



## Request for Comments

Case Name: 5299 Newton St Side-Corner Variance

Case Number: VSP2022-00014

June 30, 2022

The Adams County Board of Adjustment is requesting comments on the following application: **Variance request from the side corner/front setback for a principal structure in the R-2 zone district to allow for a 17-foot side corner setback along West 53rd Ave, where a 20-foot setback is required.** This request is located at 5299 NEWTON ST. The Assessor's Parcel Number is 0182518116015.

Owner Information: DOELL RYAN E  
5299 NEWTON ST  
DENVER, CO 802217327

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 **7/26/2022** 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 [CSpaid@adcogov.org](mailto:CSpaid@adcogov.org).

Once comments have been received and the staff report written, the staff report will 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](http://www.adcogov.org/planning/currentcases).

Thank you for your review of this case.

Cody Spaid, Planner I  
Case Manager

BOARD OF COUNTY COMMISSIONERS

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DISTRICT 3

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DISTRICT 4

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DISTRICT 5



## DEVELOPMENT APPLICATION FORM

### Application Type:

<input type="checkbox"/> Conceptual Review	<input type="checkbox"/> Preliminary PUD	<input type="checkbox"/> Temporary Use
<input type="checkbox"/> Subdivision, Preliminary	<input type="checkbox"/> Final PUD	<input type="checkbox"/> Variance
<input type="checkbox"/> Subdivision, Final	<input type="checkbox"/> Rezone	<input type="checkbox"/> Conditional Use
<input type="checkbox"/> Plat Correction/ Vacation	<input type="checkbox"/> Special Use	<input type="checkbox"/> Other: _____

**PROJECT NAME:**

### APPLICANT

Name(s):  Phone #:

Address:

City, State, Zip:

2nd Phone #:  Email:

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### OWNER

Name(s):  Phone #:

Address:

City, State, Zip:

2nd Phone #:  Email:

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### TECHNICAL REPRESENTATIVE (Consultant, Engineer, Surveyor, Architect, etc.)

Name:  Phone #:

Address:

City, State, Zip:

2nd Phone #:  Email:

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**DESCRIPTION OF SITE**

Address:

City, State, Zip:

Area (acres or square feet):

Tax Assessor Parcel Number

Existing Zoning:

Existing Land Use:

Proposed Land Use:

Have you attended a Conceptual Review? YES  NO

If Yes, please list PRE#:

I hereby certify that I am making this application as owner of the above described property or acting under the authority of the owner (attached authorization, if not owner). I am familiar with all pertinent requirements, procedures, and fees of the County. I understand that the Application Review Fee is non-refundable. All statements made on this form and additional application materials are true to the best of my knowledge and belief.

Name:

Date:

Owner's Printed Name

Name:

Owner's Signature

## HARDSHIP STATEMENT

*Using the following hardship criteria for granting a variance, please provide an explanation of how the criteria have been satisfied (see Section 2-02-21-06 of the Adams County Development Standards and Regulations for the full text of the criteria). Please feel free to attach your statements using a separate piece of paper.*

1. There exists special physical requirements or circumstances of the subject property such as irregularity, narrowness, shallowness, or slope.  
Given that the lot is 31 feet across & the setback requirement is 20 feet, this yields an undesirable 17 foot unit on one side of the structure. The resulting 17 foot unit is not functional as a residence nor is it sensible from a constructability stand point.
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.  
This variance condition can be observed at the following neighboring Properties: 5297 Stuart St., 5296 Raleigh St., 5290 Quitman St., 4077 W 52ND AVE, 5295 Parry St., 5288 Newton St., 5301 Meade St.
3. Granting the variance will not confer on the applicant any special privilege.

See answer to #2 above.

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

Correct

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

Correct

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.

Correct

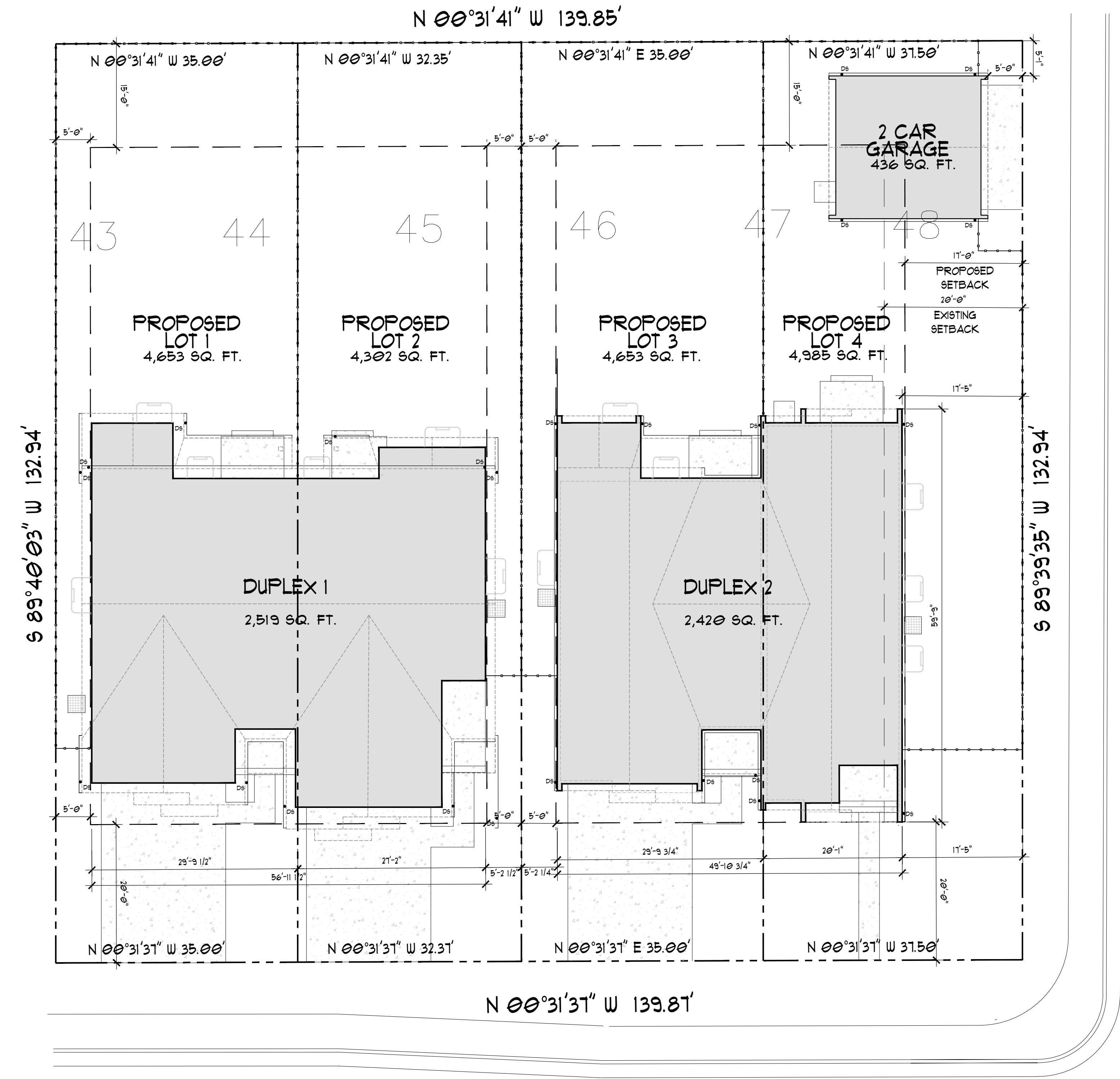
7. That the variance, if granted, will not cause substantial detriment to the public good or impair the intent of these standards and regulations.

Correct

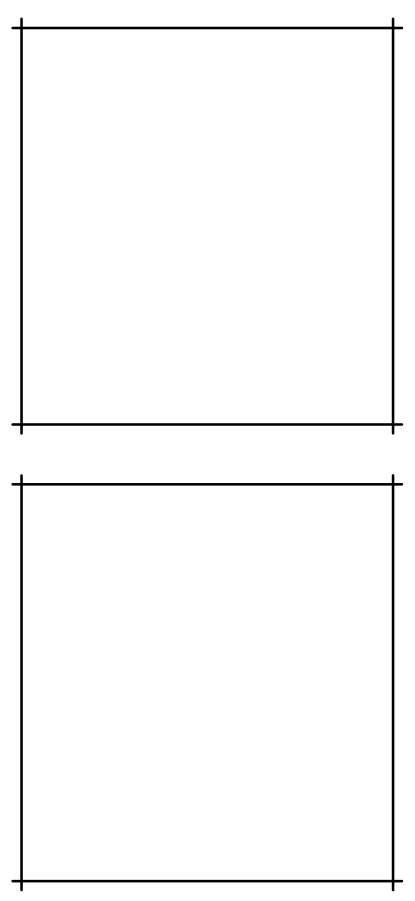
8. That the variance, if granted, would not allow a use which is not otherwise permitted in the zone district in which the property is located, would not result in the extension of a non-conforming use, or would change the zone classification on the property.

Correct

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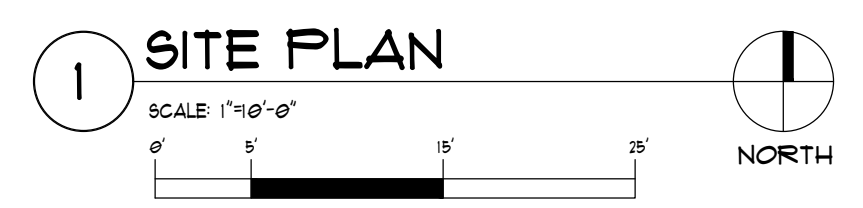


**W 53RD AVENUE**  
**60' R.O.W.**



**EPIPHANY DEVELOPMENT**  
 5299 NEWTON ST  
 DENVER, COLORADO, 80221  
 ADAMS COUNTY

**NEWTON STREET**  
**60' R.O.W.**



LEGEND		R-2 ZONE DISTRICT: DUPLEX	
PROPERTY OR ZONE LOT LINE	---	ZONE LOT AREA - DUPLEX 1	8,954 SF
REQUIRED OR ZONE LOT SETBACK	- - - -	ZONE LOT WIDTH	61.31 FT
EXTERIOR BUILDING FOOTPRINT	=====	PRIMARY FOOTPRINT	2,519 SF
ROOF LINE	-----		
NEW FENCE	-----		
WINDOW WELLS (3'x4')		ZONE LOT AREA - DUPLEX 2	12,500 SF
A/C UNIT 30"x30" PAD		ZONE LOT WIDTH	11.50 FT
CONCRETE		PRIMARY FOOTPRINT	2,420 SF

ISSUE DATE: 4/1/22  
 PERMIT

SHEET NAME:  
**SITE**

SHEET NUMBER:  
**S-1.0**