



Zoning Board of Adjustment

Case #AV26-0005

Board of Adjustment Date: April 14th, 2026

General Information

Project Name	5470 Monaco Street Lot Size Variance
Location	5470-5464 Monaco Street
Site Size	0.07 acres
Current Zoning	R-2 (Single-Family Attached Residential District)
Applicant	Jose Alberto Rodriguez Serrano
Property Owner	Jose Alberto Rodriguez Serrano
Case Planner	Omar Yusuf

Request

The property owner, Jose Alberto Rodriguez Serrano, is requesting a variance request to reduce the required 8,000 square foot lot size for a single-family dwelling for a proposed 6,037 square foot lot size, representing a 1,963 square foot reduction.

Background and Case History

The property currently has no primary structures and is vacant. Mr. Rodriguez-Serrano purchased the property in 2024. Mr. Rodriguez-Serrano is seeking approval for the lot size variance to make the vacant property developable by granting a variance to reduce the lot size to 6,037 square feet versus the required 8,000 square foot lot size as required by [Sec. 21-4305 - R-2 Single-Family Attached Residential District](#). The subject property was originally platted under the Tiffany Subdivision in March of 1952 when the property was in unincorporated Adams County. The subject property is identified as Lots 8 and 9 in Block 5 which consist of residential lots were originally platted with dimensions of 25-ft wide by 120-ft long which makes the lots sizes within the subdivision, 3,000 square feet each. The subject site currently has an open application for a Final Plat – Consolidation plat under S25-0020.

The property is located along Monaco Street in a residential neighborhood. It is surrounded by other single-family homes on all sides. The subject property is surrounded by single-family detached homes to the west, north, east, and south, all located within the Commerce City.

Project Analysis

The narrative that was submitted with the application indicates that the property owner intends to construct a single-family home on the proposed single lot. During the first round of review on the concurrent application for a consolidation plat (S25-0010), staff determined that both a lot frontage and lot size variance would be required to develop a single-family home. The hardship identified in this application is that the two lots in this application conform to the original lot size of 3,000 square feet each that was legally platted under the Tiffany Subdivision. The existing lot size is constrained constituting a hardship as identified in [Sec. 21-3222. - Variances. \(3\)\(a\)\(i\)](#).

The proposed variance was reviewed by all relevant Development Review Team agencies, including the South Adams County Water and Sanitation District (SACWSD), City of Commerce City Planning Division, Engineering Review Division, Building Division, Economic and Community Vitality, and Geographic Information Systems Division with no comments. Reviews were sent to other agencies which were unable to comment. At this time, there are no outstanding concerns related to this variance request.

Public Comment

At this time, Staff has not received written statements from any member of the public regarding the variance.

Variance Approval Criteria

A decision for this case must be based on the following criteria from [Sec. 21-3222\(3\)](#) of the 2009 Land Development Code. An application for a variance may be approved if:

(a) All of the following criteria are met:

- i. The physical character of the property, including dimensions, topography or other extraordinary situation or condition of the property, create a situation where the strict enforcement of the standards in this land development code will deprive the property of privileges generally enjoyed by property of the same classification in the same zoning district (hardship);**

Analysis: The subject properties were originally platted with dimensions of 25-ft wide by 120-ft long which makes the lot sizes within the subdivision, 3,000 square feet each as part of the Tiffany Subdivision. Because the existing lots proposed to be consolidated are undersized compared to the Code, a hardship exists. *Therefore, it can be found that this application **meets criteria (i)**.*

- ii. The hardship is not self-imposed;**

Analysis: The properties to the north and south of the subject properties were developed before the property owner purchased the properties which limits to

total usable lot size of 6,037 square feet. ***Therefore, it can be found that this application meets criteria (ii).***

iii. The variance will not be of substantial detriment to adjacent property; and

Analysis: The request will ensure infill development on the site by accommodating a single-family home of similar size in the neighborhood. Adopting infill development principles, will mitigate neighborhood blight Created by the current vacant lots. ***Therefore, it can be found that this application meets criteria (iii).***

(b) One of the following criteria is met:

i. The variance granted is the minimum needed for the reasonable use of the land, building, or structure; or

Analysis: Upon the approval of a lot consolidation, both lots combined will be 6,037 square feet which is the minimum variance needed to accommodate this lot consolidation. ***Therefore, it can be found that this application meets criteria (i).***

ii. The character of the district will not be changed by the granting of the variance.

Analysis: The neighborhood is comprised of mostly single-family detached and attached homes. The purpose of this proposal will reinforce the character of the neighborhood by introducing a new single-family detached residence. ***Therefore, it can be found that this application meets criteria (ii).***

Staff Recommendation

Planning staff has found that the application meets the approval criteria found within [Sec. 21-3222\(3\)](#) of the 2009 Land Development Code, and therefore the Planning Division recommends the Board of Adjustment approve case AV26-0005.

Considerations for Discussion

1. The variance is to reduce the required 8,000 square foot lot size for a single-family dwelling for a proposed 6,037 square foot lot size, a 1,963 square foot reduction.
2. Review of the requested variance revealed limited impacts to surrounding properties.
3. The application was reviewed by all relevant Development Review Team (DRT) agencies, and there are no outstanding comments or concerns.

Potential Motions

Approval

*I move that the Board of Adjustment enter a finding that the requested **variance**, for the property located at **5470 Monaco Street** contained in case **AV26-0005**, meets the criteria of the Land Development Code and based upon such finding, approve the **variance**.*

Approval with Conditions

*I move that the Board of Adjustment enter a finding that the requested **variance**, for the property located at **5470 Monaco Street** contained in case **AV26-0005**, meets the criteria of the Land Development Code and based upon such finding, approve the **variance** subject to the following conditions:*

[Insert Conditions]

Denial

*I move that the Board of Adjustment enter a finding that the requested **variance**, for the property located at **5470 Monaco Street** contained in case **AV26-0005**, fails to meet the criteria of the Land Development Code and based upon such finding, deny the **variance**.*

[Insert criteria not met]

Figure 1. Zoning Map

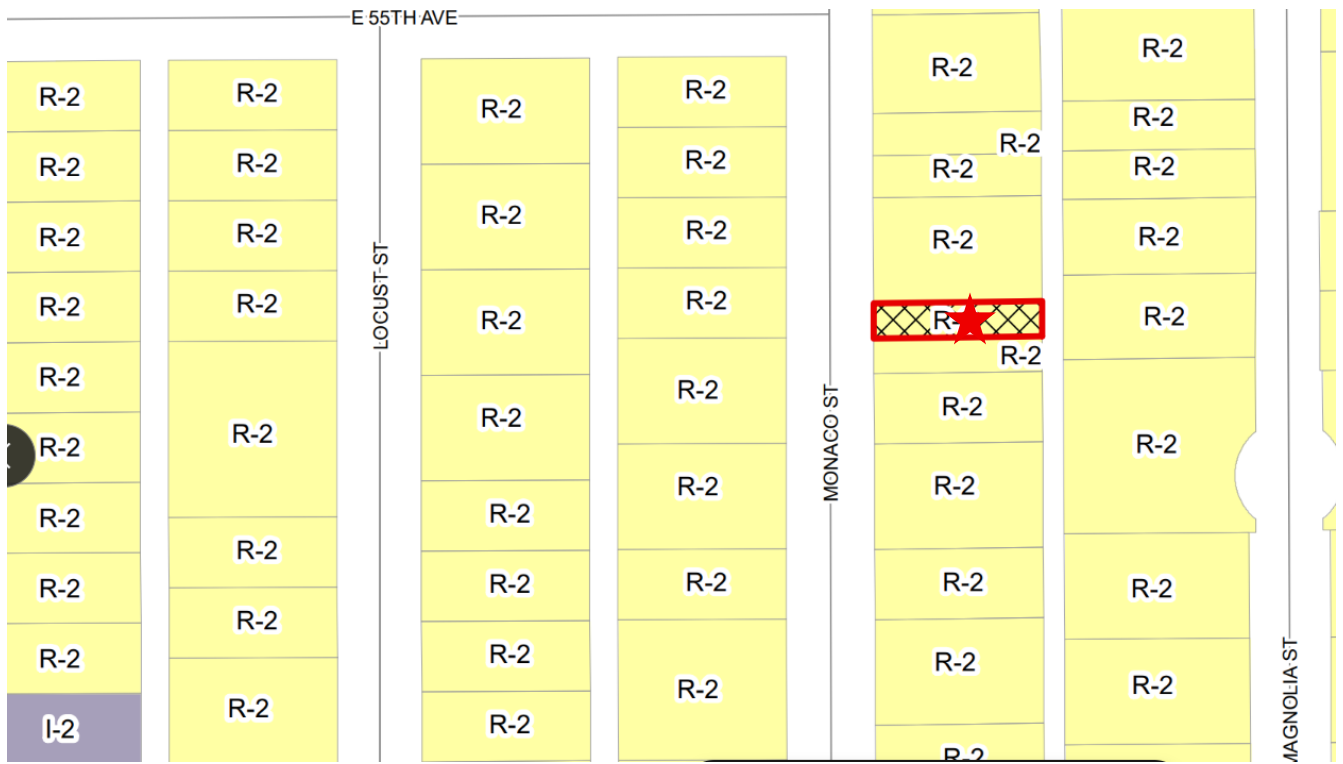


Figure 2. Aerial Map

