



## REQUEST FOR COMMENTS

Case Name:  
Case Number:

Benavidez Columbine Setback Variance  
VSP2024-00044

September 20, 2024

The Adams County Board of Adjustment is requesting comments on the following application: **Variance to allow an accessory structure to be located 0 feet from a side-corner property line, where the minimum required setback is 20 feet within the Residential-2 zone district.** The address is 5303 Columbine Lane. The Assessor's Parcel Number is 0182517111014. The applicant is: Adrienne Benavidez, 5303 Columbine Lane Denver, CO 80221.

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) 523-6949 by **October 11, 2024** 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 [LCampbell@adcogov.org](mailto:LCampbell@adcogov.org).

For further information regarding this case, please contact the Community and Economic Development Department, 4430 S. Adams County Pkwy., Brighton CO 80601, (720) 523-6800. 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/current-land-use-cases](http://www.adcogov.org/current-land-use-cases). Thank you for your review of this case.

Lia Campbell  
Planner II

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



# VARIANCE

A variance is a means whereby the literal terms of these standards and regulations need not be applied if there are practical difficulties or unnecessary hardships associated with the subject site. In granting a variance, the spirit of these standards and regulations shall be observed, public safety and welfare secured, and substantial justice done.

Please include this page with your submittal. Submittal instructions and more information about checklist items can be found on page 2.

- Development Application Form (pg. 3)
- Written Narrative
- Site Plan
- Proof of Ownership (warranty deed or title policy)
- Proof of Water and Sewer Services
- Legal Description
- Statement of Taxes Paid

### Number of Variance Requests:

A variance may only be approved from the dimensional requirements, performance standards, and other special physical requirements contained in the Adams County development standards and regulations.

Type of Variance Request:	# of Requests:
Setback: <i>20' frontage</i>	<i>1</i>
Height:	
Lot Coverage:	
Other:	

Application Fees:	Amount:
Variance	\$500-residential \$700-non-residential <i>*\$100 per each additional request</i>



### DEVELOPMENT APPLICATION FORM

#### 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

In regard the detached ADU to be built at 5303 Columbine Lane, we are requesting a 0' setback on the east side of the property along Columbine Drive. The property is unique in shape creating constraints and hardship in regard to the feasible locations for an ADU.





## Written Narrative for Variance Request

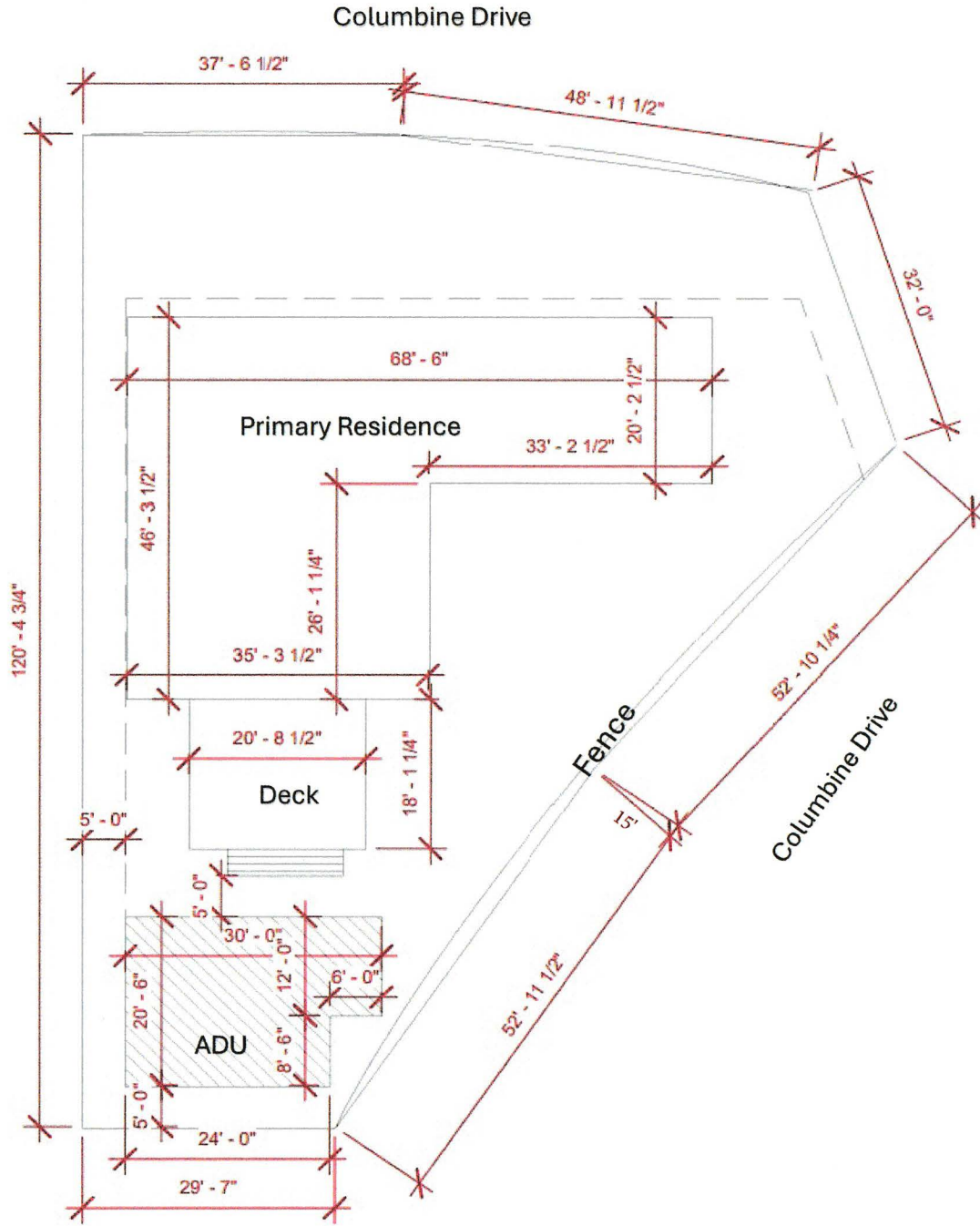
- Which dimensional standard(s), performance standard(s), or physical requirement(s) cannot be met? (Include code section reference from Adams County Standards and Regulations)  
Reach out to the Planner of the Day ([cedd-plan@adcogov.org](mailto:cedd-plan@adcogov.org)) if you have any questions.

We are unable to meet the R-2 Zone district setback regulations which requires a 20-foot east side setback due to the property having 2 street frontages. Given the unique layout and characteristics of the property, there is a physical hardship (2 frontages) that impacts the size of the useable yard area.

- Why are you unable to meet this standard?

The property has a v-shape that narrows significantly in the rear to less than 30' wide. We have designed an ADU to meet the unique property layout and is 24' wide (accounting for a 5' setback on the West side and 15' setback from the road, on the East side). If the East setback is required to be 20', we cannot construct this building, it will encroach on the setback.

Site Plan





**WARRANTY DEED**

State Doc Fee: \$28.00  
Recording Fee: \$16.00

**THIS DEED** is dated the 2nd day of May, 2014, and is made between

Jeffrey S. Wieman and Grace B. Wieman

(whether one, or more than one), the "Grantor" of the County of Adams and State of Colorado and

**Adrienne H. Benavidez**

(whether one, or more than one), the "Grantee", whose legal address is 5303 Columbine Lane, Denver, CO 80221 of the County of Adams and State of Colorado.

**WITNESS**, that the Grantor, for and in consideration of the sum of **Two Hundred Eighty Thousand Dollars and No Cents ( \$280,000.00 )**, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantee and the Grantee's heirs and assigns forever, all the real property, together with any improvements thereon, located in the City and County of Adams and State of Colorado described as follows:

**See Exhibit "A" attached hereto and made a part hereof**

also known by street address as: 5303 Columbine Lane, Denver, CO 80221

**TOGETHER** with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversions, 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, and the Grantees' heirs and assigns forever.

The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree to and with the Grantee, and the Grantee's heirs and assigns: that at the time of the ensembling and delivery of these presents, the Grantor is well seized of the premises above described; has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, and in fee simple; and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as 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, except and subject to:

2014 taxes and all subsequent years, restrictions, reservations, covenants, easements and rights-of-way of record, if any.

And the Grantor shall and will **WARRANT THE TITLE AND DEFEND** the above described premises, *but not any adjoining vacated street or alley*, if any, in the quiet and peaceable possession of the Grantees, and the heirs and assigns of the Grantees, against all and every person or persons lawfully claiming the whole or any part thereof.

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

  
\_\_\_\_\_  
Jeffrey S. Wieman

  
\_\_\_\_\_  
Grace B. Wieman

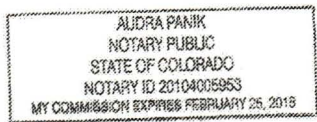
State of Colorado  
County of Denver

The foregoing instrument was acknowledged before me this 2nd day of May, 2014 by Jeffrey S. Wieman and Grace B. Wieman.

Witness my hand and official seal.

  
\_\_\_\_\_  
Notary Public Audra Panik

My commission expires:





**BERKELEY WATER AND SANITATION DISTRICT  
4455 WEST 58<sup>th</sup> AVENUE, UNIT A  
ARVADA, COLORADO 80002  
303-477-1914  
Email: berkeleywater@gmail.com**

7/3/2024

Adrienne Benavidez  
5303 Columbine Ln  
Denver, CO 80221

Re: 5303 Columbine Ln, Denver, CO 80221  
Availability of sanitary sewer services

Dear Adrienne:

This conditional will serve letter confirms that Berkeley Water and Sanitation District ("District") has the capacity to provide sewer services to above described property (the "Property"), under the following terms and conditions:

1. If any of these conditions are not met, this "will serve" letter will be rescinded and the appropriate parties will be notified that the District can no longer provide sewer service to this property.
2. The District owns an 8" sewer main in Columbine Ln. The property owner may be required to install sewer main extensions, feeding into this present system, to facilitate development, depending upon design.
3. Each unit served must have its own sewer service lines, on its own land or easement. The engineering design and/or plans must be submitted and approved by the District prior to installation of any sewer service lines or tapping into any District sewer mains.
4. If a property is removing existing structures, the existing sewer service line(s) must be capped or plugged at the sewer main prior to demolition. The District must be called to observe and inspect this action before further construction begins.
5. The property owner will be required to pay tap fees, review fees and costs, and all other applicable fees and charges prior to receiving sewer service from the District. The District may require a review deposit for District costs, including engineering and legal reviews, contract development, construction, observation and inspections. If the Developer makes a review deposit with the District, over payments will be refunded and shortages will be billed to the property owner.



6. If the extension of sewer mains is required, the District's engineering firm must review and approve the designs. The District's review and approval of the construction contract for the extension is also required before the work can commence. A contract must be developed, appropriate Certificates of Insurance presented, and Warranty and Performance Bonds must be posted. In addition, the property owner will be required to dedicate easements for any public improvements.

7. The design specifications for the Project must comply with the District's Rules and Regulations, Adams County Fire Protection District regulations, and Adams County regulations. All sewer service will be subject to the District's Rules and Regulations.

8. Sewer tap fees will be payable to the District, which also collects Metro Water Recovery's "connection fees." Fees to all agencies will be at prevailing rates at the time of application.

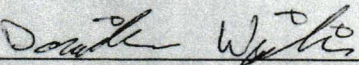
9. No representations are made regarding the availability of water service to the Property.

To reiterate, all costs incurred by the District and fees charged by the District, including without limitation tap fees, review costs, contract development, construction, observation and inspections, are the responsibility of the property owner as a condition of receipt of sewer service. If expenses are incurred and no payment is made, no taps will be issued and a lien will be placed against the property until paid per the District's Rules and Regulations and current Fee Schedule.

This conditional will serve letter is valid through July 3, 2025. If tap fees are not paid by that date, this agreement to service must be renewed through the District.

We look forward to providing services to the Property.

Sincerely,

  
\_\_\_\_\_

BERKELEY WATER AND SANITATION DISTRICT



**LEGAL DESCRIPTION**

**Account Id** R0104775

**Parcel Number** 0182517111014

**Owners** BENAVIDEZ ADRIENNE H

**Address** 5303 COLUMBINE LN  
DENVER, CO 80221-1285

**Situs Address** 5303 COLUMBINE LN

**Legal** SUB:BERKELEY HILLS DESC: PARCEL C PT OF LOT 45 DESC AS BEG AT SELY COR SD LOT TH NLY ALG ELY BDRY SD LOT 22/10 FT ALG ARC OF CURVE TO RT WITH C/A OF 6D 16M A RAD OF 201/74 FT TO POB TH WLY 35 FT TH NLY ON AN ANG OF 90D TO PREV COURSE 125/40 FT TO SLY ROW LN COLUMBINE RD ON AN ANG RT OF 88D 25M FROM PREV COURSE 37/50 FT TO P C TH ALG ARC OF CURVE TO RT WITH C/A OF 20D 09M A RAD OF 249/89 FT 87/93 FT TH SWLY ON AN ANG LEFT OF 59D 37M FROM THE CHD OF PREV COURSE 90/14 FT TH ALG ARC OF CURVE TO LEFT WITH A C/A OF 13D 49M A RAD OF 201/74 FT 48/65 FT TO POB EXC FOR A STRIP OF LAND 5 FT IN WIDTH AND ADJ TO SLY AND WLY ROW LN COLUMBINE RD AND EXC THAT PT DESC AS FOL BEG AT NE COR SD LOT 45 TH WLY 30 FT TH SELY TO A PT ON ELY LOT LN SD LOT SD PT BEING 30 FT SLY OF THE NE COR SD LOT TH NLY 30 FT TO POB



# Statement Of Taxes Due

Account Number R0104775  
Assessed To

Parcel 0182517111014  
BENAVIDEZ ADRIENNE H  
5303 COLUMBINE LN  
DENVER, CO 80221-1285

**Legal Description****Situs Address**

SUB:BERKELEY HILLS DESC: PARCEL C PT OF LOT 45 DESC AS BEG AT SELY COR SD LOT TH NLY ALG ELY BDRY SD LOT 22/10 FT ALG ARC OF CURVE TO RT WITH C/A OF 6D 16M A RAD OF 201/74 FT TO POB TH WLY 35 FT TH NLY ON AN ANG OF 90D TO PREV COURSE 125/40 FT TO SLY ROW LN COLUMBINE RD ON AN ANG RT OF 88D 2... Additional Legal on File 5303 COLUMBINE LN

Year	Tax	Interest	Fees	Payments	Balance
<b>Tax Charge</b>					
2023	\$4,566.18	\$0.00	\$0.00	(\$4,566.18)	\$0.00
Total Tax Charge					\$0.00
<b>Grand Total Due as of 09/18/2024</b>					<b>\$0.00</b>

Tax Billed at 2023 Rates for Tax Area 480 - 480

Authority	Mill Levy	Amount	Values	Actual	Assessed
RANGEVIEW LIBRARY DISTRICT	3.6530000	\$143.93	RES IMPRV LAND	\$143,750	\$8,810
BERKELEY WATER & SANITATION	2.4220000*	\$95.43	SINGLE FAMILY RES	\$499,250	\$30,590
ADAMS COUNTY FIRE PROTECTIO	17.4390000	\$687.10	Total	\$643,000	\$39,400
GENERAL	22.7110000	\$894.79			
HYLAND HILLS PARK & RECREAT	5.0990000	\$200.90			
RETIREMENT	0.3140000	\$12.37			
ROAD/BRIDGE	1.3000000	\$51.22			
DEVELOPMENTALLY DISABLED	0.2570000	\$10.13			
SD 50 BOND (Westminster)	7.4910000	\$295.15			
SD 50 GENERAL (Westminster)	51.9540000	\$2,046.99			
URBAN DRAINAGE SOUTH PLATTE	0.1000000	\$3.94			
URBAN DRAINAGE & FLOOD CONT	0.9000000	\$35.46			
SOCIAL SERVICES	2.2530000	\$88.77			
Taxes Billed 2023	115.8930000	\$4,566.18			

\* Credit Levy

Tax amounts are subject to change due to endorsement, advertising, or fees.  
Please call the office to confirm amount due after August 1st.

All Tax Lien Redemption payments must be made with cash or cashier's check.

Adams County Treasurer & Public Trustee  
4430 S Adams County Parkway, Suite W1000  
Brighton, CO 80601  
720-523-6160