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**ZONING BOARD OF APPEALS  
IN-PERSON/VIRTUAL HYBRID MEETING  
CITY HALL AUDITORIUM, 250 N 5<sup>th</sup> STREET  
TUESDAY, AUGUST 8, 2023 - 5:30 PM  
*Attend virtually: [bit.ly/GJ-ZBOA-8-8-23](http://bit.ly/GJ-ZBOA-8-8-23)***

**Call to Order - 5:30 PM**

**Regular Agenda**

1. Consider a request by Lyle and Catherine Carlile, property owners, for approval of a variance to allow a 6-foot, solid fence to be placed in the front yard setback located at 2926 Brodick Way.

**Other Business**

**Adjournment**

## ZONING BOARD OF APPEALS AGENDA ITEM

**Project Name:** Fence Variance – 2926 Brodick Way  
**Applicant:** Lyle Carlile, Catherine Carlile  
**Representative:** Clark Milsap – CRM Homes LLC.  
**Address:** 2926 Brodick Way, Parcel # 2943-052-07-032  
**Zoning:** Residential 5 du/acre (R-5)  
**Staff:** Jessica Johnsen, Senior Planner  
**File No.** VAR-2023-287  
**Date:** August 8<sup>th</sup>, 2023

### **SUBJECT**

Consider a request by Lyle and Catherine Carlile, property owners, for approval of a variance to allow a 6-foot, solid fence to be placed in the front yard setback located at 2926 Brodick Way.

### **RECOMMENDATION**

Staff recommends approval of the request.

### **EXECUTIVE SUMMARY**

The Applicant is requesting a variance of Section 21.04.040(i) to allow a 6-foot solid fence to be placed in the front yard setback where the maximum is otherwise limited to 30 inches.

### **BACKGROUND**

The shape of the lot is not a typical four-sided lot. Most of the yard is located on the sides of the home (see site plan). The Applicant is requesting to increase the height from 30 inches to 6 feet and install the 6-foot solid perimeter fence within a portion of the front yard setback on the west side of the property. The proposed fence would match the adjacent property's side yard fence (18 inches from the sidewalk) and the material is consistent with the requirements listed in the CC&R's for the neighborhood (tan, vinyl).

### **NOTIFICATION REQUIREMENTS**

A Neighborhood Meeting regarding the proposed variance request was held at the subject property on Jun 21<sup>st</sup>, 2023, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. There were 20 neighbors in attendance. Neighbors had questions about the following:

- Vision obstruction when driving eastbound
- Corner of fence next to driveway might create a blind spot

Notice was completed consistent with the provisions in Section 21.02.080(g) of the City's Zoning and Development Code. The subject property was posted with an application sign on July 5<sup>th</sup>, 2023. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding

property owners within 500 feet of the subject property on July 27<sup>th</sup>, 2023. The notice of the Zoning Board of Appeals public hearing was published July 30<sup>th</sup>, 2023 in the Grand Junction Daily Sentinel.

Other Notification:

Public comment will also be offered through the GJSpeaks platform.

### **ANALYSIS**

Pursuant to Section 21.02.200 of the Zoning and Development Code, a variance may be granted only if the Applicant establishes that strict adherence to the code will result in practical difficulties or unnecessary hardships because of site characteristics that are not applicable to most properties in the same zoning district. The following criteria shall be used to consider variances from the bulk, performance, and use-specific standards. A variance may only be granted if the Applicant establishes that *all* of the criteria have been met.

- a. ***Hardship Unique to Property, Not Self-Inflicted.*** *There are exceptional conditions creating an undue hardship, applicable only to the property involved or the intended use thereof, which do not apply generally to the other land areas or uses within the same zoning district, and such exceptional conditions or undue hardship was not created by the action or inaction of the applicant or owner of the property;*

In the General Project Report, the Applicant has stated that the hardship is the shape of the lot. It is not a typical square lot, which limits the area that is considered the “rear yard”. The Applicant is requesting that the fence be placed in a portion of the front yard setback.

Consistent with the Code, variances should be granted only when a property owner has a unique and unusual hardship created by the physical characteristics of a particular piece of property. Staff concurs that the shape of the lot is an exceptional condition that does not apply to other properties within the neighborhood. Thus, staff finds that this criterion has been met.

- b. ***Special Privilege.*** *The variance shall not confer on the applicant any special privilege that is denied to other lands or structures in the same zoning district.*

The Applicant provides that the variance request does not grant any special privileges to the property that is denied to other lands or structures in the same zone district due to the situation of this property’s layout. If other residential properties have the same shape or similar restrictions due to the shape of the lot, similar variance requests could be made and conferred upon other properties. Thus, this variance does not confer a special privilege that would prevent a similar request from another property. Staff therefore finds that this criterion has been met.

c. ***Literal Interpretation.*** *The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant.*

The Applicant concurs with the bulk standard of 6 foot fences not being allowed in front yard setbacks, however, since the yard is primarily located on the sides of the home, there is limited area to place a fence around the yard without a portion of the fence being placed in the front yard setback.

Staff concurs that application of the fence placement requirement creates an unnecessary and undue hardship on the Applicant due to the existing shape of the lot. Therefore, staff has found this criterion has been met.

d. ***Reasonable Use.*** *The applicant and the owner of the property cannot derive a reasonable use of the property without the requested variance.*

Based on the General Project Report, the Applicant has stated that the reasonable use of the property is limited by the fence code when establishing the area of the lot that meets the strict definition of the rear yard area that can be fenced with a 6 ft. solid fence that provides the typical privacy afforded other homes in the zone district and particularly in this neighborhood. Specifically, this is due to a large portion of the yard and outdoor living space being located on the west side of the home, up to the front property line. Placing the 6 ft. tall solid fence outside of the front yard setback would render a sizeable portion of the lot as non-private. Strict adherence to the code would permit a 4 ft. open fence or a 30-inch solid fence, but neither of these fence types would provide the privacy afforded by the 6 ft. solid fence.

Thus, staff finds that reasonable use of the outdoor living space on the property is limited without the requested variance and the criterion has been met.

e. ***Minimum Necessary.*** *The variance is the minimum necessary to make possible the reasonable use of land or structures.*

The request is to allow a 6-foot solid fence to encroach into the front yard setback to allow the property owner to install a fence that encloses the west side of their property. The Code provides provisions for residential subdivision perimeter enclosures that defines the intent of these (fences and/or walls) to be around all or part of the perimeter of a residential development. Although this property is not the subdivision nor the exterior property line of the subdivision, enclosing the perimeter of the rear yard or backyard of residences is practiced in all areas of the city and is dominate in this subdivision and neighborhood. The objectives of subdivision perimeter enclosures are the same as those for owners of single-family residences. These objectives include protecting public health, safety, and welfare by screening negative impacts, protecting privacy, and maintaining a consistent or

complementary appearance with enclosures (other fences) in the vicinity, in addition to protecting the appearance of the subdivision.

Staff, therefore, finds this criterion has been met.

***f. Conformance with the Purposes of this Code.*** *The granting of a variance shall not conflict with the purposes and intents expressed or implied in this code; and*

The accessory use regulations outlined in the code are provided “*to provide residents with the opportunity to use their property to enhance or fulfill personal objectives so long as the use of the property is not incompatible with this code.*” The use of the property as a single-family home does not change if the variance is approved to allow the fence within the front yard setback. The R-5 zone district is intended to provide medium density housing by concentrating urban growth. To accommodate increased density & maximize use of land, the result occasionally includes unique shaped properties that may present challenges in strict implementation of the code. The variance process is provided as “*a process for consideration of variances from certain standards of the code*” for just this reason, acknowledging that there will be unique situations in which deviation from standards is required.

The requested variance allows for protecting public health, safety, and welfare by screening negative impacts, protecting privacy, and maintaining a consistent or complementary appearance with enclosures (other fences) in the vicinity.

Staff therefore finds this criterion has been met.

***g. Conformance with the Comprehensive Plan.*** *The granting of a variance shall not conflict with the goals, policies, and guiding principles of the City’s Comprehensive Plan.*

The Applicant provides that the variance request does not conflict with the goals, policies, and guiding principles of the City’s Comprehensive Plan. By allowing for modifications that address external design constraints (lot shape, size, etc.), protecting privacy and maintaining a consistent or complimentary appearance with the other solid 6 ft tall fences in the subdivision that surround adjacent rear yards and side yards of surrounding properties.

The Comprehensive Plan does not explicitly address zoning and bulk standards on properties; therefore Staff finds that there is not an apparent conflict between the requested variance and the goals and strategies of the Comprehensive Plan and therefore finds this criterion to be met.

### **RECOMMENDATION AND FINDINGS OF FACT**

After reviewing VAR-2023-287, a request for a variance to increase the height to a 6-foot solid fence in a portion of the front yard setback of the residential property, staff finds the Applicant has established that all of the required variance criteria have been met.

Therefore, Staff recommends approval of the request.

### **SUGGESTED MOTION**

Mr. Chairman, on the request for a variance to install a 6-foot solid fence in the front yard setback as depicted on the site plan, VAR-2023-287, I move to approve the request with the findings of fact as listed in this staff report.

### **ATTACHMENTS**

1. Development Application
2. Site Map
3. Fence Plan
4. Sight Distance Exhibit
5. Neighborhood Meeting Notes
6. Public Comments
7. Staff PowerPoint Presentation

# Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For: Annexation/Zone of Annexation

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation: Residential Single family home Existing Zoning: R5F-R R-5  
MPE along Southwest property  
 Proposed Land Use Designation: Residential Single family home Proposed Zoning: R5F-R R-5  
MPE along Southwest Property

Property Information

Site Location: 2926 Brodiekway Site Acreage: .35

Site Tax No(s): 2943-052-07-032 Site Zoning: R-5

Project Description: Fan Vinyl fence 6ft Tall per C.C.T.R.S for Enclave Subdivision 18" off of sidewalk with 12ft wide Gate for Access into RV Parking Area and sideyard.

Property Owner Information

Applicant Information

Representative Information

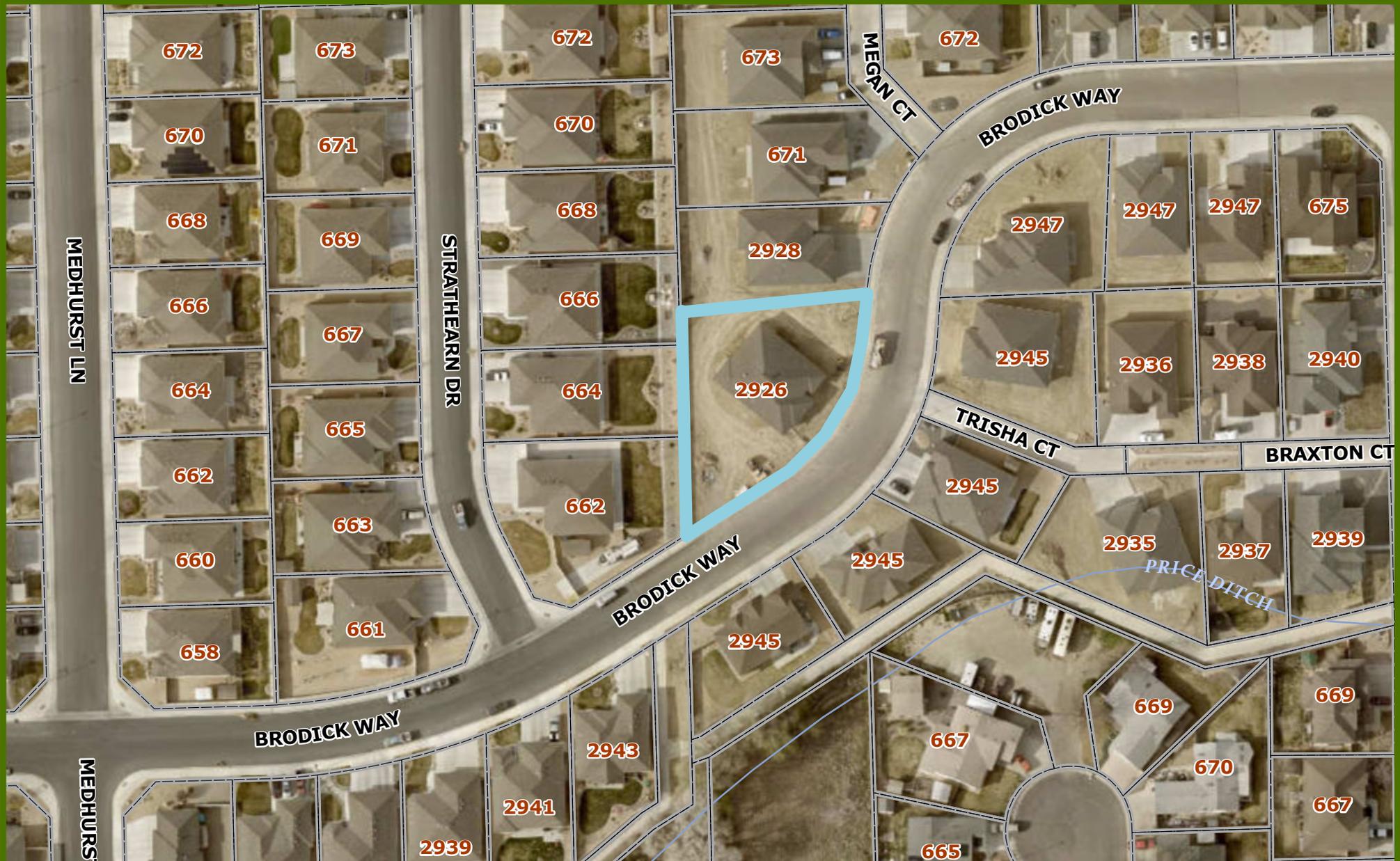
Name: <u>Lyle + Catherine Carlile</u>	Name: <u>Clark Milsap</u>	Name: <u>Clark Milsap</u>
Street Address: <u>2926 Brodiekway</u>	Street Address: <u>922 20rd</u>	Street Address: <u>922 20 Rd</u>
City/State/Zip: <u>Grand Jct Co. 81504</u>	City/State/Zip: <u>Fruta Colo 81521</u>	City/State/Zip: <u>Fruta Colo. 81521</u>
Business Phone #: _____	Business Phone #: <u>970-250-8373</u>	Business Phone #: <u>970-250-8373</u>
E-Mail: <u>rlc_sportsman@msn.com</u>	E-Mail: <u>clarkmilsap@gmail.com</u>	E-Mail: <u>clarkmilsap@gmail.com</u>
Fax #: _____	Fax #: <u>970-858-2011</u>	Fax #: <u>970-858-2011</u>
Contact Person: <u>Lyle Carlile</u>	Contact Person: <u>Clark Milsap</u>	Contact Person: <u>Clark Milsap</u>
Contact Phone #: <u>970-869-8694</u>	Contact Phone #: <u>970-250-8373</u>	Contact Phone #: <u>970-250-8373</u>

**NOTE: Legal property owner is owner of record on date of submittal.**

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application: Clark R Milsap Date: 5-5-23  
Robert L Carlile Please print and sign  
 Signature of Legal Property Owner: Catherine A Carlile Date: May 5, 2023  
 Please print and sign Catherine A Carlile

# Site Map

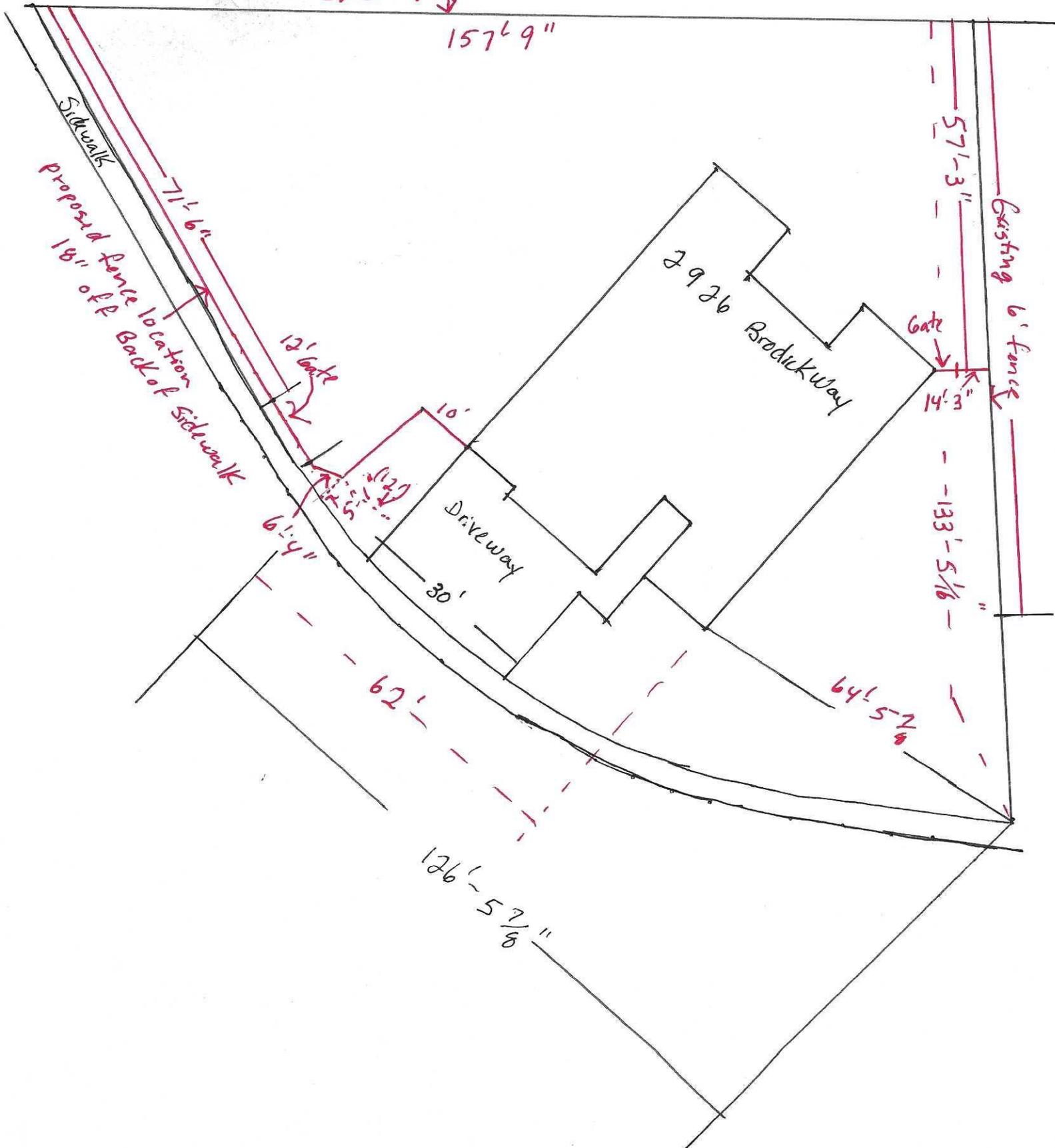


Printed: 7/25/2023  
1 inch equals 94 feet  
Scale: 1:1,128

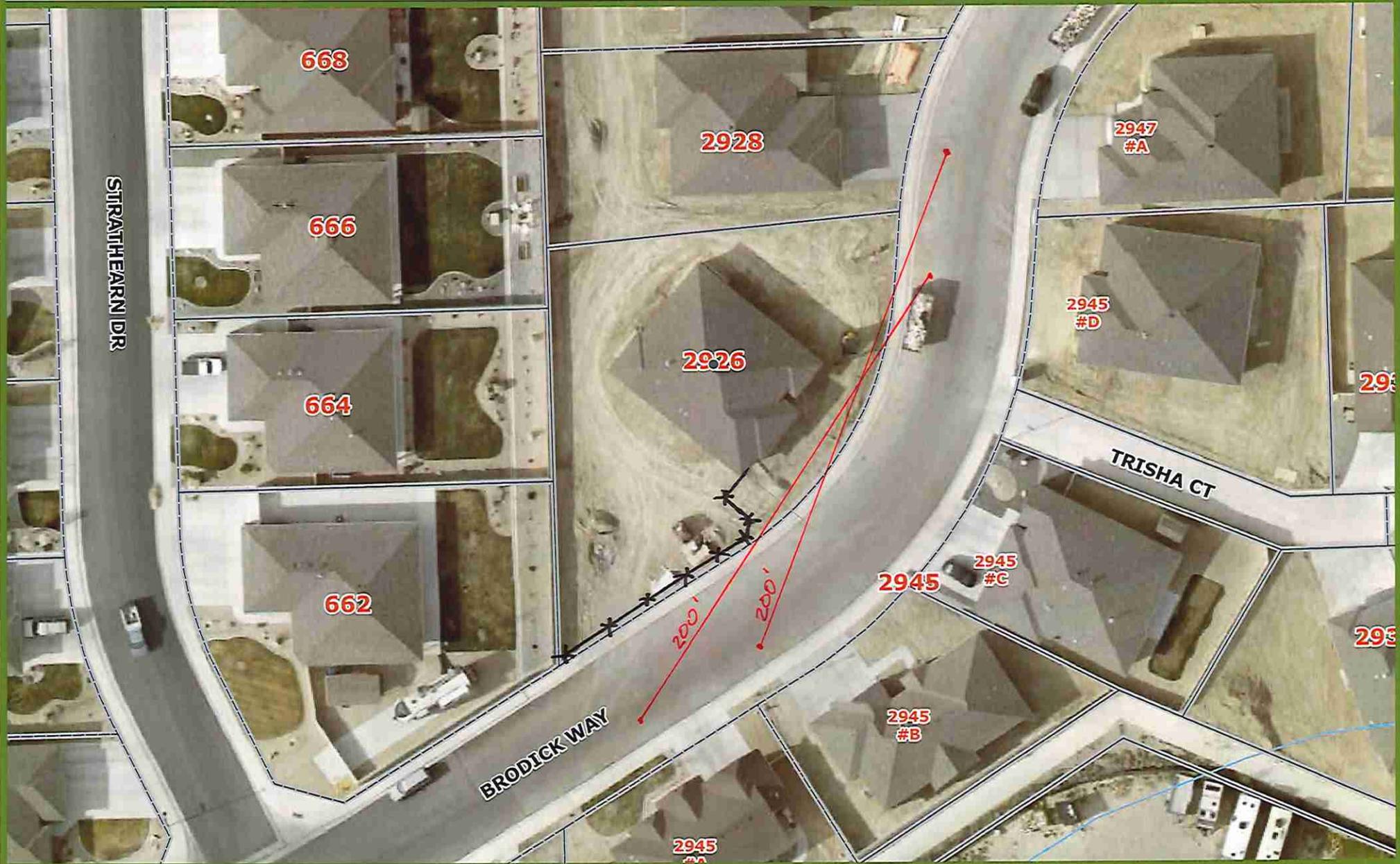


Existing 6' fence

157'-9"



# City of Grand Junction



Printed: 7/21/2023  
1 inch equals 50 feet  
Scale: 1:600  
Packet Page 10

**CRM HOMES LLC**

Mailing Date: MAY 31 2023

RE: A Neighborhood Meeting for a 6ft Fence at 2926 Brodickway

Dear Neighbor:

This letter is to notify you that on Wednesday , June 21<sup>st</sup> at 6:30 pm a neighborhood meeting will be held to provide you with information on the proposed 6ft Fence along Brodickway at 2926 Brodickway. The Property is currently owned by Lyle and Catherine Carlile. The meeting will be held at 2926 Brodickway Grand Junction Colorado 81504 in the RV area on the west side of the House.

The Neighborhood meeting is an opportunity for adjacent property owners to learn more about the proposed 6ft Fence ask questions and submit written statements to the City of Grand Junction staff. If approved the 6ft Fence would be installed 18 inches off of the back of the Sidewalk tying into the corner of the Fence at 662 Strathearn Drive and head east until it meets the red colored Landscape stone then going North until it reaches the front of the House and then going east where it will stop at the House.

As a neighbor of this property you will be notified of the results of this application and public meetings (if any) by mail.

A list of property owners who have been notified for this neighborhood meeting was supplied by the City of Grand Junction and derived from current records of the Mesa County Assessors. As those records are not always current, please feel free to notify your neighbors of this meeting date so all may have the opportunity to participate.

If you are not able to attend this meeting, you can provide written communication to [jessicaj@gicity.org](mailto:jessicaj@gicity.org) at the Grand Junction Planning Department.

We look forward to your feedback on this issue.

Regards,

Clark Milsap CRM Homes LLC

922 20 Road Fruita Colorado 81521

**Neighborhood Meeting Notes**

Sign in sheet shows 20 people attended

Neighbors expressed the following concerns:

1. Vision obstruction when driving eastbound
  - a. Corner of fence next to driveway might create a blind spot
  - b. Vision clip possibility
  - c. Angling the fence so there are no hard corners at the driveway was a suggestion.
    - i. Neighbors feel that the perpendicular driveway is unique in this neighborhood
2. Neighbors understand the owners need for a fence and have no issues with parking an RV and they also have pets.
3. A fence along the street might make drivers slow down
4. People use the open property to turn around and are currently walking on their private property.

Letters/emails of support and opposition were sent prior or brought to the meeting.

# MEETING SIGN IN SHEET

Discussion for a fence variance at a residence  
 Location: 2926 Brodick Way (project address)

Organizer: Clark Milsap  
 Date/Time - 6/21/2023 @ 6:30 PM

Name of Attendee	Phone Number	Email
Mike Serbousek	970-471-1165	serbsjjo@gmail.com
L, NDA Edwards	970-216-8058	+CLAEDW@bresnan.net
Ken Johnson	970-201-0739	kenjohns@bresnan.net
Mark Peterman	719-201-9777	Markhp07@aol.com
JOHN TANGEMAN	603.773.3887	jftsbtt@gmail.com
Dave + Nora Linwertz	303-916-9795	+L.LINWERTZ286@MSN.COM.
Barb + Rick Silverman	970-371-0167	flsilver@gmail.com
Doug + Sherry Bahlman	970-314-2671	snocap ranch@yahoo.com
Kevin Rubalcaba	970-260-9604	Ktrubalcaba@bresnan.net
Matt Arnold	970 260 9836	.
Teresa Rens	970-210-5190	teresa.rens@gmail.com
Bill Baltn	214-437-5784	CAPTAINBADGER22@yahoo
William Sheldon	(970) 712-1332	william.sheldon@esignagency
Lee Curttenbach	970-313-6691	lcurttenbach@hotmail.com
Kalea Leuallen	970 309 7000	krlrn7000@aol.com
HAC + Cassam Kelenby	303-514-6838	670 cloversted dr.
Laura Luke	970-712-1134	LADLUKE@MSN.COM

Jessica

Kate Graves <kategraves1982@gmail.com>  
To: jessicaj@gjcity.org

Fri, Oct 24, 2014

It is the opinion of the residents of 686 Strathearn that the fencing for 2926 Brodick Way should be permitted as requested. We have driven and walked the area and do not see it as a problem. After paying \$500K+ for a home the HOA or city's objection is an obstruction of personal property rights.

-Pryor/Graves

## Jessica Johnsen

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**From:** Peggy Coggins <cogginspeggy@yahoo.com>  
**Sent:** Wednesday, June 21, 2023 1:07 PM  
**To:** Jessica Johnsen; Clark Milsap  
**Subject:** 2926 Brodick Way Meeting tonight at 6:30

**\*\* - EXTERNAL SENDER. Only open links and attachments from known senders. DO NOT provide sensitive information. Check email for threats per risk training. - \*\***

Good Afternoon Jessica,

My husband and I had a contract on this property (2926 Brodick Way) on November 18, 2022. We wanted the fence finished on the home for security reasons & privacy. We spoke to Laura Luke from the ACC Enclave Subdivision. At first meeting Laura told us that we could not put the double gates at the front of the lot because they would need to go next to the house. Because we would need to park any camper or RV parallel to the house. I was not in agreement with that and I let her know how I felt. She also told us that we would need to park any trailers at least 3 feet from the fence. And we should go get approval from the neighbors. I was also not in agreement with that. But we did make some changes to appease Laura Luke.

Laura changed her mind and agreed to our fence plan.

Clark Milsap went above and beyond to get the fencing approved. Everything including permits and other documents were approved.

We were ready to close in a few days when Laura submitted another plan showing that we had to park all trailers or vehicles 12 feet from the fence. That was it I was done messing around with Laura Luke and the Enclave Subdivision. We went back and forth for a month with the ACC (Laura Luke) Laura just making up her own rules. She just likes to cause problems.

There is no reason why Clark Milsap would need to submit new paperwork in regard to the fence. And Laura agreed to the fence line and the changes she made. It was already approved. Mr. Milsap was always fair and straight with us and did a great job getting the fence approved.

The new owners should have their fence put up as soon as possible without any changes or problems from Laura Luke.

**Jessica if you have any questions you can call or e-mail me.**

**PEGGY COGGINS**

**719-221-0620 Cell**

**cogginspeggy@yahoo.com**

## Jessica Johnsen

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**From:** Judy Edwards <ColoradoWeaver@outlook.com>  
**Sent:** Thursday, June 8, 2023 7:35 AM  
**To:** Jessica Johnsen  
**Subject:** Fencing Issue for 2926 Brodickway

\*\* - EXTERNAL SENDER. Only open links and attachments from known senders. DO NOT provide sensitive information. Check email for threats per risk training. - \*\*

As owners, Lloryd A and Judy M Edwards, of 662 Medhurst Lane, we do not object to the owners of 2926 Brodickway being allowed to install a 6ft. Fence. There are many such fences in the subdivision and they add privacy and aren't a hindrance.

*Support*

**Jessica Johnsen**

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**From:** Kate Graves <kategraves1982@gmail.com>  
**Sent:** Tuesday, June 20, 2023 10:56 AM  
**To:** Jessica Johnsen  
**Subject:** 2926 Brodick Way - Fencing Request

**\*\* - EXTERNAL SENDER. Only open links and attachments from known senders. DO NOT provide sensitive information. Check email for threats per risk training. - \*\***

It is the opinion of the residents of 686 Strathearn that the fencing for 2926 Brodick Way should be permitted as requested. We have driven and walked the area and do not see it as a problem. After paying \$500K+ for a home the HOA or city's objection is an obstruction of personal property rights.

In addition, I found the document provided to be EXTREMELY antagonistic and threatening. If this came from the city or HOA it should have been less hostile.

Please respond that you have received this notification. I will be passing this on to the homeowner.

-Pryor/Graves  
2142458000

Support

**Jessica Johnsen**

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**From:** ReNae Rezac <renaer152@gmail.com>  
**Sent:** Tuesday, June 6, 2023 6:04 PM  
**To:** Jessica Johnsen  
**Cc:** Clark Milsap; Lyle Carlile; Rick  
**Subject:** Fence Design 2926 Brodickway

**\*\* - EXTERNAL SENDER. Only open links and attachments from known senders. DO NOT provide sensitive information. Check email for threats per risk training. - \*\***

To Whom It May Concern:

We, Brent Harmon & ReNae Rezac, 673 Megan Court, as members in good standing of the Enclave HOA, are reaching out to you today to indicate our support for the fence design as proposed at 2926 Brodickway, Lyle and Catherine Carlile's residence.

Feel free to contact us if you have questions, 435-901-1565.

Sincerely,  
Brent Harmon  
ReNae Rezac

*Support*

## Jessica Johnsen

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**From:** Kathy Messamer <messamermom@gmail.com>  
**Sent:** Saturday, June 10, 2023 1:29 PM  
**To:** Jessica Johnsen  
**Subject:** RE: 2926 Brodick Way  
**Attachments:** 2926 Brodick Way.png

**\*\* - EXTERNAL SENDER. Only open links and attachments from known senders. DO NOT provide sensitive information. Check email for threats per risk training. - \*\***

We received a letter regarding the owners of 2926 Brodick Way wanting to put up a 6-foot fence on their property.

This in no way affects our property, so I don't understand why we were contacted. Not only is this not in the same subdivision as ours, but the view of this property is also blocked by two already established fences. See attached aerial photo.

If the owners want to put up a fence, they then by all rights, can. There are already fences throughout that neighborhood.

Kathleen Messamer  
664 Welig Court

*Support*



Virus-free. [www.avg.com](http://www.avg.com)

## Jessica Johnsen

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**From:** Sherry Bahlman <snocapranch@yahoo.com>  
**Sent:** Monday, June 12, 2023 8:36 PM  
**To:** Jessica Johnsen  
**Cc:** Cathy Carlile  
**Subject:** 2926 Brodick Way

\*\* - EXTERNAL SENDER. Only open links and attachments from known senders. DO NOT provide sensitive information. Check email for threats per risk training. - \*\*

We are the owners of the property directly behind 2926 Brodick Way. Our address is: 662 Strathearn Drive. We plan on attending the meeting on June 21st at 6:30pm however we wanted to inform you that we have no problem with the fence placement.

Thank you,  
Doug and Sherry Bahlman  
662 Strathearn Drive  
Grand Junction CO 81504  
970-314-2671

*Support +*

Sent from my iPhone

## Jessica Johnsen

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**From:** Sherry Bahlman <snocapranch@yahoo.com>  
**Sent:** Tuesday, June 20, 2023 10:38 AM  
**To:** Jessica Johnsen  
**Subject:** 2926 Brodick Way  
**Attachments:** Doc - Jun 19 2023 - 7-50 PM.pdf

\*\* - EXTERNAL SENDER. Only open links and attachments from known senders. DO NOT provide sensitive information. Check email for threats per risk training. - \*\*

Scanned with TurboScan.

Jessica,

We are writing to you again regarding 2926 Brodick Way fence issue.

Attached is a copy of a notice some man taped to my front door. I saw him on my Ring camera. He did not knock or ring the doorbell, but just taped this notice on my door. Kind of cowardly don't you think? Spew all this propaganda BS but won't stick around to discuss it.

As you can see on this notice, no one is taking responsibility for this crap, there are no signatures or names and they only point directly to you as a contact! Really?

Also, this notice uses the quotation marks around "Front yard" of the location and it isn't the "Front yard". It's a side yard. Our property is directly behind 2926 Brodick and our side yard is the same as their side yard. Like I said, spewing propaganda.

The notice is filled with some really off the wall "stats" with no backup information as to where the data was derived. Yet it seems all the residents in our area are subject to these biases and misleading information.

As you were the only one named on this notice, I am reaching out to you in hopes this ordeal will be dealt with in accordance with the guidelines and not via some self appointed citizen with no legal authority.

Respectfully submitted,  
Doug and Sherry Bahlman  
970-314-2671

*Support*

Sent from my iPhone

Fence Considerations

1. Fences along the subdivision are as close as 1-2' from the curb. This fence would be in line with the others in the neighborhood.
2. Commercial traffic is using the private property as a 'turnaround.' Dangerous and wrong.
3. As long as the fence is 'cut-in' towards the house for the last 10-15', it does not appear to have additional impact on drivers' view of Brodick. The 'permitted' fence at 662 Strathearn already blocks a clear view of the street. This fence would not worsen the situation.
4. Dogs and their owners seem to view this property as a 'dog park' and let their dogs loose, while NOT cleaning up after them. Some days, walking by, we can SMELL the poop.
5. The owners bought the property with the intent of storing an RV and trailer, plus installing a shed. Since they moved in, they have had to pay for private storage of their RV so as not to violate (apparent) rules that require RVs to be behind a (6') fence. In addition, were it stored on the lot without a 6' fence, the RV, along with the trailer (and possibly the shed) would probably be considered to be 'attractive nuisances (as are hot tubs and the like) by the homeowner's insurance company.
6. The fence is not proposed to be in front of the house in any way, making it just like the myriad other fences in the neighborhood.

Based on the preceding, I am 100% in favor of the homeowners being allowed to exercise the fence contract option (with their builder) in their home purchase contract.

  
Janet Arrowood  
Owner  
672 Strathearn Dr.

## Jessica Johnsen

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**From:** Tom Deutsch <northernlights5@me.com>  
**Sent:** Thursday, June 22, 2023 9:16 PM  
**To:** Jessica Johnsen  
**Subject:** Fence at 2926 Brodick Way, Grand Junction, CO 81504

\*\* - EXTERNAL SENDER. Only open links and attachments from known senders. DO NOT provide sensitive information. Check email for threats per risk training. - \*\*

Dear Jessica Johnson,

Thomas and Cristy Deutsch who reside and 2945a Brodick Way would like to approve whatever Cathy and Lyle Carlile are proposing to do with their fence. We are their neighbors across the street and have no issues with the placement or size fence the choose. Please let us know if have any questions.

Kind regards,  
Thomas and Cristy  
720-346-8866

*Support*

Jessica

**Fred & Connie Schneider**  
2947 Brodick Way A  
Grand Junction, Colorado 81504  
Cell Phone 970-497-6953

Mr. & Mrs. Lyle Carlile  
2926 Brodick Way  
Grand Junction, CO 81504

June 3, 2023

Dear Lyle and Catherine,

We just wanted to welcome you into the neighborhood and let you know that we are in complete agreement with your intentions to install a 6 foot solid fence on your property.

Given all the existing 6 foot fences and the harrassment we received from the convoluted Enclave Subdivision, complete with a lot of problems with various builders in this subdivision, we were really surprised at the notice and treatment after we had completed most of our landscaping! Lighthouse HOA was not even a reality when we purchased our home and there were no kind of prorations of any kind relative to same.

I have been corresponding with the City, County, and Nick Altmann who is the Information Officer for the State of Colorado Information Officer. I filed a complaint regarding the Enclave Subdivision and we don't consider ourselves members of Lighthouse.

I have included a copy of the letter we received from Clark Milsap, which I am sure you received a copy of. We have had numerous problems with Milsap and he no longer answers any emails. We believe his one year warranty is in violation of state law and have made him and his attorney aware of same. We don;t trust Milsap in any way and refused to be intimidated by his attorney.

I have sent the County and City of Grand Junction emails relative to our support for your fence and the fact we don't even feel this matter should be an issue. We have several other issues with the builder Milsap and that has been likewise disclosed to them.

Good luck on your request for the fence and we are happy to help in any way we can. Good luck and best of luck to you in the future. Best regards and Semper Fi.

Best regards,

Fred & Connie Schneider

CRM HOMES LLC

Mailing Date: MAY 31 2023

RE: A Neighborhood Meeting for a 6ft Fence at 2926 Brodickway

Dear Neighbor:

This letter is to notify you that on Wednesday , June 21<sup>st</sup> at 6:30 pm a neighborhood meeting will be held to provide you with information on the proposed 6ft Fence along Brodickway at 2926 Brodickway. The Property is currently owned by Lyle and Catherine Carlile. The meeting will be held at 2926 Brodickway Grand Junction Colorado 81504 in the RV area on the west side of the House.

The Neighborhood meeting is an opportunity for adjacent property owners to learn more about the proposed 6ft Fence ask questions and submit written statements to the City of Grand Junction staff. If approved the 6ft Fence would be installed 18 inches off of the back of the Sidewalk tying into the corner of the Fence at 662 Strathearn Drive and head east until it meets the red colored Landscape stone then going North until it reaches the front of the House and then going east where it will stop at the House.

As a neighbor of this property you will be notified of the results of this application and public meetings (if any) by mail.

A list of property owners who have been notified for this neighborhood meeting was supplied by the City of Grand Junction and derived from current records of the Mesa County Assessors. As those records are not always current, please feel free to notify your neighbors of this meeting date so all may have the opportunity to participate.

If you are not able to attend this meeting, you can provide written communication to [jessicai@gicity.org](mailto:jessicai@gicity.org) at the Grand Junction Planning Department.

We look forward to your feedback on this issue.

Regards,

Clark Milsap CRM Homes LLC

922 20 Road Fruita Colorado 81521

support

Jessica Johnsen

---

**From:** Fred Schneider <1031frs@gmail.com>  
**Sent:** Friday, June 2, 2023 10:49 AM  
**To:** Jessica Johnsen; Pat Dunlap; jared.burson@mesacounty.us; nick.altman@state.co.us  
**Subject:** 6 foot fence request for 2926 Brodick Way

**\*\* - EXTERNAL SENDER. Only open links and attachments from known senders. DO NOT provide sensitive information. Check email for threats per risk training. - \*\***

Hi,

We just got the notice from CRM Homes relative to the 6 foot fence request out here in the Enclave Subdivision! We were quite surprised at both the letter from the builder and an apparent meeting on June 21, 2023 for any concerned neighbors?

I sent a letter via email to the City and County of Grand Junction and have been communicating with Nick Altmann who is the information officer for the State of Colorado HOA. They have limited powers but opened a file on this really convoluted subdivision (emphasis on convoluted!). I am a 79 year old disabled Vietnam Veteran and we just moved here to Grand Junction last August when we purchased a new home from Clark Milsap. We have had several issues with Milsap, and the supposed HOA management firm apparently formed by Mr. Milsap with Lighthouse Management. As we noted in our complaint to the state, our Counteroffer from Mr. Milsap stated, "Buyer's acknowledge that the Homeowners Association is in the process of being set up." There were NO pro-rations of any HOA dues or reference to the same in our closing statement. We have undisputed proof of all this if required?

We never had a say or vote on this hoa and don't consider ourselves to be a member of Lighthouse since it was formed after we purchased our home. We always wish to pay our fair share on any actual common area expenses, but not sure at this point, what that would entail. I had asked for a history of the developer and various builders who have built in this subdivision but have never heard back from anyone regarding this request. It appears some initial common areas were allowed to be used for roadways/driveways to lots, so not sure this expense would actually be the obligation of all lot owners since it appears to only benefit builders like Mr. Milsap?

The irrigation water is apparently included in the property tax bills for all Grand Junction County Residents, so that is really the only major expense we are aware of. In Montrose each subdivision was responsible for collection of irrigation water. One person was gracious to do the accounting and collection based upon lot size and we did not need an actual HOA Management Company for our home in Montrose. We have driven through this small 44 lot subdivision and noted several 6-foot fences in more critical areas, so not sure why this should be something fellow lot owners should be involved in as long as the City, County requirements are met or allowed if a variance should be required for some reason?

I know the records reflect my mistake in presuming that our landscaper did not obtain a fence permit as he likewise presumed, I had obtained the same! We immediately resolved this issue and obtained a Fence Permit (Fen-2202-1496). This great looking Picket fence helps in many ways including slowing down some of the speeding vehicles in our subdivision, and really helps us in discouraging so many disrespectful pet owners from using this corner lot for their pets! We had obtained verbal approval from Mr. Milsap on the picket fence and submitted a copy of our landscape plans to him, but we did not go with his landscaper. He did give the credit back for landscaping and initially followed up relative to the supposed one-year warranty he asked us to execute at closing. He was pretty good at follow up initially, but we informed him that we had learned about an apparent Colorado Law that states the builder warranty is actually 2

years or more! He has since ceased with any follow-up on some issues and asked, at one point, that we correspond through his attorney. It appears we will have to hire an attorney based upon his latest and total lack of response! We still feel it is his responsibility to install a retainer wall and at least half the expense for fencing due to the rather steep drop from our property line to the adjoining home to the south that was built and still sits vacant. WE also have to find out what is causing dangerous sewer gas smell in our master bedroom which Milsap has failed to respond to.

I am a 79-year-old disabled Vietnam Veteran so I have had lots of health issues and I had a very serious operation back in mid-October of last year, so I am trying to get caught up and insure we are not intimidated relative to all this! Sorry for the length of this email, but we are doing the best we can to be good neighbors and stand with our neighbors on apparent "common sense issues" such as this latest fence issue! We hope you will please consider and ADD our YES Vote to Mr. & Mrs. Carlile's request to install a much-needed fence as requested. Thank you so much and please respond via email to any thoughts/concerns you may have. I will send a second email with a picture of our concerns relative to our south boundary line. Semper Fi.

Best regards,

Fred & Connie

Fredrick R. Schneider (Fred)  
2947 Brodick Way A  
Grand Junction, CO 81504  
970-497-6953

## Jessica Johnsen

---

**From:** Fred Schneider <1031frs@gmail.com>  
**Sent:** Wednesday, June 21, 2023 11:34 AM  
**To:** Jessica Johnsen  
**Cc:** jared.burson@mesacounty.us; peter.baier@mesacounty.us; governorpolis@state.co.us; casework@hickenlooper.senate.gov  
**Subject:** Please help this old Veteran and many other fellow old people  
**Attachments:** Crazy questionable HOA for Enclave Subdivision.pdf; crazy leter send to some selective people and not many others!.pdf

**\*\* - EXTERNAL SENDER. Only open links and attachments from known senders. DO NOT provide sensitive information. Check email for threats per risk training. - \*\***

Hi all,

As most of you know, I am a 79 year old partially paralyzed Vietnam Veteran who recently moved to Grand Junction to be close to the VA Medical Center. I hate to keep bothering you but it seems I, and others, have no choice given all the problems out here in the strange and convoluted Enclave Subdivision. When we purchased our home from Mr. Milsap there was no formally approved HOA in existence, as the attached copy of our "Counter Offer" clearly states from Mr. Milsap. There also were no such disclosures and/or any kind of proration relative to an HOA.

We later received a rather nasty letter from the newly formed Lighthouse HOA informing us we had not applied for a fence permit and that we would have to tear down our beautiful 4 foot picket fence on an actual corner lot here at 2947 Brodick Way. I informed everyone that this was completely MY FAULT as I presumed our great landscaper had obtained the permit and he thought I had? We quickly remedied/rectified the problem and obtained the permit. I followed up with the city telephonically after Mr. Vargas obtained the permit and they said everything was fine and we were in compliance

There are 3 or 4 people who apparently and initially volunteered to be on the so-called "architectural committee" and one person may even be a former county or city employee? Anyway there were lots of changes/challenges to how things were passed off from the builder Milsap to Lighthouse! Not sure why and how a functioning HOA organization like lighthouse would agree to take on this subdivision when they were hopefully informed of substantial debt on behalf of past developer/builders who had failed to collect proper amounts of money for the debts apparently owed by the subdivision in which Mr. Milsap was supposedly the architectural committee, as he informed us when we purchased our lot and that he would give us a credit back for landscaping if we used his landscaper. We had a great landscaper so Mr. Milsap did refund \$13,000 he was holding for landscaping with his landscaper.

I notified the State of Colorado regarding many concerns in this convoluted subdivision and have many questions I am putting together with the help of several lot owners who are concerned at this latest and crazy development!! I also notified people asking a proper question on how the City would revoke a permit that they had initially approved and signed on behalf of Mr. and Mrs. Carlile. I hope you and others will take time to review and sort this all out to avoid more possible dissention and potential lawsuits. There are many really nice, older people like us out there and many young people who feel the same, so please help us here to "sort things out" and know that there are many inconsistencies out here and a true need to rectify and correct any misunderstandings.

I had also sent the City a letter regarding this latest, crazy development that makes no sense what-so-ever, and there are many statements in the one letter I received a copy of from Mr. & Mrs. Carlile today, as we never received such correspondence! Seems to me some ladies are very upset that there is no real need for such a committee and that is

why it was terminated. I may have had something to do with that as I had spoken to John Tandeman, who is trying to be a good guy here and volunteer his time. He seems like a very nice and caring man who is only trying to help ALL of us lots owners out here and bring back some common sense and fairness out here. Thank you very much and I do hope the proper people take time to read the enclosed and put this matter to rest. Semper Fi.

Best regards,

Fred  
attachments

Fredrick R. Schneider (Fred)  
2947 Brodick Way A  
Grand Junction, CO 81504  
970-497-6953

CRM HOMES LLC

Mailing Date: MAY 31 2023

RE: A Neighborhood Meeting for a 6ft Fence at 2926 Brodickway

Dear Neighbor:

This letter is to notify you that on Wednesday , June 21<sup>st</sup> at 6:30 pm a neighborhood meeting will be held to provide you with information on the proposed 6ft Fence along Brodickway at 2926 Brodickway. The Property is currently owned by Lyle and Catherine Carlile. The meeting will be held at 2926 Brodickway Grand Junction Colorado 81504 in the RV area on the west side of the House.

The Neighborhood meeting is an opportunity for adjacent property owners to learn more about the proposed 6ft Fence ask questions and submit written statements to the City of Grand Junction staff. If approved the 6ft Fence would be installed 18 inches off of the back of the Sidewalk tying into the corner of the Fence at 662 Strathearn Drive and head east until it meets the red colored Landscape stone then going North until it reaches the front of the House and then going east where it will stop at the House.

As a neighbor of this property you will be notified of the results of this application and public meetings (if any) by mail.

A list of property owners who have been notified for this neighborhood meeting was supplied by the City of Grand Junction and derived from current records of the Mesa County Assessors. As those records are not always current, please feel free to notify your neighbors of this meeting date so all may have the opportunity to participate.

If you are not able to attend this meeting, you can provide written communication to [jessicaj@gjcity.org](mailto:jessicaj@gjcity.org) at the Grand Junction Planning Department.

We look forward to your feedback on this issue.

Regards,

Clark Milsap CRM Homes LLC

922 20 Road Fruita Colorado 81521

A  
**RE/MAX  
4000**

RE/MAX 4000 Inc  
Starlyn R. Gillespie  
Inc. Ph: 970-241-4000 Fax: 970-244-9432

9 total pages

1 The printed portions of this form, except differentiated additions, have been approved by the Colorado Real  
2 Estate Commission. (GP40-6-21) (Mandatory 1-22)

3 **THIS FORM HAS IMPORTANT LEGAL CONSEQUENCES AND THE PARTIES SHOULD CONSULT LEGAL  
4 AND TAX OR OTHER COUNSEL BEFORE SIGNING.**

5 **COUNTERPROPOSAL**

6 Date: 6/24/2022

7  
8 1. This Counterproposal supersedes and replaces any previous counterproposal. This  
9 Counterproposal amends the proposed contract dated 6/22/2022 (Contract) between  
10 **CRM Homes** (Seller) and **FRED R. SCHNEIDER, IN TRUST, AS TRUSTEE OF THE** (Buyer) relating to  
11 the sale and purchase of the following legally described real estate in the County of Mesa, Colorado (insert legal  
12 description):

13 **LOT 27 ENCLAVE SUBDIVISION FILING 2 PER PLAT RN 2948080 RECD 10/19/2020 SEC 5 1S 1E  
14 UM - 0.23AC & AN UNDIV INT IN TRACTS PER RN 2948081 RECD 10/19/2020 MESA CO RECDS  
15 known as: 2947 Brodick Way, A Grand Junction, CO 81504** (Property).

16 **NOTE: If the table is omitted, or if any item is left blank or is marked in the "No Change" column, it  
17 means no change to the corresponding provision of the Contract. If any item is marked in the "Deleted"  
18 column, it means that the corresponding provision of the Contract to which reference is made is deleted.**

19 2. **§ 3.1. Dates and Deadlines. [Omitted as inapplicable]**

20 3. **§ 4. PURCHASE PRICE AND TERMS. [Omitted as inapplicable]**

21 4. **ATTACHMENTS.** The following are a part of this Counterproposal:

22 **Note:** The following documents have been provided but are not a part of this Counterproposal:

23 5. **OTHER CHANGES.**

24 **A Sellers Property Disclosure will not be provided.**

25 **In reference to Section 15.3.3 and 15.3.4 Buyer will be checked. In reference to 15.6 N/A  
26 will be checked.**

27 **Buyers acknowledge that the Homeowners Association is in process of being set up.**

28 **Closing date will be on or before August 12, 2022**

29 6. **ACCEPTANCE DEADLINE.** This Counterproposal expires unless accepted in writing by Seller  
30 and Buyer as evidenced by their signatures below and the offering party to this document receives notice  
31 of such acceptance on or before June 24, 2022. 6:00 p m.

Date Time

If accepted, the Contract, as amended by this Counterproposal, will become a contract between Seller and Buyer. All other terms and conditions of the Contract remain the same.

1/11/23, 10:10 AM

Gmail - ENCLAVE HOME OWNERS ASSOCIATION [ ref:\_00Dt04XX8.\_500t014eM77:ref ]



Fred Schneider <1031frs@gmail.com>

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**ENCLAVE HOME OWNERS ASSOCIATION [ ref:\_00Dt04XX8.\_500t014eM77:ref ]**  
1 message

---

complaints@coag.gov <complaints@coag.gov>  
To: "1031frs@gmail.com" <1031frs@gmail.com>

Wed, Jan 11, 2023 at 8:53 AM

Hello FRED SCHNEIDER:

Thank you for contacting our office with your concerns as we are in receipt of your correspondence.

Fraud reports enable our office to identify and devote our limited resources to cases supported by law involving widespread harm to Colorado consumers and the associated business environment.

While our office reviews all complaints received, it is not possible to resolve all issues. However, the information you provided us is highly valuable as it contributes to potential investigations and could lead to legal action taken on behalf of the State of Colorado. Consequently, if additional information is needed regarding your complaint, you may be contacted by our office.

Sincerely,

Consumer Engagement Specialist  
Division of Community Engagement  
Colorado Department of Law  
<https://stopfraudcolorado.gov/>

Join us on Facebook and Twitter at:  
<https://www.facebook.com/stopfraudco>  
<https://www.twitter.com/stopfraudco>



B

## Enclave HOA

c/o Lighthouse Management, LLC  
PO Box 1120  
Clifton, CO 81520

February 14, 2023

Dear Enclave Owners:

We are changing our fiscal year from a start month of September 1, 2022, through September 1, 2023 to a fiscal year of March 1, 2023 to March 1, 2024. Enclave HOA was turned over from the builder in the middle of a fiscal year; This calendar date corrects that. Due to this change, the Board has decided to forego charging the owners the second half of the 2022 Assessment and begin charging the 2023 Assessment. As in 2022, the 2023 Assessment will be billed semi-annually with the first half billed on March 1, 2023, and due by April 1, 2023. The second portion of the 2023 Assessment will be billed on September 1, 2023, and due by October 1, 2023.

Attached is a breakdown of the actual costs the HOA incurred from September 1, 2022 through January 31, 2023; As well as a projected budget for 2023.

Compared to the estimated costs for Enclave's first six months of operation, as previously provided, the actual amount spent included costs of \$3,170.00 over estimated budget. It is important to note that it is normal for Developers of new subdivisions to start collecting dues as homes are completed and sold. When the Developer turns the Association to its owners, in normal circumstances there are monies available for operating. This did not happen with the Enclave HOA.

The shortage addresses:

\$470.00 to clean up the landscaping on 29 ½ Road due to Developer neglect.

\$1,600.00 for landscaping repairs to two homes due to a main line water break on Labor Day.

\$1,000.00 to remove mud from the pumphouse, two day after being turned over to the owners.

\$100.00 for sprinkler and miscellaneous parts.

Non payment of dues from 15% of the homeowners. Lighthouse Management is in the process of applying late fees and sending delinquency notices to owners who have not paid the annual assessment.

As a result of these higher costs, it is necessary to increase the Enclave Homeowners Assessments from \$300 to \$350.00 per year plus a special assessment of \$100.00 to help with the shortage. Increasing the Assessments should bring the Association up to date on shortage and start building a reserve.

Assessments of \$175.00 plus the special assessment of \$100 for a total of \$275 will be billed on March 1, 2023, and due by April 1, 2023. The second half of the Assessment \$175 will be billed on September 1, 2023, and due by October 1, 2023.

Sincerely,

John Tangeman, Cathie Foard & Matt Arnold  
The Enclave Board of Directors



Mesa County Planning & Development  
200 S Spruce St  
Grand Junction, CO

[More Info](#)

## Write a Review

Overall Rating (required)

Disappointing

Additional Ratings (optional)

Expertise

Professionalism

Terrible and almost non-existent followup regarding important questions relative to the new home and convoluted, supposed HOA that was formed AFTER we purchased a home in this subdivision. The old "pass the buck routine and total, apparent lack of followup, Grand Junction government appears NOT to know and recognize the importance of being a great "public servant" like the city of Montrose which we just moved from. They were GREAT at prompt help and followup which is toally abasent and missing as far as our experience.

526

Add a Photo (optional)

Submission of photos certifies that you are the owner and/or have the right to use and distribute.

Your reviews and photos mean you care, and sharing is caring. Activate your account to publish your reviews and photos.

We sent an activation email to 1031frs@gmail.com.

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All other marks contained herein are the property of their respective owners.



**Petition against erecting a 6 Foot Tall Front Yard Fence at 2926 Brodick Way, Grand Junction, Colorado, 81504:**

This petition signed by homeowners/residents living in Enclave Subdivisions 1 & 2 are petitioning AGAINST allowing a Special Fence Permit known as an Administrative Adjustment Permit to erect 6 Foot Tall Front Yard Fencing (roughly 87 feet in length) around the curved lot to the west of the home's driveway. The previous permit was successfully revoked through the efforts of the Architectural Control Committee appointed by our Enclave HOA, last January. However with no ACC in place, this will require a petition to defeat this second attempt. In January 2023 Clark Milsap owned the property, however it was sold to new owners after the City revoked the first permit issued. As Enclave Homeowners we refuse to take this risk as it poses the potential for seriously bodily injury and legal liability - due to Line-of-Sight and Speed/Distance limitations between public sidewalk and the homeowner's driveway. Also the fence is not aesthetically congruent with fencing applications throughout the rest of Enclave Subdivisions 1 or 2.

**Your attention to this matter is greatly appreciated!**

Name (Homeowner/Resident) Laura Luke Date: 6-11-23

Address (City/State/Zip) 2934 Brodick Way  
Grand Jct., CO. 81504

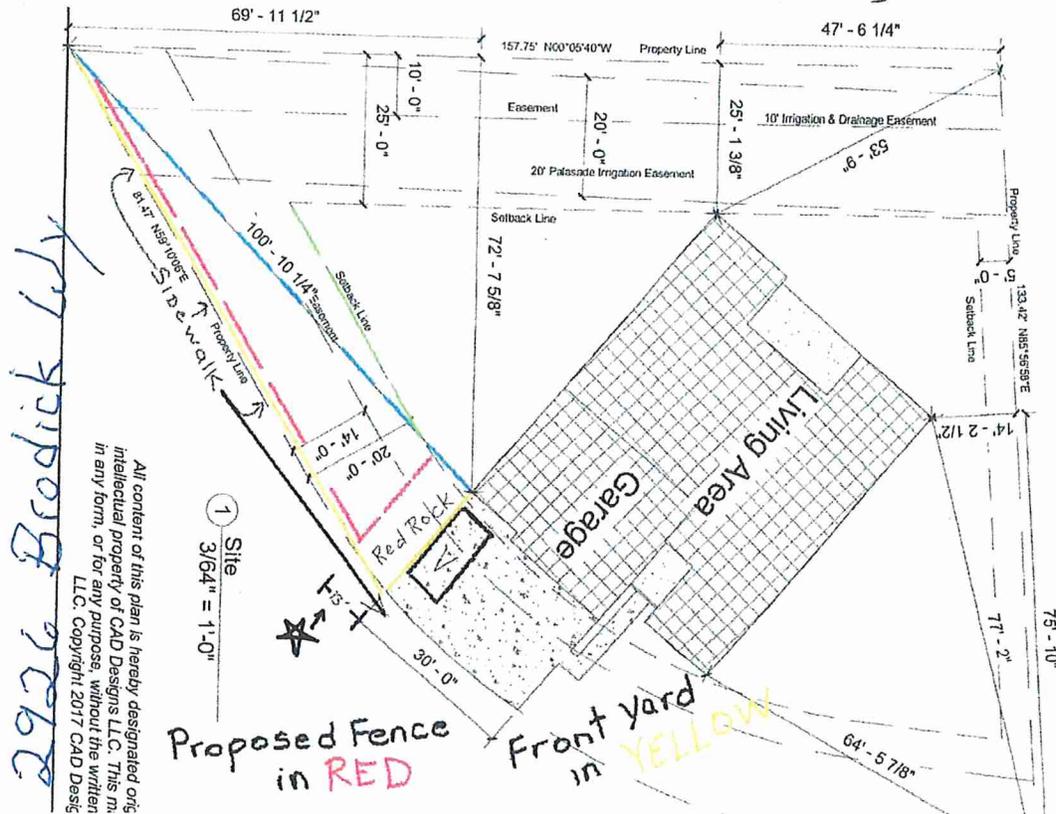
This petition needs your signature ASAP and no later than Saturday June 17, 2023.

(Feel free to call us to drop it off, or we will happily find a time that works for you to pick it up.)

Deb Uren      674 Jax Court GJ CO 81504      (970)312-7583

Laura Luke      2934 Brodick Way GJ CO 81504      (970)712-1134

Jessicaj@gjcity.org



Please notice there is no Line-of-Site between a driver (vehicle) backing from the driveway and anyone who may be approaching from the west around the long sidewalk and prominent curvature near the driveway. A 6-foot-tall "Front Yard" fence that is nearly 88 feet in length, will substantially restrict the view. This request requires a "special" fence permit called an Administrative Adjustment Permit - due to its highly unusual nature. The "Red Rock" area is only **13 feet wide**, allowing for no safe approach from the west by pedestrians (particularly school aged children) riding their bikes, skateboards or motorized scooters along the sidewalk. In fact you need to know that the average speed for younger children (ages 6 -10) riding bikes is a speed of 12 mph... meaning by the time a pedestrian travels at that speed to a point east of the fence; where they have a visual line-of-site angle to the driveway, they are traveling at 17.6 feet per second. That translates to the cyclist having precisely 751.2 milliseconds (or 3/4's of 1 second) to recognize the danger and brake to avoid a collision. To be clear, if this permit is allowed, an accident is predictable... it's simply a matter of "when" it happens, not "if" it happens. No one in either subdivision (Walnut Estates or Enclave) has an enclosed 6 foot tall front yard fence. They have 6 foot tall "SIDE" fences that are legally behind the front corner of their homes AND their side fences DO NOT have a perpendicular driveway. This proposal is a highly irregular request due to the nature of the shape of the lot. It is extremely irresponsible and violates the safety of the public. It also violates HOA Covenant bylaws filed in Mesa County. The HOA Board (Enclave) should not be supporting this request. These types of decisions affect our surrounding homeowner property values, aesthetic congruency of our properties, and may have legal implications. Please give this your strongest consideration. Please tell the City NO!

**Petition against erecting a 6 Foot Tall Front Yard Fence at 2926 Brodick Way, Grand Junction, Colorado, 81504:**

This petition signed by homeowners/residents living in Enclave Subdivisions 1 & 2 are petitioning AGAINST allowing a Special Fence Permit known as an Administrative Adjustment Permit to erect 6 Foot Tall Front Yard Fencing (roughly 87 feet in length) around the curved lot to the west of the home's driveway. The previous permit was successfully revoked through the efforts of the Architectural Control Committee appointed by our Enclave HOA, last January. However with no ACC in place, this will require a petition to defeat this second attempt. In January 2023 Clark Milsap owned the property, however it was sold to new owners after the City revoked the first permit issued. As Enclave Homeowners we refuse to take this risk as it poses the potential for seriously bodily injury and legal liability - due to Line-of-Sight and Speed/Distance limitations between public sidewalk and the homeowner's driveway. Also the fence is not aesthetically congruent with fencing applications throughout the rest of Enclave Subdivisions 1 or 2.

**Your attention to this matter is greatly appreciated!**

Name (Homeowner/Resident) Hal & Cassandra Jellings Date: 6-10-23

Address (City/State/Zip) 670 Clover Glen Dr. 81504  
Grand Jct, CO 81504

This petition needs your signature ASAP and no later than Saturday June 17, 2023.

(Feel free to call us to drop it off, or we will happily find a time that works for you to pick it up.)

Deb Uren      674 Jax Court GJ CO 81504      (970)312-7583

Laura Luke      2934 Brodick Way GJ CO 81504      (970)712-1134

**Petition against erecting a 6 Foot Tall Front Yard Fence at 2926 Brodick Way, Grand Junction, Colorado, 81504:**

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**Your attention to this matter is greatly appreciated!**

Name (Homeowner/Resident) Deborah C. Uren Date: 6/12/2023  
Address (City/State/Zip) 674 Jax Ct. GJ, CO 81504

This petition needs your signature ASAP and no later than Saturday June 17, 2023.

(Feel free to call us to drop it off, or we will happily find a time that works for you to pick it up.)

Deb Uren      674 Jax Court GJ CO 81504      (970)312-7583

Laura Luke      2934 Brodick Way GJ CO 81504      (970)712-1134

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**Your attention to this matter is greatly appreciated!**

Name (Homeowner/Resident) Steph O'Sterman  
Christine Osterman Date: 6/12/2023

Address (City/State/Zip) 672 Cloverglen Dr.  
Grand Junction CO 81504

This petition needs your signature ASAP and no later than Saturday June 17, 2023.

(Feel free to call us to drop it off, or we will happily find a time that works for you to pick it up.)

Deb Uren      674 Jax Court GJ CO 81504      (970)312-7583

Laura Luke      2934 Brodick Way GJ CO 81504      (970)712-1134

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**Your attention to this matter is greatly appreciated!**

Name (Homeowner/Resident) Troy Monger Date: June 10, 2023

Address (City/State/Zip) 2938 Brodick Way  
Grand Junction, Colo. 81504

This petition needs your signature ASAP and no later than Saturday June 17, 2023.

(Feel free to call us to drop it off, or we will happily find a time that works for you to pick it up.)

Deb Uren      674 Jax Court GJ CO 81504      (970)312-7583  
Laura Luke    2934 Brodick Way GJ CO 81504      (970)712-1134

**Petition against erecting a 6 Foot Tall Front Yard Fence at 2926 Brodick Way, Grand Junction, Colorado, 81504:**

This petition signed by homeowners/residents living in Enclave Subdivisions 1 & 2 are petitioning AGAINST allowing a Special Fence Permit known as an Administrative Adjustment Permit to erect 6 Foot Tall Front Yard Fencing (roughly 87 feet in length) around the curved lot to the west of the home's driveway. The previous permit was successfully revoked through the efforts of the Architectural Control Committee appointed by our Enclave HOA, last January. However with no ACC in place, this will require a petition to defeat this second attempt. In January 2023 Clark Milsap owned the property, however it was sold to new owners after the City revoked the first permit issued. As Enclave Homeowners we refuse to take this risk as it poses the potential for seriously bodily injury and legal liability - due to Line-of-Sight and Speed/Distance limitations between public sidewalk and the homeowner's driveway. Also the fence is not aesthetically congruent with fencing applications throughout the rest of Enclave Subdivisions 1 or 2.

**Your attention to this matter is greatly appreciated!**

Name (Homeowner/Resident) Austin Ketcher Date: 6/14/23

Address (City/State/Zip) 672 Jax Ct

GS, CO 81504

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Deb Uren      674 Jax Court GJ CO 81504      (970)312-7583

Laura Luke      2934 Brodick Way GJ CO 81504      (970)712-1134

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**Your attention to this matter is greatly appreciated!**

Name (Homeowner/Resident) DAVID LANDIS Date: 6/10/23

Address (City/State/Zip) 2946 Brodick Way, GG 81504



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Deb Uren      674 Jax Court GJ CO 81504      (970)312-7583

Laura Luke      2934 Brodick Way GJ CO 81504      (970)712-1134

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**Your attention to this matter is greatly appreciated!**

Name (Homeowner/Resident) Justin Southall Date: 6/9/23

Address (City/State/Zip) 2948 Brodick Way, Grand Jct. 81504

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Laura Luke      2934 Brodick Way GJ CO 81504      (970)712-1134

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**Your attention to this matter is greatly appreciated!**

Name (Homeowner/Resident) Mark & Lucille Peterson Date 6/11/2023

Address (City/State/Zip) 2945 C Brodick Way  
Grand Junction CO 81504

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Laura Luke      2934 Brodick Way GJ CO 81504      (970)712-1134

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**Your attention to this matter is greatly appreciated!**

Name (Homeowner/Resident) CORD ADAMS Date: 6/9/2023

Address (City/State/Zip) 674 CLOVERLEAF DR., GRAND JUNCTION CO  
81504

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Deb Uren 674 Jax Court GJ CO 81504 (970)312-7583

Laura Luke 2934 Brodick Way GJ CO 81504 (970)712-1134

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**Your attention to this matter is greatly appreciated!**

Name (Homeowner/Resident) Don Bristol Date: 6/9/23

Address (City/State/Zip) 2940 Brodick Way  
Grand Junction Co

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Deb Uren      674 Jax Court GJ CO 81504      (970)312-7583

Laura Luke    2934 Brodick Way GJ CO 81504    (970)712-1134

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**Your attention to this matter is greatly appreciated!**

Name (Homeowner/Resident) Patty L. Weirhs Date: 6-15-2023

Address (City/State/Zip) 675 Cloverglen Drive  
Grand Junction, CO 81504

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Laura Luke      2934 Brodick Way GJ CO 81504      (970)712-1134

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**Your attention to this matter is greatly appreciated!**

Name (Homeowner/Resident) Kay Reay Date: 6/21/23

Address (City/State/Zip) 260 Medhurst Ln.  
Grand Junction, CO 81504

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Laura Luke      2934 Brodick Way GJ CO 81504      (970)712-1134