

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		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		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):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			

REVIEW CRITERIA

<p>General Review Criteria: The proposal must comply with all of the general review criteria</p> <p>DZC Sec. 12.4.10.7</p>	<input 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. 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.
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria</p> <p>DZC Sec. 12.4.10.8</p>	<input 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.
	<input 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>Justifying Circumstances - One of the following circumstances exists:</p> <input type="checkbox"/> The existing zoning of the land was the result of an error. <input type="checkbox"/> The existing zoning of the land was based on a mistake of fact. <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. <input 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: 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. <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.
	<input 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.

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:

REZONING GUIDE

Rezoning Application Page 3 of 3

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)
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
			<i>Whitney Paschall</i>			

3431 N Columbine Review Criteria Narrative

Application# 2019I-00006

1. CONSISTENCY WITH ADOPTED PLANS:

Our rezoning request is consistent with the direction in each of these plans:

[The Comprehensive Plan](#)

Equitable, Affordable, and Inclusive - We believe that neighborhoods should be populated with residents of all incomes, races, and ethnicities. The homes we would like to build will be affordable and should provide homes to people with low to mid level incomes and if any should become a rental, people of color will be considered at the forefront.

Strong and Authentic Neighborhoods - Our plans include architecture that is true to the neighborhood's historic appearance.

Connected, Safe and Accessible Places - This property's location has easy access to public transportation including Denver's Light Rail system, bike paths and commuter roads, as well as several bus routes. It is also close to downtown and is home to numerous parks that we have personally enjoyed over the years.

Economically Diverse and Vibrant - There are now several amazing businesses in this neighborhood that did not exist when I first purchased the home. Adding some additional members to this neighborhood will undoubtedly add to the business's foot traffic and revenue.

Environmentally Resilient - Our homes will be well insulated, put more people under one roof, and include low-water use landscaping.

Healthy and Active - Adding families to our neighborhoods will increase the use of city parks, trails, and schools.

[Blueprint Denver](#)

Our plans would fulfil Blueprint Denver's plans by the following desires addressed by the Denverights:

- Expanding housing by adding 2 new single family homes
- Creates a "Common Sense Approach to New Growth" by developing 1.5 lots into 2 single family homes.
- The design of the new homes will complement the design of the existing neighborhood. We want to build houses that match the style and architecture of existing homes.

- The city defines **Residential “Low”** as: *Predominantly single- and two-unit uses on smaller lots. Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible. Some civic and institutional uses are compatibly integrated throughout and limited mixed-use can occur along arterial and collector streets, as well as where commercial uses have been already established. Vacant institutional uses on corners or select sites may be appropriate locations to introduce additional residential intensity. Medium building coverage. Buildings are generally up to 2.5 stories in height.*
- Minimum Lot Size: *For applicant-driven requests that are individual sites or small assemblages, typically it is only appropriate to allow smaller lot sizes than the existing zone district if there is an established pattern in the surrounding blocks of smaller lots with similar uses that would be consistent with the zone district request.*
- The housing sizes will be more uniform to the area. More consistently in the Clayton neighborhood, houses are roughly 25’ wide as will our new homes.
- We want one of the houses to be an affordable rental that is a part of the Section 8 housing opportunities for Denver residents.
- 2 new homes with a consistent setback from the street is safer for first responders and mailmen/delivery workers. An alley set house is harder to find and access.

[Bruce Randolph Avenue Plan](#)

The BRA Plan is proud to address their improvements to shopping areas, The Hope Center, and local schools. They hope to add infill housing to vacant lots and their main goal was to beautify the area, lessen criminal activity, and support the business persons of the area. BRA was very neglected and run-down for a long time. It’s made strides since the 1980s with its efforts to clean the area up and make it safe and enjoyable again. We believe the addition of our homes will not only beautify the neighborhood, but will provide safe and affordable places to live. The homes will allow for both individuals and families to join the neighborhood that will contribute to the businesses and schools of the area. If given the opportunity we would like to add infill housing by adding an ADU to one of the units.

Additionally, our plans would fulfill the section labeled “Major Recommendation 6” of the Bruce Randolph Avenue Plan: “ As redevelopment and new development takes place, encourage design that is in character with existing land uses in terms of heights, scale, density and open space.”

2. PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE OF THE CITY

- 2 new homes with a consistent setback from the street is safer for first responders and mailmen/delivery workers. An alley set house is harder to find and access.
- Smaller lot sizes lead to an opportunity for higher density that can in turn contribute to strong and inclusive health outcomes.

3. Justifying Circumstance: “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. (Changed or changing conditions in a particular area, or in the city generally.)”:

- The location is already just one block away from an area that provides lot sizes of U-SU-A1. They are also considered to be in the neighborhood of Clayton.
- The proposed official map amendment meets the criterion of the Denver Zoning Code U-SU-A1(see section [5.2.2.2B](#)): “a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 3,000 square feet. Blocks typically have a pattern of 25 foot wide lots. This district requires the shallowest setbacks and allows the highest lot coverage in the Urban Neighborhood Context. Setbacks and lot coverage standards accommodate front and side yards similar to U-SU-A but allowing a detached accessory dwelling unit building form in the rear yard.”
- Most of the neighborhood homes already conform to the U-SU-A1 parameters with a shallow set back and homes that are 18’-25’ wide.
- Lot size is one guideline to help new development be consistent within a neighborhood, however, creating two single family homes would create conformity. For instance, if this property were to have just one house built on it, the house would be much larger and have about a 40’ width. Most homes in the area sit at a width of just 18’-25’.
- The current home is a very small Honeymoon House only providing 8% lot coverage. It was never intended to remain on the property for this long. The original plan for a honeymoon house would have created a new house be built on the front of the property by now.
- The current home does not fit in with the current general character of the neighborhood description provided in section 5.1.3 of [Denver Zoning Code Article 5](#). It states that “Residential buildings typically have consistent, moderate front setbacks, shallow side setbacks and consistent orientation”. It is clear that a tiny home that is entirely backset and is only providing 8% coverage, it is not conforming to this description.
- 3 recent development examples show that single family homes on a smaller lot size creates better consistency within the character of the Clayton neighborhood. All of which were from one larger lot that was transformed into two smaller lots:
 - 3350 & 3346 Josephine St.
 - 3344 & 3346 Williams St.
 - 3440 & 3442 Columbine St.

3431 N Columbine St., Denver, CO 80205 (Clayton)



This is our home on Columbine. It's located at the back of the lot. We would like to build 2 neighborhood conformed houses.



3431 is a “honeymoon” house as defined by this Denver Gov .pdf on neighborhood characteristics



4. A “honeymoon” or alley house is shown deeply setback from the street, ready to accommodate a new house on front portion of lot in the future.



DENVER
THE MILE HIGH CITY

Lot Width/Size Comparison



- Under 3,000 sf
- 3,000 sf up to 4,449 sf (A lot size)
- 4,500 sf up to 5,999 sf (B lot size)
- 6,000 sf and up (C lot size or greater)

Here is 3431 Columbine. It is in zone U-SU-B1 which requires a minimum of 4,500 sq ft.

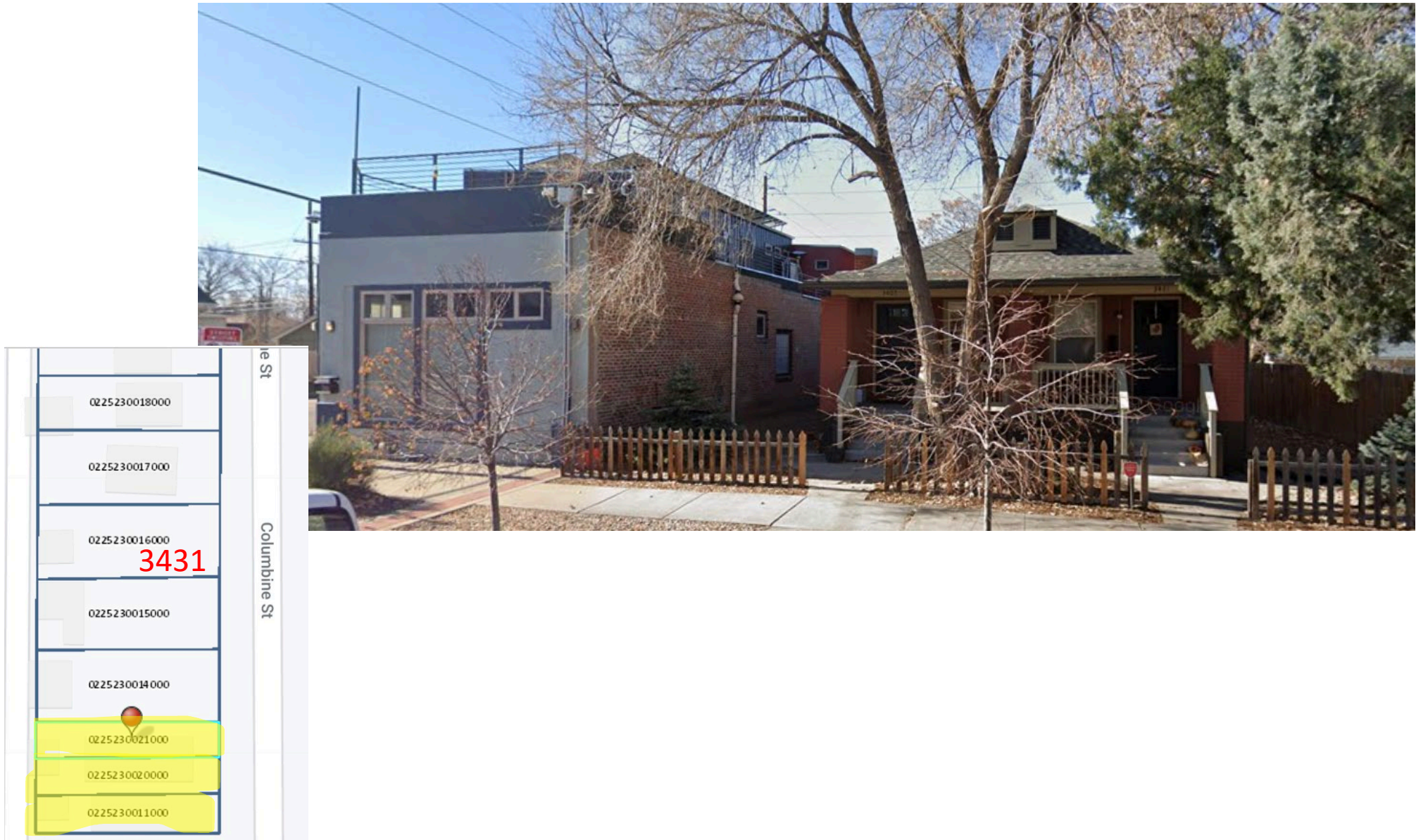
In this image from the city, you can see that there are several lots (in orange) that are already 3,000 square feet. And most are 4,500 unless.

3431 Columbine is less than one block from U-SU-A1 zoning.

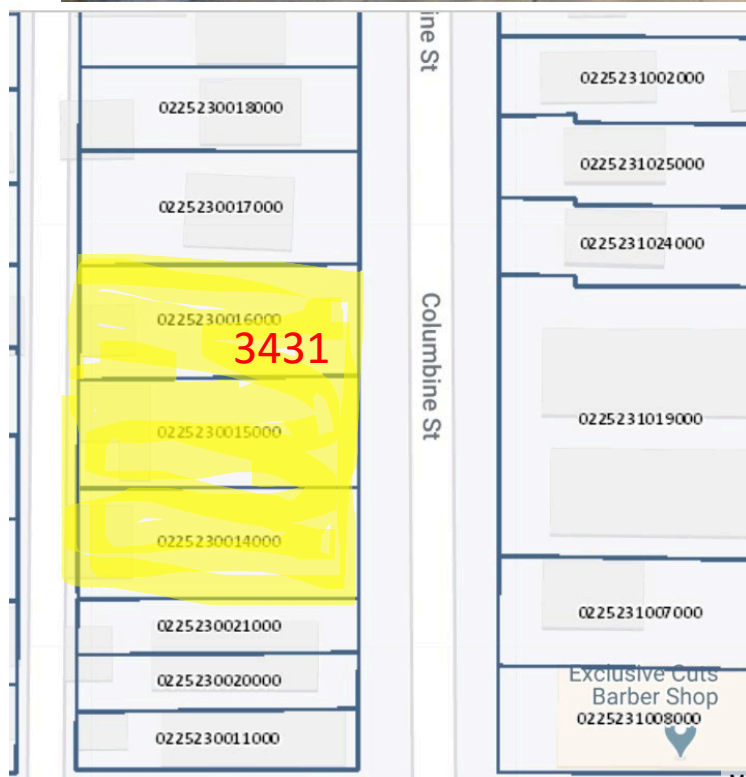
This **BLACK LINE** in the middle is where the city decided our neighborhood is different and has different zoning. Living here...this whole area just feels like one neighborhood...to us it is all just Clayton.

Buildings on the same block...

Left: Commercial building converted to modern home
Right: Duplex, already in the 3,000 sf conformity but zoned as U-SU-B1



Left & Middle: Also honeymoon houses, small and located at back of lot.
Right: 3431 Columbine

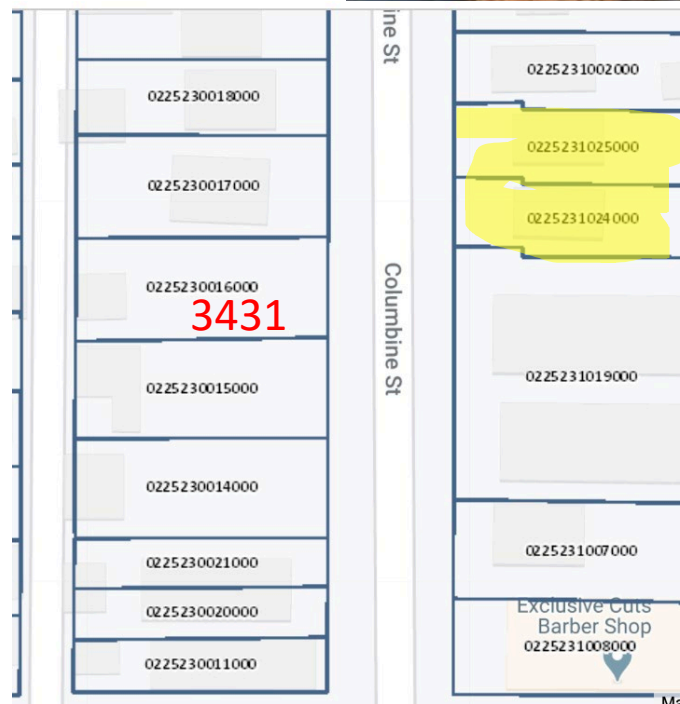


Across the street are two apartment buildings



	ine St	
0225230018000		0225231002000
0225230017000		0225231025000
0225230016000		0225231024000
3431	Columbine St	0225231019000
0225230015000		
0225230014000		
0225230021000		0225231007000
0225230020000		Exclusive Cuts Barber Shop 0225231008000
0225230011000		

Also across the street.



Development Examples in the area...

Development example at 3353 Josephine, just one block from 3431 Columbine. The owner turned one small house similar to Columbine into two beautiful single-family homes. We like how they kept to the character of the neighborhood.

Before



After



Here is another example about 7 blocks away at Bruce Randolph and Williams.

Before



After



Dear Community Planning and Development of the City of Denver,

My name is Bonnie Herman and I am the homeowner and occupant of 3441 N Columbine St. I both support and understand that my neighbor, Whitney Wells Paschall, located at 3431 N Columbine St., will be applying to rezone her property into two U-SU-A1 size lots (3,000 sq ft min.). She has spoken to us about her general plans to build two neighborhood conforming houses and we agree that this project will be beneficial to the neighborhood and move it in the right direction.

If you have any questions, you can reach me at Bonnieherman@yahoo.com.

DocuSigned by:
Bonnie Herman
8402CCAE2A97433...

8/18/2020

Dear Community Planning and Development of the City of Denver,

My name is Erin Hamilton and I am the homeowner and occupant of 3415 N Columbine St. I both support and understand that my neighbor, Whitney Wells Paschall, located at 3431 N Columbine St., will be applying to rezone her property into two U-SU-A1 size lots (3,000 sq ft min.). She has spoken to us about her general plans to build two neighborhood conforming houses and we agree that this project will be beneficial to the neighborhood and move it in the right direction.

If you have any questions, you can reach me at ErinLeigh86@live.com.

DocuSigned by:
Erin Hamilton
3F1F1AE752D24F4...

8/17/2020

To Whom it May Concern:

At the 14 July 2020 meeting of the Clayton United RNO, the membership voted to support, in principle, the rezoning of 3431 Columbine to accommodate the division of that property into two single-family parcels.

Should the owners move forward with a formal map amendment application, the RNO will review the actual application and decide, by membership vote, whether to support that application.

Thank you and please do not hesitate to contact me with any questions,

A handwritten signature in black ink, appearing to read 'Fred Glick', with a long horizontal line extending to the left.

Fred Glick
On behalf of Clayton United RNO
303-578-2041
fred@innoabrd.com

Herrera, Valerie M. - CPD City Planner Associate

From: Fred Glick <fred@innoabrd.com>
Sent: Thursday, January 14, 2021 3:43 PM
To: Herrera, Valerie M. - CPD City Planner Associate; Stueve, Ella C. - CPD City Planner Senior
Subject: [EXTERNAL] Re: Rezoning Application: 3431 N Columbine St.

Hi Val,

thanks for your patience today!

A few points to follow up our conversation:

1) The letter from Clayton United was written before we had seen the official application, thus the provisional language. More than anything, the members were conscious of and deferential to the immediate neighbors, who indicated their support in principle pending seeing the applicant's detailed plans. While I cannot speak unilaterally for the RNO, I believe the RNO would support the application, particularly given the support of the immediate neighbors, as evidenced by their support letters included in the application.

2) One of the topics of discussion at our meeting last year, and one of the arguments which supported the RNO's support, was the inconstancy of lot size and land use across this particular block. While many blocks throughout Clayton consist of very regular, consistently-sized lots with single-family homes with consistent setbacks, this block contains a variety of lot sizes, including three very small lots at the south end of the block, as well as a variety of uses and forms, including a duplex at the south end of the block and two multi-family buildings directly across the street.

Given the irregular nature of the block, the members felt that the smaller lots proposed by the applicant were appropriate.

3) By and large, the RNO is supportive of increased density and urbanist interventions. The community would be concerned about wholesale demolition of existing homes to construct large scale slot homes or townhomes, but has been supportive of the 'gentle' density provided by ADUs, the Group Living Amendment and smaller lots. We voted on Tuesday to officially support the Group Living Amendment.

please let me know if you have any questions or if I can be of any help.

thanks,

fred

On 1/14/2021 1:35 PM, Herrera, Valerie M. - CPD City Planner Associate wrote:

Hi Fred – Ella and I are on Teams.

Val M. Herrera | Associate City Planner | *Hablo Español*
Community Planning and Development | City and County of Denver
p: (720) 865.2956 | valerie.herrera@denvergov.org
[DenverGov.org/CPD](https://denvergov.org/CPD) | [Twitter](#) | [Instagram](#) | [Take our Survey](#)
CONNECT WITH US | [311](#) | pocketgov.com | denvergov.org | [Denver 8 TV](#) | [Facebook](#)



Issued at 9:15 AM

THIS LICENSE VALID ONLY IN COLORADO
35 DAYS FROM DATE OF ISSUE.

Nº 216596

NOTE: THIS IS A MARRIAGE LICENSE - NOT A MARRIAGE CERTIFICATE. IF IT IS NOT USED, THE PERSON TO WHOM IT IS DELIVERED MUST RETURN IT PROMPTLY TO THE DENVER COUNTY CLERK AND RECORDER.

MARRIAGE LICENSE

STATE OF COLORADO DENVER COUNTY

To any person or religious society Authorized by Law to Perform the Marriage Ceremony:

GREETING:

You are hereby authorized to join in marriage

DARREN GLEN PASCHALL

of DENVER, CO

WHITNEY ALLYSON WELLS

of DENVER, CO

and of this license you will make due return to my office.

Witness, my hand and the seal of my office at

this 23rd day of August, 2018, 9:15 AM



Debra Jensen

County Clerk

Budget M Svalberg

Deputy Clerk

MARRIAGE CERTIFICATE

STATE OF COLORADO,

COUNTY OF

DENVER

} ss.

It is hereby certified that on the 23th day of August
A.D., 2018 at Big Sky Folly

in said county, the undersigned, did join in Matrimony in accordance with the laws of the
state of Colorado and the authorization of the foregoing license.

DARREN GLEN PASCHALL

WHITNEY ALLYSON WELLS

Witness, my hand the day and year last above written.

Terry Paschall
TERRY PASCHALL
Minister

Mario Giardiello
Mario Giardiello
Minister

Witness Signature

Witness Signature

Party One Signature

Party Two Signature

RETURN TO THE OFFICE OF THE DENVER COUNTY CLERK AND RECORDER

THIS MARRIAGE CERTIFICATE MUST BE FORWARDED TO THE COUNTY CLERK AND RECORDER BY THE PERSON OR PARTY SOLEMNIZING THE MARRIAGE, WITHIN 63 DAYS OF SOLEMNIZATION. FAILURE TO DO SO SHALL RESULT IN A LATE FEE OF NOT LESS THAN 20 (TWENTY) DOLLARS, PAYABLE BY THE SOLEMNIZING PERSON OR PARTY. AN ADDITIONAL FIVE DOLLAR LATE FEE MAY BE ASSESSED FOR EACH ADDITIONAL DAY OF FAILURE TO COMPLY WITH THE FORWARDING REQUIREMENTS OF THIS SUBSECTION (1) UP TO A MAXIMUM OF FIFTY DOLLARS. FOR PURPOSES OF DETERMINING WHETHER A LATE FEE SHALL BE ASSESSED PURSUANT TO THIS SUBSECTION (1), THE DATE OF FORWARDING SHALL BE DEEMED TO BE THE DATE OF THE POSTMARK. C.R.S. 14-2-109(1)

FORM M-4a. Approved by the Office of the State Registrar of Vital Statistics. Revised 03/16/2009



08/30/2018 02:33 PM
City & County of Denver

R \$30.00

ML

2018110436

Page: 1 of 1
D \$0.00



Denver Property Taxation and Assessment System

[↩ New Search](#)

3431 N COLUMBINE ST

Owner	Schedule Number	Legal Description	Property Type	Tax District
WELLS,WHITNEY A 2825 STOUT ST DENVER , CO 80205-3032	02252-30-016-000	L 23 & 24 BLK 6 ULLMANS ADD	RESIDENTIAL	DENV

[Summary](#)[Property Map](#)[Assessed Values](#)[Assessment Protest](#)[Taxes](#)[Comparables](#)[Neighborhood Sales](#)[Chain of Title](#)<https://www.denvergov.org/property/realproperty/summary/160783447/>

Legal Description: Lot 23 and 24 Block 6 ULLMANS ADD

Schedule Number: 02252-30-016-000

From: [Herrera, Valerie M. - CPD City Planner Associate](#)
To: [Whitney Paschall](#)
Cc: [Stueve, Ella C. - CPD City Planner Senior](#)
Subject: FW: [EXTERNAL] Comment re #2020I-00006 3431 N Columbine St
Date: Tuesday, March 9, 2021 9:16:00 AM

Whitney - Good morning,

We wanted to advise that we have received one email regarding your rezoning case at 3431 N Columbine St and wanted to make you aware of the 'practical concern' that is neither for nor in opposition of your case - rather more of a complaint to potentially be coordinated with our Department of Transportation and Infrastructure (DOTI).

Here are some rules from DOTI for trash can set-out and storage that was provided as a resource:
<https://www.denvergov.org/content/denvergov/en/trash-and-recycling/trash-collection/cart-service-guidelines.html>

Staff recommends that you reach out to this neighbor (Chris Bauer) to see about resolving the concern and retracting the input, but if not - then we ask that you as the applicant are prepared to directly address the concern if asked at Planning Board.

Please let us know if you have any questions and thank you again for all of your work on this rezoning case.

Val M. Herrera | Associate City Planner | Hablo Español
Community Planning and Development | City and County of Denver
Pronouns | She/Her/Hers
Phone: (720) 865-2956
311 | [pocketgov.com](#) | [denvergov.org/CPD](#) | [Take Our Survey](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)

-----Original Message-----

From: Rezoning - CPD <Rezoning@denvergov.org>
Sent: Thursday, March 4, 2021 3:53 PM
To: Herrera, Valerie M. - CPD City Planner Associate <Valerie.Herrera@denvergov.org>
Subject: FW: [EXTERNAL] Comment re #2020I-00006 3431 N Columbine St

-----Original Message-----

From: Chris Bauer <farmerbauer@mindspring.com>
Sent: Thursday, March 4, 2021 3:08 PM
To: Rezoning - CPD <Rezoning@denvergov.org>
Subject: [EXTERNAL] Comment re #2020I-00006 3431 N Columbine St

Dear Rezoning Board:

I have reviewed the rezoning application for 3431 N Columbine St, which proposes rezoning to allow two side-by-side homes to be constructed on two narrow lots of about 3000 sq ft. The proposal also mentions the possibility of a future ADU to be constructed behind one of these two homes.

I own and reside at 3440 N Josephine, so this proposal is close to the rear of my lot. We share an alley. In this area, many properties have garages at the rear, entered from the alley. Density on the block has increased significantly in the 12 years since I purchased my home. In principle, I believe that increased density is good for the neighborhood and do not object to this application.

Nevertheless, I am writing to express a practical concern. As each additional garage is built, with a corresponding driveway or in some cases adjacent off-street parking area, and as the number of single-family homes using the alley

increases, there is frequently inadequate space to place garbage bins for pickup by the City crews. This property frequently uses the same space as I do for my garbage bins; that space is behind the home immediately north of subject, which I believe is 3441 N Columbine. I hope that the applicant here can devise a place behind her lots for placement of 2 or 3 sets of that lots' garbage bins.

Respectfully, Christina Bauer