

City of Greenwood Village

Agenda – Final Board of Adjustments and Appeals

6060 South Quebec Street
Greenwood Village, CO
80111

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TheVillage@GreenwoodVillage.com at least one business day prior to the meeting.



Thursday, June 25, 2026

6:00 PM

Council Chambers

DINNER (5:00 PM)

REGULAR MEETING (6:00 PM)

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

- A. Tentative Minutes April 23, 2026 (2026-166)

5. PUBLIC COMMENT

6. PUBLIC HEARINGS

- A. PZ-25-00010 Variance Extension 2 Alexander Ln (2026-141)
- B. PZ-25-00024 Variance Extension 1425 Cherryville Rd (2026-140)

7. DISCUSSION ITEMS

8. ADJOURNMENT



City of Greenwood Village

Minutes – Final

Board of Adjustments and Appeals

6060 South Quebec Street
Greenwood Village, CO
80111

Hearing-impaired apparatus available
Please turn off all cellular phones and/or audible pagers
All Board, Commission and Council meetings are digitally recorded

Thursday, April 23, 2026

6:00 PM

Council Chambers

DINNER (5:00 PM)

REGULAR MEETING (6:00 PM)

1. CALL TO ORDER

The Board of Adjustments and Appeals of the City of Greenwood Village met in a regular session in the Council Chambers at Greenwood Village City Hall, 6060 South Quebec Street, Greenwood Village, County of Arapahoe, State of Colorado, at 6:00 p.m.

2. ROLL CALL

Present: 6 - Thomas Foottit, Michael Weiner, Arthur Aaron, Preston Moxcey, Barry McCain, Paul Wilson

Absent: 1 - Richard Myers

Presiding: Thomas Footitt

Staff In Attendance: Derek Stertz, Jonathan Mehki- Planner I, Brandon Nehl - Planner I, Krista Ashford - Planning Technician

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Boardmember Michael Weiner.

4. ELECTION OF VICE CHAIR

A motion was made by Boardmember Barry McCain, seconded by Boardmember Preston Moxcey; to Approve Election of Vice Chair Michael Weiner. The motion carried.

Yes: 5 - Thomas Foottit, Arthur Aaron, Preston Moxcey, Barry McCain, Paul Wilson

No: 0 - None

Recused: 1 - Michael Weiner

5. APPROVAL OF MINUTES

A. Tentative Minutes January 22, 2026 (2026-122)

A motion was made by Boardmember Paul Wilson, seconded by Boardmember Barry McCain; to Approve Tentative Minutes for January 22, 2026. The motion carried by unanimous voice vote.

Yes: 6 - Thomas Foottit, Michael Weiner, Arthur Aaron, Preston Moxcey, Barry McCain, Paul Wilson

No: 0 - None

Recused: 0 - None

6. PUBLIC HEARINGS

A. PZ-26-00018 - 5857 South Highline Circle (2026-92)

Planner Mehki stated that a notice of the date, time, and place of the hearing was published on the City website at least 15 days prior to the hearing, as required by the Greenwood Village Municipal Code. Notice of the hearing was also posted on the property for at least 15 days prior to the hearing, as required by the Greenwood Village Municipal Code. Notice of the hearing date, time, and place was also sent by mail to property owners as required by the Greenwood Village Municipal Code for this type of hearing at least 15 days prior to the hearing.

Planner Mehki gave the staff presentation

The board asked questions on chimney encroachments. Roofs and Chimneys allow for 3 feet.

Staff reiterated that there are similar properties with the same lots. The property is over the curved line was through a previous approval based on a construction error in the original building.

Kay Galligan 300 S 68th St, Boulder CO 80303 gave the applicant presentation present with property owner Katherine Sesasky 5857 S Highline Circle.

Asked if the it is possible to build a smaller garage? Applicant responded that the major storage space would be compromised in a smaller design. Applicant clarified dimensions.

Board Chair closed the public session.

Board was responsive to clients needs without a large variance and redesign enhanced the property with very small effect to the neighborhood.

A motion was made by Boardmember Michael Weiner, seconded by Boardmember Paul Wilson; to Approve PZ-26-00018 - 5857 South Highline Circle. The motion carried by unanimous voice vote.

Yes: 6 - Thomas Foottit, Michael Weiner, Arthur Aaron, Preston Moxcey, Barry McCain, Paul Wilson

No: 0 - None

Recused: 0 - None

B. PZ-26-00022 - Barron Residence - 2 E University Ln (2026-93)

Planner Nehl stated that a notice of the date, time, and place of the hearing was published on the City website at least 15 days prior to the hearing, as required by the Greenwood Village Municipal Code. Notice of the hearing was also posted on the property for at least 15 days prior to the hearing, as required by the Greenwood Village Municipal Code. Notice of the hearing date, time, and place was also sent by mail to property owners as required by the Greenwood Village Municipal Code for this type of hearing at least 15 days prior to the hearing.

Planner Nehl gave the staff a presentation.

Open to questions for staff.

Board confirmed first variance was 20 feet by 24 feet. The new plan would increase into the driveway another 2 feet. Detached garage is within the rear setback

Ben Barron 2 E University Lane gave a presentation.

Staff clarified that the topography based on 1998 contours, The current driveway sits about one foot above the contour. To conform would be problematic for the engineer. Clarified that not on plate height, just contours.

Applicant confirmed dimensions and construction materials by Board request.

Kathy Barron - sworn in Reminded that existing garage is so short, it does not accommodate modern SUV. This allows for a workspace and hobbies.

Applicant confirmed that he collected letters of support and no public comment was given directly to the city.

Board closed hearing and deliberated.

Board recognizes that the applicant has gone out of his way to be in compliance.

A motion was made by Boardmember Preston Moxcey, seconded by Boardmember Michael Weiner; to Approve PZ-26-00022 - Barron Residence - 2 E University Ln. The motion carried by unanimous voice vote.

Yes: 6 - Thomas Foottit, Michael Weiner, Arthur Aaron, Preston Moxcey, Barry McCain, Paul Wilson

No: 0 - None

Recused: 0 - None

7. PUBLIC COMMENT

No Public comment was presented.

8. DISCUSSION ITEMS

The board suggested a discussion on the height calculations at a later meeting.

9. ADJOURNMENT

A motion was made by Boardmember Barry McCoin; to Approve Adjournment. The motion carried by unanimous voice vote.

Yes: 6 - Thomas Foottit, Michael Weiner, Arthur Aaron, Preston Moxcey, Barry McCoin, Paul Wilson

No: 0 - None

Recused: 0 - None

City of Greenwood Village
Board of Adjustments and Appeals
June 25, 2026



6060 South Quebec
Street Greenwood
Village, CO 80111

25-10-VAR

Staff Report

Subject Property Address

2 Alexander Lane

Legal Description & Lot Size

Lot 2 South Denver Gardens Resub of Lots 270-272
and 289-292 – 2.5 acres.

Applicant

Dana and Ryan Krauser

Property Owner

Dana and Ryan Krauser

Zoning

Residential 2.5 (R-2.5)

Comp Plan Planning Area

Rural Homestead

Request

Extension Request to allow for the issuance of a
building permit. Approved Variance to allow for an
accessory structure in the front setback and removal
of 305 sf shed

Staff Recommendation

Approval conditioned on the original (2023) and
(2025) variance(s) that allowed for an accessory
structure to be located in the front and the removal
of the 305 sf shed.

Attachment

1. Zoning and Vicinity Map
2. Applicant Letter of Justification
3. Proposed Plan
4. Civil Designs and Renderings
5. PZ-23-0010 VAR and Ext. Minutes and Action
Letters
6. PZ-25-0010 VAR Minutes, Staff Report, and Action
Letter

Staff

Derek A. Stertz, AICP-GISP, Planning Manager
dstertz@greenwoodvillage.com
(303) 486-5774

Public Notice & Comments – As of 6/25/2025

# Sent	Comments Received	Support	Oppose
6	1	1	

Public notice was provided as required per Land Development Code
(LDC) Section 16-2-270. The affidavits of posting and mailing will be
presented at the June 25, 2026, hearing.

Executive Summary

The Applicant intends to construct a new house on the lot within the
allowances of the zone district requirements (setbacks, height, etc.)
soon. As the new house will be in a zoning-compliant location, at least
100 feet setback from the front (south) property line, the existing
house on the Subject Property must be classified as an accessory
structure in the front yard, which is prohibited (Attachment 3.
Proposed Plan).

Additionally, above-ground accessory structures in this zone district
are limited to 900 square feet per acre. As there are two existing
accessory structures on the lot, which are proposed to remain, adding
the coverage of those structures to the coverage of the existing house
(now defined as an accessory structure) brings the total coverage
beyond the 900 square foot per acre allowance.

This request was approved by the BoAA in July of 2023. The applicant
requested a one-year extension in July of 2024. A new variance
request identical to the original was heard by the Board

in July 2025. The applicant has struggled to meet the variance requirement to have an issued building permit. The applicant

is substantially close to applying for a building permit (Attachment 4. Civil Designs and Renderings).

Sec. 16-2-12(f)(1) requires that;

Permit needs to be issued in one year, 16-2-120(f)(1). An additional year was granted. The applicant cannot obtain the required permit by the June 26, 2026, deadline.

Background

- The Subject Property is located in the “Rural Homestead” planning area of the Greenwood Village Comprehensive Plan.
- The Subject Property is zoned R-2.5 and subject to the LDC zoning regulations regarding accessory structures found in Article 22 and Article 5 of the LDC. This includes the prohibition on accessory structures in front yards (Article 22) as well as the 900 square foot per acre coverage limitation (Article 5).
- The existing house on the Subject Property was constructed in 1946, before the incorporation of the City of Greenwood Village.
- The plat which the Subject Property is a part of was approved in 1972 (Attachment 4. Civil Designs and Renderings Page 2).
- Multiple previous building permits (2003 – 2009) and a previously approved fence variance (2003) established the south property boundary as the front property boundary. Current Staff agrees that for this lot the south property line most appropriately functions as the front property boundary.
- The LDC defines “front yard” as “that portion of a property extending across the full width of the lot between the front lot line and street-facing elevation (front facade) of the principal building, provided that there can only be one (1) front yard on a lot”.
- The LDC defines “lot frontage” as the shortest distance between the sides of the lot along the boundary abutting the street or private road.
- The plat was approved without the Subject Property directly abutting Alexander Lane, the street from which the property is accessed and addressed. The Property does abut the Steele Street right of way; however, this frontage is not accessible from the home due to Little Dry Creek.
- Staff has confirmed that up until at least 1977, the LDC stated that the Arapahoe County Subdivision Procedures were to be followed. Currently, the City has its own Subdivision Procedures. Staff are unable to confirm specifically if the Subject Property met the requirements of the time, or if the lot received special permission to not have a minimum lot frontage at an accessible location, and either scenario is possible.
- Under current LDC regulations, all properties must have a minimum lot frontage of 30 feet in width; therefore, if this plat were approved today, the access provided by easement would be a special approval by City Council.
- The LDC defines a principal building as a building containing one (1) or more residential dwelling units, including attached garages, allowed as a use by right in any residential zone district, provided that there can only be one (1) principal building on a lot.
- The current owners purchased the property in November 2017.
- A variance for the identical proposal here was approved by the BoAA in July of 2023 (Attachment 5. PZ-23-0010 VAR and Ext. Minutes and Action Letters).
- An extension request was approved for one (1) year by the BoAA in July of 2024 (Attachment 5. PZ-23-0010 VAR and Ext. Minutes and Action Letters).
- A new application for identical variance was approved in June of 2025. This is the extension request before the BoAA. (Attachment 6. PZ-25-0010 VAR Minutes, Staff Report, and Action Letter)

Applicant Request

Summary of Extension Request to obtain a building Permit for an approved Two-Component Variance Request

Accessory Structure (Existing House) in the Front Yard

Extension request to Sec. 16-2-120(f)(1) states “Building and other permits required to complete an approved variance must be acquired within one (1) year from the approval date, and construction pursuant to such variance shall be completed within one (1) year from the date following issuance of the permit(s) unless otherwise specified by the BOAA in its decision. If either the permit is not issued or construction is not completed within the established deadlines, the variance shall automatically terminate. However, upon application made before either deadline, the BOAA may, for good cause shown, issue not more than one (1) extension of the deadline.”

Accessory structures other than patios and decks are **prohibited in front yards**, and the Applicant requests to retain the existing 1,884 sf house in the front yard as an accessory structure.

Total Accessory Structure Ground Coverage

Total above-ground accessory structures ground coverage is limited to 900 square feet per acre. The Subject Property is 2.5 acres; therefore, the maximum allowed coverage is 2,250 sf.

Existing Barn	Existing Shed	Existing House	Total
734 sf	305 sf	1,884 sf	2,923 sf This amount of coverage is 673 sf or 23% more than allowed.

*Although not part of the request, it should be noted that the existing house is located 20.10 feet from the front property line and 42.29 feet from the side property line and does not conform to principal building setbacks (currently) nor will it conform to accessory structure setbacks (front only) if a new house is constructed. The reason it is not part of the request is that it is an existing condition, and no changes are proposed to the existing house; it will remain as is.

Analysis

Staff finds that this variance would ameliorate a difficulty, which was not caused by the Applicant, regarding the location of the existing house. The existing house is already a non-conforming structure concerning front and side setbacks and is located in a peculiar position on the lot, in particular, due to its extreme proximity to the front property line. Although the Applicant desires to construct a new house, which meets all current zoning requirements, they are being precluded from doing so due to an existing 80-year-old house's location. The existing house is relatively small as compared to other houses in the Rural Homestead area of the city, smaller than many other properties accessory buildings. Additionally, it is still completely functional and is lived in currently. Staff finds that requiring demolition of the functional and unimposing structure, in order to allow the Applicant to proceed forward with a zoning-compliant new house, is an unnecessary difficulty for the Applicant.

Staff finds that the Subject Property is impacted by numerous special conditions, as outlined in the Applicant's variance application, however we do not find that those special conditions (topography, mature trees, floodplain, lot shape, etc.) apply to this request. The reason they are not applicable is that even in considering all the special conditions, the lot is still completely "buildable", i.e., there is a large amount of available space in the center of the lot in which to construct a new, zoning-compliant home. The large amount of available building envelope also exhibits to Staff that the Applicant does and would have reasonable use of the lot without a variance; however, forcing the demolition of the existing house would still be required to meet the requirements of the LDC.

Staff finds that the existing house was constructed in 1946 and predates all existing houses on the adjacent properties. The existing house is small and has been part of the neighborhood for 77 years, and is therefore a familiar part of the neighborhood context. Staff finds that because no changes are proposed to the existing house, and that it has been in the same location for decades, the variance would not alter the character or spirit of the zone district, nor would constructing a new zoning-compliant house on the Subject Property negatively impact any adjacent properties. The basis of the variance request is to retain the existing condition, and all future work is proposed to meet the zone district requirements.

Staff is in support of the extension request for an additional year to obtain an issued building permit.

Approval Criteria

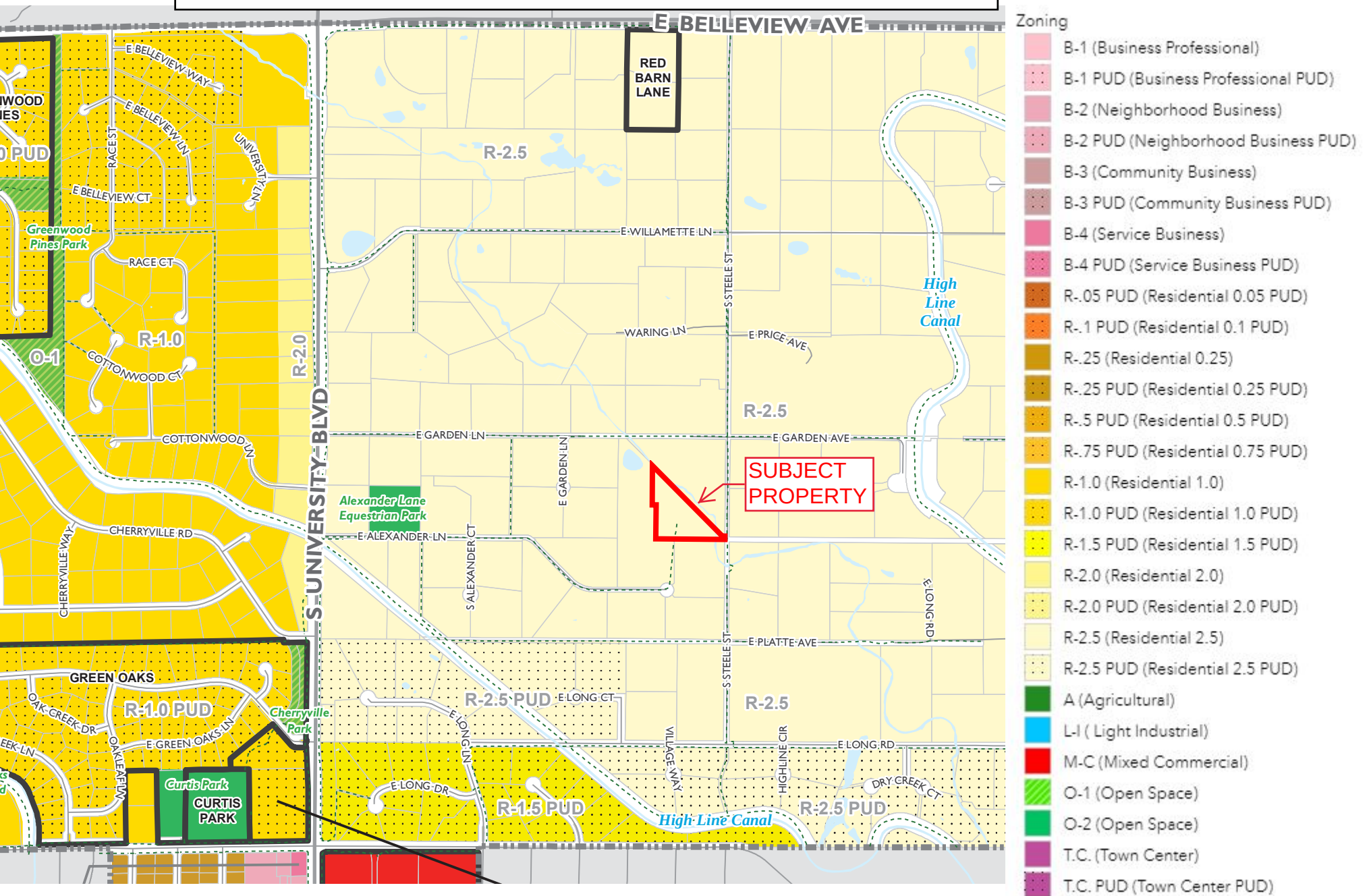
Prior to approval of a variance, the BOAA shall make findings concerning the criteria listed below. For a variance to be granted, the request must meet at least one Criterion from Section A and all of the Criteria from Section B, in the determination of the BOAA. Staff's findings are presented in the tables below:

Section A Criteria	Finding	Rationale
1. The existence of special conditions or circumstances, such as size, shape, location, topography or surroundings of the land, structure or building involved, which deprive the applicant of privileges enjoyed by owners of other properties in the vicinity or in the same zone district; or	No	Staff finds that there are numerous special conditions (shape of lot, floodplain, and topography/drainage); however, they are not applicable to the request to retain the existing house and construct a new zoning-compliant house in the allowed building envelope. As the Applicant has the ability to construct a zoning-compliant house in the substantial building envelope, they are not being deprived of privileges enjoyed by owners of other properties in the vicinity.
2. The variance is necessary and appropriate to make possible the reasonable use of the land or the structures on the property; or	No	The Applicant currently has reasonable use of the property for the lot's primary purpose, which is a dwelling unit, and is also able to construct a new house within the allowed building envelope.
3. The variance will ameliorate a difficulty which did not result from the acts or omissions of the applicant.	Yes	Staff finds that the location of the existing house, which was not an action of the Applicant, is a difficulty that would be ameliorated by the variance request. Additionally, Staff finds that forcing demolition of the existing house, which has been a part of the neighborhood context for 77 years, is overburdensome and also a difficulty for the Applicant.

Section B Criteria	Finding	Rationale
1. The variance will be in harmony with and not alter or weaken the spirit and purpose or essential character of the zoning for the zone district in which the property is located.	Yes	Staff finds that the harmony and spirit of the R-2.5 zone district will not be impacted by allowing the Applicant to retain the existing home on the property. The house predates all other dwelling units that are adjacent to it and is a known and familiar condition of the neighborhood.
2. The variance will not substantially or permanently injure the appropriate use of adjacent properties in the same zone district.	Yes	Staff finds that the use of adjacent properties are not injured currently and therefore allowing the Applicant to construct a zoning-compliant house in the allowed building envelope while retaining the existing house will also not cause injury to the use of adjacent properties.
3. The variance will not be detrimental to the public health, safety or welfare.	Yes	Staff finds that the variance will not have an adverse impact on public health, safety, or welfare.

Attachment 1: Zoning/Vicinity Map

2 Alexander Lane



KRAUSER.farm

May 19, 2026

To Board of Adjustments and Appeals,

We are writing on behalf of our clients, Ryan and Dana Krauser, to respectfully request that their project at 2 Alexander Lane be placed on the agenda for the **June 25, 2026 Board of Adjustments and Appeals meeting**.

The applicants are requesting a one-year extension of the existing variance approval associated with Case #PZ-25-10-VAR. Since approval of the variance, the project team and owners have continued to make good-faith progress toward advancing the project and meeting the established timeline. The design process, site due diligence, engineering, construction/permit document development, and pricing exercises have required additional time beyond what was originally anticipated.

That said, significant progress has been made toward completion of the construction and permit documents, and supporting exhibits demonstrating this progress will be provided for Planning Department and Board to review.

No revisions or modifications to the originally approved variance are being requested. The request is solely for an extension of the approval period. For reference, the original variance language is outlined below:

1. The first component is to have an accessory structure in the front yard which is prohibited per Sec. 16-22-10 of the Land Development Code (LDC). The accessory structure in the front yard is the existing 1,884 square foot house located in the southwest corner of the lot. After the construction of a zoning compliant house the existing house must be classified as an accessory building as the LDC only allows for one principal building per lot. This portion of the request was required in order to retain the existing house.

2. The second component is to exceed the maximum allowed accessory building ground coverage of 2,250 square feet by 368 square feet (2,618 total coverage) or 16.35 percent. The existing house is 1,884 and the existing barn is 734 square feet. The conditional approval was that the BOAA required that existing 305 square foot shed be removed from the lot. Additional accessory buildings and the expansion of existing accessory buildings will not be permitted on this lot as the maximum allowed accessory building ground coverage is already exceeded.

Please let us know if any additional information is needed. We appreciate your consideration and look forward to your response.

Sincerely,

BOSS.architecture

**2 Alexander Lane, Greenwood Village, Colorado
Lot 2, Resubdivision of Lots 270-272 & 289-292 of
SOUTH DENVER GARDENS, being a portion of the SW1/4
of Section 13, Township 5 South, Range 68 West, 6th P.M.
County of Arapahoe, State of Colorado**

**Lot 2, RESUBDIVISION OF LOTS 270-272 &
289-292 OF SOUTH DENVER GARDENS,
County of Arapahoe, State of Colorado.**

**2 Alexander Lane,
Greenwood Village, CO 80121**

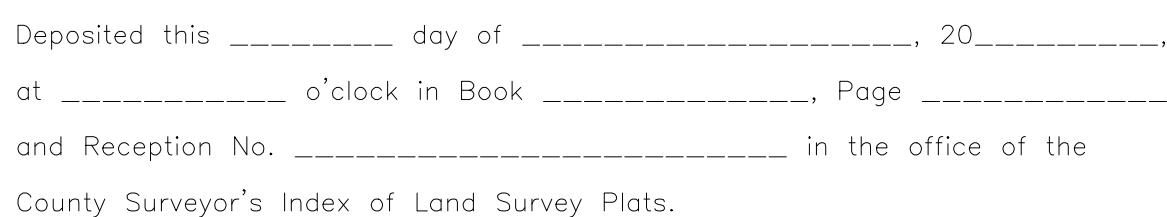
- Improvements certified to and shown hereon include: permanent structures with a foundation or on raised columns, driveways, fences, and accessories.
- The boundary evidence shown hereon is the result of observations and calculations made at the time of survey. Additional evidence which may not be available due to snow, lack of access, traffic, danger or other causes may provide different results.
- Fence lines shown hereon are measured to the centerline of the post at ground level. Many fences may vary by width, type of construction, and foundation. These variances are not shown and are not certified to hereon.
- The measurements and results shown hereon are the opinion of the surveyor and may change upon further review or the discovery of additional evidence. The property boundary shown hereon is a representation only, of the recorded plat or deeded instrument.
- The legal description and address shown hereon were provided by the client. The accuracy and content thereof is the responsibility of the interested party ordering the survey. According to Colorado law, any legal action against the surveyor must be commenced within one year of initial discovery.
- All distances and lengths shown hereon are measured in decimal feet, unless otherwise noted. All angles, bearings and directional courses are measured in degrees, minutes and seconds as determined from the nearest cardinal direction, unless otherwise noted.
- Underground utilities, foundations and burial grounds have not been located and are not certified hereon. It is strongly recommended to contact the local utility providers for location and approval, prior to any type of construction or excavation.
- Unless specifically requested, flood zone locations have not been researched and are not certified to hereon. Contact local emergency managers for additional information.
- The basis of bearing shown hereon was determined from the recorded plat, deeded instrument referred to above, or locally obtained GPS observations.
- All Improvements are located within the property boundary unless otherwise shown and listed here.

(none)

By: Matthew L. Huffman
Matthew L. Huffman, PLS
Licensed Professional Land Surveyor,
State of Colorado, No. 38183

September 5, 2020
(date)
Digitally signed by Matthew L. Huffman
DN: cn=Matthew L. Huffman, o=UG, ou=Huffman
Surveying, email=surveycolorado@gmail.com
Reason: I am the author of this document
Location:
Date: 2020-09-09 14:50:14-00

HUFFMAN SURVEYING
PO BOX 12293
DENVER, CO 80212
(303) 421-5263
www.huffmansurveying.com



An aerial photograph of a large residential property. In the upper left, a large house with a grey roof and a circular driveway is visible. To its right, another house with a red roof and a swimming pool is situated. A dirt road runs along the right side of the property. In the lower right, a large house with a grey roof and a swimming pool is visible. A small orange vehicle is parked on a grassy area in the lower center. A creek flows through the left side of the property, bordered by a white fence. The property is surrounded by dense trees and greenery.

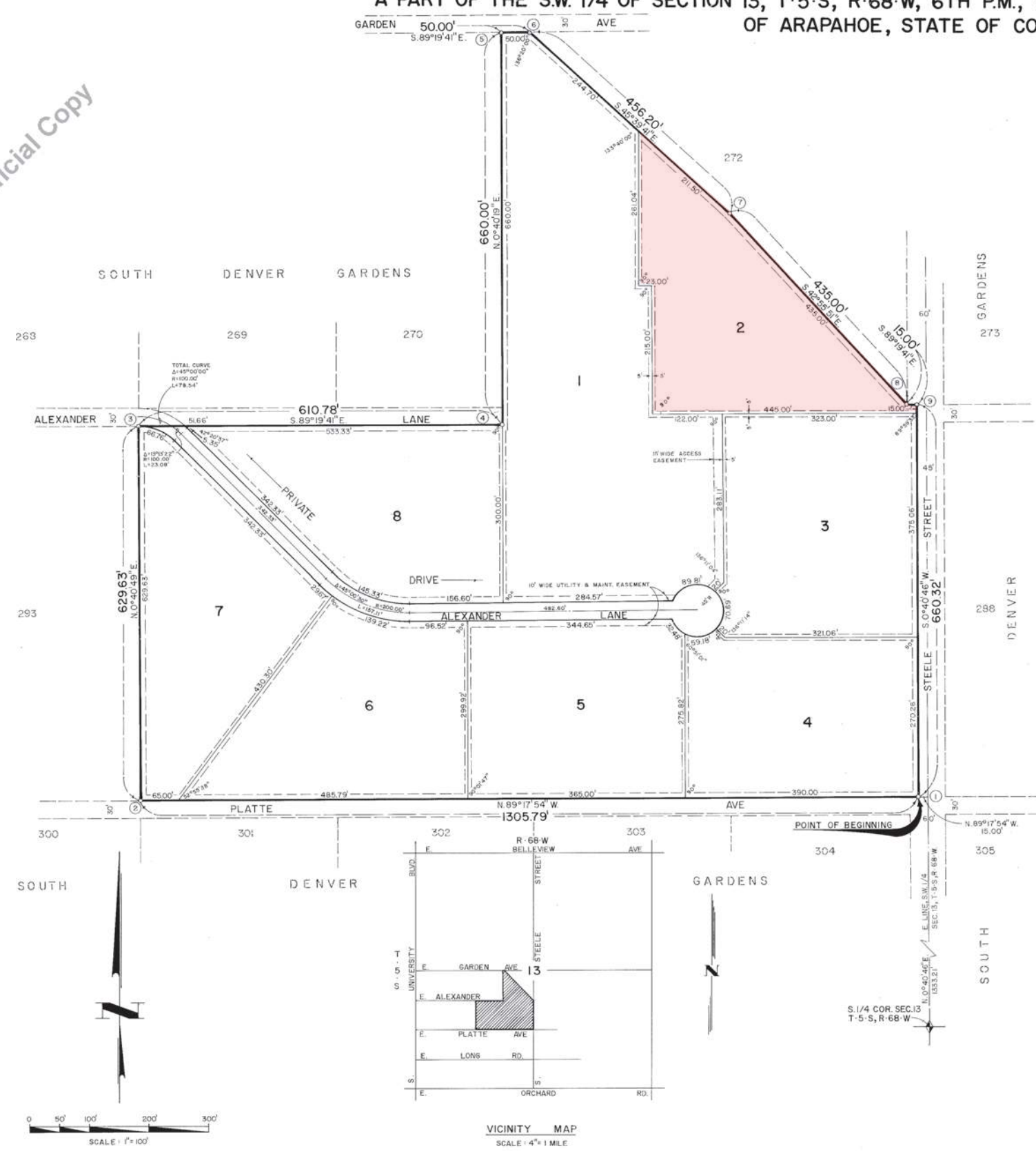
2 ALEXANDER LANE,
GREENWOOD VILLAGE,
CO 80121

REQUEST FOR VARIANCE

RESUBDIVISION OF LOTS 270-272 & 289-292 OF SOUTH DENVER GARDENS.

A PART OF THE S.W. 1/4 OF SECTION 13, T-5-S, R-68-W, 6TH P.M., CITY OF GREENWOOD VILLAGE, COUNTY OF ARAPAHOE, STATE OF COLORADO.

Unofficial Copy



KNOW ALL MEN BY THESE PRESENTS that the undersigned being the Owners of a part of South Denver Gardens located in the Southwest one-quarter of Section 13, Township 5 South, Range 68 West of the Sixth Principal Meridian, City of Greenwood Village, County of Arapahoe, State of Colorado, more particularly described as follows:

Commencing at the South one-quarter corner of said Section 13; thence N. 00°40'46\"/>

have by these presents laid out, platted and subdivided the same into lots, as shown on this plat, under the name and style of RESUBDIVISION OF LOTS 270-272 & 289-292 OF SOUTH DENVER GARDENS and do hereby dedicate all easements for purposes shown hereon.

Executed this 26th day of June A.D., 1972

OWNER AND SUBDIVIDER: OLYMPIC BUILDERS, INC.

Pete Pavlakis
Pete Pavlakis, President

OWNERS:

Lincoln Wallbank *Ardis R. Wallbank* *David F. Butler* *Valerie P. Butler* *Gordon T. Speckman*
Lincoln Wallbank Ardis R. Wallbank David F. Butler Valerie P. Butler Gordon T. Speckman

STATE OF COLORADO)
COUNTY OF ARAPAHOE) SS

The foregoing instrument was acknowledged before me by Pete Pavlakis, as President of Olympic Builders, Inc. and Lincoln Wallbank, Ardis R. Wallbank, David F. Butler, Valerie P. Butler and Gordon Speckman, as Owners; this 26th day of June A.D., 1972
Witness my hand and seal. My commission expires June 19, 1973

David F. Butler
Notary Public

I, Bobby Lee Perkins, a Registered Professional Land Surveyor in the State of Colorado, do hereby certify that the survey represented by this plat was made under my supervision and the monuments shown thereon actually exist and this plat accurately represents said survey.

Bobby Lee Perkins
Bobby Lee Perkins, Registered Land Surveyor No. 10737

This plat was approved by the City of Greenwood Village Planning Commission this 21st day of July A.D., 1972.

Chairman
Chairman

Approved by the Greenwood Village City Council, State of Colorado. Witness my hand and the corporate seal of Greenwood Village.

This 21st day of July A.D., 1972

ATTEST:

Chairman
Chairman

This plat was filed for record in the office of the County Clerk and Recorder of Arapahoe County at 10:11 A.M. on the 21 day of July A.D., 1972
In Book 22 Page 62 Map Reception 1309367

Margaret L. Wynn
County Clerk and Recorder
By Margaret L. Wynn Deputy

GENERAL NOTES:

1. This symbol ② indicates a 5/8-inch rebar with metal cap stamped with boundary point number and L.S. No. 10737.
2. Bearing of the East line of the Southwest one-quarter based on Meurer, Serafini and Meurer, Inc. survey No. 39386 for Temple Buell College dated July, 1970.
3. All rear lot line utility easements are 8 feet wide and all side lot line utility easements are 5 feet wide except where noted otherwise.

NOTE:

At the time of sale for each of the lots 4,5,6&7 an amount of 360 DOLLARS will be given to the Greenbelt Commission for landscaping along the northern half of the dedication of Platte Ave. adjacent to the subdivision's southern boundary.

We the owners do agree to and support the dedication of Platte Ave to the Greenbelt System for use as a bridle path.

MILLER - ERNSTSEN & ASSOCIATES
470 SOUTH COLORADO BLVD. - SUITE 201 A
DENVER, COLORADO 80222

2 Alexander Lane, Greenwood Village, Colorado
 Lot 2, Resubdivision of Lots 270-272 & 289-292 of
SOUTH DENVER GARDENS, being a portion of the SW1/4
 of Section 13, Township 5 South, Range 68 West, 6th P.M.
 County of Arapahoe, State of Colorado

**Lot 2, RESUBDIVISION OF LOTS 270-272 &
289-292 OF SOUTH DENVER GARDENS,
County of Arapahoe, State of Colorado.**

2 Alexander Lane,
Greenwood Village, CO 80121

- Improvements certified to and shown hereon include: permanent structures with a foundation or on related conduits, driveways, fences, and accessories.
- The boundary evidence shown hereon is the result of observations and calculations made at the time of survey. Additional evidence which may not be available due to snow, lack of access, traffic, danger or other causes may provide different results.
- Fence lines shown hereon are measured to the centerline of the plot at ground level. Many fences may vary by width, type of construction, and foundation. These variations are shown and are not certified to hereon.
- The measurements and results shown hereon are the opinion of the surveyor and may change upon further review or the discovery of additional evidence. The property boundary shown hereon is a representation only, of the best estimate of the true boundary as needed instrument.
- The legal description and address shown hereon were provided by the client. The accuracy and correctness thereof is the responsibility of the interested party ordering the survey. According to Colorado law, any legal action against the surveyor must be commenced within one year of final closing.
- All distances and lengths shown hereon are measured in decimal feet, unless otherwise noted. All angles, bearings and directional courses are measured in degrees, minutes and seconds as determined from the nearest cardinal direction, unless otherwise noted.
- Underground utilities, foundations and burial grounds have not been located and are not certified hereon. It is strongly recommended to contact the local utility providers for location and approval, prior to any type of construction or excavation.
- Unless specifically requested, flood zone locations have not been researched and are not certified to hereon. Contact local emergency managers for additional information.
- The basis of bearing shown hereon was determined from the recorded plat, deeded instrument referred to above, or locally obtained GPS observations.
- All improvements are located within the property boundary unless otherwise shown and listed here.

(none)

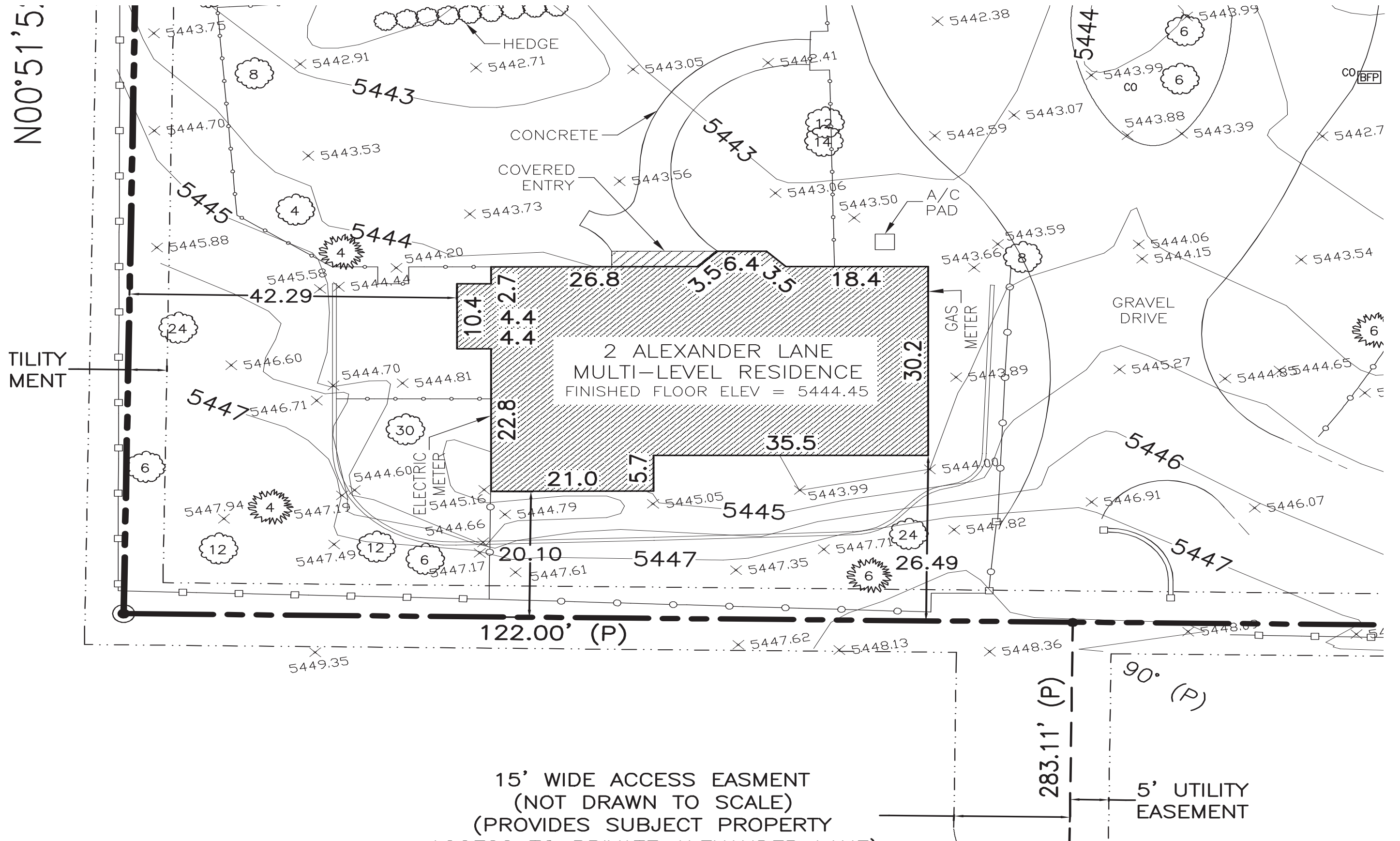


FILE:	ARAPAHOE/S.DEN.GD
FIELD DATE:	9-5-20
DRAWING DATE:	9-5-20
CERTIFY DATE:	9-5-20
REVISION DATE:	-
FIELD BOOK/PAGE:	62/43-44
FIELD CREW:	1AG
DRAWING BY:	MJK / MLH
PROJECT NUMBER:	3220165809
TYPE OF SURVEY:	ISP & TOPO

I hereby certify that this Land Survey Plat was prepared for Francis Ryan Krauser and Dana Lynn Krauser, that this Land Survey Plat was made under my supervision and to the best of my knowledge and belief, it is a true and correct representation, and I further certify that improvements on the above described parcel on this date, September 5, 2020, except utility connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the described premises by improvements on any adjoining premises, except as indicated, and that there is no apparent evidence or sign of any easement crossing or burdening any part of said parcel, except as noted.

By: _____ September 5, 2020
(date)
Matthew L. Huffman, PLS
Licensed Professional Land Surveyor,
State of Colorado, No. 38183

HUFFMAN SURVEYING
PO BOX 12293
DENVER, CO 80212
(303) 421-5263
www.huffmansurveying.com

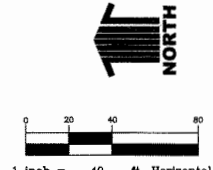
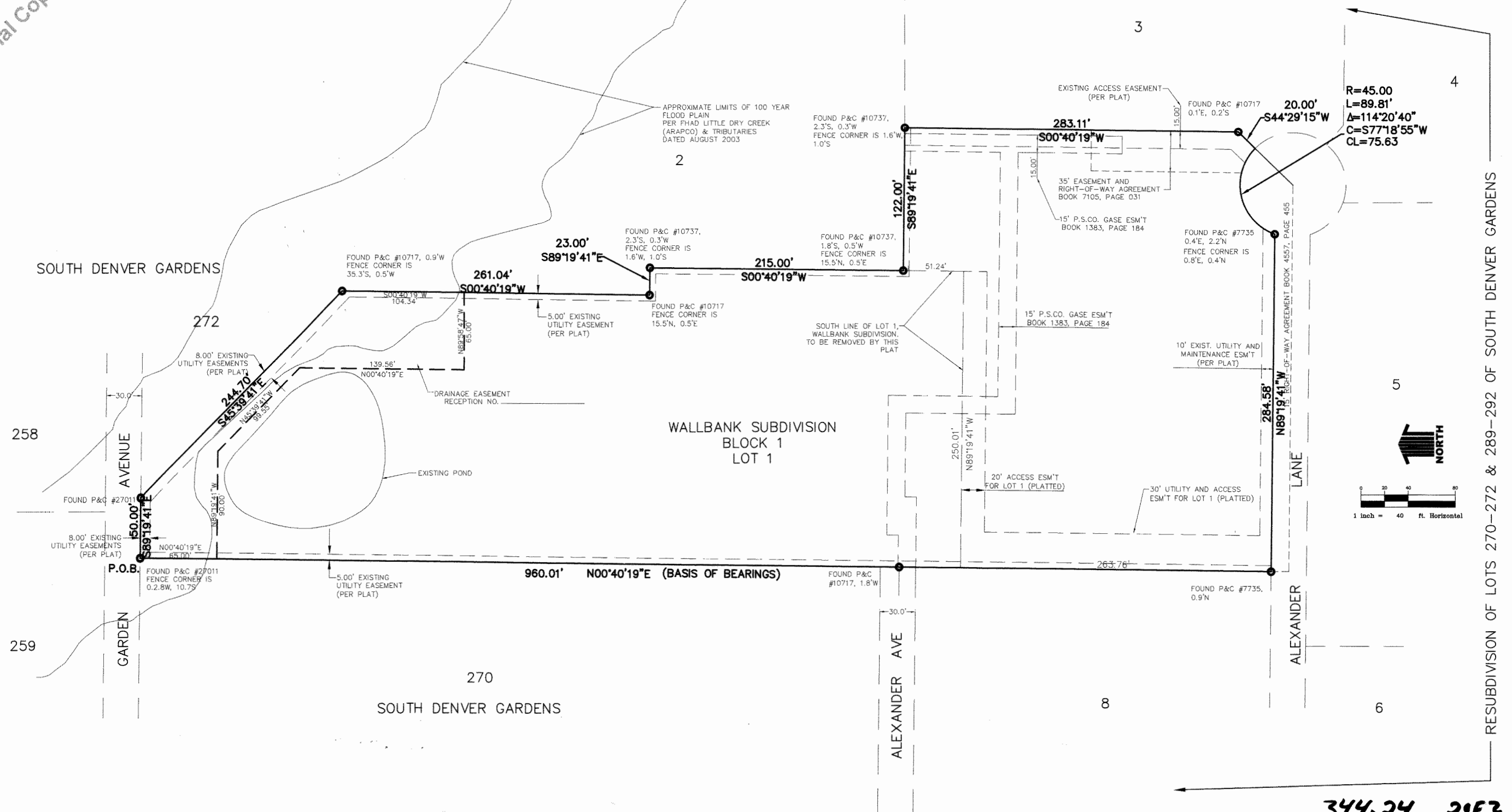


ENLARGED VIEW OF EXISTING HOUSE AND SETBACKS

Unofficial Copy

WALLBANK SUBDIVISION, AMENDED NO. 1
A RESUBDIVISION OF LOTS 1 AND 2, WALLBANK SUBDIVISION, LOCATED IN THE SW 1/4
OF SECTION 13, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF GREENWOOD VILLAGE, ARAPAHOE COUNTY, COLORADO
SHEET 2 OF 2

AREA= 251,515.64 SQUARE FEET (5.7740 ACRES) MORE OR LESS

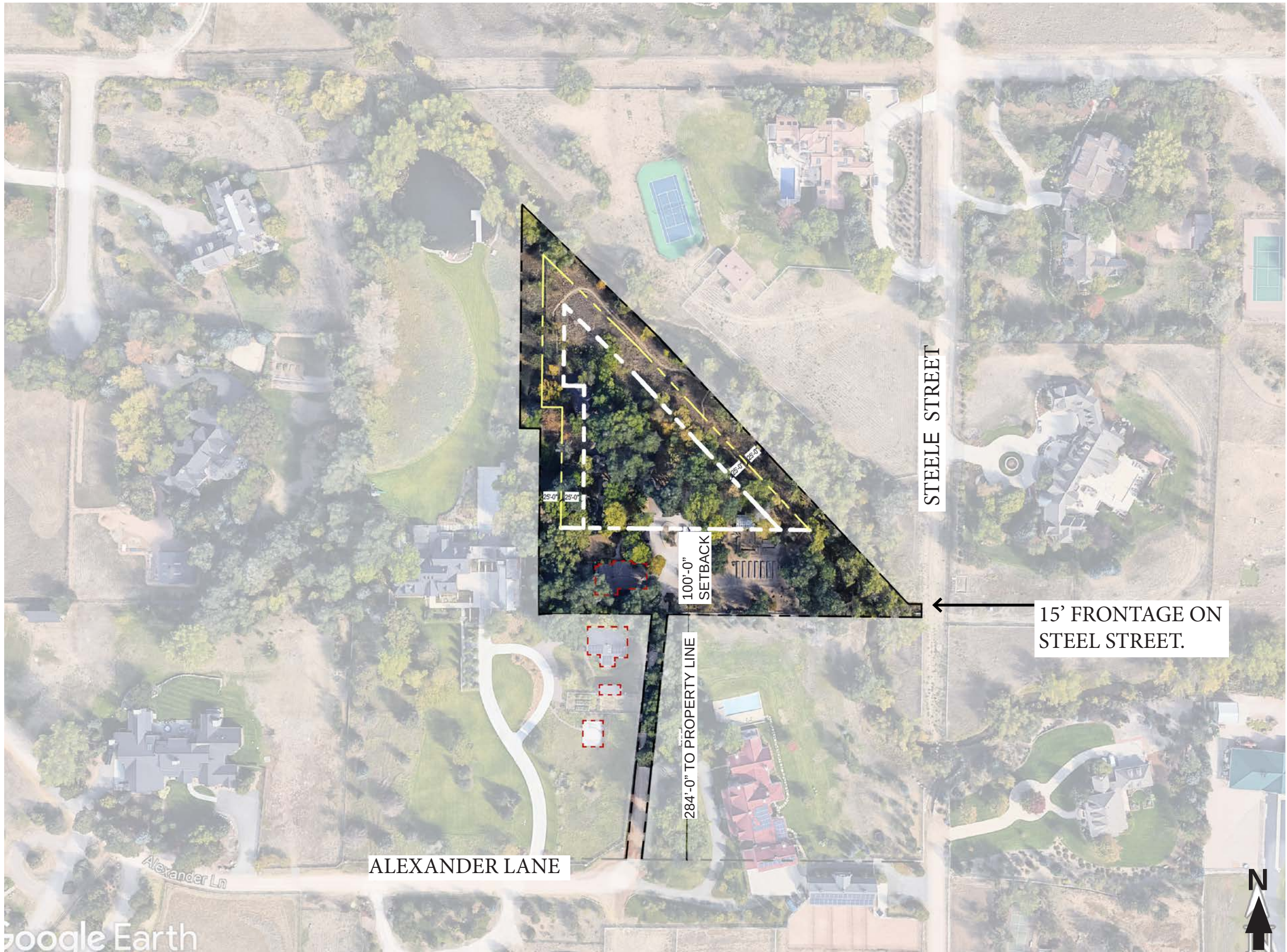


REVISIONS			
NO.	DESCRIPTION	DATE	BY

Calibre
ENGINEERING
Calibre Engineering, Inc.
8201 Southpark Lane, Unit 200
Littleton, CO 80120 (303) 730-0434
Municipal Engineering Development Master Planning
Prepared for:

**WALLBANK SUBDIVISION
BLOCK 1 LOT 1
PLAT AMMENDMENT**
DECEMBER 15, 2008

Sheet
2
of 2 Sheets
Designer: S.F. Dwyer, J.E. Check: G.W.
Drawing Name: RePlat.dwg
Date: P:\REDIG WALLCADD\SURVEY\



SITE AERIAL



SITE AERIAL FROM NORTH WEST



SITE AERIAL FROM SOUTH



SITE SETBACKS AND EXISTING CONDITIONS



EAST VIEW OF PROPOSED GUEST HOUSE



NORTH VIEW OF PROPOSED GUEST HOUSE (FRONT)



SOUTH SIDE OF PROPOSED GUEST HOUSE (REAR)



PROPOSED GUEST HOUSE ELEVATION



WEST VIEW OF PROPOSED GUEST HOUSE



EAST SIDE OF PROPOSED GUEST HOSUE



NORTH WEST VIEW OF PROPOSED GUEST HOUSE



PROPOSED GUEST HOUSE ELEVATION

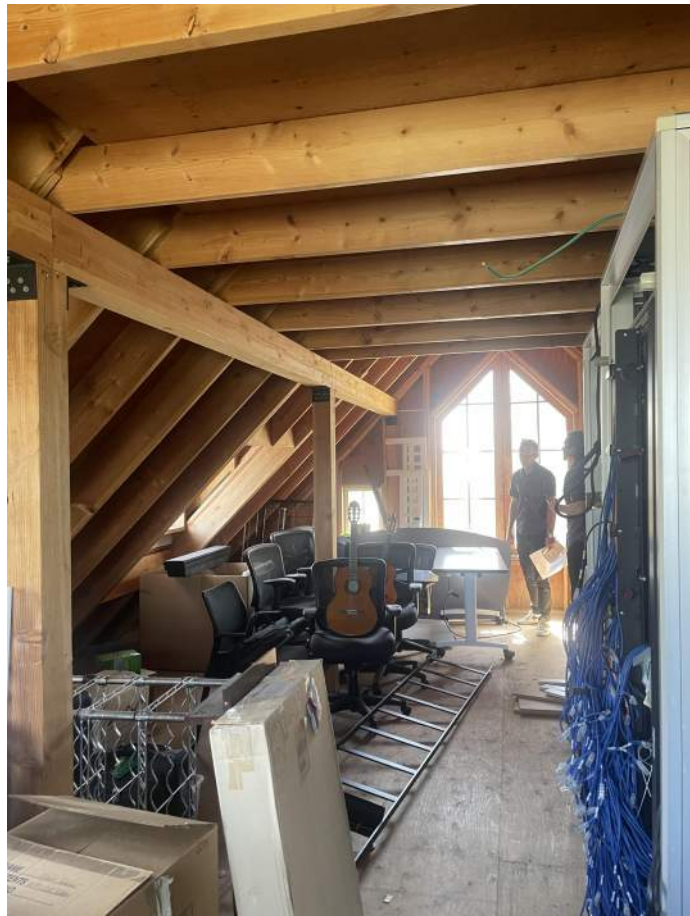






EXISTING STRUCTURE: GREENHOUSE
Photos: February 2025





EXISTING STRUCTURE: BARN
Photos: April 2025



EXISTING STRUCTURE: GARAGE
Photos: April 2025



EXISTING STRUCTURE: SHED
Photos: February 2025



1 3D AXON 02



2 3D AXON 01



CHRISTOPHER DAVIS
KEVIN STEPHENSON
ARCHITECTS
303.377.6322
WWW.BCSBARCHITECTURE.COM

RYAN AND DANA KRAUSER
2 ALEXANDER LN
GREENWOOD VILLAGE, CO 80121

19. 2025 (NOT FOR CONSTRUCTION)

3D IMAGES

KRAUSER.FARM

BOYD
CONSTRUCTION
SERVICES
BUILDING
ARCHITECTURE
300 E. ZULAY
DENVER, COLORADO 80211 USA
303.377.6322
WWW.BCSBARCHITECTURE.COM

KRAUSER.FARM

ABOS ARCHITECTURE
3300 E 7TH AVE
DENVER, COLORADO 80211 USA
303.377.6322
WWW.ABOSARCHITECTURE.COM

ROOF PLAN

RYAN AND DANA KRAUSER
2 ALEXANDER LN
GREENWOOD VILLAGE, CO 80121

MAY 14, 2026 (NOT FOR CONSTRUCTION)

Z

2

02

References

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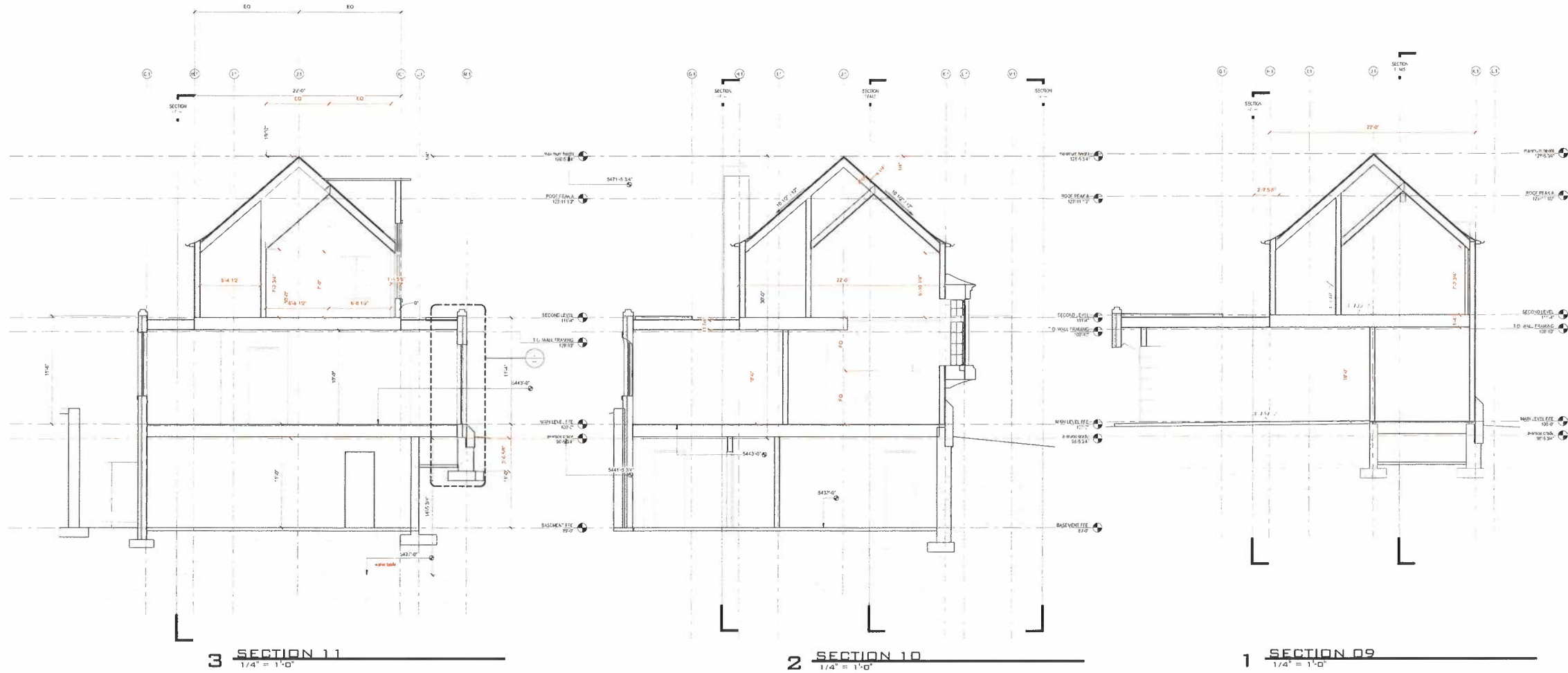
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Dr KEVIN STEPHENSON
 Director
 The University Centre for the Study of the Holocaust
 and Genocide
 University of Manchester
 Oxford Road
 Manchester M13 9PL
 UK
 Tel: +44 (0)161 275 3800
 Fax: +44 (0)161 275 3801
 Email: k.stephenson@man.ac.uk

May 14, 2026 (NOT FOR CONSTRUCTION)

BOSS
ARCHITECTURE
3300 E. 7TH AVE.
DENVER, COLORADO 80211 USA
303.377.6322
WWW.BOSSARCHITECTURE.COM



KRAUSER.FARM

4.4
BOSS
ARCHITECTURE
3300 E. 7TH AVE
DENVER, COLORADO 80211 USA
303.377.6322
WWW.BOSSARCHITECTURE.COM

BUILDING SECTIONS

CLIENT
RYAN AND DANA KRAUSER
LOCATION
2 ALEXANDER LN
GREENWOOD VILLAGE, CO 80121

DATE: 10.10.2025 (NOT FOR CONSTRUCTION)
DRAWN BY: [blank]
CHECKED BY: [blank]
APPROVED BY: [blank]

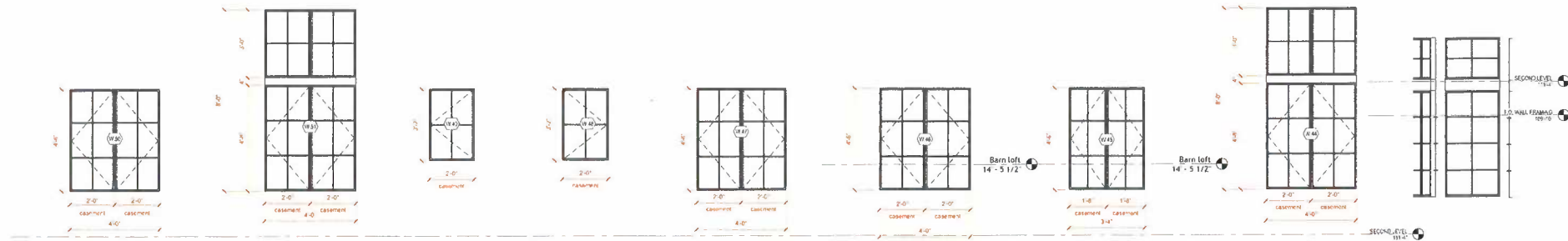


CHRISTOPHER DAVIS
KEVIN STEPHENSON
ARCHITECTS
303.377.6322
WWW.BOSSARCHITECTURE.COM



WINDOW AND DOOR TYPES COTTAGE
SCALE: 1/2" = 1'-0"

WINDOW AND DOOR TYPES BARN
SCALE: 1/2" = 1'-0"



CHRISTOPHER DAVIS
KEVIN STEPHENSON
303.377.6322
WWW.BOSSARCHITECTURE.COM

CLIENT
RYAN AND DANA KRAUSER

LOCATION
3 ALEXANDER LN
GREENWOOD VILLAGE, CO 80121

DATE: 10.2025 (NOT FOR CONSTRUCTION)

10.2025 (NOT FOR CONSTRUCTION)

10.2025 (NOT FOR CONSTRUCTION)

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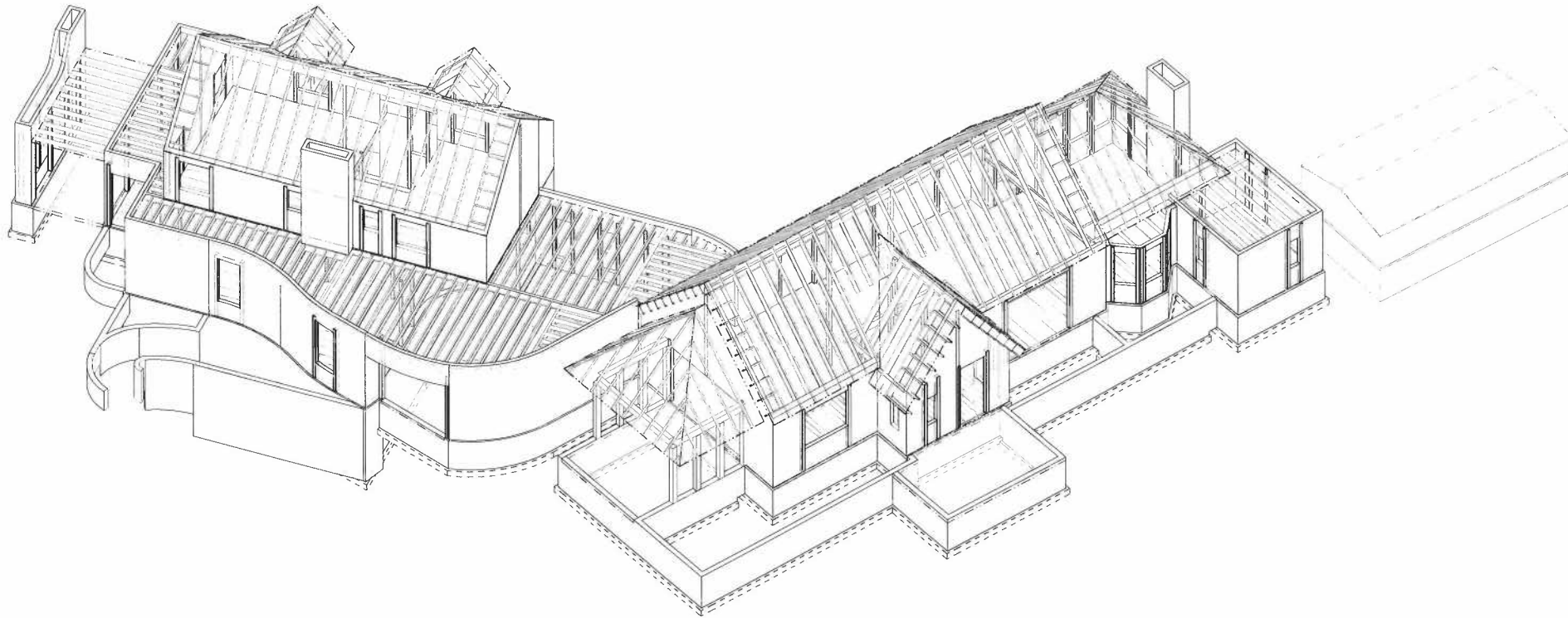
10.2025 (NOT FOR CONSTRUCTION)

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10.2025 (NOT FOR CONSTRUCTION)

10.2025 (NOT FOR CONSTRUCTION)

10.2025 (NOT FOR CONSTRUCTION)



1 STRUCT SW PERSPECTIVE

FOR ILLUSTRATION ONLY
VIEWS ARE NOT INTENDED
FOR SPECIFICATIONS,
CALLOUTS, SCALING, ETC.

NOT FOR CONSTRUCTION

KRAUSER.FARM

SO.05

BOSSE
ARCHITECTURE
DENVER, COLORADO 80211 USA
303.377.6322
WWW.BOSSEARCHITECTURE.COM

3D VIEWS

OWNER:
KRAUSER

LOCATION:
2 ALEXANDER LANE
GREENWOOD VILLAGE, CO

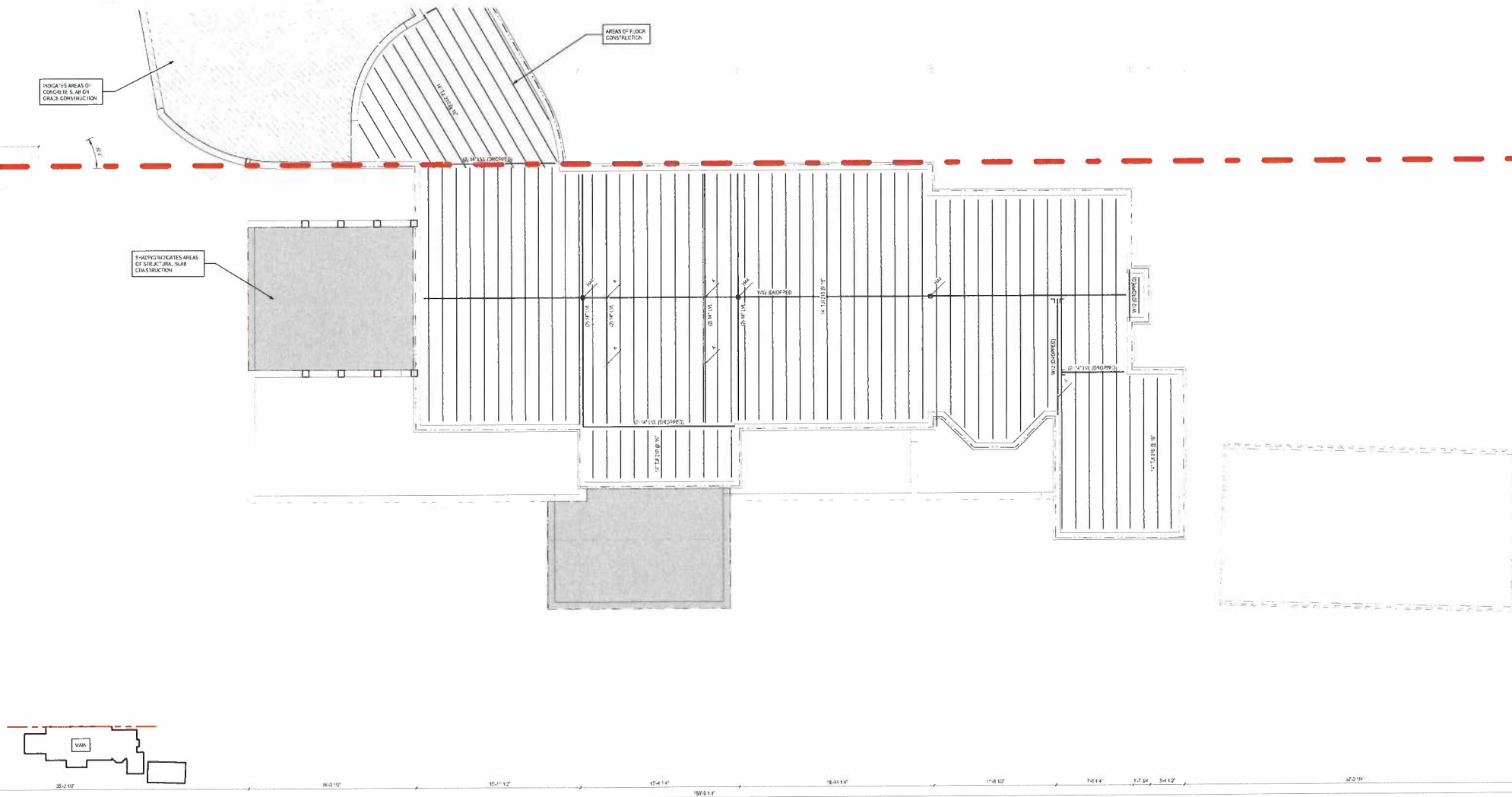
DATE: 10/2024

ZEROLOAD
STRUCTURAL CONSULTING
EVINGREEN.CO
101.816.5377 | INFO@EVLINGGREEN.COM
ZEROLOAD JOB # 25031



CHRISTOPHER DAVIS
KEVIN STEPHENSON
ARCHITECTS
101.816.5377 | INFO@BOSSEARCHITECTURE.COM
BOSSE ARCHITECTURE, P.C.
101.816.5377

25031
1/6/2026 4:08:28 PM



MAIN LEVEL FRAMING PLAN - MAIN
1/2" = 1'-0"
PLAN NOTES:
• TOP OF FLOOR FINISHES NOTED IN PLAN
• ALL BEAMS ARE 12" DEEP UNLESS NOTED OTHERWISE ON PLAN
• ALL DIMENSIONS ARE SHOWN UNLESS NOTED OTHERWISE ON PLAN
• ALL COLUMNS ARE NOTED BELOW FRAMING PLAN
• "R" INDICATES COLUMNS POSTED FROM ABOVE
• "C" INDICATES COLUMNS POSTED FROM CONTIGUOUS FLOOR FRAMING
• TOP OF STEEL BEAM ELEVATION = 200' 0" (UNLESS NOTED TO BE 200' 0")
• H & S JOINTS ARE SHOWN. TOP OF STEEL ELEMENTS NOTED TO END OF BEAM PLUS (MAX 30")
• PIPE COLUMNS NOTED ON PLANS ARE NOT ADJUSTABLE PIPE COLUMNS UNLESS NOTED AS APC. SEE GENERAL NOTES FOR DESIGN SPECIFICATIONS
• SEE ARCHITECTURAL DRAWINGS FOR SIZE AND LOCATION OF ALL FLOOR OPENINGS

NOT FOR CONSTRUCTION
OKRAUSER.FARM

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303.377.6322
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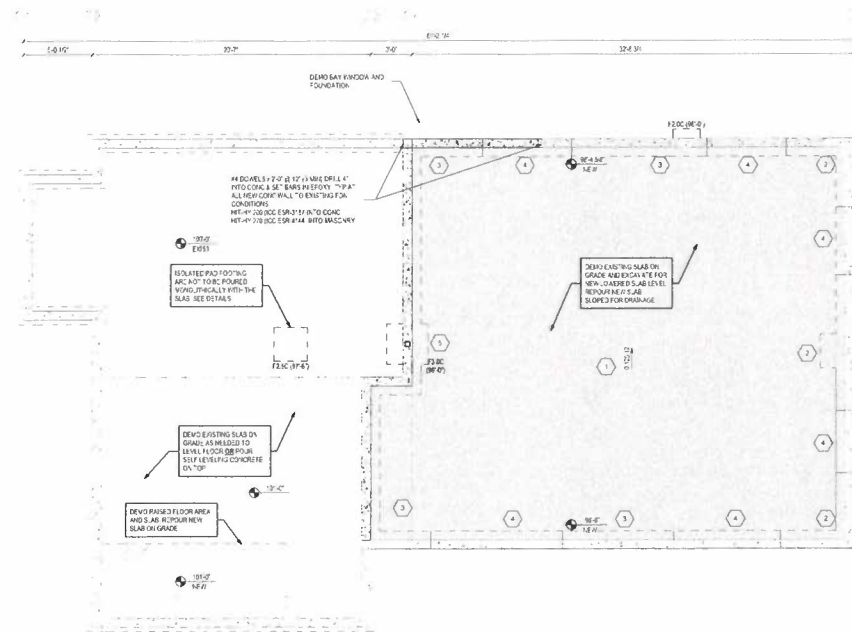
CHRISTOPHER DAVIS
KEVIN STEPHENSON

ZEROLOAD
STRUCTURAL ENGINEERING
3218 N. 3317 - GREENWOOD VILLAGE, CO
ZEROLOAD JOB # 25031

KRAUSER
2 ALEXANDER LANE
GREENWOOD VILLAGE, CO

MAIN LEVEL FRAMING
PLAN - MAIN

BOSS ARCHITECTURE
303.377.6322
WWW.BOSSARCHITECTURE.COM



MARK	LENGTH	WIDTH	THICKNESS	BOTTOM REINFORCEMENT
F2 DC	2'-0"	2'-0"	30"	(1) #5 EA WAY
F2 SC	2'-0"	2'-0"	30"	(1) #5 EA WAY
F3 DC	3'-0"	3'-0"	30"	(1) #5 EA WAY

[illegible][illegible][illegible]

NOT FOR CONSTRUCTION

01.01

KRAUSER.FARM

BOSS ARCHITECT
2546 13TH STREET
DENVER, COLORADO 80211 USA
303.377.6322
WWW.BOSSARCHITECTURE.COM





























































City of Greenwood Village

Minutes – Final Board of Adjustments and Appeals

6060 South Quebec Street
Greenwood Village, CO
80111

HEARING IMPAIRED APPARATUS AVAILABLE
PLEASE TURN OFF ALL CELLULAR PHONES AND/OR AUDIBLE PAGERS
ALL BOARD, COMMISSION AND COUNCIL MEETINGS ARE DIGITALLY
RECORDED

Thursday, July 27, 2023

6:00 PM

Council Chambers

DINNER (5:00 PM)

REGULAR MEETING (6:00 PM)

The Board of Adjustments and Appeals of the City of Greenwood Village met in a regular session; 6060 S Quebec St, Greenwood Village, County of Arapahoe, State of Colorado, at 6:00 PM.

Staff in Attendance: Derek Stertz - Planning Manager; David French - Senior Planner; Erin Joiner - Secretary

1. CALL TO ORDER

The meeting was called to order at 6:02 PM.

2. ROLL CALL

Present: 5 - Susan Calonge, Thomas Foottit, Michael Weiner, Carlton Jennings, Arthur Aaron

Absent: 3 - Toren Mushovic, David Banks, Richard Myers

3. PLEDGE OF ALLEGIANCE

Board Member Jennings led the Pledge of Allegiance.

4. APPROVAL OF MINUTES

A. March 23, 2023 Minutes (2023 1001)

A motion was made by Board Member Carlton Jennings, seconded by Board Member Thomas Foottit; to approve the March 23, 2023 Minutes. The motion was carried by unanimous voice vote.

Yes: 5 - Susan Calonge, Thomas Foottit, Michael Weiner, Carlton Jennings, Arthur Aaron

No: 0 - None

5. PUBLIC COMMENT

There was no public comment.

6. PUBLIC HEARINGS

A. Case No. PZ-23-08-VAR; 5989 S Akron Cir; Variance (2023-2013)

Board Member Weiner recused himself as he lives adjacent to the subject property. As the required quorum is five Board Members, the request was continued.

A motion was made by Board Member Arthur Aaron, seconded by Board Member Michael Weiner; to continue Case No. PZ-23-08-VAR; 5989 S Akron Cir; Variance to the August 24, 2023 Board of Adjustments and Appeals Regular Meeting. The motion was carried by a unanimous roll call voice vote.

Yes: 5 - Susan Calonge, Thomas Foottit, Michael Weiner, Carlton Jennings, Arthur Aaron

No: 0 - None

B. Case No. PZ-23-09-VAR; 9106 E Berry Ave; Variance (2023-2014)

Board Member Foottit recused himself as he is an acquaintance of the applicant. As the required quorum is five Board Members, the request was continued.

A motion was made by Board Member Thomas Foottit, seconded by Board Member Carlton Jennings; to continue Case No. PZ-23-09-VAR; 9106 E Berry Ave; Variance to the September 28, 2023 Board of Adjustments and Appeals Regular Meeting. The motion was carried by a unanimous roll call voice vote.

Yes: 5 - Susan Calonge, Thomas Foottit, Michael Weiner, Carlton Jennings, Arthur Aaron

No: 0 - None

C. Case No. PZ-23-10-VAR; 2 Alexander Ln; Variance (2023-2015)

Staff presentation:

David French, Senior Planner, presented Case No. PZ-23-10-VAR, a Variance for 2 Alexander Ln. Planner French stated that notice of the date, time, and place of the hearing was published on the City website at least 15 days preceding the hearing as required by the Greenwood Village Municipal Code. Notice of the hearing was also posted on the property for at least 15 continuous days prior to the hearing as required by the Greenwood Village Municipal Code. Notice of the date, time, and place of the hearing was also sent by mail to property owners as outlined in the Municipal Code for this type of applicant at least 15 days before the hearing.

Planner French noted the applicant would like to construct a new house that would conform to the zoning requirements and keep the existing house. He noted the existing house would be considered an accessory structure and that accessory structures are not allowed in the front yard. He noted that the property would exceed the maximum allowed lot coverage if the existing house were considered an accessory structure.

Planner French reviewed the subject property and noted it is 2.5 acres and has five existing structures, including the existing house, a garage, a barn, a greenhouse, and a shed. He noted the applicant would like to keep the existing house, shed, and barn. He noted the existing house was constructed in 1946, prior to the incorporation of the City. He noted the plat was approved in 1972. He noted per the Land Development Code (LDC), each lot is allowed one front yard and one principal building per lot. He noted the current owners purchased the property in 2017.

Planner French noted the subject property does not have direct frontage to a public right-of-way (ROW) and is accessed through an easement from an adjacent property. He noted that historically the south property boundary has been considered the front property line.

Planner French noted the subject property is located within the Rural Homestead Area of the Comprehensive Plan, and all surrounding properties are zoned R-2.5. He noted staff received two letters from adjacent neighbors, one in support and one in opposition.

Planner French reviewed the proposed plan and noted the locations of the barn, the shed, the existing house, and where a new house would be located. He noted many mature trees on the lot and that a creek runs along the diagonal property line.

Planner French reviewed the two components of the Variance request and noted the first request would be to allow an accessory structure larger than 50 square feet to be located in the front yard as the applicant is requesting to retain the existing 1884 square foot house. He noted the second component is to allow more accessory structure lot coverage than permitted. He noted the maximum allowed coverage is 2250 square feet, and the total lot coverage, including the existing barn, house, and shed, would be 2923 square feet or 29% more than allowed.

Planner French reviewed photographs of the subject property and noted the property is not visible from the ROW.

Planner French reviewed the required approval criteria and noted at least one Criterion in Section A must be met. For Criterion A-1, staff found several special conditions on the lot, including the lot shape, flood plain, and topography, however; staff noted a new home could be constructed in the allowed building envelope. For Criterion A-2, staff found the applicant has reasonable use of the land as it exists. For Criterion A-3, staff found the location and existence of the existing house is a difficulty and that forcing the demolition of the existing house would be overburdensome.

Planner French reviewed the Section B approval criteria and noted all must be met for approval. For Criterion B-1, staff found the zoning would not be affected if the existing house were to remain and a new, zoning-compliant house was constructed. For Criterion B-2, staff found the variance would not cause the use of adjacent properties to be injured. For Criterion B-3, staff found the request would not be detrimental to public health, safety, or welfare.

Planner French stated that as the required approval criteria have been met, staff recommends the Board of Adjustments and Appeals approve the requested Variance.

Applicant Presentation:

Michelle Wilson, 350 Clayton St Unit C, Denver, CO 80206, for MMW Architecture; stated the Krausers are passionate about their property. Ms. Wilson reviewed past aerial images and provided background information on the subject property. She noted the existing house may have been a carriage or caretaker's house and that there was a main house on the property until 2000.

Ms. Wilson reviewed the numerous trees on the property and noted that some would be removed for the construction of the new home but that they would retain as many as possible. She noted the property is unique as it is an interior lot with significant setbacks from the ROW. She reviewed drone images and noted the locations of the existing shed, barn, and house. She noted the location of a neighboring barn.

She reviewed the tree coverage of the lot and noted many of the structures are not visible to the neighbors.

Dana Krauser, 2 Alexander Ln, Greenwood Village, CO 80121; noted she wanted to address a public comment that was received from a neighbor. She reviewed images of the interior of the detached garage and noted they have never housed anyone in the garage. She reviewed photos of the interior of the greenhouse and noted it is used as an art studio and not to grow marijuana. She reviewed images of the interior of the barn and noted it is used for storage.

Board Questions/Responses:

Vice Chair Calonge asked where the neighbor who wrote the letter in opposition lives. Planner French noted that the letter of support came from the neighbor to the west and the letter of opposition from the neighbor directly to the south.

Ms. Krauser noted they have been in contact with the neighbors regarding the project and welcomed their input. She noted they have been in the house for 2017, and the size does not meet their space needs. She noted it would be a shame to demolish the existing house.

Ms. Krauser noted that keeping the existing house would allow them to build a smaller new house. She noted there is a lot of wildlife on the property.

Board Member Foottit asked how large they anticipate the new house will be. Ms. Krauser stated it depends on the outcome of the Variance request. She noted that 5000-6000 square feet are anticipated.

Board Member Foottit asked how they would use the existing house. Ms. Krauser stated they would use it for office space and visiting relatives.

Board Member Foottit asked how much larger the new house would be if the Variance were not approved. Ryan Krauser, 2 Alexander Ln, Greenwood Village, CO 80121; stated it would likely be an additional 1800 square feet.

Board Member Foottit asked for clarification regarding tree removal. Ms. Krauser stated they would not be removing trees near the existing home but trees would need to be removed for a new house. She noted they would have to remove more trees if the Variance were not approved, as the new structure would be more extensive.

Board Member Foottit asked for clarification regarding the visibility of the existing house. Ms. Krauser noted it is visible from Lot 1.

Board Member Foottit asked whether the existing house would be missed as it is not visible to the neighbors. Ms. Krauser noted they would miss the house. Mr. Krauser noted the house is unique to the area. He noted that he does not anticipate wanting to remove the house.

Board Member Jennings asked if there were water rights to Little Dry Creek. Mr. Krauser said they do not and that there is a 150-foot well on the property. He noted they also get water from Denver Water.

Vice Chair Calonge indicated public comment was received and was included in the agenda packet.

She closed the public hearing at 6:57 PM.

Board Deliberation:

Board Member Jennings noted the property is very unique and that the request is reasonable. He noted he believes Criterion A-3 has been met and that he would be in favor of approval.

Board Member Aaron noted he is in agreement with staff findings. He noted he does not see any detrimental effects if the existing house were to remain as it is not visible. He noted he would be in favor of approval.

Board Member Weiner noted he is struggling with finding Criterion A-3 in the affirmative as the applicant did not cause the house to be located where it is but that they are causing difficulty as they want the house to remain. He noted if the proposal were an addition to the existing house, he would find Criterion A-3 in the affirmative.

Board Member Aaron noted he considered the difficulty in need of amelioration to be the requirement to demolish the existing structure to build a conforming structure.

Board Member Footit noted the accessory area coverage issue is only a problem as the existing house would be re-classified. He noted he does not believe the tree coverage should mean the less visible accessory structures are not counted. He noted it would be easy for the applicant to comply with the requirements if they did not have the existing house.

Board Member Jennings asked if another structure could be removed to comply with the accessory lot coverage requirements.

Board Member Footit noted if the coverage request were one or two percent, he would not object.

Board Member Jennings stated that the property is hidden and not highly visible as a property on E Belleview or University would be.

Board Member Footit noted limitations in the LDC regarding lot coverage for accessory structures that should not be ignored.

Board Member Jennings noted that maintaining the rural character of the City is important. He noted no margins in the LDC regarding what is and is not okay regarding lot coverage.

Board Member Weiner noted that building the new house is creating the problem instead of proposing an addition to the existing house.

Board Member Jennings noted the character of the area should be considered.

Board Member Aaron noted the existing structures are all existing non-conforming uses. He noted he believes the applicant would have created a difficulty if they were proposing to build a new house and a structure where the existing house is located. He noted removing the existing home would not make it more harmonious with the area.

Board Member Weiner noted if the request were for an addition, the Board would likely approve the request as the applicant did not choose to build the house where it is located.

Vice Chair Calonge noted the house was built before the lot lines were drawn.

Board Member Jennings verified through Planner French that lot shape does not impact the lot coverage requirements.

Board Member Jennings noted if the shed were removed, the coverage overage would be half of what is requested.

Board Member Aaron noted that the shed and barn are located farther back on the lot than the house and are less visible. He noted he believes the purpose of the Board is to deliver equity and that the staff recommendation is equitable. He noted it would be overburdensome to ask them to remove the existing house so they could build a new home.

Vice Chair Calonge noted that she agrees with staff findings and would be in favor. She noted the neighbor in Lot 1 is in support of the request.

Board Member Weiner noted that Criterion A-1 has been met regarding allowing the existing house to remain an accessory structure. He noted he is struggling with the lot coverage overage.

Vice Chair Calonge reopened the public hearing at 7:29 PM.

Board Member Foottit asked if the applicant would be willing to remove the barn or the shed. Ms. Krauser stated they would like to keep the barn. She noted they would be open to removing the shed and added that the shed is a miniature version of the barn. She noted that if they were made the demolish the existing house, the area that is currently covered by the existing house would be added to the new house.

Vice Chair Calonge closed the public hearing at 7:35 PM.

Board Member Foottit clarified through Planner French that the existing house would be classified as a nonconforming accessory structure and could not be altered without a Variance. Planner French noted they would be unable to add any accessory structures without a Variance as they would exceed the allowed lot coverage.

Board Member Foottit noted he would be in support of the request as the applicant would only be able to add or change accessory structures with a Variance.

Ms. Krauser verified they would be willing to remove the shed.

A motion was made by Board Member Michael Weiner, seconded by Board Member Arthur Aaron; to approve Case No. PZ-23-10-VAR; 2 Alexander Ln; Variance to allow the existing house to remain in its current condition as an accessory structure in the front yard and allow the property to exceed the maximum allowed accessory structure lot coverage by 16.35% based on the review criteria. The motion was carried by a unanimous roll call vote.

Yes: 5 - Susan Calonge, Thomas Foottit, Michael Weiner, Carlton Jennings, Arthur Aaron

No: 0 - None

7. DISCUSSION ITEMS

There were no discussion items.

8. ADJOURNMENT

A motion was made by Board Member Carlton Jennings, seconded by Board Member Thomas Foottit; to adjourn. The motion was carried by unanimous voice vote.

Yes: 5 - Susan Calonge, Thomas Foottit, Michael Weiner, Carlton Jennings, Arthur Aaron

No: 0 - None

There being no further business, the meeting was adjourned at 7:47 PM.


Susan Calonge, Vice Chair



6060 SOUTH QUEBEC STREET • GREENWOOD VILLAGE, COLORADO 80111-4591 • MAIN: (303) 486-5783 • FAX: (303) 773-1238

July 28, 2023

Dana and Ryan Krauser
2 Alexander Lane
Greenwood Village, CO. 80121

Subject: Variance Request
Case # 23-10-VAR

Dear Dana and Ryan,

This letter is to confirm the action taken by the Board of Adjustments and Appeals (BOAA) for the City of Greenwood Village on July 27, 2023 for the above referenced case. The Board **conditionally approved** your two-component variance request both components of which are precipitated by your request to retain an existing home on the lot and also construct a new (conforming to zoning) house.

1. The first component is to have an accessory structure in the front yard which is prohibited per Sec. 16-22-10 of the Land Development Code (LDC). The accessory structure in the front yard is the existing 1,884 square foot house located in the southwest corner of the lot. After the construction of a zoning compliant house the existing house must be classified as an accessory building as the LDC only allows for one principal building per lot. This portion of the request was required in order to retain the existing house.
2. The second component is to exceed the maximum allowed accessory building ground coverage of 2,250 square feet by 368 square feet (2,618 total coverage) or 16.35 percent. The existing house is 1,884 and the existing barn is 734 square feet. **The conditional approval was that the BOAA required that existing 305 square foot shed be removed from the lot.** Additional accessory buildings and the expansion of existing accessory buildings will not be permitted on this lot as the maximum allowed accessory building ground coverage is already exceeded.

Per Sec. [16-2-120\(f\)](#) the following conditions apply:

1. The building permit required to complete the approved variance must be acquired within one (1) year from the approval date.
2. Construction pursuant to such a variance shall be completed within one (1) year from the date following issuance of the permit.

If either the permit is not issued or construction is not completed within the established deadlines, the variance shall automatically terminate. However, upon application made prior to





6060 SOUTH QUEBEC STREET • GREENWOOD VILLAGE, COLORADO 80111-4591 • MAIN: (303) 486-5783 • FAX: (303) 773-1238

either deadline, the BOAA may, for good cause shown, issue not more than one (1) extension of the deadline.

Please retain this letter for your records. Please note that [Sec. 16-22-40](#) of the LDC prohibits accessory buildings to be used as permanent dwelling units and provides that guests staying in such buildings must do so for fewer than fifteen (15) days in a 30-day period.

Please contact me if you have any questions. I can be reached at (303) 486-5748 or dfrench@greenwoodvillage.com

Sincerely,

A handwritten signature in blue ink, appearing to read "David French".

David French, Senior Planner





City of Greenwood Village

Minutes – Final

Board of Adjustments and Appeals

6060 South Quebec Street
Greenwood Village, CO
80111

HEARING IMPAIRED APPARATUS AVAILABLE
PLEASE TURN OFF ALL CELLULAR PHONES AND/OR AUDIBLE PAGERS
ALL BOARD, COMMISSION AND COUNCIL MEETINGS ARE DIGITALLY
RECORDED

Thursday, July 25, 2024

6:00 PM

Council Chambers

DINNER (5:00 PM)

REGULAR MEETING (6:00 PM)

1. CALL TO ORDER

The Board of Adjustments and Appeals of the City of Greenwood Village met in a regular session; 6060 S Quebec St; City of Greenwood Village; County of Arapahoe; State of Colorado at 6:00 PM.

Staff in attendance: Derek Stertz - Planning Manager; Erin Joiner - Secretary

2. ROLL CALL

The meeting was called to order at 6:01 PM.

Present: 8 - Susan Calonge, David Banks, Thomas Foottit, Michael Weiner, Carlton Jennings, Arthur Aaron, Richard Myers, Preston Moxcey

Absent: 0 - None

3. PLEDGE OF ALLEGIANCE

Board Member Myers led the Pledge of Allegiance.

4. APPROVAL OF MINUTES

A. June 27, 2024 Minutes (2024-219)

A motion was made by Board Member Richard Myers, seconded by Board Member Michael Weiner; to approve the June 27, 2024 Minutes. The motion was carried by a unanimous voice vote.

Yes: 8 - Susan Calonge, David Banks, Thomas Foottit, Michael Weiner, Carlton Jennings, Arthur Aaron, Richard Myers, Preston Moxcey

No: 0 - None

5. PUBLIC COMMENT

There was no public comment.

6. PUBLIC HEARINGS

A. Case No. PZ-23-10-VAR; 2 Alexander Ln; Variance - Extension Request (2024-220)

Staff Presentation:

Derek Stertz, Planning Manager, presented an extension request for Case No. PZ-23-10-VAR, which the Board previously approved. He noted notice for the extension request is not needed per the Land Development Code (LDC) and that the appropriate notice was provided at the original hearing.

Planning Manager Stertz noted the applicants are requesting an extension as they need more time to complete the architectural planning and obtain a permit. He noted that the BOAA unanimously approved the original request on July 27, 2023, and that there are no changes to the request. He noted that applicants must obtain a building permit within one year of the original approval, and construction must be completed within one year of permit issuance.

Planning Manager Stertz noted the original request was to increase the maximum allowed accessory structure ground coverage.

Board Questions/Responses:

Vice Chair Foottit asked if the applicant could request another extension. Planning Manager Stertz stated more than one extension can be requested.

Board Member Weiner verified through Planning Manager Stertz that there were no changes to the original request.

Chair Calonge closed the public hearing at 6:08 PM.

Board Deliberation:

Vice Chair Foottit noted the request is reasonable and he cannot think of a reason to deny the request. He noted the need for an extension seems to be related to materials based on the staff report.

The remaining Board Members indicated they are in support of the request.

A motion was made by Board Member Preston Moxcey, seconded by Board Member David Banks; to approve Case No. PZ-23-10-VAR; 2 Alexander Ln; Variance to extend the building permit issuance due date to July 27, 2025. The motion was carried by a unanimous roll call vote.

Yes: 8 - Susan Calonge, David Banks, Thomas Foottit, Michael Weiner, Carlton Jennings, Arthur Aaron, Richard Myers, Preston Moxcey

No: 0 - None

B. Case No. PZ-24-09-VAR; 1425 Cherryville Rd; Variance (2024-221)

Staff Presentation:

Derek Stertz, Planning Manager, presented Case No. 24-09-VAR for 1425 Cherryville Rd. Planning Manager Stertz stated that a notice of the date, time, and place of the hearing was published on the City website at least 15 days prior to the hearing, as required by the Greenwood Village Municipal Code. Notice of the hearing was also posted on the property for at least 15 days prior to the hearing, as required by the Greenwood Village Municipal Code. Notice of the hearing date, time, and place was also sent by mail to property owners as required by the Greenwood Village Municipal Code for this type of hearing at least 15 days prior to the hearing.

Planning Manager Stertz noted the applicant is requesting to scrape and reconstruct a non-conforming house. He noted the new structure is proposed with similar side setback encroachments on the east and west sides.

Planning Manager Stertz noted the subject property is zoned R-1.0 and that the required side setbacks are 40 feet. He noted the subject property is located in the West End Planning Area of the Comprehensive Plan and was part of the original incorporation of the City. He noted the Cherryville Heights Subdivision was approved in 1946 by Arapahoe County. He stated the existing structure was built in 1950, was purchased by the applicant in March of 2024, and is 0.90 acres. He noted the only building permits on file for the property are maintenance-related.

Planning Manager Stertz reviewed an aerial image of the property and noted the length of the lot. He reviewed the proposed elevations for the house and indicated the locations of the east and west setback lines.

Planning Manager Stertz reviewed the request and noted the proposed side setbacks would be 26 feet on the east and west sides for a 14-foot encroachment on each side. He noted the proposed areas of encroachment as 800 square feet on the east side and 571 square feet on the west side.

Planning Manager Stertz reviewed the Section A approval criteria and noted at least one must be met. For Criterion A-1, staff found the width of the non-conforming lot would prevent the applicant from constructing a principal structure of typical width for the R-1.0 zone district. Staff found this to be a special condition. For Criterion A-3, staff found the variance would ameliorate the difficulty of the narrow lot. Planning Manager Stertz noted this was not caused by acts of the applicant as the neighborhood was platted prior to incorporation. He noted a house constructed within the 50-foot building envelope would look out of character.

Planning Manager Stertz reviewed the Section B approval criteria and noted all must be met. For Criterion B-1, staff found the variance would be in harmony with the zone district and noted the Board is familiar with similar requests on Cherryville Rd. For Criterion B-2, staff found approving the Variance would not injure any adjacent properties as the setback encroachment would be similar to the existing structure. For Criterion B-3, staff found the Variance would not be detrimental to public health, safety, or welfare.

Planning Manager Stertz noted that as the approval criteria have been met, staff recommends the Board of Adjustments and Appeals approve the Variance request.

Board Questions/Responses:

Board Member Jennings confirmed through Planning Manager Stertz that the adjacent property under construction had a Variance request approved by the Board.

Board Member Moxcey asked if the request for the adjacent property was similar. Planning Manager Stertz noted the request was proportional.

Applicant Presentation:

James Haass, 9656 E Maplewood Cir, Greenwood Village, CO 80111; stated the adjacent property under construction had a similar request and fits into the neighborhood well. He noted that the neighbors have no objections. He noted his house would be one of the most centered on the lot in the neighborhood. He noted there would be 58 feet between his house and the house under

construction to the east.

Board Questions/Responses:

Vice Chair Foottit asked if the lot to the east is narrower. Mr. Haass stated it is narrower by approximately four feet.

Vice Chair Foottit asked if the house under construction meets the required setbacks. Planning Manager Stertz noted that the property received a Variance and reviewed the plat map for the neighborhood.

Vice Chair Calonge noted public comment was received and reviewed by the Board. She closed the public hearing at 6:26 PM.

Board Deliberation:

Board Member Banks noted that the request was reasonable and that he likes that the house would be centered on the lot. He noted that the shape of the lot causes difficulties and that he agrees with the staff findings. He noted that he would be in favor of approval.

Board Member Myers noted the reason for the Variance request is a common issue in the neighborhood. He noted he is in agreement with staff findings and that he would be in favor of approval.

Board Member Jennings stated it would be nice when the Board gets through all of Cherryville Rd. He noted he is in agreement with staff findings and that he would be in favor of approval.

Vice Chair Foottit noted he has a small problem with A-1 but that he agrees with staff findings regarding A-3 and all the Section B criteria.

Board Members Moxcey, Weiner, and Aaron noted they agree with Vice Chair Foottit.

Chair Calonge stated she appreciates the applicant taking on the property and bringing it up to modern standards. She noted she hopes the applicant plants more trees.

A motion was made by Board Member Carlton Jennings, seconded by Board Member Art Aaron; to approve Case No. PZ-24-09-VAR; 1425 Cherryville Rd; Variance to allow for the construction of a principal structure with 26 side setbacks on the east and west sides. The motion was carried by a unanimous roll call vote.

Yes: 8 - Susan Calonge, David Banks, Thomas Foottit, Michael Weiner, Carlton Jennings, Arthur Aaron, Richard Myers, Preston Moxcey

No: 0 - None

7. DISCUSSION ITEMS

Planning Manager Stertz congratulated Board Member Banks on his move to the Parks, Trails, and Recreation Commission. The Board Members expressed their appreciation for his service. Board Member Banks expressed his appreciation for staff and his fellow Board Members

8. ADJOURNMENT

A motion was made by Board Member Michael Weiner, seconded by Board Member Dick Myers; to adjourn. The motion was carried by a unanimous voice vote.

***Yes: 8 - Susan Calonge, David Banks, Thomas Foottit, Michael Weiner,
Carlton Jennings, Arthur Aaron, Richard Myers, Preston Moxcey***

No: 0 - None

There being no further business, the meeting was adjourned at 6:34 PM.

Susan Calonge, Chair



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July 26, 2024

Dana and Ryan Krauser
2 Alexander Lane
Greenwood Village, CO. 80121

Subject: Variance Request Extension
Case # 23-10-VAR

Dear Dana and Ryan,

This letter is to confirm the action taken by the Board of Adjustments and Appeals (BOAA) for the City of Greenwood Village on July 25, 2024 for the above-referenced case. The Board **approved** your two-component variance request extension. The original request was a conditional approval of to retain an existing home on the lot and also construct a new (conforming to zoning) house.

1. The first component is to have an accessory structure in the front yard which is prohibited per Sec. 16-22-10 of the Land Development Code (LDC). The accessory structure in the front yard is the existing 1,884 square foot house located in the southwest corner of the lot. After the construction of a zoning compliant house the existing house must be classified as an accessory building as the LDC only allows for one principal building per lot. This portion of the request was required in order to retain the existing house.
2. The second component is to exceed the maximum allowed accessory building ground coverage of 2,250 square feet by 368 square feet (2,618 total coverage) or 16.35 percent. The existing house is 1,884 and the existing barn is 734 square feet. **The conditional approval was that the BOAA required that existing 305 square foot shed be removed from the lot.** Additional accessory buildings and the expansion of existing accessory buildings will not be permitted on this lot as the maximum allowed accessory building ground coverage is already exceeded.

Per Sec. [16-2-120\(f\)](#) the following conditions apply:

1. The building permit required to complete the approved variance must be acquired within one (1) year from the approval date.
2. Construction pursuant to such a variance shall be completed within one (1) year from the date following issuance of the permit.

If either the permit is not issued or construction is not completed within the established deadlines, the variance shall automatically terminate. However, upon application made before



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either deadline, the BOAA may, for good cause shown, issue not more than one (1) extension of the deadline. The deadline is now **July 27, 2025** to obtain a building permit.

Please retain this letter for your records. Please note that [Sec. 16-22-40](#) of the LDC prohibits accessory buildings to be used as permanent dwelling units and provides that guests staying in such buildings must do so for fewer than fifteen (15) days in a 30-day period.

Please contact me if you have any questions. I can be reached at (303) 486-5774 or dstertz@greenwoodvillage.com

Sincerely,

A handwritten signature in black ink, appearing to read "Derek A. Stertz". The signature is fluid and cursive, written over a horizontal line.

Derek A. Stertz, Planning Manager AICP-GISP





City of Greenwood Village

Minutes – Final

Board of Adjustments and Appeals

6060 South Quebec Street
Greenwood Village, CO
80111

Hearing-impaired apparatus available
Please turn off all cellular phones and/or audible pagers
All Board, Commission and Council meetings are digitally recorded

Thursday, June 26, 2025

6:00 PM

Council Chambers

DINNER (5:00 PM)

REGULAR MEETING (6:00 PM)

1. CALL TO ORDER

2. ROLL CALL

Present: 6 - Susan Calonge, Thomas Foottit, Michael Weiner, Arthur Aaron, Barry McCain, Paul Wilson

Absent: 2 - Richard Myers, Preston Moxcey

Presiding: Susan Calonge

3. PLEDGE OF ALLEGIANCE

Board Member McCain led the Pledge of Allegiance

4. APPROVAL OF MINUTES

A motion was made by Board Member Aaron for APPROVAL OF MINUTES. The motion was carried by unanimous voice vote.

5. A. PZ-25-010 (VAR) -2 ALEXANDER LANE; VARIANCE

Planning manager Stertz stated that a notice of the date, time, and place of the hearing was published on the City website at least 15 days prior to the hearing, as required by the Greenwood Village Municipal Code. Notice of the hearing was also posted on the property for at least 15 days prior to the hearing, as required by the Greenwood Village Municipal Code. Notice of the hearing date, time, and place was also sent by mail to property owners as required by the Greenwood Village Municipal Code for this type of hearing at least 15 days prior to the hearing.

Planning manager gave the staff presentation.

Board member McCoin clarified with the staff that the greenhouse would be removed, with the recommendation that the barn be removed.

Board member Foottit asked what the limitation is for this area. Planning manager Stertz clarified that the restrictions were based on the idea of keeping it rural. Foottit asked for verification that drainage is considered. Planning manager confirmed it would be during the building permit review.

Board member McCoin asked if the greenhouse would be removed. Planning manager referred the question to the applicant but confirmed the diagonal is treated as a side setback and not a rear setback.

Applicants Dana and Ryan Krauser, 2 Alexander Lane; Kevin Stevinson, 620 Ivy Street, Denver, CO; and Chris Davis, 330 E 17th Ave, Denver, were sworn in and gave their presentation.

Boardmember McCoin asked to clarify the greenhouse. Applicant responded that it would attach to the primary structure and not separate. The applicant also pointed out support for this variance from the neighbor. Planning manager acknowledged receipt of the email and read it into the record.

Applicant acknowledged that this is a new request for the same variance previously approved.

Foottit clarified that the greenhouse and garage would have been removed previously. Planning manager confirmed it would be assessed as reviewed by a building permit, and the greenhouse would be part of the principal structure. Confirmed it would be within the building envelope based on the current plans. Foottit wanted to clarify that once the new residence is completed, the current residence would become an accessory structure with residential limitations. Applicant shared that the ADU intention would be a studio and garage with the kitchen removed.

The Planning Manager noted that allowances for an accessory structure are separate from the restrictions of an accessory dwelling structure, which limits guests to a maximum of 14 days out of 30 in a month. The variance would run with the land and while the applicant may choose to use it as an accessory structure, it could be changed to an ADU in the future.

Chair Calonge asked for any public comment. With no public comment, Chair Calonge closed the meeting to the public.

Board member Weiner, having approved twice in the past, commented that he would be inclined to vote yes again.

Board member Wilson appreciates the overall design. Asked the applicant an anticipated construction date. Applicant confirmed they are still in the design phase.

Board member Foottit would likely approve with the conditions applicable to an ADU.

Board member Aaron would vote yes.

Board member McCoin commented it is a unique property with unique design opportunities. He was encouraged by the sharing of their intended use.

Chair Calogne would vote yes.

In **Case No. PZ-25-010 (VAR) - 2 Alexander Lane**; Foottit moved that the BOAA **APPROVE** the request as outlined in the staff report: allowed for an accessory structure to be located in the front and the removal of the 305 sf barn. The current primary residence to be designated as an ADU subject to all of the current and future LDC restrictions, such as occupancy limitations.

A motion was made by Board member Foottit, seconded by Boardmember Weiner; to Accept A. PZ-25-010 (VAR) -2 ALEXANDER LANE; VARIANCE. The motion carried by unanimous voice vote.

Yes: 6 - Susan Calonge, Thomas Foottit, Michael Weiner, Arthur Aaron, Barry McCoin, Paul Wilson

No: 0 - None

Recused: 0 - None

6. PUBLIC COMMENT

No public comments were recieved.

7. DISCUSSION ITEMS

No discussion items from the board or staff.

8. ADJOURNMENT

A motion was made by Aaron to ADJOURNMENT. The motion carried by unanimous voice vote.

Yes: 6 - None

No: 0 - None

Recused: 0 - None

City of Greenwood Village

Board of Adjustments and Appeals

June 26, 2025



6060 South Quebec
Street Greenwood
Village, CO 80111

25-10-VAR

Staff Report

Subject Property Address

2 Alexander Lane

Legal Description & Lot Size

Lot 2 South Denver Gardens Resub of Lots 270-272 and 289-292 – 2.5 acres.

Applicant

Dana and Ryan Krauser

Property Owner

Dana and Ryan Krauser

Zoning

Residential 2.5 (R-2.5)

Comp Plan Planning Area

Rural Homestead

Request

Two component variance request both components of which are precipitated by the Applicant's request to retain an existing home on the lot and also construct a new (conforming to zoning) house.

Staff Recommendation

Approval conditioned on the original (2023) variance that allowed for an accessory structure, to be located in the front and the removal of the 305 sf barn. Attachment 5- Action Letter 2 Alexander Ln- Case No. 23 VAR

Attachment

1. Zoning/Vicinity Map
2. Proposed Plan
3. Subdivision Plat
4. Comp Plan – Rural Homestead
5. Action Letter 2 Alexander Lane- Case No.23-VAR

6. Action Letter 2 Alexander Lane Case No. 23-10-VAR Extension

Staff

Derek A. Stertz, AICP-GISP, Planning Manager
dstertz@greenwoodvillage.com
(303) 486-5774

Public Notice & Comments – As of 6/25/2025

# Sent	Comments Received	Support	Oppose
5	0		

Public notice was provided as required per Land Development Code (LDC) Section 16-2-270. The affidavits of posting and mailing will be presented at the July 27, 2025, hearing.

Executive Summary

The Applicant intends to construct a new house on the lot within the allowances of the zone district requirements (setbacks, height, etc.) in the near future. As the new house will be in a setback compliant location, at least 100 feet setback from the front (south) property line, the existing house on the Subject Property must be classified as an accessory structure in the front yard which is prohibited.

Additionally, above ground accessory structures in this zone district are limited to 900 square feet per acre. As there are two existing accessory structures on the lot, which are proposed to remain, adding the coverage of those structures with the coverage of the existing house (now defined as an accessory structure) brings the total coverage beyond the 900 square foot per acre allowance.

This request was approved by the BoAA in year extension in July of 2024. The applicant struggled to meet July of 2023. The applicant requested a one- the variance requirement to have a permit issued in one year, 16-2-120(f)(1). An additional year was granted. The applicant has currently found a firm that can accomplish their initial request. Section 16-2-120 (f)(1) states that the BoAA may issue not more than one (1) extension of the deadline. This is the rationale for the new variance request. The applicant cannot obtain the required permit by the July 26, 2025, deadline. The proposal is identical to the original request in 2023. Section 16-2-120 (f)(2) states that "no application for a variance which is the same or substantially the same as the application previously considered and ruled upon by the BoAA shall be accepted by the City until at least one (1) year has elapsed from the date of the last ruling by the BoAA. The City Attorney determined that the original ruling is the approved request from 2023. Thus, a new variance application is in front of the BoAA for consideration. Staff's findings from the original 2023 hearing are the same.

Background

- The Subject Property is located in the "Rural Homestead" planning area of the Greenwood Village Comprehensive Plan (Attachment 5).
- The Subject Property is zoned R-2.5 and subject to the LDC zoning regulations regarding accessory structures found in Article 22 and Article 5 of the LDC. This includes the prohibition on accessory structures in front yards (Article 22) as well as the 900 square foot per acre coverage limitation (Article 5).
- The existing house on the Subject Property was constructed in 1946 before the incorporation of the City of Greenwood Village.
- The plat which the Subject Property is a part of was approved in 1972 (Attachment 4).
- Multiple previous building permits (2003 – 2009) and a previously approved fence variance (2003) established the south property boundary as the front property boundary. Current Staff agrees that for this lot the south property line most appropriately functions as the front property boundary.
- The LDC defines "front yard" as "that portion of a property extending across the full width of the lot between the front lot line and street facing elevation (front facade) of the principal building, provided that there can only be one (1) front yard on a lot".
- The LDC defines "lot frontage" as the shortest distance between the sides of the lot along the boundary abutting the street or private road.
- The plat was approved without the Subject Property directly abutting Alexander Lane, the street from which the property is accessed and addressed. The Property does abut the Steele Street right of way however this frontage is not accessible from the home due to Little Dry Creek.
- Staff has confirmed that up until at least 1977 the LDC stated that the Arapahoe County Subdivision Procedures were to be followed. Currently the City has its own Subdivision Procedures. Staff is unable to confirm specifically if the Subject Property met the requirements of the time or if the lot received special permission to not have a minimum lot frontage at an accessible location and either scenario is possible.
- Under current LDC regulations all properties must have a minimum lot frontage of 30-feet in width therefore if this plat were approved today the access provided by easement would be a special approval by City Council.
- The LDC defines a principal building as a building containing one (1) or more residential dwelling units, including attached garages, allowed as a use by right in any residential zone district, provided that there can only be one (1) principal building on a lot.
- The current owners purchased the property in November 2017.
- A variance for the identical proposal here was approved by the BoAA in July of 2023 (attachment 6).
- An extension request was approved for one (1) year by the BoAA in July of 2024 (attachment 7).
- The current extension will expire on July 27, 2025.

Applicant Request

Summary of Two Component Variance Request

Accessory Structure (Existing House) in the Front Yard

Accessory structures other than patios and decks are prohibited in front yards and the Applicant requests to retain the existing 1,884 sf house in the front yard as an accessory structure.

Total Accessory Structure Ground Coverage

Total above ground accessory structures ground coverage is limited to 900 square feet per acre. The Subject Property is 2.5 acres therefore the maximum allowed coverage is 2,250 sf.

Existing Barn	Existing Shed	Existing House	Total
734 sf	305 sf	1,884 sf	2,923 sf
			This amount of coverage is 673 sf or 23% more than allowed.

*Although not part of the request it should be noted that the existing house is located 20.10 feet from the front property line and 42.29 feet from the side property line and does not conform to principal building setbacks (currently) nor will conform to accessory structure setbacks (front only) if a new house is constructed. The reason it is not part of the request is that it is an existing condition, and no changes are proposed to the existing house, it will remain as is.

Analysis

Staff finds that this variance would ameliorate a difficulty, which was not caused by the Applicant, regarding the location of the existing house. The existing house is already a non-conforming structure with regard to front and side setbacks and is located in a peculiar position on the lot, in particular it's extreme proximity to the front property line. Although the Applicant desires to construct a new house, which meets all current zoning requirements, they are being precluded from doing so due to an existing three-quarters-of-a-century old house's location. The existing house is relatively small as compared to other houses in the Rural Homestead area of the city, smaller than many other properties accessory buildings. Additionally, it is still completely functional and is lived in currently. Staff finds that requiring demolition of the functional and unimposing structure, in order to allow the Applicant to proceed forward with a zoning compliant new house is an unnecessary difficulty for the Applicant.

Staff finds that the Subject Property is impacted by numerous special conditions, as outlined in the Applicant's variance application, however we do not find that those special conditions (topography, mature trees, floodplain, lot shape, etc.) are applicable to this request. The reason they are not applicable, is that even in considering all the special conditions, the lot is still completely "buildable", i.e., there is a large amount of

available space in the center of the lot in which to construct a new, zoning-compliant home. The large amount of available building envelope also exhibits to Staff that the Applicant does and would have reasonable use of the lot without a variance; however, forcing the demolition of the existing house would still be required to meet the requirements of the LDC.

Staff finds that the existing house was constructed in 1946 and predates all existing houses on the adjacent properties. The existing house is small and has been part of the neighborhood for 77 years and is therefore a familiar part of the neighborhood context. Staff finds that because no changes are proposed to the existing house, and that it has been in the same location for decades that the variance would not alter the character or spirit of the zone district, nor will constructing a new zoning compliant house on the Subject Property negatively impact any adjacent properties. The basis of the variance request is to retain an existing condition, and all future work is proposed to meet the zone district requirements.

Approval Criteria

Prior to approval of a variance, the BOAA shall make findings concerning the criteria listed below. For a variance to be granted, the request must meet at least one Criterion from Section A and all of the Criteria from Section B, in the determination of the BOAA. Staff's findings are presented in the tables below:

Section A Criteria	Finding	Rationale
1. The existence of special conditions or circumstances, such as size, shape, location, topography or surroundings of the land, structure or building involved, which deprive the applicant of privileges enjoyed by owners of other properties in the vicinity or in the same zone district; or	No	Staff finds that there are numerous special conditions (shape of lot, floodplain and topography/drainage) however they are not applicable to the request to retain the existing house and construct a new zoning compliant house in the allowed building envelope. As the Applicant has the ability to construct a zoning compliant house in the substantial building envelope they are not being deprived of privileges enjoyed by owners of other properties in the vicinity.
2. The variance is necessary and appropriate to make possible the reasonable use of the land or the structures on the property; or	No	The Applicant currently has reasonable use of the property for the lots primary purpose which is a dwelling unit and is also able to construct a new house within the allowed building envelope.
3. The variance will ameliorate a difficulty which did not result from the acts or omissions of the applicant.	Yes	Staff finds that the location of the existing house, which was not an action of the Applicant is a difficulty which would be ameliorated by the variance request. Additionally, Staff finds that forcing demolition of the existing house, which has been a part of the neighborhood context for 77 years is overburdensome and also a difficulty for the Applicant.

Section B Criteria	Finding	Rationale
1. The variance will be in harmony with and not alter or weaken the spirit and purpose or essential character of the zoning for the zone district in which the property is located.	Yes	Staff finds that the harmony and spirit of the R-2.5 zone district will not be impacted by allowing the Applicant to retain the existing home on the property. The house predates all other dwelling units that are adjacent to it and is a known and familiar condition of the neighborhood.
2. The variance will not substantially or permanently injure the appropriate use of adjacent properties in the same zone district.	Yes	Staff finds that the use of adjacent properties are not injured currently and therefore allowing the Applicant to construct a zoning compliant house in the allowed building envelope while retaining the existing house will also not cause injury to the use of adjacent properties.
3. The variance will not be detrimental to the public health, safety or welfare.	Yes	Staff finds that the variance will not have an adverse impact on public health, safety, or welfare.



June 27, 2025

Dana and Ryan Krauser
2 Alexander Lane
Greenwood Village, CO. 80121

Subject: Variance Request
Case # PZ-25-10-VAR

Dear Dana and Ryan,

This letter is to confirm the action taken by the Board of Adjustments and Appeals (BOAA) for the City of Greenwood Village on June 26, 2025 for the above referenced case. The Board **conditionally approved** your two-component variance request both components of which are precipitated by your request to retain an existing home on the lot and also construct a new (conforming to zoning) house.

1. The first component is to have an accessory structure in the front yard which is prohibited per Sec. 16-22-10 of the Land Development Code (LDC). The accessory structure in the front yard is the existing 1,884 square foot house located in the southwest corner of the lot. After the construction of a zoning compliant house the existing house must be classified as an accessory building as the LDC only allows for one principal building per lot. This portion of the request was required in order to retain the existing house.
2. The second component is to exceed the maximum allowed accessory building ground coverage of 2,250 square feet by 368 square feet (2,618 total coverage) or 16.35 percent. The existing house is 1,884 and the existing barn is 734 square feet. **The conditional approval was that the BOAA required that existing 305 square foot shed be removed from the lot.** Additional accessory buildings and the expansion of existing accessory buildings will not be permitted on this lot as the maximum allowed accessory building ground coverage is already exceeded.

Per Sec. [16-2-120\(f\)](#) the following conditions apply:

1. The building permit required to complete the approved variance must be acquired within one (1) year from the approval date.
2. Construction pursuant to such a variance shall be completed within one (1) year from the date following issuance of the permit.

COMMUNITY DEVELOPMENT
CITY HALL

6060 South Quebec Street
Greenwood Village, CO 80111

303-773-0252
greenwoodvillage.com

If either the permit is not issued or construction is not completed within the established deadlines, the variance shall automatically terminate. However, upon application made prior to either deadline, the BOAA may, for good cause shown, issue not more than one (1) extension of the deadline.

Please retain this letter for your records. Please note that [Sec. 16-22-40](#) of the LDC prohibits accessory buildings to be used as permanent dwelling units and provides that guests staying in such buildings must do so for fewer than fifteen (15) days in a 30-day period.

Please contact me if you have any questions. I can be reached at (303) 486-5774 or dstertz@greenwoodvillage.com

Sincerely,

A handwritten signature in black ink, appearing to read 'Derek A. Stertz', with a stylized flourish at the end.

Derek A. Stertz, Planning Manager, AICP-GISP

Staff Report

Case No. PZ-25-00024

Board of Adjustments & Appeals

June 25, 2026

Subject Property Address:

1425 Cherryville Road

Project Size / Zoning:

0.9 Acres / R-1.0

Comprehensive Plan Planning Area:

West End Planning Area

Applicant:

Jay and Ty Dokken

Property Owner:

1425 Cherryville Road, LLC

Request:

An extension request for a previously approved variance to scrape and rebuild an existing non-conforming house. The new house is proposed with similar side setback encroachments on both the east and west.

Staff Recommendation:

Approval

Attachments:

1. Zoning Map, Zoning Map, and Aerial Images
2. Proposed Plans from July 24, 2025
3. Action Letter from July 24, 2025
4. Applicant Extension Request Letter
5. Staff Report from July 24, 2025
6. Meeting Minutes from July 24, 2025

Staff

Grady Timmerman, Planner II
gtimmerman@greenwoodvillage.com
(303) 486-5792

Public Notice & Comments – As of 6/18/2026

No. Sent	Comments Received	Support	Oppose
7	0	N/A	N/A

Public Notice was provided as required by the Land Development Code (LDC, Section 16-2-270). The affidavits of mailing and posting will be presented at the June 25, 2026 hearing.



Executive Summary

The Applicants' variance request to Section 16-8-40 (setbacks) and Sec. 16-25-20(a) (nonconforming structure) to scrape and rebuild an existing non-conforming house and rebuild a new house with side setback encroachments which are similar to the existing side setback encroachments was approved in July 24, 2025. The R-1.0 zoned property requires a 40-foot side setback minimum. The existing house is setback 29.5 feet on the east side and 22.3 feet on the west side at the closest point. The proposed house would be setback 26 feet on both the east and west side as approved on July 24, 2025.

The replacement (scrape and rebuild) or expansion of the non-conforming portions of a non-conforming structure (existing principal building) required approval from the BOAA. The existing encroachments (10.5 feet east, 17.7 feet west) equal 28.2 feet of total linear side setback encroachment. The Applicants' requested an increase to this, with proposed 26-foot setbacks (14-foot encroachment) on both sides of the house. The existing house is 80 feet wide and the proposed house was also approved to be 80 feet wide.

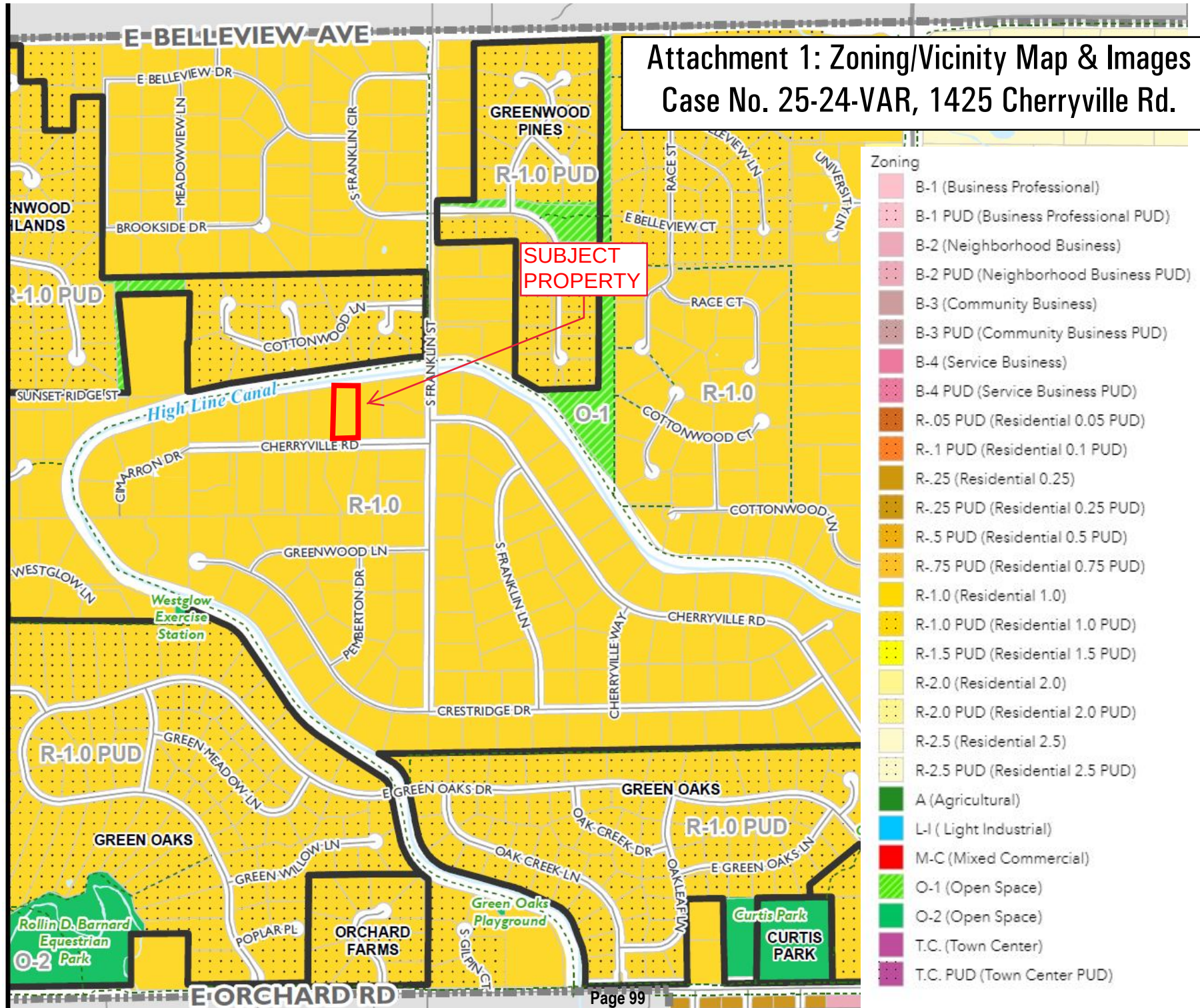
The Applicants' current variance approval expires July 24, 2026. The Applicants have applied for a permit, but said permit has not been issued. The Applicants have not started construction however they anticipate completing final plans and permit documents within the next six months. Please see the Applicants' letter providing the reasons an extension request is required (Attachment 4). The Applicants are asking for an additional year of time meaning the new expiration date of the variance would be July 24, 2027.

The LDC provides the following regarding time limits for variance approvals:

1. The building permit required to complete the approved variance must be acquired within one (1) year from the approval date.
2. Construction pursuant to such a variance shall be completed within one (1) year from the date following issuance of the permit.

If either the permit is not issued or construction is not completed within the established deadlines, the variance shall automatically terminate. However, upon application made prior to either deadline, the BOAA may, for good cause shown, issue not more than one (1) extension of the deadline. No changes to the Applicant's variance request are proposed. The July 24, 2025 BOAA approval was approved unanimously with six (6) affirmative votes (Attachment 6).

Attachment 1: Zoning/Vicinity Map & Images Case No. 25-24-VAR, 1425 Cherryville Rd.



Aerial Image (looking north) of Subject Property



Street-view of South Side (looking north) of Subject Property



PROJECT DESCRIPTION

DEMOLISH EXISTING SFR.
CONSTRUCT NEW 2 STORY SINGLE FAMILY RESIDENCE WITH FINISHED BASEMENT.

SITE ADDRESS

1425 CHERRYVILLE ROAD, GREENWOOD VILLAGE, CO 80121

PROJECT TEAM

DOKKEN BUILT LLC

1685 S COLORADO BLVD
UNIT S147
DENVER, CO
80210

ARCHITECTURAL DESIGNER:
JAY DOKKEN
303-944-1579
JAY@DOKKENBUILT.COM

SITE MANAGER:
CONOR HAWBLITZEL
CONOR@DOKKENBUILT.COM
858-740-7901

OWNER: 1425 CHERRYVILLE LLC

APPLICABLE CODES

- 2018 INTERNATIONAL RESIDENTIAL CODE
- 2018 INTERNATIONAL MECHANICAL CODE
- 2018 INTERNATIONAL FIRE CODE
- 2018 INTERNATIONAL PLUMBING CODE
- 2018 INTERNATIONAL ENERGY CONSERVATION CODE
- 2018 INTERNATIONAL FUEL GAS CODE
- 2017 NATIONAL ELECTRICAL CODE
- 2017 ICC A117.1
- WILDLIFE MITIGATION STANDARDS
- STANDARDS FOR WATER SUPPLIES FOR RURAL FIRE FIGHTING
- REFERENCE 2018 INTERNATIONAL SWIMMING POOL AND SPA CODE

SEE STRUCTURALS AND SOILS
REPORT FOR MORE INFO

LEGAL DESCRIPTION

LOT 7, CHERRYVILLE HEIGHTS SUBDIVISION, COUNTY
OF ARAPAHOE, STATE OF COLORADO

AIN: 2077-14-2-06-017
PIN: 032028009

OWNER

1425 CHERRYVILLE RD LLC

ZONING

R-1

LOT AREA

39,422.34 SQ FT

BUILDING COVERAGE

TOTAL COVERAGE: 5422 SQ FT

BUILDING HEIGHT LIMIT

28'

GROSS FLOOR AREA

MEASURED FROM EXTERIOR FOUNDATION WALL
INCLUDING STAIR HOLE:
MAIN: TBD SQ FT
LOWER: TBD SQ FT

TOTAL CONDITIONED SPACE

TBD SQ FT

TOTAL GROSS FLOOR AREA

TBD SQ FT

NON SPRINKLED SQUARE FOOTAGE & COVERAGE
UNDER 7700 SQ FT

SETBACKS

FRONT: 50'
SIDE INTERIOR: 26' (VARIANCE)
REAR: 50'

ENERGY

2018 IECC

SEE RESCHECK, MANUAL JDS, AND ENERGY
SHEET FOR DOCUMENTATION.

REQUIREMENTS APPLICABLE TO THIS
PROJECT:

VERTICAL GLAZING: U .25 MIN
EXTERIOR WALL: R-30 MIN
ROOF: R-60 MIN
FLOORS: R-30 MIN

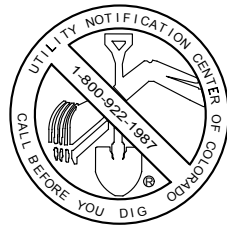
SHEET INDEX

A0.1	COVERSHEET
A0.2	SITE PLAN
A0.3	DEMO SITE PLAN
A0.4	SEWER, WATER & DRAINAGE SITE PLAN
A0.5	LANDSCAPE
A0.6	VARIENCE SITEPLAN
A0.7	ENERGY
A1.1	LOWER LEVEL PLAN
A1.2	MAIN LEVEL PLAN
A1.3	ROOF PLAN
A2.1	ELEVATIONS
A2.2	ELEVATIONS
A2.3	ZERO OVERHANG ROOF SECTION DETAIL
A3.1	SECTIONS
A4.1	WINDOW AND DOOR SCHEDULES
A105.1	Upper / Lower
A105.2	Main
E1	ELECTRICAL MAIN LEVEL PLAN
E2	ELECTRICAL LOWER LEVEL PLAN

GREENWOOD VILLAGE
CONSTRUCTION HOURS

SUNDAY OR HOLIDAY 10:00 A.M. TO 7:00 P.M.
MONDAY 7:00 A.M. TO 7:00 P.M.
TUESDAY 7:00 A.M. TO 7:00 P.M.
WEDNESDAY 7:00 A.M. TO 7:00 P.M.
THURSDAY 7:00 A.M. TO 7:00 P.M.
FRIDAY 7:00 A.M. TO 7:00 P.M.
SATURDAY 8:00 A.M. TO 7:00 P.M.

CALL
BEFORE
YOU
DIG...



48 HOURS
BEFORE YOU DIG,
CALL UTILITY
LOCATORS
FOR LOCATING
and MARKING GAS,
ELECTRIC, WATER
and WASTEWATER

1-800-922-1987



1 FRONT PERSPECTIVE
SCALE: 1:1.67



2 BACK PERSPECTIVE
SCALE: 1:1.67

COVERSHEET

A0.1

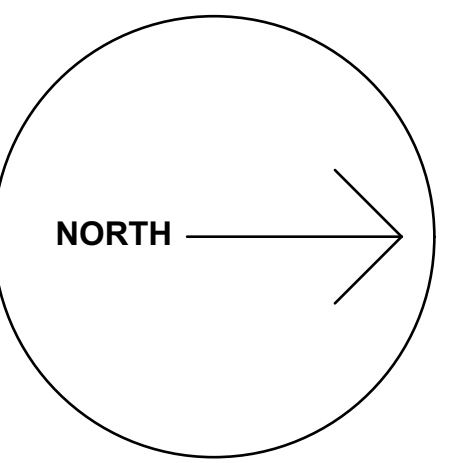
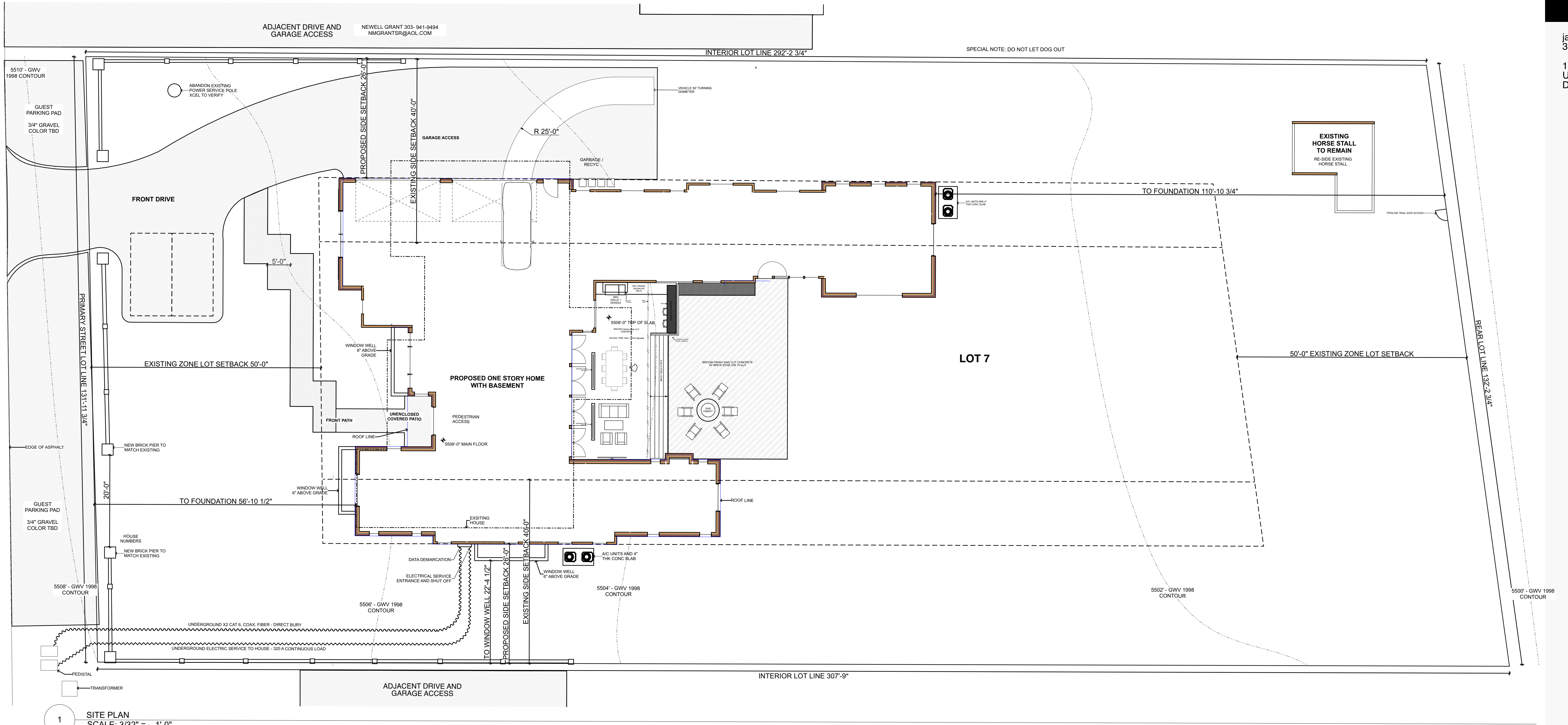
REVISED: 7/10/25

1425 Cherryville Rd
Greenwood Village, CO 80121

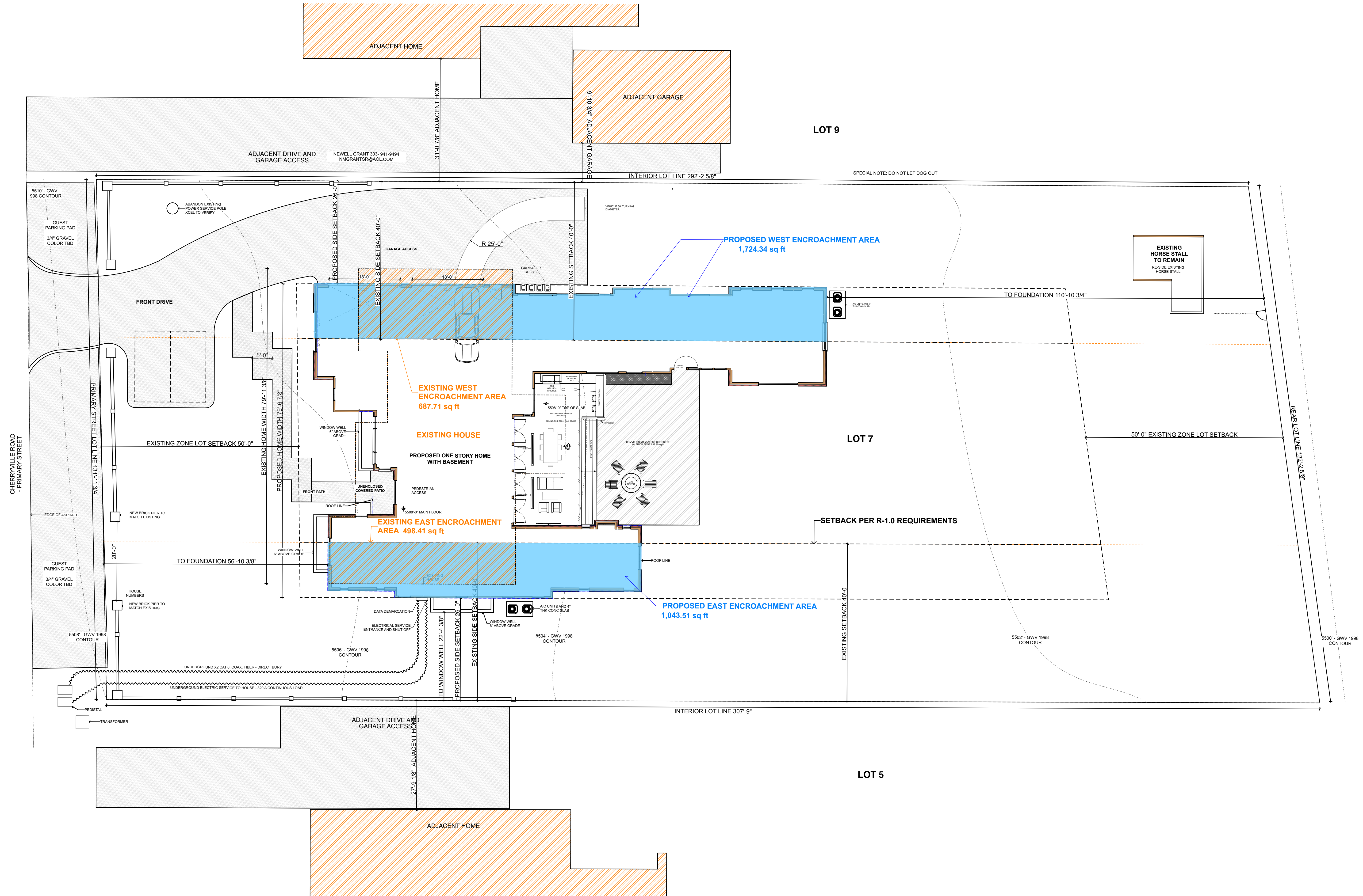
DOKKEN BUILT

jay@dokkenbuilt.com
303-944-1579

1685 S Colorado Blvd
Unit S147
Denver, CO 80222



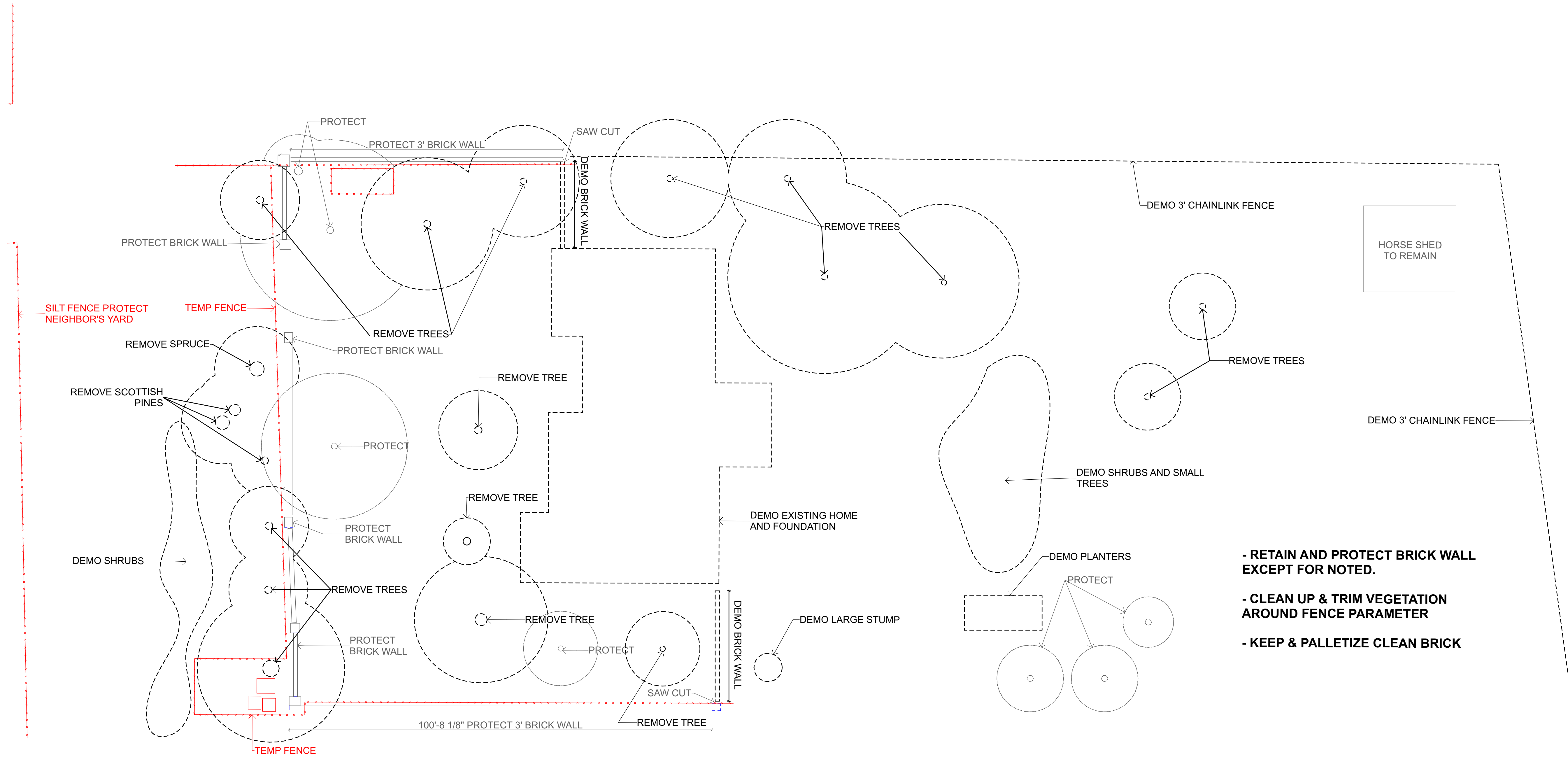
SITE PLAN



1425 Cherryville Rd
Greenwood Village, CO 80121

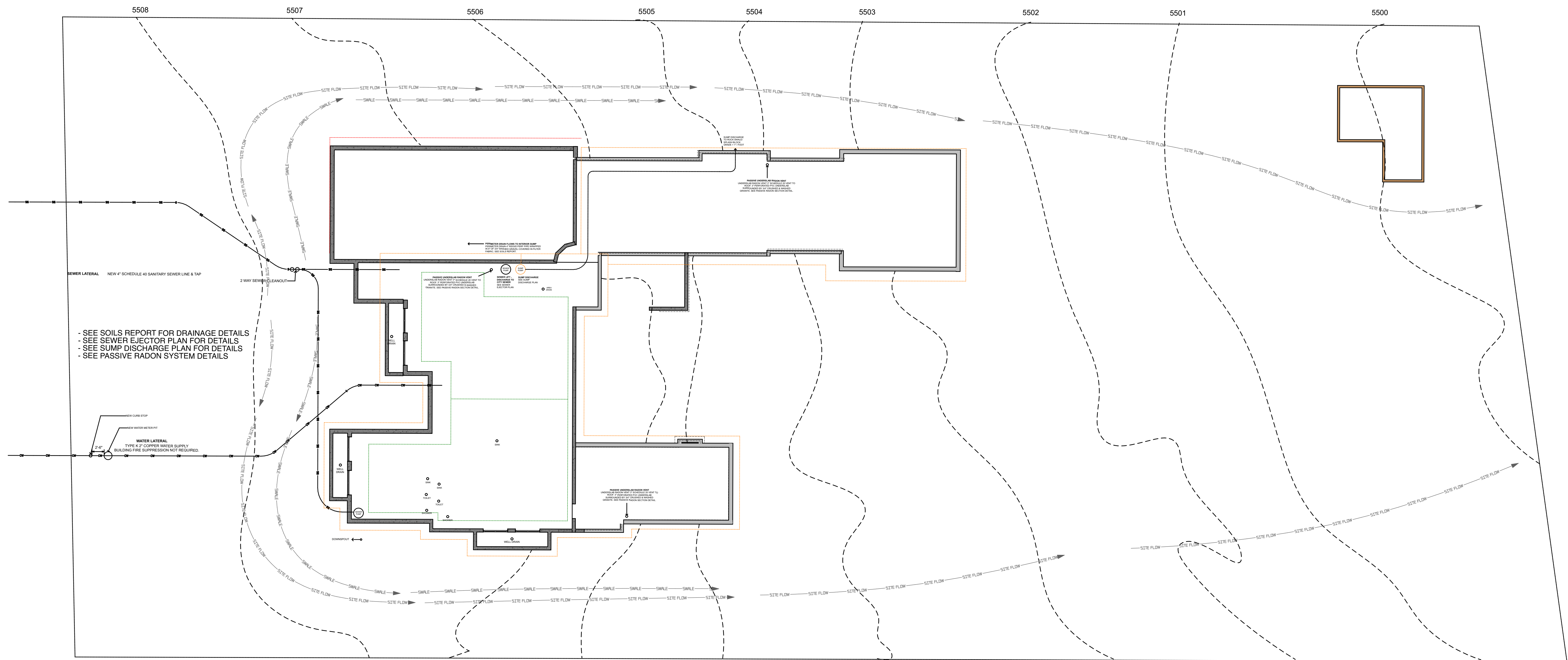
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A0.3

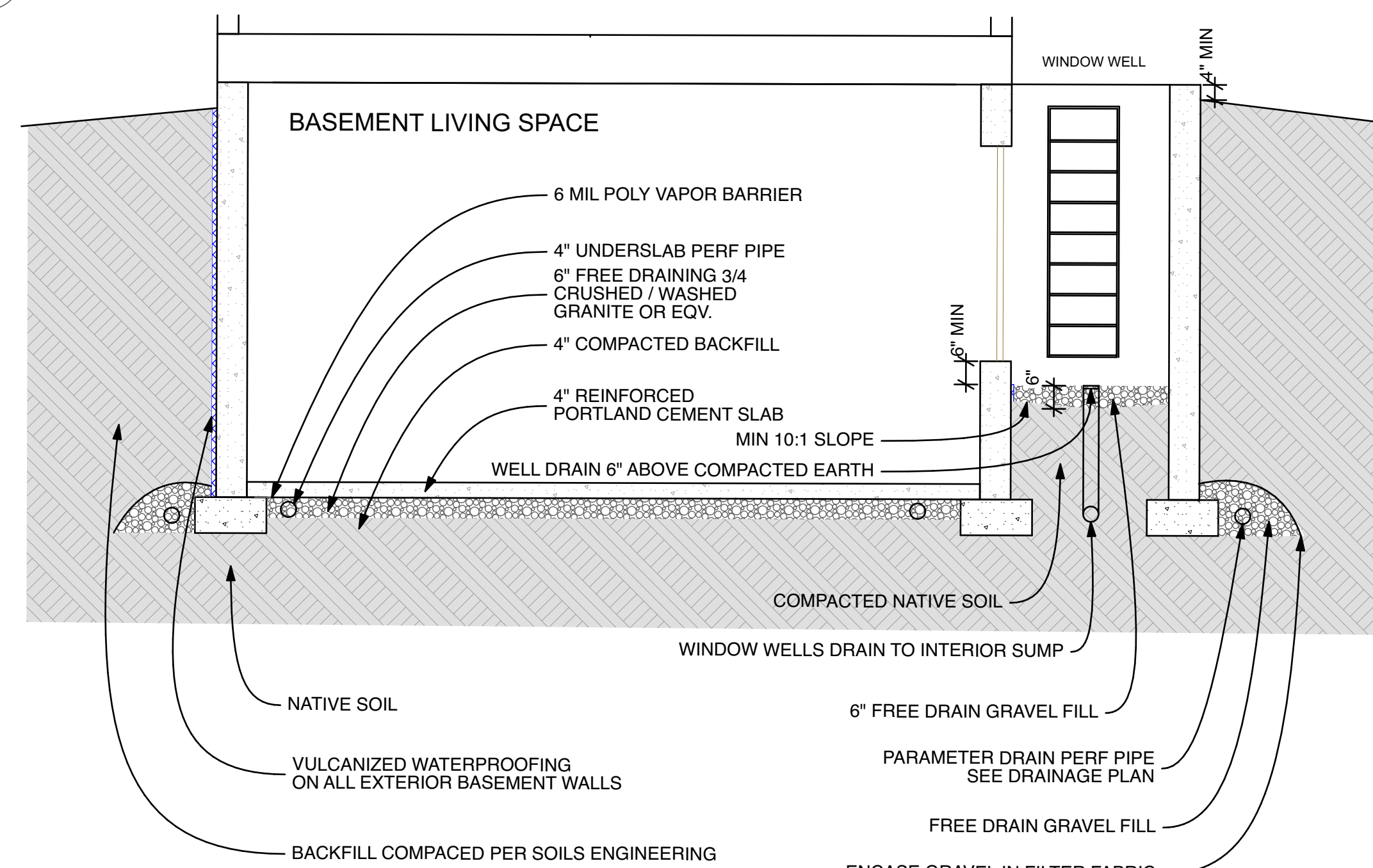


1 DEMO SITE PLAN
SCALE: 1:160

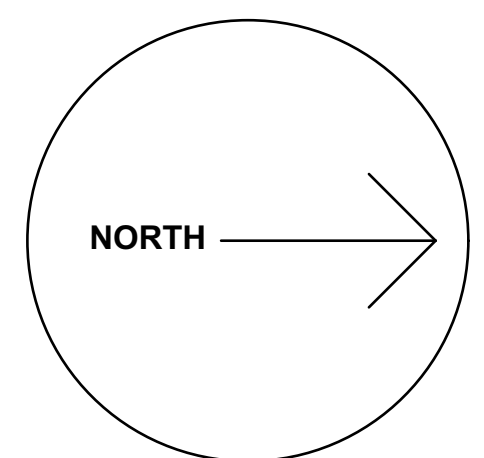
DEMO SITE PLAN



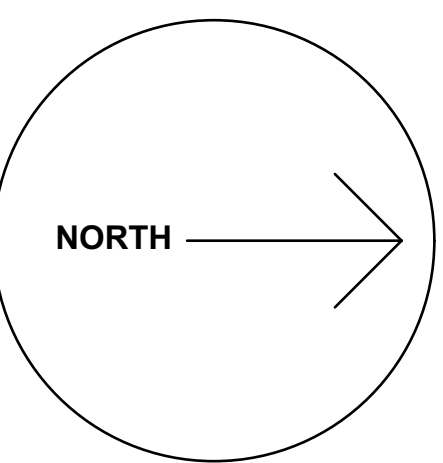
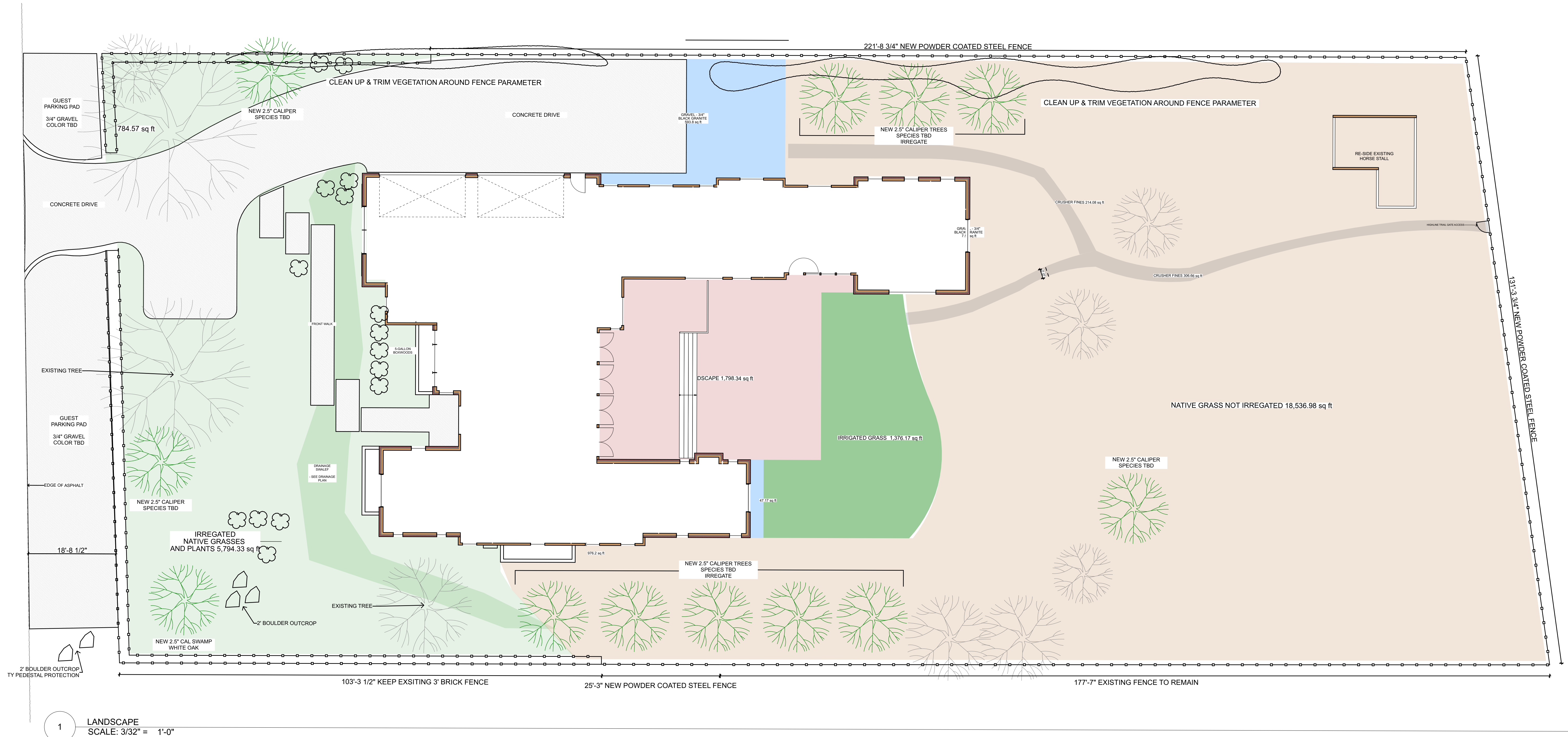
3) SEWER, WATER, DRAINAGE SITE PLAN
SCALE: 3/32" = 1'-0"



2 FOUNDATION DRAINAGE AND WATERPROOFING (1)
SCALE: 3/8" = 1'-0"



SEWER, WATER & DRAINAGE SITE PLAN



LANDSCAPE

FOUNDATION

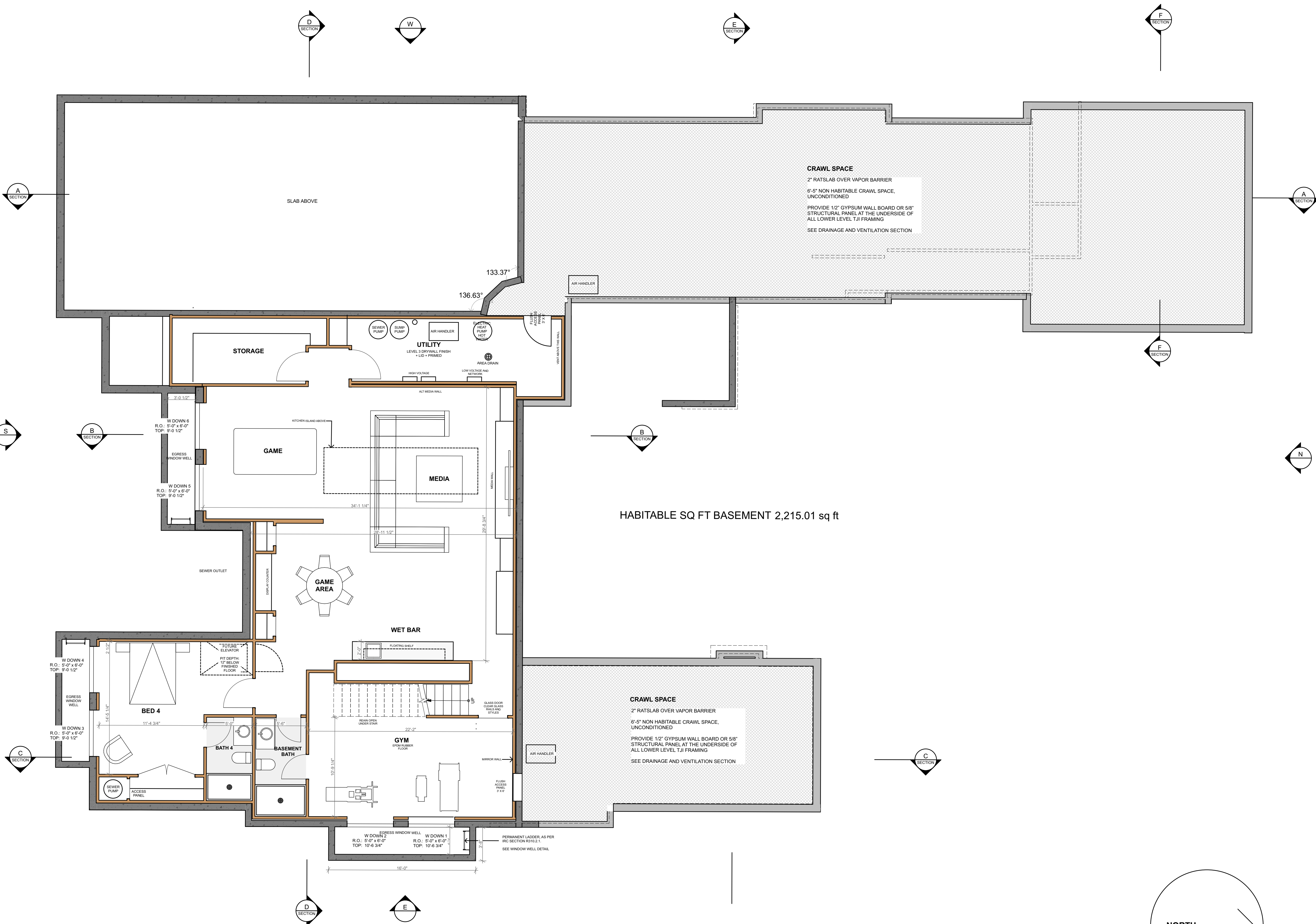
- AN EXCAVATION INSPECTION IS REQUIRED FOR SHORING AND BENCHING.
- PROVIDE DAMPPROOFING OF ALL FOUNDATIONS PER SOILS REPORT AND/OR I.R.C. SPECIFICATIONS.
- ALL WINDOW WELLS HAVE PERMANENT LADDERS PER IRC R310.2.1
- ALL WINDOW WELLS TO COMPLY WITH R310.2.3.2
- SEE SOILS REPORT FOR DRAINAGE DETAILS
- PROVIDE A MINIMUM CLEARANCE OF 6" FROM ALL EXTERIOR WALL COVERINGS (EXCEPT 4" FOR MASONRY VENEER) TO THE TOP OF GRADE.
- PROVIDE A MINIMUM CLEARANCE OF 8" FROM THE NON-TREATED BASE OF WOOD FRAMING TO THE TOP OF ADJACENT GRADE.
- SLOPE GRADE A MINIMUM 10% AWAY FROM THE STRUCTURE FOR THE FIRST 10 FEET DISTANCE. IMPERVIOUS SURFACES MAY BE SLOPED A MINIMUM 2.5% AWAY FROM THE STRUCTURE FOR THE FIRST 10'.
- PROVIDE DAMPPROOFING OR WATERPROOFING OF ALL FOUNDATIONS PER SOILS REPORT AND/OR SECTION R406.
- PER R506, PROVIDE A MIN. 4" BASE COURSE OF SAND, GRAVEL, CRUSHED STONE OR CRUSHED BLAST-FURNACE SLAG UNDER CONCRETE FLOORS ON GROUND WITH A 6 MIL POLYETHYLENE OR APPROVED VAPOR RETARDER WITH JOINTS LAPPED NOT LESS THAN 6" AND PLACED BETWEEN THE BASE COURSE AND THE SLAB.
- CONDENSATION CONTROL, VAPOR RETARDER FOR ALL EXTERIOR WALL ASSEMBLIES.
- CLASS I OR II VAPOR RETARDERS ARE REQUIRED ON THE INTERIOR SIDE OF FRAME WALLS IN ZONE 5. THE FOLLOWING SHALL BE DEEMED TO MEET THE CLASS SPECIFIED: CLASS I: SHEET POLYETHYLENE, UNPERFORATED ALUMINUM FOIL CLASS II: KRAFT-FACED FIBERGLASS BATTS
- KRAFT-FACED BATTS CAN BE REPLACED WITH UNFACED WITH THE ADDITION OF CLASS I VAPOR POLYETHYLENE RETARDER.

CONCRETE FLATWORK

- GARAGE SLAB: REINFORCED, 4" THICK (RE: STRUCT.) SLOPE 1/8" PER FT. MIN. TOWARDS O.H. DOORS. PROVIDE PERIMETER EXPANSION JOINTS.
- CONCRETE PORCH/PATIO SLAB: 4" THICK WITH TURNED DOWN EDGE (RE: STRUCT.), PROVIDE
- CONCRETE STEPS TO GRADE (FIELD VERIFY). WHERE EXTERIOR PORCHES, DECKS, OR STAIRS ATTACH TO A WALL OR FLOOR ASSEMBLY OF WOOD-FRAME CONSTRUCTION, PROVIDE APPROVED CORROSION-RESISTANT FLASHING OR SELF-ADHERED MEMBRANE AS FLASHING IN COMPLIANCE WITH AAMA 711 TO PREVENT ENTRY OF WATER INTO THE WALL CAVITY OR PENETRATION OF WATER TO THE BUILDING STRUCTURAL FRAMING COMPONENTS. SLOPE MIN 1/4" PER FT. AWAY FROM BUILDING.

UTILITY ROOM NOTES

- LEVEL 3 DRYWALL FINISH, DRYWALL ON LID, PRIMED
- PENETRATIONS TO HAVE ESCUTCHEONS OR TRIM
- UTILITY LINES TO BE RUN PLUMB AND LEVEL
- LAYOUT TO BE VERIFIED W/ SITE SUPERVISOR
- EQUIPMENT PLACEMENT TO BE VERIFIED W/ SITE SUPERVISOR
- OVERALL NEAT AND TIDY INSTALLATION



1 LOWER LEVEL
SCALE: 3/16" = 1'-0"

LOWER LEVEL PLAN

D
B

DOKKEN BUILT

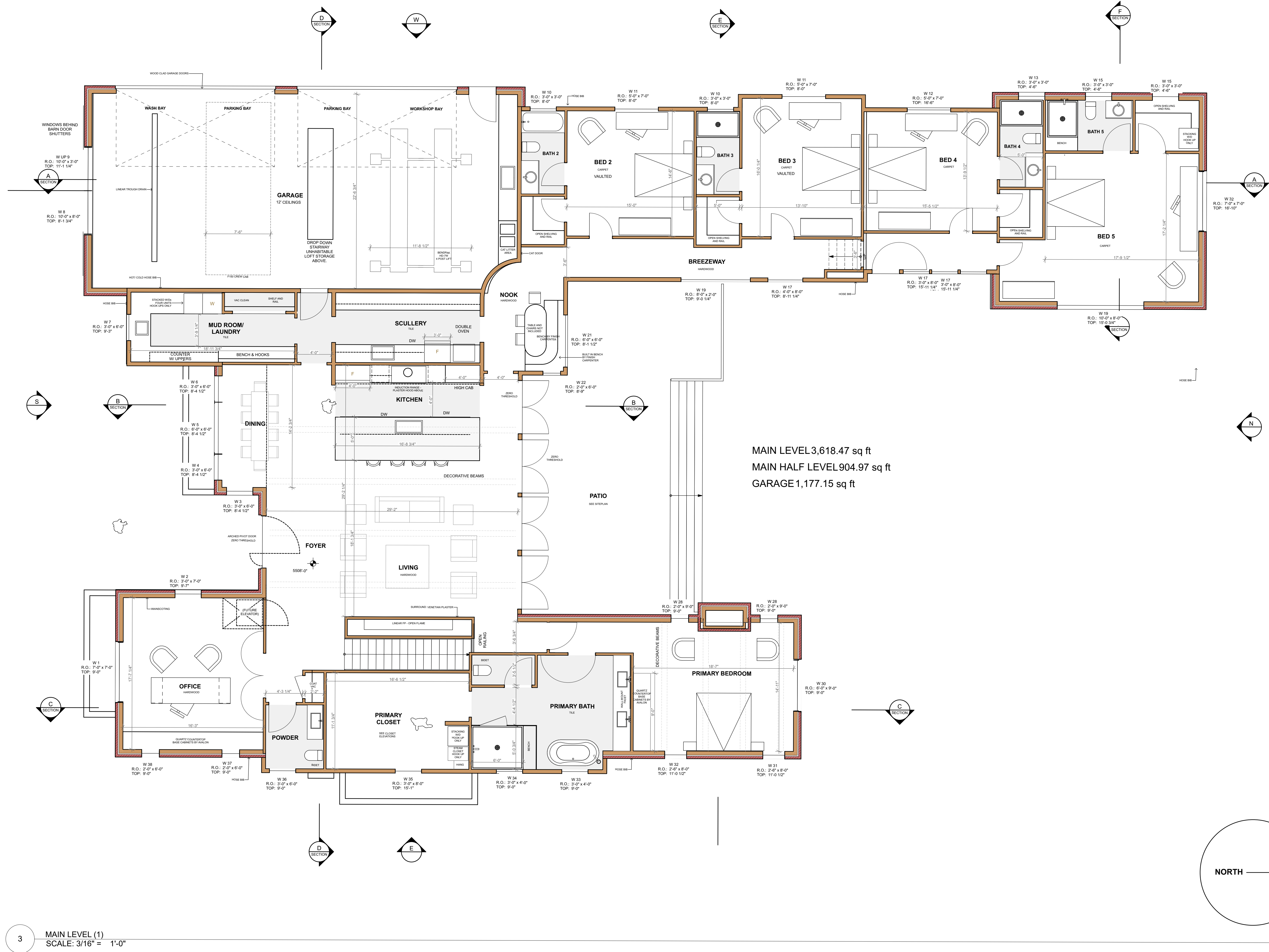
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REVISED: 7/10/25

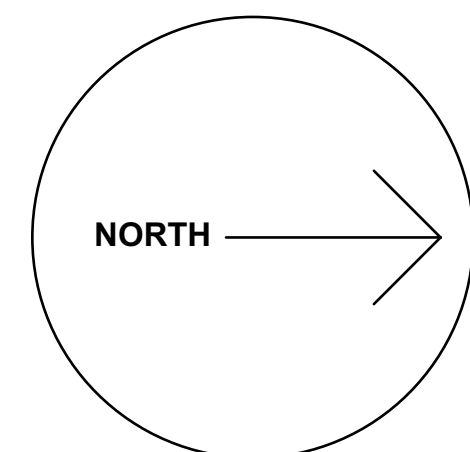
A1.1



1685 S Colorado Blvd
Unit S147
Denver, CO 80222

1425 Cherryville Rd
Greenwood Village, CO 80121

A1.3



SCALE: 3/16" = 1'-0"

ROOF PLAN



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



2 WEST ELEVATION
SCALE: 3/16" = 1'-0"



1

EAST ELEVATION
SCALE: 3/16" = 1'-0"



2

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

July 25, 2025

Jay and Ty Dokken
1425 Cherryville Road
Greenwood Village, CO 80121

Subject: Variance Request Case # 25-24-VAR
1425 Cherryville Road

Dear Mr. Dokken,

This letter is to confirm the action taken by the Board of Adjustments and Appeals (BOAA) for the City of Greenwood Village on July 24, 2025 for the above referenced case. The Board **approved** your variance request to construct a principal structure with a proposed side yard setback of 26 feet on both sides as submitted and shown on "Attachment 3: Proposed Plan" to the July 24, 2025 Staff Report. Construction cannot begin until the building permit is issued by the Community Development Department.

Per Sec. [16-2-120\(f\)](#) the following conditions apply:

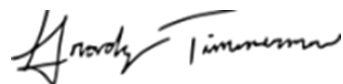
1. The building permit required to complete the approved variance must be acquired within one (1) year from the approval date.
2. Construction pursuant to such a variance shall be completed within one (1) year from the date following issuance of the permit.

If either the permit is not issued or construction is not completed within the established deadlines, the variance shall automatically terminate. However, upon application made prior to either deadline, the BOAA may, for good cause shown, issue not more than one (1) extension of the deadline.

Please retain this letter for your records.

Please contact me if you have any questions. I can be reached at (303) 486-5783 or gtimmerman@greenwoodvillage.com

Sincerely,



Grady Timmerman, Planner II

Attachments: Proposed Plan (Attachment 3 to the July 24, 2025 BOAA Staff Report)



May 8, 2026

To: Grady Timmerman and Greenwood Village Community Development Team-

We are writing to request that our project at 1425 Cherryville Road be placed on the agenda for the upcoming June Board of Adjustments and Appeals meeting.

We are requesting a one-year extension of the existing variance approval for Case #25-24-VAR. We have been working toward completing the final plans and permit documents, but the process has taken longer than originally anticipated. While we believe six months from now should be plenty of time to complete and submit the required documents, we would like to request the full one-year extension in case of any unforeseen delays.

The project intent remains consistent with the approved variance, and we are not requesting any revisions or modifications to the approved variance language or plan. The approved variance allows for construction of a principal structure with a proposed side yard setback of 26 feet on both sides, as previously submitted and approved by BOAA.

Thank you,



Jay Dokken
jay@dokkenbuilt.com
303-944-1579



office@dokkenbuilt.com
303-944-1579

1685 S Colorado Blvd Unit S147 Denver, CO 80222

City of Greenwood Village

Board of Adjustments and Appeals

March 27, 2025



6060 South Quebec
Street Greenwood
Village, CO 80111

25-01-VAR

Staff Report

Subject Property Address

1425 Cherryville Road

Legal Description & Lot Size

Plot 5 Cherryville Heights Subdivision
0.90 acres

Applicant

Jay and Ty Dokken

Property Owner

1425 Cherryville Rd LLC

Zoning

Residential - 1.0 (R-1.0)

Comp Plan Planning Area

West End

Request

A variance request to scrape and rebuild an existing non-conforming house. The new house is proposed with similar side setback encroachments on both the east and west.

Staff Recommendation

Approval

Attachment

1. Zoning/Vicinity Map and Images
2. Variance Application
3. Proposed Plan (Continuance)
4. Adjacent Subdivision Plats w/Staff Notes
5. Comp Plan - West End
6. Proposed Area of Encroachment Calculation (Continuance)

Staff

Grady Timmerman, Planner I
gtimmerman@greenwoodvillage.com
(303) 486-5792

Public Notice & Comments - As of 3/20/2025

# Sent	Comments Received	Support	Oppose
7	0	N/A	N/A

Public notice was provided as required per Land Development Code (LDC) Section 16-2-270. The affidavits of posting and mailing will be presented at the March 27, 2025 hearing.



Executive Summary

The Applicant is requesting a variance to Section 16-8-40 (setbacks) and Sec. 16-25-20(a) (nonconforming structure) to scrape and rebuild an existing non-conforming house and rebuild a new house with side setback encroachments which are similar to the existing side setback encroachments. The R-1.0 zoned property requires a 40-foot side setback minimum. The existing house is setback 29.5 feet on the east side and 22.3 feet on the west side at the closest point. The proposed house is setback 26 feet on both the east and west side.

The replacement (scrape and rebuild) or expansion of the non-conforming portions of a non-conforming structure (existing principal building) requires approval from the BOAA. The existing encroachments (10.5 feet east, 17.7 feet west) equal 28.2 feet of total linear side setback encroachment. The Applicant is requesting a slight increase to this, with proposed 26-foot setbacks (14-foot encroachment) on both sides of the house. The existing house is 80 feet wide and the proposed house would also be 80 feet wide.

Background

- The Subject Property is located in the “West End” planning area of the Greenwood Village Comprehensive Plan (Attachment 5).
- The Subject Property is zoned R-1.0 and subject to the Land Development Code’s (LDC) zoning regulations with regard to principal structure setbacks. The minimum required side yard setback for principal structures in this zone district is 40 feet.
- The Subject Property was a part of the original incorporation of the City (1950) however the Cherryville Heights Subdivision was platted pre-incorporation. The subdivision was approved by the Arapahoe County Commissioners in October of 1946. The City accepted this subdivision as part of the City’s incorporation.
- The house (principal building) on the Subject Property was built in 1950. It is likely that the house construction began before 1950, as the date provided by the County is typically the Certificate of Occupancy date.
- The current owners purchased the property in December of 2024.
- Based on the City’s permit history significant remodels or additions to the property have not occurred, and the only building permits on file are maintenance related (new water heater and re-roof).
- On July 25, 2024, the Board of Adjustments and Appeals approved a similar request to allow for a structure on the subject property with 26-foot setbacks (14-foot encroachment) on both sides of the house.
- A request for 16-foot encroachments was brought before the Board on February 27, 2025 and was continued to March 27, 2025.

Applicant Request

Summary of Variance Request

Side Yard Setback Encroachment (Combination of Expansion and Replacement of an Existing Non-conforming Principal Building)

East Side	Existing Setback	Proposed Setback	Existing Area (footprint) of Encroachment	Proposed Area (footprint) of Encroachment
	29.5 feet (10.5-foot encroachment*)	26 feet (14-foot encroachment*)	496 square feet	1,052 square feet** (556 sf increase)
West Side	Existing Setback	Proposed Setback	Existing Area (footprint) of Encroachment	Proposed Area (footprint) of Encroachment
	22.3 feet (17.7-foot encroachment*)	26 feet (14-foot encroachment*)	686 square feet	1,342 square feet** (656 sf increase)

**The proposed area (footprint) of encroachment figures have been rounded to the nearest whole number. Please see Attachment 6: Proposed Area of Encroachment Calculation for more information.

Analysis

Staff finds that the lot shape, specifically the lot width, is a special condition of the land negatively affecting the Applicant's (homeowners) ability to construct a typical width house as found throughout the R-1.0 zone district. All other properties along Cherryville Road are also zoned R-1.0 as are the vast majority of lots in the West End Planning Area. The Subject Property lot width is non-conforming as to the minimum required lot width in the R-1.0 zone district. This is due to the Cherryville Heights Subdivision being platted in 1946, pre-incorporation of the City under Arapahoe County regulations. The minimum required lot width in the R-1.0 zone district is 150 feet, where the Subject Property lot width is 131.98 feet. Once accounting for the minimum side setback requirements in the R-1.0 zone district, which are 40 feet, a house on the Subject Property would only be allowed a width of 51.98 feet, which is significantly less than typical on the 1-acre properties found throughout the R-1.0 zone district. On a minimum width (150 feet) zoning compliant R-1.0 lot a 70-foot-wide house can be accommodated. Additionally, while 150 feet is the minimum, a significant number of R-1.0 zone properties in adjacent subdivisions (see Attachment 4) have lots wider than 150 feet which can easily accommodate an 80-foot-wide house. The Subject Property's narrow lot width is a hardship not of the Applicant's making, and the proposed house width is nearly identical to the existing house width.

Regarding Section B Approval Criteria, Staff finds that approval of this variance will be in harmony with and not weaken or alter the spirit of the R-1.0 zone district. In the immediate vicinity of the Subject Property, along Cherryville Road, most lots have non-conforming lot widths and have existing side setback encroachments; either as existing non-conforming conditions or approved through the variance process. Side setback encroachments are common along Cherryville Road, and as is seen on other Cherryville Road properties, the proposed house of this variance request will have no front or rear setback encroachments. Regarding the R-1.0 zone district generally, the request is for a house width that is typically found, and usually easily accommodated, on width conforming R-1.0 lots. As the request is for similar linear encroachments as exist today, and both of the adjacent properties to the sides of the Subject Property are familiar with and have similar side setbacks as requested in this variance, the use of those properties will not be injured.

Approval Criteria

Prior to approval of a variance, the BOAA shall make findings concerning the criteria listed below. For a variance to be granted, the request must meet at least one Criterion from Section A and all of the Criteria from Section B, in the determination of the BOAA. Staff's findings are presented in the tables below:

Section A Criteria	Finding	Rationale
1. The variance is required because of the existence of special conditions or circumstances, such as size, shape, location, topography or surroundings of the land, structure or building involved, which deprive the applicant of privileges enjoyed by owners of other properties in the vicinity or in the same zone district; or	Yes	Staff finds that the width of the non-conforming lot limits the Applicants ability to construct a typical width R-1.0 principal building and constitutes a special condition depriving the Applicants of privileges enjoyed by owners in the R-1.0 zone district. The proposed 80-foot-wide principal structure can be accommodated on most R-1.0 zone properties.

2. The variance is necessary and appropriate to make possible the reasonable use of the land or the structures on the property; or	No	Staff finds that while the lot width is narrow, it is very deep and could technically accommodate a similar sized (or larger house) however such a house would be narrow, which is not typical in the R-1.0 zone district and may feel out of place when considering the aesthetic of the neighborhood.
3. The variance will ameliorate a difficulty which did not result from the acts or omissions of the applicant.	Yes	Staff finds that granting this variance would ameliorate the difficulty of having to work within a narrow (52-foot wide) building envelope. This difficulty did not result from the acts or omissions of The Applicants as the neighborhood was platted prior to the incorporation of the City of Greenwood Village and was approved by the Arapahoe County Commissioners and is an inherited condition.

Section B Criteria	Finding	Rationale
1. The variance will be in harmony with and not alter or weaken the spirit and purpose or essential character of the zoning for the zone district in which the property is located.	Yes	Staff finds that the variance request would be in harmony with the R-1.0 zone district as the Applicants are not asking for anything unusual or out of character regarding the proposed principal structure width for properties zoned R-1.0. Most other properties along Cherryville Road have similar side setback encroachments and in the wider West End Planning Area, houses of 80-feet in width (or greater) are typical.
2. The variance will not substantially or permanently injure the appropriate use of adjacent properties in the same zone district.	Yes	Staff finds that the use of adjacent properties would not be injured by approval of the variance request as side yard setback encroachments are already present on the existing structure and the existing west side encroachment would be reduced by 3 feet 9 & ¼ inches with proposed with the variance request.
3. The variance will not be detrimental to the public health, safety or welfare.	Yes	Staff finds that the variance will not harm public health, safety, or welfare and that this variance request has no impact regarding this criterion.



City of Greenwood Village

Minutes – Final

Board of Adjustments and Appeals

6060 South Quebec Street
Greenwood Village, CO
80111

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Please turn off all cellular phones and/or audible pagers
All Board, Commission and Council meetings are digitally recorded

Thursday, July 24, 2025

6:00 PM

Council Chambers

DINNER (5:00 PM)

REGULAR MEETING (6:00 PM)

1. CALL TO ORDER

The Board of Adjustment and Appeals of the City of Greenwood Village met in a regular session in the Council Chambers at Greenwood Village City Hall, 6060 South Quebec Street, Greenwood Village, County of Arapahoe, State of Colorado, at 6:00 p.m.

Staff in attendance: Derek Stertz-Planning Manager, Grady Timmerman-Planner II, Jonathan Mehki-Planner I, Krista Ashford- Planning Technician

2. ROLL CALL

Present: 6 - Susan Calonge, Thomas Foottit, Michael Weiner, Arthur Aaron, Preston Moxcey, Paul Wilson

Absent: 2 - Richard Myers, Barry McCoin

Presiding: Susan Colange

3. PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Board Member Wilson.

4. APPROVAL OF MINUTES

A motion was made by Boardmember Thomas Foottit, seconded by Boardmember Preston Moxcey; to Approve APPROVAL OF MINUTES. The motion carried by unanimous voice vote.

Yes: 6 - Susan Calonge, Thomas Foottit, Michael Weiner, Arthur Aaron, Preston Moxcey, Paul Wilson

No: 0 - None
Recused: 0 - None

A. Tentative Minutes 06.26.25 (2025-202)

5. PUBLIC HEARINGS

A. 25-24-VAR 1425 Cherryville Rd (2025-201)

Planner Timmerman stated that a notice of the date, time, and place of the hearing was published on the City website at least 15 days prior to the hearing, as required by the Greenwood Village Municipal Code. Notice of the hearing was also posted on the property for at least 15 days prior to the hearing, as required by the Greenwood Village Municipal Code. Notice of the hearing date, time, and place was also sent by mail to property owners as required by the Greenwood Village Municipal Code for this type of hearing at least 15 days prior to the hearing.

Planner Timmerman presented the staff presentation.

Chair called for questions of staff. No questions were asked.

Jay Dokken 2639 St Paul Street, Denver CO and Ty Dokken 4705 S Clayton Ct, Denver CO introduced that a new family has expressed interest in the place with four children. The applicant pointed out that an additional bedroom has been added to the plan within the same previously approved setback. The laundry room moved slightly as well. The property is set to close on Monday pending approval.

Weiner asked the applicant to clarify where the previous plans ended. The applicant clarified that there was an outdoor area with a breezeway leading to the pool house. The pool house was converted to a bedroom, and the breezeway will be occupied by the primary residence as well.

Footit clarified that the 26-foot setback would apply to the entire proposed house. Planning Manager Stertz clarified that the board does not approve a change of setbacks, but rather a variance to allow encroachment into the setback. A forty-foot setback exists for the property.

Chair closed public hearing

Board Member Aaron commented that the original decision can support the new shape of the lot.

Board Member Fottit concurred with approval. The property was platted before the annexation and was set as a narrow lot. Agreed with staff assessment of A1 criteria and also A2 criteria.

Board Member Moxcey agrees and observed that it is improving the lot.

Board Member Weiner was inclined to vote yes. Previously approved a similar envelope for the building.

Board Member Wilson approved and recognized the creativity in accommodating the new buy

Chair Calonge agreed with previous observations.

A motion was made by Boardmember Michael Weiner, seconded; to Approve 25-24-VAR 1425 Cherryville Rd. The motion carried by unanimous voice vote.

Yes: 6 - Susan Calonge, Thomas Footit, Michael Weiner, Arthur Aaron, Preston Moxcey, Paul Wilson

No: 0 - None

Recused: 0 - None

6. PUBLIC COMMENT

No public comment was requested.

7. DISCUSSION ITEMS

No discussion items

8. ADJOURNMENT

There being no further business, the meeting adjourned at 6:21pm.