

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	Charles and Leeanna Newcomb	Representative Name	
Address	2360 North Cherry St	Address	
City, State, Zip	Denver, CO 80207	City, State, Zip	
Telephone	303 646 7108	Telephone	
Email	crnewcomb@gmail.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):		2360 Cherry St Denver, CO 80207	
Assessor's Parcel Numbers:		01312-15-005-000	
Area in Acres or Square Feet:		4460 sq. ft.	
Current Zone District(s):		U-SU-C	
PROPOSAL			
Proposed Zone District:		U-SU-C I	
PRE-APPLICATION INFORMATION			
Did you receive and review the slide deck: "Constructing an Accessory Dwelling Unit"?		<input checked="" type="checkbox"/> Yes - I have received and reviewed this information <input type="checkbox"/> No - I have not received these slides	
Did you contact the City Council District Office regarding this application ?		<input checked="" type="checkbox"/> Yes - if yes, state date and method <u>Aug 25, 2023, email</u> <input type="checkbox"/> No - if no, describe why not (in outreach attachment)	

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"/> 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.</p> <p>Denver Comprehensive Plan 2040 The proposed map amendment is consistent with the strategies in the adopted Denver Comprehensive Plan 2040, including:</p> <ul style="list-style-type: none"> • Goal 2, Strategy A. Equitable, Affordable and Inclusive – "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. • Goal 8, Strategy A. Environmentally Resilient - "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. <p>Blueprint Denver 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"> • Policy 4, Strategy E - Diversify housing choice through the expansion of accessory dwelling units throughout all residential areas. <p>Neighborhood/ Small Area Plan (list all, if applicable): <u>Park Hill Neighborhood Plan</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"/> 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.</p> <p><input checked="" type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</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 Blueprint Denver 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"/> Justifying Circumstances - One of the following circumstances exists: 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"> a. Changed or changing conditions in a particular area, or in the city generally; or, b. A City adopted plan; or c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning. <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"/> 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.</p> <p>The proposed map amendment is consistent with the neighborhood context description, stated purpose and intent of the proposed <u>U-SU-CI</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:

REZONING GUIDE

ADU Rezoning Application Page 4 of 4

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)
EXAMPLE 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
Charles R Newcomb and Leeanna I. R. Newcomb	2360 N Cherry St Denver, CO 80207 (303) 646-7108	100%	<i>Charles R Newcomb</i> <i>Leeanna I. R. Newcomb</i>	9/29/23		YES

Legal Description for 2360 Cherry Street:

Lot 7 and the North $\frac{1}{2}$ of Lot 8,

Except the rear 6 feet of said Lots, Block 10, Park Hill, City and County of Denver, State of Colorado

WARRANTY DEED

THIS DEED, Made this 3rd day of August, 19 98,
between Edmond Joseph Sitko, Jr. and Victress Hitchcock
Sitko

of the City and County of Denver and State of Colorado
grantor, and Leeanna Newcomb and Charles Newcomb

whose legal address is 2360 Cherry Street, Denver, Colorado 80207

of the City and County of Denver and State of Colorado, grantees:

WITNESS, That the grantor, for and in consideration of the sum of ONE HUNDRED NINETY ONE THOUSAND
AND NO/100-----

-----DOLLARS, (\$191,000.00), the receipt and
sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bar-
gain, sell, convey and confirm, unto the grantees, their heirs and assigns forever, **not in tenancy in common but in joint tenancy**,
all the real property together with improvements, if any, situate, lying and being in the City and County of Denver,
and State of Colorado, described as follows:

Lot 7 and the North 1/2 of Lot 8,
except the rear 6 feet of said Lots,
Block 10, Park Hill,
City and County of Denver, State of Colorado

also known by street and number as 2360 Cherry Street, Denver, Colorado 80207

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and
the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest,
claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the
hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantees, their
heirs and assigns forever. And the grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and
agree to and with the grantees, their heirs and assigns, that at the time of the ensealing and delivery of these presents, he is well
seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in
fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form
as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments,
encumbrances and restrictions of whatever kind or nature soever, **except for taxes for the current year, a lien but not yet due**
and payable, easements, restrictions, reservations, covenants and rights-of-way of record, if any.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable posses-
sion of the grantees, their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.
The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN-WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

Edmond Joseph Sitko, Jr.

Victress Hitchcock Sitko

STATE OF COLORADO)
COUNTY OF DENVER) ss.

The foregoing instrument was acknowledged before me this 3rd day of August, 19 98, by
Edmond Joseph Sitko, Jr. and Victress Hitchcock Sitko

My Commission expires: August 13, 2000

DEBBIE L. PINKERTON
NOTARY PUBLIC
STATE OF COLORADO

Witness my hand and official seal.

Debbie L. Pinkerton
Notary Public
Debbie L. Pinkerton

Narrative Explaining the Rezoning of 2360 Cherry Street from U-SU-C to U-SU-C1

Owners of the property seek to rezone the property such that the garage that was remodeled in 2020 may be used in the future as an ADU. The exterior of the structure will not be changed. The new zoning would permit the installation of a kitchen, bathroom, and a low-ceiling area on the 2nd floor.

Narrative describing any outreach for the proposed rezoning of 2360 Cherry St. to City Council office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors.

On August 26, 2023 a letter was hand delivered to adjacent neighbors to the north and south, two neighbors to the west and two neighbors to the east. On the same day emails were sent to the following RNOs:

Inter-Neighborhood Cooperation
Greater Park Hill Community, Inc.
Opportunity Corridor Coalition of United Residents
Council District At Large
City Park Friends and Neighbors
Strong Denver
Council District 9

As one of our registered neighborhood organizations, we wanted to inform you that we are starting the process with the city to change the zoning of our property from U-SU-C to U-SU-C1.

Details:

Property Address:

2360 Cherry Street Denver Colorado 80207.

The candidate for the ADU status is our garage that we remodeled in 2020. As we recently remodeled the building (we replaced the roof, added windows) the potential conversion to an ADU will not entail any changes to the exterior of the building or further construction.

Please contact us with any questions or concerns.

Thanks so much for your support in this process.

All the best,

Charles and Lee Lee Newcomb
303 646 7108
crnewcomb@gmail.com