

1 CITY OF LITTLETON, COLORADO

2  
3 Resolution No. 01

4  
5 Series, 2026

6  
7 A RESOLUTION OF THE APPEALS AND ADJUSTMENT COMMISSION  
8 OF THE CITY OF LITTLETON, COLORADO APPROVING A VARIANCE  
9 TO ALLOW FOR A MAXIMUM HEIGHT OF 32.91 FEET FOR THE  
10 PROPOSED TOWN HOME DEVELOPMENT AT 5850 SOUTH  
11 WINDERMERE STREET, WHERE THE MAXIMUM PERMITTED  
12 HEIGHT FOR TOWN HOMES IS 30 FEET.

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14 WHEREAS, the Littleton City Code grants the Appeals and Adjustment  
15 Commission powers to hear and decide requests for variances under Title 10 (Unified Land Use  
16 Code) of the Littleton City Code; and

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18 WHEREAS, the Appeals and Adjustment Commission held a public hearing on  
19 February 18, 2026, to consider a proposal for a variance request to allow for a maximum height of  
20 32.91 feet for the proposed town home development at 5280 S. Windermere St., where the  
21 maximum permitted height for town homes is 30 feet; and

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23 WHEREAS, the Appeals and Adjustment Commission considered evidence and  
24 testimony concerning the proposed variance at said public hearing; and

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26 WHEREAS, the Appeals and Adjustment Commission finds in fact that strict  
27 application of the provisions of the code would impose an undue hardship on the applicant, and  
28 deprive the applicant of rights commonly enjoyed by other residents of the district in which the  
29 property is located; and

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31 WHEREAS, the Appeals and Adjustment Commission finds in fact that the  
32 hardship is based on or results from the particular physical surroundings, shape, or topographical  
33 conditions of the subject property; and

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35 WHEREAS, the Appeals and Adjustment Commission finds in fact that the  
36 hardship under which the variance is sought was not created by the owner, occupant, or agent of  
37 the owner of the property in question; and

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39 WHEREAS, the Appeals and Adjustment Commission finds in fact that the  
40 variance requested is the minimum necessary that will make possible a permitted use of the land,  
41 building, or structure; and

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43 WHEREAS, the Appeals and Adjustment Commission finds in fact that the  
44 variance will not confer on the applicant any special privilege that is denied to other lands or  
45 structures in the same district; and

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47                   **WHEREAS**, the Appeals and Adjustment Commission finds in fact that the  
48 variance will not adversely affect the public health, safety, and welfare.  
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50                   **NOW, THEREFORE, BE IT RESOLVED BY THE APPEALS AND**  
51 **ADJUSTMENT COMMISSION OF THE CITY OF LITTLETON, COLORADO, THAT:**  
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53                   **Section 1.** The Appeals and Adjustment Commission does hereby approve a  
54 variance to allow for a maximum height of 32.91 feet for the proposed town home development at  
55 5280 S. Windermere St., where the maximum permitted height for town homes is 30 feet.  
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57                   INTRODUCED, READ AND ADOPTED at a regularly scheduled meeting of the  
58 Appeals and Adjustment Commission of the City of Littleton, Colorado, on the 18th day of  
59 February, 2026, at 6:30 p.m. at the Littleton Center, 2255 West Berry Avenue, Littleton, Colorado.

60 ATTEST:

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63 \_\_\_\_\_  
64 Wendy J. Shea-Tamag  
65 DEPUTY CITY CLERK

66 \_\_\_\_\_  
67 Tim LeVier  
68 CHAIR

69 APPROVED AS TO FORM:

70  
71 \_\_\_\_\_  
72 Ashley Augustin  
73 DEPUTY CITY ATTORNEY

