

Grand Junction, Colorado

March 28th, 1928

The City Council of the City of Grand Junction, Colorado, met in regular adjourned session for the purpose of considering the proposed zoning ordinance and proposed changes in the boundary lines of the different zoning districts, and any other matter that might be properly brought before it.

Those present and answering at roll call were: Councilmen Moslander, Penberthy, Meders, Bear, Rogers, Hall. Councilman Ellison was absent. City Manager Thompson, City Attorney Hinman, and City Clerk Niles were present. The following members of the zoning commission were present. Fox, Mantey, Due, Biggs, Bradfield, Barraclough, Lockard.

Zoning Matters:

Mr. H. T. DeLong, Mrs. Janet B. Engert, Mr. Frank Dean, Mr. J. C. Schmidt, and others were present. President of the Council, Moslander, announced that each property owner would be allowed ten minutes to present their requests to the Council and Zoning Commission. Mrs. Engert, Mr. Dean, and Mr. DeLong had presented their petitions at previous meetings. Mr. J. C. Schmidt presented a petition signed by various owners of property on South Avenue between Seventh and Ninth Streets, which was read by the Clerk, requesting that the boundary line of Industrial "A" District be changed to the following: From Pitkin Avenue South on South Seventh Street to South Avenue, East on South Avenue to the alley, South on alley line to alley between South Avenue and First Avenue, thence East to Ninth Street, North on Ninth Street to alley between Pitkin and South Avenues, East on original boundary lines. This petition requested that the District be included in Residence "C" District.

After considerable open discussion, Councilman Penberthy moved, Councilman Bear seconded the motion that the City Council and members of the zoning commission go into executive session to consider the petitions which had been presented. Motion carried.

At the conclusion of the executive session, the Council was reconvened, in regular adjourned session - all members being present excepting Councilman Ellison.

Councilman Hall moved, Councilman Rogers seconded the motion that the Business "A" District in Block 44 be limited to lots 15, 16, 17, 18, 19, and 20. Upon which motion the following vote was cast. Councilmen voting "YEA" Penberthy, Meders, Bear, Rogers, Hall, Moslander. All the Councilmen present voting YEA, the President declared the motion carried.

Councilman Meders moved and Councilman Penberthy seconded the motion that the South One-Half (S. 1/2) of Block Eighty-three (83) and the North One-Half (N1/2) of Block Ninety-six (96), be included in the Business "B" District. All the Councilmen present voting YEA, the President declared the motion carried.

Councilman Hall moved, Councilman Penberthy seconded the motion that Lots 20 to 28 inclusive, Block 150, Lots 17 to 32 inclusive, Block 151, Lots 1 to 16 inclusive, Block 158, and Lots 11 to 19 inclusive, Block 159 be included in Residence "C" District. Upon which motion the following vote was cast: Councilmen voting YEA were: Penberthy, Meders, Bear, Rogers, Hall, Moslander. All the Councilmen present voting YEA, the President declared the motion carried.

Councilman Rogers moved and Councilman Hall seconded the motion that the following paragraph be substituted for Section 4, Page 5 of proposed zoning ordinance:

GARAGES, MOTOR VEHICLE REPAIR SHOPS AND FILLING STATIONS. No garage for more than ten motor vehicles, motor vehicle repair shop, and no gasoline or other motor fuel filling station shall be located within 200 feet of a public or semi-public playground, the main building or buildings, or grounds of a public or private school, regularly attended by not less than 20 students under 16 years of age, a public library, hospital, church, orphanage, or children's home already existing or under construction at the time permit is issued for the construction of such garage, shop or station. Such garage, shop or station shall be considered to include all ground used in connection with same and measurement shall be made to the nearest point of said ground in determining intervening distances in this section. The word playground as used herein shall not be construed to include a public park except such part thereof as may be actually used as a public playground.

Upon which motion the following vote was cast: Councilmen voting YEA, Penberthy, Meders, Bear, Rogers, Hall, Moslander. All the Councilmen present voting YEA, the President declared the motion carried.

It was moved by Councilman Hall and seconded by Councilman Rogers that Item 2 of Section E, Page 9, of proposed zoning ordinance be amended to read as follows:

2. Business and Industrial Districts. In a Business or Industrial District every building located on a lot which abuts on an alley shall have a rear yard along such alley the full width of said lot, provided however, that any building located on a lot at the intersection of two alleys may have a rear yard along either or both of such alleys the total length of which

rear yard shall be not less than the average width of said building and shall have a minimum length of 25 feet; and provided further, that a building located with its longest side extended more than 50 feet along an alley and not located at an intersection of two alleys, shall have a rear yard along such alley for a distance not less than the average width of said building and with a minimum length of 25 feet. Provided further, that no unloading space shall be required in any alley closer than within 50 feet of the point where such alley intersects a street. In case the ground floor of a building is divided into two or more units by permanent walls or partitions each unit shall be considered a separate building and rear yard requirements shall be enforced for each unit the same as for separate and distinct buildings. The depth of such rear yard in any case shall be 16 feet measured to the center line of such alley. In case a building is located on a lot which does not abut on an alley, a public or private alleyway shall be provided of not less than 12 1/2 feet in width along the entire rear of said building and connecting with both street and alley in said block. Such loading space maintenance may be modified or waived by the Board of Adjustment on application in the case of a building with ground floor area of not to exceed 2000 square feet, a bank, theater, assembly hall or other building of similar limited loading space requirements.

Upon which motion the following vote was cast: Councilmen voting YEA, Penberthy, Meders, Bear, Rogers, Hall, Moslander. All the Councilmen present voting YEA, the President declared the motion carried.

Permit to Build Filling Station:

A permit for a filling station on the Southeast corner of First and Rood Avenues was requested by Ray Schiesswohl. Plans and specifications having been filed with the City Clerk. It was moved by Councilman Rogers and seconded by Councilman Penberthy that the request of Ray Schiesswohl for a permit to erect a filling station on First and Rood Aves. be granted. Motion carried.

There being no further business to come before the meeting, on motion of Councilman Penberthy, seconded by Councilman Meders, and duly carried, the meeting adjourned.

/s/ Helen C. Niles
City Clerk