



VARIANCE

Application submittals must include all documents on the checklist as well as this page. Please use the reference guide (pg. 2) included in this packet for more information on each submittal item.

All applications shall be submitted electronically to epermitcenter@adcogov.org. If the submittal is too large to email as an attachment, the application may be sent as an unlocked OneDrive link. Alternatively, the application may be delivered on a flash drive to the One-Stop Customer Service Center. All documents should be combined in a single PDF. Once a complete application has been received, fees will be invoiced and payable online at <https://permits.adcogov.org/CitizenAccess/>.

1. Development Application Form (pg. 3)
2. Application Fees (see table below)
3. Number of variance requests:

Variance Request:	# of Requests:
Setback	
Height	
Lot Coverage	
Other:	

4. Written Narrative of the Request and Hardship Statement (pg. 5)
5. Site Plan Showing Proposed Development/Variance, including:
 - Proposed Building Dimensions, Location, and Setbacks
 - Location of Well
 - Location of Septic Field
 - Location of Easements
6. Proof of Ownership (warranty deed or title policy)
7. Proof of Water and Sewer Services
8. Legal Description
9. Certificate of Taxes Paid
10. Certificate of Notice to Mineral Estate Owner/and Lessees (pg.6)
11. Certificate of Surface Development (pg. 7)

Application Fees:	Amount:	Due:
Variance	\$500-residential \$700-non-residential *\$100 per additional request	After complete application received

Variance-Guide to Development Application Submittal

The submittal documents for all Land Use/Development Applications are listed below. Detailed explanations of the submittal documents are also provided.

All development application submittals shall comprise of one (1) electronic copy (emailed or delivered on a USB). **Application submittals that do not conform to these guidelines shall not be accepted.**

4. Written Narrative of the Request and Hardship

Statement:

- Written explanation of the request should provide a general narrative of the goals and intent of the variance request.
- Describe how the request meets each of the criteria listed in Section 2-02-21-06 and on the handout (see pg. 5), mainly pertaining to unique circumstances present on the property.

5. Site Plan:

- Shall be to scale and include: a north arrow, date of preparation, identify streets and roads, intersections, driveways, access points, parking areas, existing structures, wells, septic systems, easements, utility lines, lot dimensions, no build or hazardous areas
- An Improvement Location Certificate or Improvement Location Survey may be required during the official review

6. Proof of Ownership:

- A deed may be found in the Office of the Clerk and Recorder
- A title commitment is prepared by a professional title company

7. Proof of Water:

- A written statement from the appropriate water district indicating that they will provide service to the property **OR** a copy of a current bill from the service provider
- Well permit(s) information can be obtained from the Colorado State Division of Water Resources at (303) 866-3587

Proof of Sewer:

- A written statement from the appropriate sanitation district indicating that they will provide service to the property **OR** a copy of a current bill from the service provider
- A written statement from Tri-County Health indicating the viability of obtaining Onsite Wastewater Treatment Systems

8. Legal Description:

- Geographical description of a real estate property
- Visit <http://gisapp.adcogov.org/quicksearch/> to find the legal description for your property

9. Proof of Taxes Paid:

- All taxes on the subject property must be paid in full. Please contact the Adams County Treasurer's Office
- Or <http://adcogov.org/index.aspx?NID=812>

10. & 11. Certificate of Notice to Mineral Estate Owners/ Certificate of Surface Development:

- Mineral or Surface right owners may be found in the title commitment for the subject property
- You may also search the Office of the Clerk and Recorder for any recorded deeds, easements, etc



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:

OWNER

Name(s): Phone #:

Address:

City, State, Zip:

2nd Phone #: Email:

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

Name: Phone #:

Address:

City, State, Zip:

2nd Phone #: Email:

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.

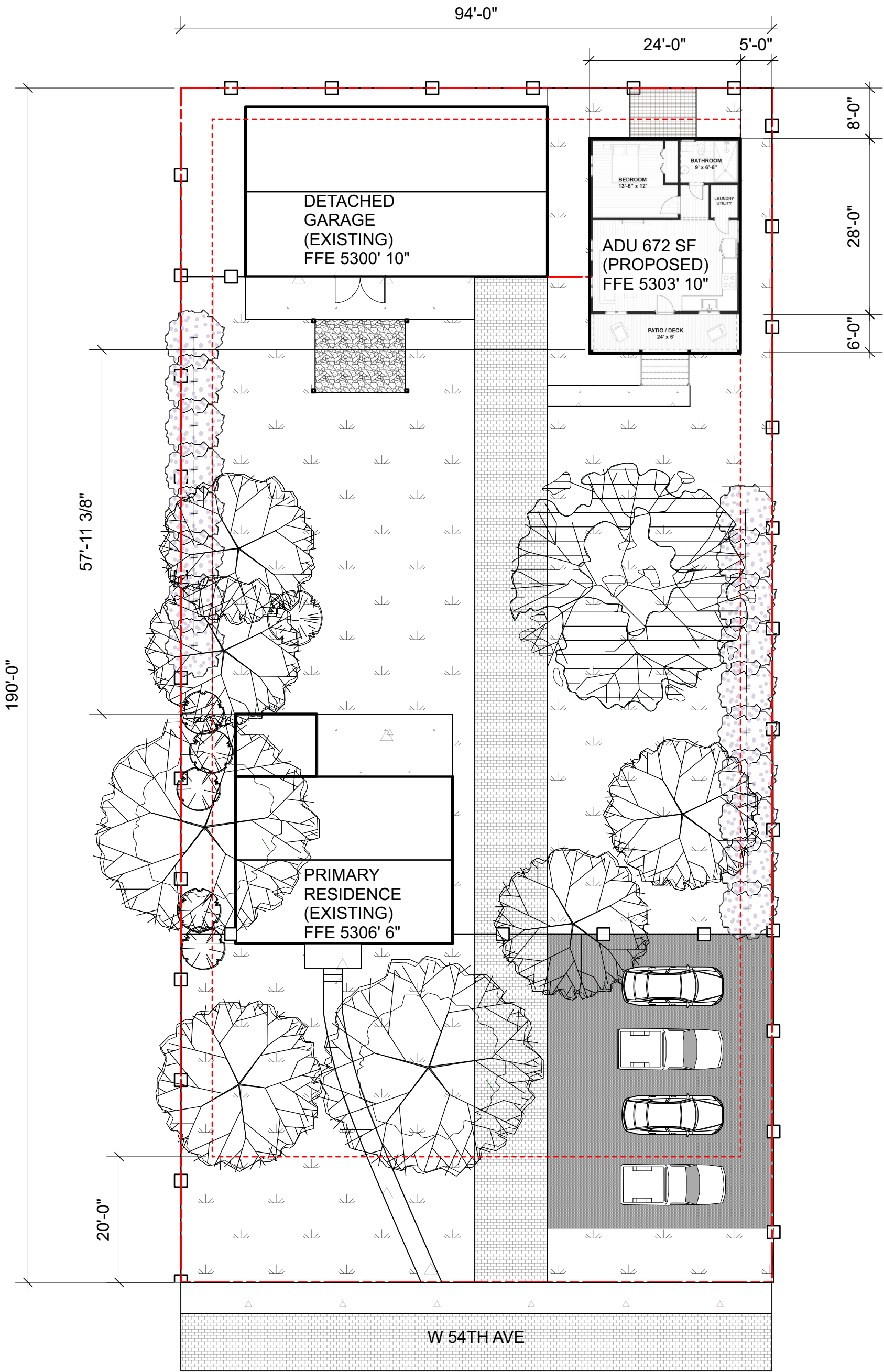
Name:

Date:

Owner's Printed Name

Name:

Owner's Signature



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!

WARRANTY DEED

THIS DEED, Made this 13th day of December, 2022 between

Donald Patterson, Jr. and Desiree Patterson

of the County of Larimer and State of Colorado, grantor, and

Chad M. Saxton and Cali Elizabeth Pfaff

whose legal address is 3435 W 54th Ave, Denver, CO 80221-6507

of the County of Adams, State of Colorado, grantee(s);

WITNESS, That the grantor, for and in consideration of the sum of Five Hundred Fifteen Thousand And No/100 Dollars (\$515,000.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantees, their heirs and assigns forever, not in tenancy in common but in joint tenancy, all the real property together with improvements, if any, situate, lying and being in the County of Adams, and State of COLORADO, described as follows:

THE SOUTH 1/2 OF PLOT 38, LINCOLN MANOR, COUNTY OF ADAMS, STATE OF COLORADO.

Also known by street and number as: 3435 W 54th Ave, Denver, CO 80221-6507

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantees, their heirs and assigns forever. The grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantees, their heirs and assigns, that at the time of the ensealing and delivery of these presents, he is well seized of the premises above conveyed, has a good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, subject to statutory exceptions.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantees, their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

SELLER:

Donald Roland Patterson Jr.

Donald Patterson, Jr.

Desiree Jo Patterson

Desiree Patterson

STATE OF COLORADO

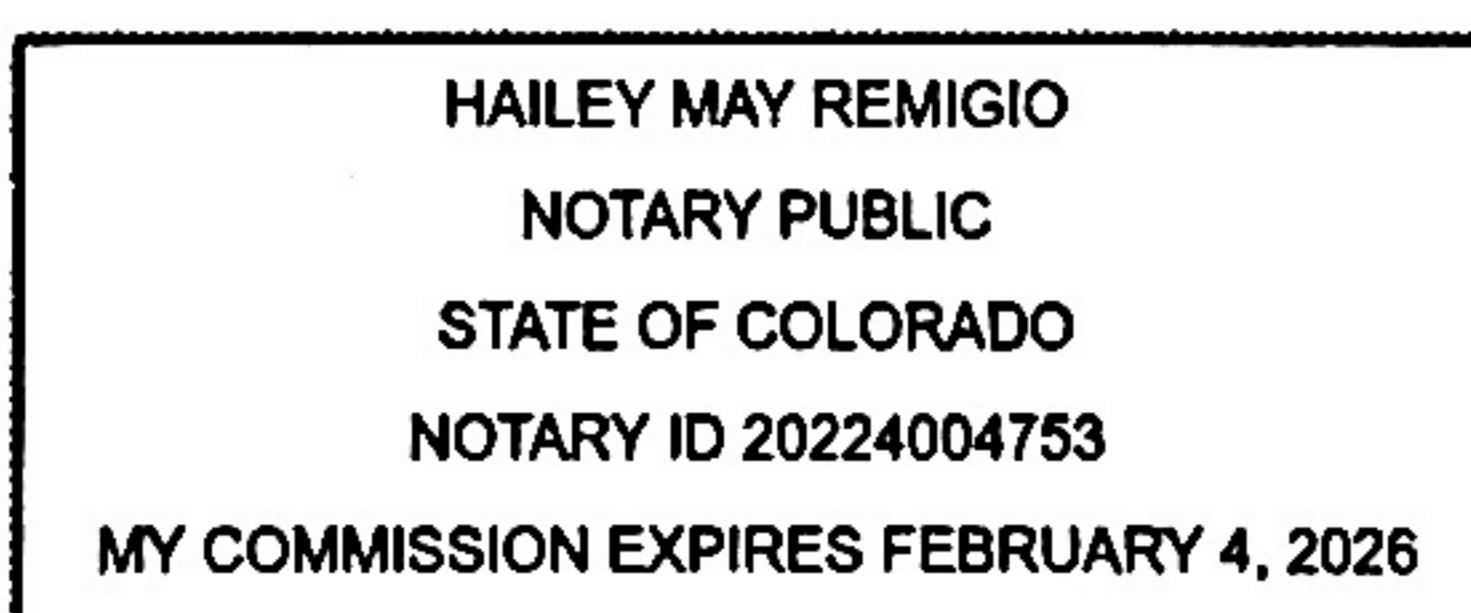
COUNTY OF Adams

The foregoing instrument was acknowledged before me using audio-video technology this 13th day of December, 2022, by Donald Patterson, Jr. and Desiree Patterson

[Signature]
Notary Public

Witness my hand and official seal.

My Commission Expires: 02/04/2026



FITCO 102-2229509-S

Notarized online using audio-video communication

Account Summary

Previous Balance	117.10
Payment Received - 9/1/23	Thank You -117.10
Current Charges	145.90

Automatic Payment Amount

\$145.90

Payments must be received and posted to the account by 10/9/23 to avoid a delinquency charge. A 5% delinquency charge (maximum \$250.00) will apply to any unpaid balance on the next billing cycle after the charge is incurred.

3435 W 54TH AVE

Water Charges

RATE: Residential Water (Total Service)
AVERAGE WINTER CONSUMPTION (calculated using Jan-Mar bills): 4,000 Gallons

BILLING PERIOD: 8/12/2023 - 9/12/2023

DAYS: 32

METER NO.	CURRENT READ -	PREVIOUS READ	x	MULTIPLIER =	CONSUMPTION
311582	3,506	3,486	1000		20,000 Gal

Consumption Charge (20,000 Gallons)

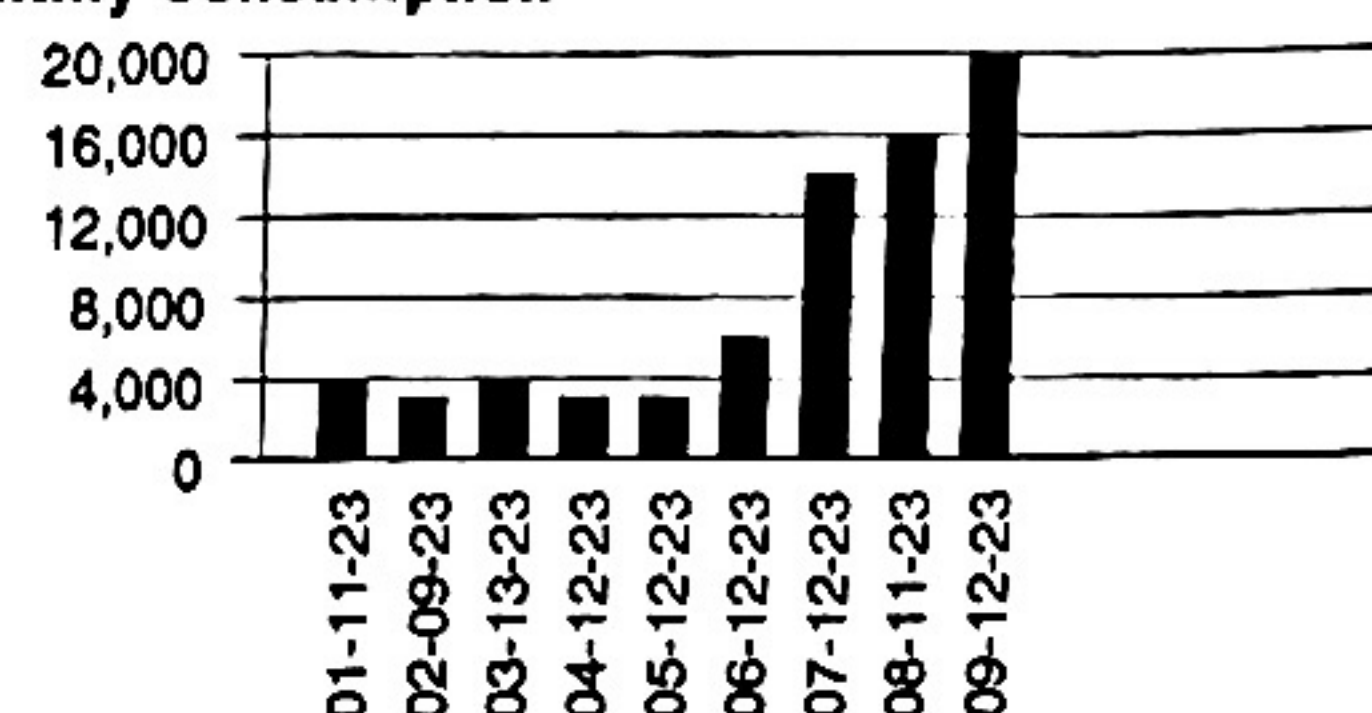
	Tier 1	Tier 2	Tier 3
1,000 Gals	0-5*	6-20	Over 20
1,000 Gals used	5	15	
Price per 1,000	x \$4.00	x \$7.20	\$9.60
Charge	\$20.00	+ \$108.00	= 128.00

*Tier 1 minimum allowance is 5,000 gallons.

Fixed Monthly Charge, 3/4" meter 17.90

Water Charges \$145.90


Monthly Consumption


Sep 2023

Total gallons used 20,000

Days in billing period 32

Average daily use (gallons) 625

This graph shows your consumption water use for each month. Use only what you need and save water and money.



Questions About Your Bill?

¿Preguntas Sobre Su Cuenta?

303-893-2444

Monday - Friday

7:30 a.m. - 5:30 p.m.



Visit Us Online

www.denverwater.org/contact



Denver Water, Correspondence

1600 W. 12th Ave.

Denver, CO 80204-3412

PLEASE KEEP THIS PORTION FOR YOUR RECORDS.

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT.



SERVICE ADDRESS

3435 W 54TH AVE

ACCOUNT NUMBER

3167730435

DUE DATE

Automatic Pay

AMOUNT DUE

\$145.90

Your payment of \$145.90 will be paid by "Automatic Payment" on or after 10/03/2023

5331 1 AV 0.495

*****AUTO**SCH 5-DIGIT 80221 144033 5345 28



CHAD SAXTON

CALI PFAFF

3435 W 54TH AVE

DENVER CO 80221-6507

00 703 200724 000000001 80217 3343



DENVER WATER

PO BOX 173343

DENVER, CO 80217-3343

900 3167730435 00000000000145904

Adams County Residential Property Profile

Parcel Number: 0182517205009

<u>Owners Name and Address:</u>	<u>Property Address:</u>
SAXTON CHAD M AND PFAFF CALI ELIZABETH 3435 W 54TH AVE DENVER CO 80221-6507	3435 W 54TH AVE

Account Summary

Legal Description

SUB:LINCOLN MANOR DESC: S2 PLOT 38

Subdivision Plat

LINCOLN MANOR

Account Summary

Account Numbers	Date Added	Tax District	Mill Levy
R0104914	On or Before 01/01/1996	480	122.143

Permits

Permit Cases

BDP17-2350 BDP21-0933 PRE2023-00062 VIO2000-21410 VIO2007-53735

Sales Summary

Sale Date	Sale Price	Deed Type	Reception Number	Book	Page	Grantor	Grantee	Doc. Fee	Doc. Date
06/11/2002	\$175,000.00	WD	04000389810	2004	0521	THOMAS VELMA L	THOMAS RUSSELL A	\$17.5	05/21/2004
06/11/2002	\$10.00	QC	04000389820	2004	0521	THOMAS RUSSELL A	THOMAS RUSSELL A AND	\$0	05/21/2004
08/07/2007	\$191,200.00	WD	2007000077602	2007		THOMAS RUSSELL A AND	BARE DARRELL	\$19.12	08/13/2007
12/05/2013	\$0	SWD	2013000102988	2013		BARE DARRELL	BARE FAMILY TRUST	\$0	12/09/2013
12/05/2013	\$0	AFF	2013000102989	2013		BARE FAMILY TRUST	BARE FAMILY TRUST	\$0	12/09/2013
06/30/2020	\$0	QC	2020000070224			PATTERSON DONALD AND, PATTERSON DESIREE	PATTERSON DONALD JR AND, PATTERSON DESIREE	\$0	07/24/2020
06/30/2020	\$375,000.00	WD	2020000061662			BARE FAMILY TRUST	PATTERSON DONALD AND, PATTERSON DESIREE	\$37.5	07/07/2020
12/13/2022	\$515,000.00	WD	2022000097398			PATTERSON DONALD JR AND, PATTERSON DESIREE	SAXTON CHAD M AND, PFAFF CALI ELIZABETH	\$51.5	12/15/2022

Click [here](#) to go to Clerk / Recorder search page

Valuation Summary

Land Valuation Summary

Account Number	Land Type	Unit of Measure	Number of Units	Fire District	School District	Vacant/Improved	Actual Value	Assessed Value
R0104914	Residential	Acres	0.4100	ADAMS COUNTY FIRE PROTECTION DISTRICT	Westminster Public Schools	I	\$118,000.00	\$7,980.00
Land Subtotal:							\$118,000.00	\$7,980.00

Improvements Valuation Summary

Account Number	Actual Value	Assessed Value
R0104914	\$402,000.00	\$27,200.00
Improvements Subtotal:	\$402,000.00	\$27,200.00

Total Property Value	\$520,000.00	\$35,180.00
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Building Summary

Building Number: 1.00

Individual Built As Detail

Built As:	Ranch 1 Story
Year Built:	1941
Building Type:	Residential
Construction Type:	Frame Vinyl
Built As SQ Ft:	690
Number of Rooms:	4
Number of Baths:	2.00
Number of Bedrooms:	2
Attached Garage SQ Ft:	
Detached Garage Square Ft:	1116
Basement SQ Ft:	690
Finished Basement SQ Ft:	200

Tax Summary

Click [here](#) to go to Treasurer's search page

Enterprise Zone Summary

Property within Enterprise Zone

True

Precincts and Legislative Representatives Summary

Precinct

001

Commissioner Representative

Commissioner District	Link to Representative
4	Click Here

State House Representative

House District	Link to Representative
35	Click Here

State Senate Representative

Senate District	Link to Representative
21	Click Here

US Congress Representative

Congressional District	Link to Representative
8	Click Here

Zoning Summary

Zoning Summary

Zoning Authority	Zoning
Adams County	R-1-C

Note: Data is updated daily. Above data was updated as of: 09/28/23

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