

Case No.: 132-19

Decision Date: 10/8/2019

**Hearing History:**

Hearing 09/24/2019

Decision Released 10/08/2019

**BOARD OF ADJUSTMENT ZONING APPEALS  
CITY AND COUNTY OF DENVER  
201 West Colfax Avenue, Department 201  
Denver CO, 80202**

**PREMISES AFFECTED:** 3030 Welton Street

**LEGAL DESCRIPTION:** Lengthy Legal

**APPELLANT(S)** 3030 Welton LLC., by Andy Schlarach, 3070 Blake Street #200, Denver, CO, 80205

**APPEARANCES:**

**APPELLANT:** Appointing Officers Authorization document received

**FOR THE CITY:** Nathan Lucero, Assistant City Attorney

**SUBJECT:**

Appeal of a denial of a permit to erect a Mixed Use Primary Structure providing 0 of the 3 required vehicle parking spaces; a transformer located approximately 8 feet forward of the Primary Street facing Primary Structure façade (location 10 feet behind facade required); and for a 72 inch high garden wall used to screen a transformer, exceeding the maximum allowed height of 42 inches by 30 inches, in a C-MX-5 zone

**ACTION OF THE BOARD:**

The denial is found to be proper. However, THE VARIANCE IS GRANTED according to the plans submitted to the Board (Exhibit 6), and the testimony at the September 24, 2019 hearing. The Board acknowledges that it has received the required documentation that Fiona Arnold has authorization to speak on behalf of 3030 Welton LLC. NOTE: The Board-approved plans may be picked up at the Board of Adjustment's office, 201 West Colfax Avenue, Dept. 201, Denver, CO 80202, 720-913-3050. These approved plans MUST be submitted to the Development Services Log-In counter when applying for final construction permits for this project.

**BOARD OF ADJUSTMENT FOR ZONING APPEALS**  
Penny Elder, Chair



Austin E Keithler, Director

**THIS ACTION BY THE BOARD OF ADJUSTMENT IS NOT A ZONING OR BUILDING PERMIT. YOU SHOULD CONTACT/RECONTACT THE ZONING AND BUILDING DEPARTMENTS BEFORE BEGINNING CONSTRUCTION, TO DETERMINE WHETHER ADDITIONAL LAWS OR REGULATIONS APPLY TO YOUR PROJECT AND TO OBTAIN THE NECESSARY PERMITS.**

**NOTE!! THIS VARIANCE WILL EXPIRE: UNLESS PERMITS ARE OBTAINED AND CONSTRUCTION IS STARTED WITHIN THREE (3) YEARS, AND COMPLETED WITHIN FIVE (5) YEARS. (FOR EXTENSIONS, SEE SECTION 12.4.7.7.A.1**