considered by the Department of Transportation & Infrastructure (DOTI). **It is the City’s sole discretion whether to grant an Encroachment Permit based on any facts the City feels are relevant. Approval is not guaranteed.**

To apply, complete this application and submit together with required application materials in accordance with the [Permit Entrance Requirements](#) to [DOTI.ER@denvergov.org](mailto:DOTI.ER@denvergov.org). Please type or print clearly. If necessary, attach additional sheets to fully answer any of the following sections. Incomplete applications packages will not be accepted. Questions on this application or the process can be sent to [DOTI.ER@denvergov.org](mailto:DOTI.ER@denvergov.org).

### ENCROACHMENT OWNER/ADJACENT PROPERTY OWNER:

**The adjacent property owner will be the Encroachment Owner and Permittee and is the responsible party for the Encroachment in accordance with the Rules and Regulations, including all fees and annual billing.**

Company Name: Temple Sinai  
Contact Name: Lisa Thorner  
Property Address: 3509 S. Glencoe Street, Denver, CO 80237  
Billing Address: \_\_\_\_\_  
Telephone Number: 303-949-8880 Email Address: lisa@sinaidenver.org

### OWNER REPRESENTATIVE: Check if the same as Adjacent Property Owner

Company Name: CORE Consultants, Inc.  
Contact Name: Miles Small  
Address: 3473 S. Broadway, Englewood, CO 80113  
Telephone Number: 303-703-4444 Email Address: msmall@liveyourcore.com

### ENCROACHMENT INFORMATION:

Project Name: Temple Sinai  
Adjacent Property Address: 3509 S. Glencoe Street, Denver, CO 80237  
Coordinates (Lat/Long): 39°39'08" N, 104°55'34" W  
Encroachment Area, in SF: 2119 Sq Ft or .049 Ac

City and County of Denver — Department of Transportation & Infrastructure  
Right-of-Way Services | Engineering & Regulatory  
201 West Colfax Ave. Dept. 507 | Denver, CO 80202  
[www.denvergov.org/doti](http://www.denvergov.org/doti)  
Phone: 720-865-3003



Is this project associated with a LAND DEVELOPMENT REVIEW?

Yes  No  If 'Yes', provide Project Master, Site Plan and/or Concept Development Project Numbers:

Location Description: (e.g. Located on the South side of 23rd Ave, twenty (20) feet from face of curb, and ten (10) feet west of pavement on Private Drive.)

Located on the west side of South Glencoe Street between U.S. Highway 285 (East Hampden Avenue) and East Jefferson Avenue/South Forest way.

Description of Encroachment:

Describe the proposed encroachment, including the type, dimensions, and quantity of objects. If the space below is not enough space to describe the encroachment, attach the description as a sheet. Additionally, provide required application materials in accordance with the Permit Entrance Requirements. It is not acceptable to use "please see attached plans" or other vague descriptors.

Encroachment is a +/- 8' Tall wrought iron fence built into the RIGHT-OF-WAY of South Glencoe Street approximately from the south west corner of the intersection of South Glencoe Street RIGHT-OF-WAY and US Highway 285 - East Hampden Avenue RIGHT-OF-WAY running southerly to the entrance of Temple Sinai. The fence is approximately 4.6' into the RIGHT-OF-WAY of South Glencoe Street on average. Fence is built atop greenway only and does not intersect any hard surfaces or sidewalks.

Justification for Private Improvements in the Public ROW:

Private improvements should be located on private property. Only in cases where there are physical constraints that preclude the placement of private improvements on private property that an encroachment may be considered within the right-of-way. Make your case as to why this is a good use of the public right-of-way. It is not acceptable to use "you want/need it" or other vague descriptors.

Fence has already been constructed for the security of the subject property. To remove said fence would be costly and not necessary as it is built atop a greenway.

FOR ER INTERNAL USE ONLY:

Tier Determination: \_\_\_\_\_ Project Number: \_\_\_\_\_ Initials: \_\_\_\_\_



# ATTESTATION:

**By submitting this permit application and signing below, I understand and agree to the following:**

1. That I am the property owner adjacent to the Encroachment Area, or the authorized representative of a Special District, that is responsible for the placement, maintenance, repair, replacement, removal, site restoration, ownership, or is otherwise responsible for the Encroachment in accordance with the Rules & Regulations for Encroachments and Encumbrances in the Public Right-of-Way.
2. That it is the City's sole discretion to classify the Tier of an Encroachment and whether to grant an Encroachment Permit based on any facts the City feels are relevant. The issuance of an Encroachment Permit confers no rights to the Right-of-Way, the Encroachment Permit is revocable and DOTI can order the removal of the Encroachment and restoration of the Encroachment Area for any reason the City feels relevant.
3. Permittee agrees to defend, indemnify, reimburse and hold harmless the City, its appointed and elected officials, agents and employees for, from and against all liabilities, claims, judgments, suits or demands for damages to persons or property arising out of, resulting from, or relating to an Encroachment Permit and the Encroachment ("Claims"). This indemnity shall be interpreted in the broadest possible manner to indemnify City for any acts or omissions of Permittee or its subcontractors either passive or active, irrespective of fault, including City's negligence whether active or passive.
4. Permittee's duty to defend and indemnify City shall arise at the time written notice of the Claim is first provided to City regardless of whether claimant has filed suit on the Claim. Permittee's duty to defend and indemnify City shall arise even if City is the only party sued by claimant and/or claimant alleges that City's negligence or willful misconduct was the sole cause of claimant's damages.
5. Permittee will defend any and all Claims which may be brought or threatened against City and will pay on behalf of City any expenses incurred by reason of such Claims including, but not limited to, court costs and attorney fees incurred in defending and investigating such Claims or seeking to enforce this indemnity obligation. Such payments on behalf of City shall be in addition to any other legal remedies available to City and shall not be considered City's exclusive remedy.
6. Insurance coverage requirements specified in an Encroachment Permit shall in no way lessen or limit the liability of Permittee under the terms of this indemnification obligation. Permittee shall obtain, at its own expense, any additional insurance that it deems necessary for the City's protection.
7. This defense and indemnification obligation shall survive the expiration or termination of any issued Encroachment Permit.
8. Permittee is fully responsible for all costs to install, maintain, repair, replace, remove, and restore the Encroachment Area, including annual City Encroachment Permit Fees. A lien will be placed on the Permittee's property for failure to remove a revoked or abandoned Encroachment for cost incurred by CCD to remove the Encroachment and restore the Encroachment Area on behalf of the Permittee.
9. Indemnity and Insurance for Tier I and Tier II Encroachments: Pursuant to and not superseding any General Terms and Conditions, as a condition for placement of a Tier I or Tier II Encroachment, the Owner of such Tier I or Tier II Encroachment shall hold CCD harmless from all loss or damage to persons or property on account of injury arising from the construction, repair, or maintenance of the Tier I or Tier II Encroachment. Obtain and Maintain a Commercial General Liability insurance policy with limits of \$1,000,000 for each occurrence, \$1,000,000 for each personal and advertising injury claim, \$2,000,000 products and completed operations aggregate, and \$2,000,000 policy aggregate. The City and County of Denver, its Elected and Appointed Officials, Employees and Volunteers shall be included as Additional Insured.
10. Indemnity and Insurance for Tier III Encroachments: Pursuant to and not superseding any General Terms and Conditions, as a condition for placement of a Tier III Encroachment, the Owner of such Tier III Encroachment shall hold CCD harmless from all loss or damage to persons or property on account of injury arising from the construction, repair, or maintenance of the Tier III Encroachment. Obtain and Maintain a Commercial General Liability insurance policy with limits of \$1,000,000 for each occurrence, \$1,000,000 for each personal and advertising injury claim, \$2,000,000 products and completed operations aggregate, and \$5,000,000 policy aggregate. A combination of primary and excess coverage may be used to meet the aggregate limit. The City and County of Denver, its Elected and Appointed Officials, Employees and Volunteers shall be included as Additional Insured.

ADJACENT PROPERTY

OWNER SIGNATURE:

Lisa Thorne

DATE:

5/5/22

PRINT NAME:

Lisa Thorne

TITLE:

Executive Director

COMPANY:

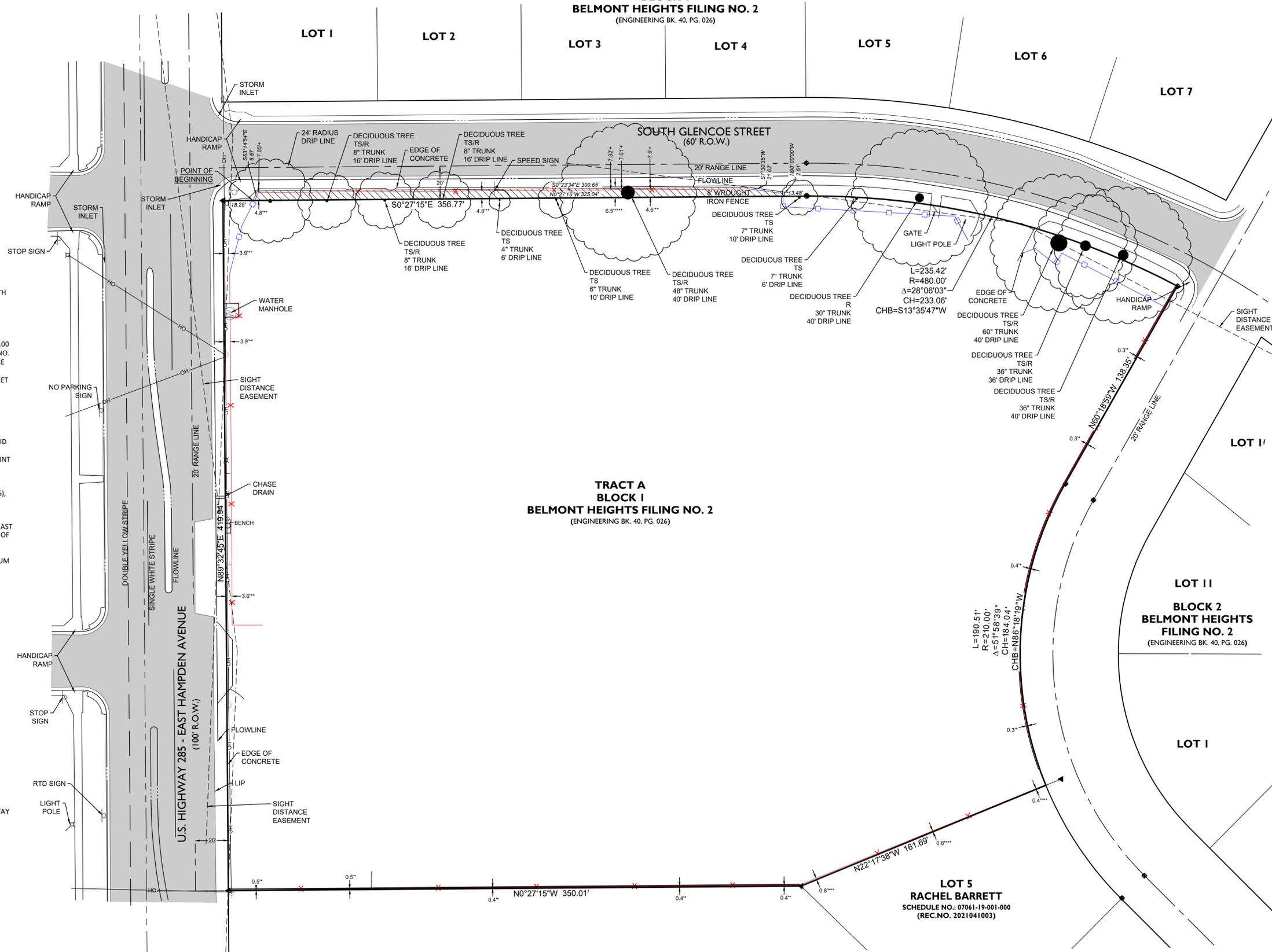
Temple Sinai

# ENCROACHMENT EXHIBIT MAP

## 3509 SOUTH GLENCOE STREET, DENVER CO 80237

A PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 5 SOUTH,  
RANGE 67WEST OF THE SIXTH PRINCIPAL MERIDIAN,  
CITY AND COUNTY OF DENVER, STATE OF COLORADO

**BLOCK 4**  
**BELMONT HEIGHTS FILING NO. 2**  
(ENGINEERING BK. 40, PG. 026)



### ENCROACHMENT DESCRIPTION

PARCEL OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, ALSO BEING IN THE RIGHT-OF-WAY OF SOUTH GLENCOE STREET (60-FOOT WIDE PUBLIC RIGHT-OF-WAY) BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT SAID NORTHEAST CORNER OF SECTION 6; THENCE SOUTH 89°32'45" WEST, A DISTANCE OF 1516.90 FEET; THENCE SOUTH 00°27'15" EAST, A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF TRACT A, BLOCK 1 OF BELMONT HEIGHTS FILING NO. 2; THENCE NORTH 89°32'45" EAST ALONG THE NORTH LINE OF SAID TRACT A, A DISTANCE OF 419.98 FEET TO THE NORTHEAST CORNER OF SAID TRACT A; THENCE SOUTH 00°27'15" EAST ALONG THE EAST LINE OF SAID TRACT A, A DISTANCE OF 18.25 FEET TO THE POINT OF BEGINNING;

THENCE S 63° 12' 48" E, A DISTANCE OF 6.56 FEET;  
THENCE S 00° 23' 34" E, A DISTANCE OF 300.65 FEET;  
THENCE S 07° 30' 35" W, A DISTANCE OF 21.62 FEET;  
THENCE N 90° 00' 00" W, A DISTANCE OF 2.53 FEET TO A POINT ON THE EAST LINE OF SAID TRACT A;  
THENCE N 00° 27' 04" W ALONG SAID EAST LINE, A DISTANCE OF 325.04 FEET TO THE POINT OF BEGINNING;

THE ABOVE-DESCRIBED PARCEL CONTAINS A TOTAL OF 1,802 SQUARE FEET (0.041 ACRES), MORE OR LESS, AS SURVEYED.

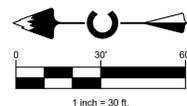
THE BEARINGS FOR THIS DESCRIPTION ARE BASED ON THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 6, BEING ASSUMED TO BEAR NORTH 89°32'45" EAST, A DISTANCE OF 2651.13 FEET, FROM THE NORTH QUARTER CORNER OF SAID SECTION 6, BEING MONUMENTED BY A 3-1/4 INCH ALUMINUM CAP, IN A RANGE BOX, ILLEGIBLE, TO THE NORTHEAST CORNER OF SAID SECTION 6, BEING MONUMENTED BY 3-1/4 INCH ALUMINUM CAP, IN A RANGE BOX, STAMPED "PLS 14157", WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

### FENCE LINETYPE

- +—+—+— EXISTING FENCE LOCATION
- NEW FENCE LOCATION

### LEGEND

- ENCROACHMENT AREA
- ASPHALT
- + = ENCROACHMENT AREA ANNOTATION
- \* = DIMENSIONS FROM ROAD FLOWLINE TO FENCE ANGLE POINT
- \* = DIMENSIONS ARE TO FACE OF CONCRETE BASE OF 6' CHAINLINK FENCE THAT IS CLOSEST TO PROPERTY LINE.
- \*\* = DIMENSIONS ARE TO ±8"-TALL WROUGHT-IRON FENCE.
- \*\*\* = DIMENSIONS ARE TO 6' WOOD FENCE.
- \*\*\*\* = DIMENSIONS ARE TO OUTSIDE OF TREE TRUNK IN RIGHT-OF-WAY
- TS = TREE TRUNK INSIDE TEMPLE SINAI PROPERTY
- R = TREE TRUNK INSIDE PUBLIC R.O.W.
- TS/R = TREE TRUNK SPLITS PROPERTY LINE



LAND DEVELOPMENT  
ENERGY  
PUBLIC INFRASTRUCTURE

CORE CONSULTANTS, INC.  
3473 SOUTH BROADWAY  
ENGLEWOOD, CO 80113  
303.703.4444  
LIVEYOURCORE.COM

# CORE

ENCROACHMENT EXHIBIT MAP  
SEC. 6, T5S, R67W, 6TH P.M.  
DENVER COUNTY, COLORADO

RELEASE: 1/24/23  
CAD: DCB  
QA/QC: MS

JOB NO. 22-020

SHEET 1 of 1

## LAND DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, ALSO BEING IN THE RIGHT-OF-WAY OF SOUTH GLENCOE STREET (60-FOOT WIDE PUBLIC RIGHT-OF-WAY) BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 6, THENCE SOUTH 89°32'45" WEST, A DISTANCE OF 1516.90 FEET;

THENCE SOUTH 00°27'15" EAST, A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF TRACT A, BLOCK 1 OF BELMONT HEIGHTS FILING NO. 2;

THENCE NORTH 89°32'45" EAST ALONG THE NORTH LINE OF SAID TRACT A, A DISTANCE OF 419.98 FEET TO THE NORTHEAST CORNER OF SAID TRACT A;

THENCE SOUTH 00°27'15" EAST ALONG THE EAST LINE OF SAID TRACT A, A DISTANCE OF 18.25 FEET TO THE POINT OF BEGINNING;

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THENCE N 90° 00' 00" W, A DISTANCE OF 2.51 FEET TO A POINT ON THE EAST LINE OF SAID TRACT A;

THENCE N 00° 27' 15" W ALONG SAID EAST LINE, A DISTANCE OF 325.04 FEET TO THE POINT OF BEGINNING;

THE ABOVE-DESCRIBED PARCEL CONTAINS A TOTAL OF 1,802 SQUARE FEET (0.041 ACRES), MORE OR LESS, AS SURVEYED.

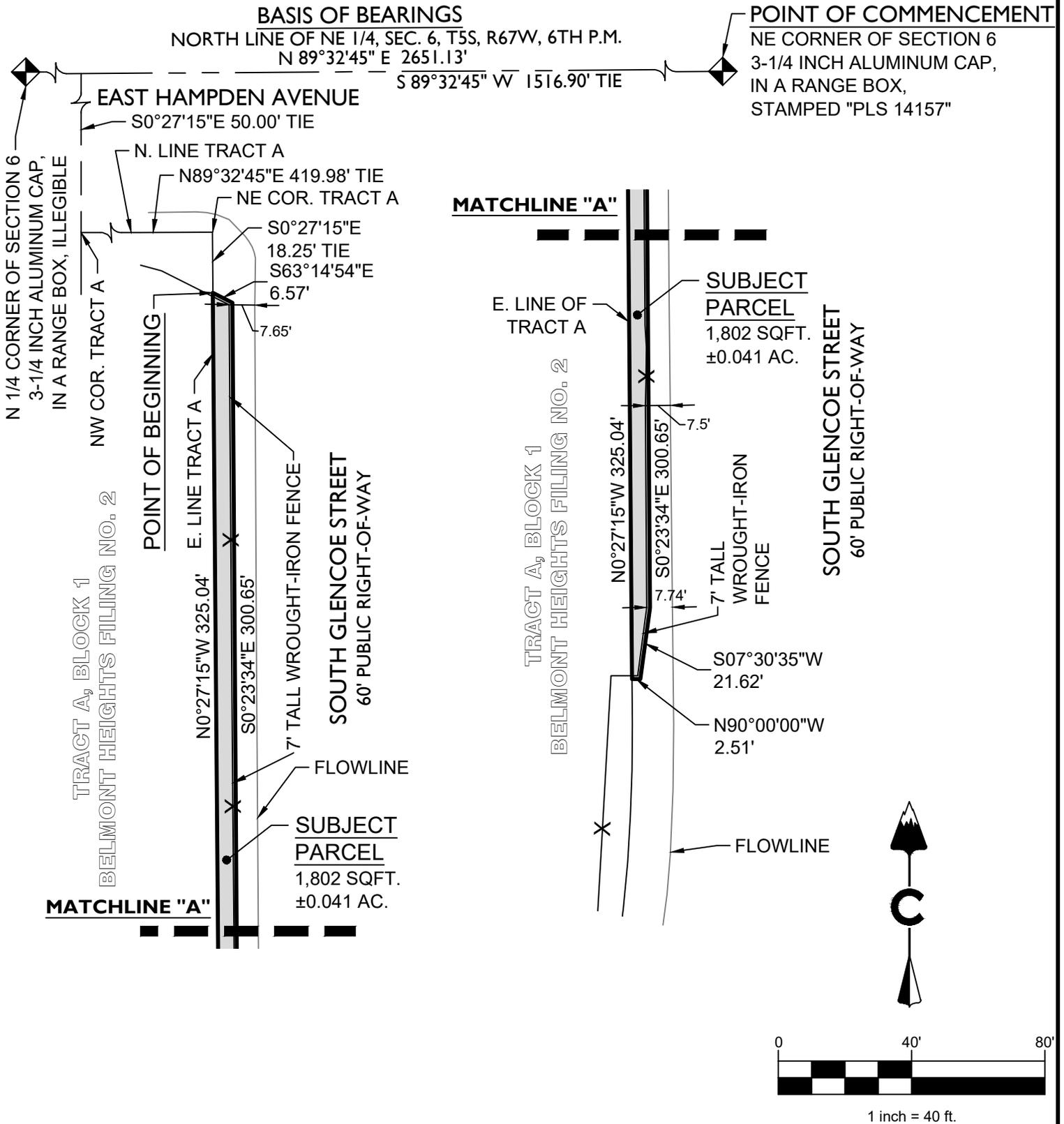
THE BEARINGS FOR THIS DESCRIPTION ARE BASED ON THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 6, BEING ASSUMED TO BEAR NORTH 89°32'45" EAST, A DISTANCE OF 2651.13 FEET, FROM THE NORTH QUARTER CORNER OF SAID SECTION 6, BEING MONUMENTED BY A 3-1/4 INCH ALUMINUM CAP, IN A RANGE BOX, ILLEGIBLE, TO THE NORTHEAST CORNER OF SAID SECTION 6, BEING MONUMENTED BY 3-1/4 INCH ALUMINUM CAP, IN A RANGE BOX, STAMPED "PLS 14157", WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

MILES SMALL  
 COLORADO PLS 38534  
 FOR AND ON BEHALF OF  
 CORE CONSULTANTS, INC.



# EXHIBIT A ILLUSTRATION

2022-ENCROACHMENT-000044-002



NOTE: THIS DOES NOT REPRESENT A MONUMENTED SURVEY.  
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION

PROJECT: 22-020  
DATE: 1/24/2023  
SHEET 2 OF 2

DRAWN BY: DCB  
REVIEWED BY: MS

# CORE

CORE CONSULTANTS, INC.  
3473 SOUTH BROADWAY  
ENGLEWOOD, CO 80113  
303.703.4444  
LIVEYOURCORE.COM

## Tier III 3509 S Glencoe St Temple Sinai Fence

02/13/2023

**Master ID:** 2012-PROJMSTR-0000406      **Project Type:** Tier III Encroachment Resolution  
**Review ID:** 2022-ENCROACHMENT-0000044      **Review Phase:**  
**Location:**      **Review End Date:** 06/02/2022

Any denials listed below must be rectified in writing to this office before project approval is granted.

Reviewing Agency: DS Transportation Review      Review Status: Approved

**Reviewers Name:** Christopher Mueller  
**Reviewers Email:** Christopher.Mueller@denvergov.org

**Status Date:** 02/13/2023  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2022-ENCROACHMENT-0000044 - Tier III 3509 S Glencoe St Temple Sinai Fence  
 Reviewing Agency/Company: DOTI ROW SERVICES  
 Reviewers Name: Christopher Mueller  
 Reviewers Phone: 314-737-2758  
 Reviewers Email: CHRISTOPHER.MUELLER@DENVERGOV.ORG  
 Approval Status: Approved

Comments:

**Status Date:** 08/01/2022  
**Status:** Denied  
**Comments:** PWPRS Project Number: 2022-ENCROACHMENT-0000044 - Tier III 3509 S Glencoe St Temple Sinai Fence  
 Reviewing Agency/Company: DOTI ROW SERVICES  
 Reviewers Name: CHRISTOPHER MUELLER PE NCEES  
 Reviewers Phone: 3147372758  
 Reviewers Email: CHRISTOPHER.MUELLER@DENVERGOV.ORG  
 Approval Status: Denied

Comments:

2022 07 29 tran red\_SITE TRIANGLE EXHIBIT

Attachment: 2022 07 29 tran red\_SITE TRIANGLE EXHIBIT.pdf

**Status Date:** 05/18/2022  
**Status:** Denied  
**Comments:** 2022 05 18 TRANS REDLINES

Reviewing Agency: DS Project Coordinator Review      Review Status: Approved w/Conditions

**Reviewers Name:** James Larsen  
**Reviewers Email:** James.Larsen@denvergov.org

**Status Date:** 06/02/2022  
**Status:** Approved w/Conditions  
**Comments:** PWPRS Project Number: 2022-ENCROACHMENT-0000044 - Tier III 3509 S Glencoe St Temple Sinai Fence  
 Reviewing Agency/Company: CPD/DS Project Coordination  
 Reviewers Name: Jim Larsen  
 Reviewers Phone: 720-865-2645

# Comment Report

## Tier III 3509 S Glencoe St Temple Sinai Fence

02/13/2023

**Master ID:** 2012-PROJMSTR-0000406      **Project Type:** Tier III Encroachment Resolution  
**Review ID:** 2022-ENCROACHMENT-0000044      **Review Phase:**  
**Location:**      **Review End Date:** 06/02/2022

Any denials listed below must be rectified in writing to this office before project approval is granted.

Reviewers Email: James.Larsen@denvergov.org  
Approval Status: Approved with conditions

**Comments:**

Site is located in the S-SU-F Zone District (Residential Zone District) and as Per Denver Zoning Code Section 10.5.5.2.A.3.a: 10.5.5.2 Specific Maximum Heights

The following standards shall apply except where greater height is allowed in Section 10.5.5.1 above or when this Code expressly requires such fence or wall for landscaping, screening, or other purposes. See Article 13, Rules of Measurement and Definitions for fence and wall height measurement.

This section shall not apply to Retaining Walls.

**A. Residential Zone Districts and Single Unit and Two Unit Development**

**1. Intent**

Maintain the intent of required setback and building coverage maximums by regulating the height of fences and the openness of fences where appropriate.

**2. Applicability**

This Section 10.5.5.2 applies in all Residential Zone Districts and to any single-unit or two-unit dwelling development in all other zone districts.

**3. Maximum Height**

a. The maximum height when forward of any Primary street facing Primary Structure Facade shall be 4 feet and when located at or behind any Primary street facing Primary Structure Facade shall be 6 feet.

Exceptions as per Denver Zoning Code Section 10.5.5.1.C:

**C. Exception to Maximum Height**

The Zoning Administrator may grant a permit for fences and walls that exceed the maximum height in Section 10.5.5.2 upon application in specific cases, according to Section 12.4.1, Zoning Permit Review, and subject to compliance with the following standards:

1. The proposed fence or wall shall not adversely affect traffic safety or appropriate use of adjacent property.
2. Any 4-foot linear section of an over-height fence or wall in the Primary Street setback shall be less than or equal to 50 percent opaque. "Opaque" or "opacity" shall be measured as the amount of solid fence or wall material area divided by the total surface area of the subject fence or wall section, expressed as a percentage.
3. The fence or wall is necessary to provide security, privacy, or protection from traffic impacts such as noise or lights.
4. The fence shall not detract from the safety or pedestrian character of the right-of-way.
5. The fence shall not be located in any Primary Street setback adjacent to a designated Parkway.

Status Date: 06/02/2022  
Status: Approved - No Response  
Comments:

Reviewing Agency: Survey Review

Review Status: Approved

Reviewers Name: Thomas Breitnauer  
Reviewers Email: Thomas.Breitnauer@denvergov.org

Status Date: 08/16/2022  
2022-ENCROACHMENT-0000044

# Comment Report

## Tier III 3509 S Glencoe St Temple Sinai Fence

02/13/2023

**Master ID:** 2012-PROJMSTR-0000406 **Project Type:** Tier III Encroachment Resolution  
**Review ID:** 2022-ENCROACHMENT-0000044 **Review Phase:**  
**Location:** **Review End Date:** 06/02/2022

Any denials listed below must be rectified in writing to this office before project approval is granted.

**Status:** Approved  
**Comments:** PWPRS Project Number: 2022-ENCROACHMENT-0000044 - Tier III 3509 S Glencoe St Temple Sinai Fence  
Reviewing Agency/Company: DOTI - Survey  
Reviewers Name: Thomas Breitnauer  
Reviewers Phone: 7208653211  
Reviewers Email: thomas.breitnauer@denvergov.org  
Approval Status: Approved

**Comments:**

**Status Date:** 06/02/2022  
**Status:** Denied  
**Comments:** PWPRS Project Number: 2022-ENCROACHMENT-0000044 - Tier III 3509 S Glencoe St Temple Sinai Fence  
Reviewing Agency/Company: DOTI - Survey  
Reviewers Name: Thomas Breitnauer  
Reviewers Phone: 7208653211  
Reviewers Email: thomas.breitnauer@denvergov.org  
Approval Status: Denied

**Comments:**

See attached comments and redline comments

Attachment: 2022-ENCROACHMENT-0000044\_Tier III-SurveyComments.docx

Attachment: 2022-ENCROACHMENT-0000044\_Survey Comments\_20220526.pdf

**Status Date:** 05/26/2022  
**Status:** Denied  
**Comments:** Comments and redline comments are in project folder.

**Reviewing Agency:** DES Wastewater Review **Review Status:** Approved w/Conditions

**Reviewers Name:** Kenneth Armfield  
**Reviewers Email:** ken.armfield@denvergov.org

**Status Date:** 02/02/2023  
**Status:** Approved w/Conditions  
**Comments:** PWPRS Project Number: 2022-ENCROACHMENT-0000044 - Tier III 3509 S Glencoe St Temple Sinai Fence  
Reviewing Agency/Company: CCD / DOTI/ROWS/DES-Wastewater  
Reviewers Name: Ken Armfield  
Reviewers Phone: 720-865-3161  
Reviewers Email: ken.armfield@denvergov.org  
Approval Status: Approved with conditions

**Comments:**

DES-Wastewater has no objections to the approval of this encroachment. However, the applicant is advised to take extra care in locating the pipe between the adjacent stormwater detention pond and the public storm sewer, so that the fence posts/columns do not damage this pond's outlet pipe.

**Status Date:** 08/01/2022

# Comment Report

## Tier III 3509 S Glencoe St Temple Sinai Fence

02/13/2023

**Master ID:** 2012-PROJMSTR-0000406      **Project Type:** Tier III Encroachment Resolution  
**Review ID:** 2022-ENCROACHMENT-0000044      **Review Phase:**  
**Location:**      **Review End Date:** 06/02/2022

Any denials listed below must be rectified in writing to this office before project approval is granted.

**Status:** Denied  
**Comments:** Denied on behalf of this critical reviewer, and this is still under review. Please contact the reviewer to resolve.  
**Status Date:** 06/02/2022  
**Status:** Approved - No Response  
**Comments:**

**Reviewing Agency:** City Council Referral      **Review Status:** Approved - No Response

**Status Date:** 06/02/2022  
**Status:** Approved - No Response  
**Comments:**

**Reviewing Agency:** ERA Transportation Review      **Review Status:** Approved

**Reviewers Name:** Paul Weller  
**Reviewers Email:** Paul.Weller@denvergov.org  
**Status Date:** 01/27/2023  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2022-ENCROACHMENT-0000044 - Tier III 3509 S Glencoe St Temple Sinai Fence  
Reviewing Agency/Company: DOTI ROWS ER Transportation  
Reviewers Name: Paul Weller  
Reviewers Phone: 720-913-0514  
Reviewers Email: Paul.Weller@Denvergov.org  
Approval Status: Approved

**Comments:**  
The attached plans have been revised to address our comments.

Attachment: 22-020 ROW Exhibit-2023.01.25.pdf

Attachment: 22-020 Sight Triangle Exhibit 2023.01.17-SIGNED.pdf

**Status Date:** 06/01/2022  
**Status:** Denied  
**Comments:** Submittal is incomplete; Include all of the information required by the checklist

Plan view to include layout of legal description with tie to property corner to ensure that parcel description is consistent with fence layout.

**REDLINES uploaded to E-review webpage**

**Reviewing Agency:** ERA Wastewater Review      **Review Status:** Approved

**Reviewers Name:** Michael Sasarak  
**Reviewers Email:** mike.sasarak@denvergov.org

**Status Date:** 05/31/2022  
**Status:** Approved  
**Comments:**

**Reviewing Agency:** CenturyLink Referral      **Review Status:** Approved

# Comment Report

## Tier III 3509 S Glencoe St Temple Sinai Fence

02/13/2023

**Master ID:** 2012-PROJMSTR-0000406      **Project Type:** Tier III Encroachment Resolution  
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**Location:**      **Review End Date:** 06/02/2022

Any denials listed below must be rectified in writing to this office before project approval is granted.

**Status Date:** 06/02/2022  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2022-ENCROACHMENT-0000044 - Tier III 3509 S Glencoe St Temple Sinai Fence  
Reviewing Agency/Company: CenturyLink  
Reviewers Name: Robert Rodgers  
Reviewers Phone: 6023157656  
Reviewers Email: Robert.rodgers@centurylink.com  
Approval Status: Approved

**Comments:**  
This encroachment approval is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the encroachment area as described, the Applicant will bear the cost of relocation and/or repair of said facilities.

**Status Date:** 06/02/2022  
**Status:** Approved - No Response  
**Comments:**

Reviewing Agency: Xcel Referral      Review Status: Approved

**Status Date:** 06/03/2022  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2022-ENCROACHMENT-0000044 - Tier III 3509 S Glencoe St Temple Sinai Fence  
Reviewing Agency/Company: Public Service Company of Colorado (PSCo) dba Xcel Energy  
Reviewers Name: Donna George  
Reviewers Phone: 13035713306  
Reviewers Email: donna.l.george@xcelenergy.com  
Approval Status: Approved

**Comments:**

**Status Date:** 06/02/2022  
**Status:** Approved - No Response  
**Comments:**

Reviewing Agency: RTD Referral      Review Status: Approved

**Status Date:** 06/02/2022  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2022-ENCROACHMENT-0000044 - Tier III 3509 S Glencoe St Temple Sinai Fence  
Reviewing Agency/Company: RTD  
Reviewers Name: C. Scott Woodruff  
Reviewers Phone: 303-299-2943  
Reviewers Email: clayton.woodruff@rtd-denver.com  
Approval Status: Approved

**Comments:**

**Status Date:** 06/02/2022  
**Status:** Approved - No Response  
**Comments:**

# Comment Report

## Tier III 3509 S Glencoe St Temple Sinai Fence

02/13/2023

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**Location:**      **Review End Date:** 06/02/2022

Any denials listed below must be rectified in writing to this office before project approval is granted.

Reviewing Agency: Comcast Referral      Review Status: Approved - No Response

Status Date: 06/02/2022  
Status: Approved - No Response  
Comments:

Reviewing Agency: Metro Wastewater Referral      Review Status: Approved

Status Date: 06/02/2022  
Status: Approved  
Comments: PWPRS Project Number: 2022-ENCROACHMENT-0000044 - Tier III 3509 S Glencoe St Temple Sinai Fence  
Reviewing Agency/Company: Metro Water Recovery  
Reviewers Name: Myles Howard  
Reviewers Phone: 7207033627  
Reviewers Email: MHoward@metrowaterrecovery.com  
Approval Status: Approved

Comments:

Status Date: 06/02/2022  
Status: Approved - No Response  
Comments:

Reviewing Agency: Street Maintenance Referral      Review Status: Approved - No Response

Status Date: 06/02/2022  
Status: Approved - No Response  
Comments:

Reviewing Agency: Office of Emergency Management Referral      Review Status: Approved - No Response

Status Date: 06/02/2022  
Status: Approved - No Response  
Comments:

Reviewing Agency: Building Department Review      Review Status: Approved

Reviewers Name: Keith Peetz  
Reviewers Email: keith.peetz@denvergov.org

Status Date: 05/12/2022  
Status: Approved  
Comments:

Reviewing Agency: Division of Real Estate Referral      Review Status: Approved - No Response

Status Date: 06/02/2022  
Status: Approved - No Response  
Comments:

Reviewing Agency: Denver Fire Department Review      Review Status: Approved

# Comment Report

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02/13/2023

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**Location:**      **Review End Date:** 06/02/2022

Any denials listed below must be rectified in writing to this office before project approval is granted.

**Reviewers Name:** Richard Tenorio  
**Reviewers Email:** richard.tenorio@denvergov.org  
**Status Date:** 06/01/2022  
**Status:** Approved  
**Comments:** Denver Fire Dept. Approved - RT

**Reviewing Agency:** Denver Water Referral      **Review Status:** Approved

**Status Date:** 06/02/2022  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2022-ENCROACHMENT-0000044 - Tier III 3509 S Glencoe St Temple Sinai Fence  
Reviewing Agency/Company: Denver Water  
Reviewers Name: Kela Naso  
Reviewers Phone: 13036286302  
Reviewers Email: kela.naso@denverwater.org  
Approval Status: Approved  
  
**Comments:**  
**Status Date:** 06/02/2022  
**Status:** Approved - No Response  
**Comments:**

**Reviewing Agency:** Parks and Recreation Review      **Review Status:** Approved

**Reviewers Name:** Jennifer Cervera  
**Reviewers Email:** Jennifer.Cervera@denvergov.org  
**Status Date:** 05/25/2022  
**Status:** Approved  
**Comments:**

**Reviewing Agency:** Policy and Planning Referral      **Review Status:** Approved - No Response

**Status Date:** 06/02/2022  
**Status:** Approved - No Response  
**Comments:**

**Reviewing Agency:** Denver Office of Disability Rights Referral      **Review Status:** Approved

**Status Date:** 06/03/2022  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2022-ENCROACHMENT-0000044 - Tier III 3509 S Glencoe St Temple Sinai Fence  
Reviewing Agency/Company: Division of Disability Rights  
Reviewers Name: Juan Pasillas  
Reviewers Phone: 720-913-3309  
Reviewers Email: juan.pasillas@denvergov.org  
Approval Status: Approved

# Comment Report

## Tier III 3509 S Glencoe St Temple Sinai Fence

02/13/2023

**Master ID:** 2012-PROJMSTR-0000406      **Project Type:** Tier III Encroachment Resolution  
**Review ID:** 2022-ENCROACHMENT-0000044      **Review Phase:**  
**Location:**      **Review End Date:** 06/02/2022

Any denials listed below must be rectified in writing to this office before project approval is granted.

Comments:  
\*Approved.

\*Any later modifications to the public sidewalk (which is considered a public Accessible Route), as well as any other areas open to the general public, must comply with all applicable 2010 ADA requirements.

Status Date: 06/02/2022  
Status: Approved - No Response  
Comments:

Reviewing Agency: Construction Engineering Review      Review Status: Approved

Reviewers Name: Kim Blair  
Reviewers Email: Kim.Blair@denvergov.org

Status Date: 05/24/2022  
Status: Approved  
Comments:

Reviewing Agency: TES Sign and Stripe Review      Review Status: Approved

Reviewers Name: Brittany Price  
Reviewers Email: Brittany.Price@denvergov.org

Status Date: 02/13/2023  
Status: Approved  
Comments: PWPRS Project Number: 2022-ENCROACHMENT-0000044 - Tier III 3509 S Glencoe St Temple Sinai Fence  
Reviewing Agency/Company: DOTI Implementation  
Reviewers Name: Brittany Price  
Reviewers Phone: 720-865-3154  
Reviewers Email: brittany.price@denvergov.org  
Approval Status: Approved

Comments:  
Updated exhibit provided on 2/10 is acceptable.

Status Date: 06/02/2022  
Status: Denied  
Comments: PWPRS Project Number: 2022-ENCROACHMENT-0000044 - Tier III 3509 S Glencoe St Temple Sinai Fence  
Reviewing Agency/Company: DOTI Transportation & Mobility Engineering Services  
Reviewers Name: Brittany Price  
Reviewers Phone: 7208653154  
Reviewers Email: brittany.price@denvergov.org  
Approval Status: Denied

Comments:  
Fence encroaches into AASHTO sight distance triangle creating an unsafe condition for vehicles turning off Glencoe onto Hampden. The fence should be modified to not encroach into the sight distance triangle. See attached exhibit.

Attachment: CD 4 Base-Temple Sinai.pdf

# Comment Report

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**Location:** **Review End Date:** 06/02/2022

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**Status Date:** 06/02/2022  
**Status:** Approved - No Response  
**Comments:**

**Reviewing Agency:** City Forester Review **Review Status:** Approved

**Reviewers Name:** Nick Evers  
**Reviewers Email:** Nick.Evers@denvergov.org

**Status Date:** 10/24/2022  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2022-ENCROACHMENT-0000044 - Tier III 3509 S Glencoe St Temple Sinai Fence  
Reviewing Agency/Company: Denver Parks and Rec - Forestry  
Reviewers Name: Nick Evers  
Reviewers Phone: 7206759194  
Reviewers Email: nick.evers@denvergov.org  
Approval Status: Approved

**Comments:**  
Approved. After a site visit, it was determined that fence does not directly conflict with existing ROW trees and that changing the fence layout would not provide ROW tree benefit.

**Status Date:** 06/01/2022  
**Status:** Denied  
**Comments:** Denied:  
1) Show existing ROW trees on plan  
2) Show proposed fence proximity to ROW trees  
3) Include OCF Tree Protection Detail and Standard Notes  
4) Any work inside the Tree Protection Zone requires specific excavation methods - hand dig or hydro vac  
5) No construction equipment, materials, or vehicles permitted on the tree lawn at any time

**Reviewing Agency:** Landmark Review **Review Status:** Approved - No Response

**Reviewers Name:** Rebecca Dierschow  
**Reviewers Email:** becca.dierschow@denvergov.org

**Status Date:** 06/02/2022  
**Status:** Approved - No Response  
**Comments:**

**Reviewing Agency:** CDOT Referral **Review Status:** Approved

**Status Date:** 06/02/2022  
**Status:** Approved  
**Comments:** PWPRS Project Number: 2022-ENCROACHMENT-0000044 - Tier III 3509 S Glencoe St Temple Sinai Fence  
Reviewing Agency/Company: CDOT Region 1 ROW/survey  
Reviewers Name: dane courville  
Reviewers Phone: 7206720231  
Reviewers Email: dane.courville@state.co.us  
Approval Status: Approved

# Comment Report

## Tier III 3509 S Glencoe St Temple Sinai Fence

02/13/2023

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**Location:**      **Review End Date:** 06/02/2022

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**Comments:**

Does not affect CDOT on-system ROW. Proposed effort is approved as the location does not affect CDOT ROW. encroachment appears to affect the west ROW of Glencoe St. and not the south ROW of E Hampden Ave.

**Status Date:** 06/02/2022

**Status:** Approved - No Response

**Comments:**

**Reviewing Agency:** ERA Review

**Review Status:** Approved - No Response

**Reviewers Name:** Shari Bills

**Reviewers Email:** Shari.Bills@denvergov.org

**Status Date:** 06/02/2022

**Status:** Approved - No Response

**Comments:**