



## Request for Comments

Case Name: Pfaff-Saxton Accessory Dwelling Variance  
Case Number: VSP2023-00029

November 2, 2023

The Adams County Board of Adjustment is requesting comments on the following application:  
**Variance to allow an accessory dwelling unit to be a maximum area of 672 square feet where a maximum area of 276 square feet is allowed on the property, which is designated within the Residential-1-C zone district.** This request is located at 3435 W 54th Ave. The Assessor's Parcel Number is 0182517205009.

Owner Information: Chad Saxton and Cali Pfaff  
3435 W 54th Ave  
Denver, CO 802216507

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 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 [GJBarnes@adcogov.org](mailto:GJBarnes@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.

Greg Barnes  
Principal Planner

BOARD OF COUNTY COMMISSIONERS

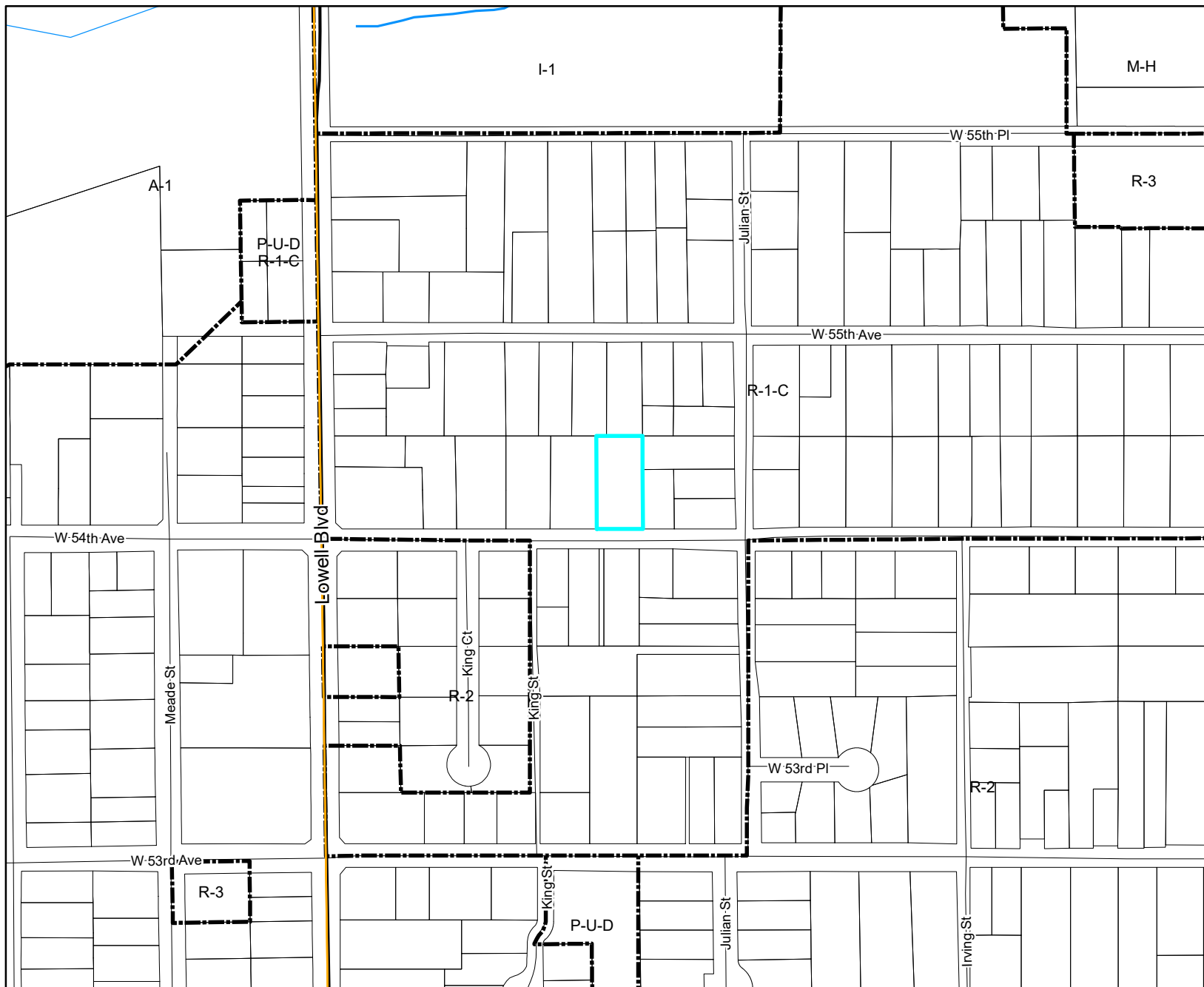
Eva J. Henry  
DISTRICT 1

Charles "Chaz" Tedesco  
DISTRICT 2

Emma Pinter  
DISTRICT 3

Steve O'Dorisio  
DISTRICT 4

Lynn Baca  
DISTRICT 5



# Legend

- Railroad
- Major Water
- Zoning Line
- Sections

Pfaff-Saxton

VSP2023-00029

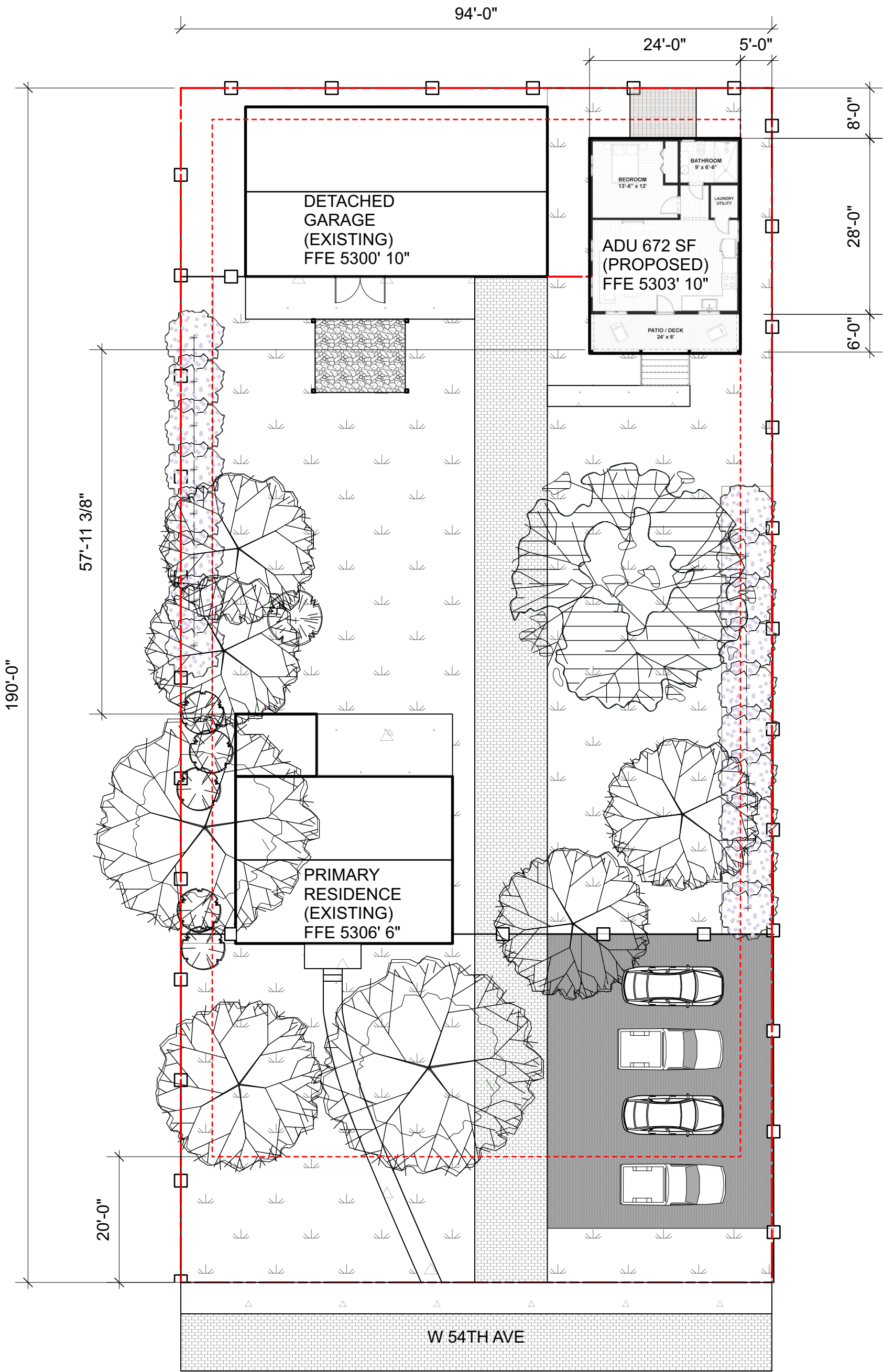


For display purposes only.



ADAMS COUNTY  
COLORADO

This map is made possible  
by the Adams County GIS  
group, which assumes no  
responsibility for its accuracy



1 Site Map: 3435 W 54th Ave  
Scale: 1/16" = 1'-0"



### LEGEND

	LAWN / LANDSCAPING		FLAGSTONE
	ASPHALT		GRAVEL
	CONCRETE		PROPERTY LINE
			SETBACK

3435 W 54th Ave ADU  
Hardship Statement

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

We are requesting a variance to build a larger ADU on our property than is allowed by code, based on the small “residential floor area” of our house. According to County records, our primary residential floor area is 690 sf. Using the adopted formula of 40% of the residential floor area, this would limit the size of an ADU on our property to 276 sf. This is insufficient in size to accommodate “the basic requirements for living, sleeping, eating, cooking, and sanitation,” as required by code. We basically can’t fit a kitchen, bathroom and bedroom in an outbuilding that small and it would severely limit the use of this building as either a rental unit or long term as a place for our parents to move into as they age.

*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.*

We bought this house because we love the neighborhood and want to raise our family here. The official “residential floor area” size of the house and 40% formula limits us from being able to construct a usable ADU, and enjoy the benefits of the county’s policies, like other properties in our district. We also have a rather large lot (.41 acres) and believe it can support a larger ADU without impacting the character of the neighborhood. For us personally, my husband is a carpenter, I am a landscape architect, and we plan to do much of the work ourselves. The ADU offers a pathway for us to stabilize our income (we both run our own businesses) during these early years of child-raising and provide more needed housing in the neighborhood.

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

We bought our house not knowing it would limit us in this way down the line. We both grew up in Colorado, saved up for two years and lived with my parents to afford the down payment. We kindly ask that the Board consider our request and see no grounds that a variance would unfairly privilege us or deprive others of similar rights.

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

Based on the current code, we do not think we can reasonably build an ADU that would satisfy the living conditions required by the County, i.e. “the basic requirements for living, sleeping, eating, cooking, and sanitation.”

There is, however, a provision in the ADU code that allows an exception to the floor area minimums, which is when “the gross floor area of the ADU shall count towards the minimum floor area of the primary dwelling.” We ask the commissioners to consider allowing us to use this provision to count the proposed ADU floor area towards the minimum floor area of our residence.

Per the R-1-C code, we need a minimum of 560 additional sf to bring our residence into compliance and are allowed 276 square feet of ADU floor area. We are proposing an ADU of 672 sf (below the 836 sf from the code and code exception) that complements the scale of our home and neighborhood, is a single story and is located downhill of the main residence, and

3435 W 54th Ave ADU  
Hardship Statement

has the same architectural style of the primary residence. While we do hope to one day expand the main house to meet the County minimums, the opportunity to build an ADU would greatly assist us in hopefully making that a reality down the line.

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

Our house was listed in the real estate listing and closing documents as 1380 sf so we did not anticipate the smaller square footage being a limiting factor for development. The potential to build an ADU was also included as an opportunity in the listing. We also did not realize that the residence is non-conforming and does not meet the residential square footage minimum of 1250 sf. While we own this mistake and should have done further research, we do absolutely love our property, the neighborhood and we want to grow our family here.

*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.*

We are excited about the potential of this project, and think it would be a win win for the County and our family. Our proposal meets all the purposes of the ADU code amendment: (1) provide homeowners with an opportunity for companionship and security; (2) better utilize existing infrastructure and community resources; (3) provide a housing type that responds to changing needs and lifestyles (e.g., small families, retirees, caretakers); (4) add to the County's stock of affordable dwelling units; and (5) protect neighborhood character and stability by ensuring that visible ADUs are compatible with surrounding land uses. Our proposal also meets all other code requirements for a building permit in our zoning district.

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

Because our residence is non-conforming and would not be allowed to be built today, we do not think this will have an negative impact on the public good or impair County standards. We are outliers hoping to bringing our property into compliance, using an acceptable exception stated in the code.

*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.*

ADU's are permitted in our zone and this variance would not result in a new use. It would not result in the extension of a non-conforming use and in fact would allow us to bring the property into compliance through this provision: "the gross floor area of the ADU shall count towards the minimum floor area of the primary dwelling." Thank you for your time and consideration of this case!