**COMMUNITY PLANNING & DEVELOPMENT** 



**REZONING GUIDE** 

ADU Rezoning Application Page 1 of 4

## Accessory Dwelling Unit Zone Map Amendment (Rezoning) -Application

<b>PROPERTY OWNER INFORMATION*</b>			PROPERTY OWNER(S) REPRESENTATIVE**		
□ CHECK IF POINT OF CONTACT FOR APPLICATION			CHECK IF POINT OF CONTACT FOR APPLICATION		
Property Owner Name			Representative Name		
Address			Address		
City, State, Zip			City, State, Zip		
Telephone			Telephone		
Email			Email		
*If More Than One Pro All standard zone map am by all the owners of at leas subject to the rezoning ap rized in writing to do so. S	ne lots	**Property owner shall sentative to act on his/h	provide a written letter authorizing the repre- ner behalf.		
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 (c) Title policy or commitment dated no earlier than 60 days prior to application date.					
If the owner is a corporate board resolutions authoriz	entity, proof of authorization fo ing the signer, bylaws, a Statem	or an individua Ient of Author	al to sign on behalf of the ity, or other legal docume	organization is required. This can include ents as approved by the City Attorney's Office.	
SUBJECT PROPERTY	(INFORMATION				
Location (address):					
Assessor's Parcel Numbers:					
Area in Acres or Square Feet:					
Current Zone District(s):					
PROPOSAL					
Proposed Zone District:					
PRE-APPLICATION INFORMATION					
Did you have a pre-applica ment Services Residential	ation meeting with Develop- Team?		yes, state the meeting da no, describe why not	ate	
Did you contact the City C ing this application ?		yes, state date and meth 10, describe why not (in			

#### Return completed form to rezoning@denvergov.org

201 W. Colfax Ave., Dept. 205 Denver, CO 80202 720-865-2974 • rezoning@denvergov.org

January 8 2021, \$1000 fee pd CC



# **REZONING GUIDE**

ADU Rezoning Application Page 2 of 4

<b>REVIEW CRITERIA</b> - NEXT TO EACH CRITERIO	AFFIRM THE PROPOSED ADU REZONING COMPLIES WITH THE CRITERIA BELOW BY CHECKING THE BOX ON
	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.
	<ul> <li>Denver Comprehensive Plan 2040</li> <li>The proposed map amendment is consistent with the strategies in the adopted Denver Comprehensive Plan 2040, including:</li> <li>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</li> </ul>
General Review Crite- ria: The proposal must comply with all of the general review criteria.	<ul> <li>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.</li> <li>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.</li> </ul>
(Check box to the right to affirm) DZC Sec. 12.4.10.7	<ul> <li>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     </li> </ul>
	residential areas. Neighborhood/ Small Area Plan (list all, if applicable): Housing an Inclusive Denver The proposed map amendment is consistent with Housing an Inclusive Denver, including:
	Attainable Homeownership, Recommendation 1: "Promote programs that help households maintain their existing homes. The City and its partners should target existing homeowner rehabilitation programs to residents in vulnerable neighborhoods, promote financial literacy education for prospective and existing homeowners, and promote the development of accessory dwelling units as a wealth-building tool for low and moderate-income homeowners" (p. 14).
General Review Crite- ria: The proposal must comply with all of the	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.
general review criteria. (Check boxes to affirm)	Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.
DZC Sec. 12.4.10.7	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).

Last updated: June 9, 2020

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# **REZONING GUIDE**

ADU Rezoning Application Page 3 of 4

	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,					
Additional Review Cri- teria for Non-Legislative Rezonings: The proposal	b. A City adopted plan; or					
	c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.					
must comply with both of the additional review criteria. (Check boxes to affirm.)	The proposed map amendment application identifies the adoption of <b>Blueprint Denver</b> as the Justifying Circumstance. As discussed above, <b>Blueprint Denver</b> 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 exist- ing zone districts. Therefore, this is an appropriate justifying circumstance for the proposed rezoning.					
(						
DZC Sec. 12.4.10.8	The proposed official map amendment is consistent with the description of the applicable neighbor- hood 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 proposedZone District.					
REQUIRED ATTACH	MENTS					
Please check boxes below	to affirm the following required attachments are submitted with this rezoning application:					
	quired to be separate attachment in Microsoft Word document format.) Document (e.g. Assessor's record, property deed, etc.)					
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.):						
<ul> <li>Written Narrative Explaining Project</li> <li>Site Plan/ Drawings (if available)</li> <li>Narrative describing any outreach to City Council office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors.</li> <li>Written Authorization to Represent Property Owner(s) (if applicable)</li> <li>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.)</li> </ul>						
Please list any other additional attachments:						
Letters of Approval from adjacent neighboring properties						

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# **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 In- terest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification state- ment	Date	Indicate the type of owner- ship documen- tation provided: (A) Assessor's record, (B) war- ranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner au- thorized a represen- tative in writing? (YES/NO)
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	John Alan Smith Josie O. Smith	01/01/12	(A)	YES
Christon John McFarland and Jessica Leigh Walker	3030 N. Newton St Denver, CO 80211 832-527-8520 cjmcfarland@gmail.com		CSUICI Gessica Walker			

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# Attachments

- Legal Description (also provided as Word Document)
- Proof of Ownership
- Written Narrative Explaining Project
- Site Plan/ Drawings
- Narrative describing any outreach to City Council office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors.
- Letters of support from adjacent neighbors

#### 3030 N NEWTON ST

Legal Description

Source:

https://www.denvergov.org/apps/realpropertyapplication/RealProperty.asp?opt=3&searc hopt=2&parcel=0230402009000&disptype=PropertyInfo

Owner	Schedule Number	Legal Description	Property Type	Tax District
WALKER, JESSICA LEIGH MCFARLAND, CHRISTON JOHN 3030 NEWTON ST DENVER, CO 80211-3644	02304-02-009-000	Lot 17 and Lot 18, Block 6, Wolff Place	RESIDENTIAL	DENV

Print

Real Property Records Date last updated: Sunday, November 1, 2020

#### 🔇 Real Property Records Search

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

Link to real property information for this property Link to comparable sales information for this property Link to chain of title information for this property Link to property sales information for this neighborhood	Link to property tax information for this property Link to property sales information for all Denver neighborhoods Link to map/historic district listing for this Property
Back to Property List	

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

#### PROPERTY INFORMATION

PROPERT F INFORMATION						
Property Type	: RESIDENTIAL	Parcel: 0230402009000				
Name and Address Information		Legal Description				
WALKER, JESSICA LEIGH						
MCFARLAND, CHRISTON JOHN		I 17 9.				
3030 NEWTON ST		L17 & 18 B6 WOLFF PLACE				
DENVER, CO 80211	-3644					
Property Address:	3030 N NEWTON ST	Tax Di	strict DENV			
Assessment Information	ion					
	Actual	Assessed	Exempt	Taxable		
Current Year						
Land	423400	30270				
Improvements	242600	17350				
Total	666000	47620	0	47620		
Prior Year						
Land	423400	30270				
Improvements	242600	17350				
Total	666000	47620	0	47620		
Style: Two Story		Reception No.: 2010090659				
Year Built: 1900		Recording Date: 08/13/10				
Building Sqr. Foot: 1,512		Document Type: Warranty				
Bedrooms: 3		Sale Price: 490000				
Baths Full/Half: 2/0		Mill Levy: 72.116				
Basement/Fin	ished: 294/0					
Lot	t Size: 6,350	<u>Click here for curr</u> zoning	<u>ent</u>			

Zoning Used for Valuation: U-SU-C

Print

Real Property Records

Note: Valuation zoning maybe different from City's new zoning code.

#### 3030 N Newton St

#### ADU Rezoning Application

#### **Project Description**

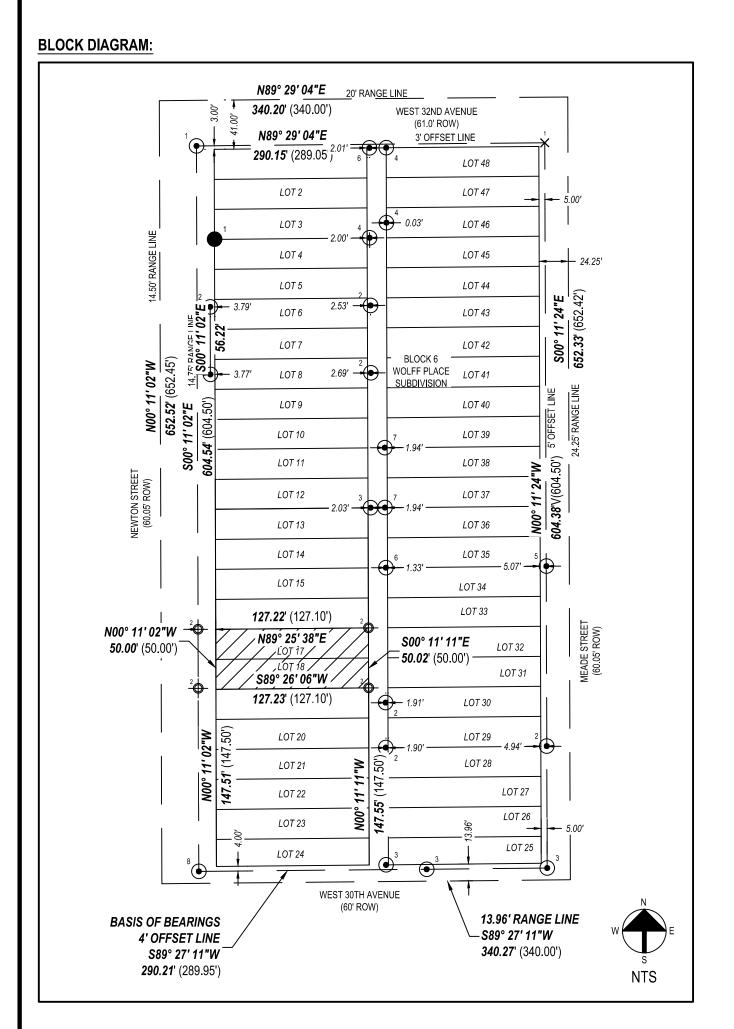
This project description is provided as part of the application for rezoning my property at 3030 Newton Street, from U-SU-C to U-SU-C1. The intent of this rezoning application is to build an ADU at the back of the property on top of the current detached garage. The current roof of the garage would be demolished and the rebuilt for the ADU space.

Due to the recent Pandemic, my office in Denver has closed and thus both my wife and I are now working from home full time. Our current house (built in 1900) does not have space for 2 offices - thus I am seeking to build an ADU to be used as a home office space.

Building an ADU on my property would be the ideal solution, but we need to have the property re-zoned. The proposed rezoning to U-SU-C1 is consistent with the recommendations of the Housing an Inclusive Denver Plan. The allowance for an accessory dwelling unit will add to the mix of residential housing types in the area that is in character with the neighborhood. It will conform with the neighborhood context, building height and zone lot size recommendations in the existing zoning.

Please feel free to contact me with any specific questions.

Christon McFarland Property Owner 832-527-8520 cjmcfarland@gmail.com



## LEGAL DESCRIPTION:

LOTS 17-18; BLOCK 6; WOLFF PLACE SUBDIVISION;

CITY OF DENVER; COUNTY OF DENVER;

STATE OF COLORADO.

**GENERAL NOTES:** 

- . FIELD WORK PERFORMED IN SEPTEMBER 2020.
- 2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT AND DOES NOT CONSTITUTE A TITLE SEARCH BY ALTITUDE LAND CONSULTANTS OF THE PROPERTY SHOWN AND DESCRIBED HEREON TO DETERMINE RIGHT-OF-WAY, EASEMENTS AND ENCUMBRANCES OF RECORD AFFECTING THIS TRACT OF LAND.
- BASIS OF BEARINGS: BEARINGS ARE BASED ON THE SOUTH FOUR FOOT OFFSET LINE OF BLOCK 6, WOLFF PLACE, BETWEEN A FOUND 1" BRASS RECROSS TAG, L.S. 38355 NEAR THE SOUTHWEST CORNER OF LOT 24 AND A FOUND BRASS TAG, L.S. 16828 NEAR THE SOUTHEAST CORNER OF LOT 25. ASSUMED TO BEAR S89°27'11"W.

ALL PROPERTY CORNERS WERE FOUND OR SET AS SHOWN ON THIS SURVEY.

ALL MEASUREMENTS IN PARENTHESES ARE PER PLAT, ALL MEASUREMENTS IN BOLD ITALICS ARE AS MEASURED IN THE FIELD. ALL LINEAR MEASUREMENTS WERE TAKEN USING THE U.S. SURVEY FOOT.

BENCHMARK: ELEVATIONS ARE BASED ON CCD BENCHMARK 476A, LOCATED AT THE SOUTHEAST CORNER OF TENNYSON STREET AND 35TH AVENUE. ELEVATION=5438.57' (NAVD88).



ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS LAND SURVEY PLAT WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT IS DISCOVERED. IN NO EVENT MAY ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS LAND SURVEY PLAT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

## **INDEXING STATEMENT:**

DEPOSITED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ \_\_\_, 20\_\_\_, AT OF THE COUNTY \_\_, M, IN BOOK \_\_\_\_\_ SURVEYOR'S LAND SURVEY/RIGHT-OF-WAY SURVEY'S AT PAGE(S) \_\_, RECEPTION NUMBER \_\_

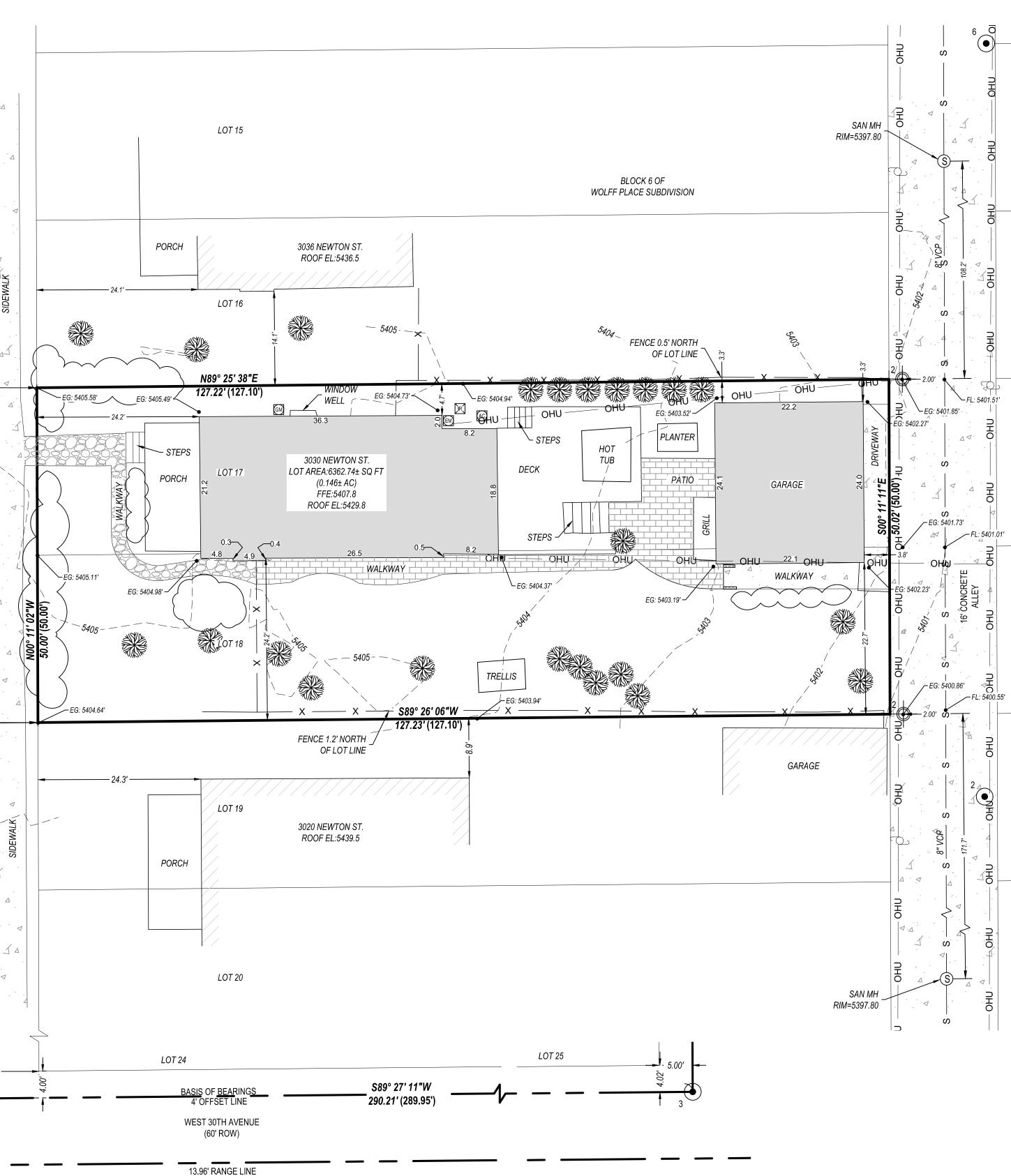
COUNTY SURVEYOR/DEPUTY COUNTY SURVEYOR



CL: 5405.61' -TBC:5404.70' FL:5405.11 CL: 5405.23' — TBC:5404.65' FL:5404.27' CL: 5404.84' 🔨 TBC:5404.25' FL:5403.82'

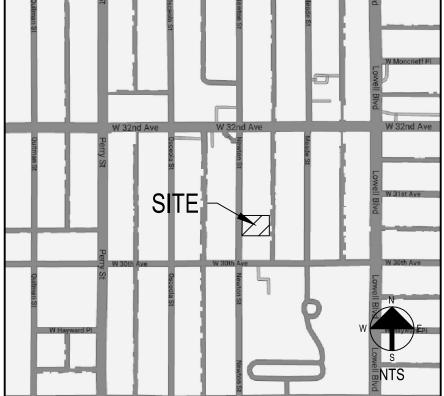
# 3030 NEWTON STREET LAND SURVEY PLAT

LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M. LOTS 17-18, BLOCK 6, WOLFF PLACE SUBDIVISION, CITY OF DENVER, COUNTY OF DENVER, STATE OF COLORADO.





VICINITY MAP:



## SURVEYOR'S CERTIFICATE:

I, KARL W. FRANKLIN, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO HEREBY CERTIFY THAT:

 THIS SURVEY IS A TRUE AND CORRECT LAND SURVEY PLAT AND WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND RESPONSIBLE CHARGE AND COMPLIES WITH CRS 38-51-106. THIS SURVEY IS BASED UPON THIS SURVEYOR'S KNOWLEDGE, INFORMATION AND BELIEF

THIS IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE.

THE USE OF THE WORD "CERTIFY" OR "CERTIFICATION" BY A LICENSED PROFESSIONAL LAND SURVEYOR II THE PRACTICE OF LAND SURVEYING, CONSTITUTES AN OPINION REGARDING THOSE FACTS OF FINDINGS WHICH ARE THE SUBJECT OF THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED.



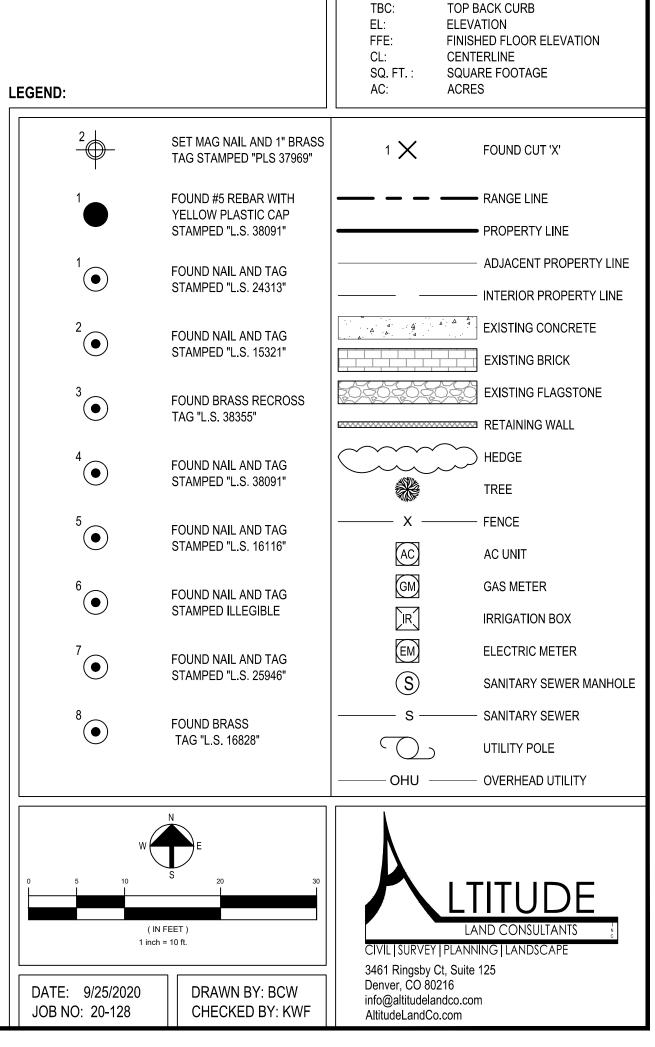
EXISTING GRADE

FLOW LINE

**ABBREVIATION LEGEND:** 

EG:

FL:



January 8 2021, \$1000 fee pd CC

#### 3030 N Newton St ADU Rezoning Application Public Outreach Summary

This public outreach summary is provided as part of the application for rezoning my property at 3030 N Newton Street, from U-SU-C to U-SU-C1.

At the guidance of the Planning Board, I have reached out to Council Woman Sandoval & the Council District at Large on November 4, 2020 notifying them of the intent to apply for the zoning change and seeking the support for the project.

Council District 1

• Meeting with Council Woman Sandoval held on 11/18, to review project overview.

Council District at Large

• No response at the time of this synopsis.

Additionally, I have reached out to the Registered Neighborhood Organizations (RNO) - Inter-Neighborhood Cooperation (INC) and the West Highlands Neighborhood Association notifying them of the intent to apply for the zoning change and seeking the support for the project. The following summarizes the responses

Inter-Neighborhood Cooperation

• Received letter of support (attached) on 11/5 from INC board member Emmet Hobley.

West Highlands Neighborhood Association

• On 11/ 12 WHNA Land Use and Planning Commission Chair, Trevor Greco, responded with "...Land Use and Planning Committee remains neutral to proposed minor rezonings for ADU allowance." Response attached.

Please feel free to contact me with any specific questions.

Christon McFarland Property Owner 832-527-8520 cjmcfarland@gmail.com



Chris McFarland <cjmcfarland@gmail.com>

#### **Rezoning Support - 3030 Newton St**

**Emmett Hobley** <emmetthobley@gmail.com> To: Chris McFarland <cjmcfarland@gmail.com> Thu, Nov 5, 2020 at 9:50 AM

Hi Chris, I'm in support of ADU program, currently seeking to streamline process. If you need any assistance please let me know I am a investment broker for Assets Unlimited. Thanks Emmett Hobley 720-610-6969

On Wed, Nov 4, 2020, 2:11 PM Chris McFarland <cjmcfarland@gmail.com> wrote:

Hello,

I am writing to you today for your support/concurrence of rezoning my property at 3030 N. Newton Street, from U-SU-C to U-SU-C1. The intent of this rezoning is to build an ADU at the back of the property on top of the current detached garage. The current roof of the garage would be demolished and then rebuilt for the ADU space.

Due to the recent Pandemic, my office in Denver has closed and thus both my wife and I are now working from home full time. Our current house (built in 1900) does not have space for 2 offices - thus I am seeking to build an ADU to be used as a home office space. Building an ADU on my property would be the ideal solution, but we need to have the property re-zoned as indicated. The proposed rezoning to U-SU-C1 is consistent with the recommendations of the Housing an Inclusive Denver Plan. The allowance for an accessory dwelling unit will add to the mix of residential housing types in the area that is in character with the neighborhood. It will conform with the neighborhood context, building height and zone lot size recommendations in the existing zoning.

Note: I have already submitted my pre-application request with the Planning Board and am preparing the full application currently.

I appreciate your time in reviewing this request and I welcome any questions you may have.

Thank you, Chris McFarland 832-527-8520



#### **Rezoning Support - 3030 Newton St**

#### Trevor Greco <trevgreco@gmail.com>

Thu, Nov 12, 2020 at 7:46 AM

To: Chris McFarland <cjmcfarland@gmail.com>

Cc: Jackie Youngblood <jackieyoungblood03@gmail.com>, Jonas DiCaprio <jonas@builtxdesign.com>

Chris,

Thanks for reaching out to WHNA. At this time, the WHNA Land Use and Planning Committee remains neutral to proposed minor rezonings for ADU allowance. However, we do ask that you reach out to each of your immediate neighbors and gather their written support and include in your application to the Clty. Also please reach out to Councilwoman Sandoval's office and inform her of the planned zoning as well if you haven't already done so. Good luck!

Regards, Trevor Greco WHNA LUP Commission Chair

On Wed, Nov 4, 2020 at 2:08 PM Chris McFarland <cjmcfarland@gmail.com> wrote:

Hello,

I am writing to you today for your support/concurrence of rezoning my property at 3030 N. Newton Street, from U-SU-C to U-SU-C1. The intent of this rezoning is to build an ADU at the back of the property on top of the current detached garage. The current roof of the garage would be demolished and then rebuilt for the ADU space.

Due to the recent Pandemic, my office in Denver has closed and thus both my wife and I are now working from home full time. Our current house (built in 1900) does not have space for 2 offices - thus I am seeking to build an ADU to be used as a home office space. Building an ADU on my property would be the ideal solution, but we need to have the property re-zoned as indicated. The proposed rezoning to U-SU-C1 is consistent with the recommendations of the Housing an Inclusive Denver Plan. The allowance for an accessory dwelling unit will add to the mix of residential housing types in the area that is in character with the neighborhood. It will conform with the neighborhood context, building height and zone lot size recommendations in the existing zoning.

Note: I have already submitted my pre-application request with the Planning Board and am preparing the full application currently.

I appreciate your time in reviewing this request and I welcome any questions you may have.

Thank you, Chris McFarland 832-527-8520 Date: 11/19/2020

City of Denver Community Planning and Development 201 W Colfax Avenue, Department 205 Denver, CO 80202

Re: Rezoning U-SU-C to U-SU-C1 – 3030 Newton Street

Community Planning and Development,

I have reviewed the application for rezoning to 3030 Newton Street. I understand this rezoning is being proposed to allow for an ADU unit in the rear of the property. I do not have any objection to the proposed rezoning or ADU unit being proposed over the existing garage structure.

Sincerely,

Fin Whitmire

Signature

Date

11/19/2020

Name: Erin Whitmire

Address:

3027 Meade Street, Denver, CO 80211

Date: 11/23/2020

City of Denver Community Planning and Development 201 W Colfax Avenue, Department 205 Denver, CO 80202

Re: Rezoning U-SU-C to U-SU-C1 - 3030 Newton Street

Community Planning and Development,

I have reviewed the application for rezoning to 3030 Newton Street. I understand this rezoning is being proposed to allow for an ADU unit in the rear of the property. I do not have any objection to the proposed rezoning or ADU unit being proposed over the existing garage structure.

Sincerely,

Signature

Date

11/23/2020

Name: A. Leroy Garcia

Address:

3036 Newton Street

Date: 11/23/20

City of Denver Community Planning and Development 201 W Colfax Avenue, Department 205 Denver, CO 80202

Re: Rezoning U-SU-C to U-SU-C1 - 3030 Newton Street

Community Planning and Development,

I have reviewed the application for rezoning to 3030 Newton Street. I understand this rezoning is being proposed to allow for an ADU unit in the rear of the property. I do not have any objection to the proposed rezoning or ADU unit being proposed over the existing garage structure.

Sincerely,

Signature

20

Date

Name: Greg & Sarah Petner

Address:

3020 Newton St., Denver, CO 80211