

# Accessory Dwelling Unit 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                                                                                                                                                                               | Becky + Pete Martinez | Representative Name                                                                                      |  |
| Address                                                                                                                                                                                           | 100 Oneida Street     | Address                                                                                                  |  |
| City, State, Zip                                                                                                                                                                                  | Denver, CO 80220      | City, State, Zip                                                                                         |  |
| Telephone                                                                                                                                                                                         | 650-796-3137          | Telephone                                                                                                |  |
| Email                                                                                                                                                                                             | sheckybea@gmail       | 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):           | 100 Oneida Street<br>Denver, CO 80220 |
| Assessor's Parcel Numbers:    | 06081-15-018-DDD                      |
| Area In Acres or Square Feet: | 8,520 ft <sup>2</sup>                 |
| Current Zone District(s):     | E-SU-Dx                               |

| PROPOSAL                |          |
|-------------------------|----------|
| Proposed Zone District: | E-SU-D1x |

| PRE-APPLICATION INFORMATION                                                        |                                                                                                                                                                                        |
|------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Did you have a pre-application meeting with Development Services Residential Team? | <input type="checkbox"/> Yes - If yes, state the meeting date _____<br><input checked="" type="checkbox"/> No - If no, describe why not <u>We're awaiting 5 plans for the project.</u> |
| Did you contact the City Council District Office regarding this application?       | <input checked="" type="checkbox"/> Yes - If yes, state date and method <u>4-25-22</u><br><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**

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

- ☒ **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.

**Denver Comprehensive Plan 2040**

The proposed map amendment is consistent with the strategies in the adopted Denver Comprehensive Plan 2040, including:

- **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.

**Blueprint Denver**

The proposed map amendment is consistent with the applicable neighborhood context, places, street type, and strategies in *Blueprint Denver*, including:

- **Policy 4, Strategy E** - Diversify housing choice through the expansion of accessory dwelling units throughout all residential areas.

Neighborhood/ Small Area Plan (list all, if applicable): \_\_\_\_\_

General Review Criteria: The proposal must comply with all of the general review criteria.  
(Check boxes to affirm)  
DZC Sec. 12.4.10.7

- ☒ **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.

- ☒ **Public Health, Safety and General Welfare:** The proposed official map amendment furthers the public health, safety, and general welfare of the City.

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" (*Blueprint Denver*, p. 84).



Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria.

(Check boxes to affirm.)

DZC Sec. 12.4.10.8

☒ **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:

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.

The proposed map amendment application identifies the adoption of *Blueprint Denver* as the Justifying Circumstance. As discussed above, *Blueprint Denver* 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.

☐ **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.**

The proposed map amendment is consistent with the neighborhood context description, stated purpose and intent of the proposed E-SU-D1x Zone District.

## 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:



**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)<br>(please type or print legibly) | Property Address<br>City, State, Zip<br>Phone<br>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:<br>(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?<br>(YES/NO) |
|----------------------------------------------------------|------------------------------------------------------------------------------|----------------------------------------------------------------------|-----------------------------------------------------------------------------------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| <b>EXAMPLE</b><br>John Alan Smith and<br>Josie Q. Smith  | 123 Sesame Street<br>Denver, CO 80202<br>(303) 555-5555<br>sample@sample.gov | 100%                                                                 | John Alan Smith<br>Josie Q. Smith                                                       | 01/01/12 | (A)                                                                                                                                                          | YES                                                               |
| Becky Martinez<br>and Pete S.<br>Martinez                | 100 Onida Street<br>Denver, CO 80220                                         | 100%                                                                 | Becky Martinez<br>Pete Martinez                                                         | 4/20/22  | (B)                                                                                                                                                          | NO                                                                |
|                                                          |                                                                              |                                                                      |                                                                                         |          |                                                                                                                                                              |                                                                   |
|                                                          |                                                                              |                                                                      |                                                                                         |          |                                                                                                                                                              |                                                                   |

The land referred to at 100 Oneida Street in Denver, Colorado 80220 is described as follows:

Lot 18

Block 18

Mayfair Park Second Filing

City and County of Denver,

State of Colorado

WARRANTY DEED

THIS DEED, Made this 8th day of July, 2009 between

Corrine Christen  
of the City and County of Denver and State of COLORADO, grantor, and

Becky Martinez and Pete S. Martinez

whose legal address is , ,  
of the City and County of Denver, State of Colorado, grantees:

WITNESS, That the grantor, for and in consideration of the sum of Two Hundred Nineteen Thousand Nine Hundred Dollars and NO/100's, (\$219,900.00),

the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, 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 18,  
Block 18,  
Mayfair Park Second Filing,  
City and County of Denver,  
State of Colorado.

Doc Fee  
\$s 21.99

also known by street and number as 100 Oneida Street , Denver, CO 802206074

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 all taxes and assessments for the current year, a lien but not yet due or payable, and those specific Exceptions described by reference to recorded documents as reflected into the Title Documents accepted by Buyer in accordance with section 8.1 "Title Review", of the contract dated June 6, 2009, between the parties.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession 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.

SELLER:

  
Corrine Christen

STATE OF COLORADO  
COUNTY OF Denver

}ss:

The foregoing instrument was acknowledged before me this 8th day of July, 2009, by Corrine Christen

Notary Public

Witness my hand and official seal.  
My Commission expires:



My Commission Expires Oct. 11, 2010 Security Title  
File No. S0314611





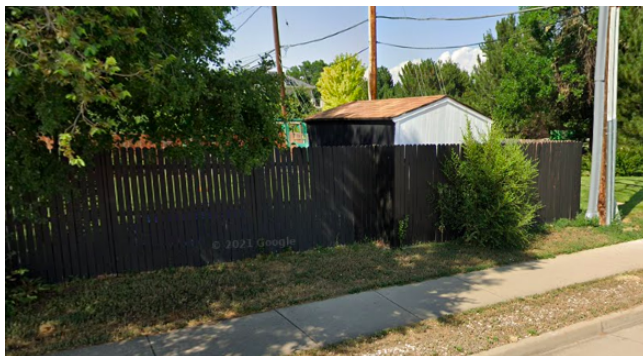
Within our 8,520 ft<sup>2</sup> lot, approximately 1700 ft<sup>2</sup> is taken up by our home with another 350 ft<sup>2</sup> utilized to grow our own fruits and vegetables across several raised garden beds. We are grateful that this leaves us with an abundance of space to potentially include a detached additional dwelling unit in the southeast corner of our backyard where a small shed currently sits (see figure 1 below; this shed will be moved across our yard).

We are aiming to add a 450 ft<sup>2</sup> ADU that adheres to our city's height restrictions as well as allows for access to the sewage easement we have across the northern side of our back yard. In order to avoid increasing the carbon footprint of our home, we plan to utilize solar energy to power this home thanks to an open tree line, sloped roof design, and advantageous southern facing exposure. (see image inspiration in Figure 2 below)

For now, this home's purpose will be to house Becky's aging mother who, after losing her husband (Becky's step-father) to covid, needs to live closer to Becky who has no other siblings to care for her mother. Housing costs in Denver and surrounding areas are prohibiting us from finding other proximal and affordable locations.

In years to come, this detached dwelling unit will be positioned to offer an energy-efficient, diversified, and affordable housing option to Denver residents in need.

Figure 1



Backyard Location for Proposed ADU

Figure 2



Inspiration Image for Proposed ADU

## SECTION 1: Documentation of Outreach to RNOs and Neighbors

- A. 4/25/22 via Email to Amanda Sawyer Outreach through Logan Fry @ [logan.fry@denvergov.org](mailto:logan.fry@denvergov.org)
- B. [This flyer](#) was shared with our immediate neighbors via hand delivery to them and/or their mailbox on April 25th @ 12:00pm.
- C. RN's
  - a. Inter Neighborhood Cooperation notification sent via the zoning committee's "Contact Us" form on April 25th at 9:15am.
  - b. [Mayfair Park RNO](#) - Current Interim President Debbie Taylor was emailed via [DebbiTaylorRealtor@gmail.com](mailto:DebbiTaylorRealtor@gmail.com) on April 25th @ 9:30am. No other contact email or person was clear from the Mayfair Park RNO website.
    - i. Further email exchange occurred on April 25th in the morning. Becky can provide the email thread contents if needed.
  - c. Lowry Community Master Association email sent to [Mary.Carr@lowrydenver.com](mailto:Mary.Carr@lowrydenver.com) as she is listed as person of contact "for questions about the LCMA, community events, and neighborhood communications" on [their website](#).
  - d. Lowry United Neighbors communication sent via email to [info@lowryunitedneighborhoods.org](mailto:info@lowryunitedneighborhoods.org) on April 25th @ 9:35am. There wasn't a contact us page or list of contact persons who might be responsible for this specific communication on [their website](#).

## SECTION 2: Record of correspondence with City Planning Representatives

- A. April 13th @ 10:00am with Libbie Adams
  - a. [Link to Slide Deck](#)



**CITY AND COUNTY OF DENVER, COLORADO  
REGISTERED NEIGHBORHOOD ORGANIZATION  
POSITION STATEMENT**

Following a vote of the Registered Neighborhood Organization, please complete this form and email to [rezoning@denvergov.org](mailto:rezoning@denvergov.org). You may save the form in \*.pdf format if needed for future reference. Questions may be directed to planning staff at [rezoning@denvergov.org](mailto:rezoning@denvergov.org) or by telephone at 720-865-2974.

|                                           |                                    |
|-------------------------------------------|------------------------------------|
| Application Number                        | 2022I-00076                        |
| Location                                  | 100 Oneida Street Denver, CO 80220 |
| Registered Neighborhood Organization Name | Mayfair Park RNO                   |
| Registered Contact Name                   | Debbie Taylor                      |
| Contact Address                           | 261 Oneida Street Denver, CO 80220 |
| Contact E-Mail Address                    | debbietaylorrealtor@gmail.com      |
| Date Submitted                            | 8-9-2022                           |

As required by DRMC § 12-96, a meeting of the above-referenced Registered Neighborhood Organization

was held on 8-7-2022 , with 36 members in attendance.

With a total of 36 members voting,

16 voted to support (or to not oppose) the application;

20 voted to oppose the application; and

0 voted to abstain on the issue.

It is therefore resolved, with a total of 36 members voting in aggregate:

The position of the above-referenced Registered Neighborhood Organization is that Denver City Council

oppose Application # 2022I-00076 .

Comments: The survey results are in from the neighborhood and sent out via Survey Monkey. A Zoom informational call was also held where the Martinez family were present. We had 36 respondents so almost 10% of the neighborhood participate. Of the 36 we had 55.56% oppose and 44.44% support. I will be filing with the city a position statement with these results since we do not have a 10 member board, the neighbors have spoken as to their desires with Mayfair Park. The rezoning is very controversial and the survey results show a slight margin for opposition. Please take this as the official position statement for the majority of participants from the Mayfair Park community that the majority is opposing the rezoning.

Q2

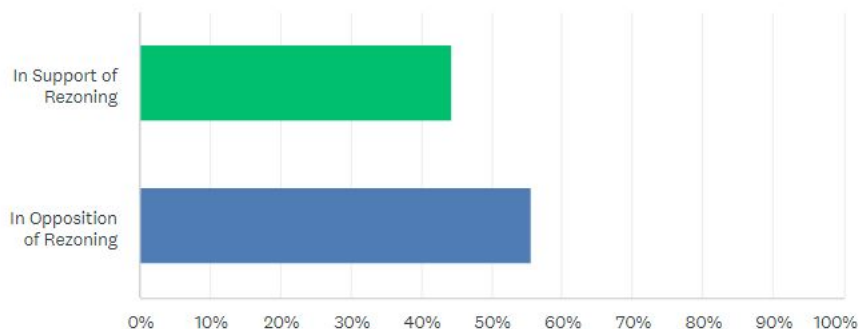


Customize

Save as ▼

## Are you in support or opposition of a rezoning of 100 Oneida St for an ADU?

Answered: 36 Skipped: 0



| ANSWER CHOICES ▼            | RESPONSES ▼ |    |
|-----------------------------|-------------|----|
| ▼ In Support of Rezoning    | 44.44%      | 16 |
| ▼ In Opposition of Rezoning | 55.56%      | 20 |
| TOTAL                       |             | 36 |



# Planning Board Comments



Submission date: 6 August 2022, 11:33AM

Receipt number: 250

Related form version: 2

## Your information

|                         |                                                    |
|-------------------------|----------------------------------------------------|
| Name                    | Troy Moore Board President at Jayden Court @ Lowry |
| Address or neighborhood | 309 Quebec Street, Denver CO                       |
| ZIP code                | 80220                                              |
| Email                   | troy@milehighcomp.com                              |

## Agenda item you are commenting on

Rezoning

## Rezoning

|                     |                                    |
|---------------------|------------------------------------|
| Address of rezoning | 100 Oneida Street Denver, CO 80220 |
| Case number         | 2022I-00076                        |

## Draft plan

Plan area or neighborhood

## Proposed text amendment

Project name

## Historic district application

Name of proposed historic district

## Comprehensive Sign Plan

Address of comprehensive sign plan

Case number

## DURA Renewal Plan

Address of renewal project

Name of project

## Other

Name of project you would like to comment on

## Submit your comments

Would you like to express support or opposition to the project? **Strong opposition**

Your comment:

**Jaydyn Court @ Lowry Home Owners Association**

**Memo from Board of Directors**

**TO: Mr. Rob Haigh, Associate City Planner**

**City and County of Denver**

**Denver Planning Board**

**FROM: Troy R Moore-Board President for Jaydyn Court @ Lowry HOA**

**309 Quebec Street, Denver CO 80220**

**DATE: August 5, 2022**

**RE: Opposition to Applicant # 20221-00076**

**100 Oneida Street, Denver CO 80220**

**Change of Zoning Request**

**Dear Mr. Haigh,**

**On behalf of the homeowners at Jaydyn Court @ Lowry, we strongly oppose this applicant's request. Jaydyn Court HOA property abuts directly to the South of Mayfair Park Neighborhood. Our addresses are 309, 319, 329 and 339 (18 unit townhome community).**

**We worry that if you grant this zoning request, others will also want zoning changes and ADU's will be built adjacent to our townhomes. This would be detrimental to the character of both neighborhoods. It would cause problems between neighbors should these ADU's be rented out later from investors who only care about receiving rental income. Mayfair Park is NOT set up to handle this type of zoning change.**

**In addition, we played a pivotal role in keeping Boulevard One from obtaining this type of zoning which would have allowed ADUs, so it is understandable why we don't want it.**

**This Board along with its owners, request that you deny the applicants request.**

**Thank you.**

**Board of Directors for Jaydyn Court HOA**

**By;**

**Troy Moore-Its President**

**(303) 591-9822**

**Troy@tkproperties.org**

If you have an additional document or image that you would like to [100 Oneida Sign 2.jpg](#) add to your comment, you may upload it below. Files may not be [100 Oneida Sign.jpg](#) larger than 5MB.



# Planning Board Comments



Submission date: **6 August 2022, 11:38AM**  
Receipt number: **251**  
Related form version: **2**

## Your information

|                         |                       |
|-------------------------|-----------------------|
| Name                    | Troy Moore Owner      |
| Address or neighborhood | 507 Magnolia Street   |
| ZIP code                | 80220                 |
| Email                   | troy@milehighcomp.com |

## Agenda item you are commenting on

Rezoning

## Rezoning

|                     |                                    |
|---------------------|------------------------------------|
| Address of rezoning | 100 Oneida Street Denver, CO 80220 |
| Case number         | 20221-00076                        |

## Draft plan

Plan area or neighborhood

## Proposed text amendment

Project name

## Historic district application

Name of proposed historic district

## Comprehensive Sign Plan

Address of comprehensive sign plan

Case number

## DURA Renewal Plan

Address of renewal project

Name of project

## Other

Name of project you would like to comment on

## Submit your comments

Would you like to express support or opposition to the project? **Strong opposition**

Your comment:

Mile High Company Inc,  
175 E. City Place Drive  
Santa Ana, CA 92705  
Correspondence Transmission  
TO: Rob Haigh, Associate City Planner  
City and County of Denver  
Denver Planning Board  
FROM: Troy Moore  
Owner at 507 Magnolia St, Denver CO 80220  
DATE: 8/5/2022  
RE: Opposition to Change Zoning to E-SU-D1x  
Application 20221-00076

Dr. Mr. Haigh,

Please accept this communication as my official notice of opposition to changing the zoning code for this applicant to allow them to add an ADU. I strongly oppose this and respectfully request that the planning board deny this application to change zoning code.

We strongly opposed any ADU zoning during the build out of Boulevard One (just across the street from this applicant). Our neighborhood isn't set up for ADU's. ADU's goes against the character of Mayfair Park Neighborhood and this just opens the doors for others to add ADU's should this one applicant be granted their request.

On top of what I have mentioned, Oneida Street is already having problems with numerous street parking of vehicles due in part to one car garages and households having more than 3 vehicles. Allowing an ADU being constructed at any home in our neighborhood brings more families, more congestion, more cars and more problems between neighbors.

Please deny this request to the above mentioned applicant.

Thank you in advance for listening to my concerns.

Troy Moore

President

(303) 591-9822

[www.milehighcomp.com](http://www.milehighcomp.com)

[troy@milehighcomp.com](mailto:troy@milehighcomp.com)

Mile High Company Inc,  
175 E. City Place Drive  
Santa Ana, CA 92705

If you have an additional document or image that you would like to add to your comment, you may upload it below. Files may not be larger than 5MB.

[100 Oneida Sign 2.jpg](#)

[100 Oneida Sign.jpg](#)

# Planning Board Comments



Submission date: 6 August 2022, 11:43AM

Receipt number: 252

Related form version: 2

## Your information

|                         |                                |
|-------------------------|--------------------------------|
| Name                    | Hon Kei Chan                   |
| Address or neighborhood | 407 Magnolia Street Denver, CO |
| ZIP code                | 80220                          |
| Email                   | troy@milehighcomp.com          |

## Agenda item you are commenting on

Rezoning

## Rezoning

|                     |                                    |
|---------------------|------------------------------------|
| Address of rezoning | 100 Oneida Street Denver, CO 80220 |
| Case number         | 20221-00076                        |

## Draft plan

Plan area or neighborhood

## Proposed text amendment

Project name

## Historic district application



Name of proposed historic district

## Comprehensive Sign Plan

Address of comprehensive sign plan

Case number

## DURA Renewal Plan

Address of renewal project

Name of project

## Other

Name of project you would like to comment on

## Submit your comments

Would you like to express support or opposition to the project?

Your comment:

August 5, 2022

TO: Mr. Rob Haigh

Associate City Planner

Denver Planning Board

FROM: Hon Kei "Kenneth" Chan

Property Owner of 491 Magnolia Street

Denver, CO 80220

DATE: August 5, 2022

RE: Applicant # 20221-00076

100 Oneida Street, Denver CO 80220

**STRONGLY OPPOSE THIS APPLICANT FOR ZONING CHANGE**

**To Whom It May Concern;**

Please deny this request. I own property in Mayfair Park Neighborhood and do not want to see ADU's built in the neighborhood. This neighborhood does not need ADU's and many homes will start requesting zoning changes if this is allowed due to large lots. ADU's are not in character of this neighborhood.

I would also like to point out that this applicant has used a foggy plastic over to make it difficult to read the zoning notice, I request this applicant also be denied for failure to provide a clear cover so all could read the zoning notice. Please see attached photos.

I request you deny this applicant.

Sincerely,

Hon Kei Chan

(303) 242-7600

If you have an additional document or image that you would like to [100 Oneida Sign 2.jpg](#) add to your comment, you may upload it below. Files may not be [100 Oneida Sign.jpg](#) larger than 5MB.

# Planning Board Comments



Submission date: 6 August 2022, 11:55AM

Receipt number: 253

Related form version: 2

## Your information

|                         |                          |
|-------------------------|--------------------------|
| Name                    | Stacey Lawton            |
| Address or neighborhood | 200 Magnolia Street      |
| ZIP code                | 80220                    |
| Email                   | staceylawton84@gmail.com |

## Agenda item you are commenting on

Rezoning

## Rezoning

|                     |                                    |
|---------------------|------------------------------------|
| Address of rezoning | 100 Oneida Street Denver, CO 80220 |
| Case number         | 20221-00076                        |

## Draft plan

Plan area or neighborhood

## Proposed text amendment

Project name

## Historic district application

Name of proposed historic district

## Comprehensive Sign Plan

Address of comprehensive sign plan

Case number

## DURA Renewal Plan

Address of renewal project

Name of project

## Other

Name of project you would like to comment on

## Submit your comments

Would you like to express support or opposition to the project?

**Strong opposition**

Your comment:

**Regarding: 100 Oneida Re-Zone Opposition**

This is in opposition to the request to re-zone 100 Oneida Street. The appropriate course of action is a simple variance request, not a re-zone.

This is not a hardship per the variance request criteria, the owners of the property have the ability to provide a suitable living space for their family within the current zoning guidelines. Granting such a request would set a dangerous precedent that could cause the entire neighborhood of Mayfair Park to be re-zoned. A rezoning is not desired by the owners within the neighborhood, and inappropriate for a number of reasons:

1. Currently our neighborhood is considered a "suburban" neighborhood, allowing for large yards, open space and quiet streets. We are separated from the urban core of the city by neighborhoods such as Crestmoor, Hilltop, and Country Club, none of which allow for ADUs. It is illogical to increase the density of the current suburban neighborhood and send the message that low density is for the wealthy.



2. Our sewer easements all run in the rear of our lots- 7.5' on each side of property lines before a structure can be built. An ADU should not be permitted to encroach on this easement. Encroachment will jeopardize the available yard space, giving the ADU minimal separation from the main residence creating the appearance of one massive structure with no open space.

3. The overwhelming majority of homes in the neighborhood do not have alleyways. Encroachment will cause the removal of front loaded garages as it incentivizes long driveways to the rear of the lot. Currently, our backyards are not permitted to have two story structures and there is a maximum height of allowance of 17 feet. This restriction creates space between houses, which space would be lost. Further, privacy between backyards and neighbors would be lost as those living in the ADUs would be able to look directly over into the neighbor's house.

4. Finally, ADUs create a safety issue. They will cause street parking and congestion to increase as the number of residents could significantly increase. We have many families and small children in this neighborhood and increased traffic could be a safety issue.

If you have an additional document or image that you would like to [Lawton Example.jpg](#) add to your comment, you may upload it below. Files may not be [100 Oneida Re-Zone Opposition site examples.pdf](#) larger than 5MB.

## **Regarding: 100 Oneida Re-Zone Opposition**

This is in opposition to the request to re-zone 100 Oneida Street. The appropriate course of action is a simple variance request, not a re-zone.

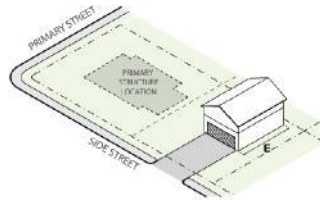
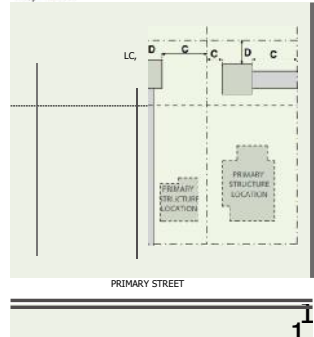
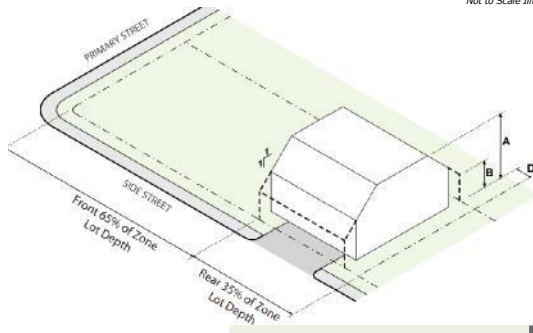
This is not a hardship per the variance request criteria, the owners of the property have the ability to provide a suitable living space for their family within the current zoning guidelines. Granting such a request would set a dangerous precedent that could cause the entire neighborhood of Mayfair Park to be re-zoned. A rezoning is not desired by the owners within the neighborhood, and inappropriate for a number of reasons:

1. Currently our neighborhood is considered a "suburban" neighborhood, allowing for large yards, open space and quiet streets. We are separated from the urban core of the city by neighborhoods such as Crestmoor, Hilltop, and Country Club, none of which allow for ADUs. It is illogical to increase the density of the current suburban neighborhood and send the message that low density is for the wealthy.
2. Our sewer easements all run in the rear of our lots- 7.5' on each side of property lines before a structure can be built. An ADU should not be permitted to encroach on this easement. Encroachment will jeopardize the available yard space, giving the ADU minimal separation from the main residence creating the appearance of one massive structure with no open space.
3. The overwhelming majority of homes in the neighborhood do not have alleyways. Encroachment will cause the removal of front loaded garages as it incentivizes long driveways to the rear of the lot. Currently, our backyards are not permitted to have two story structures and there is a maximum height of allowance of 17 feet. This restriction creates space between houses, which space would be lost. Further, privacy between backyards and neighbors would be lost as those living in the ADUs would be able to look directly over into the neighbor's house.
4. Finally, ADUs create a safety issue. They will cause street parking and congestion to increase as the number of residents could significantly increase. We have many families and small children in this neighborhood and increased traffic could be a safety issue.



# **A. Detached Accessory Dwelling Unit**

*Not to Scale Illustrative Only.*



**4.3-38**

**DENVER ZONING CODE**

June 25, 20101 Republished July 1, 2021



# Planning Board Comments



Submission date: **6 August 2022, 11:59AM**

Receipt number: **254**

Related form version: **2**

## Your information

|                         |                              |
|-------------------------|------------------------------|
| Name                    | Karen and Jason Bonanno      |
| Address or neighborhood | 409 Oneida Street Denver, CO |
| ZIP code                | 80220                        |
| Email                   | kmacdonald@lockton.com       |

## Agenda item you are commenting on

Rezoning

## Rezoning

|                     |                                    |
|---------------------|------------------------------------|
| Address of rezoning | 100 Oneida Street Denver, CO 80220 |
| Case number         | 20221-00076                        |

## Draft plan

Plan area or neighborhood

## Proposed text amendment

Project name

## Historic district application



Name of proposed historic district

## Comprehensive Sign Plan

Address of comprehensive sign plan

Case number

## DURA Renewal Plan

Address of renewal project

Name of project

## Other

Name of project you would like to comment on

## Submit your comments

Would you like to express support or opposition to the project?

**Strong opposition**

Your comment:

**We live in Mayfair Park and would like to express our opposition to the rezone that is being proposed.**

**100 Oneida Re-Zone Opposition**

**This request does not meet all of the criteria for a re-zoning approval.**

**Step 2 in the rezoinng guide was not conducted in our neighborhood. This is the first time neighbors have been made aware of this request and we have been left with 5 days to respond.**

**This should be a simple variance request, not a re-zone.**

**Kara and Jason Bonanno**

**409 Oneida Street**

**Denver 80220**

If you have an additional document or image that you would like to add to your comment, you may upload it below. Files may not be larger than 5MB.

# Planning Board Comments



Submission date: 6 August 2022, 12:03PM

Receipt number: 255

Related form version: 2

## Your information

|                         |                              |
|-------------------------|------------------------------|
| Name                    | William and Marian Miller    |
| Address or neighborhood | 450 Oneida Street Denver, CO |
| ZIP code                | 80220                        |
| Email                   | wmiller01@gmail.com          |

## Agenda item you are commenting on

Rezoning

## Rezoning

|                     |                                    |
|---------------------|------------------------------------|
| Address of rezoning | 100 Oneida Street Denver, CO 80220 |
| Case number         | 20221-00076                        |

## Draft plan

Plan area or neighborhood

## Proposed text amendment

Project name

## Historic district application

Name of proposed historic district

## Comprehensive Sign Plan

Address of comprehensive sign plan

Case number

## DURA Renewal Plan

Address of renewal project

Name of project

## Other

Name of project you would like to comment on

## Submit your comments

Would you like to express support or opposition to the project? **Strong opposition**

Your comment:

**Denver Planning Committee:**

We have just today been made aware that rezoning of our neighborhood (Mayfair Park) to allow ADU's (Accessory Dwelling Units). is being considered by Denver Planning. We as well as none of the neighbors we have spoken to have not had any prior knowledge of this.

We are writing to object to the re-zoning of our neighborhood to allow ADUs. This would be objectionable for a number of reasons including:

1. This is not desired by the owners in this neighborhood.
2. Our neighborhood is surrounded by neighborhoods, none of which allow ADU's (eg. Crestmoor, Montclair, and Hilltop).
3. There is not the space to allow the needed infrastructure for ADUs (eg. sewer easements all run in the rear of our lots and there is virtually no alley access to our homes).
4. Privacy in our backyards would be lost if structures were allowed on the back of properties.
5. Increased traffic congestion, which is already a problem, would increase leading to more safety issues especially for the many children in the neighborhood and for the Denver Language School which is central to the neighborhood.

Thank for your consideration.

**Bill and Marian Miller**  
**455 Oneida St.**  
**Denver, CO 80220**

If you have an additional document or image that you would like to add to your comment, you may upload it below. Files may not be larger than 5MB.

# Planning Board Comments



Submission date: 7 August 2022, 12:37PM

Receipt number: 256

Related form version: 2

## Your information

Name Rebekah Fisher

Address or neighborhood 191 Magnolia Street Denver, CO

ZIP code 80220

Email kah4444@comcast.net

## Agenda item you are commenting on

Rezoning

## Rezoning

Address of rezoning 100 Oneida Street Denver, CO 80220

Case number 20221-00076

## Draft plan

Plan area or neighborhood

## Proposed text amendment

Project name

## Historic district application

Name of proposed historic district

## Comprehensive Sign Plan

Address of comprehensive sign plan

Case number

## DURA Renewal Plan

Address of renewal project

Name of project

## Other

Name of project you would like to comment on

## Submit your comments

Would you like to express support or opposition to the project?

**Strong support**

Your comment:

**Dear Denver City Council and Mayfair Park Neighbors,**

Regarding the proposed zoning change for 100 Oneida St. to allow for an ADU, I have owned my home in the neighborhood for 19 years and I fully support my fellow property owner's request. This family's scenario is a real life example of why the concept of "granny flats" originally came to be. Not only do they serve our City's need for more housing density, but in concept they provide a housing solution that strengthens extended family bonds as well as contributing to diversity by enabling people to live in neighborhoods they otherwise can no longer afford to due to escalating housing costs.

Another factor that makes this property an ideal choice for the neighborhood's first ADU is the location within Mayfair Park. First of all, the lot backs to a drainage area, not another backyard. Secondly, the property sides to 1st Avenue so it will give our community the opportunity to regularly observe the aesthetic impact of this new housing type since we drive by it



everyday.

Some people will argue that property owners motivated by profit will create ADUs to use as rental properties since there is no deed restriction requirement that a family member occupy the ADU into perpetuity. Personally I am willing to accept that trade off in order to maintain more of the existing housing stock, and thus the resulting original neighborhood feel of Mayfair Park. The creation of ADUs will increase property values, thereby making it less likely that every original ranch style house that goes on the market will be purchased by a developer to scrape. But the creation of ADUs isn't just a "necessary evil" to slow down the spread of million dollar infill homes. When landlords live immediately nextdoor to their tenants, this scenario typically results in the attraction of more conscientious renters. A good example of this is the popularity over the years of carriage house rentals in older parts of Denver. Not only are they highly desirable properties to own, but the neighbors enjoy having them as a unique part of the housing mix as well.

Thank you for your consideration of my viewpoint.

Sincerely,

Rebekah Fisher

191 Magnolia St.

If you have an additional document or image that you would like to add to your comment, you may upload it below. Files may not be larger than 5MB.

# Planning Board Comments



Submission date: 8 August 2022, 2:20PM

Receipt number: 257

Related form version: 2

## Your information

|                         |                         |
|-------------------------|-------------------------|
| Name                    | Matthew Hodel           |
| Address or neighborhood | 471 North Poplar Street |
| ZIP code                | 80220                   |
| Email                   | matt_hodel@msn.com      |

## Agenda item you are commenting on

Rezoning

## Rezoning

|                     |                   |
|---------------------|-------------------|
| Address of rezoning | 100 Oneida Street |
| Case number         | 2022I-00076       |

## Draft plan

Plan area or neighborhood

## Proposed text amendment

Project name

## Historic district application

Name of proposed historic district

## Comprehensive Sign Plan

Address of comprehensive sign plan

Case number

## DURA Renewal Plan

Address of renewal project

Name of project

## Other

Name of project you would like to comment on

## Submit your comments

Would you like to express support or opposition to the project?

**Strong support**

Your comment:

I think ADU's are amazing and I'm fully supportive of this movement in all Denver neighborhoods. ADU's are an excellent way to achieve density in our existing neighborhood fabric. I truly believe ADU's can allow older residents to remain on site near loved ones and they can offer property owners more financial flexibility. I think we should equalize the gross imbalance of ADU zoned lots in handful of select neighborhoods and the city should allow all property owners the right to build these structures on their properties if they desire in the city of Denver. ADU's might be presently expensive to build and financing one has it challenges, but everyone in Crestmoor/Mayfair Park neighborhoods that I've ever spoken with would support Becky and Pete and give them a right to construct this ADU. Why should a few city council members be able to buy votes and cater to their constituents in other neighborhoods getting D1 zoning in place and high-siding the rest of us? Make ADU options available to all or no one in the city of Denver. Do what's right and allow ADU's everywhere lot sizes allow.

If you have an additional document or image that you would like to add to your comment, you may upload it below. Files may not be larger than 5MB.

*Jaydyn Court @ Lowry Home Owners Association*

**Memo from Board of Directors**

TO: Mr. Rob Haigh, Associate City Planner  
City and County of Denver  
Denver Planning Board

FROM: Troy R Moore-Board President for Jaydyn Court @ Lowry HOA  
309 Quebec Street, Denver CO 80220

DATE: August 5, 2022

RE: Opposition to Applicant # 20221-00076  
100 Oneida Street, Denver CO 80220  
Change of Zoning Request

Dear Mr. Haigh,

On behalf of the homeowners at Jaydyn Court @ Lowry, we strongly oppose this applicant's request. Jaydyn Court HOA property abuts directly to the South of Mayfair Park Neighborhood. Our addresses are 309, 319, 329 and 339 (18 unit townhome community).

We worry that if you grant this zoning request, others will also want zoning changes and ADU's will be built adjacent to our townhomes. This would be detrimental to the character of both neighborhoods. It would cause problems between neighbors should these ADU's be rented out later from investors who only care about receiving rental income. Mayfair Park is NOT set up to handle this type of zoning change.

In addition, we played a pivotal role in keeping Boulevard One from obtaining this type of zoning which would have allowed ADUs, so it is understandable why we don't want it.

This Board along with its owners, request that you deny the applicants request.

Thank you.

Board of Directors for Jaydyn Court HOA

By;

Troy Moore-Its President  
(303) 591-9822  
Troy@tkproperties.org

August 5, 2022

TO: Mr. Rob Haigh  
Associate City Planner  
Denver Planning Board

FROM: Hon Kei "Kenneth" Chan  
Property Owner of 491 Magnolia Street  
Denver, CO 80220

DATE: August 5, 2022

RE: Applicant # 20221-00076  
100 Oneida Street, Denver CO 80220  
STRONGLY OPPOSE THIS APPLICANT FOR ZONING CHANGE

To Whom It May Concern;

Please deny this request. I own property in Mayfair Park Neighborhood and do not want to see ADU's built in the neighborhood. This neighborhood does not need ADU's and many homes will start requesting zoning changes if this is allowed due to large lots. ADU's are not in character of this neighborhood.

I would also like to point out that this applicant has used a foggy plastic over to make it difficult to read the zoning notice, I request this applicant also be denied for failure to provide a clear cover so all could read the zoning notice. Please see attached photos.

I request you deny this applicant.

Sincerely,

Hon Kei Chan  
(303) 242-7600



Correspondence Transmission

TO: Rob Haigh, Associate City Planner  
City and County of Denver  
Denver Planning Board

FROM: Troy Moore  
Owner at 507 Magnolia St, Denver CO 80220

DATE: 8/5/2022

RE: Opposition to Change Zoning to E-SU-D1x  
Application 20221-00076

Dr. Mr. Haigh,

Please accept this communication as my official notice of opposition to changing the zoning code for this applicant to allow them to add an ADU. I strongly oppose this and respectfully request that the planning board deny this application to change zoning code.

We strongly opposed any ADU zoning during the build out of Boulevard One (just across the street from this applicant). Our neighborhood isn't set up for ADU's. ADU's goes against the character of Mayfair Park Neighborhood and this just opens the doors for others to add ADU's should this one applicant be granted their request.

On top of what I have mentioned, Oneida Street is already having problems with numerous street parking of vehicles due in part to one car garages and households having more than 3 vehicles. Allowing an ADU being constructed at any home in our neighborhood brings more families, more congestion, more cars and more problems between neighbors.

Please deny this request to the above mentioned applicant.

Thank you in advance for listening to my concerns.

Troy Moore  
President  
(303) 591-9822  
[www.milehighcomp.com](http://www.milehighcomp.com)  
[troy@milehighcomp.com](mailto:troy@milehighcomp.com)  
Mile High Company Inc,  
175 E. City Place Drive  
Santa Ana, CA 92705



Mile High Company Inc,  
175 E. City Place Drive  
Santa Ana, CA 92705

**From:** [Rebekah Fisher](#)  
**To:** [Rezoning - CPD](#)  
**Subject:** [EXTERNAL] 100 Oneida St. ADU  
**Date:** Sunday, August 7, 2022 11:19:12 AM

---

Dear Denver City Council and Mayfair Park Neighbors,

Regarding the proposed zoning change for 100 Oneida St. to allow for an ADU, I have owned my home in the neighborhood for 19 years and I fully support my fellow property owner's request. This family's scenario is a real life example of why the concept of "granny flats" originally came to be. Not only do they serve our City's need for more housing density, but in concept they provide a housing solution that strengthens extended family bonds as well as contributing to diversity by enabling people to live in neighborhoods they otherwise can no longer afford to due to escalating housing costs.

Another factor that makes this property an ideal choice for the neighborhood's first ADU is the location within Mayfair Park. First of all, the lot backs to a drainage area, not another backyard. Secondly, the property sides to 1st Avenue so it will give our community the opportunity to regularly observe the aesthetic impact of this new housing type since we drive by it everyday.

Some people will argue that property owners motivated by profit will create ADUs to use as rental properties since there is no deed restriction requirement that a family member occupy the ADU into perpetuity. Personally I am willing to accept that trade off in order to maintain more of the existing housing stock, and thus the resulting original neighborhood feel of Mayfair Park. The creation of ADUs will increase property values, thereby making it less likely that every original ranch style house that goes on the market will be purchased by a developer to scrape. But the creation of ADUs isn't just a "necessary evil" to slow down the spread of million dollar infill homes. When landlords live immediately nextdoor to their tenants, this scenario typically results in the attraction of more conscientious renters. A good example of this is the popularity over the years of carriage house rentals in older parts of Denver. Not only are they highly desirable properties to own, but the neighbors enjoy having them as a unique part of the housing mix as well.

Thank you for your consideration of my viewpoint.

Sincerely,  
Rebekah Fisher  
191 Magnolia St.

**From:** [Dave Gestner](#)  
**To:** [Rezoning - CPD](#)  
**Subject:** [EXTERNAL] Comments for proposed re-zing  
**Date:** Monday, August 8, 2022 3:05:53 PM

---

Hi,

I would like to express my support for re-zoning application for 100 Oneida Street in Denver. Thank you,

David Gestner  
7000 E 6th Ave Pkwy  
Denver, CO 80220

**From:** [Bridget Mehaffey](#)  
**To:** [Haigh, Robert M. - CPD City Planner Associate](#)  
**Subject:** [EXTERNAL] 100 Onieda Street  
**Date:** Wednesday, August 3, 2022 11:06:42 PM

---

I'm writing to support the rezoning application for the ADU at 100 Onieda street. ADU's are a great way to support families in our neighborhood. They allow aging parents to live "at home" with their adult children in an affordable way. They are also great for adult children who may not be able to fly the nest. In addition as housing gets more expensive they could be rented out and supplement income for house poor folks. These dwellings are tiny homes that encourage nuclear families, help resolve the housing shortage, and could provide financial stability for homeowners in a way that does not detract or strain our neighborhood. I hope you approve the rezoning application.

Thank you for your time.

Sincerely,  
Bridget Mehaffey  
720-298-4663

Sent from my iPhone

**From:** [Katie Johnson](#)  
**To:** [Haigh, Robert M. - CPD City Planner Associate](#)  
**Subject:** [EXTERNAL] Support for zoning request at 100 Oneida Street (80220)  
**Date:** Thursday, August 4, 2022 8:51:09 PM

---

Hi, Rob,

I live at 181 Newport Street, just one block over from Becky Martinez at 100 Oneida Street. I want to express my support for the zoning request to allow an ADU in the backyard at that address. It supports affordable housing goals for the city without changing the character of the neighborhood.

Thank you,

Katie Johnson  
181 Newport Street  
Denver, CO 80220

**From:** [Matthew LeBauer](#)  
**To:** [Haigh, Robert M. - CPD City Planner Associate](#)  
**Subject:** [EXTERNAL] ADU  
**Date:** Sunday, August 7, 2022 11:20:18 AM

---

Hello Rob,  
I'm writing to express my support for the ADU approval in my neighborhood.  
I know Becky Martinez is requesting approval and I support her effort.  
Let me know what else I can do to help make that happen.  
Thanks,  
Matthew LeBauer

--

Matthew LeBauer  
Pronouns: he, him

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Please note, this is my personal email.  
You can email me at [matthew@lebauercounseling.com](mailto:matthew@lebauercounseling.com) regarding my counseling practice.

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