Case Name: Avila Fence Variance
Case Number: VSP2019-00025

August 22, 2019

The Adams County Board of Adjustment is requesting comments on the following application: This request is for a variance that would allow for a 6 foot privacy fence. This request is located at 7981 GRANADA RD. The Assessor’s Parcel Number is 017193104016.

Owner Information: AVILA JOSE CARLOS BARRANCO AND WORSHAM GISELLA
7981 GRANADA RD
DENVER, CO 802213764

Please forward any written comments on this application to the Department of Community and Economic Development at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 (720) 523-6800 by September 12, 2019 in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to MBarringer@adcogov.org.

The hearing will be held in the Public Hearing Room located at the Adams County Government Center 4430 South Adams County Parkway, Brighton, CO 80601-8216. This will be a public hearing and any interested parties may attend and be heard. The Applicant and Representative’s presence at these hearing is requested. If you require any special accommodations (e.g., wheelchair accessibility, an interpreter for the hearing impaired, etc.) please contact the Adams County Community and Economic Development Department at 720-523-6800 (or if this is a long distance call, please use the County’s toll free telephone number at 1-800-824-7842) prior to the meeting date.

Once comments have been received and the staff report written, the staff report may be forwarded to you. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Maggie Barringer
Planner I
Variance request:

We, Jose Barranco Avila and Yolanda Avila, are requesting a variance for 6 ft privacy fence located on Greenwood Blvd side of the house. Our property is 7981 Granada Rd, Denver, CO 80221. We moved here on July of 2018. The privacy fence of 6 ft high was already there prior to moving in. It was built more than 10 years ago. Our house is located on an atypical area. The topography is unique compared to that of our neighbors. The house is located on a hill and to this day we have little to no privacy. While we were doing research on the property's fence. No inspector or code officer ever sent a property violation regarding the fence being 6 ft high with privacy on any side of the house.

Since the fence was in poor condition and in some parts falling apart, we decided to replace the decaying fence with a new one. We were not aware that a building permit needed to be applied for since we were just replacing it, not building it from scratch.

The variance we are requesting is to leave the privacy fence 6 inches above the ground so it measures 6'6" high in order to be able to have some privacy for the children and also so they won't be able to climb since they're children with a medical diagnosis of autism. We have seen plenty of fences on corner lots close to where we live and they're either higher than 6 ft high and/or perfectly touching the sidewalk.

A third party provided the material for the construction of the fence to have a secure and private shelter for the children. If we were to knock down the fence that was installed, the consequences would be damaging for us since we don't have the funds to spend on building another fence.

As it was mentioned before, the 6 ft privacy fence on that side of the street was never a problem. Our current fence doesn't have an adverse effect on traffic visibility. At the contrary, because of the topography we have no privacy. Anyone can see us from accross the street or from driving on Greenwood Blvd.

We want to be compliant by having you approving our variance request. As you can see, we have been very diligent in applying for future permits to insure that of all the work done by us to improve or repair this home is done according to code. The hardship that would result from a denial of the variance request for us may sound small.
This 6'6" privacy fence a little closer to the sidewalk keeps everyone in a safe enclosed area and allows our neighbors to see a neat, clean and improved house. Everyone in the area benefits for future sales as well; improvements mean higher home appraisals. We feel that the removal of such fence will be detrimental.

The granting of this variance will not be injurious to the area. Our closest neighbors have no objections to the fence remaining as it is. We have been vigorously working with engineering, planning and public works departments.

We feel that by applying for the zoning variance we are using the legal option that is available to many people who have used that venue to clear problems. Many of these issues are the same or very similar to ours.

Thank You for considering our request,

Jose Barranco Avila and Yolanda Avila.
Case Name: Avila Fence Variance
Case Number: VSP2019-00025