

MEMORANDUM

To: CPD Residential & Commercial Zoning Plan Review Teams
From: Tina Axelrad, CPD Interim Zoning Administrator
Date: April 27, 2017 (Updated July 7, 2025)
Re: **Interpretation for the Polo Club Place Subdivisions A and C – Zone Lot Clarification and Zoning Guidance for Development Review**

[Polo Club Place Development History and Context](#)

Polo Club Place Subdivision A and Polo Club Place Subdivision C have several unique zoning considerations that require clarification as to how these lands' current zoning designation and accompanying zoning development standards apply.

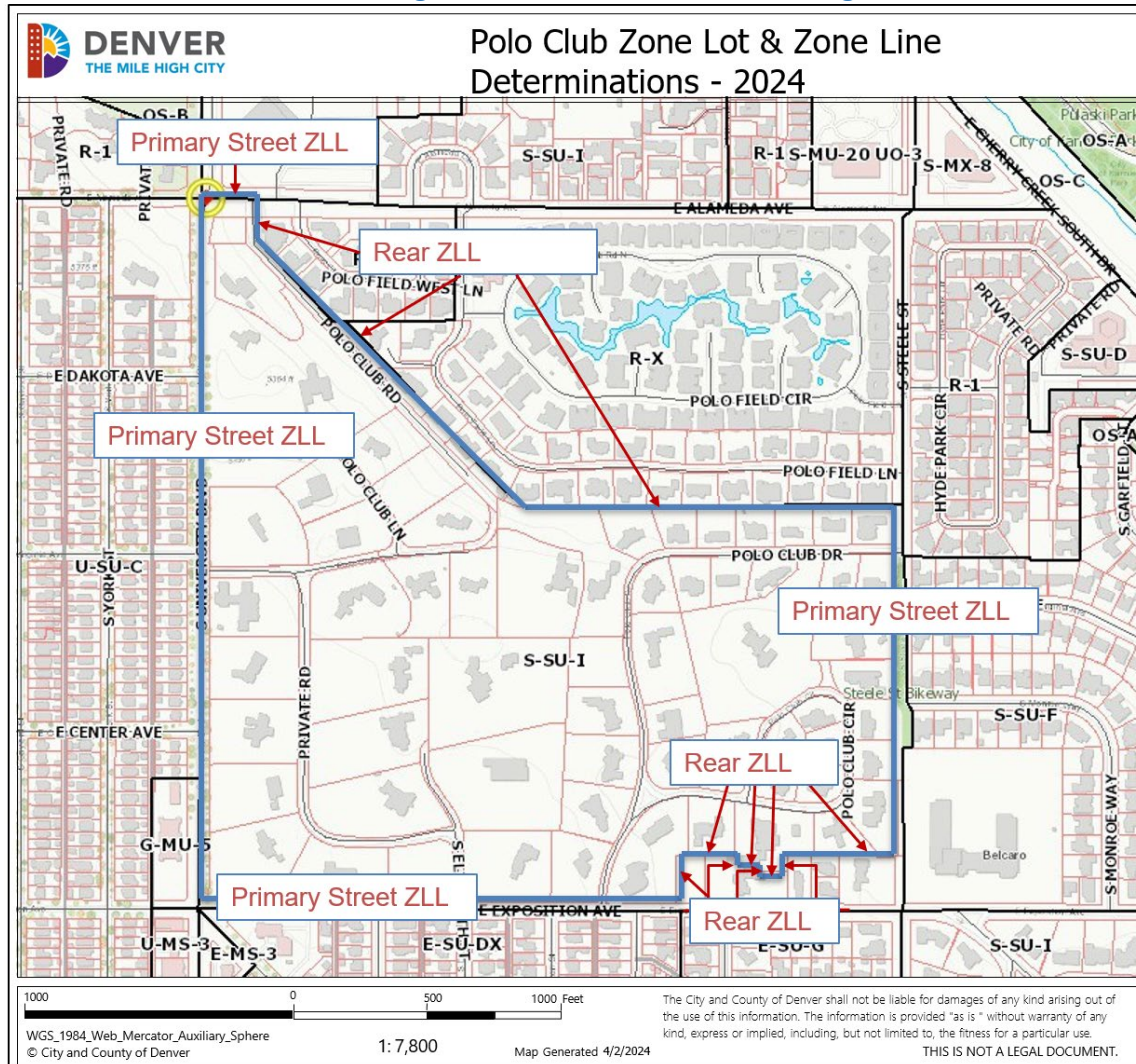
Polo Club Place Subdivision A was approved in 1952 (before Former Chapter 59 was enacted in 1955) and contains only private streets. Polo Club Place Subdivision C was created in 1960, after Former Chapter 59 was enacted in 1955, but also contains only private streets. See Denver Subdivision Map exhibit below, showing the boundaries of Polo Club Place Subdivisions A (southeastern portion of the block with red boundary) and Polo Club Place Subdivision C (western portion of the block with yellow boundary line) as originally platted. At the time of subdivision approval in 1952 and 1960, the number of platted lots for possible development totaled 61 lots.

In or about 1955, the land in both subdivisions was zoned R-0 under Former Chapter 59. In 2010, lands in Polo Club Place that were zoned R-0 were rezoned to S-SU-I under the Denver Zoning Code. When development of new single-unit dwellings began around 1955, most Polo Club Place subdivision lots did not have public street frontage, and therefore could not qualify as developable “zone lots” under the Former Chapter 59 zoning code rules adopted in February 1955. Nonetheless, the city issued construction permits to allow development of new homes in Polo Club Place. There is also no record of Polo Club Place being subject to a city-approved site development plan or planned building group plan of any kind prior to the start of development.

Given the contradiction between past permitted development and the absence of legally established zone lots for each single-family dwelling constructed to date, and to enable administration of its current DZC zoning designation, all development on property in Polo Club Place Subdivisions A and C shall be reviewed for zoning compliance using the guidelines in this interpretation, as follows.

SU-I zone when the primary use is single-unit dwelling, the legal status of the Polo Club Place zone lot is “nonconforming.” See DZC, Section 1.2.3.5.A, Number of Uses and Structures Allowed Per Zone Lot; see also DZC, Division 13.3 for the definition of “nonconforming zone lot.”

Polo Club Place Zone Lot Designation and Zone Lot Line Designations



One

Limit on the Number of Structures and Uses on the Polo Club Place Zone Lot

Maximum Number of Primary Structures and Primary Uses on the Zone Lot

The DZC generally prohibits any increase in the amount or degree of the specific trait or characteristic that makes the zone lot nonconforming. See DZC, Section 12.10.5. In Polo Club Place, this means the number of primary single unit dwelling structures and land uses cannot be increased beyond the number that was legally established when the zone lot became nonconforming. This is particularly important in the case of Polo Club Place as changes in parcel boundaries do not trigger review by potentially affected or interested city agencies,

including Building, Fire, DOTI, and Public Safety; those agencies would typically have an interest in any proposed intensification (in terms of number of structures and number of residents), especially to portions of the neighborhood that lack direct access to public streets.

The Zoning Administrator recognizes the investment-backed expectations of current Polo Club Place property owners in the existing number of single unit homes within the community given past permitting history, regardless of any staff error in issuing those permits. The presumption is that Polo Club Place property owners generally expect that the community’s overall density and number of single-unit dwellings will not increase significantly from what existed at the time of their initial investment. The Zoning Administrator also recognizes the history of parcelization within the Polo Club Place subdivisions during the last 60 years, which has resulted in multiple ownership of some of the original subdivision lots accompanied by a reasonable expectation that those parcels could be developed in the future. Weighing the investment-backed expectations of current property owners with the fact that the parcels in Polo Club Place are not legal developable zone lots under the city’s zoning laws, the maximum number of primary structures and uses allowed on the Polo Club Place zone lot shall be limited to the number of assessor parcels existing within the Polo Club Place Subdivisions A and C as of August 1, 2024, as stated below:

- **Maximum Number of Primary Single-Unit Dwelling Structures Allowed:** 67
- **Maximum Number of Primary Single-Unit Dwelling Uses Allowed:** 67

Maximum Number of Primary Structures and Primary Uses per Assessor Parcel

The S-SU-I zone district applies a maximum of 1 primary structure and 1 primary use per zone lot, which is a critical component in preserving the existing character of suburban single-unit zoning in Denver. Because of the non-conforming status of the Polo Club Place zone lot, this code interpretation will advance the intent of this standard by limiting the number of primary structures and uses, using the assessor parcel as proxy for the more traditional zone lot in the S-SU-I zone district.

- **Maximum Number of Primary Single-Unit Dwelling Structures Allowed per Assessor Parcel: 1**
- **Maximum Number of Primary Single-Unit Dwelling Uses Allowed per Assessor Parcel: 1**

Maximum Number of Detached Accessory Structures and Accessory Uses per Assessor Parcel

The S-SU-I zone district allows an unlimited (no maximum) number of detached accessory structures per zone lot, with one exception: Only one of those allowed detached accessory structure may have vehicle access doors (i.e., function as a garage for vehicle storage). Again, these limits assist in preserving the existing character of suburban single-unit zoning in Denver. Because of the non-conforming status of the Polo Club Place zone lot, this code interpretation will advance the intent of this standard by regulating the number of detached accessory structures and uses, using the assessor parcel as proxy for the more traditional zone lot in the S-SU-I zone district.

- **Maximum Number of Detached Accessory Structures Allowed per Assessor Parcel:** No maximum limit on the number of detached accessory structures, except each assessor

parcel may contain no more than one detached accessory structure with vehicle access doors. There is no limit on the number of vehicle access doors contained on the primary single-unit dwelling structure.

Applicable Building Form Standards

Suburban House Building Form Standards for Polo Club Place

All primary structures in Polo Club Place shall comply with the suburban house building form standards applicable to the S-SU-I zone district found in Article 3 of the Denver Zoning Code, as amended from time to time, with the modifications and clarifications listed in the table named, “Suburban House Building Form” below. “NA” (“not applicable”) in a table cell means the specific standard does not apply to development under the Suburban House building form in Polo Club Place. Explanatory notes regarding specific, modified or clarified standards for Polo Club Place development under this interpretation are provided following the tables.

SUBURBAN HOUSE BUILDING FORM		
HEIGHT	S-SU-I ZONE DISTRICT STANDARD	POLO CLUB PLACE STANDARD
Stories, front 65% / rear 35% of zone lot depth (max)	3/3	3
Feet, front 65% / rear 35% of zone lot depth (max)	30’/30’	35’
Feet, 100% of zone lot depth, permitted height increase (max)	1’ for every 5’ increase in Zone Lot width over 50’ up to a maximum height of 35’	
Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line in front 65% / rear 35% of zone lot depth	10’/10’	NA
Bulk Plane Slope from Side Interior and Side Street Zone Lot Line	45 degrees	NA
Rule of Measurement: Front 65%/Rear 35%	Section 13.1.4.1	NA
Rule of Measurement, Height in Feet	Section 13.1.2.2	Building specific base plane, per Section 13.1.2.2.B.2
SITING	S-SU-I ZONE DISTRICT STANDARD	POLO CLUB PLACE STANDARD
ZONE LOT		
Zone Lot Size (min)	12,000 sf	12,000 sf
Zone Lot Width (min)	62.5’	62.5’
SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH		
Primary Street Setback (min)	20’	20’
Side Street Setback (min)	5’	NA
Side Interior Setback (min)	7.5’	NA
Rear Setback, No Alley (min)	20’	20’
Building Coverage per Zone Lot, including all accessory structures (max)	50%	50% per Assessor Parcel

SUBURBAN HOUSE BUILDING FORM		
PARKING BY ZONE LOT WIDTH		
Parking and Drive Lot Coverage in Primary Street Setback (max)	Maximum 16-foot wide measured parallel to the Primary Street zone lot line for any length, or 33% of the zone lot area within the Primary Street setback, whichever is greater	<ul style="list-style-type: none"> S-SU-I zone district standard is applicable only to development on Assessor parcels abutting a primary street zone lot line. Not applicable to all other parcels.
Vehicle Access	From Alley; or Street access allowed when no Alley present (See Section 3.3.7.6)	From Private Street or Drive Only
DESIGN ELEMENTS	S-SU-I ZONE DISTRICT STANDARD	POLO CLUB PLACE STANDARD
BUILDING CONFIGURATION		
Rooftop and/or Second Story Decks	Not permitted in rear 35%	NA
Attached Garage Allowed	(1) Shall not be located closer to the minimum Primary Street zone lot line than the Primary Street-facing façade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use.	<ul style="list-style-type: none"> S-SU-I zone district standard is applicable only to development on Assessor parcels abutting a primary street zone lot line. Not applicable to all other parcels.
	(2) May follow the General Detached Structure Building Form for Side Street, Side Interior and Rear setbacks provided no permitted height increase has been applied to the Attached Garage.	(2) May follow the General Detached Structure Building Form for Rear setbacks.
Primary Street-Facing Attached Garage Door Width in front 50% of zone lot depth (max)	35% of the entire width of the Primary Street-facing façade of the primary structure or 16', whichever is greater.	NA
Upper Story Stepback, for any portion of building with Low-Slope Roof, above 25': Primary Street (min)	NA	NA
STREET LEVEL ACTIVATION		
Pedestrian Access, Primary Street	Entry Feature	<ul style="list-style-type: none"> From Private Street or Drive Only
USES	S-SU-I Zone District Standard	POLO CLUB PLACE STANDARD
Uses	Primary Uses shall be limited to Single Unit Dwelling and permitted Congregate Living, Residential Care and Nonresidential uses. See Division 3.4 Uses and Required Minimum Parking.	Primary Uses shall be limited to Single Unit Dwelling and permitted Congregate Living, Residential Care and Nonresidential uses. See Division 3.4 Uses and Required Minimum Parking.

See Denver Zoning Code, Sections 3.3.5 - 3.3.7 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions.

Applicable Building Form Standards – Detached Accessory Structures

All detached accessory structures in Polo Club Place shall comply with the applicable detached accessory structure building form standards applicable to the S-SU-I zone district found in Article 3 of the Denver Zoning Code, as amended from time to time, with the modifications and clarifications listed in the tables below. “NA” (“not applicable”) in a table cell means the specific standard does not apply to development under the detached accessory structure building form in Polo Club Place. Explanatory notes regarding specific, modified or clarified standards for Polo Club Place development under this interpretation are provided following the tables.

DETACHED ACCESSORY DWELLING UNIT BUILDING FORM			
HEIGHT	S-SU-I ZONE DISTRICT STANDARD		POLO CLUB PLACE STANDARD
	Option A: 1-Story	Option B: 2-Story	
Stories (max)	1	2	2
Feet (max)	17'	24'	35'
Bulk Plane Vertical Height at Side Interior Zone Lot Line	10'	10'	NA
Bulk Plane Slope from Side Interior Zone Lot Line	45 degrees	45 degrees	NA
Rule of Measurement: Front 65%/Rear 35%	Section 13.1.4.1	Section 13.1.4.1	NA
Rule of Measurement, Height in Feet	Section 13.1.2.2	Section 13.1.2.2	Building specific base plane, per Section 13.1.2.2.B.2
SITING			POLO CLUB PLACE STANDARD
SETBACKS			
Location of Structure	Located in the rear 50% of the zone lot depth		NA
Side Interior and Side Street for lots 62' wide or greater (min)	7.5'	7.5'	NA
Rear (min)	10'	20'	20'
Maximum Building Coverage	See maximum Building Coverage per Zone Lot in the Primary Structure building form table.		See maximum Building Coverage per Zone Lot in the Primary Structure building form table.
PARKING			
Vehicle Access	From Alley; or Street access allowed when no Alley present See 3.3.7.6 for exceptions		From Private Street or Drive Only
DESIGN ELEMENTS		S-SU-I ZONE DISTRICT STANDARD	POLO CLUB PLACE STANDARD
BUILDING CONFIGURATION			
Building Footprint (max)	1,000 sf		1,000 sf
Limitation on Gross Floor Area of the Accessory Dwelling Unit Use	See Section 11.8, Uses Accessory to Primary Residential Uses - Limitations		See Section 11.8, Uses Accessory to Primary Residential Uses - Limitations
Rooftop and/or Second Story Decks	Not allowed - See Section 3.3.5.2		Allowed - Section 3.3.5.2 Shall Not Apply
USES		S-SU-I ZONE DISTRICT STANDARD	POLO CLUB PLACE STANDARD
Uses	An Accessory Dwelling Unit use must be concurrently permitted and approved for occupancy in this building form. The Accessory Dwelling Unit use may be combined with other uses Accessory to Primary Residential Uses. See Division 3.4, Uses and Required Minimum Parking, for permitted Uses Accessory to Primary Residential Uses.		An Accessory Dwelling Unit use must be concurrently permitted and approved for occupancy in this building form. The Accessory Dwelling Unit use may be combined with other uses Accessory to Primary Residential Uses. See Division 3.4, Uses and Required Minimum Parking, for permitted Uses Accessory to Primary Residential Uses.

See Denver Zoning Code, Sections 3.3.4.3 and 3.3.5 - 3.3.7 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions.

GENERAL DETACHED BUILDING FORM		
<i>Examples of General Detached Structures include garages, sheds, and gazebos. The General Detached Structure building form provides standards for structures accessory to a primary structure that exceed the standards for a Minor Detached Structure building form.</i>		
HEIGHT	S-SU-I ZONE DISTRICT STANDARD	POLO CLUB PLACE STANDARD
Stories (max)	1	1
Feet (max)	17'	35'
Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line	10'	NA
Bulk Plane Slope from Side Interior and Side Street Zone Lot Line	45 degrees	NA
Rule of Measurement: Front 65%/Rear 35%	Section 13.1.4.1	NA
Rule of Measurement, Height in Feet	Section 13.1.2.2	Building specific base plane, per Section 13.1.2.2.B.2
SITING	S-SU-I ZONE DISTRICT STANDARD	POLO CLUB PLACE STANDARD
Additional Standards	See Section 3.3.4.3, Supplemental Standards	See Section 3.3.4.3, Supplemental Standards
SETBACKS AND BUILDING COVERAGE		
Location of Structure	Located a minimum of 10' behind 75% of the total width of the Primary Street-facing facade(s) of one Primary Structure; see Section 13.1.5.12 for applicable location standard when there are multiple Primary Structures on one Zone Lot	NA
Side Street (min)	5'	NA
Side Interior Setback (min)	0' or 5'	NA
Rear, where no Alley (public or private) abuts a Rear Zone Lot Line (min)	5'	5'
Building Coverage (max)	See maximum Building Coverage per Zone Lot in the Primary Structure building form table.	See maximum Building Coverage per Zone Lot in the Primary Structure building form table.
PARKING		
Vehicle Access	From Alley; or Street access allowed when no Alley present See Section 3.3.7.5 for exceptions	From Private Street or Drive Only
DESIGN ELEMENTS	S-SU-I ZONE DISTRICT STANDARD	POLO CLUB PLACE STANDARD
BUILDING CONFIGURATION		
Building Footprint (max)	1,000 sf per unit	1,000 sf per unit
Gross Floor Area (max)	NA	NA
Overall Structure Length (max)	36' per unit	36' per unit
Allowed Number of Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	3	NA
Cumulative Width of All Primary Street Facing Vehicular Access Doors in the front 50% of the lot depth (max)	28'	NA
USES	S-SU-I ZONE DISTRICT	POLO CLUB PLACE

GENERAL DETACHED BUILDING FORM

Examples of General Detached Structures include garages, sheds, and gazebos. The General Detached Structure building form provides standards for structures accessory to a primary structure that exceed the standards for a Minor Detached Structure building form.

	STANDARD	STANDARD
Uses	Accessory Uses Only, excluding accessory dwelling unit where permitted. See Division 3.4, Uses and Required Minimum Parking.	Accessory Uses Only, excluding accessory dwelling unit where permitted. See Division 3.4, Uses and Required Minimum Parking.

See Denver zoning Code, Sections 3.3.5 - 3.3.7 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions. See Denver Zoning Code, Section 10.4.6 Vehicle Parking Design for standards that may be more restrictive.

MINOR DETACHED STRUCTURES BUILDING FORM

Structures that meet the standards in this building form table are exempt from the requirement to obtain a zoning permit. Examples of Minor Detached Structures include sheds, arbors, play structures, ground-mounted mechanical equipment such as air conditioning units and heat pumps, and other structures that are similarly minor in impact, height, and footprint. Option A is more limited than Option B in height and footprint, but offers more flexibility in siting. Structures that do not meet the standards in the table below shall be reviewed under the General Detached Structure building form.

HEIGHT	S-SU-I ZONE DISTRICT STANDARD		POLO CLUB PLACE STANDARD
	Option A	Option B	
Stories (max)	1	1	1
Feet (max)	4'	14'	14'
SITING	S-SU-I ZONE DISTRICT STANDARD		POLO CLUB PLACE STANDARD
	Option A	Option B	
Total number of each structure (max)	NA	NA	NA
LOCATION OF STRUCTURE			
Ground-Mounted Mechanical Equipment	Shall be located a minimum of 10' behind 75% of the total width of the Primary Street-facing Façade	Shall be located a minimum of 10' behind 75% of the total width of the Primary Street-facing Façade	NA
Public Utility Equipment	Allowed		
All Others	anywhere on the Zone Lot		
SETBACKS			
Side Street Setback (min)	5'	5'	NA
Side Interior Setback (min)	0' or 5'	0' or 5'	NA
Rear, where no Alley (public or private) abuts Rear Zone Lot Line (min)	5'	5'	5'
DESIGN ELEMENTS	S-SU-I ZONE DISTRICT STANDARD		POLO CLUB PLACE STANDARD
BUILDING CONFIGURATION			
Structure Footprint (max)	12 sf	200 sf	200 sf
USES	S-SU-I ZONE DISTRICT		POLO CLUB PLACE

MINOR DETACHED STRUCTURES BUILDING FORM

Structures that meet the standards in this building form table are exempt from the requirement to obtain a zoning permit. Examples of Minor Detached Structures include sheds, arbors, play structures, ground-mounted mechanical equipment such as air conditioning units and heat pumps, and other structures that are similarly minor in impact, height, and footprint. Option A is more limited than Option B in height and footprint, but offers more flexibility in siting. Structures that do not meet the standards in the table below shall be reviewed under the General Detached Structure building form.

	STANDARD	STANDARD
Uses	Accessory Uses Only, excluding accessory dwelling unit use and parking and storage of vehicles. See Division 3.4, Uses and Required Minimum Parking, for permitted Accessory Uses.	Accessory Uses Only, excluding accessory dwelling unit use and parking and storage of vehicles. See Division 3.4 Uses and Required Minimum Parking, for permitted Accessory Uses.

See Denver Zoning Code, Sections 3.3.5 - 3.3.7 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions.

Explanatory Notes to Building Form Tables

Building Height: 35 feet is the maximum height limit across the entire Polo Club Place zone lot for all types of structures (primary and detached accessory). With the absence of zone lot line boundaries for most individually owned building sites in Polo Club Place, the use of front/rear base planes otherwise required by the applicable S-SU-I zone district to measure building height is impracticable. Because the Polo Club Place zone lot is more than 18,000 square feet in gross land area and the single the zone lot contains multiple primary buildings, the “building specific base plane” rule of measurement for structure height shall be used to measure building height, according to the Denver Zoning Code, Section 13.1.2.2.B.2.

Bulk Plane: Bulk plane standards are not applicable because there are no side interior zone lot lines or side street zone lot lines for the Polo Club Place zone lot.

Side Street and Side Interior Setbacks: Because the Polo Club Place zone lot does not have any designated side street or side interior zone lot lines, a side street or side interior setback otherwise applicable to a structure (primary or accessory) in a S-SU-I zone district is not applicable.

Building Coverage: Maximum building coverage, while technically applicable to the entire Polo Club Place zone lot, is determined by taking the land area of the Assessor parcel as the denominator in calculating building coverage. The appropriate amount of coverage for existing and proposed building footprints must equal no more than 50% coverage (the S-SU-1 standard) for each Assessor parcel. The general assumption is that if no single Assessor parcel exceeds the 50% coverage, then the entire zone lot remains in compliance with the 50% maximum coverage standard applicable in the S-SU-I zone district.

Vehicle Access: One of the traits that makes the Polo Club Place residential community unique from more typical suburban neighborhoods in Denver is that there is no direct vehicle access to the individual building sites (parcels) in the community from the abutting public named or numbered streets. All vehicle access to a primary or accessory structure located in Polo Club Place is taken from a private street or drive. Accordingly, applying the vehicle access standards

found in the S-SU-I zone district, which require either public alley or public street access, would either be impossible under current built conditions (all zone lot lines abutting a public street are improved with existing fences or walls blocking vehicle access from the street) or create incompatible community design outcomes.

Supplemental Submittal Requirements for Zoning Reviews

For any new construction, Polo Club Place applicants must provide CPD with HOA written approval and include it in their zoning permit submittal. No zoning permit for construction should be issued prior to receipt of proof of HOA approval.

Exemptions to or Modifications from this Code Interpretation

Intent/Purpose: Due to the unique nature and history of the Polo Club Place community and the need for flexibility to address special and unforeseen circumstances that may exist or arise in the future, a property owner or their authorized representative may request modifications to and exemptions from the standards and restrictions in this code interpretation.

Applicable Review Procedure:

1. All requests for exemptions or modifications to this Code Interpretation shall be reviewed according to the process and review criteria for Administrative Adjustments stated in the Denver Zoning Code, Sections 12.4.5.3, Review Process, and 12.4.5.4, Review Criteria.
2. Denver Zoning Code, Section 12.4.5.5, Requirements and Limitations after Administrative Adjustment Approval, shall apply to requests for exemptions and modifications to this Code Interpretation.
3. Requests for zoning variances from applicable standards in the Denver Zoning Code not included in this Code Interpretation are an additional form of relief available.
4. Appeals from a final decision of the Zoning Administrator made in the approval or application of this Code Interpretation may be made to the Board of Adjustment according to Denver Zoning Code, Section 12.4.8, Appeal of Administrative Decision.

Application Submittal Requirements: In addition to information generally required for an Administrative Adjustment application, an application for an exemption or modification shall include the following supplemental information relevant to review under this Code Interpretation:

1. A brief description of the exemption or modification requested.
2. A reference to the section(s) of this Code Interpretation for which the exemption or modification is sought.
3. A narrative stating the justification for seeking an exemption or modification according to the applicable review criteria in Denver Zoning Code, Section 12.4.5.4.
4. Documentation supporting the position of the owner in seeking an exemption or modification, including evidence of review and written approval by the Polo Club Place Homeowners Association.
5. A proposed written document acceptable to the Zoning Administrator to memorialize the request sought, which shall include a blank check box for approval, a blank check box for denial, a blank check box and comment box for approval with conditions, and a block for the Zoning Administrator's signature and date.