City of Greenwood Village

Agenda – Final
Board of Adjustments and Appeals

6060 South Quebec Street
Greenwood Village, CO
80111

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Thursday, October 23, 2025 | **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

5. PUBLIC HEARINGS

A. Case No. PZ- 25-00030-VAR 3745 E Garden Ln (2025-300)
B. Case No. PZ-25-00033-VAR 5286 S Franklin Cir. (2025-321)

6. DISCUSSION ITEMS

7. PUBLIC COMMENT

8. ADJOURNMENT

6060 South Quebec Street
Greenwood Village, CO 80111

Staff Report

Case No. PZ-25-0030-VAR

Board of Adjustments & Appeals

October 23, 2025

Subject Property Address:

3745 E GARDEN LN

Project Size / Zoning:
2.5 Acres / R-2.5

Comprehensive Plan Planning Area:

Rural Homestead Planning Area

Applicant:

Phil Workman
7523 E 8th Pl
Denver, CO 80230

Property Owner:
Peppertree, LLC

Request:

A variance request to retain an existing barn on the lot.

Staff Recommendation:

Approval

Attachments:

1. Zoning Map and Aerial Image
2. Variance Application
3. Proposed Plans
4. Comp Plan – Rural Homestead

Staff

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

Public Notice & Comments – As of 10/13/2025

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 October 23, 2025 hearing.

Executive Summary

The applicant is requesting a variance to Sec. 16-22-10 (b) to allow for the continued use and structure of a horse barn located in the front setback of the property located at 3745 E Garden Lane, Greenwood Village, CO. The property owner's plan to develop the site would create a non-conformity with the barn's encroachment into the front setback and the City's prohibition in allowing accessory structures in the front yard.

Background

- The Subject Property is located in the "Rural Homestead" planning area of the Greenwood Village Comprehensive Plan (Attachment 4).
- 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 other than patios or decks in front yards (Article 22).
- 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 existing horse barn was built in 1971.
- The current owners purchased the property in April of 2022.

Applicant Request

Summary of Variance Request	
Accessory Structure (Existing Barn) in the Front Yard	
Sec. 16-22-10 (b) states that accessory structures other than patios and decks are prohibited in front yards and the applicant requests to retain the existing 918 sf horse barn in the front yard as an accessory structure.	
Proposed Setback	Proposed Area of Encroachment
41 feet when the minimum required front setback in this zone district is 100 feet.	918 square feet

Analysis

Staff has reviewed the request to retain the existing horse barn on the subject property and finds that no special conditions exist which would otherwise prevent the applicant from utilizing the property in a manner consistent with the R-2.5 zone district. Specifically, the applicant retains the ability to construct a zoning-compliant dwelling unit within the prescribed building envelope. Accordingly, the applicant is not being deprived of privileges commonly enjoyed by other property owners in the vicinity or within the same zoning district.

With respect to site conditions, staff acknowledges that the placement of the existing horse barn (constructed in 1971) was not the result of any action taken by the applicant. The barn's long-standing location constitutes a practical difficulty that would be addressed by granting the requested variance. Requiring demolition of the structure would impose an undue burden on the applicant, particularly given the barn's 54-year history as an established and recognizable feature within the neighborhood context.

Staff further finds that the variance request is consistent with the spirit and intent of the R-2.5 district. Retention of the horse barn will not disrupt the overall harmony of the neighborhood, as the structure has long been integrated into the community's physical and visual character. The continued presence of the barn will not alter or impair the use of adjacent properties, which are not currently injured by its existence. Allowing the applicant to construct a zoning-compliant dwelling unit within the allowable building envelope, while retaining the barn, will similarly have no adverse effect on neighboring land uses.

Finally, staff finds that the requested variance will not negatively impact public health, safety, or welfare. Granting the variance provides a reasonable balance between enabling the applicant's continued use of the property and preserving a longstanding, contextual neighborhood feature.

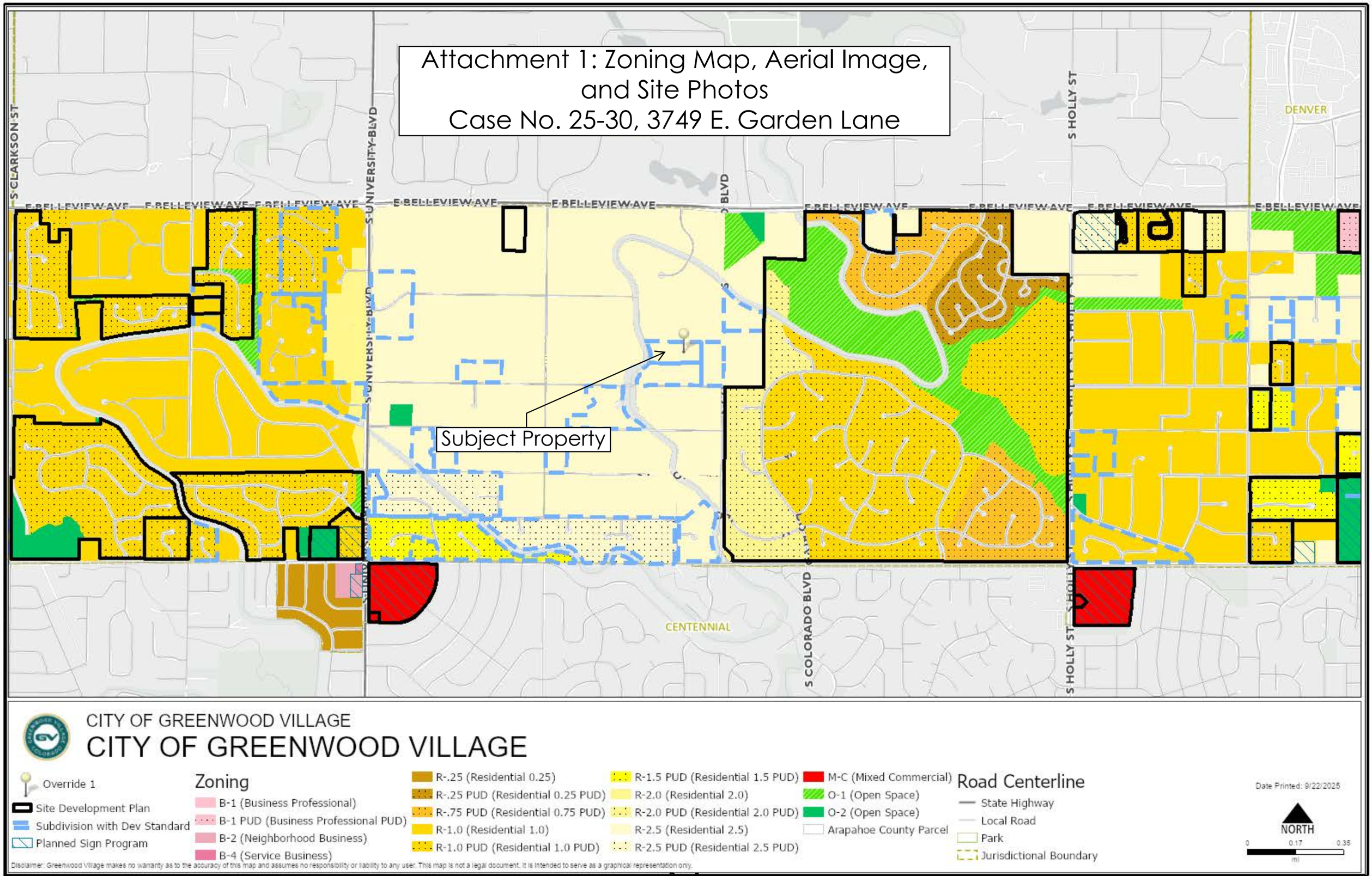
Approval Criteria

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 on 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:

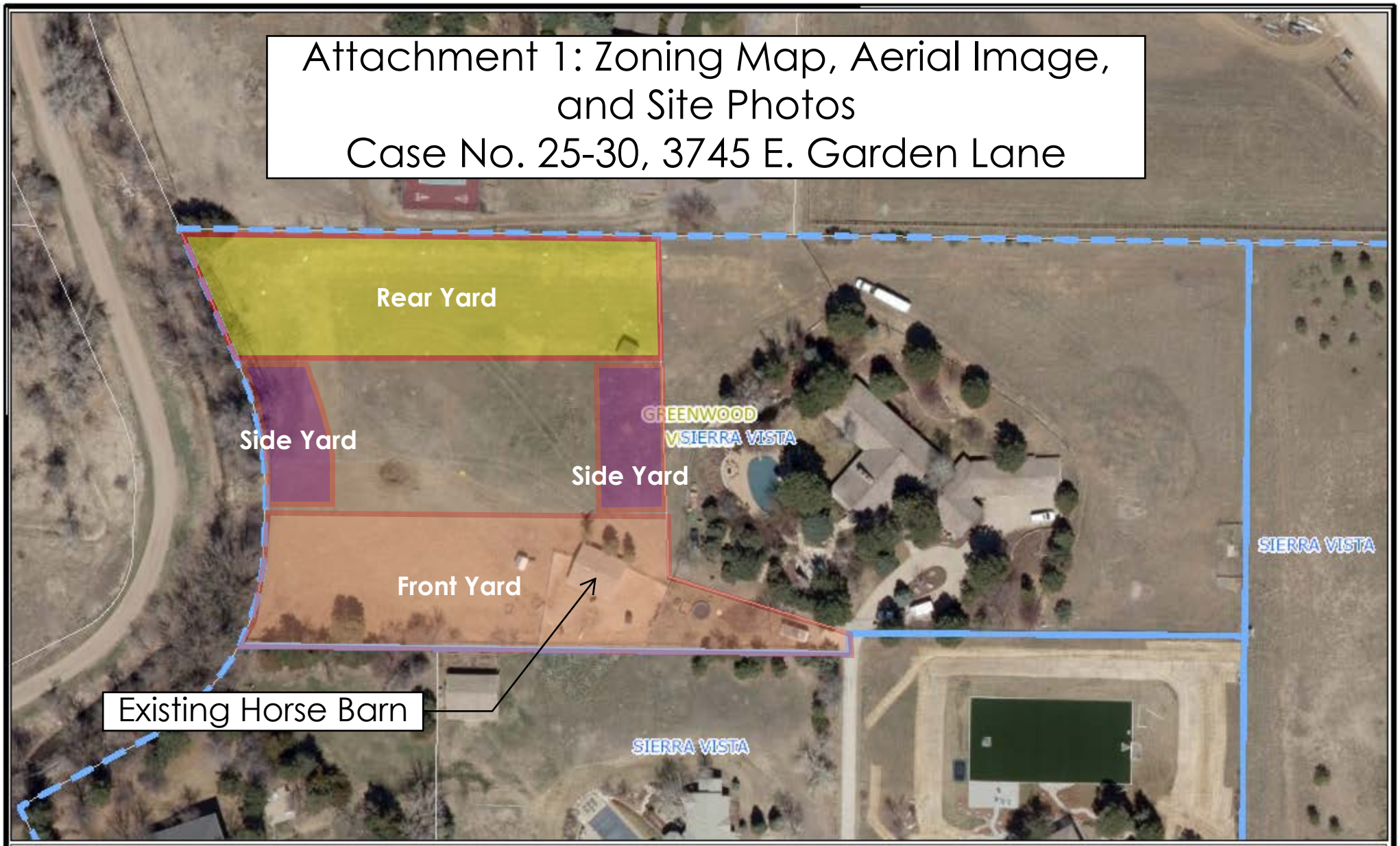
Section A Criterion	Finding	Rationale
1. The existence of special conditions or circumstances, such as size, shape, location, topography or surroundings of the land, structure or building involved, which deprive the applicant of privileges enjoyed by owners of other properties in the vicinity or in the same zone district; or	No	Staff finds that there are no special conditions associated with the property that are applicable to the request to retain the existing horse barn. As the applicant has the ability to construct a zoning compliant house, they are not being deprived of privileges enjoyed by owners of other properties in the vicinity or the same zone district.
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 horse barn, 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 horse barn, which has been a part of the neighborhood context for 54 years is overburdensome and also a difficulty for the applicant.

Section B Criterion	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 horse barn on the property. As it was constructed in 1971, it 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 horse barn 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 Map, Aerial Image, and Site Photos
Case No. 25-30, 3749 E. Garden Lane



Attachment 1: Zoning Map, Aerial Image, and Site Photos
Case No. 25-30, 3745 E. Garden Lane



CITY OF GREENWOOD VILLAGE

CITY OF GREENWOOD VILLAGE

- Site Development Plan
- Subdivision with Dev Standard
- Greenwood Entertainment District
- Arapahoe County Parcel

Road Centerline
- State Highway
- US Highway
- Interstate
- Local Road
- Park
- Jurisdictional Boundary

GVImagery2024Cached

Red:	Band_1	Red:	Band_1
Green:	Band_2	Green:	Band_2
Blue:	Band_3	Blue:	Band_3

Date Printed: 10/13/2025

NORTH

0 0.01 0.02 mi

Disclaimer: Greenwood Village makes no warranty as to the accuracy of this map and assumes no responsibility or liability to any user. This map is not a legal document. It is intended to serve as a graphical representation only.

August 29, 2025

Greenwood Village

Board of Adjustment & Appeals

City Council Chambers
6060 S Quebec Street
Greenwood Village, CO 80111-4591

Please accept this application and request for a variance to allow the continued use and structure of a bar in the front setback of the property located at 3745 E Garden Lane, Greenwood Village, CO.

A pre application meeting has not been scheduled and is also requested with regard to this request.

Thank you

Phil Workman, for the property owner

Planning & Development Permit Application

Friday, August 29, 2025
City of Greenwood Village
Community Development
6060 South Quebec Street
Greenwood Village, CO 80111
Office: (303) 486-5783
comdev@greenwoodvillage.com

New Permit Application

Project Number	PZ-25-00030
Project Address	3745 E GARDEN LN, GREENWOOD VILLAGE, CO, 80121
Project Name	Robertson Residence
Project Type	Residential Variances & Appeals
Project Description	Residential Variance
Owner Name	PEPPERTREE LLC
Owner Contact Name	
Owner Address	3749 GARDEN AVE, GREENWOOD VILLAGE CO 80121-1820
Owner Phone	310-463-6066
Owner Email	audrey.robertson@gmail.com
Architect Business Name	
Architect Contact Name	
Architect Address	,
Architect Phone	
Architect Email	
Applicant Role	
Applicant Name	Phil Workman
Applicant Phone Number	3039101393
Applicant Email Address	phil@workmanassoc.com
Submit Date	8/29/2025 4:34:24PM

All Application Questions and Answers

Application Question	Answer
Pre-App Completed?	N
Description of Variance Request	Request for variance into front setback of 59 feet
Code section from which variance is requested:	Section 16-12-60 GWV Municipal Code
Lot Area (acres)	2.5
Length of Encroachment (if applicable): Linear	59 feet
Area of Encroachment (if applicable): Square Feet	903 Sw. Ft.
Height of Encroachment (if applicable): Feet	N/A

3745 E Garden Lane Residence

Lot 1 - Board of Adjustments & Appeals Submittal

3745 E Garden Lane, Greenwood Village, CO 80121

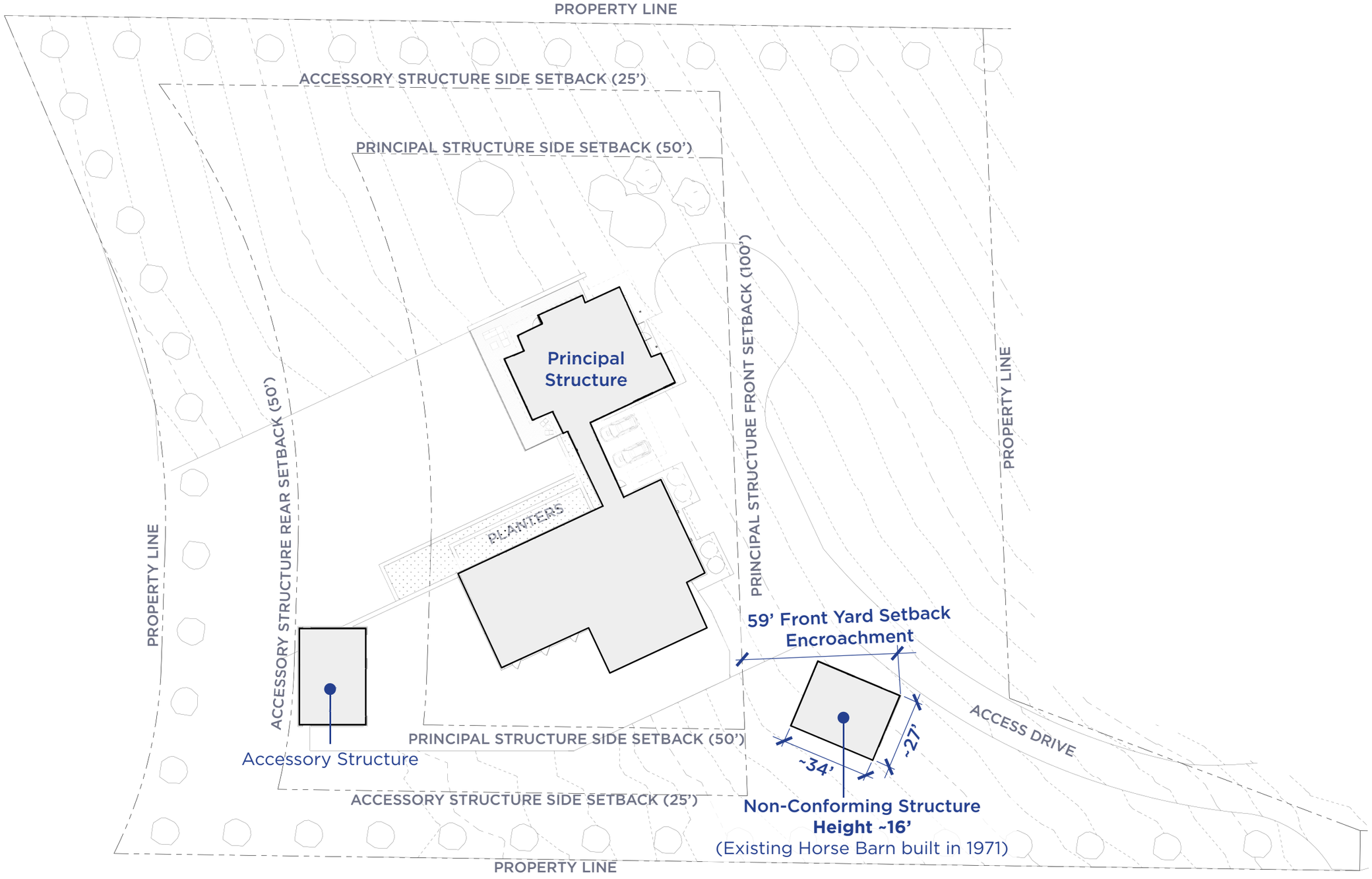
39°37’5.48”N | 104°56’36.49”W

22 September 2025

4240

LOT 1 SITE PLAN

PROPOSED



PROPOSED SITE PLAN

SCALE: 1" = 30'

CURRENT HORSE BARN

EXISTING PHOTOS

EAST VIEW

SOUTHWEST VIEW

SOUTHEAST VIEW

EAST VIEW

Rural Homestead Planning Area

CHAPTER CONTENT

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Parks
Public Facilities
Homeowners Associations

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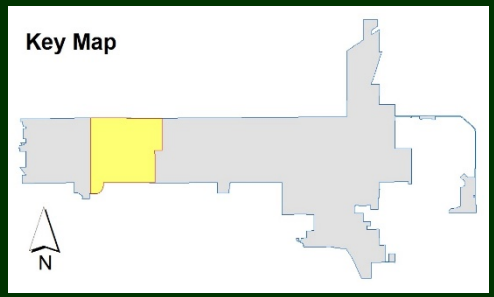
Goals, Objectives & Policies
Land Use
Transportation
Community Services & Amenities
Natural Environment



PLANNING AREA DESCRIPTION

Planning Area Boundaries

The Rural Homestead planning area is bounded by Belleview Avenue on the north, Orchard Road on the south, University Boulevard on the west, and Colorado Boulevard on the east. It also includes an existing shopping center south of Orchard Road at University Boulevard.

Planning Area History

This planning area was part of the original Village when the Village was incorporated in 1950. An additional commercial area south of Orchard Road and east of University Avenue was annexed in 1999.

Rural Homestead Planning Area

RURAL HOMESTEAD CHARACTER

Natural Environment

The natural environment includes rural open grassland areas, horse pastures, and large trees.

Built Environment

The character of the planning area is generally homogeneous with the following characteristics:

- Land Uses: The planning area is comprised of single family residential dwellings. The southwest corner of this area is a neighborhood-oriented commercial district.
- Residential Density: The very low density, single family planning area consists of an average density of 0.4 dwelling units per acre, or one residence per 2.5 acres of land. The notable exception is the Orchard Creek Park neighborhood, which is about one residence per acre, in the southwest corner of the planning area.
- Street Characteristics: Primarily gravel roads and a limited number of paved streets meander through the planning area.
- Landscape: There is a combination of natural landscape, trees, and irrigated lawns at single family residences.

RURAL HOMESTEAD INVENTORY

Utilities/Services

The following utility/service providers serve the Rural Homestead planning area:

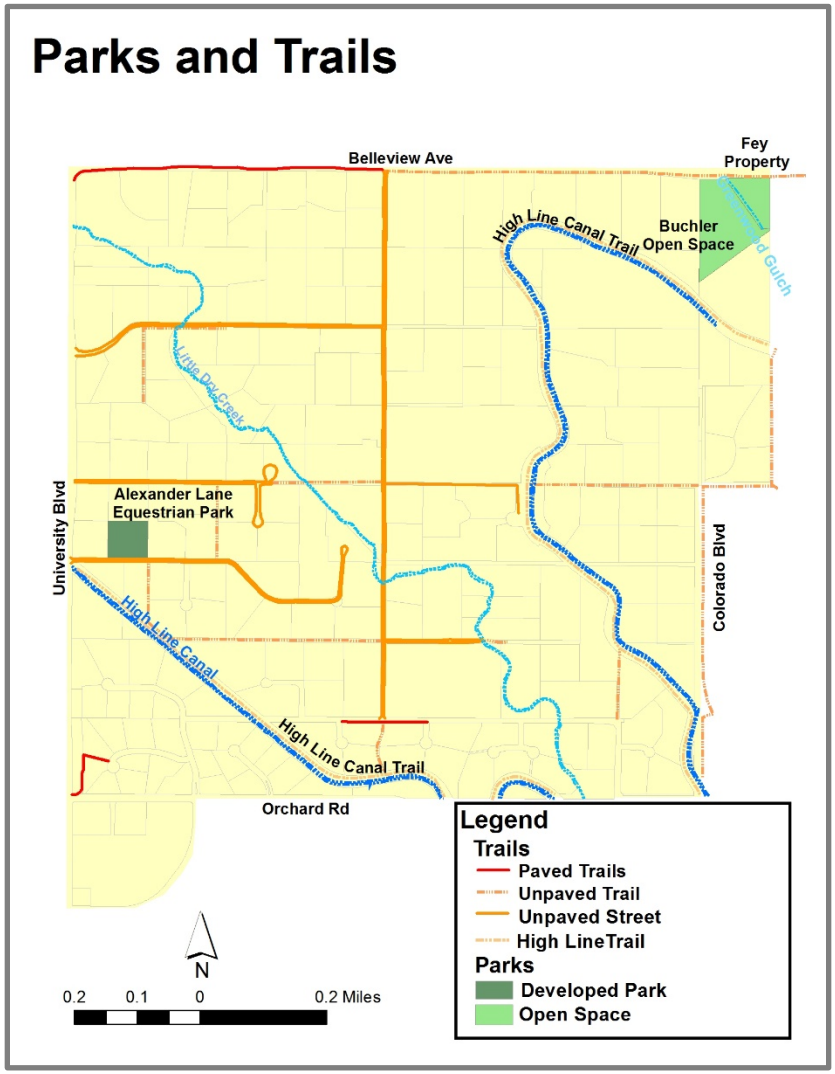
- School Districts: Littleton School District, Cherry Creek School District
- Sanitation: South Englewood, Southgate (along the south planning area border), some areas with no municipal service served by private septic systems
- Water: South-East Englewood, Southgate, some scattered areas throughout the planning area have no municipal service and are served by wells
- Metro Districts: None
- Fire Districts: Littleton Fire Protection District, South Metro Fire Rescue District

Planning Area Facilities

Recreation

Parks provide both active and passive recreation space, while open space is restricted to only passive recreation. The amount of parks, open space and trails in the planning area consist of the following:

- Developed Parks: 2.40 acres
- Open Space: 11.5 acres
- Bike Paths: 1.02 miles
- Equestrian Paths: 3.47 miles



Rural Homestead Planning Area

Parks

The following parks and open space areas are located in the Rural Homestead planning area:

- Alexander Lane Equestrian Park
- Buchler Open Space
- Fey Open Space
- Pogge Conservation Easement

Other Public Facilities

There is one public facility in this planning area, which is shown on the Parks & Trails Map:

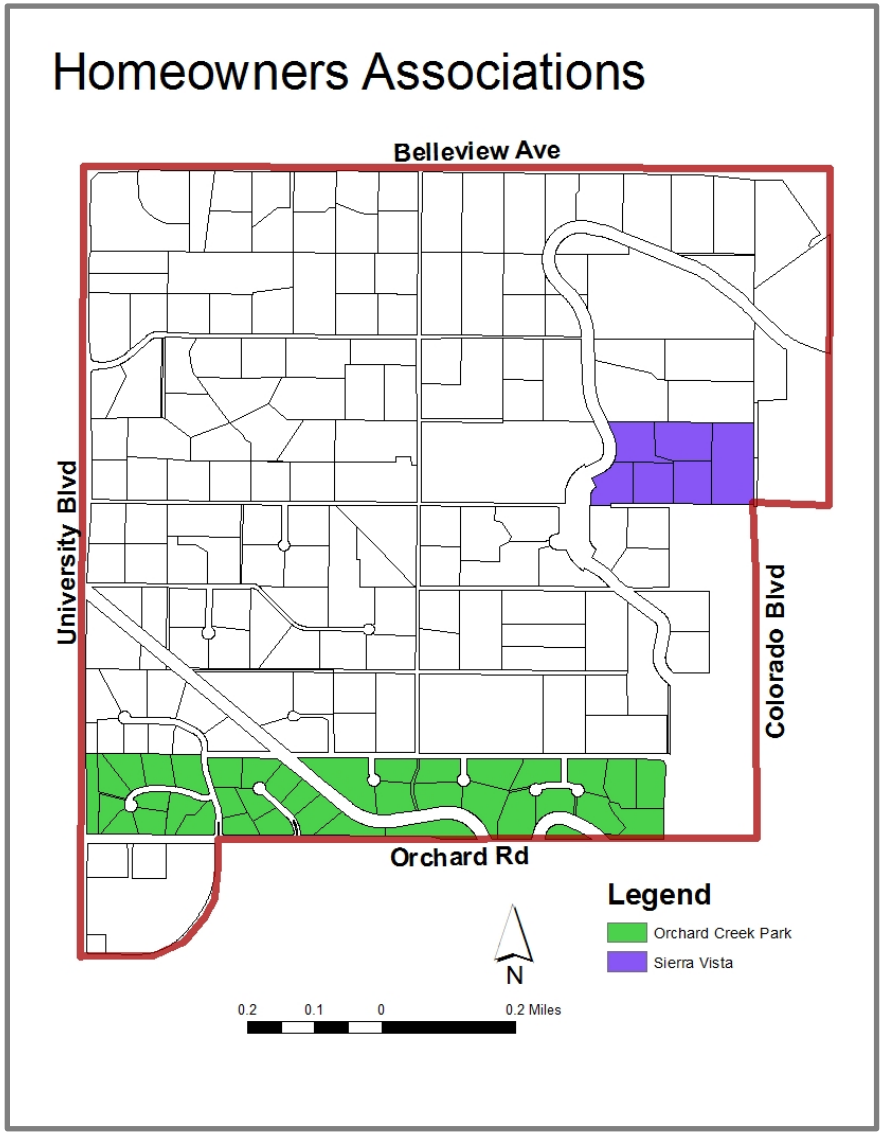
- High Line Canal Trail

Public Schools – None

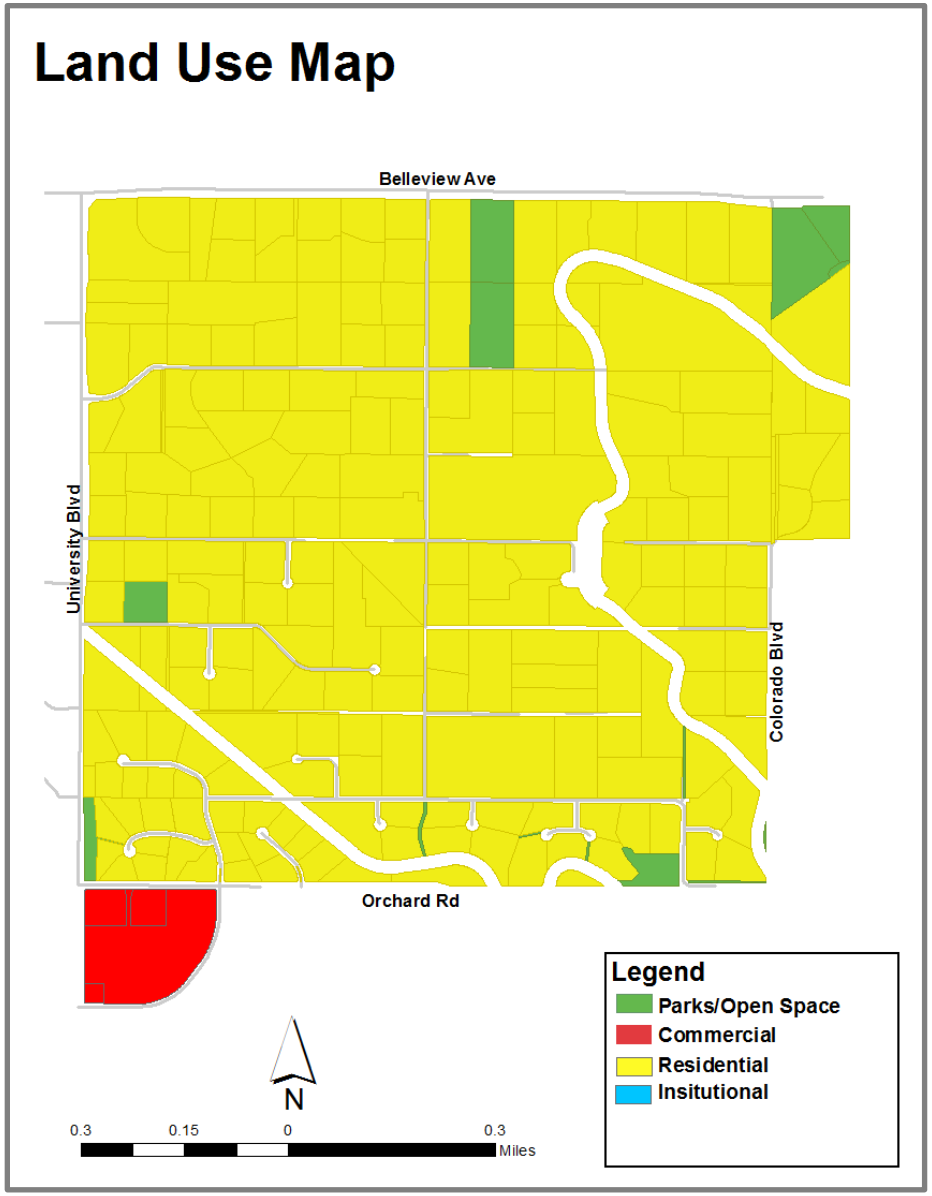
Homeowners Associations

There are two homeowners associations maintained in the Rural Homestead planning area. The associated neighborhoods are shown in the related map.

- Orchard Creek Park
- Sierra Vista



Rural Homestead Planning Area



THE RURAL HOMESTEAD PLAN

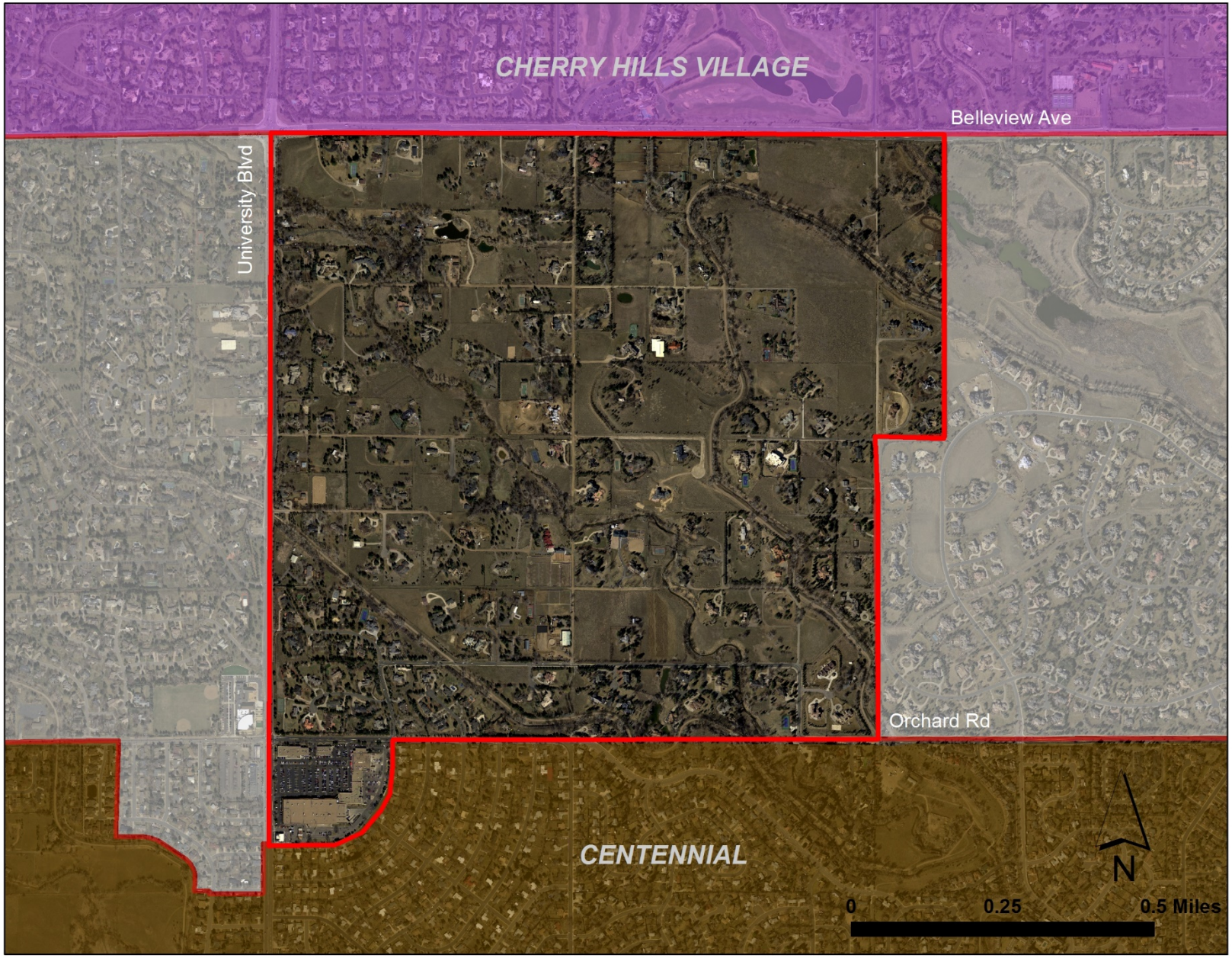
Planning Area Vision

The Rural Homestead planning area will retain its rural and agricultural character defined by very low density developments, unpaved roads, mature vegetation, and large distances between homes. The planning area serves as the equestrian center of the Village and includes improved equestrian trails and an equestrian center. The neighborhood provides convenient and safe bicycle and pedestrian travel opportunities along bicycle, pedestrian, and equestrian trails within the planning area and sidewalks and bike lanes along Orchard Road, Colorado Boulevard, University Boulevard, and Belleview Avenue. The major perimeter roads will include detached sidewalks and enhanced landscaping to maintain and improve the image and character of the area.

Planning Area Goals, Objectives, & Policies

The goals/objectives have been associated with four primary categories for a residential planning area, including: land use, transportation, community services and amenities, and natural environment. Policy direction is provided, where appropriate, to further define the needs and interests of the planning area.

Rural Homestead Planning Area



Rural Homestead Planning Area

Land Use

Goal 1: Maintain the residential densities and high quality character of the planning area.

- Maintain the current density of one dwelling unit per 2.5 acres.
- Areas in the southwest portion of the planning area that are developed at less than one dwelling unit per acre should be maintained at their current densities.
- Maintain the rural, large lot, open character of the planning area by preserving the large distances between buildings and preserving trees and other mature vegetation.
- Protect existing equestrian and agricultural uses in the planning area.
- Encourage this planning area to be an equestrian activity center.
- Preserve properties identified as having historic or cultural significance.
- Protect the image, identify, quality, and character of the community as a whole, and the individual neighborhoods within the planning area.
- Encourage private conservation easements in an effort to preserve the open, rural character of the planning areas.

Goal 2: Protect against incompatible development.

- Ensure that all in-fill and redevelopment within the planning area is compatible with existing development.
- Coordinate with adjacent jurisdictions to achieve compatibility between new development and the planning area.

Land Use

Goal 3: Provide a buffer between residential properties and commercial or employment properties.

- Ensure adequate buffers are provided with development and redevelopment within the planning area.

Goal 4: Ensure proper maintenance of residential properties throughout the planning area and any neighborhood commercial properties within or adjacent to the planning area.

Goal 5: Preserve and protect mountain views.

- Preserve and protect view corridors of the mountains with development and redevelopment within the planning area.

Goal 6: Encourage high quality landscaping.

- Ensure high quality landscaping, compatible with the aesthetic qualities of existing landscaping, is provided with development and redevelopment within the planning area.
- Support extensive landscaping and planting of trees to enhance streetscapes and Village gateways in the planning area.

Rural Homestead Planning Area

Transportation

Goal 1: Minimize traffic congestion.

- Protect the internal planning area roadways by encouraging traffic on the external arterial roadways including Belleview Avenue and University Boulevard.
- Consider signalization of intersections on Belleview Avenue only when warrants are met.

Goal 2: Minimize traffic impacts on the residential neighborhoods.

- Maintain the rural character of portions of the planning area through unpaved streets.
- Discourage non-local through traffic in the planning area.
- Minimize the impacts from unpaved roads through reasonable provisions for dust abatement.
- Discourage additional street extensions or Little Dry Creek crossings that would allow traffic to traverse the planning area.
- Maintain existing non-paved roads on a regular, consistent basis to ensure a safe, quality travel surface is provided.
- Promote safe operations on the internal planning area neighborhood streets through the use of appropriate traffic calming techniques.

Transportation

Goal 3: Minimize noise impacts.

- Support the use of attractive landscape berms and/or noise walls for noise abatement along arterial roadways and other roadways in the planning area in need of noise abatement.
- Support extensive landscaping, compatible with the aesthetic qualities of the existing landscaping, to minimize the negative visual impact of existing noise walls.

Goal 4: Provide safe routes for walking and riding bikes to schools, parks, recreational facilities, transit facilities and neighboring amenities.

Rural Homestead Planning Area

Community Services and Amenities

Goal 1: Maintain the high quality neighborhood trails and connections to regional trails.

- Encourage improved pedestrian connections to area retail centers and community facilities.

Goal 2: Maintain the accessibility to, appearance of, and amenities within neighborhood parks.

Goal 3: Preserve the open spaces and maintain the recreational facilities within the planning area.

- Recognize the High Line Canal as an important recreational asset and maintain it in a manner that balances safety and aesthetics.

Goal 4: Maintain the quality of life in the planning area by providing a high standard of community services.

- Ensure the resources provided by utility companies are maintained at a high level of service in the planning area.
- Encourage development of reliable water supplies for residential purposes.
- Encourage the introduction and use of public water and sewage into the area for health and safety purposes.
- Minimize effects of septic systems on groundwater through the exploration of connections to sanitary districts.
- Support the reliability of power supplies through under-grounding of power facilities that historically are unreliable.

Natural Environment

Goal 1: Seek a balance between the existing wildlife, current urban development, and quality of life.

- An emphasis should be placed on resident safety when evaluating the interface between wildlife and development.

Goal 2: Preserve the existing wetland areas, riparian environments, and aquatic habitats.

- Protect wetlands, riparian areas, and aquatic habitats of Little Dry Creek and Greenwood Gulch.
- Maintain High Line Canal, Little Dry Creek, Greenwood Gulch, and other drainageways in their current state.
- Encourage natural features, such as natural drainageways, wetlands, trees, and critical wildlife habitat areas to be incorporated into the design of developments.

Goal 3: Protect floodplains.

- Ensure that all development property detains stormwater to minimize the impacts of flooding.
- Improve the quality of drainage systems to minimize flooding impacts.
- Encourage the use of drainageways as open space and recreation areas.

Goal 4: Protect water quality.

- Encourage development and land management practices that will protect groundwater quality in the area.
- Protect water quality in Little Dry Creek and Greenwood Gulch.

Rural Homestead Planning Area

CITY OF GREENWOOD VILLAGE COLORADO

6060 South Quebec Street
Greenwood Village, CO 80111

Staff Report

Case No. PZ-25-00033-VAR

Board of Adjustments & Appeals

October 23, 2025

Subject Property Address:

5286 South Franklin Circle

Project Size / Zoning:
0.66 Acres / R-1.0 PUD

Comprehensive Plan Planning Area:
West End Planning Area

Applicant:

Sean and Stephanie O'Hara
5286 South Franklin Circle
Greenwood Village, CO
80121

Property Owner:

Sean and Stephanie O'Hara

Request:

A variance request to build a pool that encroaches into the rear accessory structure setback.

Staff Recommendation:
Denial

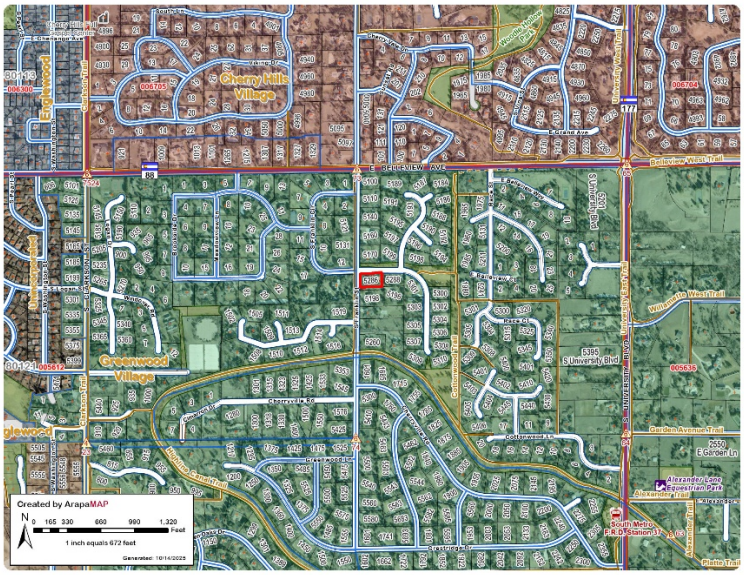
Exhibits:
1. Zoning Map, Aerial Image, and Site Photos
2. Variance Application
3. Applicants' Pool Plan w/ Staff Markups
4. Alternative Zoning Compliant Plan
5. Greenwood Pines PUD
6. HOA Letter of Support
7. Greenwood Village Comprehensive Plan – West End Planning Area
8. Public Comment

Staff
Jonathan Mehki
Planner I
jmehki@greenwoodvillage.com
(303) 486 - 5748

<u>Public Notice & Comments</u> – As of 10/16/2025

No. Sent	Comments Received	Support	Oppose
7	1	1	0

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 October 23, 2025 hearing.



Executive Summary

The Applicants are seeking an exception to Section 16-22-10 of the LDC for the construction of a pool that would encroach into the rear accessory structure setback. The request seeks to encroach approximately 10 linear feet into the 25-foot rear accessory structure setback, resulting in an approximate 314-square foot encroachment area (Exhibit 3). The dimension of the encroaching area is approximately 9½ feet by 33 feet.

Background

- The subject property is in the West End Planning Area of the Greenwood Village Comprehensive Plan (Exhibit 7).
- The subject property is zoned R-1.0 PUD and subject to the LDC zoning regulations regarding accessory structures found in Article 22 of the LDC.
- The subject property is in the Greenwood Pines PUD. Both the PUD and R-1.0 Zoning district have a 25-foot rear setback for accessory structures.
- The existing home was built in December 1976.
- A variance was granted in November of 1979 for the tennis court onsite to exceed setbacks for the front and rear yard.
- An unpermitted patio was installed between April 2022 and May of 2023 and would be removed if the variance is granted.
- The current owners purchased the property in May of 2024.

Applicants' Request

Summary of Variance Request		
Side Yard Setback Variance		
Accessory structure that encroaches into the minimum required 25-foot rear yard setback required by LDC 16-22-10	Percentage of setback encroachment	3.23 percent of the total rear yard setback area.
	Proposed edge of the pool	15.8" feet from the rear property line
	Area of encroachment	314 Square feet

Analysis

Staff have reviewed the request to build an accessory structure (pool) exceeding the rear accessory structure setback and find that no special conditions exist that would otherwise prevent the Applicants from utilizing the property in a manner consistent with the R-1.0 PUD zoning district. The Applicants can build a zoning-compliant pool within the existing accessory structure envelope (Exhibit 4).

With respect to site conditions, Staff acknowledges that the existing tennis court was authorized through a prior variance. The placement of the existing home and tennis court limits the available area for a zoning-compliant pool within the rear yard accessory structure envelope. While the configuration of the lot and existing tennis court limit usable open yard depth to between approximately 23 and 42 feet between the rear façade of the residence and the rear property line, space remains available to accommodate a smaller or reoriented pool that conforms to the setback standards.

The Applicants note that the preferred pool placement allows for both a proposed (zoning-compliant) attached garage and a full-sized pool (Exhibit 3). These site and design factors are noted; however, they do not constitute a unique physical hardship under Section 1.A of the variance criteria. Staff notes that a reduced pool footprint

(Exhibit 4) or an alternative configuration to the east of the residence could meet the required setbacks while still providing a functional amenity.

Staff acknowledges that a patio was constructed between May 2022 and May 2023 by the previous property owner. The City has no record of this work occurring, and no permit exists for the patio. Patios are defined as accessory structures and must follow accessory structure setbacks.

Staff finds that the variance request is consistent with the intent and purpose of the R-1.0 PUD zone district and the Greenwood Pines Planned Unit Development. Allowing the pool to encroach into the rear setback would not impact the use of nearby properties. The proposed encroachment would not obstruct existing drainage patterns or create visual or privacy impacts beyond what is typical for accessory structures within this zoning district.

Finally, Staff finds that the requested variance will not impact public health, safety, or welfare. The Applicants plan to use part of the proposed garage to house pool equipment, preventing a persistent noise impact, as well as provide safety fencing, as required by Section 16-21-360(g) of the LDC. Staff further notes that no exterior lighting or other accessory features are proposed that would result in significant adverse impacts on adjacent properties.

Approval Criteria

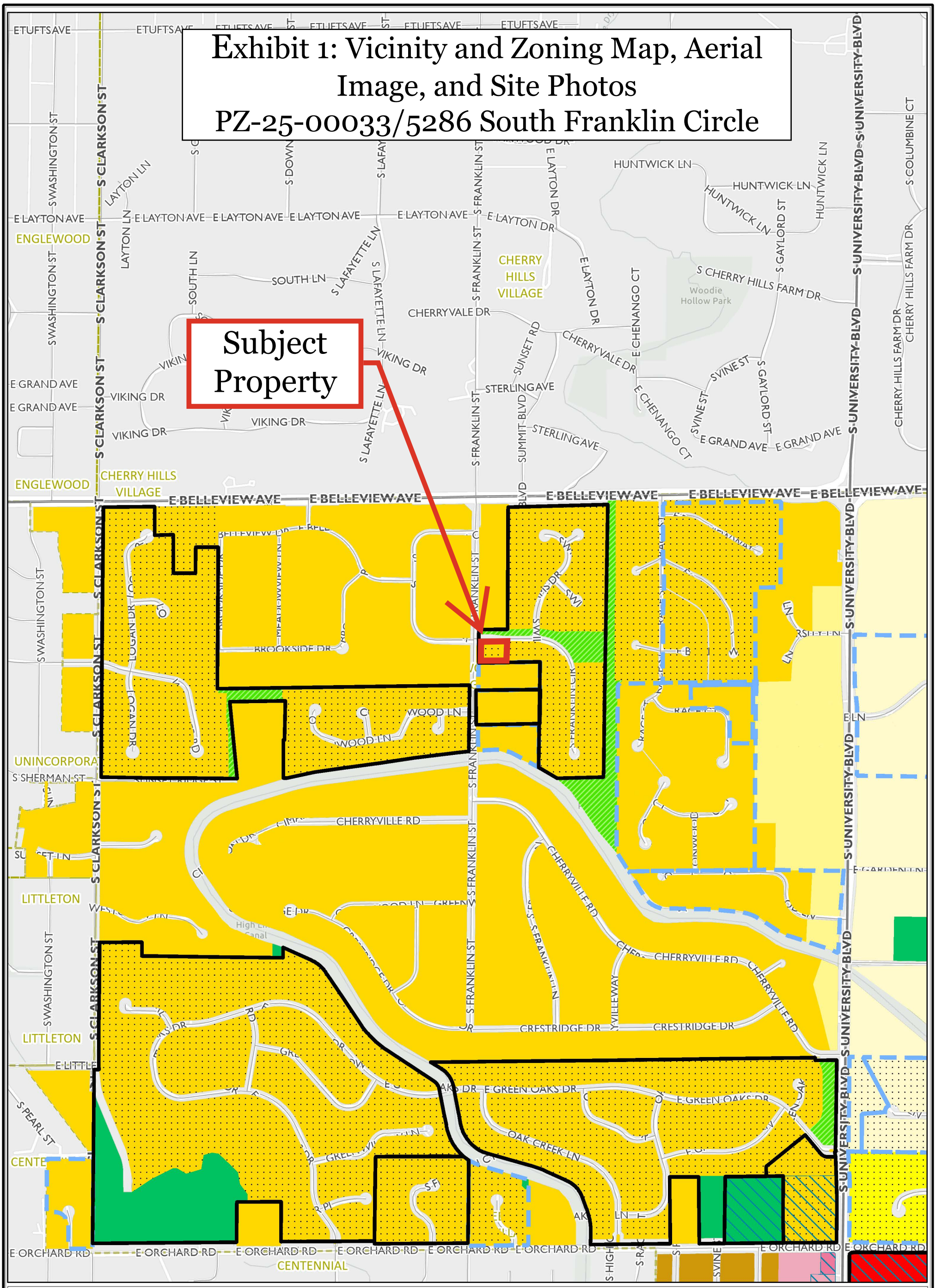
Prior to approval of a variance, the BOAA shall make findings concerning the criteria listed below. For a variance to be granted, the request must meet at least one Criterion from Section A and all of the Criteria from Section B, in the determination of the BOAA. Staff's findings are presented in the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

Section A Criterion	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 no special conditions on the property that justify exceeding the rear yard setback. Since the Applicants can build a zoning-compliant pool, they are not being denied privileges enjoyed by others in the vicinity or zone district.
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 Applicants currently have reasonable use of the property for the lot's primary purpose which is a dwelling unit.
3. The variance will ameliorate a difficulty which did not result from the acts or omissions of the applicant.	No	Staff finds that no difficulty which did not result from the acts/omission of the Applicants will be ameliorated from this variance.

Section B Criterion	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-1.0 zone district will not be impacted. Many nearby properties have pools and other accessory structures.
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 is not injured by the variance, as there is a reasonable distance from the pool to the impacted neighbor's home, and all pool equipment would be stored inside the proposed attached garage.
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.

Exhibit 1: Vicinity and Zoning Map, Aerial Image, and Site Photos
PZ-25-00033/5286 South Franklin Circle



CITY OF GREENWOOD VILLAGE

CITY OF GREENWOOD VILLAGE

- Site Development Plan
- Subdivision with Dev Standard
- Planned Sign Program

Zoning

- B-2 (Neighborhood Business)
- B-4 (Service Business)
- R-.25 (Residential 0.25)
- R-1.0 (Residential 1.0)
- R-1.0 PUD (Residential 1.0 PUD)
- R-1.5 PUD (Residential 1.5 PUD)
- R-2.0 (Residential 2.0)
- R-2.5 (Residential 2.5)
- R-2.5 PUD (Residential 2.5 PUD)
- M-C (Mixed Commercial)
- O-1 (Open Space)
- O-2 (Open Space)
- Arapahoe County Parcel
- Park
- Jurisdictional Boundary

Road Centerline

- State Highway
- Local Road

Date Printed: 10/7/2025

NORTH

0 0.05 0.1 mi

Disclaimer: Greenwood Village makes no warranty as to the accuracy of this map and assumes no responsibility or liability to any user. This map is not a legal document. It is intended to serve as a graphical representation only.

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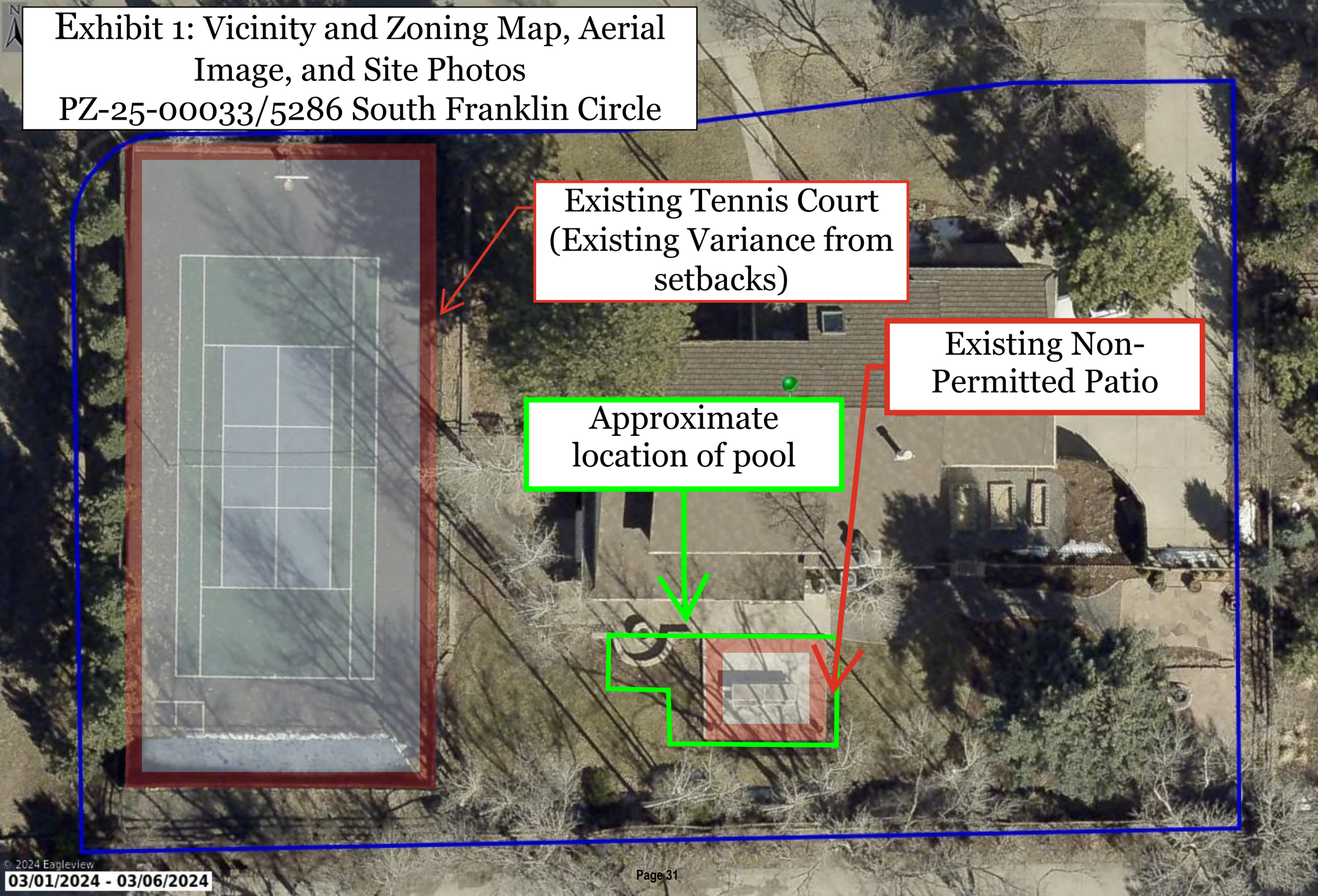

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PZ-25-00033/5286 South Franklin Circle

Facing Southwest

Exhibit 1: Vicinity and Zoning Map, Aerial Image, and Site Photos
PZ-25-00033/5286 South Franklin Circle

Planning & Development Permit Application

Thursday, September 18, 2025
City of Greenwood Village
Community Development
6060 South Quebec Street
Greenwood Village, CO 80111
Office: (303) 486-5783
comdev@greenwoodvillage.com

New Permit Application

Project Number	PZ-25-00033
Project Address	5286 S FRANKLIN CIR, GREENWOOD VILLAGE, CO, 80121
Project Name	Sean and Stephanie O'Hara
Project Type	Residential Variances & Appeals
Project Description	Residential Variance
Owner Name	O'HARA SEAN M, O'HARA STEPHANIE H
Owner Contact Name	
Owner Address	5286 S FRANKLIN CIR, GREENWOOD VILLAGE CO 80121-1417
Owner Phone	3039027772
Owner Email	gte326s@yahoo.com
Architect Business Name	
Architect Contact Name	
Architect Address	,
Architect Phone	
Architect Email	
Applicant Role	
Applicant Name	Sean and Stephanie O'Hara
Applicant Phone Number	3039027772
Applicant Email Address	gte326s@yahoo.com
Submit Date	9/18/2025 1:31:25PM

All Application Questions and Answers

Application Question	Answer
Pre-App Completed?	Y
Description of Variance Request	We are applying for a variance from the 25 foot rear accessory structure to accommodate an in-ground swimming pool dimensioned 20'x40'.
Code section from which variance is requested:	16-22-10
Lot Area (acres)	.68
Length of Encroachment (if applicable): Linear	34 feet
Area of Encroachment (if applicable): Square Feet	314 square feet
Height of Encroachment (if applicable): Feet	0 feet

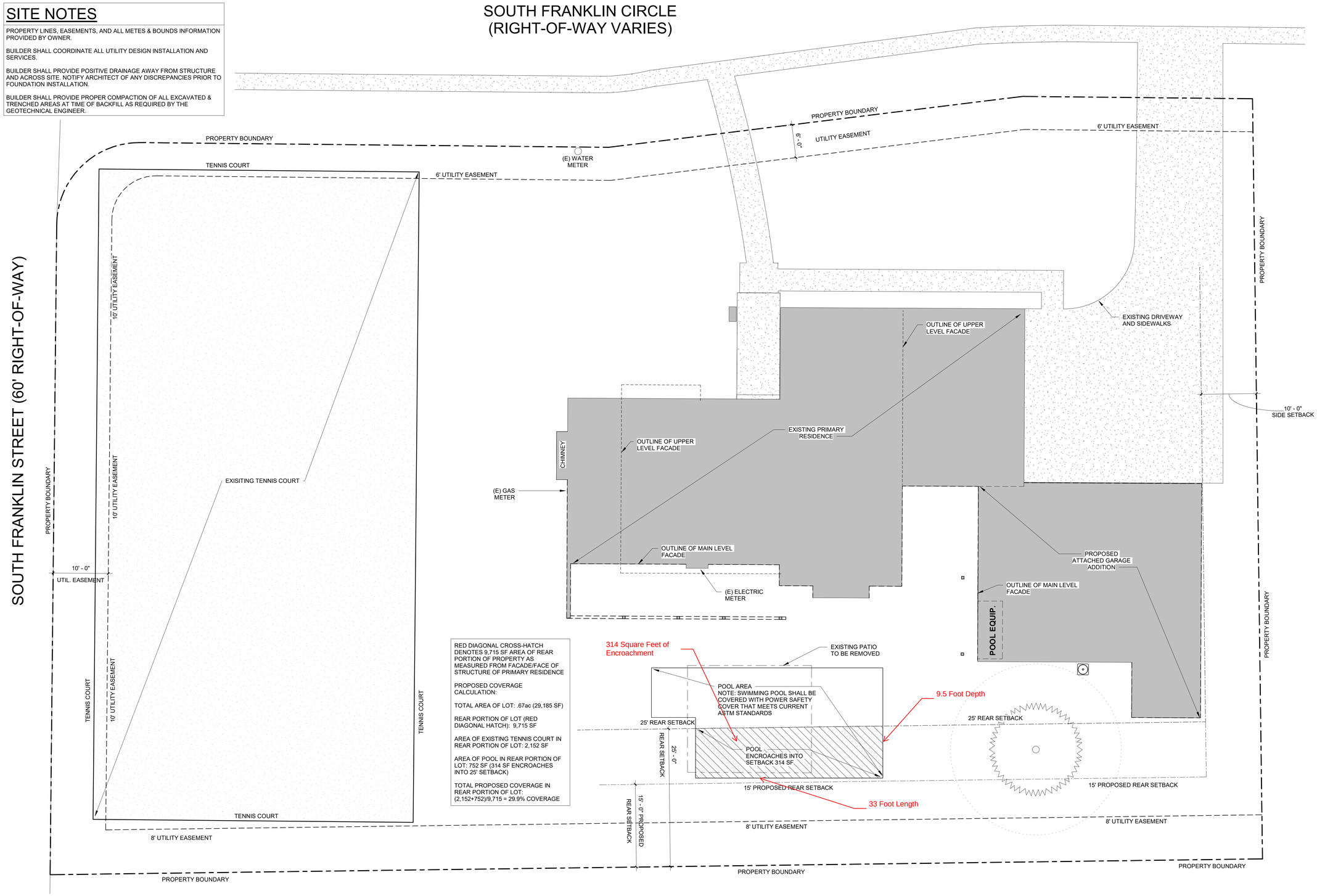
SITE NOTES

PROPERTY LINES, EASEMENTS, AND ALL METES & BOUNDS INFORMATION PROVIDED BY OWNER.

BUILDER SHALL COORDINATE ALL UTILITY DESIGN INSTALLATION AND SERVICES.

BUILDER SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM STRUCTURE AND ACROSS SITE. NOTIFY ARCHITECT OF ANY DISCREPANCIES PRIOR TO FOUNDATION INSTALLATION.

BUILDER SHALL PROVIDE PROPER COMPACTION OF ALL EXCAVATED & TRENCHED AREAS AT TIME OF BACKFILL AS REQUIRED BY THE GEOTECHNICAL ENGINEER.



1 SITE PLAN
1/8" = 1'-0"

EVstudio
Denver, CO
Evergreen, CO
Meridian, ID

303.670.7242

inspections@evstudio.com
design@evstudio.com
www.evstudio.com

Contact:
BILL MYHREN, RA
BILLM@EVSTUDIO.COM
(303) 670-7242X28

O'HARA REMODEL/ADDITION

5286 S FRANKLIN CIR
GREENWOOD VILLAGE, CO 80121

AE24026

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REVISION:

CONSTRUCTION DOCUMENTS	
DATE:	9/18/2025
DRAWN BY:	WAM
CHECKED BY:	WAM

SITE PLAN

A090

SITE NOTES

PROPERTY LINES, EASEMENTS, AND ALL METES & BOUNDS INFORMATION PROVIDED BY OWNER.

BUILDER SHALL COORDINATE ALL UTILITY DESIGN INSTALLATION AND SERVICES.

BUILDER SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM STRUCTURE AND ACROSS SITE. NOTIFY ARCHITECT OF ANY DISCREPANCIES PRIOR TO FOUNDATION INSTALLATION.

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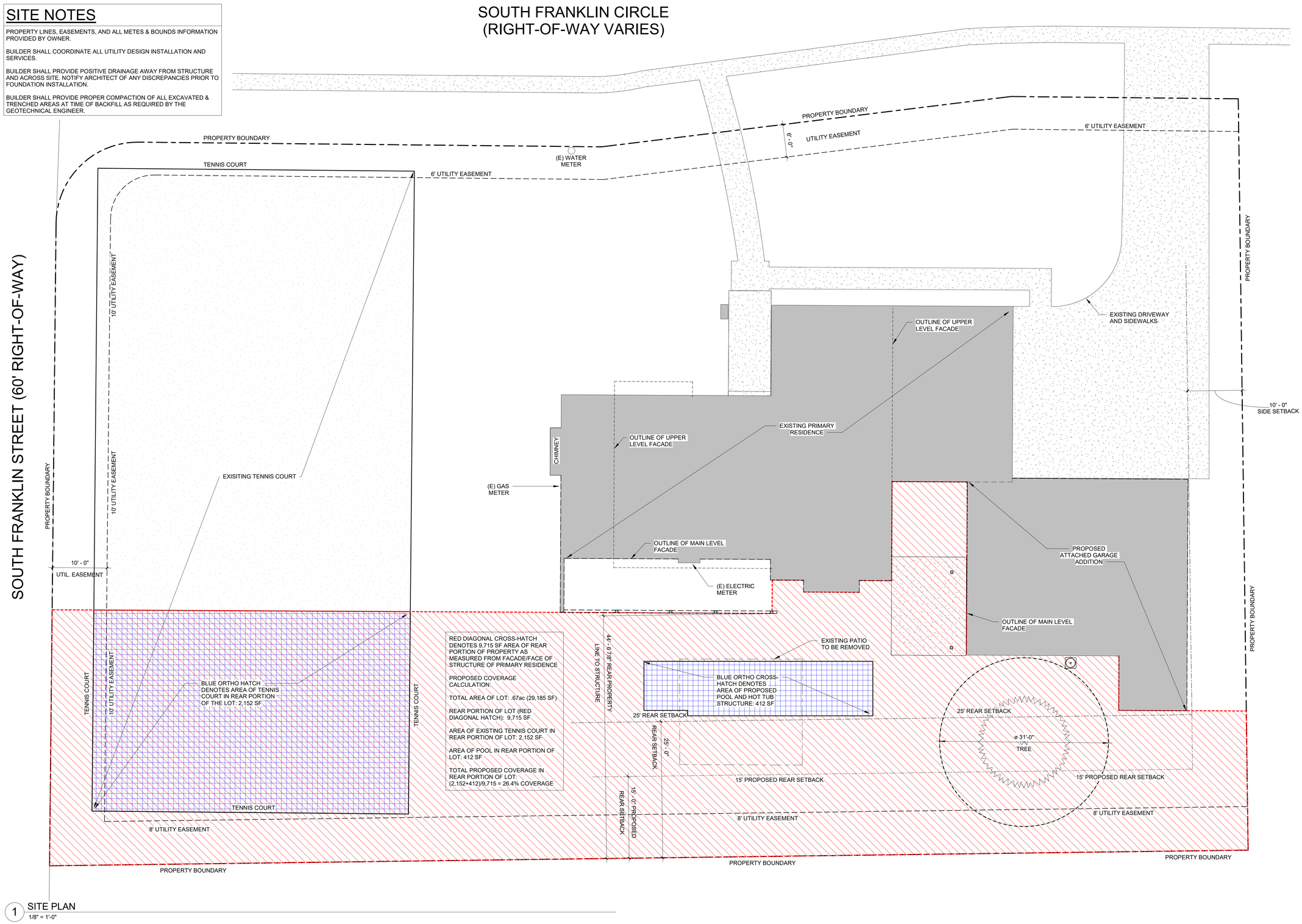

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REVISION:

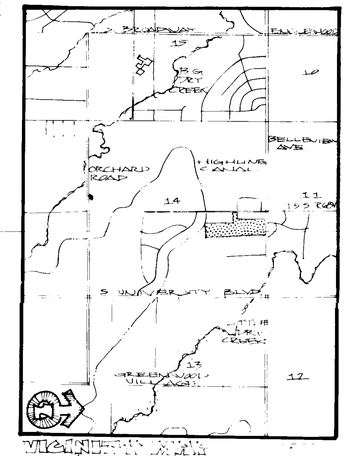
CONSTRUCTION DOCUMENTS	
DATE:	9/18/2025
DRAWN BY:	WAM
CHECKED BY:	WAM

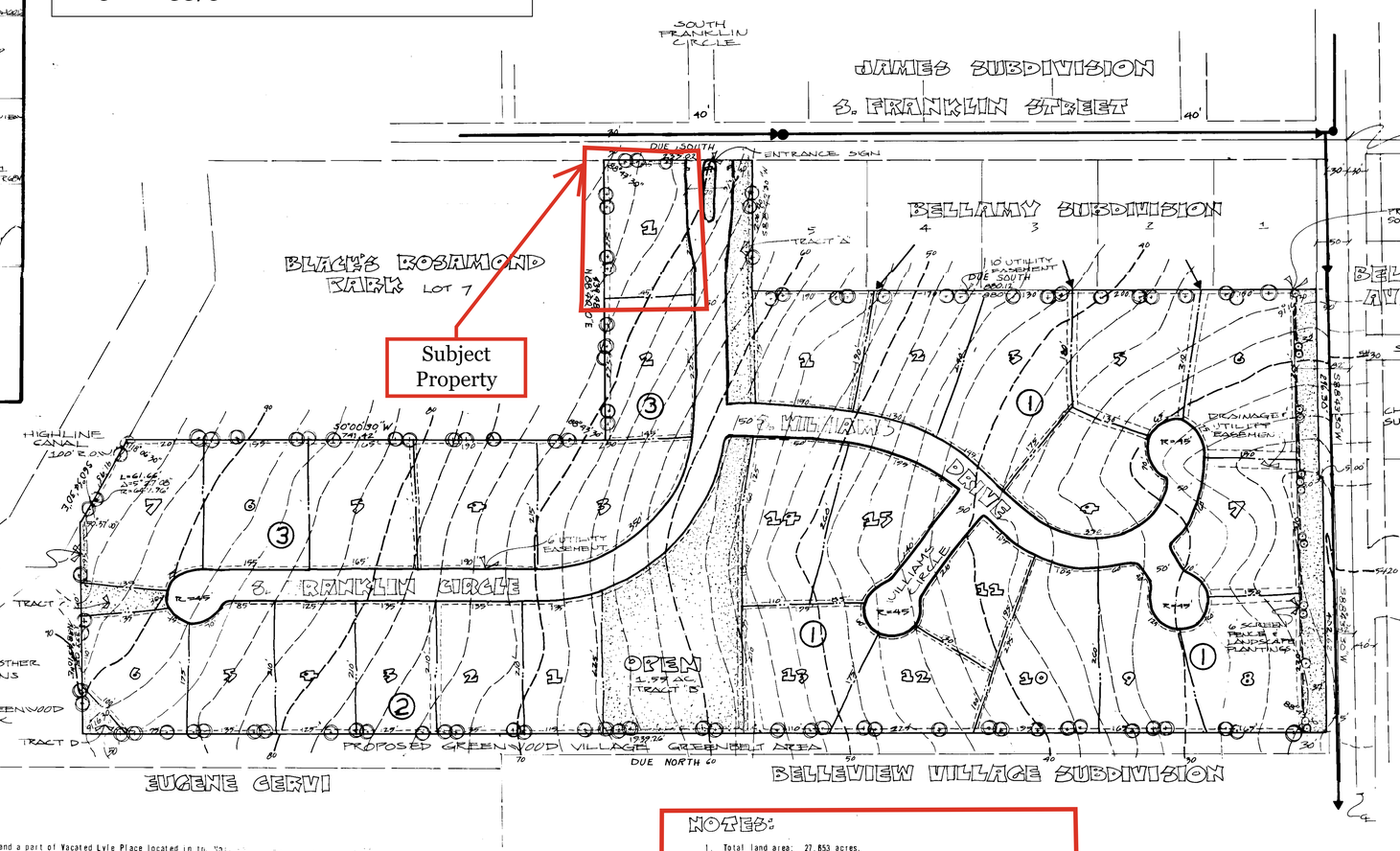
SITE PLAN

A090

Exhibit 4: Greenwood Pines PUD
Z-25-00033/5286 South Franklin Circle

GREENWOOD PINES





Executed this 11TH day of APRIL A.D., 1973

OWNER: COLUMBIA CORPORATION

J. Thomas Stoen, President

STATE OF COLORADO)
COUNTY OF ARAPAHOE) SS

The foregoing instrument was acknowledged before me this 11th day of April A.D., 1973 by J. Thomas Stoen, President of Columbia Corporation.
Witness my hand and seal. My commission expires December 4, 1975

Leilani V. Daniel
Notary Public

Holder of deed of trust: Individual

Elizabeth Jean Smith

STATE OF COLORADO)
COUNTY OF ARAPAHOE) SS

The foregoing instrument was acknowledged before me this 13th day of April A.D., 1973 by Elizabeth Jean Smith, Individual Holder of Deed of Trust.
Witness my hand and seal. My commission expires June 8, 1974

Rosiann Zurcuk
Notary Public

I, Leonard L. McCoy, a Registered Professional Land Surveyor in the State of Colorado, do hereby certify that the [illegible] surveyed by this plat was made under my supervision and the [illegible] shown thereon actually exist and this plat accurately [illegible] said survey.

Leonard L. McCoy
Leonard L. McCoy, Registered Land Surveyor No. 2432

This plat was approved by the City of Greenwood Village Planning Commission this 20th day of MARCH A.D., 1973.

Carlos de Moraes
Chairman T.I.D.

Approved by the Greenwood Village City Council, State of Colorado.
Witness my hand and the corporate seal of Greenwood Village this 16th day of APRIL A.D., 1973.

Chairman Mayor

ATTEST:

This plat was filed for record in the office of the County Clerk and Recorder of Arapahoe County at [illegible] M. on the [illegible] day of [illegible] A.D., 1973 in Book [illegible] Page [illegible] Reception [illegible]

County Clerk and Recorder

LEGAL DESCRIPTION

A part of Lots 2, 3, 4, 5, 6, and 8 of Black's Rosamond Park and a part of Vacated Lyle Place located in the [illegible] Township 5 South, Range 68 West of the Sixth Principal Meridian, County of Arapahoe, State of Colorado, more p[illegible]

Commencing at the Northwest corner of said Northeast one-quarter; thence N.88°43'30"E. and along the North line of said Northeast one-quarter 236.40 feet; thence South 50.00 feet to the true point of beginning; said point being on the Southerly line of Belleview Avenue; said point also being the Northeast corner of Bellamy Subdivision; thence South and along the Easterly line of said subdivision and along the Westerly line of Lot 2 of Black's Rosamond Park, 880.12 feet to the Southeast corner of said subdivision, said corner being on the Northerly line of Lot 6 of Black's Rosamond Park; thence S.88°43'30"W. and along the Southerly line of said subdivision and along the Northerly line of said Lot 6, 208.40 feet to the Southwest corner of said subdivision, said corner being on the Easterly line of South Franklin Street; thence South and along said Easterly line of South Franklin Street and along the West line of said Lot 6, 233.02 feet to the Northwest corner of Lot 7 of Black's Rosamond Park; thence N.88°40'10"E. and along the Northerly line of said Lot 7 and the Easterly extension thereof, 439.48 feet to the centerline of vacated Lyle Place; thence S.30°00'30"W. and along said centerline 741.42 feet to the Northerly line of the Highline Canal; thence S.60°54'30"E. and along said Northerly line 81.85 feet to a point of curve; thence along said Northerly line and along a curve to the right having a radius of 847.96 feet, a central angle of 05°27'08", and an arc distance of 81.66 feet; thence N.88°43'10"E. and along the South line of Lot 8 of Black's Rosamond Park, 333.08 feet to the Southeast corner of said Lot 8; thence North and along the East line of Lots 8, 5, and 4 of Black's Rosamond Park, 1,939.26 feet to the Southerly line of Belleview Avenue; thence S.88°43'30"W. and along said Southerly line and parallel to the North line of said Northeast one-quarter, 402.62 feet; thence S.01°16'30"E. and along said Southerly line 5.00 feet; thence S.88°43'30"W. and along said Southerly line and parallel to the North line of said Northeast one-quarter 216.30 feet to the true point of beginning; containing 27.653 acres, more or less.

NOTES:

1. Total land area: 27.653 acres.
2. Lot size: 28 lots of approximately 25,000-35,000 square feet.
3. Setback requirements:

Front	Rear	Side	From Greenbelt
25 ft.	25 ft.	10 ft.	10 ft.

4. SIGNS: One permanent subdivision identification sign will be established at the entrance to the subdivision. The sign may be illuminated, made of cast metal or other durable material, and will be attached to a brick wall approximately five feet in height above grade and 30 feet in length. The sign shall be subject to the approval of the Design Preview Committee, City of Greenwood Village.

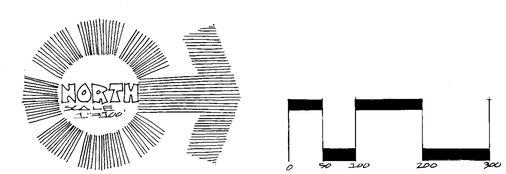
   Two temporary predevelopment signs shall be erected not to exceed 20 square feet in area and 10 feet in overall height.
5. FENCES: A screening fence of at least 6 feet in height will be erected by Columbia Corporation on the right-of-way boundary of the subdivision with Belleview Avenue.
6. GREENBELTS: Final grading of greenbelts and planting of trees around the perimeter of the subdivision are to be performed by Columbia Corporation. Landscaping of the greenbelts (Tracts A, B, C, and D as designated on the plat) will be installed and maintained by the Greenbelt Commission of the City of Greenwood Village.
7. EASEMENT: A pedestrian walkway easement is granted to the City of Greenwood Village which runs from the southern end of Tract C westerly to the Highline Canal right-of-way. This easement shall be 10 feet in width along the extreme southern boundary of Lot 7, Block 3 as depicted on the subdivision plat. This easement shall terminate at the time the City of Greenwood Village shall receive title to that generally triangular area of land which is directly south of the subdivision and which abuts the Highline Canal.
8. STREETS: All streets shall be paved to Arapahoe County standards.
9. TIME SCHEDULE: Construction shall commence by June 1974.
10. LANDSCAPING MATERIALS:

    Typical Trees: Russian Olive
    Colorado Spruce
    Green Ash Seedless
    Populus Sargenti (Cottonless)
    Aspen

Primary Setbacks: 25ft Front/Rear, 10ft Side
/////////////
Accessory Structures Setbacks not called out, reverts to Article 22 of the LDC (20ft front, 10ft side, 25ft rear)

SITE DATA:

Total acreage - 27.85
Present Zoning R-1
Number of Lots - 28
Total Lineal Feet of 50' R.O.W. - 2925'
Open Space Area - 2.72 AC. - 10%
Minimum Lot Size - 26,000 SQ. FT.



MEURER-SERAFINI-MEURER, INC.
2901 W. 19TH AVENUE
DENVER, COLORADO 80204
433-7321
JOHN CHORD PLANNER

A PLANNED UNIT DEVELOPMENT PLAN FOR
GREENWOOD PINES
GREENWOOD VILLAGE COLORADO

COLUMBIA CORPORATION
1030 COLORADO STATE BANK BUILDING
16TH & BROADWAY
DENVER COLORADO 80202

DATE	JOB
3-26-73	42313
REVISED	SHEET
REVISED	4

Oct. 9, 2025

Members of the Board of Adjustments & Appeals,

I'm writing on behalf of the O'Haras, who live at 5286 S. Franklin Cir., part of the Greenwood Pines neighborhood, which is supported by the Greenwood Pines Homeowner's Association.

They have plans to erect an accessory structure in the rear of their property – a swimming pool. Their plan will cause an encroachment of 10' into the required 25' setback. While Greenwood Pines is zoned R-1.0, all of our lots are somewhat smaller than one acre, which can create challenges for our homeowners in making improvements to their properties (as is the case in many areas within the city). In the case of the O'Haras, their property is among the smallest in the neighborhood at just 0.68 acres.

As such, there is no reason for our HOA to stand in the way of the O'Haras plan, and as such, we encourage the BOAA and the city to approve their plans as we believe adding this accessory structure will further add to the spirit of improvement to Greenwood Village and our neighborhood.

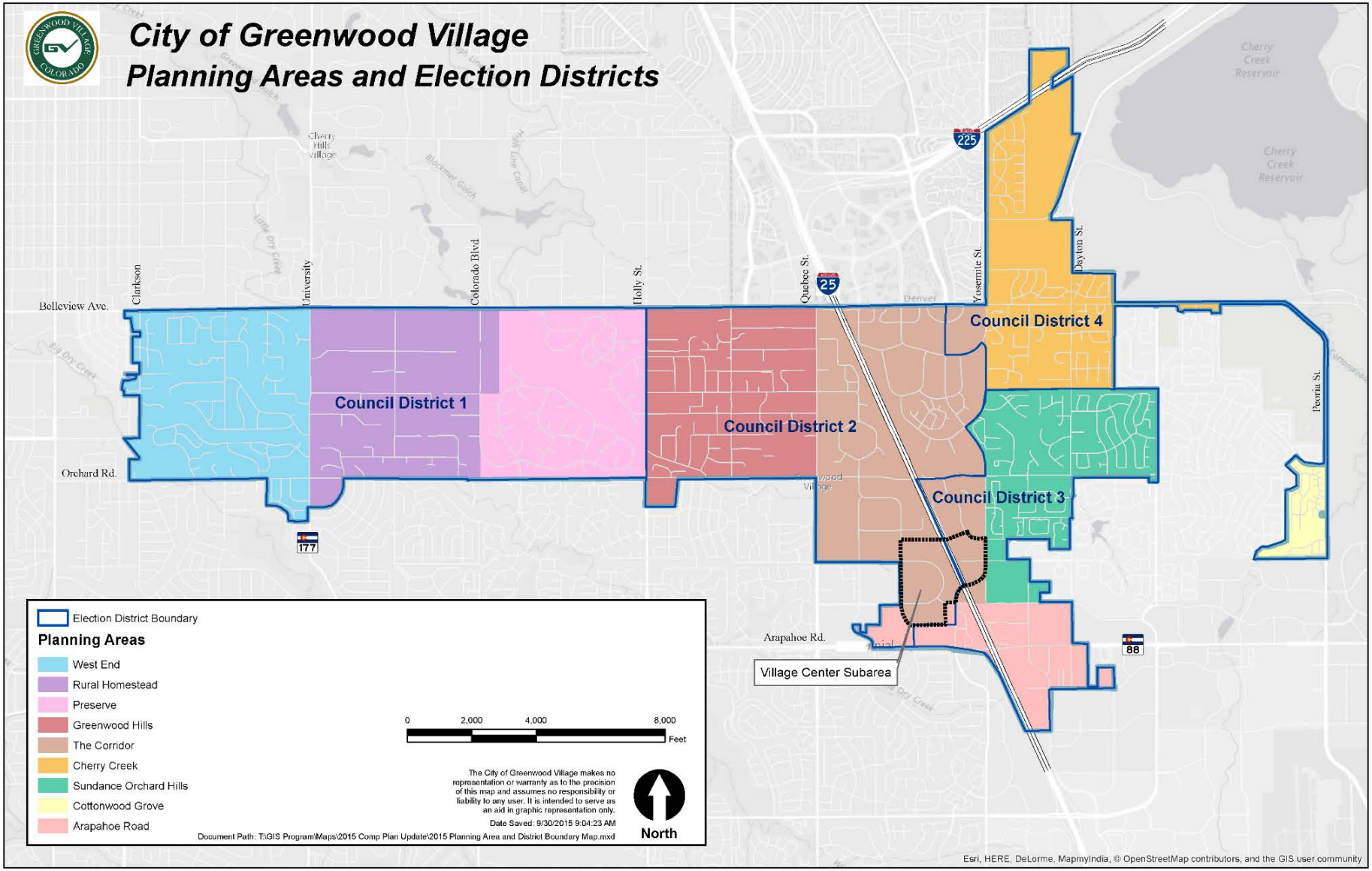
Sincerely,

David Banks
Greenwood Pines HOA President

GREENWOOD VILLAGE

COMPREHENSIVE PLAN

Planning Areas



West End Planning Area

CHAPTER CONTENT

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Planning Area Boundaries
Planning Area History

West End Character 42
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Built Environment

West End Inventory 43
Utilities/Services
Planning Area Facilities
Recreation
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Public Facilities
Homeowners Associations

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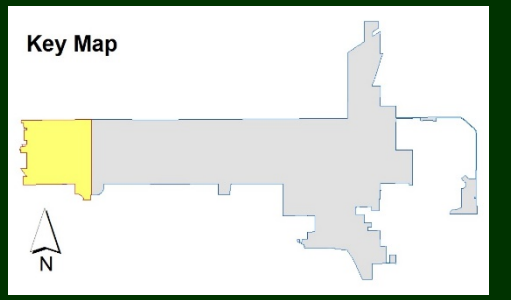
Planning Area Vision
Goals, Objectives & Policies
Land Use
Transportation
Community Services & Amenities
Natural Environment



PLANNING AREA DESCRIPTION

Planning Area Boundaries

The West End planning area is located on the far west side of Greenwood Village as shown in the Key Map below. Generally, the planning area is bounded by Belleview Avenue on the north side, University Boulevard on the east, Orchard Road on the south, and Clarkson Street on the west. The planning area also includes a neighborhood commercial area and residential development located south of Orchard Road along the west side of University Boulevard.

Planning Area History

This planning area was part of the original Village when the Village was incorporated in 1950, with the exception of the Greenwood Highlands Subdivision. This area became a part of the Village in 1974. An additional commercial and residential area south of Orchard Road and west of University Boulevard was annexed in 1999.

West End Planning Area

WEST END CHARACTER

Natural Environment

There is mature vegetation, extensive landscaping, and significant natural areas located along the High Line Canal and in Rollin D. Barnard Park.

Built Environment

The character of the planning area is generally homogeneous with the following characteristics:

- Land Uses: The neighborhoods are comprised of single family detached residential dwellings, with neighborhood-oriented commercial uses in the southeast corner of the planning area.
- Residential Density: The single family neighborhoods consist of an average of one dwelling unit per acre.
- Street Characteristics: Paved streets with valley pan or drainage ditches are prevalent.
- Landscape: A mix of manicured, irrigated landscape areas and natural vegetation are found throughout the planning area.

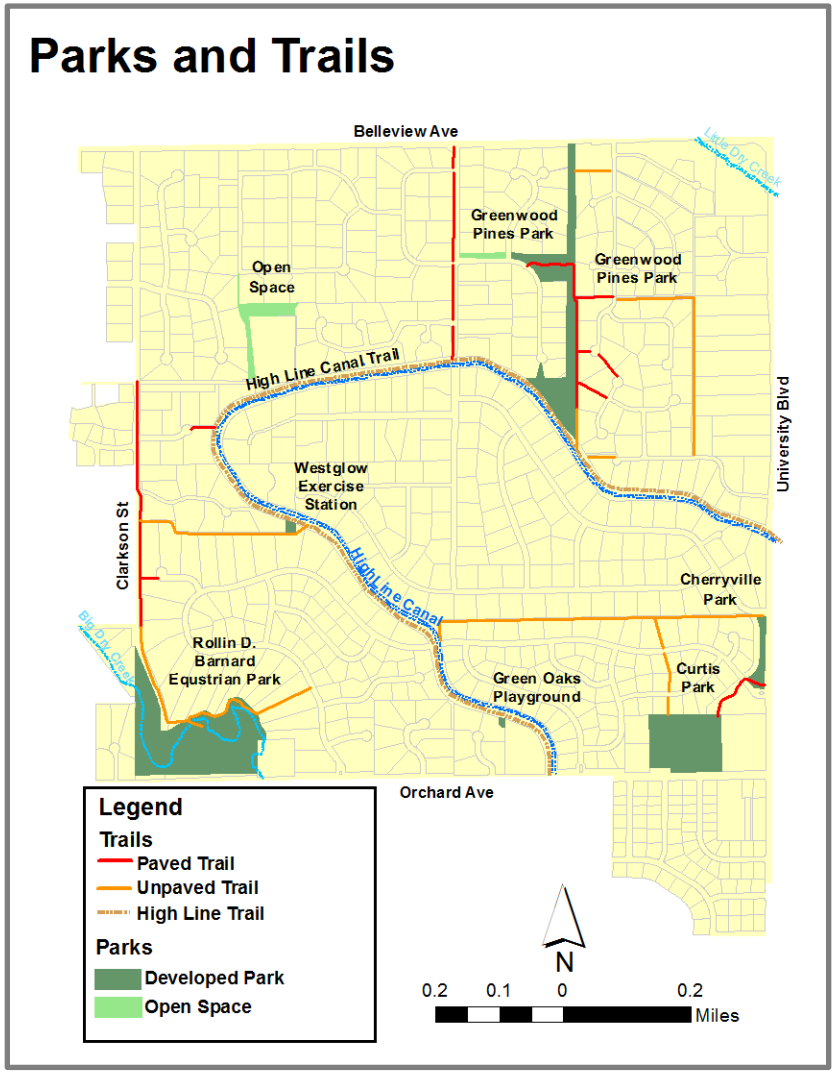
WEST END INVENTORY

Utilities/Services

The following utility/service providers serve the West End planning area:

- School Districts: Littleton School District, Cherry Creek School District
- Sanitation: Greenwood Village, South Englewood District No. 1, South Arapahoe, Southgate
- Water: Southeast Englewood, Greenwood Village
- Metro Districts: None
- Fire District: Littleton Fire Protection District, South Metro Fire Rescue District

West End Planning Area



Planning Area Facilities

Recreation

Parks provide both active and passive recreation space, while open space is restricted to only passive recreation. The amount of parks, open space and trails in the planning area consist of the following:

- Developed Parks: 29.98 acres
- Open Space: 1.45 acres
- Bike Paths: 3.03 miles
- Equestrian Paths: 1.86 miles

Parks

The following parks are located in the West End planning area:

- Rollin D. Barnard Park
- Curtis Park
- Greenwood Pines Park
- Cherryville Park
- Green Oaks Playground
- Westglow Exercise Station

Other Public Facilities

There are two public facilities in this planning area, which are shown on the Parks & Trails Map:

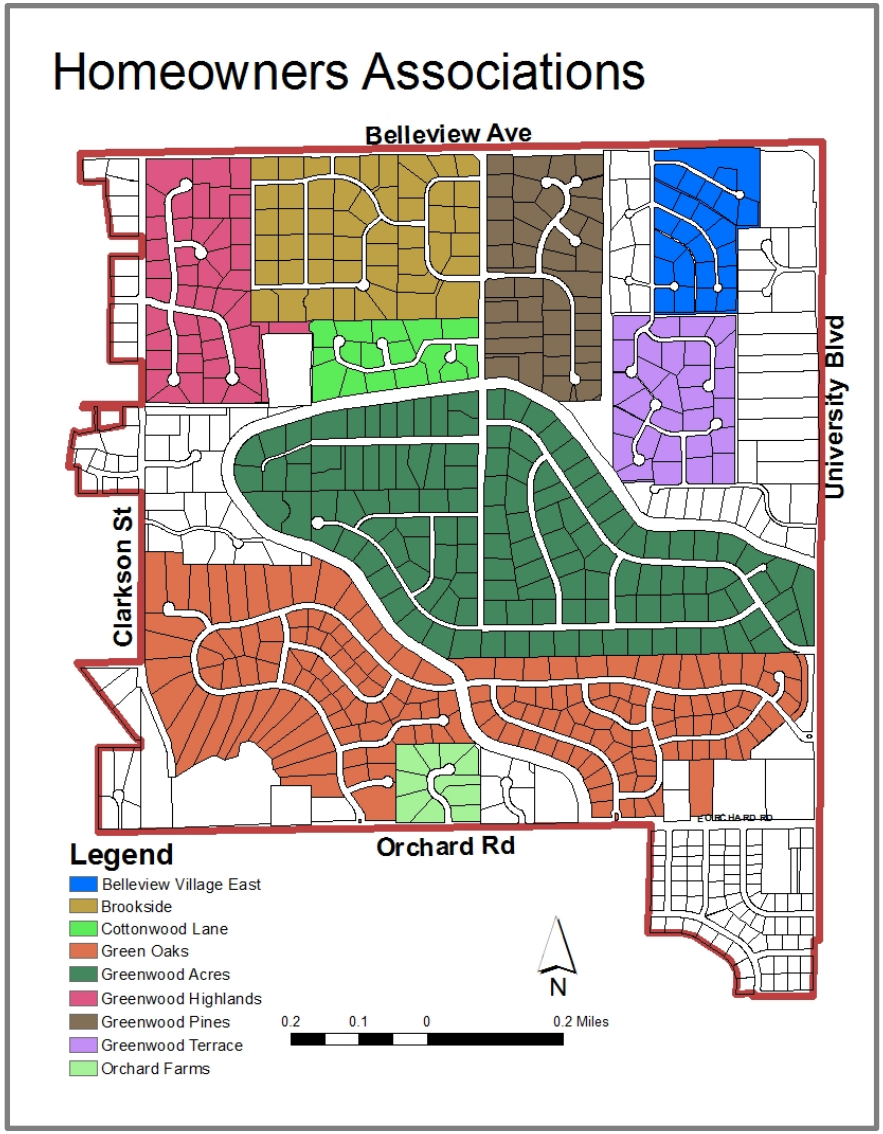
- Curtis Arts and Humanities Center
- High Line Canal Trail

Public Schools – None

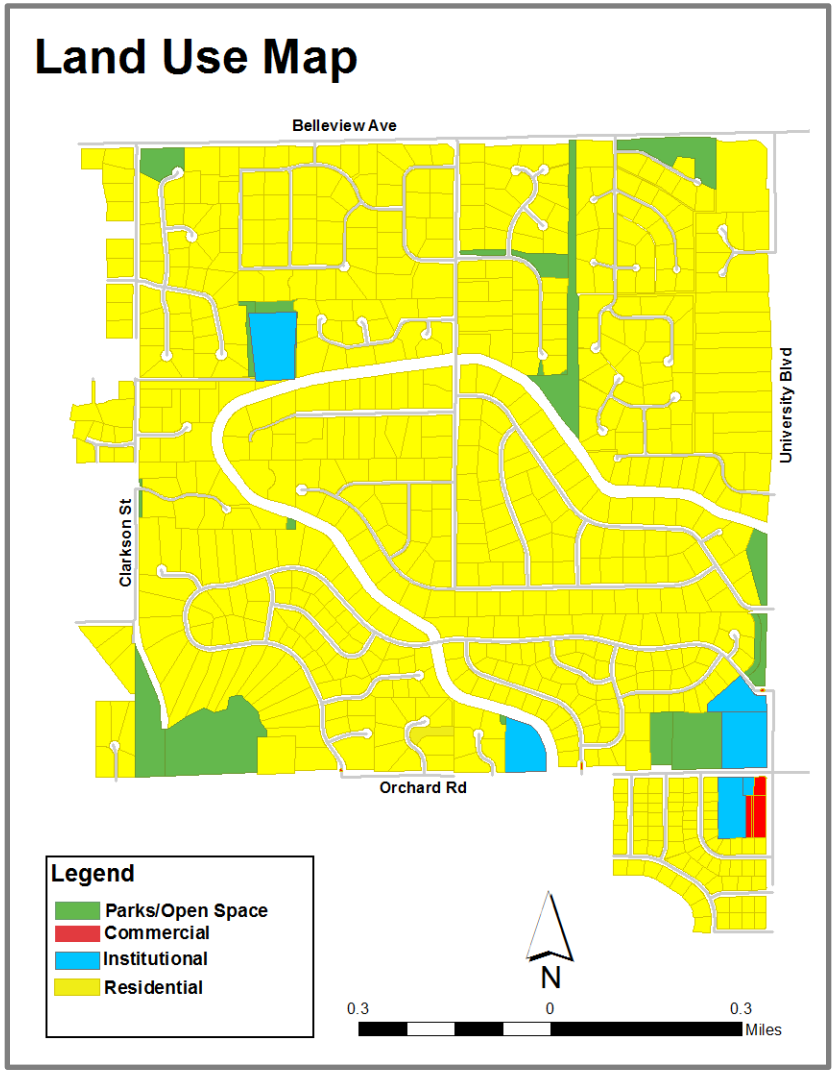
Homeowners Associations

There are eight homeowners associations maintained in the West End planning area. The associated neighborhoods are shown in the related map.

- Belleview Village East
- Brookside
- Cottonwood Lane
- Green Oaks
- Greenwood Acres
- Greenwood Highlands
- Greenwood Pines
- Greenwood Terrace
- Orchard Farms



West End Planning Area



THE WEST END PLAN

Planning Area Vision

The planning area will maintain the low density, large-lot rural character. Alterations to residential properties will be consistent with the existing character of the planning area. The Cherry Crest Shopette (as well as Cherry Hills Marketplace, just outside of the planning area) will serve as the focal point of commerce in the area.

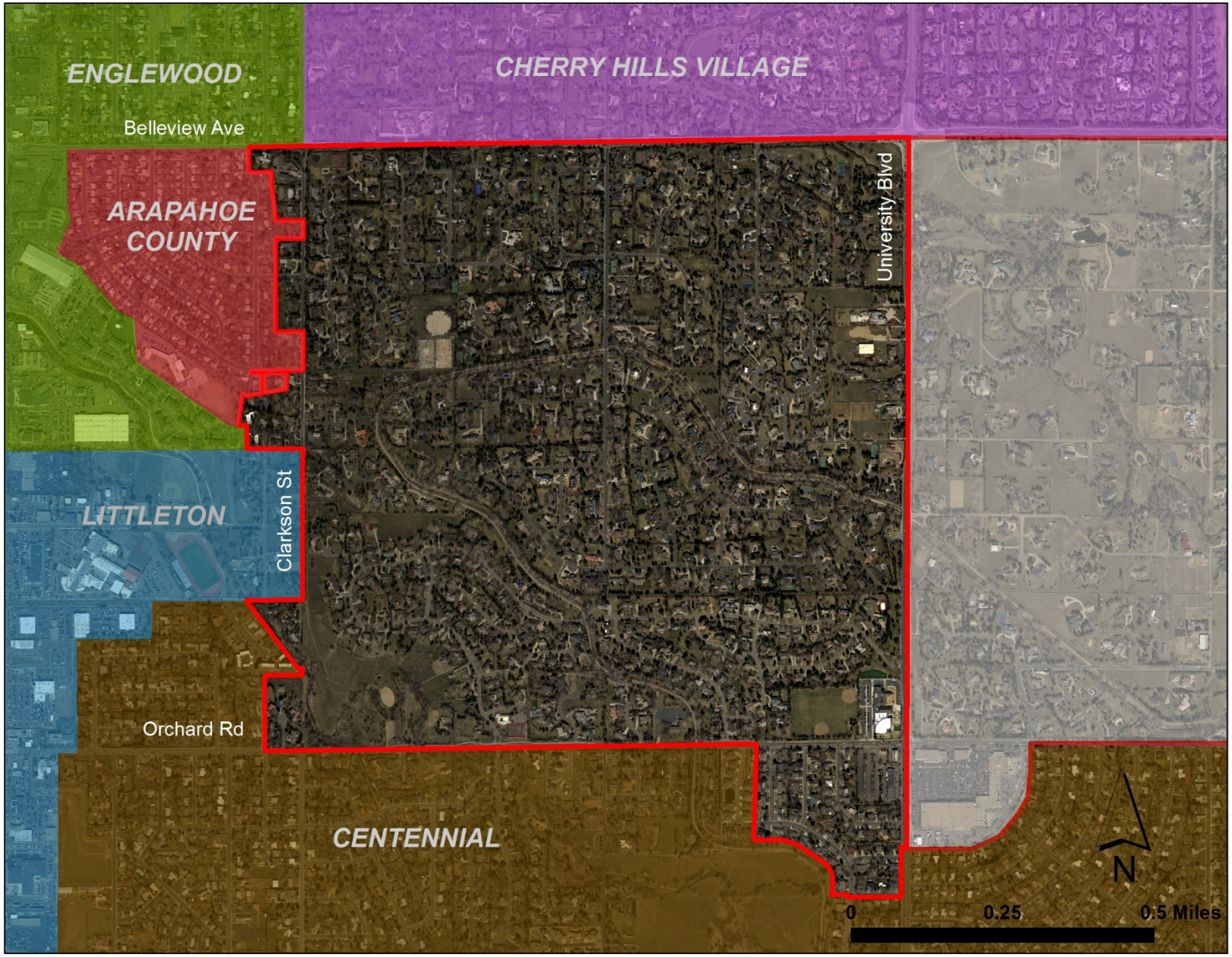
The planning area will continue to provide convenient and safe bicycle and pedestrian travel opportunities and encourage improved connections and access points to the neighborhood marketplaces, parks, community trails, and open space. The area will support extensive landscaping along Belleview Avenue, University Boulevard, and Orchard Road to maintain the image and character of the planning area.

Equestrian trails will be maintained to preserve the unique rural lifestyle of the planning area. The equestrian park (Rollin D. Barnard Park) located on the west side of the planning area will be protected to promote the unique rural lifestyle of the area and the Village.

Planning Area Goals, Objectives, & Policies

The goals/objectives have been associated with four primary categories for a residential planning area, including: land use, transportation, community services and amenities, and natural environment. Policy direction is provided, where appropriate, to further define the needs and interests of the planning area.

West End Planning Area



West End Planning Area

Land Use

Goal 1: Maintain the residential densities and high quality character of the planning area.

- Maintain the current density of one dwelling unit per acre within the planning area.
- Maintain existing distances between buildings in residential areas to preserve the low density character of the planning area.
- Maintain the appearance of large-lot residential areas with extensive landscaping and preserving mature vegetation.
- Protect existing equestrian and agricultural uses in the planning area.
- Preserve properties identified as having historic or cultural significance.
- Protect the image, identity, quality and character of the community as a whole, and the individual neighborhoods within the planning area.
- Promote a positive image of the planning area and Village through installation of gateway features.
- Encourage installation of subdivision signage at all subdivision entrances.

Goal 2: Protect against incompatible development.

- Ensure that all in-fill and redevelopment within the planning area is compatible with existing development.
- Ensure that redevelopment of the neighborhood commercial center is consistent with the high quality Village architectural character.
- Coordinate with adjacent jurisdictions to achieve compatibility between new development and the planning area.

Land Use

Goal 3: Provide a buffer between residential properties and commercial or employment properties.

- Ensure adequate buffers are provided with development and redevelopment within the planning area.

Goal 4: Ensure proper maintenance of residential properties throughout the planning area and any neighborhood commercial properties within or adjacent to the planning area.

Goal 5: Preserve and protect view corridors of the mountains.

- Preserve and protect view corridors of the mountains with development and redevelopment within the planning area.

Goal 6: Encourage high quality landscaping.

- Ensure high quality landscaping, compatible with the aesthetic qualities of existing landscaping is provided with development and redevelopment within the planning area.
- Support extensive landscaping and planting of trees to enhance streetscapes and Village gateways in the planning area.

West End Planning Area

Transportation

Goal 1: Minimize traffic congestion.

- Protect the internal planning area roadways by encouraging traffic on the external east-west arterial roadways including Belleview Avenue and Arapahoe Road.
- Protect the internal planning area roadways by encouraging traffic on the north-south arterial roadways including Broadway and University Boulevard.
- Consider signalization of intersections on Belleview Avenue only when warrants are met.

Goal 2: Minimize traffic impacts on the residential neighborhoods.

- Promote safe operations on the internal planning area neighborhood streets though use of appropriate traffic calming techniques.
- Consider ways of slowing and/or reducing traffic along neighborhood streets in the planning area.
- Discourage non-local through traffic in the planning area.

Goal 3: Minimize noise impacts.

- Support the use of attractive landscaped berms and/or noise walls for noise abatement along arterial roadways within the planning area.
- Support extensive landscaping, compatible with the aesthetic qualities of existing landscaping and planting of trees to minimize the negative impact of existing noise walls.

Goal 4: Provide safe routes for walking and riding bikes to schools, parks, recreational facilities, transit facilities, and neighborhood amenities.

Community Services & Amenities

Goal 1: Maintain the high quality neighborhood trails and connections to regional trails.

- Encourage improved pedestrian connections to neighborhood marketplaces and community facilities.

Goal 2: Maintain the accessibility to, appearance of, and amenities within neighborhood parks.

Goal 3: Preserve the open spaces and maintain the recreational facilities within the planning area.

- Recognize the High Line Canal as an important recreational asset and maintain it in a manner that balances safety and aesthetics.

Goal 4: Maintain the quality of life in the planning area by providing a high standard of community services.

- Ensure the resources provided by utility companies are maintained at a high level of service in the planning area.

Goal 5: Integrate schools into neighborhoods to ensure compatibility with residential and commercial properties in the planning area.

West End Planning Area

Natural Environment

Goal 1: Seek a balance between the existing wildlife, current urban development, and quality of life.

- An emphasis should be placed on resident safety when evaluating the interface between wildlife and development.

Goal 2: Preserve the existing wetland areas, riparian environments, and aquatic habitats.

- Protect wetlands, riparian areas, and aquatic habitats of Big Dry Creek and Little Dry Creek.
- Maintain High Line Canal, Big Dry Creek, Little Dry Creek and other drainageways in their current state.
- Encourage natural features, such as natural drainageways, wetlands, trees, and critical wildlife habitat areas to be incorporated into the design of developments.

Goal 3: Protect floodplains.

- Ensure that all development property detains stormwater to minimize the impacts of flooding.
- Improve the quality of drainage systems to minimize flooding impacts.
- Encourage the use of drainageways as open space and recreation areas.

Goal 4: Protect water quality.

- Protect water quality in Big Dry Creek and Little Dry Creek.

William L. and Midgley B. Wallace
5288 S Franklin Circle
Greenwood Village, CO 80121

October 14, 2025

TO: Greenwood Village Board of Adjustments and Appeals

REF: Case No. PZ-25-00033 Residential Request for Variance
5286 S Franklin Circle, Greenwood Village, CO 80121

My wife, Midge and I own the property at 5288 S Franklin Circle, immediately next door to Stephanie and Sean O'Hara, the applicants for the referenced request for variance (PZ-25-00033). The O'Haras and we share the North-South property line on the East side of their site, the corresponding West side of our site. The O'Haras are requesting a variance for a pool accessory structure encroaching 25' into the rear setback.

Stephanie and Sean have shared with us their plans for an addition to their home, including new backyard designs for a pool and other improvements. These plans seem to meet the existing Greenwood Pines PUD and GV guidelines for the improvements, with the exception of the requested pool setback encroachment. Their site, like ours, has long street frontage and a depth more shallow than the others in Greenwood Pines, as well as other sites in the surrounding neighborhood. This shallow layout makes it problematic to meet the front and rear setbacks for common accessory structures traditionally at the rear of the property.

Midge and I support their request for the encroachment of the pool into the prescribed rear setback, and strongly recommend the Board of Adjustments and Appeals approve it at the hearing on October 23, 2025.

Sincerely,

Bill and Midge Wallace

CC: Sean and Stephanie O'Hara

Sent to Jonathan Mehki, GV Planner via email