

City of Greenwood Village

Agenda – Final Board of Adjustments and Appeals

6060 South Quebec Street
Greenwood Village, CO
80111

Please turn off all cellular phones and/or audible pagers

*All Council meetings are digitally recorded, and Council members may participate by
remote electronic means*

Council Chambers is ADA-accessible – Hearing-impaired apparatus available.

Handheld amplified receivers and headsets are available upon request.

For accessibility information and requests, call 303-804-4113 or email

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



Thursday, December 11, 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

A. Tentative Minutes 10.23.2025 (2025-337)

5. PUBLIC COMMENT

6. PUBLIC HEARINGS

A. Case No. PZ- 25-00030-VAR 3745 E Garden Ln (cont) (2025-355)

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, October 23, 2025

6:00 PM

Council Chambers

DINNER (5:00 PM)

REGULAR MEETING (6:00 PM)

1. CALL TO ORDER

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

Staff Present - Planning Manager Derek Stertz, Planner I Jonathan Mehki, Planner I Brandon Nehl, Planning Technician Krista Ashford.

Present: 7 - Susan Calonge, Thomas Fottit, Michael Weiner, Richard Myers, Preston Moxcey, Barry McCain, Paul Wilson

Absent: 1 - Arthur Aaron

Presiding: Susan Calonge

3. PLEDGE OF ALLEGIANCE

Board Member Fottit led the Pledge of Allegiance.

4. APPROVAL OF MINUTES

A. Tentative Minutes 07.24.2025 (2025-335)

A motion was made by Boardmember Richard Myers, seconded by Boardmember Thomas Foottit; to Approve Tentative Minutes 07.24.2025. The motion carried by unanimous voice vote.

Yes: 7 - Susan Calonge, Thomas Foottit, Michael Weiner, Richard Myers, Preston Moxcey, Barry McCain, Paul Wilson

No: 0 - None

Recused: 0 - None

5. PUBLIC HEARINGS

A. Case No. PZ- 25-00030-VAR 3745 E Garden Ln (2025-300)

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 a staff presentation.

Applicant Matt Cecere 3507 Wingsby Ct, Ste 117 Denver, CO 80216 and Philip Workman 7523 E 8th Place, Denver CO 80203. Spoke on desires of applicant.

Chair Calogne opened for questions. The board asked questions that clarified undue burden, roadway and access to property, previous uses of the lot. Additional questioning on why the applicant was only presenting the variance for the barn and not the full development plan. Staff clarified a variance stays with the property. With approval, the accessory structure is allowed on the front of the lot without going back to the board for further approval or denial.

Nathan Buelow 3749 E Garden Ave spoke of the historic designation of the neighborhood.

Dianne Writer, 3720 E Wilamette Ln spoke as a witness in favor of keeping the barn.

Closed to the public hearing

Board deliberated among themselves.

Planning Manager Stertz outlined options to the applicant moving forward. A continuance could be scheduled of a date certain, which would keep the applicaiton live with a modification. A withdrawal would be a second option to restart the process. The applicant could continue to a vote, but a vote of no would mean a one-year hold on the case or any further applications.

Applicant opted to continue to December 11 hearing.

A motion was made by Boardmember Thomas Foottit, seconded by Boardmember Preston Moxcey; to Continue Case No. PZ- 25-00030-VAR 3745 E Garden Ln. The motion carried by unanimous voice vote.

Yes: 7 - Susan Calonge, Thomas Foottit, Michael Weiner, Richard Myers, Preston Moxcey, Barry McCoin, Paul Wilson

No: 0 - None

Recused: 0 - None

B. Case No. PZ-25-00033-VAR 5286 S Franklin Cir. (2025-321)

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 offered a staff presentation.

Chair called for questions.

The staff clarified the possibilities of other locations and the patio on the adjacent property.

Sean and Stephanie O'Hara 5286 S Franklin Cir, offered a presentation and explanation.

Chair opened for questions and comments. Applicant and staff clarified that the type of designation includes the PUD, the variance included the pool and surrounding concrete, the proposed plan includes a additional garage.

Chair opened for public comment.

Dole Wallace 5288 S Franklin Cir as a neighbor in approval.

Closed to public

Board deliberated amongst themselves.

A motion was made by Boardmember Richard Myers, seconded by Boardmember Preston Moxcey; to Approve Case No. PZ-25-00033-VAR 5286 S Franklin Cir.. The motion carried by voice vote.

Yes: 6 - Susan Calonge, Thomas Foottit, Richard Myers, Preston Moxcey, Barry McCoin, Paul Wilson

No: 1 - Michael Weiner

Recused: 0 - None

6. DISCUSSION ITEMS

No discussion items were presented.

7. PUBLIC COMMENT

No public comment was given.

8. ADJOURNMENT

A motion was made by Boardmember Preston Moxcey to ADJOURNMENT. The motion carried by unanimous voice vote.

Yes: 7 - Susan Calonge, Thomas Foottit, Michael Weiner, Richard Myers, Preston Moxcey, Barry McCoin, Paul Wilson

No: 0 - None

Recused: 0 - None

There being no further business, the meeting adjourned at 8:04 pm.

Staff Report

Case No. PZ-25-0030-VAR

Board of Adjustments & Appeals

December 11, 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 (revised)
4. Comp Plan – Rural Homestead
5. Staff Supplemental
6. Sierra Vista Plat
7. Sierra Vista 1st Amendment

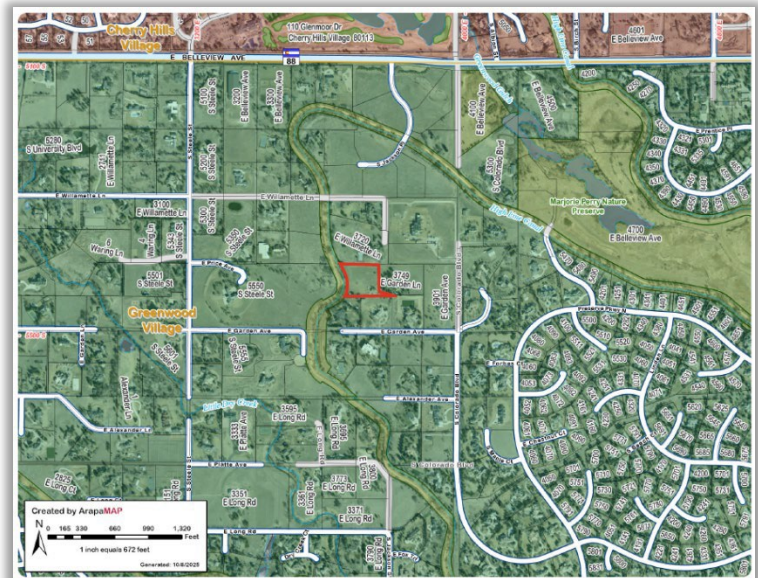
Staff

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

Public Notice & Comments – As of 12/01/2025

No. Sent	Comments Received	Support	Oppose
18	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 Sierra Vista Subdivision was approved in 1968.
- The existing horse barn was built in 1971 and has been the only structure on the lot until an additional Lien-to was built in 2022. The barn was the principal structure. The 1970s code would not have allowed an accessory structure in the front yard of this size.
- The Sierra Vista 1st amendment was recorded in 2002. This altered the lot to have a more pronounced ‘boot toe’ configuration.
- The current owners purchased the property in April of 2022.
- A variance request was heard on Oct 23, 2025. The case was continued to the Dec 11, 2025, BoAA.

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 <u>prohibited in front yards</u> 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

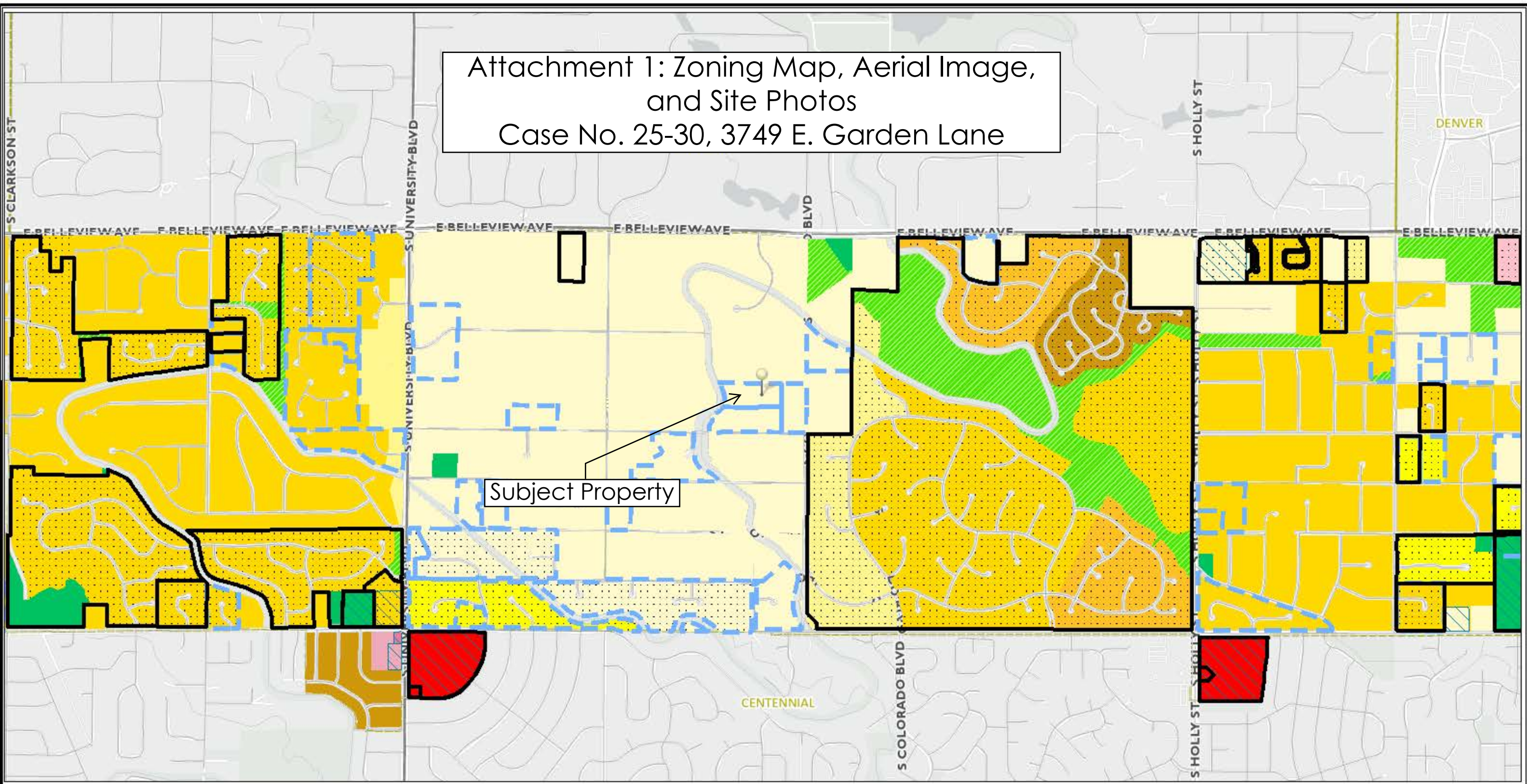
Prior to approval of a variance, the BOAA shall make findings concerning the criteria listed below. For a variance to be granted, the request must meet at least on Criterion from Section A and all of the Criteria from Section B, in the determination of the BOAA. Staff's findings are presented in the 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 that 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. The barn's location and operational (power, drainage) complicate the owner's ability to develop the property.

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



Subject Property



CITY OF GREENWOOD VILLAGE

CITY OF GREENWOOD VILLAGE

- Override 1
- Site Development Plan
- Subdivision with Dev Standard
- Planned Sign Program

Zoning

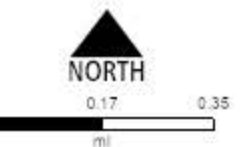
- B-1 (Business Professional)
- B-1 PUD (Business Professional PUD)
- B-2 (Neighborhood Business)
- B-4 (Service Business)

- R-.25 (Residential 0.25)
- R-.25 PUD (Residential 0.25 PUD)
- R-.75 PUD (Residential 0.75 PUD)
- 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-2.0 PUD (Residential 2.0 PUD)
- 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

Road Centerline

- State Highway
- Local Road
- Park
- Jurisdictional Boundary

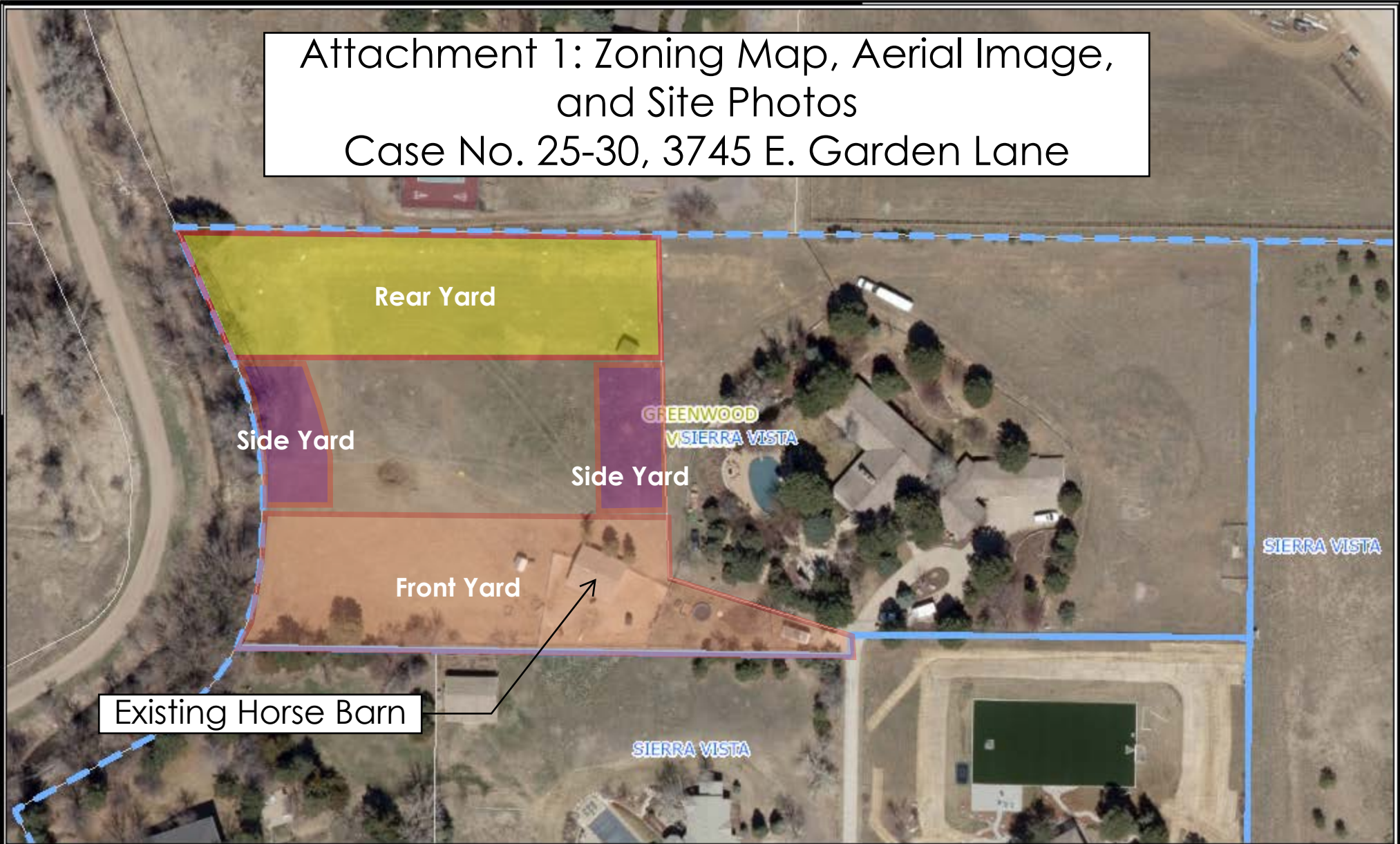
Date Printed: 9/22/2025



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.

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

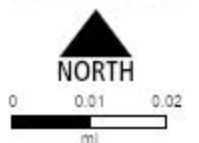
- Local Road
- State Highway
- US Highway
- Interstate

- Park
- Jurisdictional Boundary

GVIImagery2024Cached

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

Date Printed: 10/13/2025



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

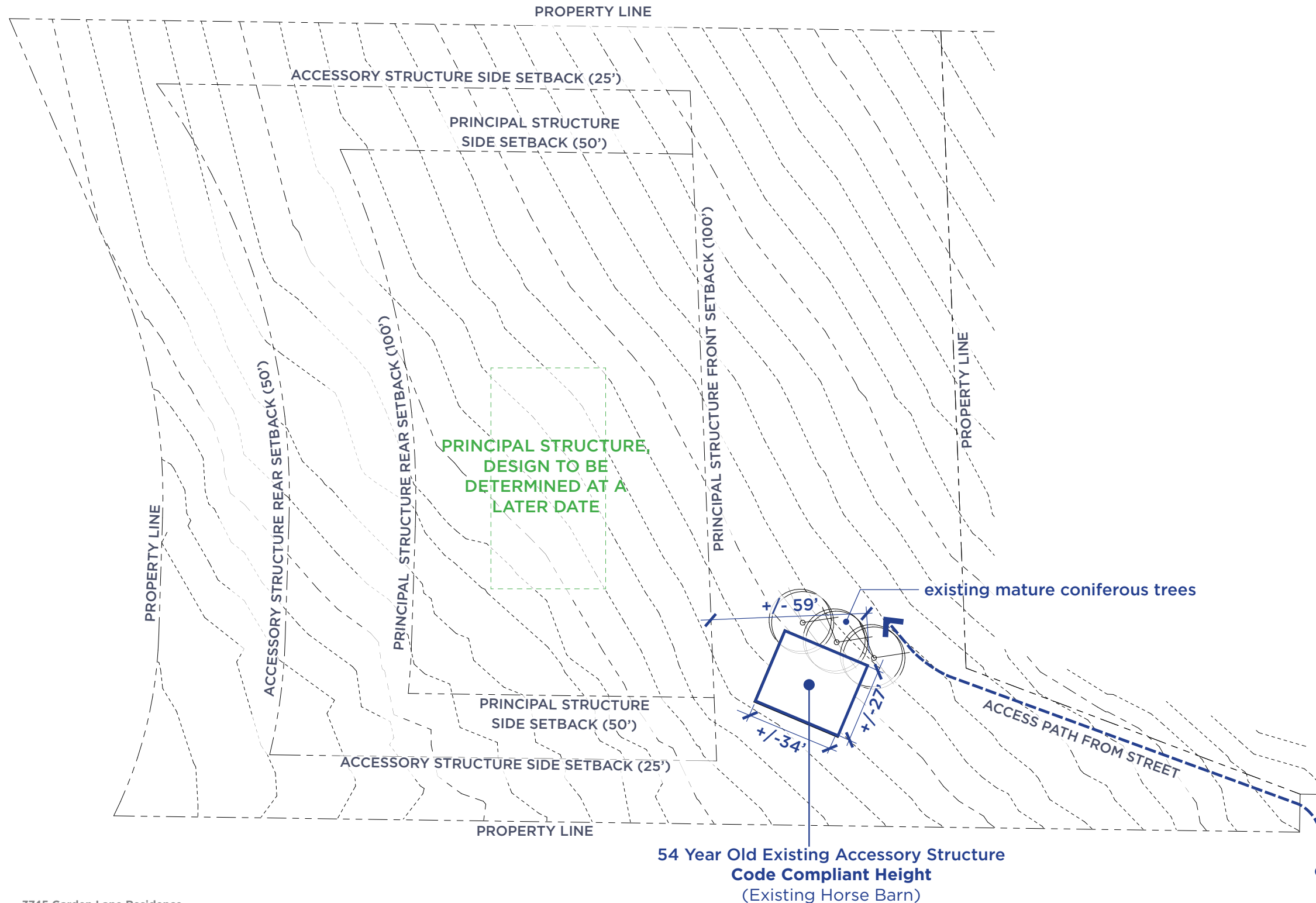
Project Number	PZ-25-00030
Project Address	3745 E GARDEN LN, GREENWOOD VILLAGE, CO, 80121
Project Name	Robertson Residence
Project Type	Residential Variances & Appeals
Project Description	Residential Variance
Owner Name	PEPPERTREE LLC
Owner Contact Name	
Owner Address	3749 GARDEN A [REDACTED]
Owner Phone	[REDACTED]
Owner Email	[REDACTED]
Architect Business Name	
Architect Contact Name	
Architect Address	
Architect Phone	
Architect Email	
Applicant Role	
Applicant Name	[REDACTED]
Applicant Phone Number	[REDACTED]
Applicant Email Address	[REDACTED]
Submit Date	8/29/2025 4:34:24PM

All Application Questions and Answers

<u>Application Question</u>	<u>Answer</u>
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

LOT 1 SITE PLAN DIAGRAM

PROPOSED



 SITE PLAN DIAGRAM
SCALE: N.T.S.

Rural Homestead Planning Area

CHAPTER CONTENT

Planning Area Description 53

Planning Area Boundaries

Planning Area History

Rural Homestead Character 54

Natural Environment

Built Environment

Rural Homestead Inventory 55

Utilities/Services

Planning Area Facilities

Recreation

Parks

Public Facilities

Homeowners Associations

The Rural Homestead Plan 58

Planning Area Vision

Goals, Objectives & Policies

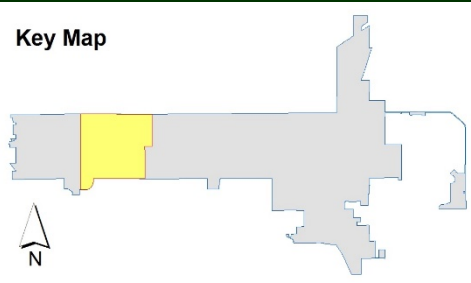
Land Use

Transportation

Community Services & Amenities

Natural Environment

Key Map



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

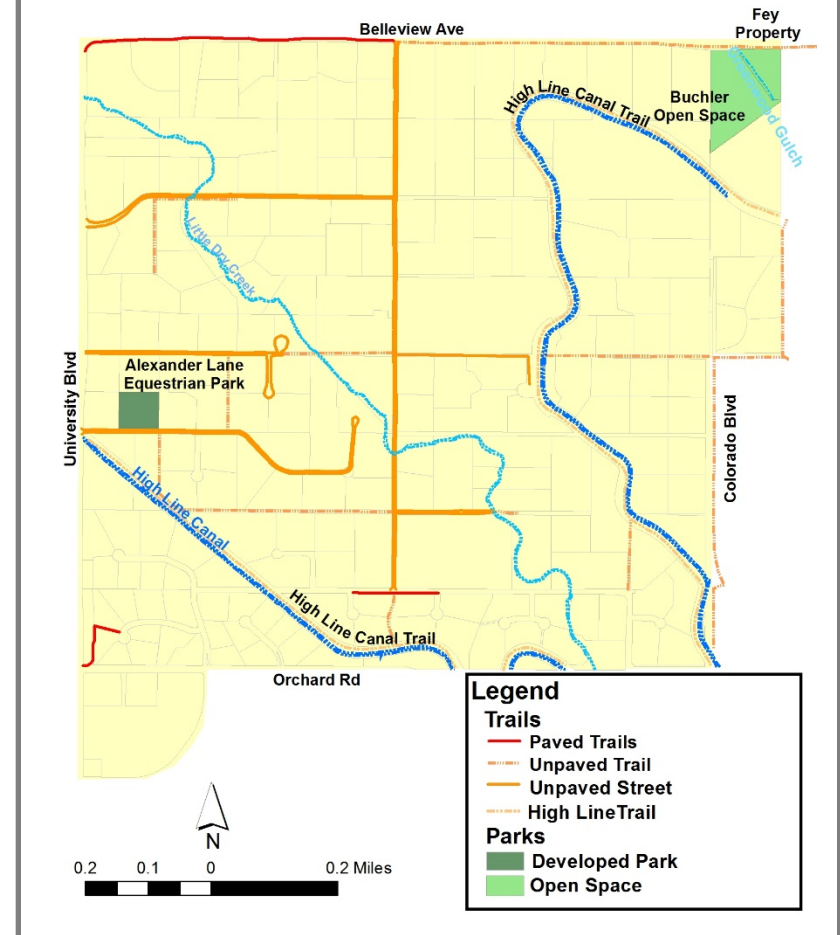
Planning Area Facilities

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

Parks and Trails



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

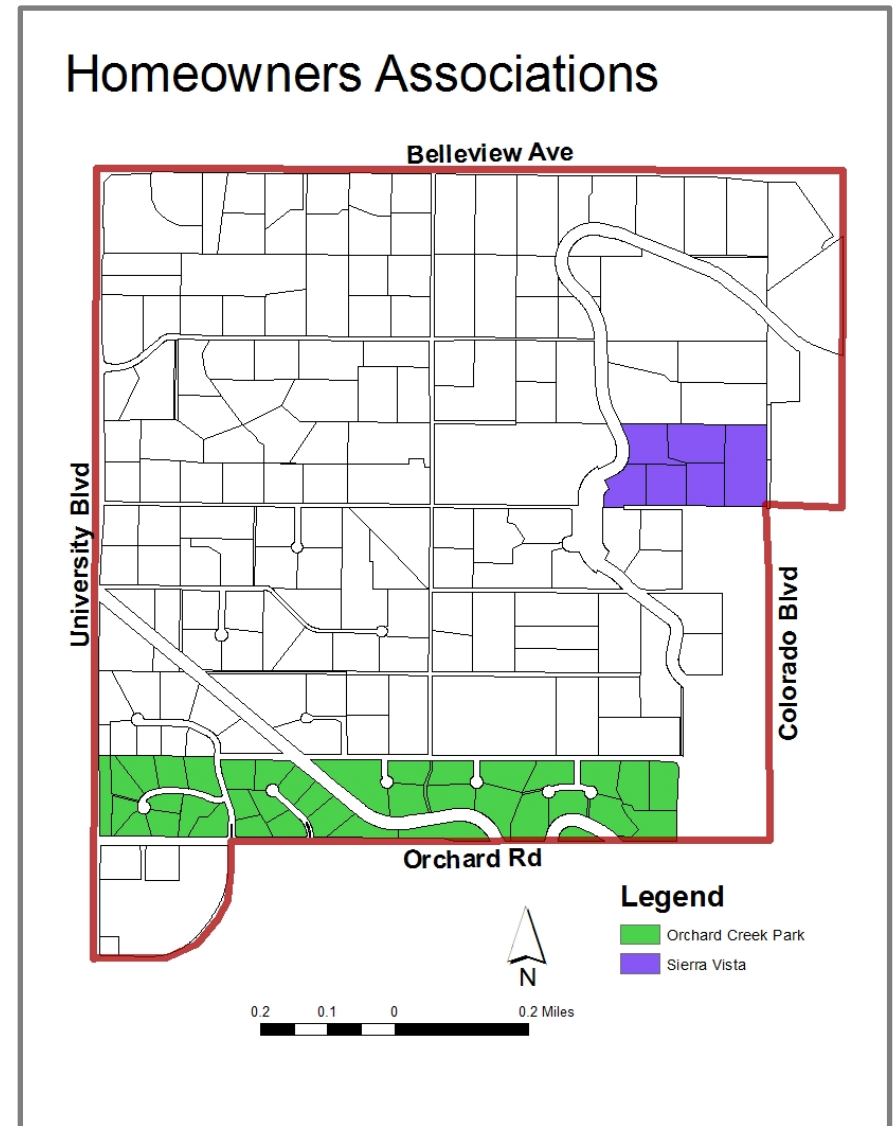
Public Schools – None

Rural Homestead Planning Area

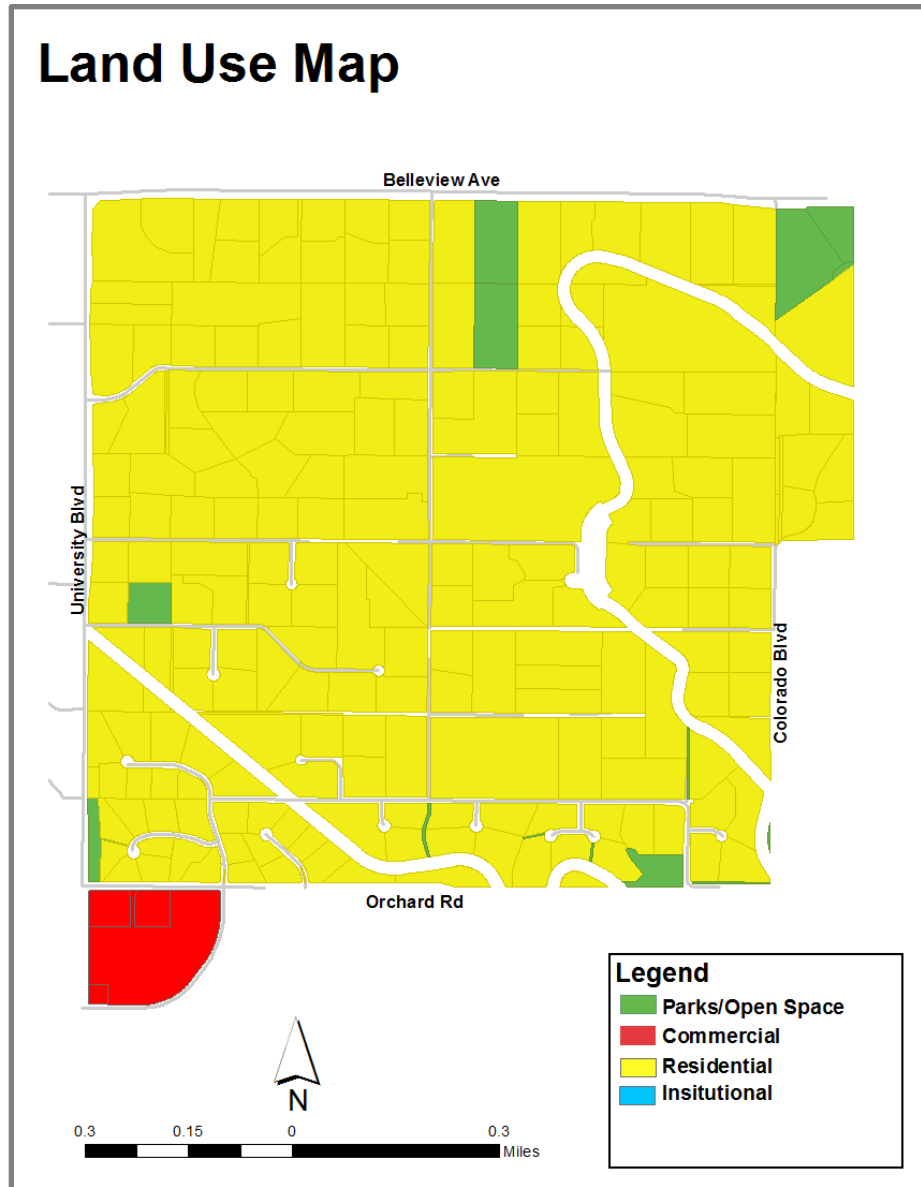
Homeowners Associations

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

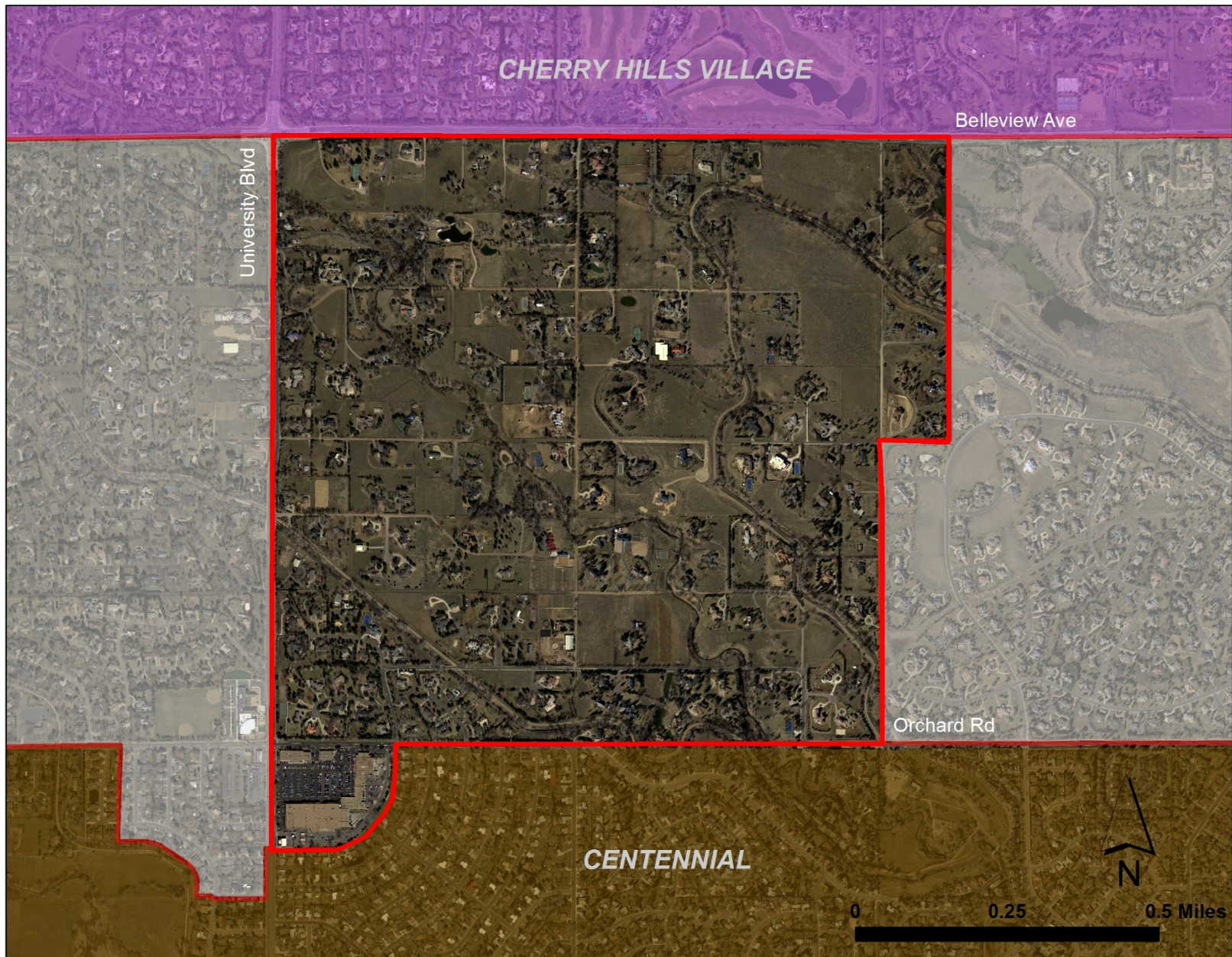
Planning Area Vision

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 Bellevue 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, identity, 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 Bellevue Avenue and University Boulevard.
- Consider signalization of intersections on Bellevue 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



Dec 4, 2025

Subject: PZ-25-0030VAR BoAA Supplemental

BoAA Members,

The Oct 23, 2025, BoAA meeting for the above-referenced case was continued to Dec 11, 2025, at the request of the applicant in order to provide the Board with more information concerning the request to allow for an existing Accessory Structure (Barn) to remain. If the development of the property is to proceed, this existing structure would be located in the front yard, thus in violation of the Land Development Code 16-22-10(b), Accessory Structures are not allowed in the front yard. A new plan was provided that eliminates the proposed dwelling and focuses on the accessory structure that is currently located on the property, which is the current principal structure and is the subject of the variance request.

Noticing and Addressing

The variance request was originally submitted for 3749 E Garden Ln. This property is the owner's house. The owner, PepperTree LLC owns both lots. The original notice went out for 3749 E Garden Ln, only to be adjusted to the undeveloped lot. The lot was addressed at 3745 E Garden Ln. after the application. Staff acknowledged this in the hearing record; however, in consultation with the Clerk's office, the city initiated a new notice with letters and a new sign. Affidavits attesting to this have been submitted.

A3 Review Criteria and the Hardship

A previous owner constructed a fully functional 27' x 34' horse barn in the property's front yard. However, Code Section 16-22-10(b) prohibits accessory structures of this type from being located in a front yard. The applicant currently benefits from the existing barn's availability and relocating it would be costly due to existing utility connections and the concrete pad on which it was built. If the barn and concrete pad were removed, the applicant would need to construct a new barn in a compliant location to stable the horses. Approval of this variance would allow the applicant to continue using the existing barn without incurring the additional costs associated with replicating an existing and operational barn. Additionally, the property owner recently finished a drainage modification that intercepts the area to the south, near the barn, which is intended to be a permanent fixture of the property.

The Sierra Vista Subdivision was platted in 1968 (Exhibit 6). The Barn was put on the undeveloped property in 1971. This made the barn the only structure on the property, thus being the principal structure on the property. The lot was reconfigured in 2002 and added a more pronounced and narrower configuration oriented towards the road, thus the access to the lot (Exhibit 7). If not for the barn being the only structure on the lot, a front yard accessory structure would not have been allowed in the 1970 land development code.

Permitting requirements

Sec. 16-2-120(f)(1) Variance- States that “(f) Time Limits.

- (1) 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 prior to either deadline, the BOAA may, for good cause shown, issue not more than one (1) extension of the deadline. Upon completion of construction, the applicant shall contact the City to schedule an inspection, and, if determined necessary by the Director, the applicant shall provide an improvement location certificate for the property.”

The development scenario in front of the BoAA for this case is at an inflection point. The variance request requires no additional permit if approved. If denied, a demolition permit would be required to remove the operational barn. The potential house design is predicated upon the barn being allowed or removed. Since the design of the potential house is still in its formative phase, obtaining a building permit and the beginning of construction in the codified timeline would be unachievable. This case for a variance is only to allow for the barn to continue to exist while a new, zoning-compliant principal structure would be designed and built later.

Correction/Clarification of Testimony at the Oct 23rd on the Proposed Development

The applicant intends to build a zoning-compliant dwelling. The Planning Manager testified at the Oct 23, 2025, hearing concerning the zoning conformity of the proposed home in a direct answer to a question posed by a Board member. The question was whether the proposed home would be zoning compliant. The Planning Manager testified that, as proposed, it would not be. After further review, the principal structure setbacks, while on the plat, are noted as for information only (Exhibit 7). The statement by the Planning Manager that **the proposed structure was not allowed was incorrect.**

The front yard is determined by Sec 16-1-100

Front Yard -Front yard means 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.

Lot means a parcel of land occupied or designed to be occupied by one (1) building and accessory buildings, including the open space required, or any land designated as a lot on a duly recorded plat.

Lot area means the square footage or acreage of a lot as measured within the boundaries of the lot measured on a horizontal plane upon which the boundaries have been vertically projected, including all easements, to which may be added the area of an abutting street.

Yard means an open space on the same lot with a building, that space being unoccupied and unobstructed from the ground upward by any structure or portion thereof, except a roof with a projection of not more than three (3) feet from the building.

Additionally, a Board member asked if approved, could the accessory structure be converted into an accessory dwelling unit or other structure that was not a barn. The testimony from the Planning Manager was yes. This is

correct; however, a clarification is needed because under the current land development code, **Sec 16-2-40(b) – Prohibitions**, states that (b) No accessory building shall be used as a dwelling unit other than for guests staying for fewer than fifteen (15) days in a 30-day period.

The structure, if provided for no conditional approval as an accessory structure, would need to adhere to this provision. Codes are also subject to change, and it is unclear if this prohibition will remain intact in the future.

Conditional approval

Per Sec. 16-2-120 (d) Conditions. “The BOAA may impose reasonable conditions on the grant of any variance. In addition, upon approval of a variance, the BOAA shall determine whether the variance is limited to the conditions existing on the property at the time of approval, or whether the variance runs with the land regardless of whether the conditions on the property change.”

SIERRA VISTA

BEING A RE-SUBDIVISION OF PLOTS 249, 250, 251
AND THAT PART OF PLOTS 252 AND 253 LYING
EAST OF THE CENTERLINE OF THE HIGH LINE
CANAL ALSO VACATED ROADWAYS ADJOINING SAME
IN SOUTH DENVER GARDENS, SECTION 13, T.9S. R.68W.

GREENWOOD VILLAGE, COLORADO

KNOW ALL MEN BY THESE PRESENTS: That Bruce B. Brundage as the
owner and Earlwood B. Brundage as holder of deed of trust of Plots
249, 250, 251, and that part of Plots 252 and 253 lying east of the
centerline of the high line canal, in South Denver Gardens,
also, all vacated street adjoining Plots 249, 250, 251 and 252 sit in
South Denver Gardens.

Have caused the above described land to be laid out, subdivided
and plotted into lots under the name and style of and to
be known as "SIERRA VISTA".
Easements are granted for ingress and egress as shown herein.
Easements are dedicated to the public for the installation,
use and maintenance of public utilities services as shown.

Witness our hands and seals this 11th day of March, A.D. 1968

Bruce B. Brundage Earlwood B. Brundage

STATE OF COLORADO) ss
CITY AND COUNTY OF DENVER)

The foregoing instrument was acknowledged before me
this 11th day of March, A.D. 1968 by Bruce B. Brundage and
Earlwood B. Brundage.
Witness my hand and Notarial Seal.

Alma E. Egan
NOTARY PUBLIC

This plat approved by the Planning Commission of the
CITY OF GREENWOOD VILLAGE, Colorado this 5 day of Oct. A.D. 1968
John J. O'Leary
Chairman

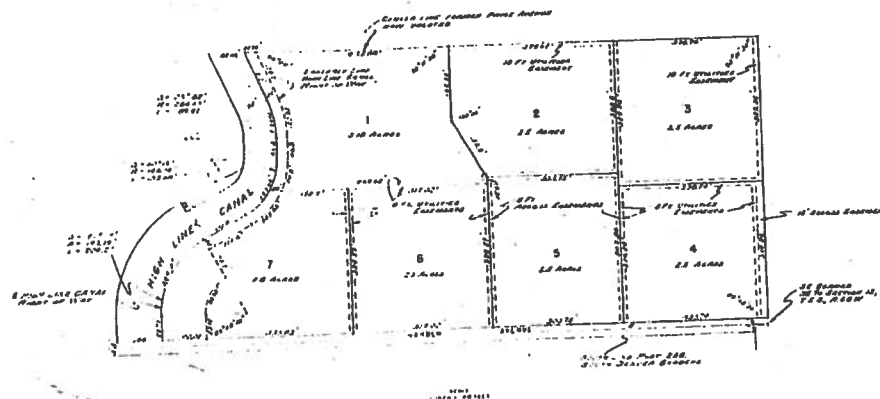
This plat approved by the City Council of the CITY OF
GREENWOOD VILLAGE, Colorado this 11th day of March, A.D. 1968
John J. O'Leary
Mayor

David L. Nicholls, a Registered Land Surveyor do hereby
certify that this survey was made under my supervision and that
the property described is accurately shown herein.
David L. Nicholls
REGISTERED LAND SURVEYOR

STATE OF COLORADO) ss 11/11/68
COUNTY OF ARAPAHO)

I hereby certify that this plat was filed in my office
on this 11th day of March, A.D. 1968 at 1:31 p.m. and was recorded
in Plot Book of Page

County Clerk and Recorder
By David L. Nicholls



PRIOR- A2-32

SIERRA VISTA AMENDMENT NO. 1

A RESUBDIVISION OF LOTS 1 AND 2, SIERRA VISTA LOCATED IN THE SW 1/4
OF SECTION 13, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH P.M.
SHEET 1 OF 2

CERTIFICATION OF DEDICATION AND OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED BEING THE OWNERS AND HOLDERS OF DEED OF TRUST OF CERTAIN LANDS IN ARAPAHOE COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

LOTS 1 AND LOT 2, SIERRA VISTA, TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS ON AND ACROSS THE PRIVATE ROAD EASEMENT ON THE WESTERLY 8 FEET OF LOT 5, AND THE EASTERLY 8 FEET OF LOT 6, SIERRA VISTA, AS SHOWN ON THE RECORDED PLAT, COUNTY OF ARAPAHOE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1, WHENCE THE EAST QUARTER CORNER OF SECTION 13, TOWNSHIP 5 SOUTH RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN BEARS S60°49'37"E, 722.059 FEET; THENCE S89°12'40"W, 468.956 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF THE HIGH LINE CANAL; THENCE ALONG SAID RIGHT OF WAY LINE THE FOLLOWING FOUR (4) COURSES:

1. ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 171.14 FEET, AN ARC LENGTH OF 74.445 FEET, A DELTA OF 25°55'25", AND A CHORD BEARING N14°29'47"E, 73.502 FEET;
 2. N01°51'12"E, 46.165 FEET;
 3. ALONG A NON TANGENT CURVE TO LEFT HAVING A RADIUS OF 229.63 FEET, AN ARC LENGTH OF 100.571 FEET, A DELTA OF 25°07'37", AND A CHORD BEARING N10°26'47"W, 99.769 FEET;
 4. N23°10'07"W 108.00 FEET TO THE CENTERLINE OF VACATED PRICE AVENUE; THENCE S89°14'38"E, ALONG SAID LINE, 816.98 FEET; THENCE S00°33'38"W, 300.282 FEET; THENCE N89°10'02"W, 303.611 FEET; THENCE S00°49'35"W A DISTANCE OF 15.044 FEET TO THE POINT OF BEGINNING.
- THE ABOVE DESCRIBED PARCEL CONTAINS 238,118 SQUARE FEET OR 5.4664 ACRES MORE OR LESS.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS AS SHOWN ON THIS PLAT, UNDER THE NAME AND STYLE OF SIERRA VISTA AMENDMENT NO. 1 AND DOES HEREBY DEDICATE TO THE PUBLIC THE EASEMENTS FOR PURPOSES SHOWN HEREIN, EXECUTED THIS DAY OF NOVEMBER 16, 2002.

OWNERS' SIGNATURES:

OWNERS: RICHARD LEE SIMON TRUST, A COLORADO TRUST, AS TO AN UNDIVIDED 50% INTEREST IN LOT 1, SIERRA VISTA; DENNIS ALLAN CLARK TRUST, A COLORADO TRUST, AS TO AN UNDIVIDED 50% INTEREST IN LOT 1, SIERRA VISTA; AND RICHARD LEE SIMON TRUST, A COLORADO TRUST, AS TO A 100% INTEREST IN LOT 2, SIERRA VISTA

Richard Lee Simon
RICHARD LEE SIMON, TRUSTEE

12/16/02
DATE

Dennis Allan Clark
DENNIS ALLAN CLARK, TRUSTEE

12-16-2002
DATE

NOTARY'S CERTIFICATE:

STATE OF COLORADO)
CITY OF Centennial) SS
COUNTY OF Arapahoe)

THE ABOVE AND FOREGOING CERTIFICATE OF DEDICATION AND OWNERSHIP WAS ACKNOWLEDGED BEFORE ME THIS 16th DAY OF December, 2002, BY RICHARD LEE SIMON, TRUSTEE FOR THE RICHARD LEE SIMON TRUST AND DENNIS ALLAN CLARK, TRUSTEE FOR THE DENNIS ALLAN CLARK TRUST.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES 3-31-04

NOTARY PUBLIC

Chris Escandon

ADDRESS



HOLDER OF DEED OF TRUST SIGNATURE:

HOLDER OF DEED OF TRUST FOR LOT 2, SIERRA VISTA: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.
BY Scott Schinner AS ASSISTANT V. PRESIDENT
AND Kimberly Penley AS ASSISTANT SECRETARY OF
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

NOTARY'S CERTIFICATE:

STATE OF MISSOURI)
CITY OF Ballwin) SS
COUNTY OF ST. LOUIS)

THE ABOVE AND FOREGOING CERTIFICATE OF DEDICATION AND OWNERSHIP WAS ACKNOWLEDGED BEFORE ME THIS 17th DAY OF January, 2003, BY Scott Schinner AS ASSISTANT V. PRES. AND Kimberly Penley AS ASSISTANT SECRETARY OF MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS HOLDER OF TRUST ON LOT 2, SIERRA VISTA.

WITNESS MY HAND AND OFFICIAL SEAL.

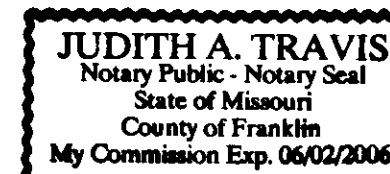
MY COMMISSION EXPIRES JUNE 2, 2006

NOTARY PUBLIC

Judith A. Travis
JUDITH A. TRAVIS

ADDRESS

15851 Canyon Rd
Ballwin, MO 63004



OWNERS ESTOPPEL CERTIFICATE

I, THE UNDERSIGNED, THE OWNER OF THE PROPERTY INCLUDED IN THE WITHIN SUBDIVISION, CERTIFY THAT THIS FINAL PLAT AND THE SUBDIVISION IMPROVEMENT AGREEMENT TO BE EXECUTED IN CONNECTION HERewith, IF REQUIRED, EMBODY THE ENTIRE AGREEMENT BETWEEN THE OWNER OF SAID PROPERTY AND THE CITY OF GREENWOOD VILLAGE WITH REGARD TO THE SUBDIVISION OF SAID PROPERTY, AND THAT THE OWNER IS NOT RELYING UPON ANY OTHER REPRESENTATIONS, WARRANTIES, UNDERSTANDINGS, OR AGREEMENTS IN CONNECTION WITH ANY MATTER ENCOMPASSED BY THIS PLAT OR THE SUBDIVISION IMPROVEMENT AGREEMENT, IF REQUIRED, EXCEPT AS SET FORTH HEREIN OR IN SAID AGREEMENT.

50% OWNER OF LOT 1 AND SOLE OWNER OF LOT 2, SIERRA VISTA
OWNERS: RICHARD LEE SIMON TRUST, A COLORADO TRUST

Richard Lee Simon
RICHARD LEE SIMON, TRUSTEE

12/16/02
DATE

50% OWNER OF LOT 1, SIERRA VISTA
DENNIS ALLAN CLARK TRUST, A COLORADO TRUST

Dennis Allan Clark
DENNIS ALLAN CLARK, TRUSTEE

12-16-2002
DATE

CERTIFICATE OF OWNER'S ATTORNEY

I, Joel A. Mayo, AN ATTORNEY ADMITTED TO PRACTICE IN THE STATE OF COLORADO, CERTIFY THAT THE LANDS DESCRIBED HEREIN WHICH ARE DEDICATED TO THE PUBLIC ARE OWNED BY RICHARD LEE SIMON TRUST AND DENNIS ALLAN CLARK TRUST IN FEE SIMPLE, ABSOLUTE, AND ARE FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES. I FURTHER CERTIFY THAT I HAVE EXAMINED THE WITHIN FINAL PLAT AND THAT, IN MY OPINION, SAID PLAT IS IN COMPLIANCE WITH THE APPLICABLE SUBDIVISION REGULATIONS OF THE CITY OF GREENWOOD VILLAGE.

Joel A. Mayo
ATTORNEY AT LAW

1/16/03
DATE

CERTIFICATE OF CITY ATTORNEY

I, Herbert S. Phillips, CITY ATTORNEY OF GREENWOOD VILLAGE, COLORADO, HEREBY CERTIFY THAT I HAVE EXAMINED THE WITHIN FINAL PLAT AND THAT, IN MY OPINION, SAID PLAT COMPLIES WITH THE APPLICABLE SUBDIVISION REGULATIONS OF THE CITY OF GREENWOOD VILLAGE.

Herbert S. Phillips
CITY ATTORNEY

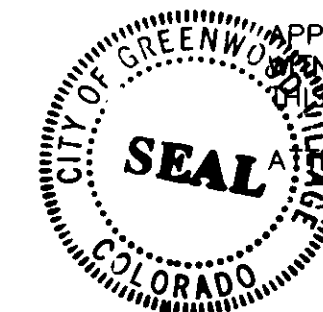
SURVEYOR'S CERTIFICATE

I, MICHAEL S. CHESNOE, A REGISTERED PROFESSIONAL ENGINEER AND 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.

5/21/02
DATE OF SURVEY

Michael S. Chesnoe
MICHAEL S. CHESNOE, P.E. & L.S. #9489

CITY COUNCIL CERTIFICATE



APPROVED BY THE CITY COUNCIL OF GREENWOOD VILLAGE, STATE OF COLORADO, I, John M. Pelleri, CITY CLERK, DO HEREBY CERTIFY THAT THE CITY OF GREENWOOD VILLAGE HAS REVIEWED AND APPROVED THIS PLAT.

John M. Pelleri
CITY CLERK

Thomas H. Mayne
MAYOR

CLERK AND RECORDER'S CERTIFICATE

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF ARAPAHOE COUNTY AT 8:36 O'CLOCK A. M. THIS 15th DAY OF April, 2003 IN BOOK 239, PAGE 43-44.
MAP RECEPTION No. 13079263

John K. Barus
COUNTY CLERK AND RECORDER

BY: Ken Shaw
DEPUTY

1. NOTICE

ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

2. MONUMENT DEFACING STATEMENT

ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.

3. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY CHESNOE AND ASSOCIATES TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHT-OF-WAY OR TITLE OF RECORD, CHESNOE AND ASSOCIATES RELIED UPON RECORDED PLAT AND INFORMATION SUPPLIED BY CLIENT.

4. P.E. & L.S. SEAL, DEPICTED HEREON, VALID ONLY WITH WET SIGNATURE AND DATE WRITTEN THROUGH IT.

BASIS OF BEARINGS: A BEARING OF N00°33'38"E ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER SECTION 13, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN WAS DETERMINED BY GPS OBSERVATIONS BETWEEN TWO FOUND MONUMENTS. ONE MONUMENTING THE EAST 1/2 CORNER OF SAID SECTION 13 BEING A FOUND 3" ALLOY CAP IN RANGE BOX STAMPED L.S. 7735, THE OTHER MONUMENTING THE NORTHEAST CORNER OF SOUTHEAST 1/4 OF THE NORTH EAST 1/4 SAID SECTION 13, BEING A FOUND 1 1/2" ALLOY CAP STAMPED L.S.434.

NOT COMPARED

Books of Colorado
County of Arapahoe } s.s.

An instrument of which this is a
ported duplicate was filed in my
this day of April, 2003.

John K. Barus
County Clerk

DRAWING NUMBER

[illegible]

NE CORNER SE $\frac{1}{4}$ NE $\frac{1}{4}$
SEC 13, T3S, R68W 6TH P.M.
FOUND $1\frac{1}{2}$ " ALLOY
CAP STAMPED L.S. 434

