



Request for Comments

Case Name: Ball Fence Variance
Case Number: VSP2020-00008

March 4, 2020

The Adams County Board of Adjustment is requesting comments on the following application: **Variance request for a 6' privacy fence constructed in the side corner setback.** This request is located at 4005 W 52ND AVE. The Assessor's Parcel Number is 0182518114012.

Owner Information: BALL JESSE THOMAS AND
BALL RACHEL L
4005 W 52ND AVE
DENVER, CO 802124002

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 3/26/2020 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 TDimperio@adcogov.org.

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.

Thomas Dimperio
Planner I

HARDSHIP STATEMENT

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

Our home is over 100 years old, seeing as it was built in 1917. Our property is a corner lot, with our home being built on the far west side of the property with a wooden deck and two-car garage directly behind the home. The irregular placement of the structures on the property leaves little to no room for a fence to be installed behind the home. This led us to the option of having a fence installed on the south and east side of the home.

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.

Because of the placement of the structures on our property, a strict application of the code would prohibit our family from enjoying our home in the same way our neighbors are able to enjoy their homes. The main reason for adding a privacy fence to our home was to enhance the safety and security of our residence. With my husband working odd hours for the Denver Police Department, I want to ensure that I am able to safely enjoy my yard and home and that any future children we have while living in our home are able to do the same.

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

Granting the variance will not mean that our family is receiving any special privileges from the county that are not already enjoyed by the majority of our neighbors. Many residents of Adams County, including many residents who reside on corner lots, are able to have a 6' privacy fence on their property offering them the same benefits we are seeking to keep.

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

All physical structures on our property are permanent structures and are not able to be relocated. Our home sits on the far west side of our property with a garage directly behind the home. This leaves the east side of our property the ideal, and only, place to safely enjoy our yard.

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

The hardship we have found ourselves in is not self-imposed. When purchasing our home, we were not aware of the current regulations put in place and are unable to alter the layout of our property in order to safely enjoy our yard while being within the Adams County zoning code. We hired a local company to install our fence and were led to believe they would obtain any permits

necessary to complete the project. Upon receiving a notice from the county, we then realized that our contractor did not obtain the necessary permits for the installation of our fence.

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.

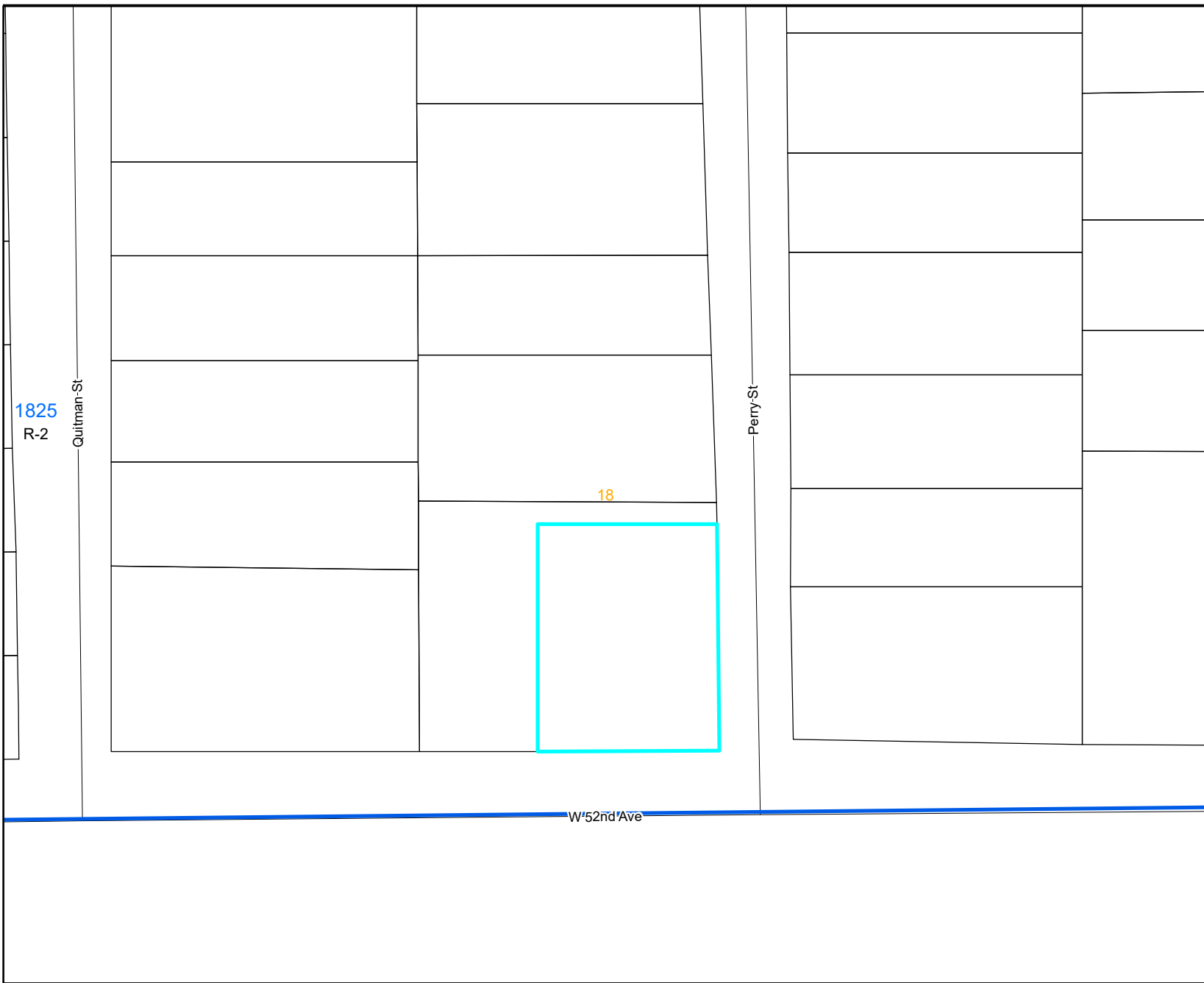
If the variance we are seeking is granted, I believe it will align with the general purpose and intent of the Adams County regulations and with the Adams County Comprehensive Plan. I especially think the second goal, out of the six goals outlined in the Adams County Comprehensive Plan, applies to our situation. That goal states "Protect the Health, Safety, and Welfare of Adams County's Inhabitants." Granting this variance will allow our family to enjoy the same amount of health, safety, and welfare as others who also reside here.

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

Should the variance be granted, it will not cause detriment to the public good or impair the intent of these standards and regulations. When installing our fence, a large amount of chain link fence that was not appealing to the eye was removed. I believe our fence will not only benefit our family but will also be a change welcomed by many neighbors and passersby.

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.

If the variance we are seeking is granted, the use of our property will not change. Our property will continue to be used only as a single-family residence.



Legend

- +— Railroad
- Major Water
- Zoning Line
- Sections

1825
R-2

Quitman St

Perry St

18

W 52nd Ave

Ball Fence Variance

VSP2020-00008

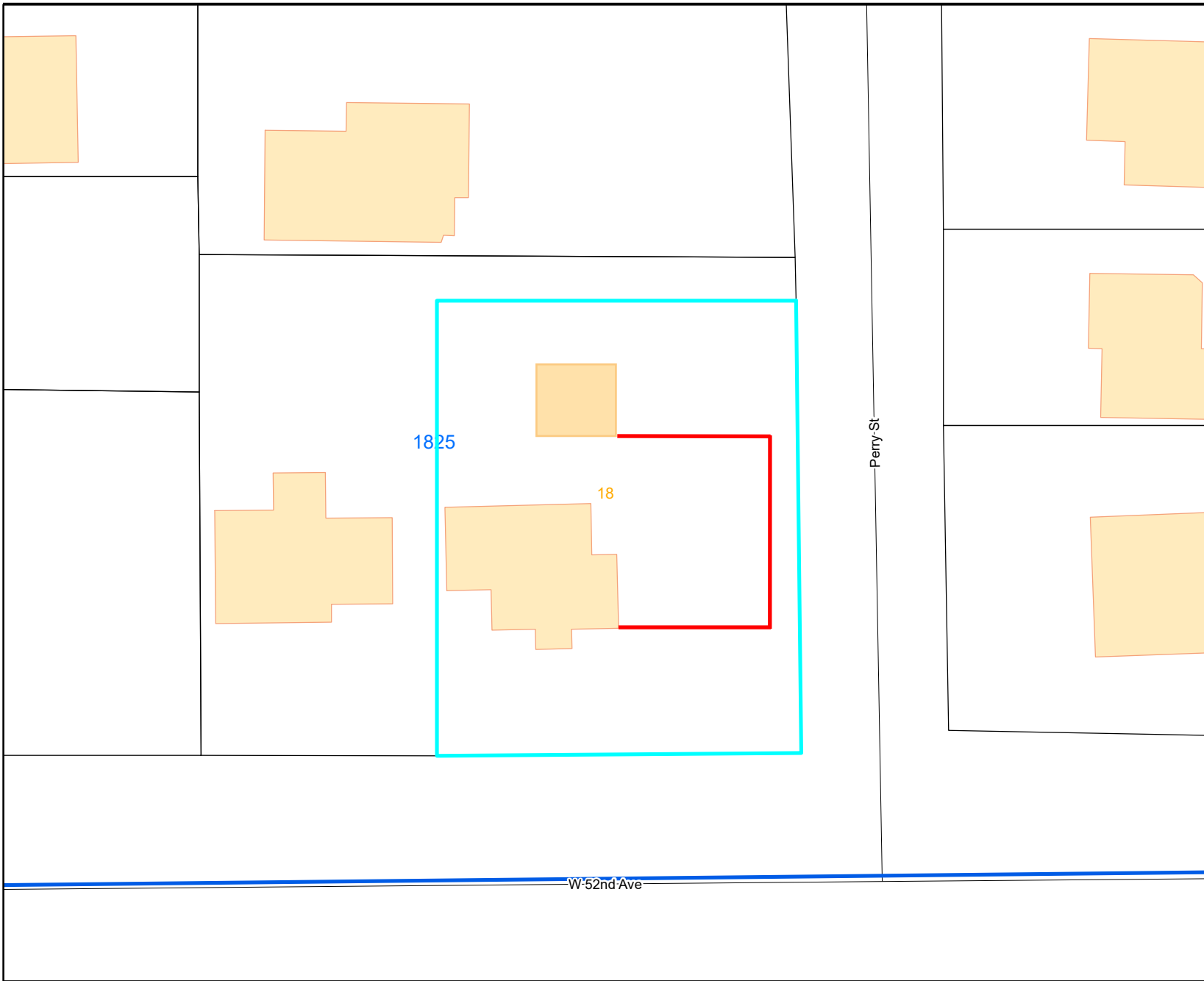


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ADAMS COUNTY
COLORADO

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