

Date: 11/4/2015  
Denver City Council  
1437 Bannock St., Rm. 451  
Denver, CO 80202

Re: BR15-0768  
Approves the designation of 2329 Eliot Street (a.k.a. 2323 W. 23rd Avenue) as an individual structure for preservation in Council District 1.

Dear City Councilmembers:

On November 16th, you will be deliberating on BR15-0768, a bill that would approve designating 2329 Eliot St. as an individual structure for preservation in Council District 1. Approving this hostile designation would be a grave mistake. It would send a message to anti-development groups that City Council approves the taking of property rights as a weapon to be wielded in the debate about Denver's growth.

The simple facts about this debate are as follows:

- Jim Sonnleitner has owned and lived in 2329 Eliot St. for 26 years.
- Jim's constitutional rights protect his ability to use his property any way he wants so long as such use conforms to appropriate municipal zoning codes.
- Anti-Development parties are on record as supporting the use of Hostile Historic Designation to slow, stall, and prevent development.
- The arguments for Landmark Designation have been tenuous and shaky at best. The Landmark Commission Chair is on record as doubting the validity of many of the arguments for designation. His concerns were dismissed by historians on the Commission who admitted the necessary ordinance requirements were met by "tenuous" connections and "interesting" stories but failed to prove Landmark Ordinance requirements were truly met. The bar for Landmark Designation is set low to encourage owner-supported designation, but has not been raised (or even strictly enforced) for this hostile application. Approval has been given to support preservation regardless of the many valid arguments against. Even at the Neighborhood and Planning meeting, Landmark Staff was uncertain of the accuracy of claims used to justify designation and could not confidently answer Councilmembers' questions.
- NO REGARD for Jim Sonnleitner has been given throughout this entire process.
- Jim would lose hundreds of thousands of dollars, an economic hardship that would greatly diminish his retirement prospects, if his home is designated a landmark against his wishes. This takings of property rights would be devastating to Jim.

For these reasons, I urge City Council to dismiss this Hostile Designation and to protect Jim's property rights. Save historic designation for truly worthy structures and send a message that spot zoning and hostile designations are not an appropriate method to debate Denver's growth.

Concerned Denver Resident,

Signature: 

Name: Jacob Huebert

Address: 2034 S. High St.  
Denver, CO 80210

Date: 10-4-2015  
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Signature: 

Name: Luke Benz

Address: 2034 S High St  
Denver, CO 80210

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Concerned Denyer Resident,

Signature:  \_\_\_\_\_

Name: MICHAEL HUGHES \_\_\_\_\_

Address: 2034 S Holly St.  
Denver, CO 80210  
\_\_\_\_\_



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Concerned Denver Resident,

Signature: 

**Rick Blank**

Construction Mgr  
2899 N. Speer Blvd, Suite #105  
Denver, Colorado 80211  
**720.626.4670**



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Re: BR15-0768  
Approves the designation of 2329 Eliot Street (a.k.a. 2323 W. 23rd Avenue) as an individual structure for preservation in Council District I.

Dear City Councilmembers:

On November 16th, you will be deliberating on BR15-0768, a bill that would approve designating 2329 Eliot St. as an individual structure for preservation in Council District I. Approving this hostile designation would be a grave mistake. It would send a message to anti-development groups that City Council approves the taking of property rights as a weapon to be wielded in the debate about Denver's growth.

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**Neil H Behlmaier**

GM | Assoc AIA | NAHB | BSc  
2899 N. Speer Blvd, Suite #105  
Denver, Colorado 80211

**O 720.726.4056**

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