



## Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Ryan & Nicole Brisch	Representative Name	
Address	901 Irving St.	Address	
City, State, Zip	Denver, CO 80204	City, State, Zip	
Telephone	773.793.4582	Telephone	
Email	brischster@gmail.com	Email	
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p> <p>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.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	901 Irving St.		
Assessor's Parcel Numbers:	05053-21-013-000		
Area in Acres or Square Feet:	6250 sq. ft.		
Current Zone District(s):	E-SU-D		
PROPOSAL			
Proposed Zone District:	E-SU-D1		

## REVIEW CRITERIA

<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<input checked="" type="checkbox"/> <b>Consistency with Adopted Plans:</b> 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. Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.
	<input checked="" type="checkbox"/> <b>Uniformity of District Regulations and Restrictions:</b> 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.
	<input checked="" type="checkbox"/> <b>Public Health, Safety and General Welfare:</b> The proposed official map amendment furthers the public health, safety, and general welfare of the City.

<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p>	<p><b>Justifying Circumstances - One of the following circumstances exists:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The existing zoning of the land was the result of an error.</li> <li><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</li> <li><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</li> <li><input checked="" type="checkbox"/> 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:             <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> </li> <li><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code. Please provide an attachment describing the justifying circumstance.</li> </ul> <p><input checked="" type="checkbox"/> 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. Please provide an attachment describing how the above criterion is met.</p>
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## REQUIRED ATTACHMENTS

Please ensure the following required attachments are submitted with this application:

- Legal Description (required to be attached in Microsoft Word document format)
- Proof of Ownership Document(s)
- Review Criteria, as identified above

## ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s)
- Individual Authorization to Sign on Behalf of a Corporate Entity

Please list any additional attachments:

Drawings of proposed ADU to be built on property if zoning change approved.

**PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION**

We, the undersigned represent that we are the owners 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 or deed of trust, (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
Ryan J. Brisch and Nicole E. Brisch	901 Irving St. Denver, CO 80204 773.793.4582 brischster@gmail.com	100%	<i>Ryan J. Brisch</i> <i>Nicole E. Brisch</i>	08/17/18	A(B)	No

## **Legal Description** –

901 Irving Street, Denver, Colorado 80204-3143

Lot 25 and 26, Block 20,

Villa Park,

City and County of Denver,

State of Colorado

Real Property Records

Date last updated: Tuesday, January 13, 2019

Real Property Records Search

If you have a question about the value, ownership, or characteristics of this property, or any other property in Denver, please call the Assessor at 720-913-4162.

[Link to real property information for this property.](#)

[Link to property tax information for this property.](#)

[Link to comparable sales information for this property.](#)

[Link to property sales information for all Denver neighborhoods.](#)

[Link to chain of title information for this property.](#)

[Link to map/historic district listing for this Property.](#)

[Link to property sales information for this neighborhood.](#)

[Back to Property List](#)

The property description shown is data from the Assessor's active, in-progress 2017 file. The "current year" values are from the 2017 tax year for real property tax due in 2018. These values are based on the property's physical status as of January 1, 2017.

PROPERTY INFORMATION

Property Type: RESIDENTIAL

Parcel: 0505321013000

Name and Address Information

Legal Description

BRISCH,RYAN  
BRISCH,NICOLE E  
901 IRVING ST  
DENVER, CO 80204-3143

L 25 & 26 BLK 20 VILLA PARK

Property Address: 901 N IRVING ST

Tax District

DENV

Assessment Information

	Actual	Assessed	Exempt	Taxable
Current Year				
Land	93700	6750		
Improvements	102200	7360		
Total	195900	14110	0	14110
Prior Year				
Land	93700	6750		
Improvements	102200	7360		
Total	195900	14110	0	14110

Style: One Story  
Year Built: 1949  
Building Sqr. Foot: 824  
Bedrooms: 2  
Baths Full/Half: 1/0  
Basement/Finished: 0/0  
Lot Size: 6,250

Reception No.: 2018033887  
Recording Date: 03/22/18  
Document Type: Personal Rep  
Sale Price: 300000  
Mill Levy: 77.365

[Click here for current zoning](#)

Zoning Used for Valuation: E-SU-D  
Note: Valuation zoning maybe different from City's new zoning code.

 [Print](#)

## **Consistency with Adopted Plans:**

In regards to the “Comprehensive Plan 2000” this rezoning would help manage growth and change through effective land use policies to sustain Denver's high quality of life by providing a smaller and affordable rental home. The zoning change would also meet the plan’s goal of “Expand housing options for Denver's changing population” again with more affordable rental options near transit. Also, per the plan our zoning change would follow - Land Use Strategy 3-B which: Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses. As you can see from our building plans the ADU we would build would be not only high quality, environmentally friendly building, it would also be very consistent with the character of the neighborhood. Lastly the Denver's Legacies Strategy 3-A which calls to Identify areas in which increased density and new uses are desirable and can be accommodated. We believe that the additional and environmentally friendly housing added by our zoning change request, would be desirable to the neighborhood and that it can be accommodated not only by the neighborhood but by the size our lot.

Our zoning change request and subsequent ADU would meet and fall in line with many of the goals of BluePrint Denver. According to the BluePrint Plan 2002, our property is in an area of stability. As you can see from our attached drawings, the proposed ADU would not change the characteristics of the neighborhood but would allow for re-investment into the neighborhood, which is specifically recommended multiple times in the BluePrint 2002 plan. The proposed ADU would be single story and at 750 sq. would not change the characteristics of the neighborhood in keeping the look of single story/single family homes in the neighborhood; but at the same time would allow for re-investment in the neighborhood. This type of re-investment will help further stabilize our neighborhood and help protect the neighborhood’s character. The change would further encourage the neighborhood as primarily residential.

Our home and the proposed ADU would also be .25 miles away from an Enhanced Transit Corridor and would be .4 miles from the Knox Transit Station. We would be adding additional housing that is 1 (10<sup>th</sup> St.) & 2 (Knox St.) blocks from those two “residential collector streets”. With our property’s location we would also be increasing housing options in close proximity to “multi-modal streets” We are a block from Knox St. and Federal St. (Arterial Street) which both offer City Bus routes. We also are close to easy access to I-25 and 6<sup>th</sup> Ave. for personal cars. We are .5 miles from the Knox St. light rail station and lastly we are 2 blocks away from the Lakewood Gulch Trail which is a major bike path into the city and the whole city in general. Per the BluePrint 2002 plan our re-zoning and ADU would enforce the plans goal of, “Appropriately located and attractive density stimulates positive change and development in areas with strong links to transit”

Per the Denver BluePrint our ADU design would preserve and use our alley access in the way that the plan encourages, “The use of alleys for access to rear-facing garages reduces curb cuts along the block fronts in residential neighborhoods, thereby preserving sidewalk continuity and creating a more pedestrian-friendly environment.”

One of the key concepts in the “Land Use Component” of the Denver BluePrint plan is “New zoning should concentrate as much on building design as it does on activities that occur within buildings” Based on our plans that have been submitted, our re-zoning request will not change the characteristics of the neighborhood as single story, detached garages are the norm in the neighborhood, but our detached garage will also include a living space. That living space can also serve as an example to others in the area and city in that it will be a “passive” home built with SIP walls and solar panels. Our building design is environmentally friendly and energy efficient with design features that could and should be replicated more often throughout our city.

If our zoning change request is given our ADU plans would still fit within the neighborhoods development standards, ie FAR Limits, and Height Limits. Our proposed ADU plans would also be “Compatible building Design” in that it would “reinforce existing or desired character” of the neighborhood.

Per the “Housing an Inclusive Denver” our zoning request would help implement a multitude of that plans core goals. By approving our zoning change, thus allowing us to build an ADU, we would be we would be able to, “Create affordable housing in vulnerable areas AND in areas of opportunity” Our neighborhood is a vulnerable area because it is one of the few neighborhoods where the single family home is priced below the median price of a detached single family home in Denver. It is also a neighborhood of opportunity because of it’s strong transit (ie. Knox Light Rail Station .4 miles away & Decatur/Federal Station .5 miles away, improvements to Federal Blvd. and proximity to 6<sup>th</sup> Ave.) It also has jobs with the new Colorado Department of Transportation headquarters, Denver Human Services Campus (also strong health care options) and finally the re-development of the Sun Valley area. Approving our zoning change request would also work towards the plan’s goal of, “Stabilize residents at risk of involuntary displacement by supporting programs and policies that help a resident maintain their existing housing or stay in their community.” This would be achieved by our family be able to move into the ADU and us renting out the existing home. According to the plan, “Measurable outcomes from investment and policies under this core goal include **new units created**” Another action item of the plan for legislative and regulatory priorities states, “the City should support land use regulations that incentivize affordable and mixed-use housing, including expanding the development of accessory dwelling units.”

### Villa Park Neighborhood Plan (1991) –

Our zoning change request would help meet multiple goals of the Villa Park Neighborhood Plan. Two of those goals it would most help is to protect the residential character of the neighborhood and to discourage higher density development from R-2 to R-1. As you can see from the ADU renderings, it will be a single story home of about 750sq. ft. We will be adding a very small amount of density to the neighborhood, but nothing that will change the character.

The plan also calls to renovate and maintain housing, which with this zoning change will allow us to properly maintain the existing home on the property.

### **Uniformity of District Regulations and Restrictions:**

The proposed rezoning to E-SU-D1 will result in the uniform application of zone district building form, use and design regulations. The current zoning allows for accessory buildings which are mostly garages. With our building plans, the zoning change would result in an accessory building that is a garage and a dwelling unit. As seen in the renderings, our ADU would be consistent in height and size with many of our neighbor's accessory units. There are also properties in our area already with the E-SU-D1 zoning that have a similar size ADU that create uniformity.

### **Public Health, Safety and General Welfare:**

Our zoning change request will enhance the public's health and safety by providing more affordable houses that is also in close proximity to multiple mass transit options. Helping to keep more cars off the road leading to less congestion and pollution. We will be using SIP walls in the construction of the ADU. The installation in the walls do not contain any VOC's or any harmful chemicals that can affect the occupants indoor air quality. All other construction materials will be as environmentally friendly as possible and produce little to no off-gassing.

It will also allow our middle-class family to stay in the City of Denver and raise our newborn daughter in the City. My wife teaches a hard to staff subject (7<sup>th</sup> Grade Math) at a hard to staff school (Strive Lake Prep). Our neighborhood is filled with her students and having her stay in the neighborhood and at her job will greatly improve the general welfare of our community. The rental income we hope to earn from renting out the main home is vital to making sure we have enough income to stay in the city long term.

### **Justifying Circumstance:**

Growth in Denver has been significant the last few years and since the adoption of the existing zoning district there have been many changes that our zoning change request is in the public interest. There are is a new light rail station (Knox Station) .4 miles away and the Decatur Federal Station (.5 miles away) and the adopted Denver BluePrint 2002 plan calls for, "Encourages the use of public transportation" and "Reduces environmental impacts of transportation projects and reduces fuel consumption." Both of which are achieved with new



11/13/18

housing in such close proximity to the Knox station/Decatur Federal Station as well as the “Enhanced Transit Corridor” on Federal Blvd. Along with that the major “Federal Blvd. Improvement Project” just 4 blocks to our east will greatly improve pedestrian safety as well as make bus travel along Federal Blvd. more efficient, thus more appealing to people. The changing conditions of the neighborhood as an area of stability has calls for “Re-investment” in the Denver BluePrint 2002 plan. It will be in the public and neighborhoods interest to have additional smaller and more affordable rental options in the neighborhood. Lastly the recent opening of the “Re-Imagine Play” playground at Paco Sanchez park has change and will continue to change the neighborhood as it’s offering are expanded and completed. It will make the area more attractive to families with young children, thus increasing the demand for more housing in the neighborhood.

### **Consistent with Neighborhood Context and Zone District:**

Our zoning change would be consistent with the neighborhood context because the surrounding land uses are residential that include single unit, two-unit, and even multi-unit. Also the building form and scale would be consistent with the neighborhood, as you can see the ADU we propose to build would be single story and would be 750 sq. ft. in size. The surrounding zoning has E-SU-D1, E-SU-D1x, E-MX-2x so our zoning change request to E-SU-D1 would be consistent with the area.