



REQUEST FOR COMMENTS

Case Name:	3330 W. 55th Avenue Accessory Dwelling Unit Variance
Case Number:	VSP2024-00055

December 5, 2024

The Adams County Board of Adjustment is requesting comments on the following application: **Variance to allow an accessory dwelling unit to be 896 square feet where the maximum allowed is 312 square feet within the Residential-1-C zone district.** The address is 3330 W. 55th Avenue. The Assessor's Parcel Number is 0182517206033. The applicant and owner is: Irving Associates, LLC, 3330 W. 55th Avenue, 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 **December 26, 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.

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. Thank you for your review of this case.

Si usted tiene preguntas, por favor escribanos un correo electronico a cedespanol@adcogov.org para asistencia en espanol. Por favor incluya su direccion o numero de caso para poder ayudarle mejor.

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:	
Height:	
Lot Coverage:	
Other:	

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

Guide to Development Application Submittal

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 MS OneDrive link. Alternatively, the application may be delivered on a flash drive to the Community & Economic Development Department. Once a complete application has been received, fees will be invoiced and payable online at www.permits.adcogov.org

Written Explanation:

- A clear and concise explanation of the proposal and why it is necessary.
- Complete the attached Written Explanation for Variance Request form.

Scaled Site Plan:

- A site plan prepared to-scale showing at minimum: the request, any existing or proposed structures, existing and proposed setbacks of structures, any hardship, location of well, location of septic field, location of easements, surrounding rights-of-way, north arrow.
- Site plan may be hand-drawn.

Proof of Ownership (warranty deed or title policy):

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

Proof of Water and Sewer:

- Public utilities - A written statement from the appropriate water & sanitation district indicating that they will provide service to the property OR a copy of a current bill from the service provider.
- Private utilities - Well permit(s) information can be obtained from the Colorado State Division of Water Resources at (303) 866-3587. A written statement from Adams County Health Department indicating the viability of obtaining Onsite Wastewater Treatment Systems.

Legal Description:

- Geographical description used to locate and identify a property.

Statement of Taxes

- All taxes on the subject property must be paid in full. Please contact the Adams County Treasurer's Office.
- Or adcotax.com



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

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) if you have any questions.

- Why are you unable to meet this standard?

WHAT IS A VARIANCE *and when may it be requested?*

When a property owner cannot use their property in a way that meets the Adams County Development Standards & Regulations, a variance may be requested to allow the property owner to be exempt from one or more land use regulations.



A VARIANCE MAY BE REQUESTED FOR:

- ✓ Dimensional requirements
- ✓ Performance standards
- ✓ Other special physical requirements



A VARIANCE MAY NOT BE REQUESTED FOR:

- ✗ Change in use
- ✗ Change in zoning
- ✗ Amending a Planned Unit Development (PUD)
- ✗ Relief from airport overlays

How long does a VARIANCE LAST?

A variance runs with the land. If a variance is granted, a building permit must be obtained within one year.

1
YEAR

VARIANCE APPLICATION

Contact the E-Permit Center at epermitcenter@adcogov.org or visit their website:

epermits.adcogov.org

For more information, please contact:
cedd-pod@adcogov.org | 720.523.6800

VARIANCE REQUESTS *in Adams County*



STAY CONNECTED

4430 S. Adams County Pkwy., Brighton, CO 80601

 /AdamsCountyGov  @AdamsCountyGov

 Public Agencies  /AdamsCountyCo

Adcogov.org



What are the criteria for APPROVAL?

A variance application is evaluated based upon the following criteria of approval (Sec. 2-02-23-06):

- 1 There is a physical hardship specific to the lot.
- 2 The property owner is being deprived of a right that's commonly enjoyed by other lots in the same zone district.
- 3 The variance doesn't give a special privilege to the applicant.
- 4 The property cannot be reasonably developed in conformity of the regulations.
- 5 The circumstances that cause the need for a variance are not self-imposed.
- 6 The proposal is harmonious with the neighborhood and compatible with the purpose of the regulations.
- 7 The public good and safety is not impaired.
- 8 The proposed use is allowed in the zone district and doesn't further a non-conforming use.

What is the variance REVIEW PROCESS?

APPLICATION SUBMITTAL

Application is submitted to the E-Permit Center. You can contact this office at epermitcenter@adcogov.org or visit their website at permits.adcogov.org.



FIRST REVIEW

35 calendar days for staff review and agency referral (school districts, fire districts, Colorado Department of Public Health & Environment etc.). Neighbors are also notified of the application at this time and are given the opportunity to make comments. At the end of this review period, a meeting is scheduled with the applicant to go over the review comments.

35 calendar days for the first review

EACH ADDITIONAL REVIEW

21 days. If a resubmittal is required, the application will undergo an additional round of review. This may happen several times depending on the quality of each submittal.

21 calendar days for each additional review

BOARD OF ADJUSTMENT (BOA) HEARING

BOA hearings are scheduled on the first and third Thursday of every month at 6 p.m. and are scheduled four weeks in advance. All review comments need to be resolved prior to scheduling the public hearing.

First & Third THURSDAY of every month BOA hearings are scheduled

BOA MAY VOTE TO...



Approve.

The variance is valid upon approval by the BOA.



Approve with conditions.

The BOA may attach special conditions to the variance to make sure no special privileges are being granted to the applicant.



Deny.

The variance process can take three months or longer, depending on the number of resubmittals and available Board of Adjustment hearing dates.

3
MONTHS+

If a building permit is not issued within one year of the variance approval or the use associated with the variance has not been established, the variance will expire. Extensions may be requested — see Sec. 2-02-23-10.

1
YEAR

HARDSHIP STATEMENT

3300 W. 55th Accessory Dwelling Unit

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

The requested variance is in reference to Section 4-03-04-02-01-5-c:

b. Detached. ADUs shall not exceed 1,500 square feet residential floor area or 40% of the primary dwelling unit's gross floor area, whichever is less.

The special circumstances relate to the extremely small size of the existing dwelling on the site. According to county records, the primary dwelling on this lot, built in 1956, is a 792 SF one-story ranch. This dwelling does not meet the minimum floor area requirement of the current zoning code:

Section 3-13-06-07 The minimum floor area of dwellings shall be twelve-hundred-fifty (1,250) square feet.

Applied to 792 square feet, the 40% calculation would allow an ADU of only 317 GSF, which is much too small to be a desirable dwelling unit. The proposed ADU is 896 GSF of living area, plus a 15 GSF water service room in the ground floor garage space. At a total of 911 GSF, this size would be allowed with a minimum primary dwelling floor area of approximately 2300 GSF. Based on the current zoning, after construction of the proposed ADU this site could still comfortably allow a building footprint of more than 2,400 GSF. A two-story replacement dwelling could have a floor area of more than 4,800 GSF.

Several adjacent lots, including both immediate neighboring lots, have recently been redeveloped with much larger dwellings, making this site one that is also ripe for redevelopment with a primary dwelling more in keeping with the emerging nature of the neighborhood.

If the site is to ultimately contain an updated primary dwelling and an ADU, building the ADU first makes more sense for two reasons. First, the existing dwelling on the site provides a much-needed affordable housing unit, which can be replaced with the similarly sized proposed ADU. Building the ADU first would allow the current tenant to remain in the primary dwelling while the ADU is constructed. The tenant could then be moved to the ADU while the larger, and presumably more expensive primary dwelling is built to replace the existing dwelling. Secondly, since the ADU is at the rear of the lot, building the ADU first will simplify the construction.

The property owner is being deprived of a right that's commonly enjoyed by other lots in the same zone district.

The property owner is being deprived of the right to build an ADU that would be desirable to prospective tenants due to the unusually small size of the existing primary dwelling.

The variance doesn't give a special privilege to the applicant.

An ADU above a detached garage is not a special privilege. Sizing the ADU to be a desirable dwelling unit is also not a special privilege.

The property cannot be reasonably developed in conformity of the regulations.

At 317 SF, an ADU would have to be an extremely small efficiency and would be smaller than the minimum unit size of 450 SF for efficiency apartments in Section 4-07-02-04-01 of the Adams County Development Standards and Regulations. The proposed two-bedroom unit at 896 SF is consistent with the 750 SF minimum for a unit of that size.

The circumstances that cause the need for a variance are not self-imposed.

The existing primary dwelling was built in 1956.

The proposal is harmonious with the neighborhood and compatible with the purpose of the regulations.

As indicated above, the neighboring lots on either side have both been redeveloped to contain much larger primary dwellings. At this point, the existing dwelling on this lot appears to be inconsistent with the emerging neighborhood character.

The addition of the ADU is compatible with the purpose of the regulations but would not be practical if the 40% floor area restriction is based on the size of the existing dwelling. The proposed ADU square footage would be consistent with a reasonable floor area estimate for a future replacement of the existing dwelling.

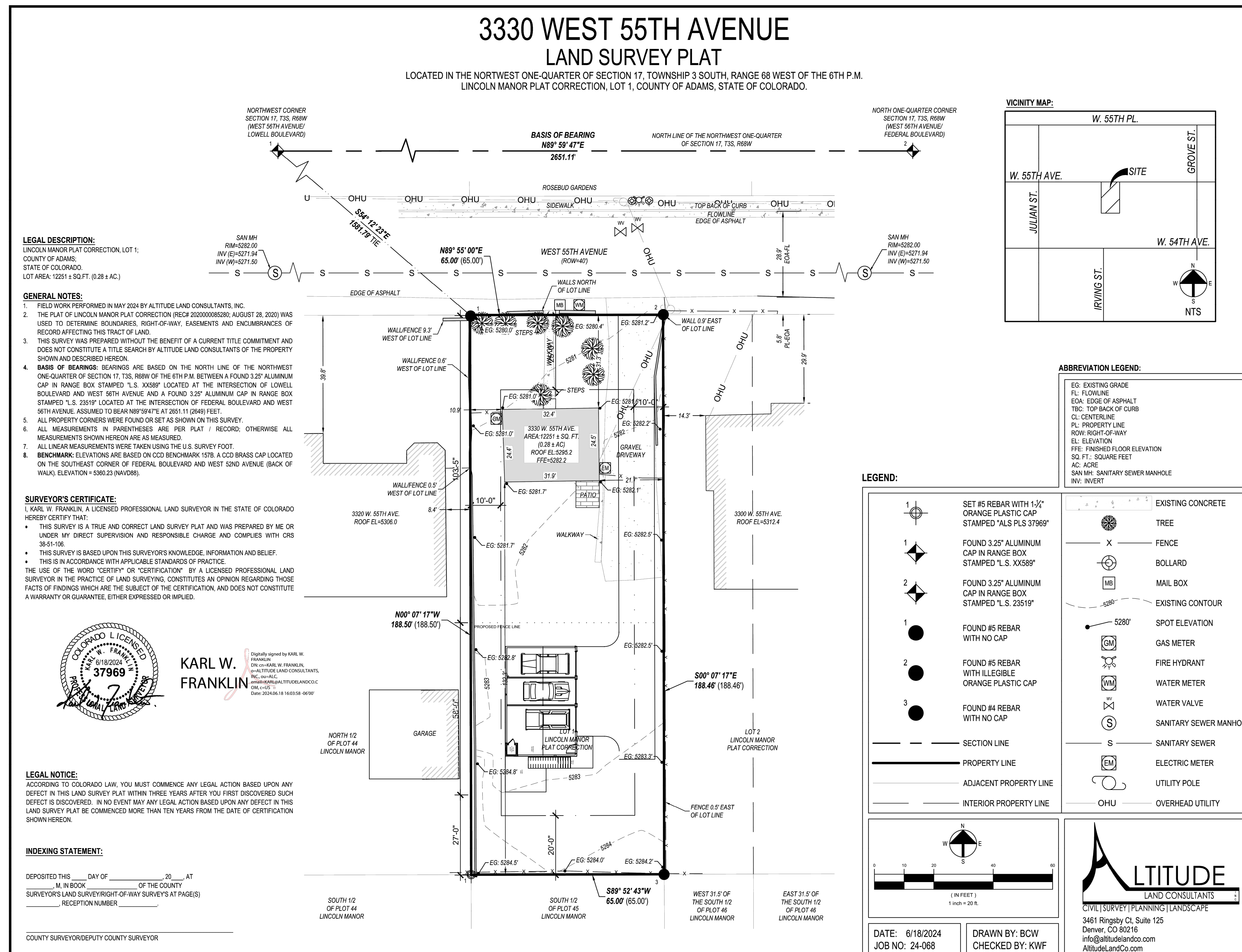
The proposed ADU would not impair the public good and safety.

The proposed use is allowed in the zone district and doesn't further a non-conforming use.

**GARAGE AND
ACCESSORY DWELLING UNIT**

3330 W. 55TH AVENUE
DENVER, CO 80221

OWNER
IRVING ASSOCIATES, LLC
191 UNIVERSITY BLVD, PMB 850
DENVER, CO 80206
PHONE
ARCHITECT
JAQUELIN CAMP, RA, CPHD
200 HUGHES ROAD
KING OF PRUSSIA, PA 19406
(601) 716-7329

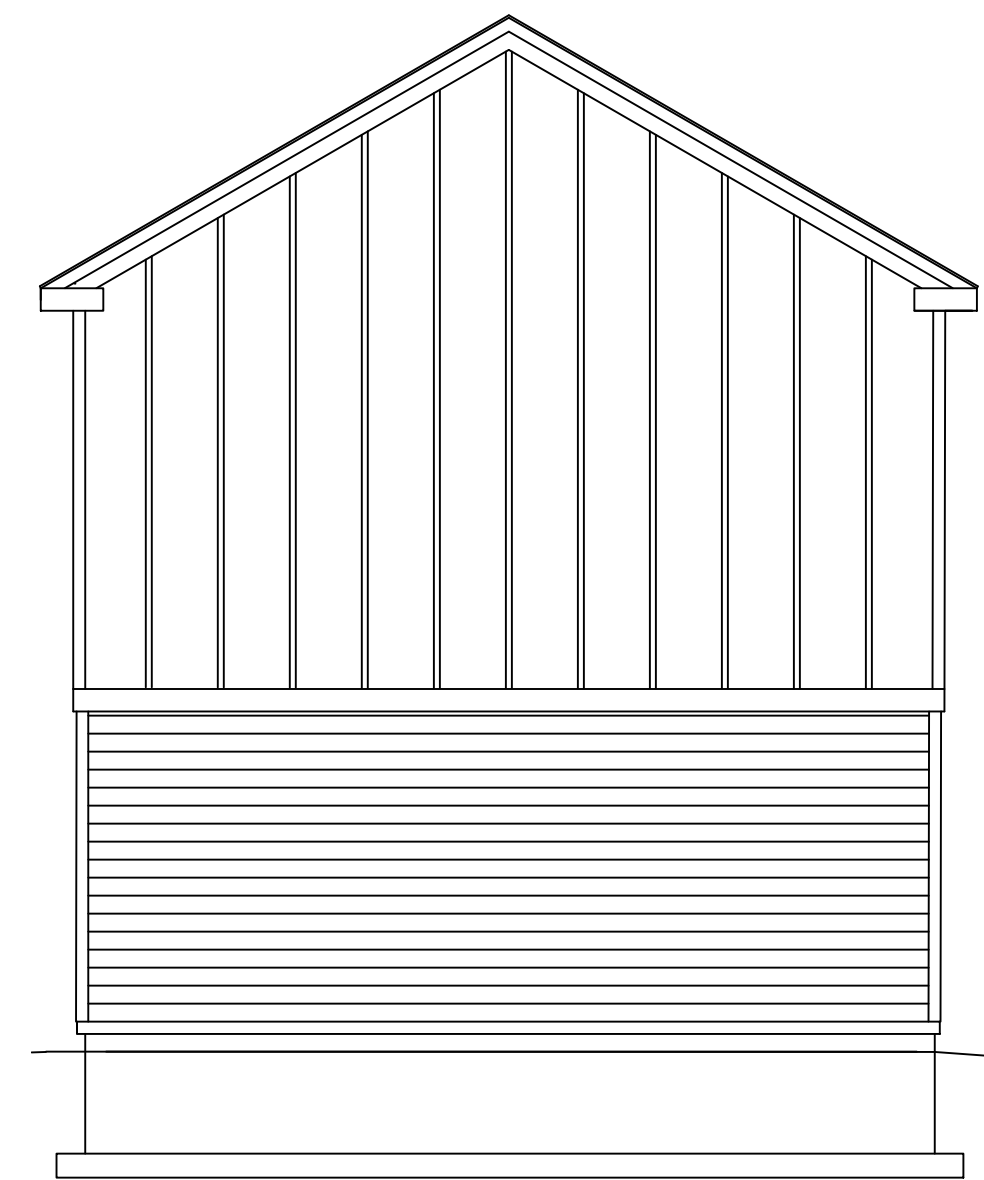




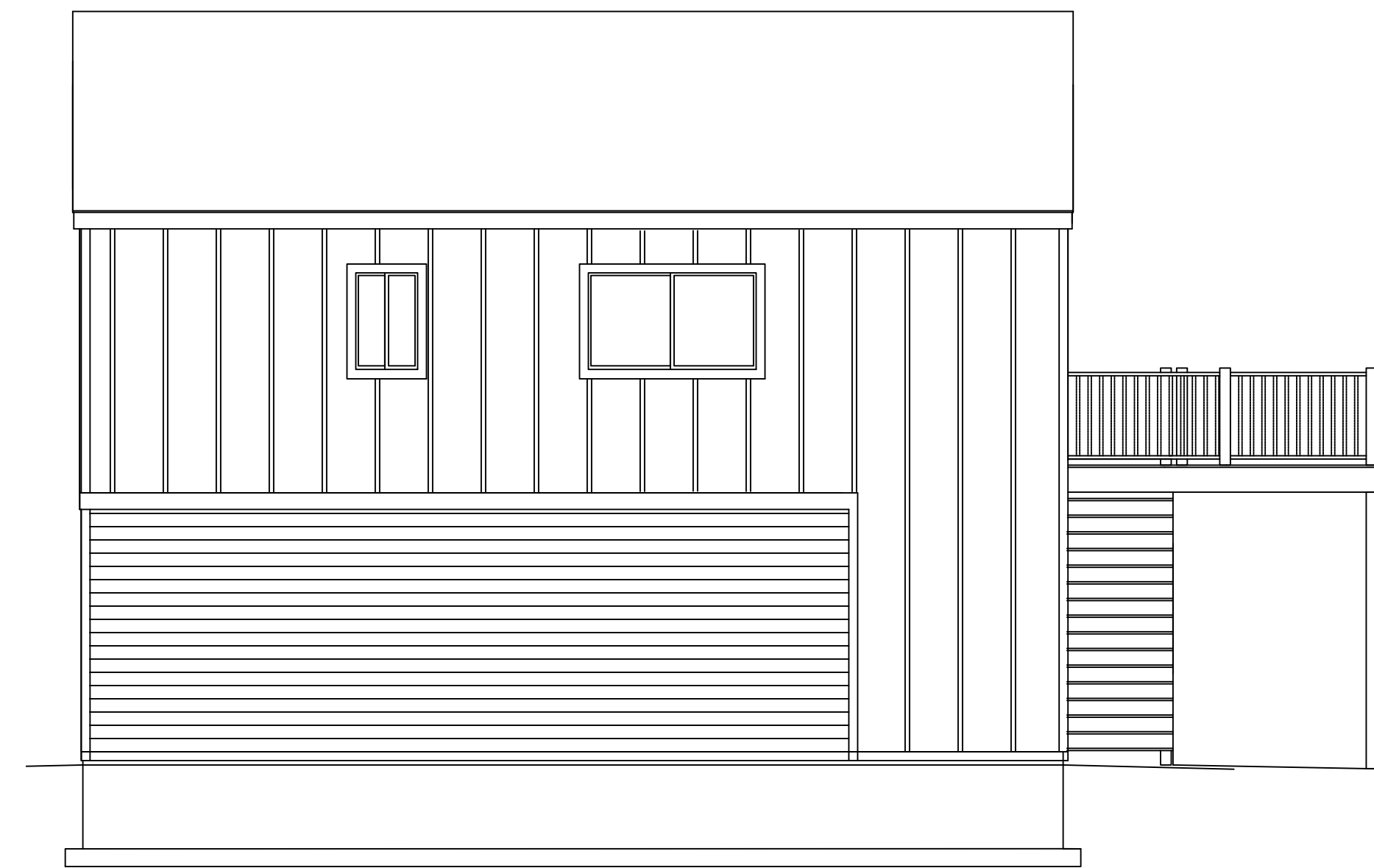
EAST ELEVATION
1/4" = 1'-0"



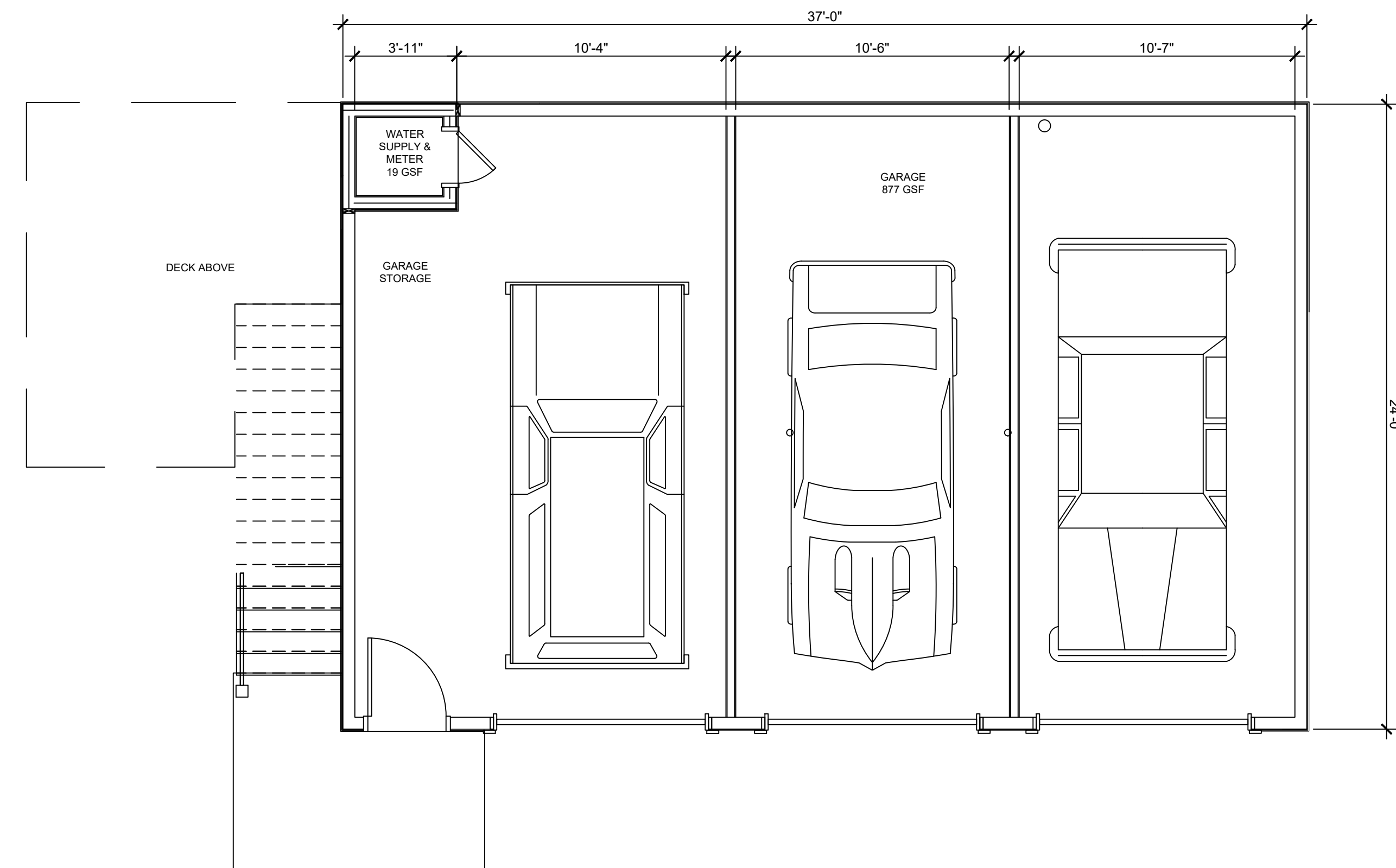
SOUTH ELEVATION
3/16" = 1'-0"



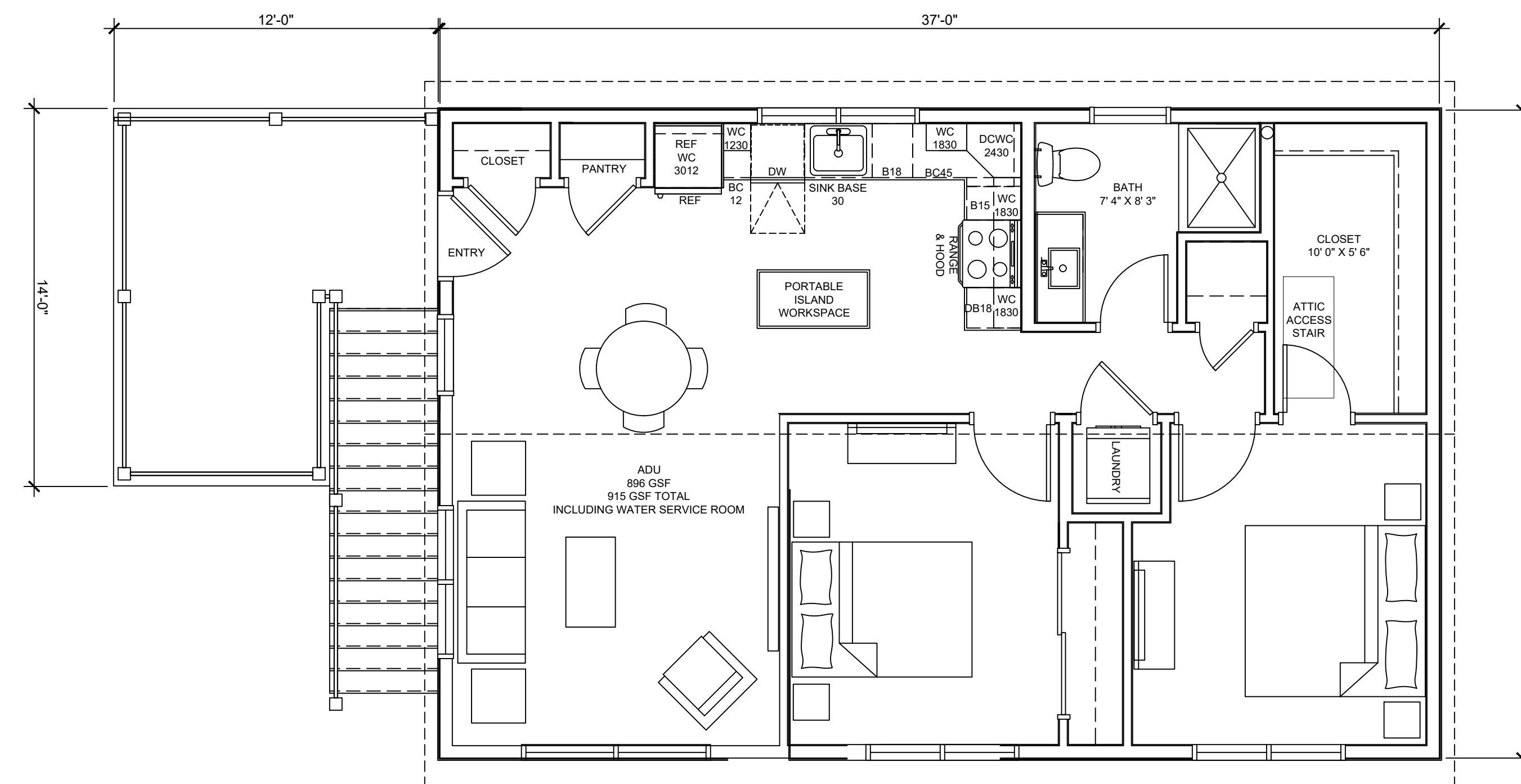
NORTH ELEVATION
3/16" = 1'-0"



WEST ELEVATION
3/16" = 1'-0"



GROUND FLOOR GARAGE



2ND FLOOR ACCESSORY DWELLING UNIT

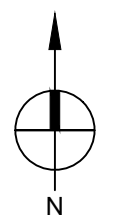
**GARAGE AND
ACCESSORY DWELLING UNIT**

3330 W. 55TH AVENUE
DENVER, CO 80221

OWNER
IRVING ASSOCIATES, LLC
191 UNIVERSITY BLVD. PMB 850
DENVER, CO 80206
PHONE

ARCHITECT
JAQUELIN CAMP, RA, CPHD
200 HUGHES ROAD
KING OF PRUSSIA, PA 19406
(601) 716-7329

KEYPLAN



REV # DATE DESCRIPTION

SEAL

ISSUE DATE 11/11/2024

SCALE 1/4" = 1'-0" U.N.O.

PLANS AND ELEVATIONS

A-2

Berkeley Water and Sanitation

4455 West 58th Avenue Unit A
Arvada, CO 80002

303-477-1914

IRVING ASSOCIATES LLC
191 UNIVERSITY BLVD #850
DENVER, CO 80206

Account Number: 1368
Premises Number: 1368

Service Address:
3330 W 55TH AVE

Due Date: 12/31/2024

Date	Description	Charge	Amount
	Beginning Balance		0.00
10/1/2024	BILL CALC 2024-10-01	QTR; Residential Class- SEWER	57.12
		Balance Due:	57.12

Third Quarter Sewer Bill 2024

To assure proper credit, please write your account number on your check.

Return This Portion with Payment

Account # 1368
Premises # 1368

IRVING ASSOCIATES LLC
191 UNIVERSITY BLVD #850
DENVER, CO 80206

Balance Due:	\$57.12
After 12/31/2024 Please Pay	\$72.12

PAY YOUR BILLS ONLINE AT
WWW.BERKELEYWATERSANITATION.COM. IF YOU WOULD
LIKE TO RECEIVE YOUR BILL VIA EMAIL, PLEASE CALL OR
EMAIL US AT BERKELEYWATER@GMAIL.COM WITH YOUR
EMAIL INFORMATION.

Make checks payable and mail to:
Berkeley Water and Sanitation
4455 West 58th Avenue Unit A
Arvada, CO 80002

BILLING DATE
10/10/2024
CUSTOMER ID
0159874300

ACCOUNT NUMBER
7678958212
DUE DATE
Oct 31, 2024
AMOUNT DUE
\$22.50

Account Summary

Previous Balance		26.60
Payment Received - 10/2/24	Thank You	-26.60
Current Charges		22.50

Automatic Payment Amount \$22.50

Payments must be received and posted to the account by 11/6/24 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.

3330 W 55TH AVE

Water Charges

RATE: Residential Water (Total Service)

AVERAGE WINTER CONSUMPTION (calculated using Jan-Mar bills): 2,000 Gallons

BILLING PERIOD: 9/12/2024 - 10/10/2024

DAYS: 29

METER NO.	CURRENT READ	PREVIOUS READ	x MULTIPLIER	= CONSUMPTION
418479	816	815	1000	1,000 Gal

Consumption Charge (1,000 Gallons)

	Tier 1	Tier 2	Tier 3	
1,000 Gals	0-5*	6-20	Over 20	
1,000 Gals used	1			
Price per 1,000	x \$4.10	\$7.38	\$9.84	
Charge	\$4.10			= 4.10

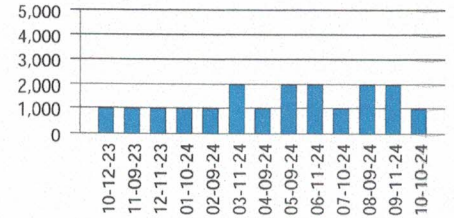
*Tier 1 minimum allowance is 5,000 gallons.

Fixed Monthly Charge, 5/8" meter 18.40

Water Charges \$22.50

denverwater.org

Monthly Consumption



	Oct 2023	Oct 2024
Total gallons used	1,000	1,000
Days in billing period	30	29
Average daily use (gallons)	33	34

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
3330 W 55TH AVE

ACCOUNT NUMBER
7678958212
DUE DATE
Automatic Pay
AMOUNT DUE
\$22.50

Your payment of \$22.50 will be paid by "Automatic Payment" on or after 10/31/2024

9712 1 AB 0.588
*****AUTO**ALL FOR AADC 800 157826 9765 51
0009712
SPRUCE ASSOCIATES LLC
191 UNIVERSITY BLVD # 850
DENVER CO 80206-4613

00 703 200724 000000001 80217 3343
DENVER WATER
PO BOX 173343
DENVER, CO 80217-3343

RECORDING REQUESTED BY
AND WHEN RECORDED, RETURN TO:

SCHAFFER THOMAS MAEZ PC
4 Garden Center, Suite 200
Broomfield, CO 80020

This Deed is a transfer for
consideration less than \$500.
No Doc Fee Required

QUITCLAIM DEED

Spruce Associates LLC, a Colorado limited liability company, Grantor, whose street address is 191 University Blvd #850, Denver, CO 80206, of the City and County of Denver, State of Colorado, for the consideration of less than five hundred dollars, in hand paid, hereby sells and quitclaims to **Irving Associates LLC**, a Colorado limited liability company, Grantee, whose street address is 191 University Blvd #850, Denver, CO 80206 of the City and County of Denver and State of Colorado, the following real property in the County of Adams, and State of Colorado, to wit:

**LOT 1, LINCOLN MANOR PLAT CORRECTION,
COUNTY OF ADAMS, STATE OF COLORADO**

also known by street and number as: 3330 West 55th Avenue, Denver, CO 80221

with all its appurtenances. See the "Statements of Authority" recorded contemporaneously with this deed for information required by Sections 38-30-108.5 and 38-30-172(2) C.R.S.

Signed this 12 day of NOVEMBER, 2024.

Spruce Associates LLC,
a Colorado Limited Liability Company

By: Michael Alan Koepke MANAGER
Michael Alan Koepke, Manager

STATE OF COLORADO)
COUNTY OF Summit) ss.

The foregoing instrument was acknowledged before me on this 12 day of November, 2024, by Michael Alan Koepke, as Manager of Spruce Associates LLC, a Colorado limited liability company, Grantor.

Witness my hand and official seal.

My commission expires 07/15/2024.

**OMAR IVAN VILLALOBOS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20244026079
MY COMMISSION EXPIRES 07/15/2028**

[Signature]
Notary Public



Statement Of Taxes Due

Account Number R0204125
Assessed To

Parcel 0182517206033
SPRUCE ASSOCIATES LLC
191 UNIVERSITY BLVD STE 850
DENVER, CO 80206-4613

Legal Description	Situs Address
LINCOLN MANOR PLAT CORR LOT 1	3330 W 55TH AVE

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2023	\$2,523.00	\$0.00	\$0.00	(\$2,523.00)	\$0.00
Total Tax Charge					\$0.00
Grand Total Due as of 11/21/2024					\$0.00

Tax Billed at 2023 Rates for Tax Area 480 - 480

Authority	Mill Levy	Amount	Values	Actual	Assessed
RANGEVIEW LIBRARY DISTRICT	3.6530000	\$79.53	RES IMPRV LAND	\$118,000	\$6,760
BERKELEY WATER & SANITATION	2.4220000*	\$52.73	SINGLE FAMILY RES	\$262,000	\$15,010
ADAMS COUNTY FIRE PROTECTIO	17.4390000	\$379.65	Total	\$380,000	\$21,770
GENERAL	22.7110000	\$494.41			
HYLAND HILLS PARK & RECREAT	5.0990000	\$111.01			
RETIREMENT	0.3140000	\$6.84			
ROAD/BRIDGE	1.3000000	\$28.30			
DEVELOPMENTALLY DISABLED	0.2570000	\$5.59			
SD 50 BOND (Westminster)	7.4910000	\$163.08			
SD 50 GENERAL (Westminster)	51.9540000	\$1,131.04			
URBAN DRAINAGE SOUTH PLATTE	0.1000000	\$2.18			
URBAN DRAINAGE & FLOOD CONT	0.9000000	\$19.59			
SOCIAL SERVICES	2.2530000	\$49.05			
Taxes Billed 2023	115.8930000	\$2,523.00			
* 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