

Request for Comments

Case Name: 821 73rd Ave Enterprise Rental Car Variance

Case Number: PRA2022-00002

April 15, 2022

The Adams County Board of Adjustment is requesting comments on the following applications: **1. Variance to allow a commercial vehicle rental use to operate with direct access on a local road.** **2. Variance to allow the car storage area of a commercial vehicle rental use to be within the property line and road right-of-way setbacks.** This request is located at 821 E 73RD AVE. The Assessor's Parcel Number is 0171935302004.

Owner Information: CENTER PLAZA LLC
1480 E 73RD AVE
DENVER, CO 802296902

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by **05/06/2022** 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 DDeBoskey@adcogov.org.

Once comments have been received and the staff report written, the staff report may be forwarded to you upon request. 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.

David DeBoskey
Planner I

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

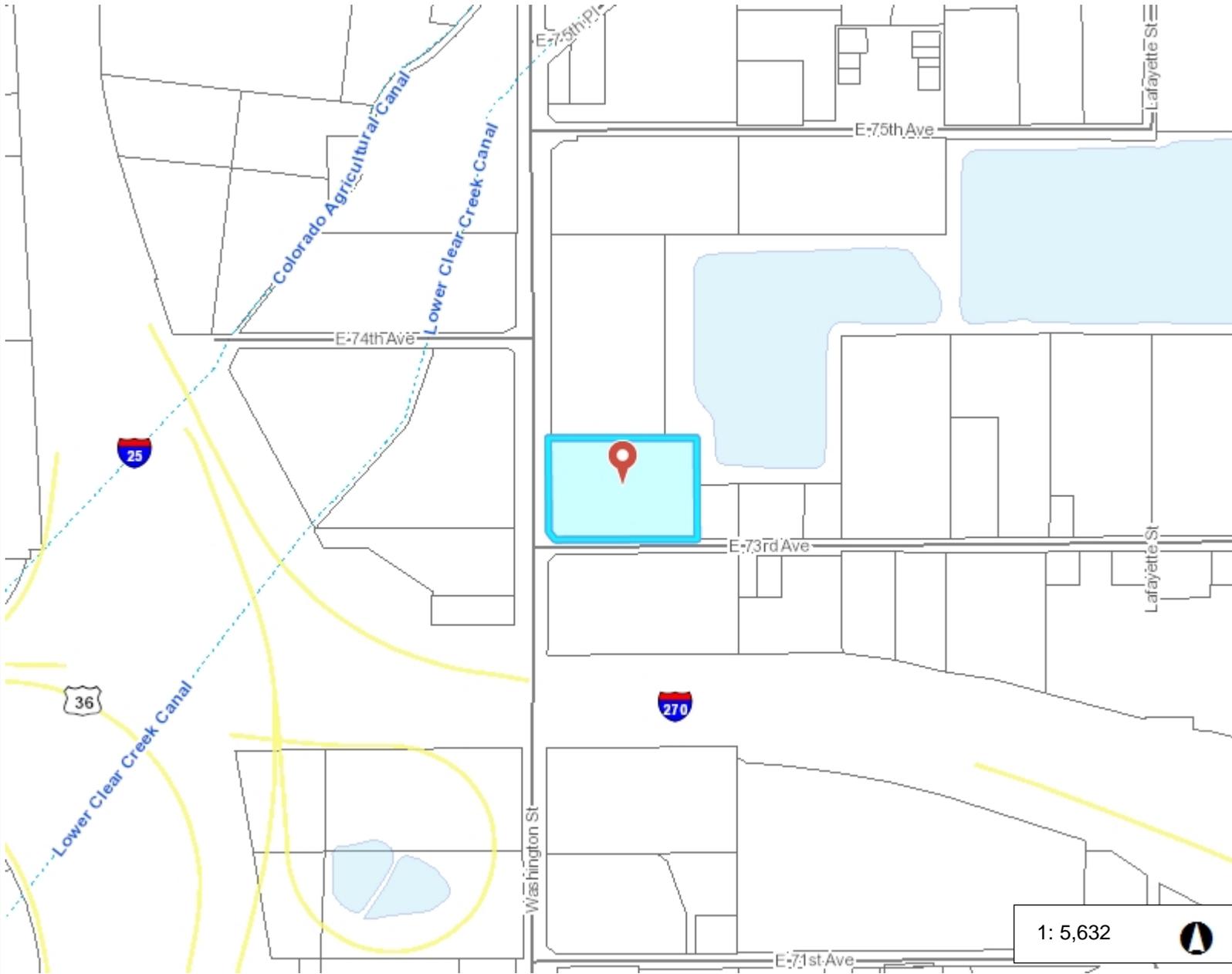
Emma Pinter
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Lynn Baca
DISTRICT 5



821 73rd Ave Enterprise Rental Car Variance



Legend

- Highways**
 - Interstate
 - Highway
 - Tollway
- Streets**
 - Streets
 - Ramp
- County Parks and Open Space**
- Small Lakes**
- Major Lakes**
- Rivers**
 - Canal
 - Ditch
 - Primary Creek
 - River
 - Secondary Creek
 - Stream
- Parcels**
- County Boundary**

1: 5,632

0.2 0 0.09 0.2 Miles

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes
PRA2022-00002

HARDSHIP STATEMENT #1

Chapter 4, Sec. 4-09-02-11-03, use-specific standard for access: automobile rental businesses shall be located on properties with direct access to a collector or arterial road or highway.

1. There exists special physical requirements or circumstances of the subject property such as irregularity, narrowness, shallowness, or slope.

This hardship is caused by the specific physical circumstances that exist at 821 E 73rd Ave. There is no way for a customer to access our business off of Washington St (please reference attached existing site plan). The only access to our entrance and available customer parking is off of 73rd St. As you can see, there is a grass area south of our unit that would prohibit anyone from entering off of Washington St and accessing our front entrance or parking.

2. Because of these physical circumstances, the strict application of the code would deprive the applicant of rights commonly enjoyed by other properties in the same district.

A strict application of this code would deprive us of rights that are enjoyed by the other tenants in the same building, as well as the building across the parking lot. Each business and its customers must use 73rd St for access. This also includes two other automotive related businesses (Rocky Mountain High Performance and LaRusso's Automotive).

3. Granting the variance will not confer on the applicant any special privilege.

Granting the variance will not give us any special privileges. As mentioned in the previous hardship criteria, all other businesses in the two buildings use 73rd St for access. We are also aware of the county's future plans to add a roughly 200,000 sq ft building on 73rd St, which would also need the street to be accessible for commercial or industrial use.

4. Due to the physical circumstances or conditions, the property cannot be developed in conformity with the regulations.

Due to the physical conditions at this property, we wouldn't be able to change the access point for our customers.

5. The special circumstances or hardship is not self-imposed.

There has been no negligence by anyone here at Enterprise Leasing Company of Denver, LLC to create this hardship.

6. That the variance, if granted will be in harmony with the general purpose and intent of the Adams County regulations and with the Adams County Comprehensive Plan.

This property is already zoned and approved by Adams County for car rental use (I-1), so our business wouldn't be out of character for the area and would fit into the overall comprehensive plan. As a local business in Adams County for over 20 years (previously located at 7420 N Washington), we have always devoted ourselves to being a valuable business and service for the people in Adams County by making a transportation solution easily and readily available to them. We do this through not only car rental, but also our Commute program (helps companies organize carpool options for their employees to limit travel demand). This desired move to 821 E 73rd Ave would also promote growth of our business and creating more jobs by giving us an adequate facility to reach these goals. As a company, we already hold sustainability initiatives with the utmost importance. We have many plans in place to ensure our environmental footprint is as small as possible. Overall, we know we are and will continue to be an active piece in the vision you all see for your county and its people.

7. That the variance, if granted, will not cause substantial detriment to the public good or impair the intent of these standards and regulations.

As previously mentioned, we operated for over 20 years at 7420 N Washington, which is the adjacent and connected property north of 821 E 73rd. During our time there, we never created any detriment to the public good or impaired the intent of these standards or regulations.

8. That the variance, if granted would not allow a use which is not otherwise permitted in the zone district in which the property is located, would not result in the extension of a non-conforming use or would change the zone classification on the property.

Our use is already approved under Zoning I-1, so no extension of a non-conforming use or change in the zone classification would be necessary.

HARDSHIP STATEMENT #2

Chapter 4, Sec. 4-09-02-11-03, use-specific standard for car storage area setback: the car storage area shall be set back a minimum of fifty (50) feet from the road right-of-way and fifteen (15) feet from all property lines.

9. There exists special physical requirements or circumstances of the subject property such as irregularity, narrowness, shallowness, or slope.

In our agreement with the landlord at 821 E 73rd, we are to have two areas for parking (please see the attached parking diagram). The first area of parking (immediately next to our unit) consists of 12 spaces and would be used first and foremost for both customer and employee parking. Customers would be directed by both signage and verbal instruction by employees to park and return vehicles here. Since our unit is right along the street, these parking spaces are adjacent to the right of way. The second area of parking (parking lot along Washington St) consists of 18 space and would only be used if the first area becomes full. So as not to bother the other tenants that also use this parking lot, these spaces need to be along Washington St. and not located in front of their businesses. These parking spaces are roughly 22 ft from the sidewalk along Washington St. Due to the permanent physical circumstances that exist at each parking area, we cannot change it.

10. Because of these physical circumstances, the strict application of the code would deprive the applicant of rights commonly enjoyed by other properties in the same district.

The strict application of this code would deprive us of rights that are currently enjoyed by other properties and tenants in this district. Both automotive and non-automotive businesses on this property, as well as in the area, are currently using parking spaces that are well within this setback standard. Also, while we previously operated at the Washington St location, we had our parking within the setback.

11. Granting the variance will not confer on the applicant any special privilege.

We will not receive any special privilege if the variance is granted since other businesses currently have this right, both in the automotive industry and outside of it.

12. Due to the physical circumstances or conditions, the property cannot be developed in conformity with the regulations.

As mentioned in the first criteria, we are not able to alter the physical conditions of this property to conform to the setback regulation.

13. The special circumstances or hardship is not self-imposed.

There has been no negligence by anyone here at Enterprise Leasing Company of Denver, LLC to create this hardship.

14. That the variance, if granted will be in harmony with the general purpose and intent of the Adams county regulations and with the Adams County Comprehensive Plan.

This property is already zoned and approved by Adams County for car rental use (I-1), so our business wouldn't be out of character for the area and would fit into the overall comprehensive plan. As a local business in Adams County for over 20 years (previously located at 7420 N Washington), we have always devoted ourselves to being a valuable business and service for the people in Adams County by making a transportation solution easily and readily available to them. We do this through not only car rental, but also our Commute program (helps companies organize carpool options for their employees to limit travel demand). This desired move to 821 E 73rd Ave would also promote growth of our business and creating more jobs by giving us an adequate facility to reach these goals. As a company, we already hold sustainability initiatives with the utmost importance. We have many plans in place to ensure our environmental footprint is as small as possible. Overall, we know we are and will continue to be an active piece in the vision you all see for your county and its people.

15. That the variance, if granted, will not cause substantial detriment to the public good or impair the intent of these standards and regulations.

As previously mentioned, we operated for over 20 years at 7420 N Washington, which is the adjacent and connected property north of 821 E 73rd. During our time there we never created any detriment to the public good or impaired the intent of these standards or regulations. We wish to remain in good standing with Adams County and its residents. We will make sure to be harmonious with other business in each parking lot by putting plans in place to ensure where customers are parking (ex: signs that say returns must be parked in Enterprise parking only or they will be towed at renter's expense, etc).

16. That the variance, if granted would not allow a use which is not otherwise permitted in the zone district in which the property is located, would not result in the extension of a non-conforming use or would change the zone classification on the property.

Our use is already approved under Zoning I-1, so no extension of a non-conforming use or change in the zone classification would be necessary.

