

City of Grand Junction

Community Development Department
Planning / Zoning / Code Enforcement
250 North 5th Street
Grand Junction, CO 81501-2668

Phone: (970) 244-1430
FAX: (970) 256-4031

RECORD OF DECISION / FINDINGS OF FACT

DATE: July 3, 2003

FILE: RZ-2003-070

LOCATION: 653 Young Street

PETITIONER: Judith Marie
653 Young Street
Grand Junction, CO 81505

REPRESENTATIVE: Karl Clemons
2742 Spring Valley Circle
Grand Junction, CO 81506
250-5555/256-9498

PLANNER: Ronnie Edwards

PROJECT IS: **Approved**

Shawn

On July 2, 2003, the Grand Junction City Council approved the request to rezone the property at 653 Young Street (tax schedule #2945-031-01-008) from RSF-1 (Residential Single Family with a density not to exceed one unit per acre) to RSF-2 (Residential Single Family with a density not to exceed two units per acre) zone district. The change in zoning designation will become effective August 3, 2003.

Should you have any questions, please give me a call.

Sincerely,



Ronnie Edwards
Associate Planner
256-4038

addressed when and if the property is actually developed. The matter at hand is annexation and zoning only.

Jim White, land surveyor, representing the petitioner said the petitioner is willing to work with the Planning Department to comply with any required improvements on 31 Road.

Michael Melgares, residing northwest of the proposed subdivision, does not object to the requested annexation and zoning but is concerned about the road improvements and the need for them to be addressed. He feels a paved road is necessary because he is concerned about the children at the Pear Park Baptist Church School playing around all the dust that will be created from the unpaved road.

The public hearing was closed at 8:06 p.m.

a. Accepting Petition

Resolution No. 62-03 - A Resolution Accepting Petitions for Annexation, Making Certain Findings, Determining that Property Known as O'Connor Annexation, Located at 511 31 Road and Including a Portion of 31 Road and E Road Right-of-Way, is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3535 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, O'Connor Annexation, Approximately 1.3121 Acres Located at 511 31 Road and Including a Portion of E Road and 31 Road Rights-Of-Way

c. Zoning Ordinance

Ordinance No. 3536 – An Ordinance Zoning the O'Connor Annexation to Residential Single Family with a Density not to Exceed Four Units per Acre (RSF-4) Located at 511 31 Road

Councilmember Enos-Martinez moved to adopt Resolution No. 62-03 and Ordinances No. 3535 and No. 3536 on Second Reading. Councilmember Kirtland seconded the motion. Motion carried by a unanimous roll call vote.

Public Hearing – Rezoning 653 Young Street to RSF-2 [File # RZ-2003-070]

Request to rezone 653 Young Street, comprised of 1.252 acres, from RSF-1 (Residential Single Family with a density not to exceed 1 du/ac) to RSF-2 (Residential

Single Family with a density not to exceed 2 du/ac). Planning Commission recommended approval at its June 10, 2003 meeting.

Public hearing was opened at 8:09 p.m.

Ronnie Edwards, Associate Planner, reviewed this item. She explained the staff recommendation for denial is because staff found that the requested rezone is not consistent with the adjacent property development and review criteria in section 2.6a had not all been met, specifically items 1,2,4,6 and 7 have not been satisfied.

Councilmember Hill asked for her to go through each criteria that had not been met.

Karl Clemons, property owner, agreed that the zoning was not in error at the time with RSF-1, but things have changed. As far as compatibility, he feels it is compatible on the west side. He noted the unique shape of the lot and feels there is a buildable envelope on the property. It is not practical to develop the area in conjunction with the existing lot because getting access would require going back onto Young Street and F ½ to get to the property.

Councilmember Palmer asked about the easement. Mr. Clemons said the biggest handicap is a Grand Valley Irrigation ditch that goes almost to the middle of the property. There is a big enough envelope to build an 1800 square foot ranch style house without moving the easement, but it is also possible to move the easement.

Councilmember Kirtland asked if he will have to fence off the property from the canal. Mr. Clemons said that it could be a possibility if required.

Councilmember Hill asked if the proposed area is the only buildable area. Mr. Clemons said yes because there is already a house on the other side of the property. They are just trying to solve an unattractive nuisance.

Councilmember Palmer asked about surrounding zoning. Mr. Clemons described the surrounding zoning.

Councilmember Kirtland asked about ground water problems. Mr. Clemons said that 17,000 square feet is the minimum lot size and that will include the canal. It will be a small lot.

Councilmember Palmer asked what the curb and gutter requirements are, and if it is possible to meet the RSF-2 requirements. Mr. Clemons said the easement will count for part of the 17,000 square foot lot size; they just can't build on the easement.

Public hearing was closed at 8:24 p.m.

Councilmember Palmer stated that he visited the site and it is unsightly and he believes a house would be more desirable on that location.

Councilmember Kirtland said he looked at it also and it is a fairly big piece of property. He feels it will be a challenge to build on the property but the adjoining new development would merit the property to be developed in the same character.

Councilmember Hill felt the property being developed would be a better fit but it is a small envelope to build on.

Councilmember Spehar stated that the property appears to be an unfinished part of the adjacent subdivision, but it would take some ingenuity to develop the property right.

Ordinance No. 3537 -- An Ordinance Zoning a Parcel of Land Located at 653 Young Street to RSF-2 (Residential Single Family, with a Density Not to Exceed Two Units per Acre)

Councilmember Palmer moved to adopt Ordinance No. 3537. Councilmember Kirtland seconded the motion. Motion carried by a vote of 6 to 1 with Councilmember Butler voting NO.

Public Hearing - Rold Annexation and Zoning Located at 524 30 Road [File #ANX-2003-080]

Resolution for Acceptance of Petition to Annex and Consideration of Final Passage of the annexation ordinance. The .7998 acre Rold Annexation consists of one parcel of land. The requested zoning for the property is C-1 (Light Commercial). The physical address for the property is 524 30 Road.

Consideration of Final Passage of the Zoning Ordinance for the Rold Annexation located at 524 30 Road. The .7998-acre Rold consists of one parcel of land. The Planning Commission reviewed the requested zoning on June 10, 2003 and recommended approval.

The public hearing was opened at 8:28 p.m.

Senta Costello, Associate Planner, reviewed this item.

Dan Whalen, Director of Housing Resources, purchased the building two months ago and has moved their offices there after 25 years downtown. He would like to be a part of the City of Grand Junction.

file

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Young Street Rezone located at 653 Young Street					
Meeting Date	July 2, 2003					
Date Prepared	June 19, 2003			File #RZ-2003-070		
Author	Ronnie Edwards		Associate Planner			
Presenter Name	Ronnie Edwards		Associate Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation	X	Yes		No	Name	
	Workshop	X	Formal Agenda			Consent X Individual Consideration

Summary: Request to rezone 653 Young Street, comprised of 1.252 acres, from RSF-1 (Residential Single Family with a density not to exceed 1 du/ac) to RSF-2 (Residential Single Family with a density not to exceed 2 du/ac). Planning Commission recommended approval of the rezoning at its June 10, 2003 meeting.

Budget: N/A

Action Requested: Review and decision of the rezone request.

Attachments:

1. Site Location Map
2. Aerial Photo Map
3. Future Land Use Map
4. Existing City and County Zoning Map
5. Zoning Ordinance
6. Planning Commission Minutes

Background Information: See attached Staff Report

effective 8/3/03

BACKGROUND INFORMATION			
Location:		653 Young Street	
Applicants:		Judith Marie	
Existing Land Use:		Residential Single Family	
Proposed Land Use:		Future Residential Single Family	
Surrounding Land Use:	North	Residential Single Family	
	South	Vacant/Residential Single Family	
	East	Residential Single Family	
	West	Residential Single Family	
Existing Zoning:		RSF-1	
Proposed Zoning:		RSF-2	
Surrounding Zoning:	North	RSF-1	
	South	RSF-1	
	East	RSF-1	
	West	RSF-R/PD (residential density of 2.9 to 3.7)	
Growth Plan Designation:		Residential Low (1/2 – 2 ac/du)	
Zoning within density range?		X	Yes
			No

BACKGROUND:

The subject property is the southern part of the original Lot 7 of Linda Subdivision as recorded on October 17, 1955 and was zoned R1A, (Residential District with a density of one single family unit per acre), under Mesa County regulations. With the adoption of the Mesa County Zoning and Development Code in April of 2000, the R1A designation became RSF-1, which allowed residential development at one unit per acre. Annexation occurred with the G Road South Enclave on August 6, 2000. The Linda Subdivision along with adjacent parcels to the north, south and east were given the equivalent zoning of RSF-1, (Residential Single Family with a density not to exceed one unit per acre). The lot sizes within Linda Subdivision range in size from .87 acre to 1.25 acres.

The area to the west was developed from 1995 through 1997 prior and during the adoption of the Growth Plan as Planned Residential Subdivisions with densities ranging from 2.8 to 3.86 dwelling units per acre. The breakdown of zoning and lot sizes are listed from North to South as follows:

<i>actual</i>	3.19 - Valley Meadows East	PR 2.93	8,172 s.f. to 14,557 s.f. - <i>4.46 actual</i>
	3.68 Kay Subdivision	PR 3.86	6,751 s.f. to 9,266 s.f.
	3.6 - Cimarron North	PR 3.7	5,173 s.f. to 11,089 s.f.
	3.0 - Fall Valley	PR 2.9	6,688 s.f. to 11,402 s.f. (average)

does not include Row or 10.5.

N, E & S are not in subdivisions but in City limits

Note: There are 7 lots on the west side of Fall Valley Filing 3, which are not consistent with the average, and range up in size of 22,222 due to the layout of a cul-de-sac. See Figure 4, Existing City & County Zoning, at the end of the staff report.

The Future Land Use Map appears to use the east boundary of the above mentioned subdivisions as the separation line between Residential Medium Low (2-4 du/ac) and Residential Low (1/2-2 ac/du). Public hearings were held during the zone of annexation process and residents requested that they retain the same zoning as they had in the County, which was RSF-1.

On Tuesday, June 10, 2003, the Planning Commission disagreed with the staff recommendation of denial and voted 4 to 3 to forward a recommendation of approval. The following staff analysis of Growth Plan and Zoning and Development Code consistency is followed by a summary of the Planning Commission action. A copy of the Planning Commission minutes is attached to this staff report.

1. STAFF PROJECT ANALYSIS:

A. Consistency with the Growth Plan:

Policy 1.3 states the City decisions about the type and intensity of land uses will be consistent with the Future Land Use Map and Plan policies.

The request for RSF-2 zoning is the highest range of density supported by the Future Land Use Map.

Policy 5.2 states the City will encourage development that uses existing facilities and is compatible with existing development.

The minimum lot size in RSF-2 zoning is 17,000 square feet, which is .39 acres. As previously stated, lots sizes within Linda Subdivision range from .87 to 1.25 acres. Adoption of an RSF-2 zoning could result in the future creation of lots that are incompatible with adjacent properties to the north, south and east.

B. Section 2.6.A of the Zoning and Development Code:

Rezone requests must meet all of the following criteria for approval:

- 1) The existing zoning was in error at the time of adoption

The existing zoning of RSF-1 was not in error at the time of adoption and was compatible with surrounding zoning and uses.

- 2) There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.

The properties located to the north, south and east developed prior to the adoption of the Growth Plan in 1996. Remaining properties to the west developed after 1996 and was consistent with the Plan. All public utilities are located on the property.

- 3) The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances

The proposed rezone to RSF-2 is within the allowable density range recommended by the Growth Plan. This criterion must be considered in conjunction with criterion 5 which requires that public facilities and services are available when the impacts of any proposed development are realized. Staff has determined that public infrastructure will be addressed when the impacts of any development occurs that is consistent with the RSF-2 zone district, therefore this criterion is met.

- 4) The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code and other City regulations and guidelines

The proposal is within the density range governed by the Growth Plan. While the RSF-2 zone can be considered compatible with properties to the west, it does not meet the Plan's compatibility requirements for the properties to the north, south and east.

- 5) Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development

Adequate public facilities are currently available and can address the impacts of development consistent with the RSF-2 zone district. Future development impact would have to address building envelope and access issues as there is a large irrigation canal and a Grand Junction Drainage District easement running through the southern part of the parcel. The City may limit site development to a lower intensity than shown on the Future Land Use Map due to site specific conditions.

- 6) There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs

Adequate land is available in the surrounding area for development at densities higher than one unit per acre. These vacant lands are located to the west and northwest where the Future Land Use Map designation is Residential Medium (4-8 du/ac).

7) The community or neighborhood will benefit from the proposed zone.

The proposed zone would not benefit the neighborhood as this subdivision was established with RSF-1 equivalent zoning in 1955.

STAFF FINDINGS OF FACT/CONCLUSIONS:

1. The requested rezone is not consistent with adjacent property development, which is stated in Policy 5.2 of the Growth Plan.
2. The review criteria in Section 2.6.A of the Zoning and Development Code have not been met.
 - ① • Zoning was not in error at time of adoption of RSF-1 zone district;
 - ② • Change of character in the neighborhood has occurred, but all new development has been consistent with the Growth Plan;
 - ④ • Requested rezone is within the allowable density range of the Growth Plan, but it is incompatible with remaining adjacent area;
 - ⑥ • There is an adequate supply of land for development to the requested zone density; and
 - ⑦ • Proposed zone would not benefit the neighborhood

STAFF RECOMMENDATION:

Staff recommendation at the June 10, 2003 Planning Commission hearing of the requested rezone was denial, based on the findings and conclusions listed above.

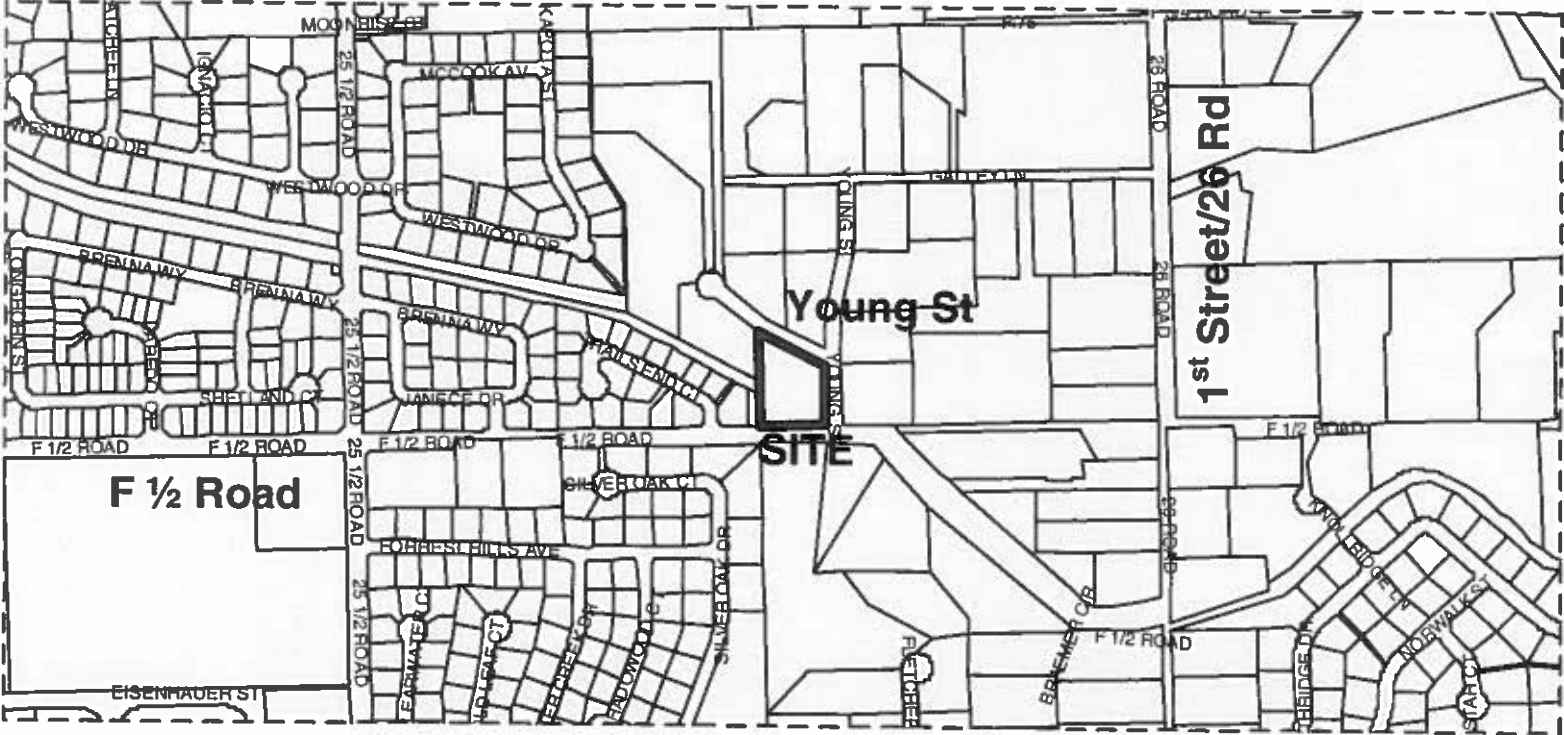
PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of the requested rezone, RZ-2003-070, to the City Council by a vote of 4 to 3.

The Planning Commission found that the neighborhood would benefit from the proposed zone (review criteria number 7 above). It was their opinion that the rezone, accompanied by the expected development of the area south of the canal, would improve the appearance of the lot therefore benefiting the neighborhood.

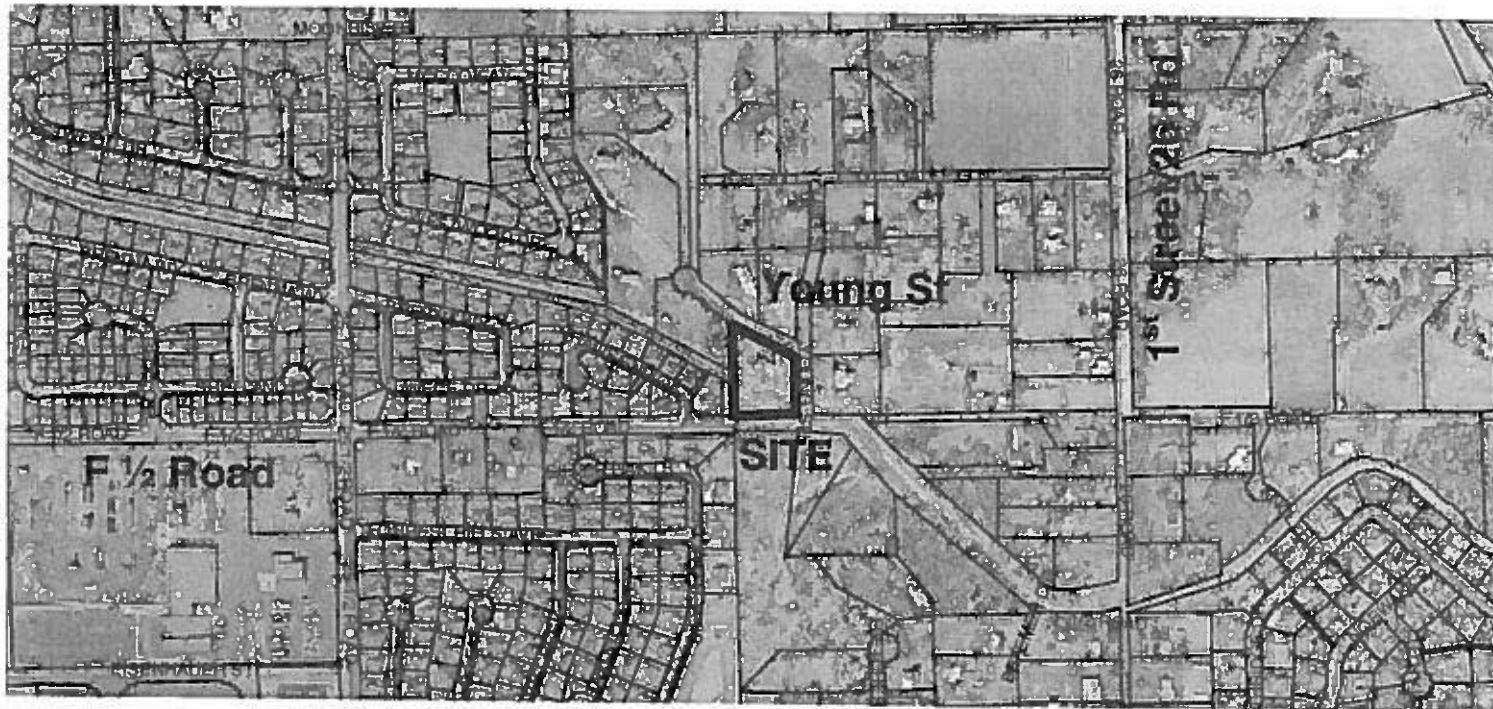
Site Location Map

Figure 1



Aerial Photo Map

Figure 2



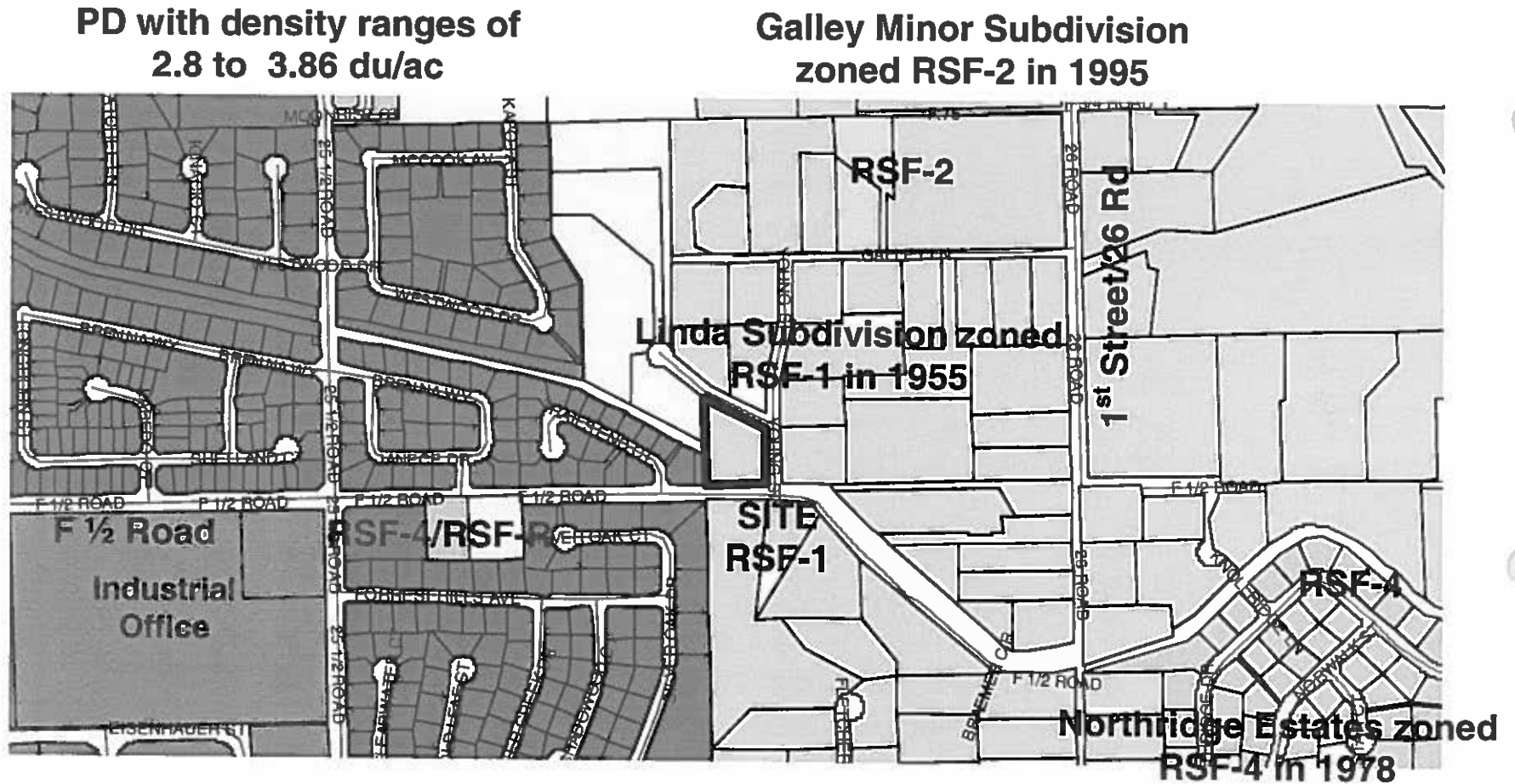
Future Land Use Map

Figure 3



Existing City and County Zoning

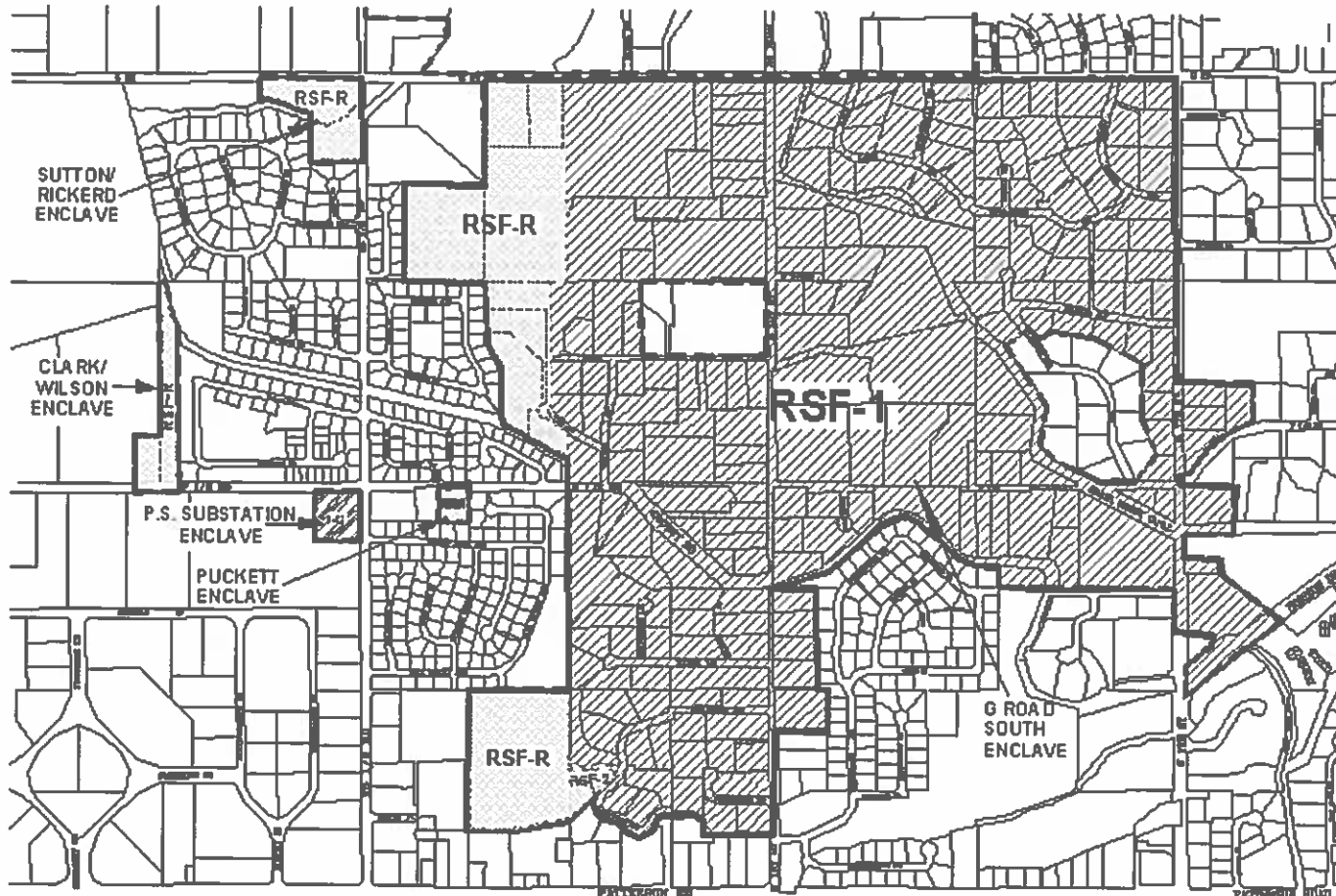
Figure 4



Valley Meadows East at PR 2.93, Kay Subdivision at PR 3.86, Cimarron North at PR 3.7 & Fall Valley at PR 2.9 du/ac all zoned in 1995 thru 1997.

NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

POMONA PARK ENCLAVES / G ROAD SOUTH AREA



Legend

- | | | | |
|---------------------|---|---------------------|--|
| ----- | CITY LIMITS | [Diagonal Hatching] | RSF-2 Residential Single Family-2 units/acre |
| ----- | ENCLAVE BOUNDARY | [Dotted Hatching] | RSF-R Residential Single Family-Rural 1 unit/5 acres |
| [Diagonal Hatching] | RSF-1 Residential Single Family-1 unit/acre | [Cross-hatching] | IO Industrial Office Park |

PROPOSED ZONING

CITY OF GRAND JUNCTION, COLORADO

PUBLISHED: May 11, 2000
City of Grand Junction Planning and Zoning



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE ZONING A PARCEL OF LAND
LOCATED AT 653 YOUNG STREET

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of the rezone request from the RSF-1 zone district to RSF-2 zone district by a vote of 4 to 3.

A rezone from RSF-1 (Residential Single Family with a density not to exceed one unit/acre) to RSF-2 (Residential Single Family with a density not to exceed two units/acre) has been requested for the property located at 653 Young Street. The City Council finds that the request meets the goals and policies and future land use set forth by the *Growth Plan* (Residential Low 1/2 to 2 ac/du). City Council also finds that the requirements for a rezone as set forth in Section 2.6 of the Zoning and Development Code have been satisfied.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The following property shall be zoned Residential Single Family with a density not to exceed 2 units per acre (RSF-2) zone district

Includes the following tax parcel: 2945-031-01-008

That part of Lot 7 in Linda Subdivision being more particularly described as follows: BEG North 00°12'W 25.00 ft. from the SW COR of the SE1/4 NE1/4 of SEC 3, T1S, R1W of the UM, thence North 00°12'W 289 ft.; thence South 65°48'E to the West right-of-way line of Young Street; thence South 191.27 ft. to the SE COR of said Lot 7; thence S89°51'W 215.2 ft. more or less to the SW COR of said Lot 7 and the point of beginning, Mesa County, Colorado.

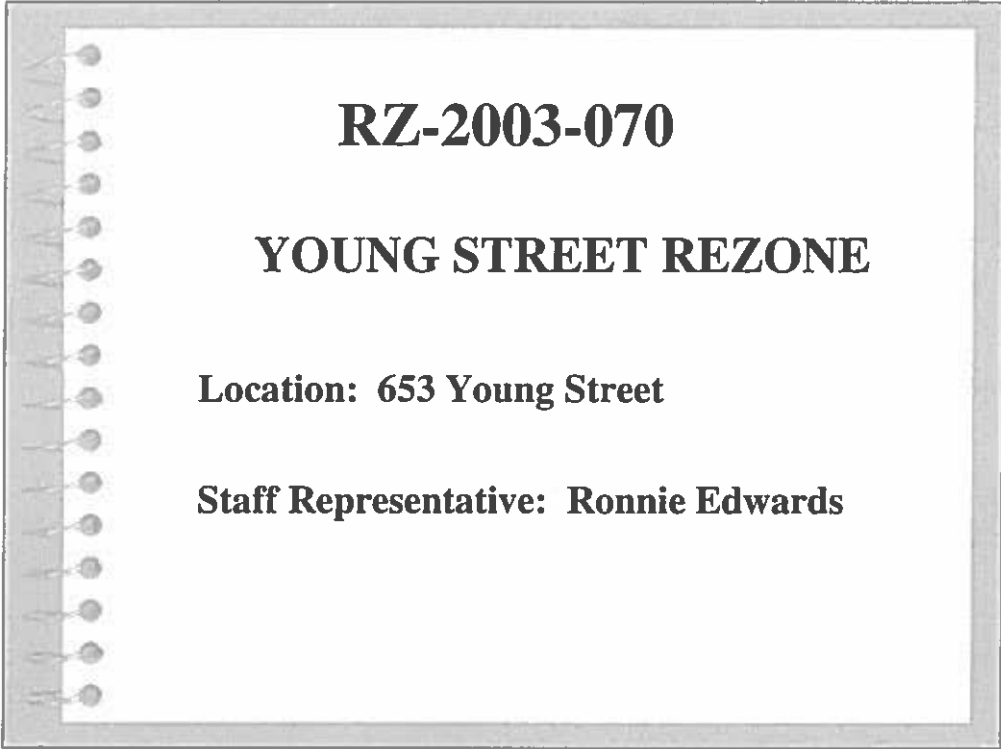
Introduced on first reading on the 16th day June, 2003.

PASSES and ADOPTED on second reading this _____ day of _____, 2003.

President of the Council

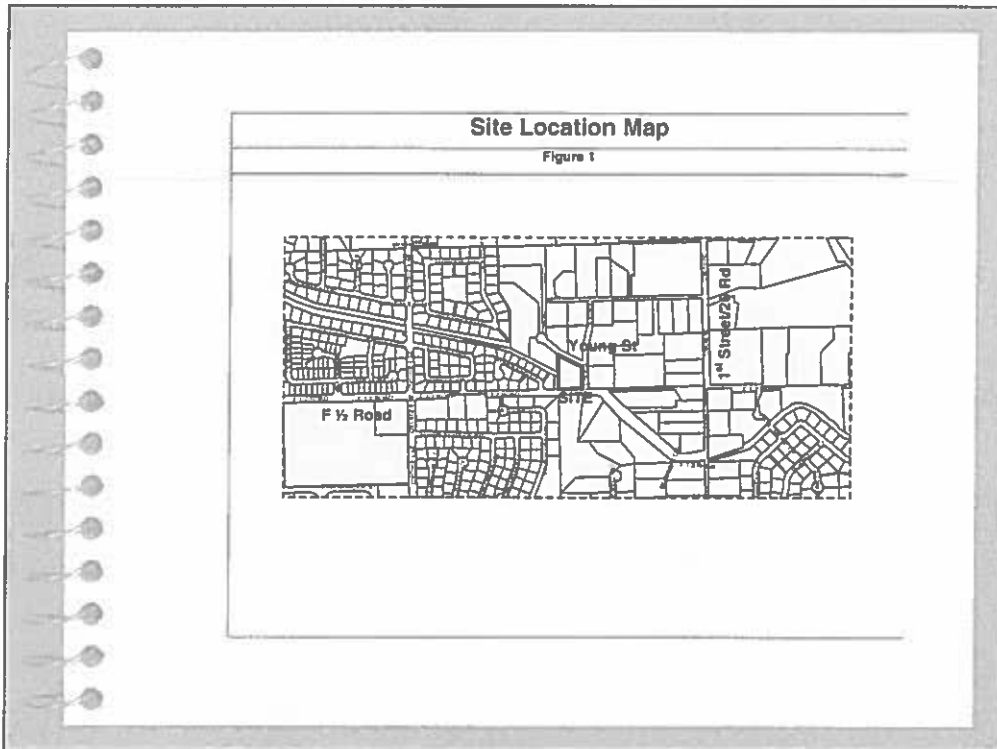
Attest:

City Clerk



Young Street Rezone located at 653 Young Street

Request is to rezone property from RSF-1 to RSF-2 du/ac and consists of 1.252 acres



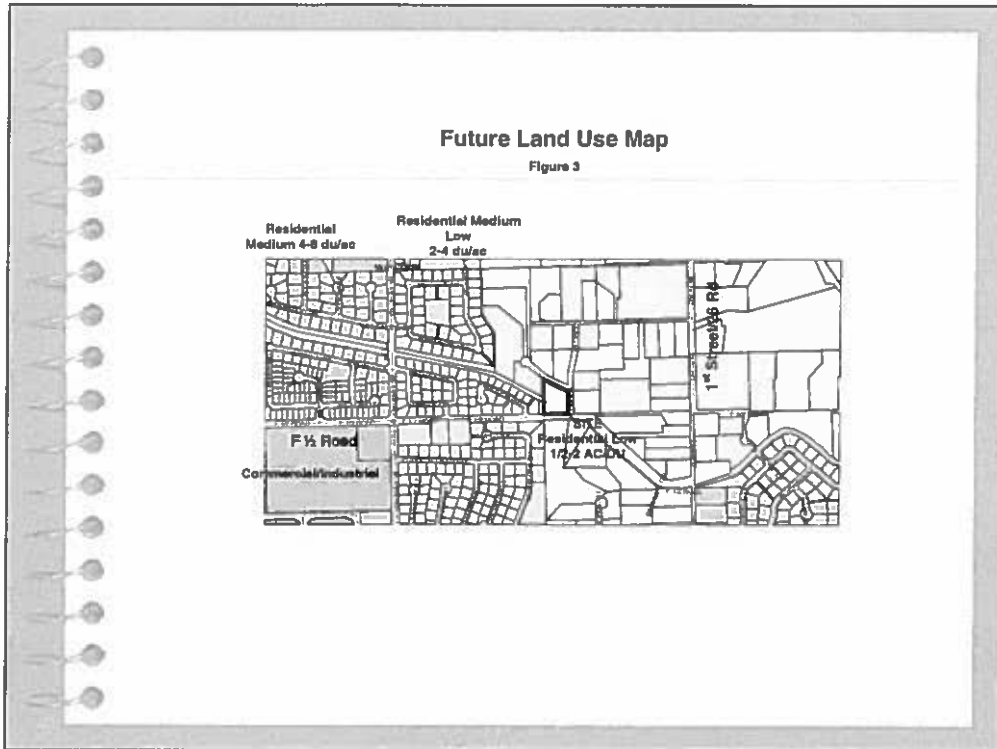
Subject property is the southern part of the original Lot 7 of Linda Subdivision and was zoned R1A under Mesa County regulations in 1955. With adoption of the County Code in April of 2000, the R1A became its equivalent of RSF-1. Annexation occurred in August of 2000 and with it the equivalent City zoning of RSF-1. This zoning was given not only to Linda Subdivision but adjacent parcels to the north, south and east. The lot sizes within Linda Sub. average .87 acres.

Aerial Photo Map

Figure 2



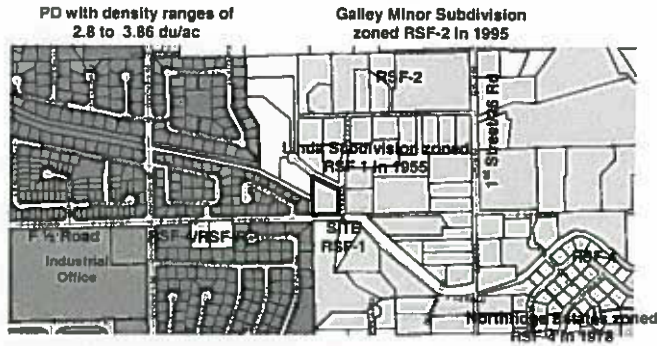
The adjacent area to the west was developed from 1995 to 1997 with densities ranging from 2.8 to 3.86 du/ac, which is conforming to the Growth Plan, which was adopted in 1996.



Future land use map appears to use the east boundary of these subdivisions as the separation line between Residential Medium Low (2-4 du/ac) and Residential Low (1/2-2 ac/du). Public hearings were held during the annexation process and residents requested that they retain the same zoning as they held in the County, which was RSF-1. The request for RSF-2 zoning is the highest range of density supported by the Future Land Use Map.

Existing City and County Zoning

Figure 4



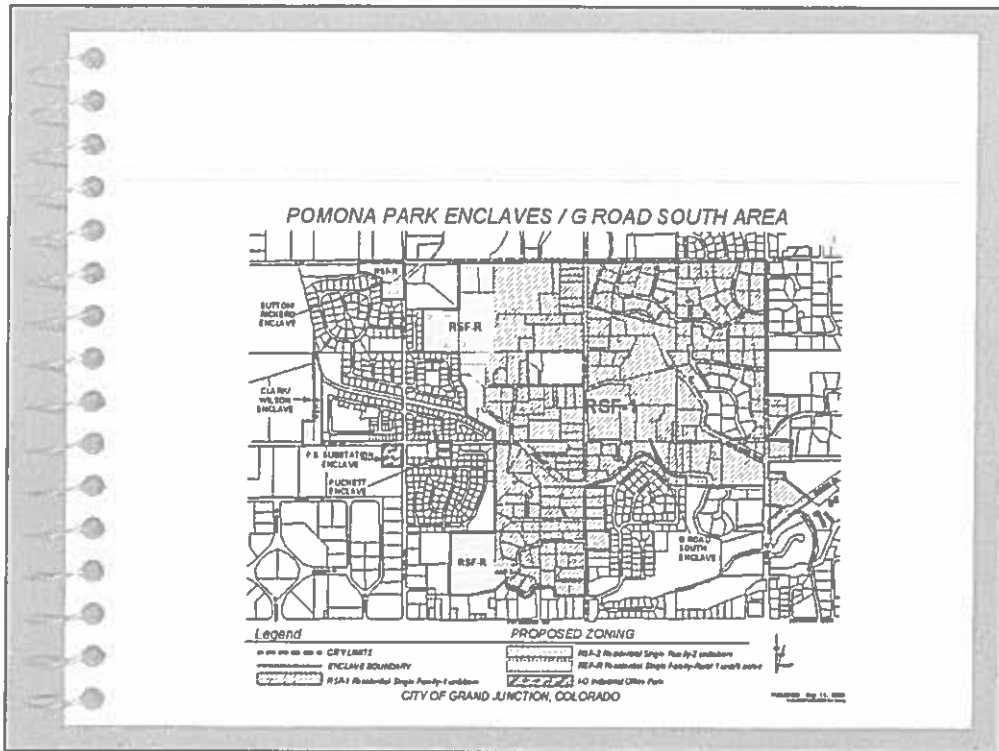
Valley Meadows East at PR 2.93, Key Subdivision at PR 3.86, Cimarron North at PR 3.7 & Fall Valley at PR 2.9 du/ac all zoned in 1995 thru 1997.

NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof.

The minimum lot size in RSF-2 is 17,000 s.f., which is .39 acres, which is quite different than the lot sizes within the Linda Subdivision ranging from .87 to 1.25 acres. Adoption of an RSF-2 zoning could result in the future creation of lots that are incompatible with adjacent properties to the north, south and east.

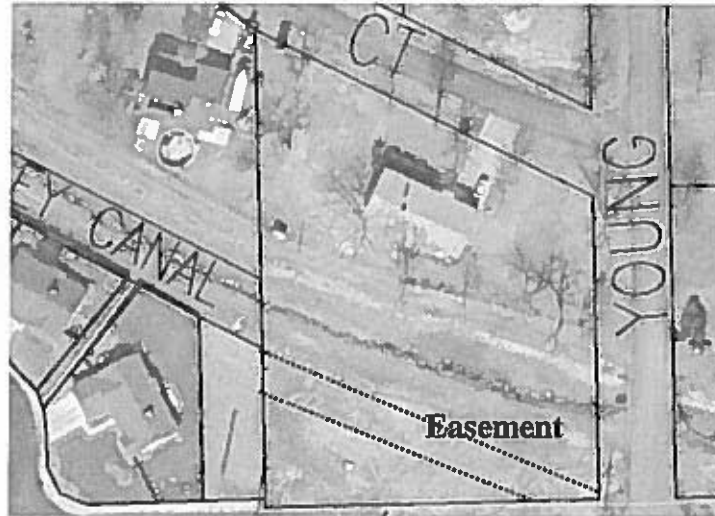
<u>zoned</u>		<u>actual</u>
PR 2.93	Valley Meadows East	3.19
PR 3.86	Key Sub	3.68
PR 3.7	Cimarron North	3.6
PR 2.9	Fall Valley	3.0

areas to N, E & S are in City but ^{not} in developed subdivisions



Staff has included a couple different slides for reference to information within the staff report. This is the Annexation Map of the G Rd South Enclave which demonstrates the RSF-1 zoning area as previously mentioned.

Site Specific Conditions – Drainage Canal and Grand Junction Drainage District Easement



This slide shows the site specific conditions.

Future development would have to address not only a small buildable area, but access issues due to the Beehive drain system and the access easement for the Grand Junction Drainage District that runs through the site.

Policy 1.3 of the Growth Plan states that the City may limit site development to a lower intensity than shown on the FLU map due to site specific conditions.

FINDINGS AND CONCLUSIONS

- Request not consistent with adjacent property development within the original subdivision.**
- All review criteria of Section 2.6.A have not been met as listed in the staff report.**

Findings and Conclusions:

- 1) The requested rezone is not consistent with adjacent property development, which is criteria of Policy 5.2 of the Growth Plan
- 2) Review criteria in Section 2.6.A of the zoning and development code have not been met as listed in the staff report.

The staff report lists Criteria 1,2,4,6 and 7 as not being satisfied. Staff can go thru these separately if Council so desires.

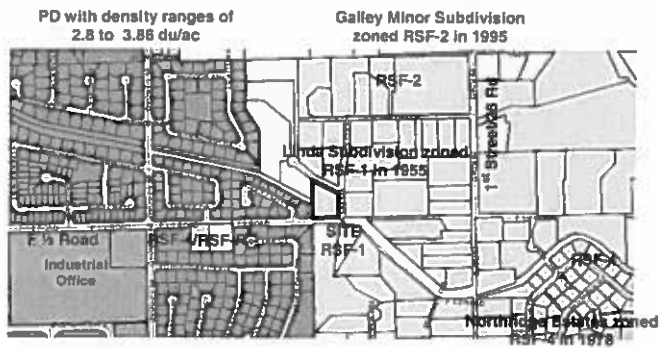
STAFF RECOMMENDATION

Planning Commission is forwarding a recommendation of approval of the requested rezone to City Council. Staff recommended denial of the rezone request, concurring with the findings listed in the staff report.

Planning Commission forwarded a recommendation of approval of the requested rezone to the City Council. Staff recommended denial of the requested rezone, concurring with the findings and conclusions that are listed in the staff report.

Existing City and County Zoning

Figure 4



Valley Meadows East at PR 2.93, Key Subdivision at PR 3.86, Cimarron North at PR 3.7 & Fall Valley at PR 2.9 du/ac all zoned in 1995 thru 1997.

NOTE: Mass County is currently in the process of updating their zoning map. Please contact Mass County directly to determine parcels and the zoning thereof.

5. **Setting a Hearing – Rezoning 653 Young Street** [File # RZ-2003-070]

Request to rezone 653 Young Street, comprised of 1.252 acres, from RSF-1 (Residential Single Family with a density not to exceed 1 du/ac) to RSF-2 (Residential Single Family with a density not to exceed 2 du/ac). Planning Commission recommended approval of the rezoning at its June 10, 2003 meeting.

Proposed Ordinance Zoning a Parcel of Land Located at 653 Young Street

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for July 2, 2003

6. **Setting a Hearing – Zoning Rold Annexation Located at 524 30 Road** [File # ANX-2003-080]

The Rold Annexation consists of one parcel of land on approximately .7998 acres. The requested zoning for the property is C-1 (Light Commercial). The physical address for the property is 524 30 Road. The Planning Commission reviewed the requested zoning on June 10, 2003 and recommended approval.

Proposed Ordinance Zoning the Rold Annexation to C-1 (Light Commercial) Located at 524 30 Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for July 2, 2003

7. **Setting a Hearing – Carville Annexation Located at 2675 Highway 50** [File # ANX-2003-116]

Resolution for Referral of Petition to Annex/First Reading of the Annexation ordinance/exercising land use jurisdiction immediately for the Carville Annexation located at 2675 Hwy 50. The 19.93 acre Carville Annexation is an annexation consisting of one parcel of land.

a. **Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction**

Resolution No. 53-03 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Carville Annexation Located at 2675 Hwy 50

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Young Street Rezone located at 653 Young Street					
Meeting Date	June 16, 2003					
Date Prepared	June 2, 2003			File #RZ-2003-070		
Author	Ronnie Edwards		Associate Planner			
Presenter Name	Ronnie Edwards		Associate Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation	X	Yes		No	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

Summary: Request to rezone 653 Young Street, comprised of 1.252 acres, from RSF-1 (Residential Single Family with a density not to exceed 1 du/ac) to RSF-2 (Residential Single Family with a density not to exceed 2 du/ac). Planning Commission recommended approval of the rezoning at its June 10, 2003 meeting.

Budget: N/A

Action Requested/Recommendation: First reading of the ordinance and schedule a second reading of the ordinance on July 2, 2003.

Attachments:

1. Site Location Map
2. Aerial Photo Map
3. Future Land Use Map
4. Existing City and County Zoning Map
5. Zoning Ordinance
6. Draft Planning Commission Minutes

Approval
Staff recommend
denial
PC recommends
approval

Background Information: See attached Staff Report

Review & decision on request to rezone

BACKGROUND INFORMATION			
Location:		653 Young Street	
Applicants:		Judith Marie	
Existing Land Use:		Residential Single Family	
Proposed Land Use:		Future Residential Single Family	
Surrounding Land Use:	North	Residential Single Family	
	South	Vacant/Residential Single Family	
	East	Residential Single Family	
	West	Residential Single Family	
Existing Zoning:		RSF-1	
Proposed Zoning:		RSF-2	
Surrounding Zoning:	North	RSF-1	
	South	RSF-1	
	East	RSF-1	
	West	RSF-R/PD (residential density of 2.9 to 3.7)	
Growth Plan Designation:		Residential Low (1/2 – 2 ac/du)	
Zoning within density range?	X	Yes	No

BACKGROUND:

The subject property is the southern part of the original Lot 7 of Linda Subdivision as recorded on October 17, 1955 and was zoned R1A, (Residential District with a density of one single family unit per acre), under Mesa County regulations. With the adoption of the Mesa County Zoning and Development Code in April of 2000, the R1A designation became RSF-1, which allowed residential development at one unit per acre. Annexation occurred with the G Road South Enclave on August 6, 2000. The Linda Subdivision along with adjacent parcels to the north, south and east were given the equivalent zoning of RSF-1, (Residential Single Family with a density not to exceed one unit per acre). The lot sizes within Linda Subdivision range in size from .87 acre to 1.25 acres.

The area to the west was developed from 1995 through 1997 prior and during the adoption of the Growth Plan as Planned Residential Subdivisions with densities ranging from 2.8 to 3.86 dwelling units per acre. The breakdown of zoning and lot sizes are listed from North to South as follows:

Valley Meadows East	PR 2.93	8,172 s.f. to 14,557 s.f.
Kay Subdivision	PR 3.86	6,751 s.f. to 9,266 s.f.
Cimarron North	PR 3.7	5,173 s.f. to 11,089 s.f.
Fall Valley	PR 2.9	6,688 s.f. to 11,402 s.f. (average)

Note: There are 7 lots on the west side of Fall Valley Filing 3, which are not consistent with the average, and range up in size of 22,222 due to the layout of a cul-de-sac. See Figure 4, Existing City & County Zoning, at the end of the staff report.

The Future Land Use Map appears to use the east boundary of the above mentioned subdivisions as the separation line between Residential Medium Low (2-4 du/ac) and Residential Low (1/2-2 ac/du). Public hearings were held during the zone of annexation process and residents requested that they retain the same zoning as they had in the County, which was RSF-1.

On Tuesday, June 10, 2003, the Planning Commission disagreed with the staff recommendation of denial and voted 4 to 3 to forward a recommendation of approval. The following staff analysis of Growth Plan and Zoning and Development Code consistency is followed by a summary of the Planning Commission action. A draft copy of the Planning Commission minutes is attached to this staff report.

1. STAFF PROJECT ANALYSIS:

A. Consistency with the Growth Plan:

Policy 1.3 states the City decisions about the type and intensity of land uses will be consistent with the Future Land Use Map and Plan policies.

The request for RSF-2 zoning is the highest range of density supported by the Future Land Use Map.

Policy 5.2 states the City will encourage development that uses existing facilities and is compatible with existing development.

The minimum lot size in RSF-2 zoning is 17,000 square feet, which is .39 acres. As previously stated, lot sizes within Linda Subdivision range from .87 to 1.25 acres. Adoption of an RSF-2 zoning could result in the future creation of lots that are incompatible with adjacent properties to the north, south and east.

B. Section 2.6.A of the Zoning and Development Code:

Rezoning requests must meet all of the following criteria for approval:

- 1) The existing zoning was in error at the time of adoption

The existing zoning of RSF-1 was not in error at the time of adoption and was compatible with surrounding zoning and uses.

- 2) There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.

The properties located to the north, south and east developed prior to the adoption of the Growth Plan in 1996. Remaining properties to the west developed after 1996 and was consistent with the Plan. All public utilities are located on the property.

- 3) The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances

The proposed rezone to RSF-2 is within the allowable density range recommended by the Growth Plan. This criterion must be considered in conjunction with criterion 5 which requires that public facilities and services are available when the impacts of any proposed development are realized. Staff has determined that public infrastructure will be addressed when the impacts of any development occurs that is consistent with the RSF-2 zone district, therefore this criterion is met.

- 4) The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code and other City regulations and guidelines

The proposal is within the density range governed by the Growth Plan. While the RSF-2 zone can be considered compatible with properties to the west, it does not meet the Plan's compatibility requirements for the properties to the north, south and east.

- 5) Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development

Adequate public facilities are currently available and can address the impacts of development consistent with the RSF-2 zone district. Future development impact would have to address building envelope and access issues as there is a large irrigation canal and a Grand Junction Drainage District easement running through the southern part of the parcel. The City may limit site development to a lower intensity than shown on the Future Land Use Map due to site specific conditions.

- 6) There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs

Adequate land is available in the surrounding area for development at densities higher than one unit per acre. These vacant lands are located to the west and northwest where the Future Land Use Map designation is Residential Medium (4-8 du/ac).

7) The community or neighborhood will benefit from the proposed zone.

The proposed zone would not benefit the neighborhood as this subdivision was established with RSF-1 equivalent zoning in 1955.

STAFF FINDINGS OF FACT/CONCLUSIONS:

1. The requested rezone is not consistent with adjacent property development, which is stated in Policy 5.2 of the Growth Plan.
2. The review criteria in Section 2.6.A of the Zoning and Development Code have not been met.
 - Zoning was not in error at time of adoption of RSF-1 zone district;
 - Change of character in the neighborhood has occurred, but all new development has been consistent with the Growth Plan;
 - Requested rezone is within the allowable density range of the Growth Plan, but it is incompatible with remaining adjacent area;
 - There is an adequate supply of land for development to the requested zone density; and
 - Proposed zone would not benefit the neighborhood

STAFF RECOMMENDATION:

Staff recommendation at the June 10, 2003 Planning Commission hearing of the requested rezone was denial, based on the findings and conclusions listed above.

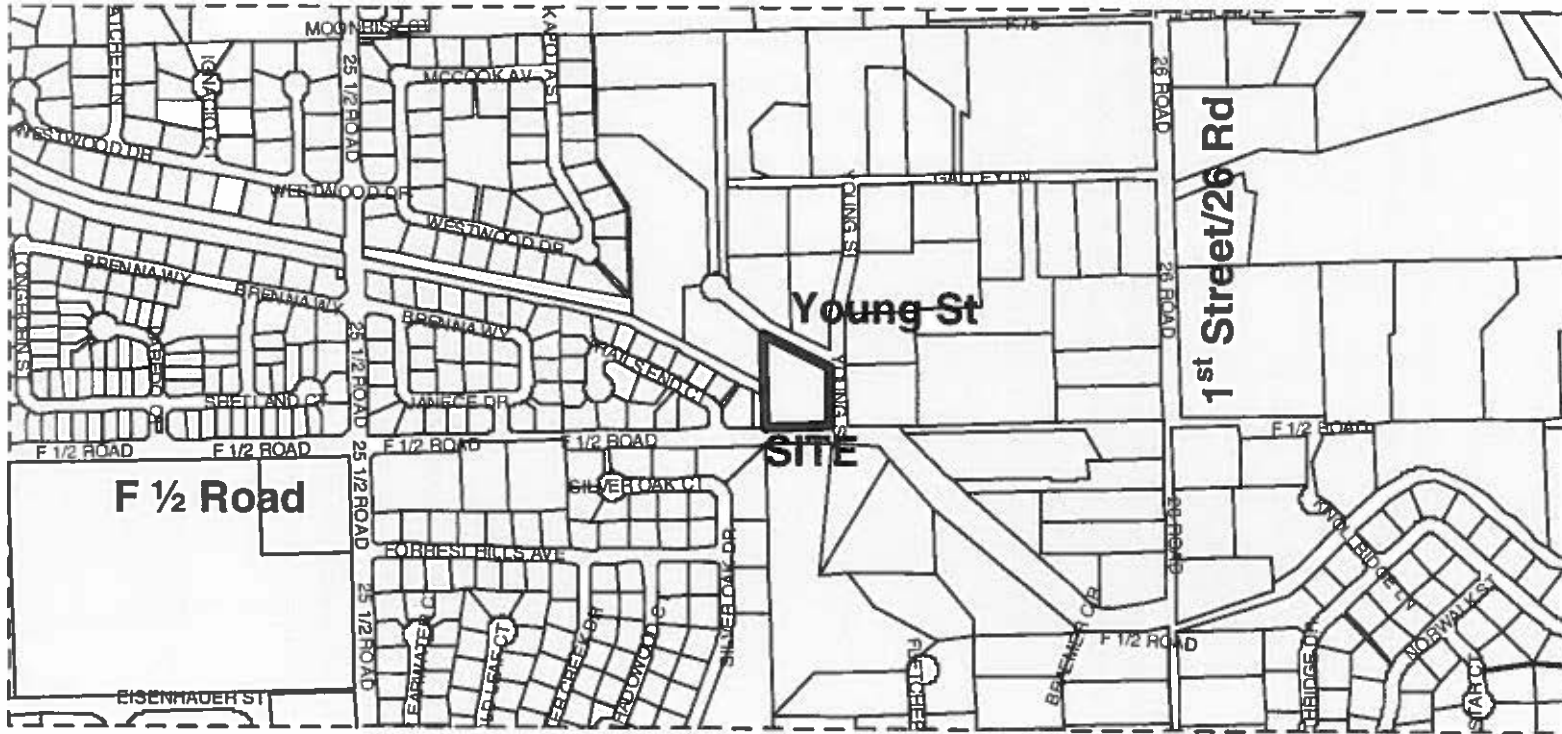
PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of the requested rezone, RZ-2003-070, to the City Council by a vote of 4 to 3.

The Planning Commission found that the neighborhood would benefit from the proposed zone (review criteria number 7 above). It was their opinion that the rezone, accompanied by the expected development of the area south of the canal, would improve the appearance of the lot therefore benefiting the neighborhood.

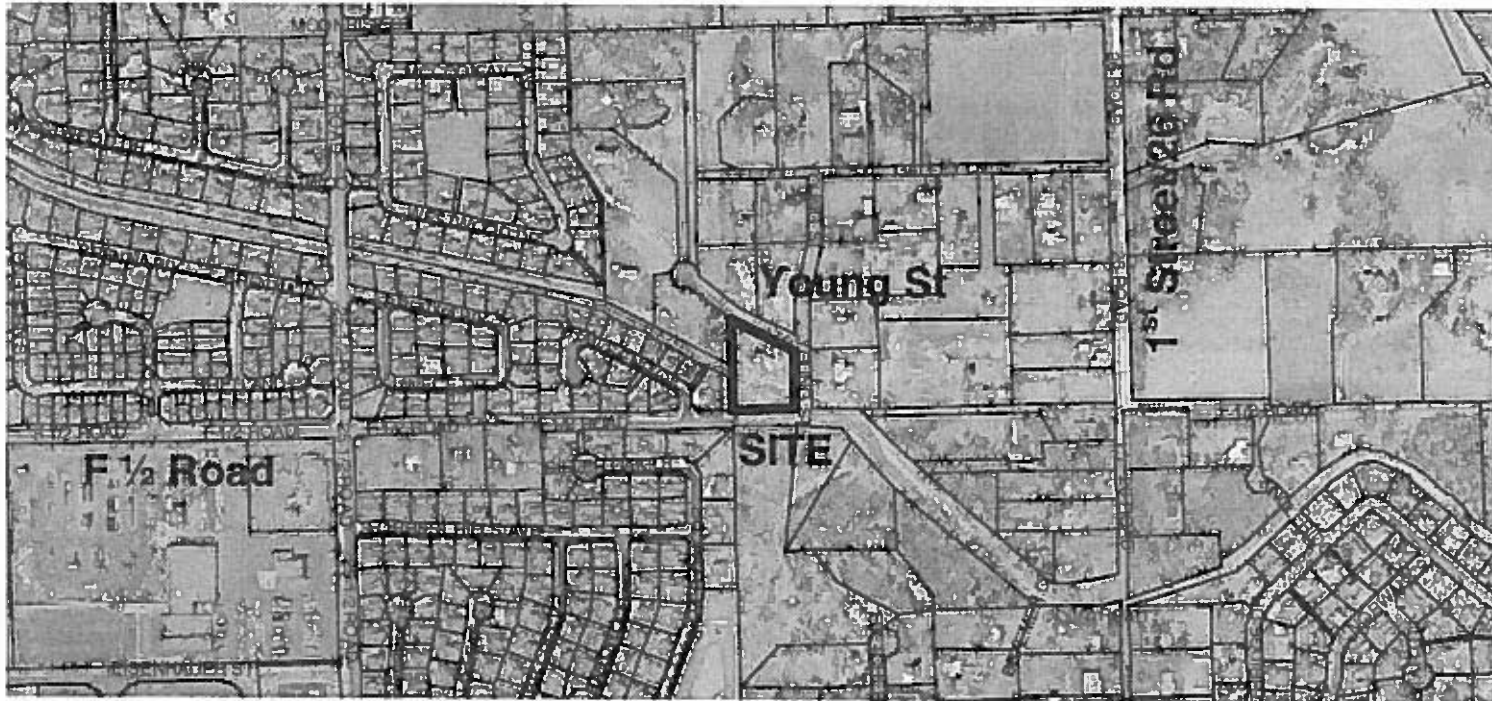
Site Location Map

Figure 1



Aerial Photo Map

Figure 2



Future Land Use Map

Figure 3

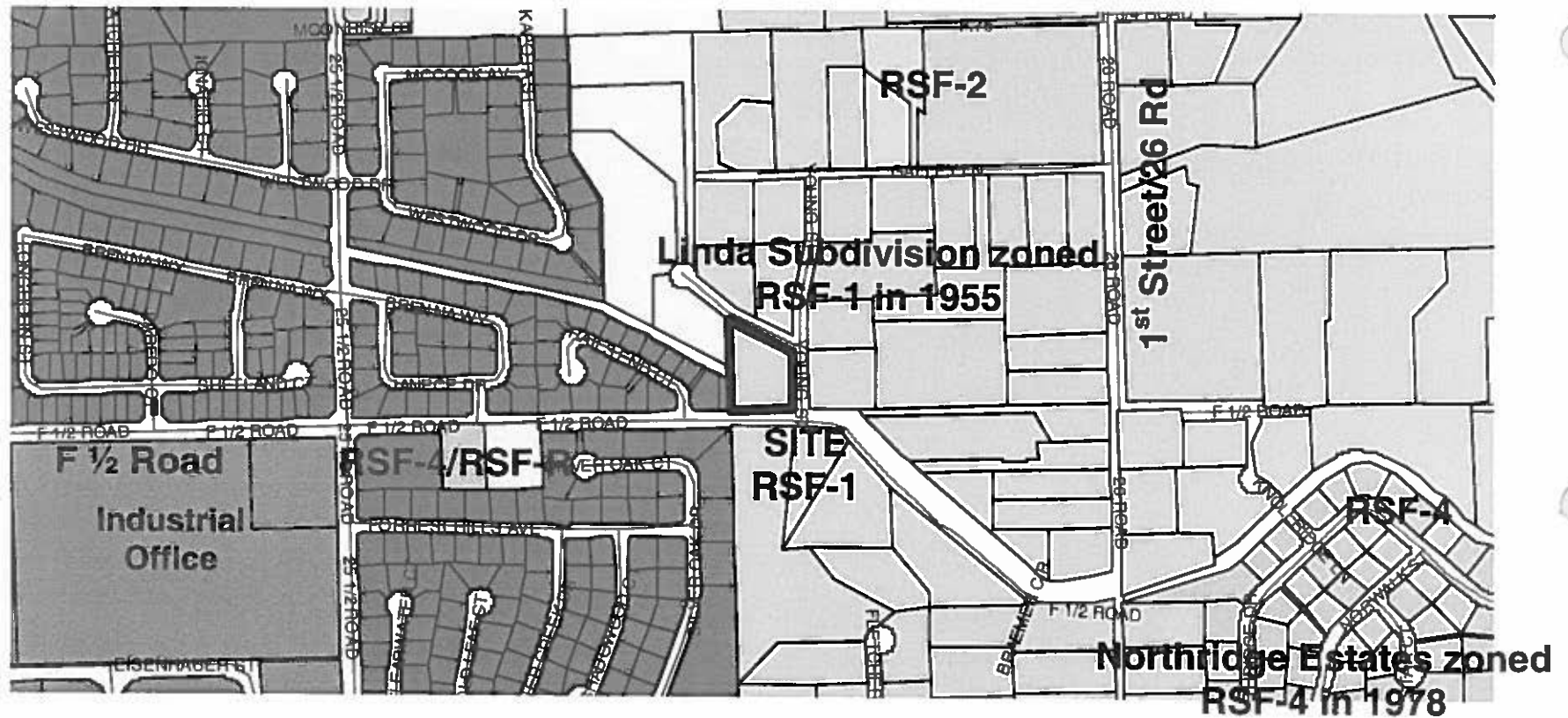


Existing City and County Zoning

Figure 4

PD with density ranges of
2.8 to 3.86 du/ac

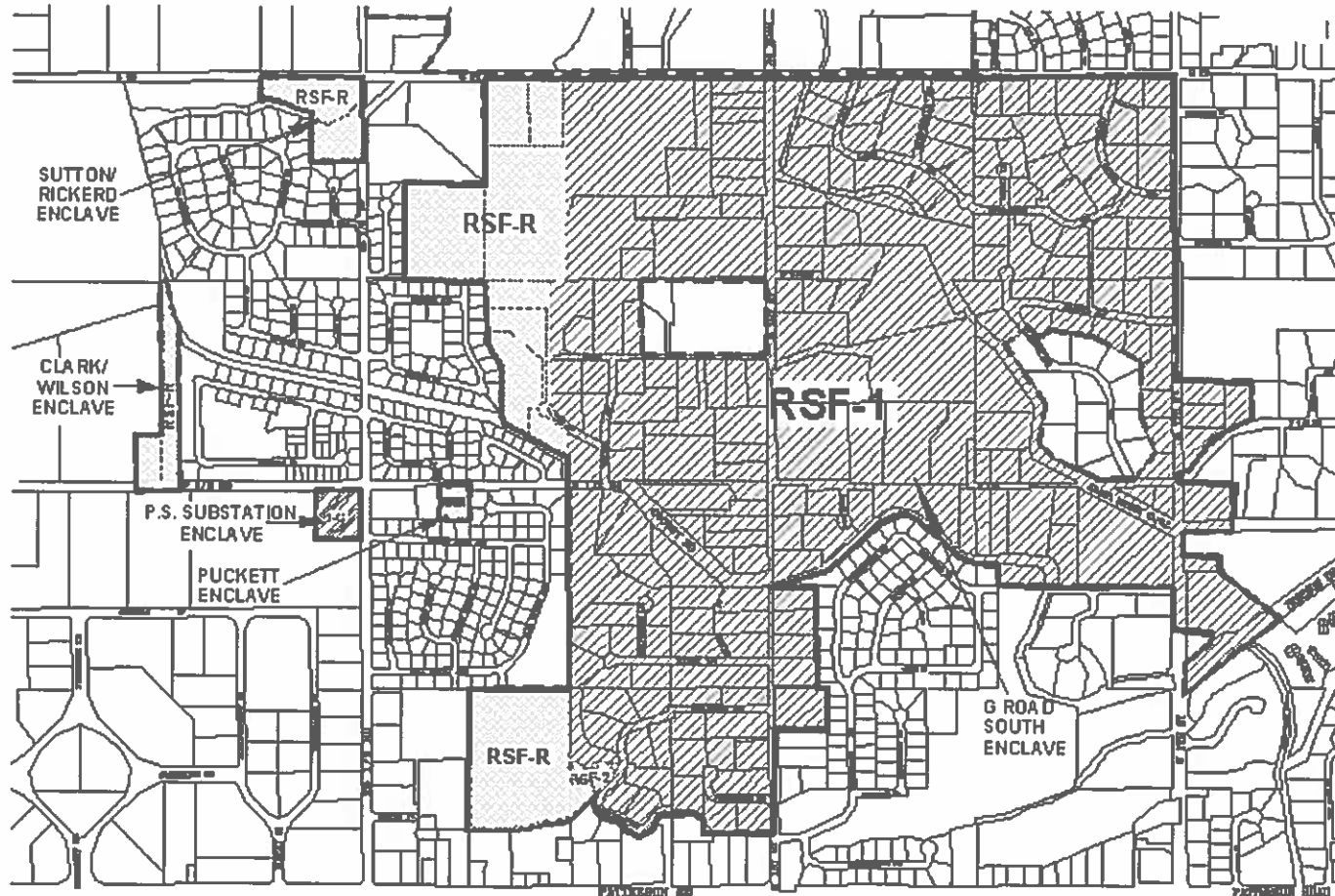
Galley Minor Subdivision
zoned RSF-2 in 1995



Valley Meadows East at PR 2.93, Kay Subdivision at PR 3.86,
Cimarron North at PR 3.7 & Fall Valley at PR 2.9 du/ac all zoned
in 1995 thru 1997.

NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

POMONA PARK ENCLAVES / G ROAD SOUTH AREA

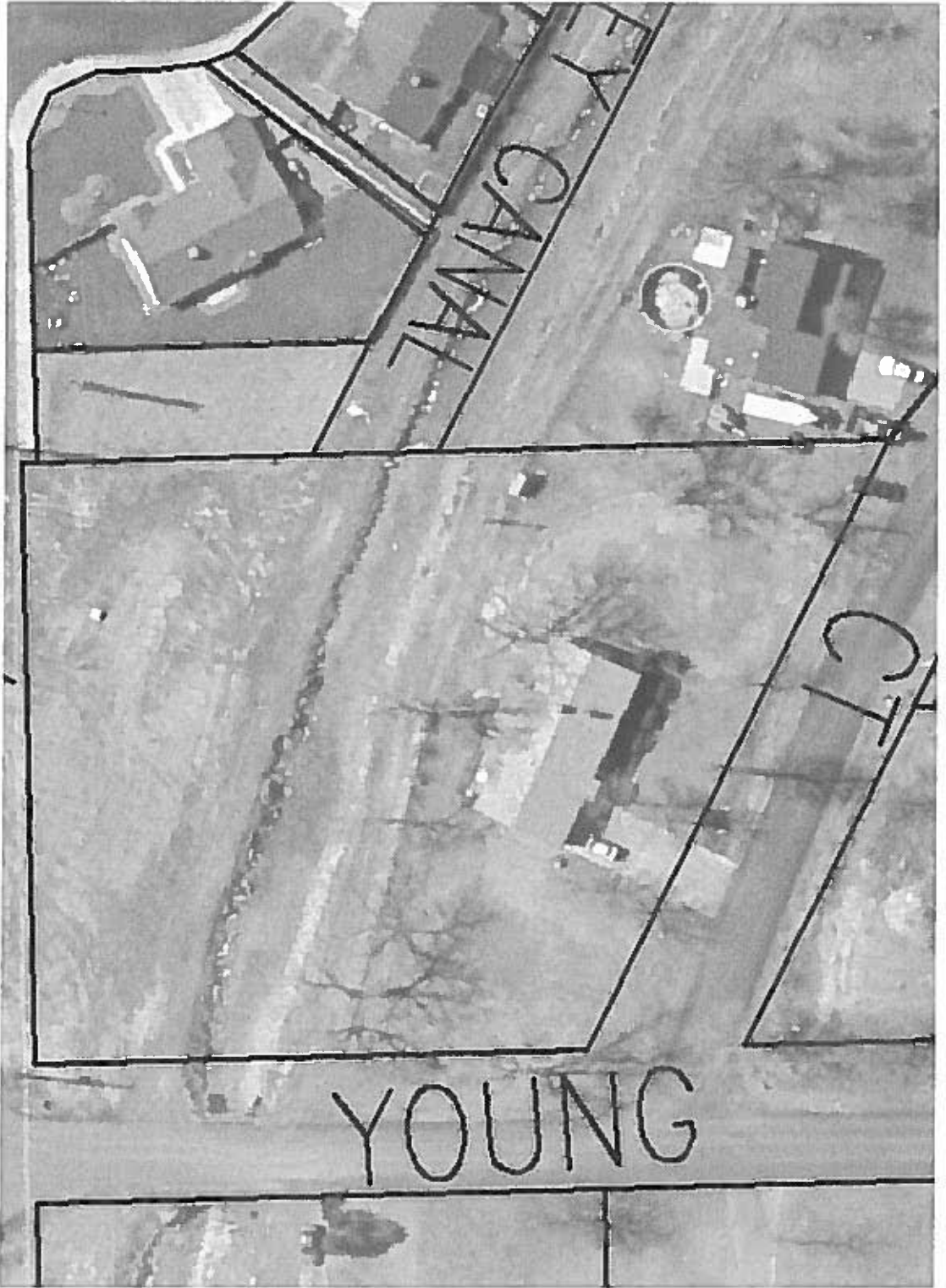


Legend

- | | | | |
|---------------------|---|-----------------------|--|
| ----- | CITY LIMITS | [Diagonal Hatching] | RSF-2 Residential Single Family-2 units/acre |
| ----- | ENCLAVE BOUNDARY | [Dotted Pattern] | RSF-R Residential Single Family-Rural 1 unit/5 acres |
| [Diagonal Hatching] | RSF-1 Residential Single Family-1 unit/acre | [Cross-hatch Pattern] | IO Industrial Office Park |

CITY OF GRAND JUNCTION, COLORADO

PUBLISHED: Nov 11, 2000
 BY: [Signature]



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE ZONING A PARCEL OF LAND
LOCATED AT 653 YOUNG STREET

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of the rezone request from the RSF-1 zone district to RSF-2 zone district by a vote of 4 to 3.

A rezone from RSF-1 (Residential Single Family with a density not to exceed one unit/acre) to RSF-2 (Residential Single Family with a density not to exceed two units/acre) has been requested for the property located at 653 Young Street. The City Council finds that the request meets the goals and policies and future land use set forth by the *Growth Plan* (Residential Low 1/2 to 2 ac/du). City Council also finds that the requirements for a rezone as set forth in Section 2.6 of the Zoning and Development Code have been satisfied.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The following property shall be zoned Residential Single Family with a density not to exceed 2 units per acre (RSF-2) zone district

Includes the following tax parcel: 2945-031-01-008

That part of Lot 7 in Linda Subdivision being more particularly described as follows: BEG North 00°12'W 25.00 ft. from the SW COR of the SE1/4 NE1/4 of SEC 3, T1S, R1W of the UM, thence North 00°12'W 289 ft.; thence South 65°48'E to the West right-of-way line of Young Street; thence South 191.27 ft. to the SE COR of said Lot 7; thence S89°51'W 215.2 ft. more or less to the SW COR of said Lot 7 and the point of beginning, Mesa County, Colorado.

Introduced on first reading on the 16th day June, 2003.

PASSES and ADOPTED on second reading this _____ day of _____, 2003.

President of the Council

Attest:

City Clerk

QUESTIONS

Chairman Dibble asked for clarification on the zoning of the property to the southwest. Ms. Bowers said that its zoning is also RSF-4. She reminded those in attendance that just because a property had a given zone density, it did not mean that a property owner would be permitted to develop at the highest end of that density range.

Commissioner Paulson wondered if staff knew the actual development densities of surrounding parcels. Pat Cecil said that surrounding properties were all developed under County jurisdiction and that the City did not have possession of the County's development files. He agreed that even though the surrounding zoning designations were generally RSF-4, properties may actually have been developed at the lower end of that density range.

Mr. Blanchard said that the City considered properties situated within its jurisdiction and whether they were developing according to Growth Plan recommendations.

DISCUSSION

Commissioner Cole felt that because the subject parcel was County-zoned RSF-4 and not AFT, it must have gone through a review process for it to have received that designation. He'd heard no compelling reason why the City should not apply its most compatible zone, which is RSF-4. He stated further that even if the property were not being annexed to the City and instead was developing in the County RSF-4 zone is still applicable; the property owner would still be able to develop within the 2-4 units/acre density range. He expressed support for the request.

Commissioner Pitts said that it appeared that residents were hoping for a lower density development. He hoped that the developer would give their comments due consideration.

Commissioner Blosser said that the City's application of a land use designation was in conjunction with the requirements of the Persigo Agreement. He noted that interested citizens would have a chance to review and comment on the actual plan during the Preliminary Plan review stage, and he encouraged their participation.

MOTION: (Commissioner Cole) "Mr. Chairman, on item #ANX-2003-022, I move that the Planning Commission recommend to the City Council the zoning designation of RSF-4 (Residential Single-Family not to exceed 4 units per acre) for the Zone of Annexation of the Unawep Heights Annexation, located at 2857 Unawep Avenue, finding that the project is consistent with the Growth Plan, the Persigo Agreement, and Section 2.6 of the Zoning and Development Code."

Commissioner Evans seconded the motion. A vote was called and the motion passed unanimously by a vote of 7-0.

RZ-2003-070 REZONE--YOUNG STREET REZONE

A request to rezone a 1.252 acre parcel from RSF-1 (Residential Single-Family with a density not to exceed one unit per acre) to RSF-2 (Residential Single-Family with a density not to exceed two units per acre).

Petitioner: Judith Marie
Location: 653 Young Street

PETITIONER'S PRESENTATION

Karl Clemons, representing the petitioner, presented an overhead map of the subject area. He said that the Grand Valley Canal bisects a portion of the petitioner's property, rendering the southern portion of it unusable and inaccessible. He noted that weeds and trash are collecting on the property. The petitioner's home was situated on the portion of property north of the canal, which would remain whether or not approval was given to the rezone request. Approval of the rezone would, however, allow the petitioner to subdivide and construct a

home on the portion of her property south of the canal. The canal, he added, made for a natural dividing line. The southern the portion of property "looked as though" it should be a part of the Cimarron North Subdivision located to the west. The current RSF-1 zone designation would not allow development of the southern property; thus, it was effectively landlocked. Mr. Clemmons also noted the existence of a drain easement bisecting the southern portion of property. After having talked with Grand Junction Drainage Ditch representatives, it was determined that the easement could be moved, with the addition of two manhole covers. Even without the easement's relocation, Mr. Clemmons said that there is sufficient area to build a 1,800 square foot home. He asked that the uniqueness of the property and the situation be considered and approval of the rezone request be granted.

STAFF'S PRESENTATION

Ronnie Edwards offered a PowerPoint presentation which contained the following slides: 1) site location map; 2) aerial photo of the site; 3) Future Land Use Map; 4) Existing City and County Zoning Map; 5) annexation map; and 6) aerial photo depicting the site specific conditions. She provided a brief historical background of the property and its zoning. The original R1A zone, assigned in 1955, had become an RSF-1 zone in the year 2000, with the adoption of the Mesa County Zoning and Development Code. Staff determined upon review, that the request failed to meet the rezone criteria outlined in section 2.6.A of the Grand Junction Zoning and Development Code, finding that: 1) the existing RSF-1 zone had not been applied in error; 2) while there had been a change in character of the neighborhood, new development was consistent with Growth Plan recommendations; 3) the higher RSF-2 zone designation would not be compatible with the surrounding area; 4) there was a sufficient supply of land for development to the requested zone density; and 6) the proposed rezone would not benefit the neighborhood. Ms. Edwards recommended that the request be denied.

QUESTIONS

Commissioner Cole asked for confirmation from staff that there is sufficient area on the southern portion of property to build a home that would comply with development standards. Ms. Edwards said that there is sufficient area available; however, the petitioner would be required to work with the City's engineering department on the provision of access to the property.

Commissioner Blosser remarked that if the rezone were not approved, the petitioner could not do anything with the land; it would remain vacant, unused and unmaintained. Ms. Edwards responded that these observations were not part of the review criteria to which she had to adhere.

Chairman Dibble asked how staff concluded that there would be no benefit to the neighborhood. Ms. Edwards said that she based her conclusion on the history of the property and the area.

Mr. Blanchard remarked that the RSF-1 zone designation had also been perpetuated on the property following its annexation into the City in August of 2000. Ms. Edwards noted that there had been no subdivision plan submitted; thus, the property could technically be subdivided in a way other than what Mr. Clemons was suggesting if the rezone was granted.

PUBLIC COMMENTS

FOR:

There were no comments for the request.

AGAINST:

Robert Hunt (2572 Young Court, Grand Junction) did not feel the higher zone designation would be compatible with the surrounding neighborhood. He also felt that access provision to the southern portion of the petitioner's property would pose a problem. Mr. Hunt was also concerned that approval of the request would set a precedent for future rezone requests.

PETITIONER'S REBUTTAL

Mr. Clemmons said that a neighborhood meeting had been held, with only four people showing up. The two primary concerns expressed at that time had been over possible impacts resulting from the potential widening of F 1/2 Road and the type of house that would be constructed upon the newly created lot. He said that the property owner would agree to sign a document assuring residents that no mobile home would be placed on the property. The intention was to construct a nice home on the property, compatible with other homes in the area. He said that the neighborhood would benefit by having something nice constructed on the property. The property would be cleaned up and a homeowner would then be present to maintain it.

DISCUSSION

Commissioner Pitts said that he'd driven by the property and agreed that construction of a home on the property was preferable to allowing the property to remain unusable and retained as a weed patch. Someone, he said, needed to be responsible for the upkeep of the property. He expressed support for the rezone request.

Commissioner Blosser asked Rick Dorris if the building envelope on the southern portion of the property would be impacted if F 1/2 Road were widened. Mr. Dorris said that the question called for a hypothetical response; he said that he was unsure. He continued by saying that in a worst-case scenario, the City might have to consider purchasing right-of-way from the future property owner of the southern lot and the current owner of the property adjacent to that lot. The City may even be required to purchase the properties outright. In a more likely scenario, the alignment of F 1/2 Road would be adjusted further south, given that there was more open land available.

Commissioner Blosser said that he too had driven by the property and agreed with Commissioner Pitts' comments. Development of the property was preferable to having it lay unused and unmaintained.

Commissioner Evans disagreed. It was clear that the request failed to meet Code criteria and Growth Plan recommendations. "A line must be drawn," he said.

Chairman Dibble agreed with Commissioner Evans. If the Planning Commission based its decisions on Code regulations and Growth Plan recommendations, there was no justification for deviation.

Commissioner Cole felt that the Code criterion pertaining to neighborhood benefit had been satisfied, adding that staff's conclusion seemed to be subjective.

Commissioner Paulson asked for a legal opinion from counsel on whether or not approval of the request would establish a precedent. Mr. Shaver replied that no legal precedent would be created. He continued by saying that because of the uniqueness of the parcel it would be distinguishable from other rezone applications, even though the neighbors may view it differently.

Commissioner Pitts said that the assumption was that the petitioner would subdivide the property in the manner presented by her representative. He said that it didn't seem possible or practical to do it any other way.

Commissioner Cole agreed that the uniqueness of the property warranted more individual consideration. His support of the request was based on the method of subdivision outlined by Mr. Clemmons.

MOTION: (Commissioner Blosser) "Mr. Chairman, on the Young Street Rezone, #RZ-2003-070, I move that the Planning Commission forward a recommendation of approval to City Council on the request to rezone from RSF-1 (Residential Single-Family with a density not to exceed one unit per acre) to RSF-2 (Residential Single-Family with a density not to exceed two units per acre) with the findings and conditions listed in the staff report."

Commissioner Pitts seconded the motion.

A brief discussion ensued over whether "...with the findings and conditions listed in the staff report" should be retained in the motion. Mr. Shaver said that it is obvious by Commissioner Blosser's motion that he effectively is disagreeing with staff's conclusions and findings that don't support the motion and that the reference/motion as stated is not a problem.

A vote was called and the motion passed by a vote of 4-3, with Chairman Dibble and Commissioners Evans and Paulson opposing.

V. RECONSIDERATION REQUEST

In response to a citizen request to reconsider an item on the Consent Agenda, ANX-2003-068, Mr. Shaver said that the Planning Commission could let the previous action stand, with objectors making their objections known before City Council or it could reconsider and place the item on the Full Hearing Agenda. To do the latter, planning commissioners must first vote to reconsider the item placed on Consent and if that motion is successful then vote again to hear the item. Mr. Shaver also said that the item could be continued to another date certain once placed on the Full Hearing Agenda. Following discussion, and reiteration by Chairman Dibble to the requestor that there had been ample opportunity given to pull the item from Consent, planning commissioners chose to let the original action stand, given that there was no motion offered to the contrary.

With no further business to discuss, the public hearing was adjourned at 8:30 P.M.

AGENDA TOPIC: Young Street Rezone, #RZ-2003-070.

ACTION REQUESTED: Rezone property located at 653 Young Street from RSF-1 to RSF-2.

BACKGROUND INFORMATION					
Location:		653 Young Street			
Applicants:		Judith Marie			
Existing Land Use:		Residential Single Family			
Proposed Land Use:		Future Residential Single Family			
Surrounding Land Use:	North	Residential Single Family			
	South	Vacant/Residential Single Family			
	East	Residential Single Family			
	West	Residential Single Family			
Existing Zoning:		RSF-1			
Proposed Zoning:		RSF-2			
Surrounding Zoning:	North	RSF-1			
	South	RSF-1			
	East	RSF-1			
	West	RSF-R/PD (residential density of 2.9 & 3.7)			
Growth Plan Designation:		Residential Low (1/2-2 ac/du)			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: Request to rezone 653 Young Street, comprised of 1.252 acres, from RSF-1 (Residential Single Family with a density not to exceed 1 du/ac) to RSF-2 (Residential Single Family with a density not to exceed 2 du/ac).

RECOMMENDATION: Denial of the requested zoning.

ANALYSIS:

1. Background:

The subject property is the southern part of the original Lot 7 of Linda Subdivision as recorded on October 17, 1955 and was zoned R1A, (Residential District with a density of one single family unit per acre), under Mesa County regulations. With the adoption of the Mesa County Zoning and Development Code in April of 2000, the R1A designation became RSF-1, which allowed residential development at one unit per acre. Annexation occurred with the G Road South Enclave on August 6, 2000. The Linda Subdivision along with adjacent parcels to the north, south and east were given the equivalent zoning of RSF-1, (Residential Single Family with a density not to exceed one unit per acre). The lot sizes within Linda Subdivision range in size from .87 acre to 1.25 acres.

The area to the west was developed from 1995 through 1997 prior ^{to} the adoption of the Growth Plan as Planned Residential Subdivisions with densities ranging from 2.8 to 3.86 dwelling units per acre. The breakdown of zoning and lot sizes are listed from North to South as follows:

Valley Meadows East	PR 2.93	8,172 s.f. to 14,557 s.f.
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Fall Valley	PR 2.9	6,688 s.f. to 11,402 s.f. (average)

Note: There are 7 lots on the west side of Fall Valley Filing 3, which are not consistent with the average, and range up in size of 22,222 due to the layout of a cul-de-sac. See Figure 4, Existing City & County Zoning, at the end of the staff report.

The Future Land Use Map appears to use the east boundary of the above mentioned subdivisions as the separation line between Residential Medium Low (2-4 du/ac) and Residential Low (1/2-2 ac/du). Public hearings were held during the zone of annexation process and residents requested that they retain the same zoning as they had in the County, which was RSF-1.

2. Consistency with the Growth Plan:

Policy 1.3 states the City decisions about the type and intensity of land uses will be consistent with the Future Land Use Map and Plan policies.

The request for RSF-2 zoning is the highest range of density supported by the Future Land Use Map.

Policy 5.2 states the City will encourage development that uses existing facilities and is compatible with existing development.

The minimum lot size in RSF-2 zoning is 17,000 square feet, which is .39 acres. As previously stated, lot sizes within Linda Subdivision range from .87 to 1.25 acres. Adoption of an RSF-2 zoning could result in the future creation of lots that are incompatible with adjacent properties to the north, south and east.

3. Section 2.6.A of the Zoning and Development Code:

Rezone requests must meet all of the following criteria for approval:

1. The existing zoning was in error at the time of adoption

The existing zoning of RSF-1 was not in error at the time of adoption and was compatible with surrounding zoning and uses.

2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transition, etc

The properties located to the north, south and east developed prior to the adoption of the Growth Plan in 1996. Remaining properties to the west that were developed after 1996 and was consistent with the Plan. All public utilities are located on the property.

3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances

The proposed rezone to RSF-2 is within the allowable density range recommended by the Growth Plan. This criterion must be considered in conjunction with criterion 5 which requires that public facilities and services are available when the impacts of any proposed development are realized. Staff has determined that public infrastructure will be addressed when the impacts of any development occurs that is consistent with the RSF-2 zone district, therefore this criterion is met.

4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code and other City regulations and guidelines

The proposal is within the density range governed by the Growth Plan. While the RSF-2 zone can be considered compatible with properties to the west, it does not meet the Plan's compatibility requirements for the properties to the north, south and east.

5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development

Adequate public facilities are currently available and can address the impacts of development consistent with the RSF-2 zone district. Future development impact would have to address building envelope and access issues as there is a large irrigation canal and a Grand Junction Drainage District easement running through the southern part of the parcel. The City may limit site development to a lower intensity than shown on the Future Land Use Map due to site specific conditions.

6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs

Adequate land is available in the surrounding area for development at densities higher than one unit per acre. These vacant lands are located to the west and northwest where the Future Land Use Map designation is Residential Medium (4-8 du/ac).

7. The community or neighborhood will benefit from the proposed zone

The proposed zone would not benefit the neighborhood as this subdivision was established with RSF-1 equivalent zoning in 1955.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Young Street Rezone application, RZ-2003-070, staff recommends that the Planning Commission make the following findings of fact and conclusions:

1. The requested rezone is not consistent with adjacent property development, which is stated in Policy 5.2 of the Growth Plan.

2. The review criteria in Section 2.6.A of the Zoning and Development Code have not been met.

- a. Zoning was not in error at time of adoption of RSF-1 zone district;
- b. Change of character in the neighborhood has occurred, but all new development has been consistent with the Growth Plan;
- c. Requested rezone is within the allowable density range of the Growth Plan, but it is incompatible with remaining adjacent area;
- d. There is an adequate supply of land for development to the requested zone density; and
- e. Proposed zone would not benefit the neighborhood

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission forward a recommendation of denial of the requested rezone, RZ-2003-070, to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on Young Street Rezone, #RZ-2003-070, I move that the Planning Commission forward a recommendation of denial to City Council on the request to rezone from RSF-1 (Residential Single Family with a density not to exceed one unit per acre) to RSF-2 (Residential Single Family with a density not to exceed two units per acre) with the findings and conditions listed in the staff report.

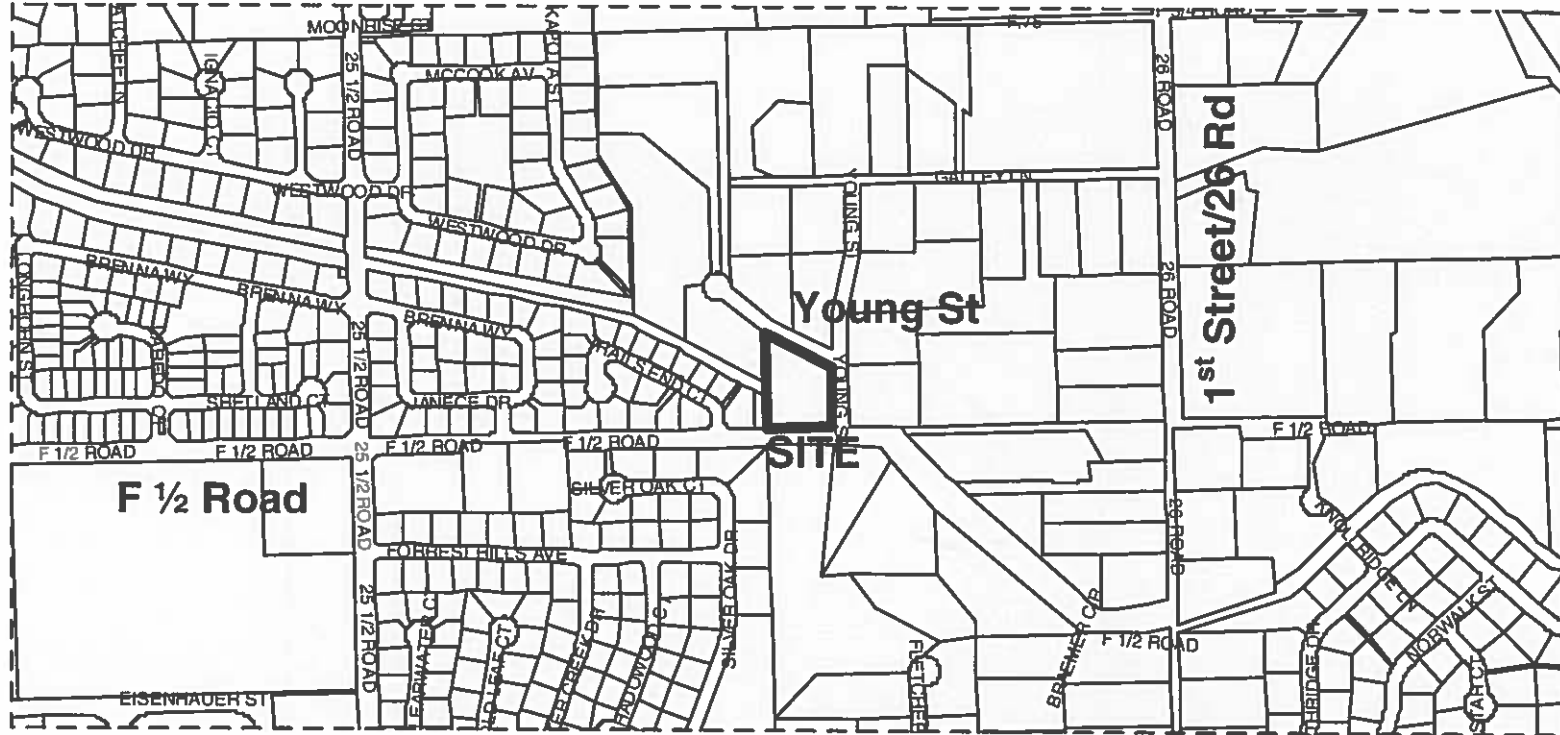
Attachments:

Vicinity Map
Aerial Photo
Growth Plan Map
Zoning Map

*4-3
approval*

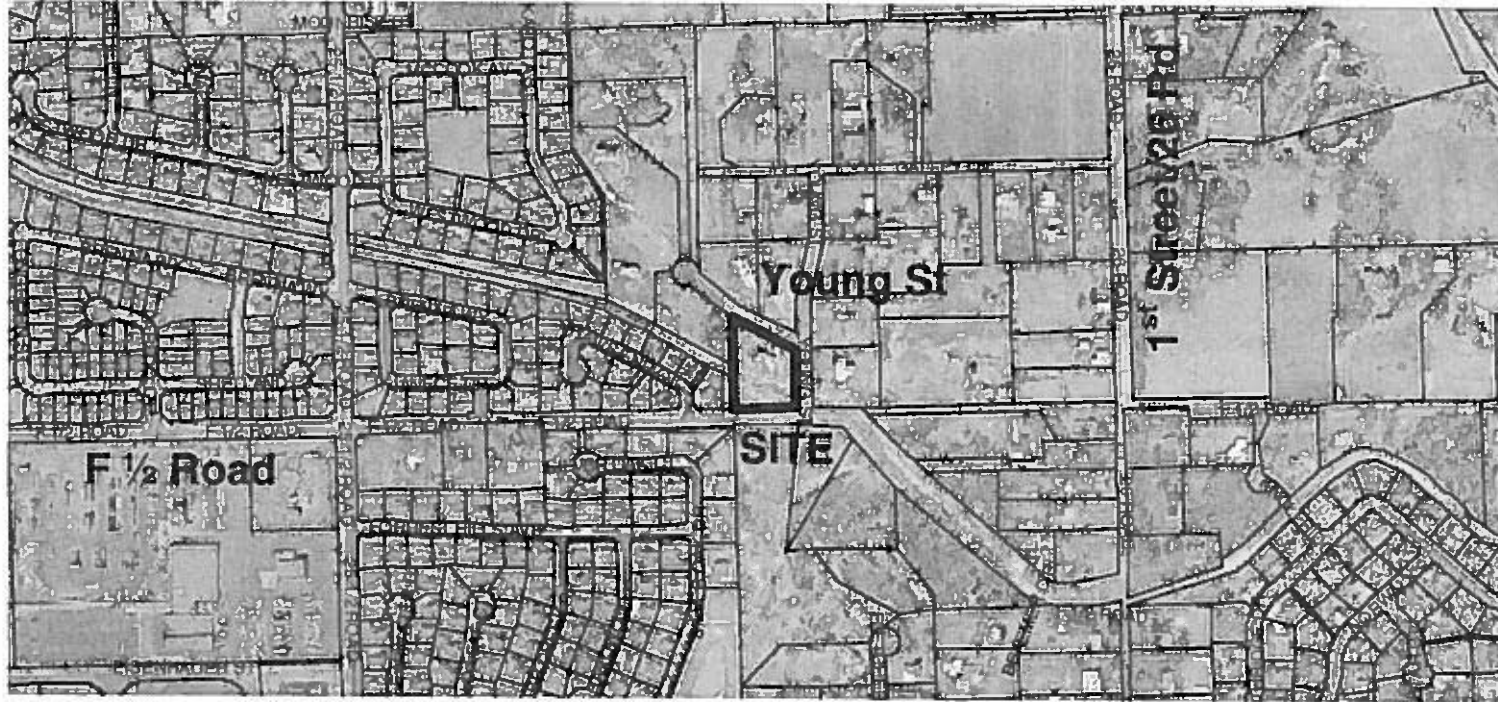
Site Location Map

Figure 1



Aerial Photo Map

Figure 2



Future Land Use Map

Figure 3



PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

DATE:

JUN 10 2003

TIME: 7:00 p.m.

PLACE: City Hall Auditorium, 250 North 5th Street

A petition for the following request has been received and tentatively scheduled for a public hearing on the date indicated above.

If you have any questions regarding this request or to confirm the hearing date, please contact the Grand Junction Community Development Department at (970) 244-1430 or stop in our office at 250 North 5th Street.

RZ-2003-070 – YOUNG STREET REZONE – 653 Young St.
Request approval to rezone a 1.252 acre parcel from RSF-1 (Residential Single Family with a density not to exceed 1 unit/acre) to RSF-2 (Residential Single Family with a density not to exceed 2 units/acre).
Planner **Ronnie Edwards**



CITY OF GRAND JUNCTION
 COMMUNITY DEVELOPMENT DEPARTMENT
 250 NORTH 5TH STREET
 GRAND JUNCTION CO 81501

U.S. POSTAGE

00.222

H METER 4822

MICHAEL M COTE
 YVONNE K FINCH
 3239 B 1/2 RD
 GRAND JUNCTION, CO 81503-9411

COTE239 815032006 1102 04 06/05/03
 FORWARD TIME EXP RTN TO SEND
 COTE
 2575 GALLEY LN
 GRAND JUNCTION CO 81505-1411

RETURN TO SENDER





City of Grand Junction
Public Works Department
250 North 5th Street
Grand Junction, CO 81501-2668
Phone: (970) 244-1555
FAX: (970) 256-4022

December 12, 2003

Ms. Gail Gnirk
P. O. Box 495
Grand Junction, CO 81502

RE: TEDS Exception from Street Improvements – 653 Young Street

Dear Gail:

Please find attached the committee's decision on the above request. The committee has recommended denial of the request to waive the construction of street improvements at 653 Young Street. This is a Zoning and Development Code issue that the committee felt they did not have the authority to waive. As you and I discussed, this is an issue that staff will be discussing with City Council over the next several months. Feel free to contact me early next spring and I can give you an update on how that review is progressing.

If you have any question concerning this decision, please feel free to contact the Development Engineer in charge of your project or me at (970) 244-1557.

Sincerely,

A handwritten signature in black ink that reads "Tim Moore".

Tim Moore
Public Works Manager

C: **Rick Dorris, Development Engineer (256-4034)**
Pat Cecil, Development Services Supervisor



City of Grand Junction
Department of Public Works and Utilities
Engineering Division
250 North Fifth Street
Grand Junction, CO 81501-2668
FAX: (970) 256-4011

DESIGN EXCEPTION #DE47-03

To: Mark Relph, Director of Public Works & Utilities

Copy to: Rick Dorris, Development Engineer
Pat Cecil, Development services Supervisor

From: Tim Moore, Public Works Manager

Date: December 5, 2003

RE: Request to waive Street Improvements – 653 Young Street

DESCRIPTION OF THE SITUATION

The owners of the property located at 653 Young Street desire to subdivide their current lot into two separate parcels. As shown on the attached map, one parcel could be developed with F ½ Road frontage, the second property with the existing house would continue to front Young Court.

The current Zoning and Development Code requires street improvements at the time of subdivision. To satisfy that code requirement, half-street improvements would be required along the F ½ Road, Young Street and Young Ct. frontages for a total of approximately 650 feet.

EXCEPTION CONSIDERATIONS

- 1. Will the exception compromise safety?**
F ½ Road is classified as a Minor Collector in this area and should be improved to that standard.
- 2. Have other alternatives been considered that would meet the standard?**
No other alternatives were submitted with the request to waive street improvements adjacent to the lot.,
- 3. Has the proposed design been used in other areas?**

No other examples were given.

4. Will the exception require CDOT or FHWA coordination?

No.

5. Is this a one-time exception or a manual revision?

This would be a one-time exception.

Staff Recommendation

The Zoning and Development Code requires the street improvements. TEDS simply establishes the standard, and granting an exception to the Development Code seems problematic. It certainly makes sense that F 1/2 Road improvements should be required, but the code does not provide the flexibility to exempt improvements to other lot frontages (e.g. Young St, Young Ct.).

To be consistent with the policy that has been followed for a number of years, staff recommends denial of the request to waive street improvements adjacent to 653 Young Street. However, the issue may be re-evaluated with the upcoming review of the Transportation Capacity Payment and/or the infill policy.

Recommended by:

Toni Moore

Approved as Requested: _____

Denied: _____

Date:

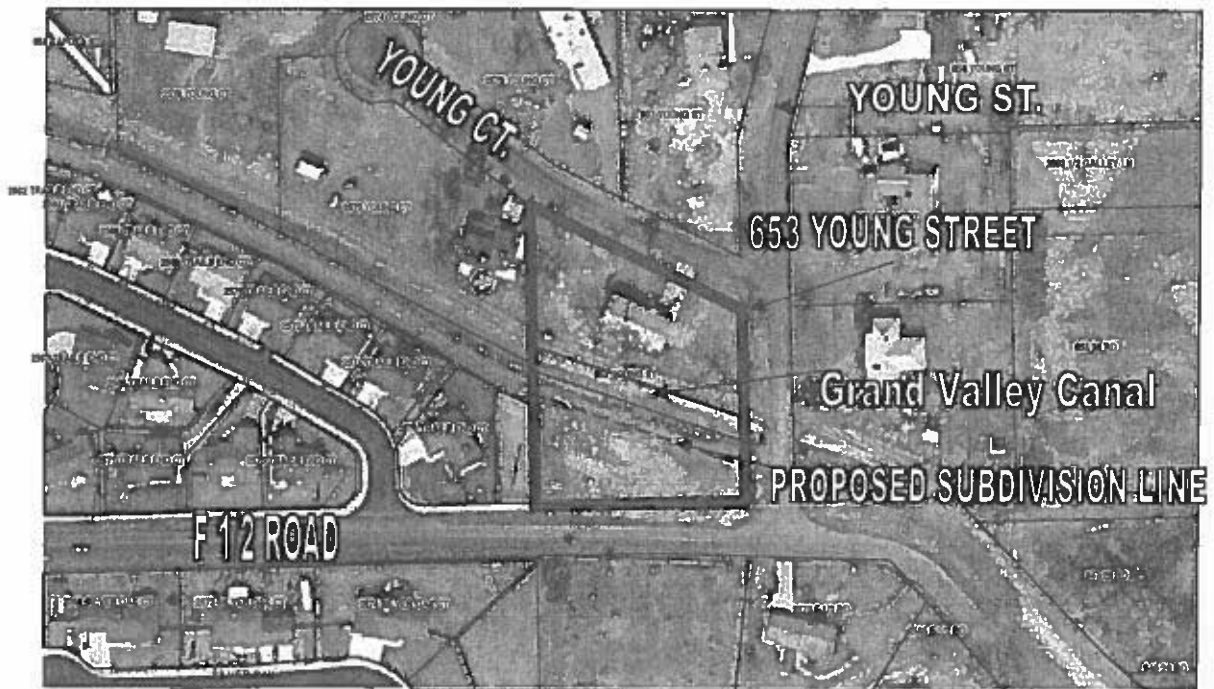
12-10-03

[Signature]

Katherine M. [Signature] 12-11-03

Juli [Signature] 12/12/03

653 Young Street TEDS Exception





CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT DEPARTMENT
250 NORTH 5TH STREET
GRAND JUNCTION CO 81501

U.S. POSTAGE



00.222

H METER 704822

CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT
250 N 5TH ST
GRAND JUNCTION, CO 81501-2628

PLANNING COMMISSION **NOTICE OF PUBLIC HEARING**

DATE:

JUN 10 2003

TIME: 7:00 p.m.

PLACE: City Hall Auditorium, 250 North 5th Street

A petition for the following request has been received and tentatively scheduled for a public hearing on the date indicated above.

If you have any questions regarding this request or to confirm the hearing date, please contact the Grand Junction Community Development Department at (970) 244-1430 or stop in our office at 250 North 5th Street.

RZ-2003-070 – YOUNG STREET REZONE – 653 Young St.
Request approval to rezone a 1.252 acre parcel from RSF-1 (Residential Single Family with a density not to exceed 1 unit/acre) to RSF-2 (Residential Single Family with a density not to exceed 2 units/acre).
Planner Ronnie Edwards

Proposed Exceptions to TEDS for 653 Young Street

This narrative has been prepared in response to several meetings with the City Planning regarding the land split for the property located at 653 Young Street, 81505.

Dialogues on this property began in September of 2002 when the realtor, Karl Clemmons told his client, Judith Marie, that he would start the process to split off approximately 3/10 of an acre that is deeded as part of the 653 Young Street property. The piece itself lies on the south side of the Grand Canal, is completely separate from the rest of the property, and currently is little more than a weed patch.

The logic behind the split was that the property could be developed by an individual for a single-family home as the available space in the footprint allows for a structure of no more than approximately 30 x 60 feet. The small parcel is an eyesore, and it gives the appearance that the Cimarron North development directly to the west of this parcel simply forgot to finish building out the development.

In meetings with City personnel Ronnie Edwards, Rick Dorris and Mike McDill, Karl Clemmons and other parties acting on the behalf of the owner, Judith Marie, were told that in order to complete the land split, the current owner would be required to install curb, gutter, sidewalk and street widening at various points around the property.

This narrative, and the attached pictures will address what we, the representatives for Judith Marie, feel is in keeping with the intention of community and continuity of the neighborhood in which this parcel of ground is located.

Aerial overview - Picture 1

As you can see, the total property in question fronts on three different streets. We will address the frontage on Young Court first (north side of the property).

In a meeting with Mike McDill on October 22, 2003, he said that according to the Zoning and Development Code for the City of Grand Junction, that there would need to be curb and gutter constructed along Young Court, to include asphalt patches to tie the street into the curb and gutter.

Young Court east and west - Pictures 2 and 3

As is evident by the pictures of Young Court (a total of 5 homes) there is no other property sporting curb and gutter, nor is there any reason to have it. These properties, in the Linda Subdivision, are large and have adequate drainage all around. In the Administrative Regulation No 02-03 of the Zoning and Development Code under Background: A. Existing Facilities it states "Where houses are already built on most or all of such lots, the character of the neighborhood is well established. Given that there are no serious safety or drainage problems associated with these local residential streets, there is no current reason to improve these streets

or to install curbs, gutters and/or sidewalks.” I believe this property qualifies under that description for this portion of Young Court.

First item of consideration: We respectfully request an exception to curb and gutter construction for any of the property fronting Young Court. This proposed exception will not result in any dangerous condition. To leave it as it is would be in keeping with the rural nature of the neighborhood.

Young Street – pictures 4 through 8

What is evidenced in these pictures is that there is no curb, gutter or sidewalk on the west side of Young Street from F ½ Road up through 657 Young Street. On the east side of the road, there is a rudimentary gutter in some places, amounting to a 6-inch wide piece of concrete with an indentation running down the middle to disperse each time the “gutter” stops at any of the given driveways. This is true for the properties of 652 Young Street through 658 Young Street.

Galley Lane and Young Street – pictures 9 and 10

At the top of the hill, where Young Street “T’s” into Galley Lane, we do find a semblance of curb and gutter on the east side of the property at 2577 Galley Lane, and on the west side of the property at 662 Young Street. These run for approximately 100 feet south, and on the west side of the street, the curb and gutter terminates at 657 Young Street. On the east side, it is a semblance of gutter, most likely established when the development was built in 1975. On Galley Lane, again, you find no curb or gutter development for any of the properties on that road.

Second item of consideration: We respectfully request an exception to curb and gutter construction for any of the property fronting Young Street. Again, due to the rural nature of the neighborhood and the fact that leaving it as it is would not result in any dangerous conditions, and that drainage is adequate and poses no problems for the community, we would like to leave it as it is.

F½ Road – picture 11

Please refer back to the GIS photo of the property to see that sidewalk construction took place when the Cimarron North Subdivision was created. However, no curb or gutter was installed, and no street widening has taken place on this section, except where it turns into the subdivision on Trail’s End Court and the curb and gutter start at the corner. Also in the overview, the catch pond for the subdivision shows up on the west side of the property in question, just to the east of the subdivision. The sidewalk abruptly ends there.

In picture #11 there is a clear view of the sidewalk as it is, without curb and gutter, but with a width of gravel that extends from the 653 Young Street property line to just before the corner into the subdivision.

Mr. McDill had requested, according to regulations, that the owners of the 653 Young Street property be required to provide street widening along the frontage of

F½ Road. From picture #11, one can see that there are two utility poles that would make street widening impractical and dangerous without moving the poles.

From a safety standpoint, widening F½ at this juncture would create a real hazard for people coming down the hill from 26 Road. The road to the west of subdivision has not yet been widened until it is west of 25½ Road. Having a small section of road widened and then narrowed again could prove dangerous.

Another factor that needs to be considered at this point is the fact that F½ Road is on the CIP list for major improvements in 2011. According to Mr. McDill, the most likely scenario is that the canal flume will be piped and the road will be widened and straightened to go over the canal.

The logical conclusion is that any improvements that are done at this point in time will be torn up and re-done eight years from now, including street widening, curb, gutter and sidewalk.

Third item of consideration: We respectfully request an exception to curb, gutter, sidewalk and street widening construction for any of the property fronting F½ Road. In light of the fact that this road is on the CIP for 2011, and that any construction done now will be re-done in eight (8) years, it makes more sense that it all be done at the same time, including moving the utility poles to accommodate the street widening.

This land split really cannot and should not be considered the same as a developer turning 20 acres of farm land into a subdivision. Even Mr. McDill was sympathetic to the circumstances for this piece of property, but stated that, in light of the current "one rule fits all" in the zoning and development code, he would have to recommend against the exceptions.

Our hope is that common sense can prevail in this case. This is a small piece of property that is an eyesore. Surrounding property values would increase if it were allowed to be split off and sold. Having a house on the property would improve the neighborhood.

In case there are any reservations about having a driveway come off F½, I think it is important to note that there are five (5) other driveways that empty directly onto F ½ between Young Street and 26 Road, including Judge Palmer's two driveways that are located at the end of Young Street, and on the curve of F ½ going east. The volume of traffic is such that these driveways currently pose no threat to safety.

Respectfully submitted this 4th day of November, 2003.

Karl Clemmons, Realtor
Gail Gnirk, Agent for Judith Marie
Leo Rinderle, Consultant



Mesa County GIS
 544 Road Ave.
 Grand Junction, CO 81501

DISCLAIMER : The Geographic Information System (GIS) and its components are designed as a source of reference for answering inquiries, for planning and for modeling. GIS is not intended or does not replace legal description information in the chain of title and other information contained in official government records such as the County Clerk and Records office or the courts. In addition, the representations of locations in this GIS cannot be substituted for actual legal surveys.

LEGEND

- | | |
|-----------------|---|
| Hospitals | Colorado National Monument |
| Police Stations | BLM Special Areas |
| Fire Stations | Black Ridge Canyons |
| Schools | COLORADO CANYONS NATIONAL CONSERVATION AREA |
| State Highways | BLM |
| Roads | National Forest |
| Lakes | |
| Canals | |

①

2



Young Court looking east.



3

Young Court looking west.



4

From Young Court, looking north up Young Street.

5

657 Young Street,
looking north.



6

652 Young Street
"gutter."



7

656 Young
Street "gutter."



8

658 Young Street
"gutter."





9

2577 Galley Lane,
SW corner of Galley
Lane and Young
Street.

10

SE corner of
Galley Lane and
Young Street.





11

F 1/2 Road looking east from Cimarron North subdivision toward Young Street. Note utility poles and lack of curb and gutter.

From: John Shaver
To: Rhonda Edwards
Date: Friday, June 13, 2003 2:03PM
Subject: Re: RZ 2003-070

Ronnie,

How does paragraph 5 work (or not) with the proposed lot configuration. If 5 is not a problem then the only other concerns raised by the covenants are the setbacks as the 1200 square feet that we spoke about earlier.

They meet these okay

>>> Rhonda Edwards 06/13/03 10:23AM >>>
I'll bring a copy right up...

>>> John Shaver Friday, June 13, 2003 10:19:57 AM >>>
Ronnie,

Are there CC&R's for the subdivision in which this parcel is located? If so we need to see them.

The concern is this: it is not uncommon for covenants to prohibit resubdivision of lots. If the covenants do create that restriction then unless and until the covenants are amended then the rezoning, even if approved by the Council, still has a significant legal hurdle.

Please advise.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 4. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Kare Clemons
 2742 Spring Valley Cir
 Grand Junction, CO
 81506

2. Article Number 7000-1670-0010-0684-6820
 (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Alex Taibert

- Agent
- Addressee

B. Received by (Printed Name)

Alex Taibert

C. Date of Delivery

5/18/02

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- Express Mail
- Return Receipt for Merchandise
- C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

Rossie Edwards

• Sender: Please print your name, address, and ZIP+4 in this box •

Community Development Dept.
250 North 5th Street
Grand Junction, CO 81501



REVIEW COMMENTS

Page 1 of 2
May 6, 2003

FILE #RZ-2003-070

TITLE HEADING: Young Street Rezone

LOCATION: 653 Young Street

PETITIONER: Judith Marie

PETITIONER'S ADDRESS/TELEPHONE: 653 Young Street

PETITIONER'S REPRESENTATIVE: Karl Clemons
250-5555

STAFF REPRESENTATIVE: Ronnie Edwards

NOTE: THE PETITIONER IS REQUIRED TO SUBMIT & LABEL A RESPONSE TO COMMENT FOR EACH AGENCY OR INDIVIDUAL WHO HAS REQUESTED ADDITIONAL INFORMATION OR REVISED PLANS, & A COPY FOR THE CITY, ON OR BEFORE 5:00 P.M., AUGUST 6, 2002

COMMUNITY DEVELOPMENT

5/1/03

Ronnie Edwads

256-4038

1. At the general meeting the Staff requested the representative to provide a copy of the subdivision covenants with his submittal. A copy was not received.
2. All development improvements will be required when or if a new proposal is submitted.
3. It appears there could be a discrepancy of the easement location versus the actual drainage ditch placement. Staff suggests applicant to obtain verification of the document created between Grand Junction Drainage District and the owner. Staff has attached a copy of what appears to be the easement location, which could affect future submittals. A site boundary survey could be beneficial to the applicant or have previous survey verified.
5. The proposed rezone is not compatible with the subdivision in which this lot was created. The entire Linda Subdivision was created in October of 1955 with a zoning of RIA which is equivalent to the zoning change in 2000 to RSF-1. The entire subdivision was annexed in August of 2000 and retained the RSF-1 zone district. The existing zoning was not in error at the time of adoption and is compatible within the subdivision in which it was created.

Staff wishes to inform the representative that several phone calls have been received from the neighborhood voicing their opposition and requesting to be present at the hearing.

CITY DEVELOPMENT ENGINEER

4/22/03

Laura Lamberty

256-4155

All development comments such as half-street improvement requirements will be given with simple subdivision application.

No comment on current application

CITY FIRE DEPARTMENT

Hank Masterson

256-4034

1. No objections to the rezone.

CITY PROPERTY AGENT

Peter Krick

4/22/03

256-4003

REVIEW COMMENTS

It is recommended that a boundary survey be performed on this parcel for assurance that the proposed subdivision of the existing lot is feasible. A subdivision plat will be required for this proposed lot "split". The survey will be a requirement of the submittal for the proposed plat.

CITY UTILITY ENGINEER

Trenton Prall

4/30/03

244-1590

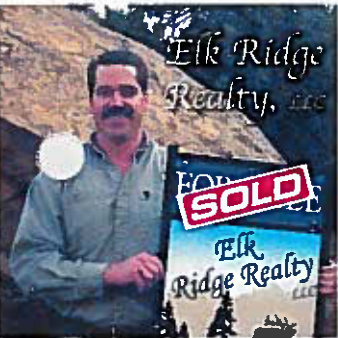
This project is adjacent to the 26 Road Trunk Sewer Extension. The new lot would be responsible for Trunk Extension Fees per City Resolution 47-93. This resolution states that prior to platting the Developer would be responsible for a portion of the fees (\$500 per lot for lots less than 1/3 acre in size and \$675 per lot for lots between 1/3 acre and 1 acre in size). At the building permit stage, the new owner is then responsible for another portion of the trunk extension fee (\$1000 per lot for lots less than 1/3 acre in size and \$1500 per lot for lots between 1/3 acre and 1 acre in size).

FYI, a sanitary sewer improvement district is proposed for Young St for which an initial meeting is anticipated in the next couple of months to discuss sewer options for the area. More information will be sent in the next few weeks.

Comments not available as of 5/6/03:

City Attorney

Parks & Recreation Department



Karl Clemons MBA, GRI
Broker/Owner

Cell: (970) 250-5555

Office: (970) 256-9498

Fax: (970) 256-9498

elkridgerealty@aol.com

*"Always Making
a Difference"*



NOTICE OF DEVELOPMENT APPLICATION

An application for the development proposal described below, located near property you own, has been received by the Grand Junction Community Development Department. The Department encourages public review of proposed development prior to public hearings. The application, including plans, reports and supporting documentation, is available for review during normal business hours (7:30 A.M. - 5:30 P.M. Monday-Thursday and 7:30 A.M. - 5:00 P.M. on Friday) at City Hall, 250 North 5th Street. City Planning staff is also available to answer questions and explain the development review process.

RZ-2003-070 – YOUNG STREET REZONE– 653

Young Street

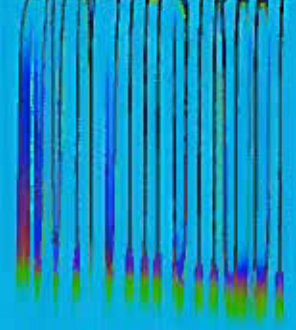
Request approval to rezone and divide into two, a 1.252 acre parcel from RSF-1 (Residential Single Family-1 unit/acre) to RSF-2.

Planner **Ronnie Edwards**

Courtesy notification cards will be mailed to adjoining property owners prior to a public hearing on this item. However, we encourage you to also verify scheduling in one of the following ways:

- ◆ call the Community Development Department at (970) 244-1430
- ◆ look for a display ad in the Daily Sentinel one day prior to the public hearing (held on the second and sometimes the third Tuesday of each month)
- ◆ You may receive a FAX copy of the Planning Commission agendas by calling CITY DIAL at (970) 244-1500 ext. 211.
- ◆ Agendas for Planning Commission, City Council, and Board of Appeals items are available prior to the hearing at City Hall, 250 North 5th Street.

Please do not hesitate to contact the Community Development Department at (970) 244-1430 if you have any questions.



GRAND JUNCTION, CO 81501



MICHAEL M COTE
YVONNE K FINCH
3239 B 1/2 RD
GRAND JUNCTION, CO 81503-9411



NIXIE 2007 1 03 04/21/03
RETURN TO SENDER
NOT DELIVERABLE FORWARDED

NOTE



CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT DEPARTMENT
250 N 5TH STREET
GRAND JUNCTION, CO 81501



COMMUNITY DEVELOPMENT
CITY OF GRAND JCT
250 N 5TH ST
GRAND JUNCTION, CO 81501

NOTICE OF DEVELOPMENT APPLICATION



CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT DEPARTMENT
250 N 5TH STREET
GRAND JUNCTION, CO 81501



MAY 4 2003
COMMUNITY DEVELOPMENT
DEPT.

MICHAEL M COTE
YVONNE K FINCH
3239 B 1/2 RD
GRAND JUNCTION, CO 81503-9411

NOTICE

COTE239 815032006 1102 04 05/05/03
FORWARD TIME EXP RTN TO SEND
COTE
2575 GALLEY LN
GRAND JUNCTION CO 81505-1411
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CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT DEPARTMENT
250 N 5TH STREET
GRAND JUNCTION, CO 81501



CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT
250 N 5TH ST
GRAND JUNCTION, CO 81501-2628

RECEIVED
MAY 11 2003
COMMUNITY DEVELOPMENT
DEPT

NOTICE OF DEVELOPMENT APPLICATION



CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT DEPARTMENT
250 N 5TH STREET
GRAND JUNCTION, CO 81501



MICHAEL M COTE
YVONNE K FINCH
3239 B 1/2 RD
GRAND JUNCTION, CO 81503-9411



NIXIE

2007 1

03 04/21/03

NOTI

RETURN TO SENDER
NOT DELIVERABLE TO ADDRESSEE

CITY OF GRAND JUNCTION

Community Development Dept. • 250 N. 5th Street • Grand Junction, CO 81501

Date: May 27, 2003

Applicant: Judith Marie
Representative: Karl Clemons

The following item (Young Street Rezone – RZ-2003-070) has been scheduled for Planning Commission on June 10, 2003.

A sign(s) advertising the Public Hearing will be required to be posted no later than 5/30/03. The signs are available at the Community Development Department. A \$50.00 deposit is required for a Public Hearing sign. The deposit will be refunded, in full, if the sign(s) is/are returned within 5 working days after the final meeting. A sign is required to be placed facing each road(s) that abuts the project site.

The Staff Report for the project will be available for pick-up after 4 P.M. on Thursday, May 29, 2003.

Please contact the project planner, Ronnie Edwards, at (256-4038, rhondae@ci.grandjct.co.us) if you have any questions relating to this notice.

cc: ANX-2003-068

7000 1670 0010 0684 6820

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	
Sent To <i>Karl Clemons</i>	
Street, Apt. No., or PO Box No. <i>2742 Spring Valley Cir</i>	
City, State, ZIP+4 <i>Grand Junction, CO 81506</i>	

PS Form 3800, May 2000 See Reverse for Instructions

5-6-03

Judith Marie Rezone
566 Young Street
Grand Junction, Co 81505

RECEIVED
MAY 09 2003
COMMUNITY DEVELOPMENT
DEPT.

Response to Comment

Community Development

1. Copy of covenants attached.
2. Development improvements will be met.
3. Petitioner will verify with the Grand Junction Drainage District the location of their easement and insure that there is not a conflict. - *Waiting for response from GJDD.*
4. While the proposed rezone is not compatible with Linda Subdivision it is with Cimieron Subdivision and placing a residence on vacant ground in this circumstance makes sense and would benefit the surrounding area.

5-6-03

Judith Marie Rezone
566 Young Street
Grand Junction, Co 81505

Response to Comment

City Property Engineer

1. Petitioner will order a boundary survey.

RECEIVED
MAY 09 2003
COMMUNITY DEVELOPMENT
DEPT.

5-6-03

Judith Marie Rezone
566 Young Street
Grand Junction, Co 81505

Response to Comment

City Utility Engineer

1. Petitioner understands the fee structure.

RECEIVED
MAY 08 2003
COMMUNITY DEVELOPMENT
DEPT.

Planner's Name:

Ronnie

SUBMITTAL CHECKLIST

Date: 2/12/03

REZONE

Expiration Date: 6 months from above date

Location: 653 Young St

Project Name: Judith Marie Rezone

ITEMS

DISTRIBUTION

Date Received: 4/16/03

Receipt #: _____

File #: _____

DESCRIPTION

SSID Reference

- City Community Development
- City Development Engineer
- City Utility Engineer
- City Real Estate Manager
- City Parks/Recreation
- City Attorney
- City Fire Dept / Clifton Fire Dept
- City Transportation Engineer
- City Board of Health Authority
- City Addressing
- City G.J. Planning Commission
- City Council
- County Planning
- Walker Field Airport
- School District 61 (if higher density)
- RTPO
- Urban Trails
- Other

Total required

zone
Hanna?
4/16
90 days

DESCRIPTION	SSID Reference	City Community Development	City Development Engineer	City Utility Engineer	City Real Estate Manager	City Parks/Recreation	City Attorney	City Fire Dept / Clifton Fire Dept	City Transportation Engineer	City Board of Health Authority	City Addressing	City G.J. Planning Commission	City Council	County Planning	Walker Field Airport	School District 61 (if higher density)	RTPO	Urban Trails	Other	Total required	
Application Fee \$ 330	VII-1	1																			
Development Application Form*	VII-1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
Submittal Checklist*	VII-4	1																			
Review Agency Cover Sheet*	VII-3	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
Location Map	VII-3	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
Names & Addresses* Fee \$ 50	VII-3	1																			
General Project Report	X-08	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
Vicinity Sketch	IX-34	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
Site Plan	IX-31	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
Evidence of Title/Lease Agreement	VII-2	1			1		1														
Legal Description*	VII-3	1			1																
Deed	VII-2	1			1		1														
Easement	VII-2	1	1	1	1		1														
Avigation Easement	VII-1	1			1		1								1						
ROW-Dedication/Conveyance	VII-3	1	1	1	1		1													1	
Traffic Impact Study	X-15	1	1																		1
Fire Flow Form*	XI-3	1	1					1													

Notes: * An asterisk in the item description column indicates that a form is supplied by the City.

RECEIPT OF APPLICATION

DATE BROUGHT IN: ~~3-31-03~~ 4-15-03

CHECK #: 2250 AMOUNT: \$ 380.00

DATE TO BE CHECKED IN BY: 4-3-03

PROJECT/LOCATION: 653 Young Street

Rezone

Items to be checked for on application form at time of submittal:

- Application type(s)
- Acreage
- Zoning
- Location
- Tax #(s)
- Project description
- Property owner w/ contact person, address & phone #
- Developer w/ contact person, address & phone #
- Representative w/ contact person, address & phone #
- Signatures of property owner(s) & person completing application

General Meeting/Pre-application Conference Checklist

Date 7/8/03

Applicant Karl Clemons Phone 250-555-9498 Tax Parcel # 2945-031-01-008

Location 653 Young St. Proposal Young Street Simple Sub

Meeting Attendees over the counter, Ronnie & Karl

While all factors in a development proposal require careful thought, preparation and design, the following circled items are brought to the petitioner's attention as needing special attention or consideration. Other items of special concern may be identified during the review process. General meetings and pre-application conference notes/standards are valid for only six months following the meeting/conference date shown above. Incomplete submittals will not be accepted. Submittals with insufficient information identified during the review process, which have not been addressed by the applicant will not be scheduled for a public hearing. Failure to meet any deadlines for the review process may result in the project not being scheduled for hearing or being pulled from the agenda. Any changes to the approved plan will require re-review and approval prior to those changes being accepted.

ZONING & LAND USE

- a. Zoning: RSF-2 on 8/3/03
b. Future Land Use Designation: RSM Low 1/2 - 2 du/acre
c. Growth Plan, Corridor & Area Plans Applicability:

OFF-SITE IMPACTS

- a. access/right-of-way required
b. traffic impact
c. street improvements 3 ROWS - surround property
d. drainage/stormwater management
e. availability of utilities

SITE DEVELOPMENT

- a. bulk requirements
b. traffic circulation
c. parking (off-street: handicap, bicycle, lighting)
d. landscaping (street frontages, parking areas)
e. screening & buffering
f. lighting & noise
g. signage

MISCELLANEOUS

- a. revocable permit
b. State Highway Access Permit
c. floodplain, wetlands, geologic hazard, soils
d. proximity to airport (clear or critical zone)

OTHER

- a. related files RZ-2003-070
b. neighborhood meeting

FEES

- a. application fee: 160.00 + 50.00 label fee
Due at submittal. Checks payable to City of GJ
b. Transportation Capacity Payment (TCP): 500/lot
c. Drainage fee:
d. Parks Impact Fee:
e. Open Space Fee or Dedication: 225/lot
f. School Impact Fee: 225/lot
g. Recording Fee: will be determined
h. Plant Investment Fee (PIF) (Sewer Impact):

PROCESSING REQUIREMENTS

- a. Documents - ZDC, SSID, TEDS, SWMM
b. Submittal Requirements/Review Process
c. Annexation (Persigo Agreement)

PLANNER'S NOTES

Handwritten notes on a grid background including: RZ-2003-070 approved at CC 7/2/03, Rezone to RSF-2 effective 8/2/03, access off of Young St, survey boundary should show new & proposed in relation to new property lines, show all easements etc, Surveyor & licensed engineer drawings required.

Pre-application M.
Development Eng

Post-it* Fax Note	7671	Date	2/6	# of pages	1
To	JOHN	From	LAURA		
Co./Dept	RHINO	Co.	CITY		
Phone #		Phone #			
Fax #		Fax #			

Date: 11/24/02
Time: 10:15

Project: _____

Location: 653 Young Tax ID no. _____

Applicant, representative: Judith Marie, Karl Demons = repres.

Planner(s): Ronnie Edwards

Engineer: Rick Dorris, George Miller, Hawk M.

Site visit (date: 11/21/02): Want to split lot into 2 lots as already separated by the canal.

Issues: water sep taps sewer sep taps storm drainage fee
 flood plain _____ wetlands _____ access young
 site circulation _____ TCP yes, credit for storming CDOT permit _____
 street class F/2 = Main Collect street impr. _____ other _____
 Young = Local Res.

Pre-application meeting notes: - Will have to access Young, instead of F/2 unless severe hardship. Must need a TEDS exception for driveway spacing from intersection.

Follow-up items: - What to do for street improvement. Must build street improvements along entire frontage.

Pre-application Meeting
Development Engineer Notes

Date: 11/24/02
Time: 12:15

Project: _____
Location: 653 Young Tax ID no. _____
Applicant, representative: Judith Maize, Kurt Demoros = repres.
Planner(s): Ronnie Edwards
Engineer: Rick Davis, George Tuttle, Hank M.
Site visit (date: 11/21/02): _____

Issues: water sep taps sewer sep taps storm drainage fee
flood plain _____ wetlands _____ access young
site circulation _____ TCP yes, credit for street imp. CDOT permit _____
street class F1/2 = main collector street impr. _____ other _____
Young = Local Res.

Pre-application meeting notes: - Will have to access Young, instead of F1/2 unless severe hardship. Must need a TEDS exception for driveway spanning from intersection.

Follow-up items: - What to do for street improvement. Must build street improvements along entire frontage.

2-18-03

*RSF-1 to form 2
1.3 acres*

Dear Neighbor,

This letter is to inform you of a Neighborhood Meeting to be held on Tuesday, March 11th between 5:30 P.M. to 6:30 P.M. at 715 Horizon Drive Suite #200. The purpose of this meeting is to discuss the rezoning and of 653 Young Street. It is the belief of the petitioner that the vacant lot located North of F 1/2 Road, West of Young Street and South of the Grand Valley Canal, would be better used as a residential building site. This neighborhood improvement would change a potentially dangerous and undesirable vacant lot into a new home, landscaped and appreciating in value. Much more of an asset to the neighborhood. Your attendance and input is encouraged.

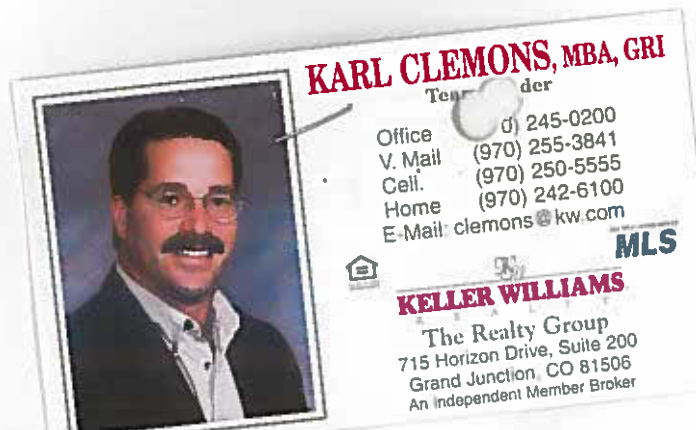
Sincerely,



Karl Clemons
Petitioners Representative
255-3841

- 1) Print out various maps.*
- 2) present acreage?*

Elk Ridge Realty



KARL CLEMONS, MBA, GRI
 Real Estate Broker
 Office (970) 245-0200
 V. Mail (970) 255-3841
 Cell. (970) 250-5555
 Home (970) 242-6100
 E-Mail: clemons@kw.com

KELLER WILLIAMS
 The Realty Group
 715 Horizon Drive, Suite 200
 Grand Junction, CO 81506
 An Independent Member Broker

DevRev Young 653 GenMtg 11-25-02 Miller


Proposal is to subdivide an existing, single home lot to allow construction of a second home (on the southern portion of the lot). Parcel is at the NW corner of F ½ and Young. The section proposed for separation is also bounded by a medium density single family home subdivision to the west, and a ditch way on the north side. Parcel has no curb, gutter, or walk around its perimeter, though these improvements exist to the west.

Proposal Comments:

1. Access to the proposed separate section should come from Young St., unless such a connection is physically impossible, due to TEDS requirements for intersection spacing, limitation of the ditch placement, or denial of shared access to the ditch road by the ditch company.
2. The 2001 Urban Trails Master Plan calls for a pedestrian easement along this ditch. If the planned subdivision occurs, this easement will be provided.

MEMORANDUM

CITY OF GRAND JUNCTION ENGINEERING DEPARTMENT

TO: Tim Moore
FROM: Rick Dorris 
DATE: November 5, 2003
SUBJECT: 653 Young TEDS exception

I recently received this TEDS exception request to avoid having to construct street improvements. There are a couple of points to make.

1. It is the Zoning and Development Code that requires street improvements. The TEDS simply establishes the standards. It should really be a variance request to the code. One could make the argument that we could administratively change the street standard with a TEDS exception since the street standards are now in TEDS.
2. Mike McDill suggested we process it as a TEDS exception since they have already submitted one.
3. It doesn't meet the criteria to "pay in lieu of" established by the recent administrative regulation.
4. We have told them from early on that street improvements on all three sides would be required.

I recommend denial of this request. Call if you have questions.

Judith Marie
653 Young St.
Grand Junction, CO 81505

September 22, 2003

Dear Ms. Marie:

On September 22, 2003, at the request of Karl Clemons of Elk Ridge Realty, on your behalf, Sue Kupelian visited the above address, and met with the City Engineer to clarify what street improvements would be required for the subdivision of this property.

In attendance at the meeting were Rick Doris, Engineer, City of Grand Junction; Sue Kupelian of Criterium-Kupelian Engineers; and Karl Clemons of Elk Ridge Realty.

After inspecting the property, the City Engineer stated that his interpretation of the required street improvements was that full improvements are required for the north, east, and south sides of the property. This includes curb and gutter and sidewalks on north, east and south sides and road widening on the south side of the project. Technically, this plan would require widening of the box culvert that conveys the Grand Valley Canal beneath Young Street. However, Mr. Doris indicated there might be a possibility that the city's street improvement requirements could be modified to accommodate the street improvements so that widening of the box culvert might be avoided.

Design and construction of street improvements, as described by the City Engineer, would require production of a full set of design plans (plan and profile sheets for F ½ Road, Young Street and Young Court). In order to produce this set of construction plans, a topographic survey would be required, covering the area along the south property boundary along F ½ Road, and along the east and north boundaries at Young Street and Young Court, respectively. This would provide the necessary design input data.

Based on this information, please let us know whether you would like to proceed.

If you have any further questions regarding how the street improvement requirements may be met, we encourage you to call.

Thank you for the opportunity to be of assistance to you.

Sincerely,

Suzanne M. Kupelian, P.E.
SK/sk

cc: Rick Doris, City of Grand Junction
Karl Clemons, Elk Ridge Realty

All development comments such as half-street improvement requirements will be given with simple subdivision application.

No comment on current application




City of Grand Junction
Public Works Department
Engineering

250 N. 5th Street, • Grand Junction CO 81501 • Office: 970/256-4047 • Fax: 970/256-4022

This regulation was duly posted on the 17th day of March, 2003. Because the public had the opportunity to comment on the propriety of the following regulation, but no comments have been received, this regulation is effective as of the 31st day of March, 2003

RE: ADMINISTRATIVE REGULATION NO. 02-03
Zoning and Development Code
City of Grand Junction

ISSUED BY:



Mark Reiph, Public Works & Utilities
Director

3/17/03
Date

Topic:

When should street improvements, including curbs, gutters and sidewalks, not be constructed along residential street frontage as a part of the land use or other approval process?

City Code. Section 6.2 B 1 of the City's Zoning and Development Code requires that streets, alleys, sidewalks, trails and bike paths be constructed in conjunction with project approvals, and the issuance of permits. Off site infrastructure must be built to provide safe and adequate access and circulation.

Section 6.2 B 2 allows the Director to require the developer to either pay the estimated costs of minimum street improvements or TCP or the Director may require that the developer install half-street improvements, in addition to any other improvements needed for safety reasons.

Background:

A. Existing facilities. Many areas that are now part of the City were developed in the unincorporated areas of Mesa County without modern urban street and drainage facilities. In many such neighborhoods, the existing residential streets do not have curbs, gutters or sidewalks. Where houses are already built on most or all of such lots, the character of the neighborhood is well established. Given that there are no serious safety or drainage problems associated with these local residential streets, there is no current reason to improve these streets or to install curbs, gutters and/or sidewalks.

The City classifies its streets and roads as residential, commercial, industrial collector or arterial. See, the City's standard Contract documents for the specifics.



City of Grand Junction
Public Works Department
Engineering

In general, residential streets carry less than 1000 trips per day. This regulation applies only to residential streets, and the facilities within such rights of way.

B. Half Street Improvements. When an owner desires to subdivide a lot or parcel into two or three residential home sites, the Zoning and Development Code requires that such developer/owner must install half street improvements¹

Unless such improvements are extended off-site to connect with other facilities in the area, such smaller area improvements would result in a short "run" of curbing, gutters, or sidewalk that is not connected to a larger system. Such "short runs" will eventually be a part of a continuous system, until then are of little value and frequently look silly because they are so obviously disconnected, and therefore, useless as drainage facilities or pedestrian ways until some future development or improvement district extends other connecting facilities.

Payment Instead Of Construction. Instead of requiring "short run" improvements that begin and end along the new lot(s) residential street frontage, the City chooses to have the developer/owner pay to the City what it would have cost to build the "short run" improvements ("in lieu of" or "ILO" payment). This solution avoids silly looking improvements that lead nowhere (and therefore do not function, until integrated with a larger system). The City can use such ILO funds to fix problems, make improvements and complete segments of pedestrian and drainage systems elsewhere in the City. For these reasons, the City chooses not to waive the payment of the costs of such "short runs," even though some will argue that the ILO payments should be used to make improvements on another nearby block or in another nearby neighborhood.

The City recognizes that Grand Junction is still small enough that storm drainage and transportation systems, including curbs, gutters and pedestrian linkages, can reasonably be treated, and improved, as integrated systems on a City-wide basis. Nevertheless, we expect that persons who make payments in lieu of building the required public improvements on residential streets will appreciate it if such payments are spent as close as possible to the property in question. Therefore, for purposes of this regulation, the City is divided into six areas: Orchard Mesa, south of the Colorado and east of the Gunnison Rivers; the Redlands, west of the Gunnison and south of the Colorado River; the balance of the City is divided into four areas northwest, northeast, southwest and southeast of the intersection of 12th Street and North Avenue. The City will spend ILO funds in the area in which the property in question is located.

Another rationale for this regulation arises when a minor subdivision developer would ordinarily be required to install curbs and gutters along a residential street in an area of rapidly changing grade, or where other facilities or topographical features would mean that the civil engineering design for the new (two or three) lots would

¹ "Half street improvements" means curbing, attached gutters, one half of an urban residential street, plus enough pavement transition to provide a street that is safe and comfortable.




City of Grand Junction
Public Works Department
Engineering

250 N. 5th Street, • Grand Junction CO 81501 • Office: 970/256-4047 • Fax: 970/256-4022

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Background:

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City of Grand Junction
Public Works Department
Engineering

have to extend for great distances off the site in order that the infrastructure in the area would all match and function. Otherwise, in an area without curb and gutters, the minor subdivision improvements would have to be ripped out later so that the transitions are smooth enough to meet the City's engineering standards.

C. Improvement districts. Either a developer/landowner or the City can form an improvement district to build and pay for² street improvements, including curbs, gutters and sidewalks for areas of the City where it makes sense to extend or replace curbing, gutters and/or sidewalks.

Either through redevelopment of existing areas, or by residents petitioning to form improvement districts, the City expects to eventually correct all existing deficiencies in the City's residential streets, and the correlative storm drainage systems. To facilitate the formation of improvement districts, which normally require that more than 50% of the owners consent, the current developer/owner must sign an agreement to form an improvement district which would be the vehicle to construct the necessary curb, gutters, sidewalks and street improvements.

If an improvement district is created and before the assessments are final the City Council is notified during or at the assessment hearing either by City staff, an owner or otherwise, the City will credit against the then owner's share of any assessment, the original dollar amount of the payment in lieu of, without interest or other accrual.

Summary: This Administrative Regulation sets forth the criteria that the City Engineer will use to decide when to accept ILO funds, instead of requiring that a developer of a minor residential subdivision located on a residential street must construct half-street improvements.

Administrative Interpretation:

When a developer requests land use approval from the City for a minor subdivision (the creation or construction of three or fewer lots) within a previously developed (in whole or in part) residential neighborhood, the City Engineer shall have the authority to determine acceptable minimum improvements to a residential street, and to accept ILO instead of requiring the construction of curbs, gutters, and sidewalks.

Unless the criteria are met, the City Engineer will require that the improvements are constructed, in accordance with §6.2 of the Zoning and Development Code.

A.
CRITERIA

When the following circumstances arise, the City Engineer may allow the developer to: (a) pay the City Engineer's estimated costs to construct street improvements,

² The City Council's current policy for improvement districts allows the owner to pay the assessment over a ten year term.



City of Grand Junction
Public Works Department
Engineering

rather than requiring that the improvements must be built; and (b) deliver a signed agreement to form an improvement district in the form approved by the City Engineer. The current approved form is attached.

The circumstances/criteria are:

1. The zoning or existing uses in the block or neighborhood are residential. The City Engineer shall determine the boundaries of the block or neighborhood, based on topography, traffic patterns and the character of the neighborhood.
2. The existing residential street that provides access to the lot(s) or development must meet minimum safety and drainage standards, and have a design use of less than 500 ADT³. If the volumes on the existing street are 500 ADT or more, or if when the neighborhood or block is fully developed the ADT is expected to be greater than 1000, the improvements must be installed at the time of the development⁴.
3. At least 80 % of the lots and tracts in the neighborhood or block, as determined by the City Engineer, are already built upon, so that the street and drainage character of the neighborhood is "well established."
4. An existing safety hazard or drainage problem, including pedestrian or bicycle traffic, cannot be improved or remedied by requiring that the street improvements are built.
5. Within the next five years, according to the City's adopted capital plans at the time of the application, the street or block is not planned to be improved or widened, nor does the City plan to install curb, gutter or sidewalk improvements. Although, current City capital plans are for ten years, only those projects listed in the capital plans for the succeeding five years will be counted for these purposes.
6. No petition to make street or drainage improvements is being circulated by one or more owners in the neighborhood or block.
7. There is at least 250 feet from any point on the minor subdivision or development to the nearest existing street improvement(s) that substantially comply with the City's standard(s) for the particular kind of improvements.

B.
PROCESS

1. Written Findings. If the City Engineer determines, based on the listed criteria, that the improvements are not now required, he shall state in writing his findings along with the rationale, and shall state the amount of money that shall be paid to the City in lieu of such construction. The City Engineer will copy the City Clerk with each such determination so that over time examples of the implementation of this regulation can be used to validate the regulation, and to make any necessary changes, from time-to-time. The City Engineer may require that some elements or segments of the improvements be

³ ADT means "average daily traffic," based on an assumed typical ten trips per day per home.

⁴ "Development" is defined in the City's Zoning and Development Code.

DevRev Young 653 GenMtg 11-25-02 Miller


Proposal is to subdivide an existing, single home lot to allow construction of a second home (on the southern portion of the lot). Parcel is at the NW corner of F ½ and Young. The section proposed for separation is also bounded by a medium density single family home subdivision to the west, and a ditch way on the north side. Parcel has no curb, gutter, or walk around its perimeter, though these improvements exist to the west.

Proposal Comments:

1. Access to the proposed separate section should come from Young St., unless such a connection is physically impossible, due to TEDS requirements for intersection spacing, limitation of the ditch placement, or denial of shared access to the ditch road by the ditch company.
2. The 2001 Urban Trails Master Plan calls for a pedestrian easement along this ditch. If the planned subdivision occurs, this easement will be provided.

MEMORANDUM

CITY OF GRAND JUNCTION ENGINEERING DEPARTMENT

TO: Tim Moore
FROM: Rick Dorris 
DATE: November 5, 2003
SUBJECT: 653 Young TEDS exception

I recently received this TEDS exception request to avoid having to construct street improvements. There are a couple of points to make.

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4. We have told them from early on that street improvements on all three sides would be required.

I recommend denial of this request. Call if you have questions.

Judith Marie
653 Young St.
Grand Junction, CO 81505

September 22, 2003

Dear Ms. Marie:

On September 22, 2003, at the request of Karl Clemons of Elk Ridge Realty, on your behalf, Sue Kupelian visited the above address, and met with the City Engineer to clarify what street improvements would be required for the subdivision of this property.

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After inspecting the property, the City Engineer stated that his interpretation of the required street improvements was that full improvements are required for the north, east, and south sides of the property. This includes curb and gutter and sidewalks on north, east and south sides and road widening on the south side of the project. Technically, this plan would require widening of the box culvert that conveys the Grand Valley Canal beneath Young Street. However, Mr. Doris indicated there might be a possibility that the city's street improvement requirements could be modified to accommodate the street improvements so that widening of the box culvert might be avoided.

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Thank you for the opportunity to be of assistance to you.

Sincerely,

Suzanne M. Kupelian, P.E.
SK/sk

cc: Rick Doris, City of Grand Junction
Karl Clemons, Elk Ridge Realty

All development comments such as half-street improvement requirements will be given with simple subdivision application.

No comment on current application




















City of Grand Junction
Public Works Department
Engineering

- constructed while accepting payment "in lieu of" for other elements or segments.
2. Security. Working with the City Attorney's office, the City Engineer may accept equivalent security in lieu of cash at the time of approval where the City plans to make similar improvements in the neighborhood within the next five years and such security will be available at that time to pay for all or a part of the deferred infrastructure.
 3. Appeal. Any decision by the City made pursuant to this regulation may be appealed in accordance with the process described in Section 38-68 of the City Code.
 4. Definitions.
 - a. "Neighborhood" means a filing of a subdivision, or another area connected by similar housing, streets and similar characteristics. The City Engineer will decide the boundaries of the "neighborhood" or "block" for purposes of this regulation.
 - b. "Well established" means the area defined by the City Engineer has generally been the same for at least 10 years in terms of the street and drainage AND, based on the City's growth plans and other adopted plans, the area or neighborhood is not expected to redevelop within 15 years, that is, the existing uses are consistent with the future land uses.
 5. Complying Examples. Examples of situations that meet the criteria so that the City Engineer may accept ILO payments are shown on the attached short descriptions and aerial photographs:
 - a. West Scenic Drive at Wyndham Drive
 - b. Palisade Street at Glenwood Road
 - c. Northernmost extension of Peony Drive
 - d. Residential lot on Jon Hall Street between Manry Street and Lantzer Road
 - e. Two lots, one on the north side and another on the south side of Ronda Lee Road, between Ronda Lee Road and Jon Hall Street, just east of Lantzer road
 - f. Large lot, proposed to be subdivided, on Quail Drive
 - g. Large lot proposed to be subdivided on Buffalo Drive
 - h. Tract along 23.5 Road, south of the RR tracks
 - i. Idella Court, but only regarding the sidewalk.
 6. Non-complying Examples. Examples of situations that do not meet the criteria, and for which the infrastructure must therefore be built are:
 - a. East Scenic Drive at Highway 340
 - b. 483 Sparn Street, a commercial lot.

City of Grand Junction GIS Sewer Map

25 1/2 74

-  **PUMP STATIONS**
-  **SANITARY MANHOLES**
-  **PRIVATE MANHOLES**
-  **COMBINED SANITARY MANHOLES**
-  **STORM MANHOLES**
-  **CATCH BASINS**
-  **IRRIGATION GATES**
-  **CATCH BASIN LATERALS**
-  **Abandoned**
-  **FORCE MAINS**
-  **FORCE MAINS-NOT SURVEYED**
-  **COMBINED SEWER**
-  **SANITARY SEWER**
-  **SANITARY SEWER-NOT SURVEYED**
-  **STORM SEWER**
-  **STORM SEWER-NOT SURVEYED**
-  **IRRIGATION DITCHES**



SCALE 1 : 1,875





DEVELOPMENT APPLICATION

Community Development Dept
250 North 5th Street
Grand Junction CO 81501
(970) 244-1430

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 hereby petition this:

Petition for (check all appropriate boxes):

- | | | |
|--|---|--|
| <input type="checkbox"/> Subdivision Plat/Plan - Simple | <input type="checkbox"/> Site Plan Review - Major | <input type="checkbox"/> Concept Plan |
| <input type="checkbox"/> Subdivision Plat/Plan - Major Preliminary | <input type="checkbox"/> Site Plan Review - Minor | <input type="checkbox"/> Minor Change |
| <input type="checkbox"/> Subdivision Plat/Plan - Major Final | <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Change of Use |
| <input type="checkbox"/> Planned Development - ODP | <input type="checkbox"/> Vacation, Right-of-Way | <input type="checkbox"/> Revocable Permit |
| <input type="checkbox"/> Planned Development - Preliminary | <input type="checkbox"/> Vacation, Easement | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Planned Development - Final | <input type="checkbox"/> Extension of Time | |
| <input type="checkbox"/> Annexation/Zone of Annexation | <input checked="" type="checkbox"/> Rezone | <input type="checkbox"/> Growth Plan Amendment |

From: _____

From: RSF-1

From: _____

To: _____

To: 1/2 - 2 units/acre

To: _____

Site Location:

653 Young Street

Site Tax No.(s):

2945-031-01-008

Site Acreage/Square footage:

1.252

Site Zoning:

RSF1

Project Description:

Rezone RSF2

Judith Marie

same

mail all notices to:
Karl Clemens

Property Owner Name

Developer Name

Representative Name

653 Young Street

Address

Address

2742 Spring Valley Circle

Address

Grand Junction CO 81505

City/State/Zip

City/State/Zip

Grand Junction CO 81506

City/State/Zip

Business Phone No.

Business Phone No.

Business Phone No.

E-Mail

E-Mail

puddy.mesa@aol.com

E-Mail

Fax Number

Fax Number

Fax Number

Contact Person

Contact Person

Contact Person

Contact Phone No.

Contact Phone No.

Contact Phone No.

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 charged to cover rescheduling expenses before it can again be placed on the agenda.

[Signature]
Signature of Person Completing Application

2-12-03

Date



DEVELOPMENT APPLICATION

Community Development Dept
250 North 5th Street
Grand Junction CO 81501
(970) 244-1430

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<input type="checkbox"/> Subdivision Plat/Plan - Simple	<input type="checkbox"/> Site Plan Review - Major	<input type="checkbox"/> Concept Plan
<input type="checkbox"/> Subdivision Plat/Plan - Major Preliminary	<input type="checkbox"/> Site Plan Review - Minor	<input type="checkbox"/> Minor Change
<input type="checkbox"/> Subdivision Plat/Plan - Major Final	<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Change of Use
<input type="checkbox"/> Planned Development - ODP	<input type="checkbox"/> Vacation, Right-of-Way	<input type="checkbox"/> Revocable Permit
<input type="checkbox"/> Planned Development - Preliminary	<input type="checkbox"/> Vacation, Easement	<input type="checkbox"/> Variance
<input type="checkbox"/> Planned Development - Final	<input type="checkbox"/> Extension of Time	
<input type="checkbox"/> Annexation/Zone of Annexation	<input checked="" type="checkbox"/> Rezone	<input type="checkbox"/> Growth Plan Amendment

From: _____ From: RSF-1 From: _____
 To: _____ To: 1/2 - 2 units/acre To: _____

Site Location: _____

Site Tax No.(s):	Site Acreage/Square footage:	Site Zoning:
------------------	------------------------------	--------------

Project Description: _____

<u>Judith Marie</u> Property Owner Name	<u>Karl Clemons</u> Developer Name	<u>Karl Clemons</u> Representative Name
<u>653 Young Street</u> Address	<u>2742 Spring Valley Circle</u> Address	<u>2742 Spring Valley Circle</u> Address
<u>Grand Junction CO 81505</u> City/State/Zip	<u>Grand Junction CO 81505</u> City/State/Zip	<u>Grand Junction CO 81505</u> City/State/Zip
Business Phone No.	Business Phone No.	<u>250-5555</u> Business Phone No.
E-Mail	E-Mail	<u>purdy.mesa@aol.com</u> E-Mail
Fax Number	Fax Number	<u>256-9498</u> Fax Number
Contact Person	Contact Person	Contact Person
Contact Phone No.	Contact Phone No.	Contact Phone No.

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 charged to cover rescheduling expenses before it can again be placed on the agenda.

Karl Clemons Signature of Person Completing Application 2-12-03 Date

Judith Marie - Trustee Required Signature of Legal Property Owner(s) - attach additional sheets if necessary 4-7-3 Date

Counter General Meeting

A counter general meeting request was received for the property listed below. Please review the property/request, review the checklist and add all engineering requirements, then return all information to the staff person listed below.

Date: 9-8-04

Applicant: Shane

Phone # 257-1500 257-1700 fax

Property Location: 653 Young

Tax Parcel #: 2945-031-01-008

Zoning District: RSF-2

Average: 1.252

Type of application requested: Simple subdivision

Proposed Project: split along canal

Previous file: RZ-2003-070

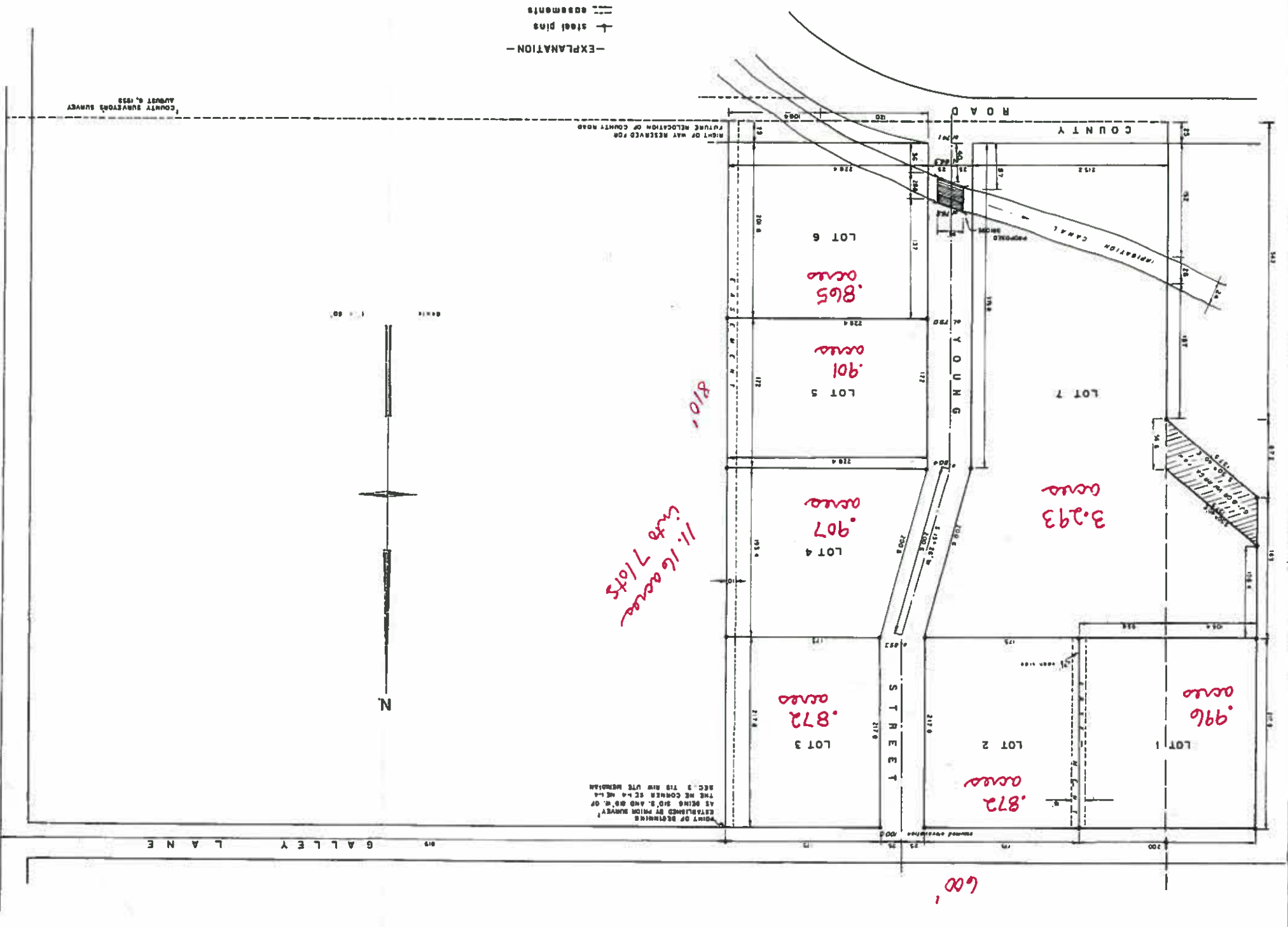
Review by: 9-15-04

Return to: Haylen

Attach copy of air photo

will look at file

LINDA SUBDIVISION
MESA COUNTY, COLORADO



-EXPLANATION-
+ steel pins
= easements

STATE OF COLORADO
COUNTY OF MESA
DO HEREBY CERTIFY THAT THESE PLATS
WAS PREPARED UNDER MY DIRECTION AND ACCURATELY REPRESENTS
A SURVEY OF SAID SUBDIVISION
JOHN C. JENSEN
REGISTERED ENGINEER

IN WITNESS WHEREOF, I AND OTHERS, CLERKS AND RECORDERS HAVE SIGNED
OUR NAMES TO THESE PLATS AND SUBSCRIBED THE DATE OF OUR SIGNATURES
AT MESA, COLORADO, THIS 17th DAY OF OCTOBER, 1955.

CLERK AND RECORDERS CERTIFICATE
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT
MESA, COLORADO, THIS 17th DAY OF OCTOBER, 1955, AND IS FULLY RECORDED IN
PLAT BOOK NO. 117, PAGE 117.

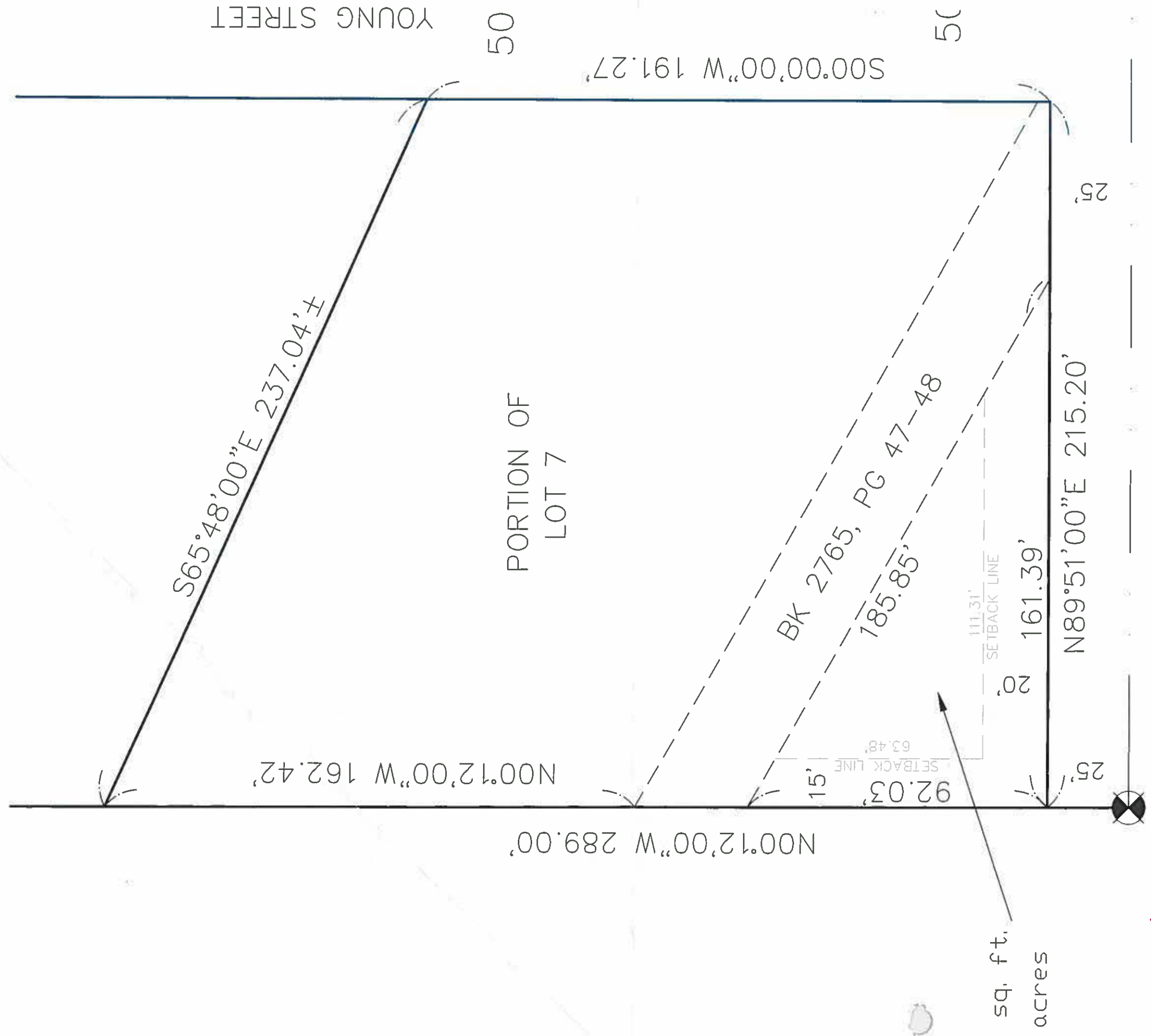
RECORDED
BY
FEE \$

COUNTY PLANNING COMMISSION CERTIFICATE
APPROVED THIS 17th DAY OF OCTOBER, 1955
COUNTY PLANNING COMMISSION OF MESA COUNTY, COLORADO

BOARD OF COUNTY COMMISSIONERS CERTIFICATE
APPROVED THIS 17th DAY OF OCTOBER, 1955
BOARD OF COUNTY COMMISSIONERS OF MESA COUNTY, COLORADO

EMPIRE ENGINEERS
Grand Junction, Colo.
October 2, 1955

10/17/55



PORTION OF
LOT 7

S65°48'00"E 237.04'±

N00°12'00"W 289.00'

N00°12'00"W 162.42'

S00°00'00"W 191.27'

BK 2765, PG 47-48

92.03'

185.85'

111.31'

SETBACK LINE

20'

161.39'

N89°51'00"E 215.20'

25'

25'



SE COR
SW 1/4 NE 1/4
SECTION 3

F--1/2

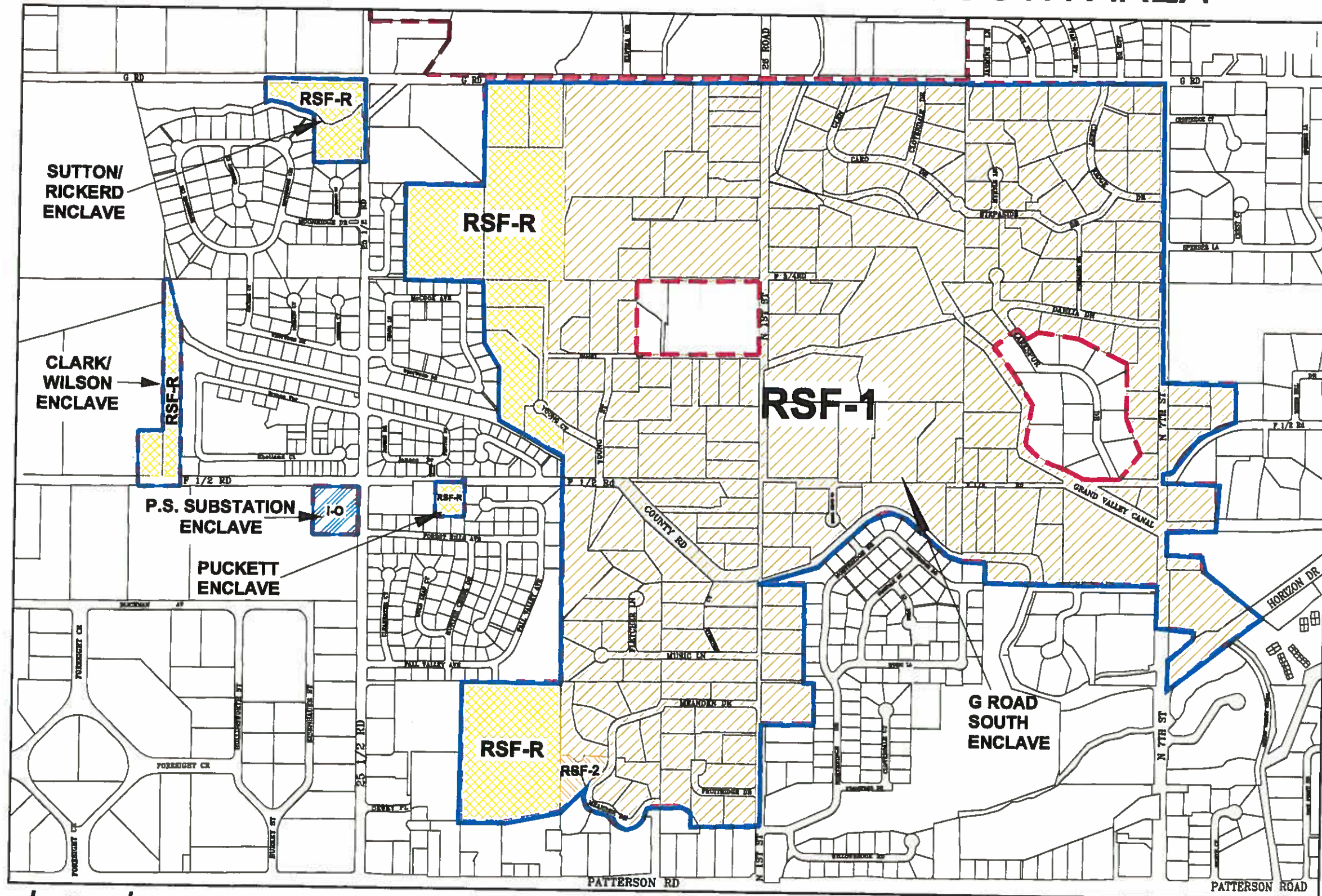
sq. ft.
acres

3,526 # bldg envelope







1" = 30'

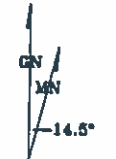
Original lot 7 was 3.293 acres then clearing pt was put in separating the N & S of the original 1/2 lot of 1.252 acres was paved - the N lot of 1.252 acres & the S lot of 1.252 acres was paved - the original lot of 1.252 acres was paved

POMONA PARK ENCLAVES / G ROAD SOUTH AREA



Legend

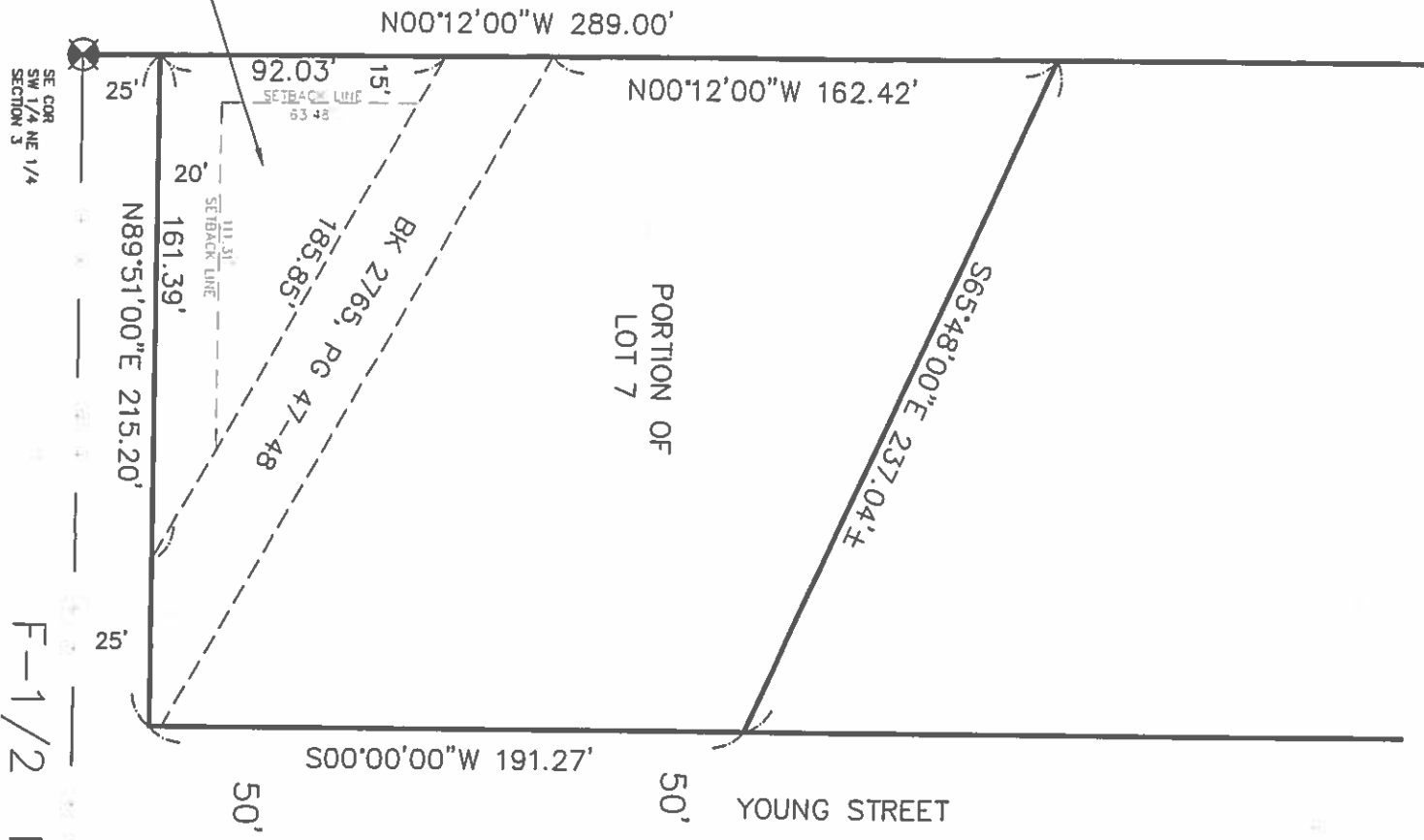
- | | | | |
|---|---|---|--|
|  | CITY LIMITS |  | RSF-2 Residential Single Family-2 units/acre |
|  | ENCLAVE BOUNDARY |  | RSF-R Residential Single Family-Rural 1 unit/5 acres |
|  | RSF-1 Residential Single Family-1 unit/acre |  | I-O Industrial Office Park |



CITY OF GRAND JUNCTION, COLORADO

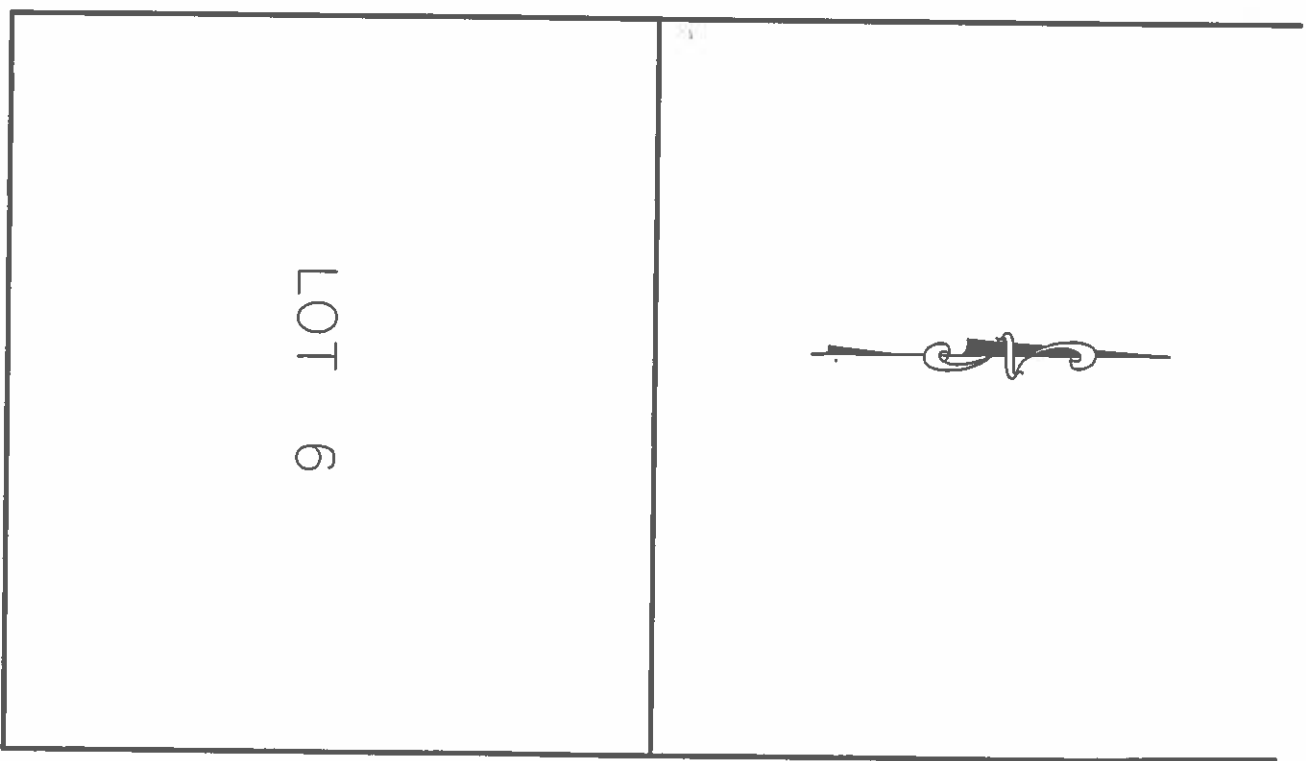
PUBLISHED: May 11, 2000
 N:\PLANNING\ENCLAVES Ord Zoning

26 sq. ft.
7 acres



SE COR
SW 1/4 NE 1/4
SECTION 3

F-1/2 ROAD



LOT 6

1" = 60'

25'

RSF-2

Galley Minor Sub ANX 95-169
MS-1995-196

PR3.7

Cimarron North FPP-95-85

19 lots 5.278 acres

8131 \$ average
.197 acres
5773 \$ to 11,089 \$

actual
3.6

PR2.9

Fall Valley FPP-1997-106 3 filings in 1997

Filing #1 907 \$ 6,746 \$ - 11,402 \$ - 35 lots 37.87 ac

#2 8817 \$ 6,688 \$ - 10,945 \$ - 44 lots 20.41 ac

#3 7,404 \$ - 22,222 \$ - 31 lots 9.38 ac

~~8131 \$~~
average
.62 acre
62.66 ac
2947,270 \$

7 lots along 110 include open spaces
west side of
culdesac
larger than
PR 3.51

Key Sub - C61-93 Filing 1 - PUD - 4.27/15 lots

PR3.86

#2 - ANX-95-91 - 15 lots 3.86 ac

8009 \$ average
6,751 \$ - 9,266 \$

PR2.8

Valley Meadows C104-93 #1 PR 2.8

11 lots / 4.133 ac
11,891 \$ to 17,327 \$ 2.66

#2 FPP-95-81 21 lots / 6.78 ac 3.1
9,759 \$ to 12,963 \$

PR2.93

Valley Meadows East - FPP-96-138 - #2

#1 ANX-1996-040 3.52
15 lots / 4.26 ac
8,172 \$ - 14,557 \$

12 lots / 4.51 ac 2.66
8,700 \$ - 12,245 \$

#3 FP-97-007 4.2
18 lots / 4.27 ac
8,844 \$ - 12,733 \$

Northridge Estates
RSF of
1978

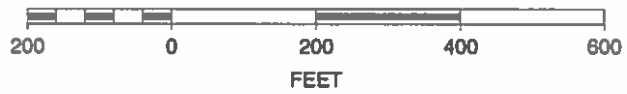
350-550
aa

653 Young St

□ Parcels
Air Photos
▣ 2002 Photos
— Highways
— Streets 2



SCALE 1 : 3,200



COPY

BOOK 2765 PAGE 47

1970381 10/27/00 0158PH
MONIKA TODD CLK&REC NEESA COUNTY CO
REC FEE \$10.00
DOCUMENTARY FEE \$EXEMPT

2 PAGE DOCUMENT

EASEMENT AND AGREEMENT

THIS EASEMENT, made and entered into this 17th day of October, 2000, by and between GRAND JUNCTION DRAINAGE DISTRICT, hereinafter referred to as "District", whose address is 722 23 Road, Grand Junction, Colorado, and JUDITH MARIE, TRUSTEE OF THE JUDITH MARIE TRUST dated May 31, 2000, hereinafter referred to as "Owner" whose address for the purpose of this agreement is 653 Young Street, Grand Junction, Colorado.

WITNESSETH:

WHEREAS, the parties hereto agree that the installation hereinafter described is for the mutual benefit of the parties; and

WHEREAS, the Owners desire to acknowledge the easement applied to the existing drain tile line known as the BEEHIVE DRAIN SYSTEM across their premises as more particularly described in said EXHIBIT "A".

IT IS THEREFORE AGREED AS FOLLOWS:

1. Owners agree to operate their premises in such a manner as not damage said drain line. Any such damage so caused by the owners shall be the owners' sole responsibility to repair.
2. District agrees to maintain in a workmanlike manner said drain tile EXCEPT if any act or omission of the Owner causes said upkeep or maintenance to be increased over and above that which would normally be expected, the Owner shall be responsible for the cost of any additional upkeep or maintenance.
3. In consideration of the foregoing and in order to accomplish the operation and maintenance of said line, the Owner hereby grants unto the District, a perpetual easement through, over and across the Owner's premises for the cleaning, maintenance, replacement, adjustment or deepening of said line; together with the right to trim interfering trees and brush. Owner further grants unto the District reasonable right of ingress and egress to accomplish the above, including the right to bring the necessary equipment upon the premises to accomplish same. It is agreed by the Owner that said easement shall not be burdened or overburdened by erection or placing of any improvement thereon, including fences.
4. Owners agree to indemnify and save the District harmless from any and all claims or damages of third parties, which may occur on Owners' property. Further, Owners waive any right of claim as against the District for injuries or damages to Owners arising out of the location and normal operation and maintenance thereof.
5. Should either party fail or refuse to comply with the terms of this agreement, after having received ten (10) days written notice specifying the matters complained of, the complaining party may take whatever legal action is necessary to recover the damages as a result thereof, or to perform or correct the complaints thereunder and collect the cost thereof plus damages from the offending party. The prevailing party shall, in addition to the above, be entitled to collect all costs incurred as a result of said breach including their reasonable attorney's fees.
6. If there is more than one Owner as party to this agreement, then and in that event, the cost allocated to the Owners hereunder and shall be borne equally between them.
7. This agreement shall be binding upon and inure to the benefit of the heirs, successors and assigns of the respective parties.
8. The recitals are a part of this agreement.

IN WITNESS WHEREOF, the parties have affixed their signatures, the day and year above mentioned.

COPY

2 PAGE DOCUMENT

EXHIBIT "A"

We, the undersigned Owners, their heirs, assigns and successors hereby grant to the District an Easement which includes a reasonable right of ingress and egress thirty (30) feet in width, situate in a part of the NE1/4 of Section 3, Township 1 South, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado, as per Quit Claim Deed recorded in Book 2721, Page 724 - 725 in the office of the Clerk and Recorder of said County, the sidelines of said Easement being more particularly described as follows:

Commencing at the SE Corner SW1/4 NE1/4 of said Section 3 and considering the south line of the SW1/4 NE1/4 of said Section 3 to bear N89°55'45"W with all other bearings contained herein relative thereto;

- Thence N00°00'00"E 117.03 to the TRUE POINT OF BEGINNING;
- Thence continuing N00°00'00"E 34.55 feet;
- Thence S80°18'07"E 247.84 feet;
- Thence S00°12'00"W 3.85 feet;
- Thence N89°57'00"W 53.82 feet;
- Thence N60°16'07"W 185.85 feet to the TRUE POINT OF BEGINNING.

Dated this 17th day of October, 2000.

Judith Marie Trust dated May 31, 2000.

Judith Marie
Judith Marie, Trustee

State of Colorado)
)ss
County of Mesa)

The foregoing instrument was acknowledged me before this 17th day of October, 2000 by Judith Marie Trustee for the Judith Marie Trust date May 31, 2000.

My Commission Expires:



Norma J. Gully
Notary Public

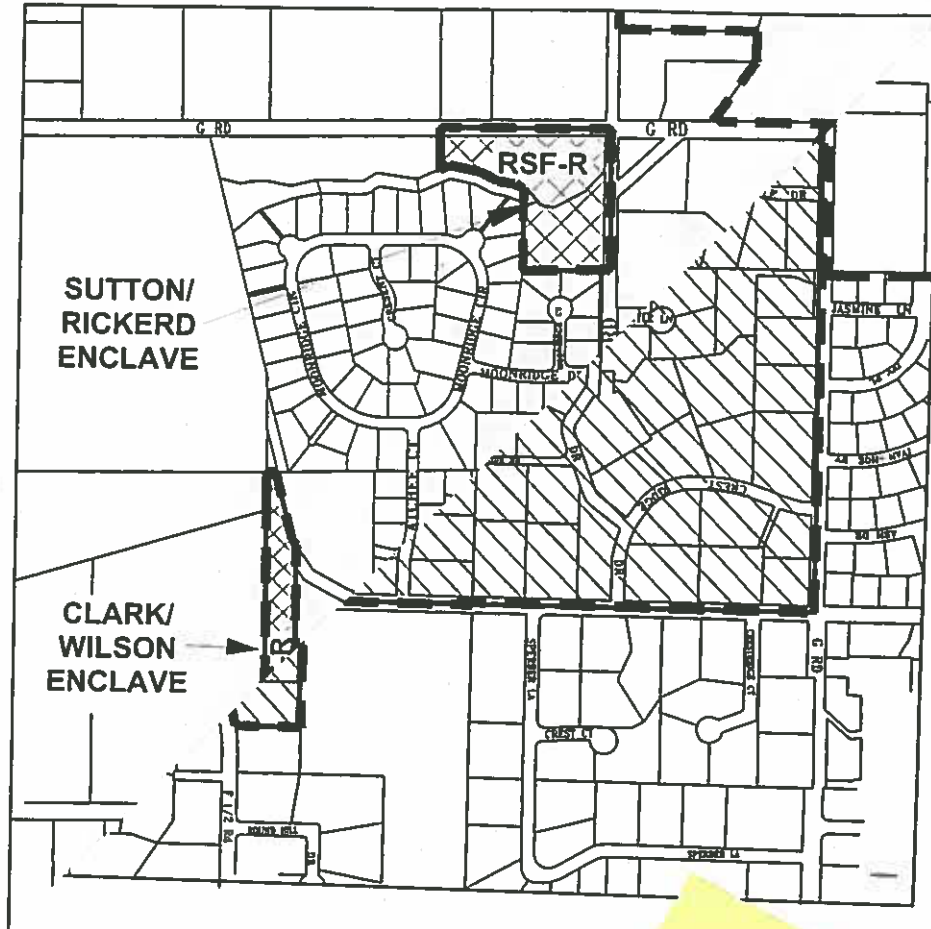
ACCEPTED BY GRAND JUNCTION DRAINAGE DISTRICT

By Ron C. Danell

ATTEST: Arthur Gully

POMONA PARK ENCLAVE

ROAD SOUTH AREA



DECLARATION OF PROTECTIVE COVENANTS.

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, JOHN A. SOELBERG, JOAN SOELBERG and CLEO E. YOUNG, being the owners in fee simple of all that certain tract of land constituting Lin's Subdivision, in accordance with that certain plat thereof heretofore recorded in Plat Book 8, at Page 66 of the Public Records of Mesa County, Colorado, in order to provide for an orderly housing development thereon and protect the property value of the housing units to be erected on said lands, do hereby declare the following protective Covenants and restrictions on the use of said lands to be in full force and effect with respect to all of said Subdivision, to-wit:

1. No lot shall be used except for residential purposes. No building shall be erected, altered, placed, or permitted to remain on any lot other than one detached single-family dwelling not to exceed one and one-half stories in height and a private garage for not more than two cars.

2. No building shall be erected, placed, or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the architectural control committee as to quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography and finish grade elevation. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum building setback line unless similarly approved.

The architectural control committee is composed of John A. Soelberg and Joan Soelberg, 1315 Elm Ave., Grand Junction, Colorado, and Cleo E. Young, 1310 North 17th Street, Grand Junction, Colorado. A majority of the committee may designate a representative to act for it. In the event of death or resignation of any member of the committee, the remaining members shall have full authority to designate a successor. Neither the

members of the committee, nor its designated representative shall be entitled to any compensation for services performed pursuant to this Covenant. At any time, the then record owners of a majority of the lots shall have the power through a duly recorded written instrument to change the membership of the committee or to withdraw from the committee or restore to it any of its powers and duties.

The committee's approval or disapproval as required in these Covenants shall be in writing. In the event the committee, or its designated representative, fails to approve or disapprove within 30 days after plans and specifications have been submitted to it, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related Covenants shall be deemed to have been fully complied with.

3. No dwelling shall be permitted on any lot at a cost of less than \$18,500.00 including site based upon cost levels prevailing on the date these Covenants are recorded, it being the intention and purpose of the Covenant to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these Covenants are recorded at the minimum cost stated herein for the minimum permitted dwelling size. The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 1200 square feet for a one-story dwelling, nor less than 1200 square feet for a dwelling of more than one story.

4. No building shall be located on any lot nearer to the front line than 30' or nearer to the side yard or street line than 15'. In any event no building shall be located on any lot nearer than 30 feet to the front lot line, or nearer than 15 feet to any side street line. No dwelling shall be located on any interior lot nearer than 25 feet to the rear lot line. For the purposes of this Covenant, eaves, steps, and open porches

shall not be considered as a part of a building, provided, however, that this shall not be construed to permit any portion of a building, on a lot to encroach upon another lot.

5. No dwelling shall be erected or placed on any lot having a width of less than 136 feet at the minimum building setback line nor shall any dwelling be erected or placed on any lot having an area of less than 13,000 square feet.

6. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat and over the rear five feet of each lot.

7. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

8. No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently.

9. No sign of any kind shall be displayed to the public view on any lot except one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

10. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purpose.

11. These Covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of ten years from the date these Covenants are recorded, at which time said Covenants shall be automatically extended for successive periods of 10 years unless by vote of a majority of the then owners of the lots, it is changed or changed in whole or in part.

12. In the event of any violation of any of the Covenants herein or any attempt to violate the same, it shall be lawful for any person or persons owning any real estate situated in said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such Covenants and either prevent him or them from so doing or to recover damages or other dues for such violation.

Invalidation of any of these Covenants by judgment or Court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

Dated at Grand Junction, Colorado, this 20th day of October, A.D. 1955.

John A. Soelberg
John A. Soelberg

Joan Soelberg
Joan Soelberg

Cleo E. Young
Cleo E. Young

STATE OF COLORADO)
) ss
COUNTY OF MESA)

On this 20th day of October, A. D. 1955, personally before me appeared John A. Soelberg, Joan Soelberg and Cleo E. Young, to me known to be the persons described in and who executed the above and foregoing Declaration of Protective Covenants, and acknowledged to me that they executed the same as their free and voluntary act and deed and for the uses and purposes therein set forth.

Witness my hand and official seal.

My commission expires _____

Notary Public

State of Colorado
County of Mesa
BOOK 685 PAGE 17

Recorded at 11:42 o'clock A.M. 5-19-56
Reception No. 16868
Annie M. Dunston
Recorder

AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS
ON
LINDA SUBDIVISION, MESA COUNTY, COLORADO

WE, the undersigned, being the owners of all of Linda subdivision, Mesa County, Colorado, in order to provide for orderly housing development thereon and protect the property value of the housing units to be erected on said lands, do hereby amend and alter the original declaration of protective covenants on said subdivision, said covenants being recorded by instrument dated October 20, 1955, recorded October 20, 1955 in the Office of the County Clerk and Recorder, Mesa County, Colorado, in Book 665 at Page 214, by striking from the original declaration of protective covenants paragraph numbered 4 and inserting in lieu thereof, the following, to-wit:

4. No building shall be located on any lot nearer to the front line than 30 feet or nearer to the side yard or street line than 12 1/2 feet. In any event, no building shall be located on any lot nearer than 30 feet to the front lot line nor nearer than 12 1/2 feet to any side street line. No dwelling shall be located on any interior lot nearer than 25 feet to the rear lot line. For the purpose of this covenant eaves, steps and open porches shall not be considered as a part of a building, provided however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot.

It is expressly understood and agreed between the undersigned, that all other protective covenants contained in the original document herein referred to shall remain in full force and effect and without change or modification whatsoever, except as hereinbefore set forth.

IN WITNESS WHEREOF, we have hereto set our hands and seals this 10th day of May, 1956.

Richard L. Koch (SEAL) John A. Solberg (SEAL)
Thomas R. ... (SEAL) John Solberg (SEAL)
... (SEAL)
... (SEAL)

Recorded at o'clock M,
Reception No. R order.

1395398 DOC \$7.87 11:49 AM
JUL 19 1985 E. SAWYER, CLK&REC MESA CTY, CO
BOOK 1547 PAGE 354

JOHN A. SOELBERG and JOAN SOELBERG

whose address is 2986 Country Road, Grand Junction, 81504
County of Mesa, State of Colorado

for the consideration of SEVENTY EIGHT THOUSAND SEVEN HUNDRED FIFTY AND NO/100---
dollars, in hand paid, hereby sell(s) and convey(s) to

WILLIAM B. WALES and MAXINE C. WALES, as joint tenants,
whose legal address is 657 Young Street, Grand Junction, 81505, County of Mesa, and State of Colorado the following real property in the County of Mesa, and State of Colorado, to wit:

Beginning at the Northeast corner of Lot 7 Linda Subdivision
thence South 15°26' West 200.6 feet,
thence South 117.18 feet,
thence North 65°40' West 133.34 feet,
thence North 255.89 feet,
thence East 175.0 feet to the Point of Beginning,
EXCEPT road right-of-way granted to Mesa County by instrument recorded June 2, 1976 in Book 1070 at Page 362,
Mesa County, Colorado

Together with any and all water, water rights, ditches and ditch rights-of-way thereunto appurtenant and used in connection therewith

also known as street and number 657 Young Street, Grand Junction, Colorado 81505

with all its appurtenances, and warrant (s) the title to the same, subject to building and zoning regulations, easements, reservations and restrictive covenants of record, 1985 taxes due and payable in 1986, and all future taxes and assessments, AND Deed of Trust for the use of Mesa Federal Savings and Loan Association of Grand Junction dated and recorded July 30, 1979 in Book 1211 at Page 728 of the Mesa County records, which grantees assume and agree to pay.

Signed this 19th day of July, 1985.

John A. Soelberg
John A. Soelberg

Joan Soelberg
Joan Soelberg

STATE OF COLORADO
County of Mesa

ss.

The foregoing instrument was acknowledged before me this 19th day of July, 1985, by John A. Soelberg and Joan Soelberg.

My commission expires September 12, 1987.
Witness my hand and official seal.



Alan Brock
1015 North 7th Street
Grand Junction, Colorado 81501

Notary Public



THIS DEED. Made this 13th day of June 19 77, between
WILMER L. AIKEN and JOYCE A. AIKEN, husband and wife,

RECORDER'S STAMP
State Documentary Fee
Date JUN 15 1977
1.55

of the Said County of Mesa and State of Colorado, of the first part, and

CHARLES F. BRENNER and SHARON A. BRENNER, joint tenants

of the Said County of Mesa and State of Colorado, of the second part:

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of
TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION - - - - - DOLLARS,

to the said parties of the first part in hand paid by the said parties of the second part, the receipt whereof is hereby confessed and acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, their heirs and assigns forever, not in tenancy in common but in joint tenancy, all the following described lot or parcel of land, situate, lying and being in the Said County of Mesa and State of Colorado, to wit:

A tract of land located in a part of Lot 7, LINDA SUBDIVISION, being more particularly described as follows:
Commencing at the Southwest Corner of the SE 1/4 of Section 3, Township 1 South, Range 1 West of the Ute Meridian, thence North 00°12'00" West along the West line of the SE 1/4 of said Section 3, a distance of 397.58 feet to the TRUE POINT OF BEGINNING, thence North 47°12'00" West 136.73 feet, thence North 00°12'00" West 105.40 feet, thence North 90°00'00" East 198.95 feet, thence South 00°00'00" West 255.89 feet, thence North 65°48'00" West 76.82 feet, thence North 47°12'00" West 38.42 feet to the TRUE POINT OF BEGINNING.

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said parties of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the said parties of the second part, their heirs and assigns forever. And the said parties of the first part, for themselves, their heirs, executors, and administrators do covenant, grant, bargain and agree to and with the said parties of the second part, their heirs and assigns, that at the time of the ensembling and delivery of these presents they are well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and encumbrances of whatever kind or nature soever.

except general taxes for 1977 and subsequent years and except easements, rights-of-way, restrictions and reservations of record, if any.

and the above bargained premises in the quiet and peaceable possession, heirs and assigns, against all and every person or persons lawfully claiming the said parties of the first part shall and with WARRANT AND IN WITNESS WHEREOF the said parties of the first part have seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

STATE OF COLORADO
Said County of Mesa

The foregoing instrument was acknowledged before me this 19 77, by Wilmer L. Aiken and Joyce A. Aiken, husband and wife.

Notary Public Seal: GAIL BECKER, Notary Public, Commission expires June 23, 1980

Handwritten note on yellow paper: "Karl dropped these off"

Handwritten note: "15/500 off"

Handwritten circled "010"

Handwritten notes at bottom right: "1.55", "46", "11/15/77"

JOHN A. SOELBERG and JOAN SOELBERG

whose address is 657 Young Street, Grand Junction,
County of Mesa, State of

State Documentary Fee
Date OCT 9 1975
\$ 80

Colorado, for the consideration of Eight Thousand

dollars, in hand paid, hereby sell(s) and convey(s) to

HAROLD H. BINKLEY and KATHLEEN V. BINKLEY

whose address is _____, County of _____
Mesa, and State of Colorado the following real property in the
County of Mesa, and State of Colorado, to wit:

A tract of land in a part of Lot 7 of LINDA SUBDIVISION
being more particularly described as follows:

Commencing at the SouthWest corner of SE 1/4 NE 1/4 of Section 3,
Township 1 South, Range 1 West of the U. M.
thence North 00° 12' 00" West along the West line of the
SE 1/4 NE 1/4 of said Section 3, a distance of 25.00 to the true
point of beginning;
thence continuing North 00° 12' 00" West along said West line of the SE 1/4 NE 1/4 of
Section 3, a distance of 289 feet;
thence South 65° 48' 00" East to the West line of Young Street
as dedicated in Linda Subdivision;
thence South 00° 00' 00" East 204.96 feet,
thence South 89° 51' 24" West 218.58 feet to the true point of
beginning;
Mesa County Colorado.

008

with all its appurtenances, and warrant(s) the title to the same, subject to An exclusive
30 feet easement on the West side of subject property North of
the Grand Valley Canal. With all other easements and rights of
way of record.

Signed this Sixth day of October, 1975.

John A. Soelberg
Joan Soelberg

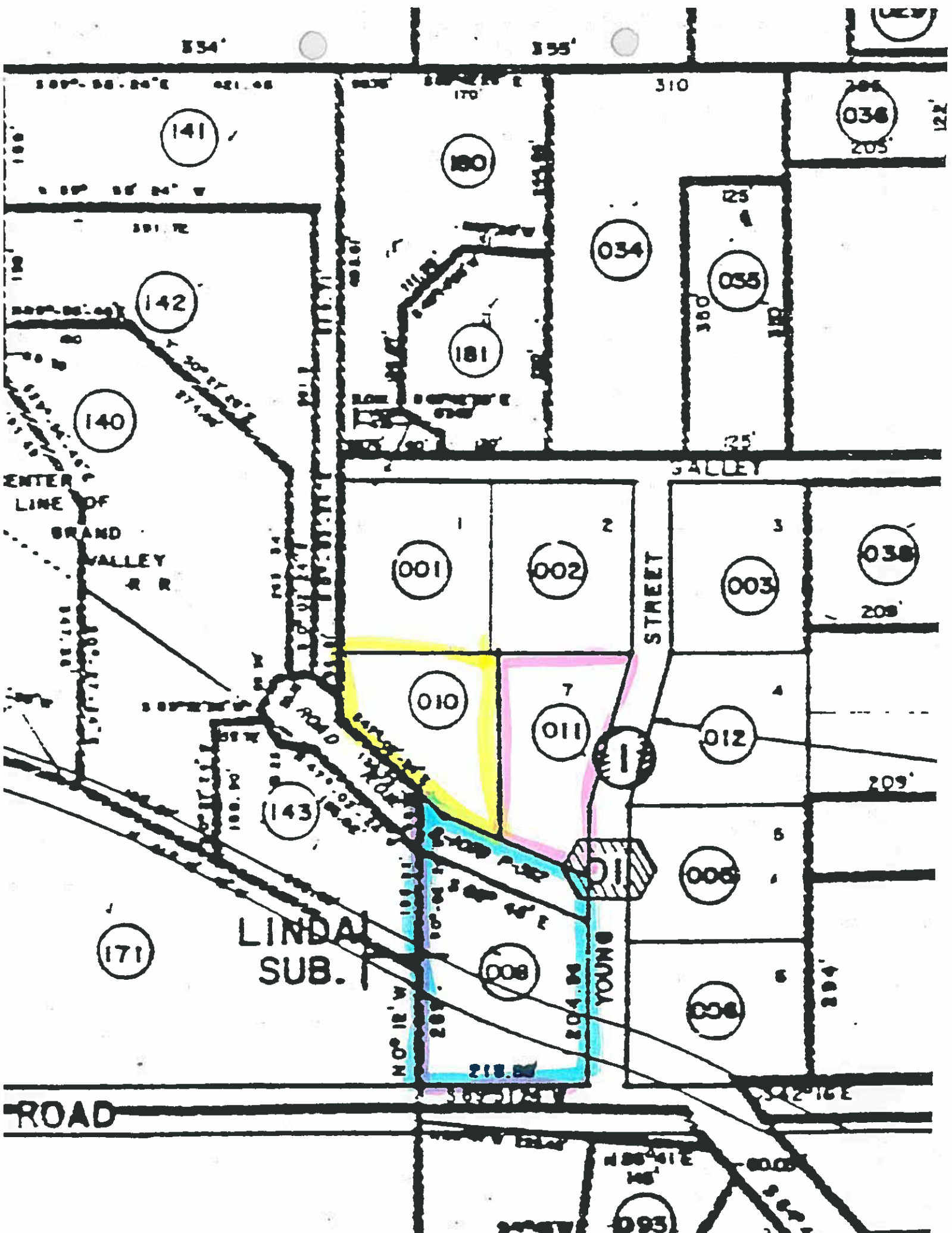
STATE OF COLORADO,
County of Mesa } ss.

The foregoing instrument was acknowledged before me this 6th
day of October, 1975, by
John A. Soelberg and Joan Soelberg

My commission expires August 22, 1976
Witness my hand and official seal.



Edwin Jensen
Notary Public



854'

855'

141

180

038
205'

142

034

035

140

181

CENTER LINE OF
GRAND VALLEY
R.R.

310

001

002

003

038
209'

010

011

012

LINDAI
SUB.

143

013

005

209'

171

008

014

006

204'

ROAD

YOUNG
STREET

100' 12" W

218.85'

204.84'

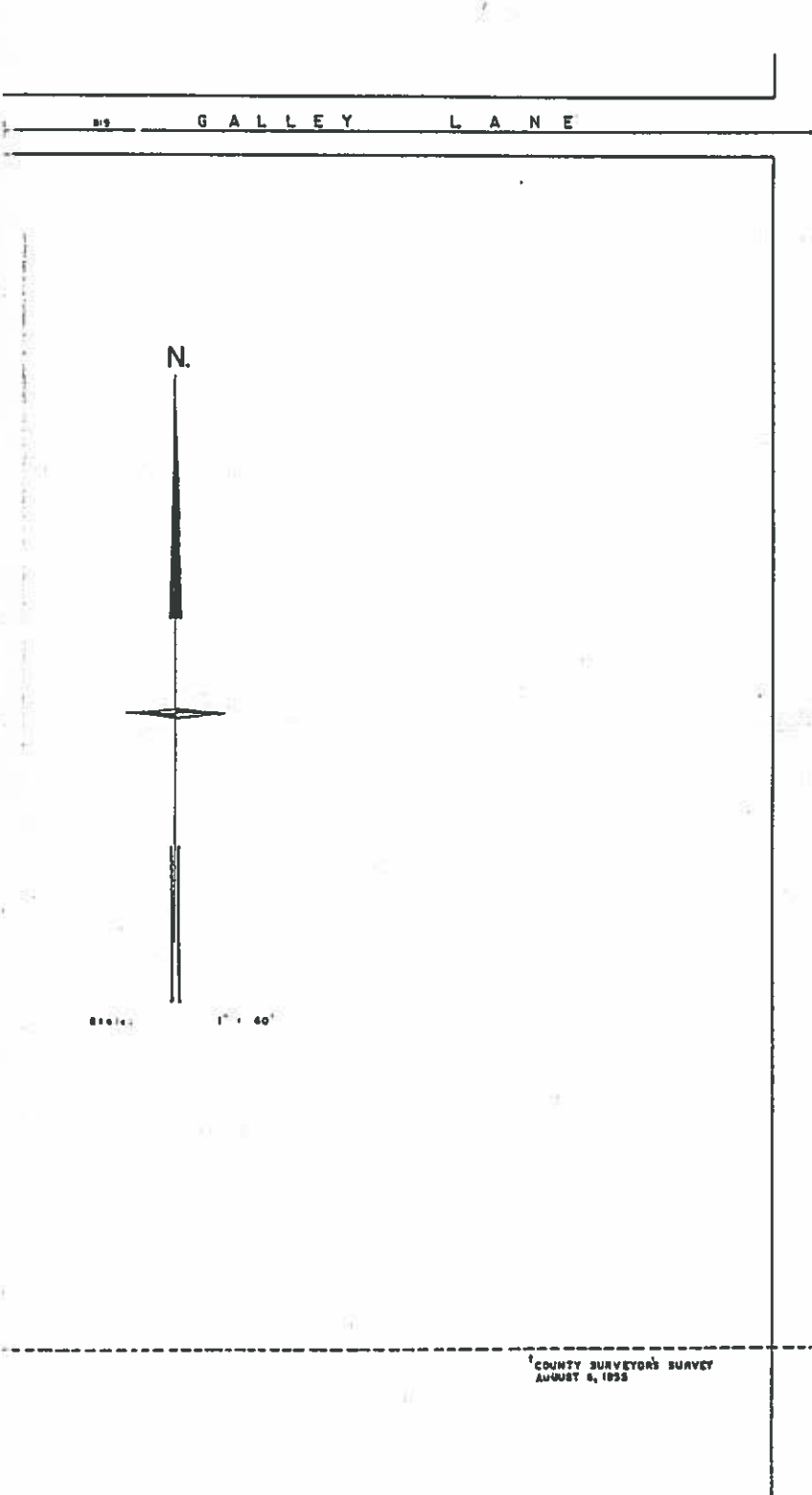
186.41'E

095

Master

L I N D A S U B D I V I S I O N

M E S A C O U N T Y , C O L O R A D O



STATE OF COLORADO
COUNTY OF MESA

KNOW ALL MEN BY THESE PRESENTS:

THAT THE UNDERSIGNED JOHN A. SOELBERG & JOAN SOELBERG, ARE THE OWNERS OF THAT REAL PROPERTY SITUATED IN THE COUNTY OF MESA, STATE OF COLORADO, AND LYING BEGINNING AT A POINT MARKED BY A STEEL PIN IN GALLEY LANE AND WHICH HAS BEEN ESTABLISHED BY THE COUNTY SURVEYOR AS BEING 810' 3" AND 819' 6" OF THE NE CORNER OF THE SE 1/4 SEC. 3 T15 N14 W12E, RUN THENCE W 800' THENCE S 880' THENCE S 80' 42" (1575) THENCE S 342' TO A POINT WHICH IS IN THE RIGHT OF WAY OF COUNTY ROAD 1; THENCE E 300' TO A POINT WHICH IS 810' 3" OF THE POINT OF BEGINNING THENCE N TO THE POINT OF BEGINNING, AS SHOWN BY THE ACCOMPANYING PLAT THEREOF;

THAT THE SAID JOHN A. SOELBERG & JOAN SOELBERG HAVE LAID OUT THE SAID REAL PROPERTY TO BE LAID OUT AND SURVEYED AS LINDA SUBDIVISION, A SUBDIVISION OF A PART OF THE COUNTY OF MESA;

THAT SAID JOHN A. SOELBERG & JOAN SOELBERG HEREBY DEDICATE AND SET APART ALL OF THE STREETS AND PORTIONS AS SHOWN ON THE ACCOMPANYING PLAT TO TO THE USE OF THE PUBLIC FOREVER AND HEREBY DELEGATE THOSE PORTIONS OF SAID REAL PROPERTY WHICH ARE LABELED AS UTILITY EASEMENTS ON THE ACCOMPANYING PLAT AS EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF TELEPHONE AND ELECTRIC LINES, POLES AND UNDERGROUND CABLES, STORM AND SANITARY SEWER MAINS, GAS PIPE LINES, AND THOSE PORTIONS OF SAID REAL PROPERTY WHICH ARE LABELED AS IRRIGATION EASEMENTS ON THE ACCOMPANYING PLAT AS EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF IRRIGATION DITCHES, FLUMES AND CONDUITS;

THAT ALL EXPENSES INVOLVING NECESSARY IMPROVEMENTS FOR A WATER SYSTEM, SANITARY SEWER SYSTEM, GAS SERVICE, ELECTRICAL SERVICE, GRASSING AND LANDSCAPING, STORM SEWER SYSTEM, CURBS AND GUTTERS, STREET PAVEMENT AND SIDEWALKS SHALL BE FINANCED BY THE PURCHASER OR SELLER—NOT THE COUNTY OF MESA.

IN WITNESS WHEREOF, SAID JOHN A. SOELBERG & JOAN SOELBERG HAVE CAUSED THEM NAMES TO BE HERETO SUBSCRIBED THIS 7 DAY OF October A.D. 1955.

John A. Soelberg
Joan Soelberg

STATE OF COLORADO
COUNTY OF MESA

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 7 DAY OF October, A.D. 1955, BY John A. Soelberg & Joan Soelberg MY COMMISSION EXPIRES June 30, 1957;

WITNESS MY HAND AND OFFICIAL SEAL THIS 7 DAY OF October, 1955;
Richard B. Hillman
NOTARY PUBLIC

CLERK AND RECORDER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK _____ M., _____ A.D. 1955, AND IS DULY RECORDED IN PLAT BOOK NO. _____ PAGE _____.

RECORDED
BY _____
DEPUTY

FEES -

COUNTY PLANNING COMMISSION CERTIFICATE

APPROVED THIS 7th DAY OF October A.D. 1955
COUNTY PLANNING COMMISSION OF MESA COUNTY COLORADO
BY *[Signature]*

BOARD OF COUNTY COMMISSIONERS CERTIFICATE

APPROVED THIS 7th DAY OF October A.D. 1955
BOARD OF COUNTY COMMISSIONERS MESA COUNTY COLORADO.
BY *[Signature]*

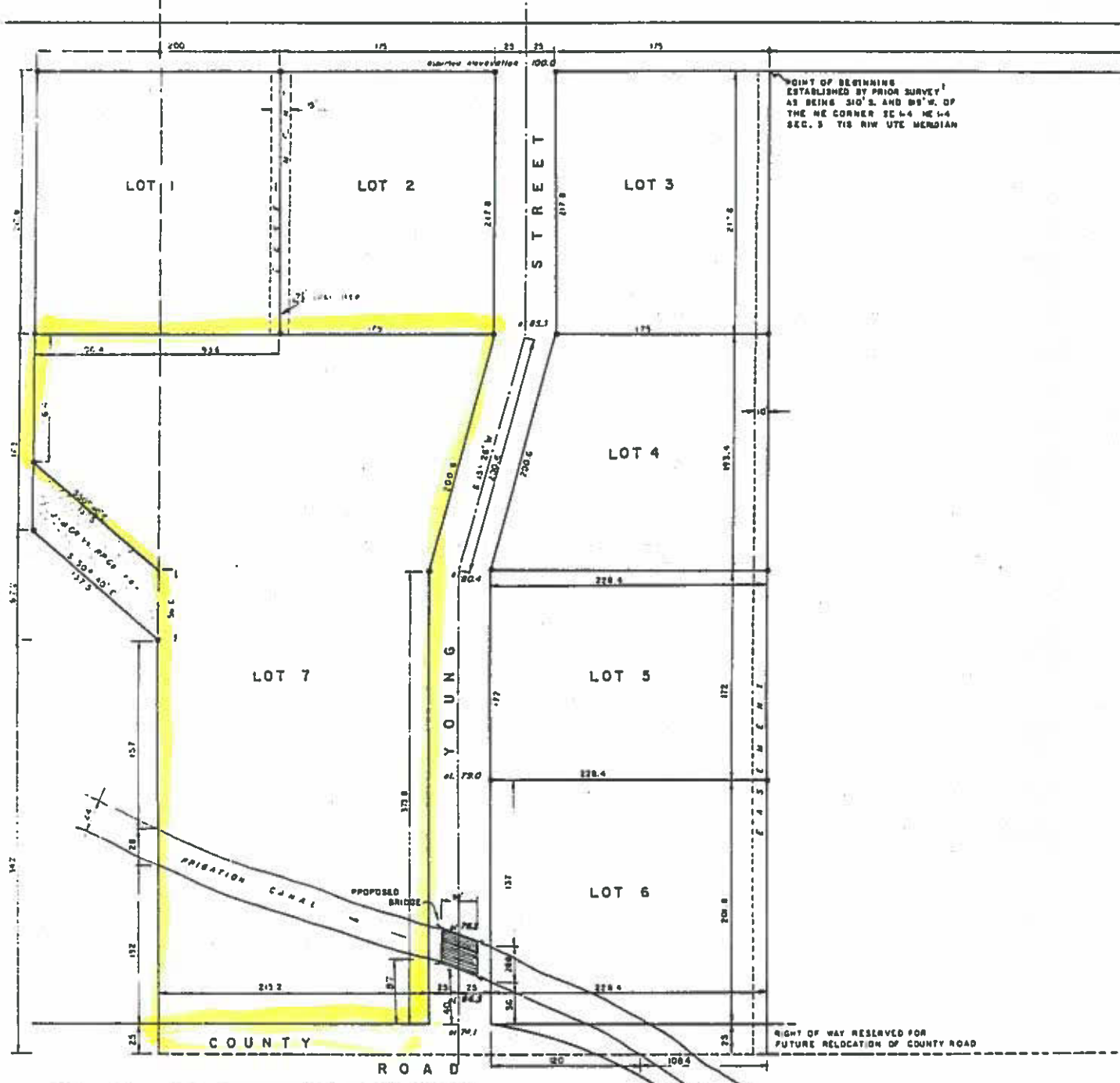
COUNTY SURVEYOR'S SURVEY
AUGUST 6, 1955

I JOHN C. SHEPHERD DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN PREPARED UNDER MY DIRECTION AND ACCURATELY REPRESENTS A SURVEY OF SAID SUBDIVISION

John C. Shepherd
REGISTERED ENGINEER

1.571420





POINT OF BEGINNING
ESTABLISHED BY PRIOR SURVEY
AS BEING S10° E. AND 88' N. OF
THE NE CORNER SEC. 4 NE 1/4
SEC. 5 T1S R1W UTE MERIDIAN

RIGHT OF WAY RESERVED FOR
FUTURE RELOCATION OF COUNTY ROAD

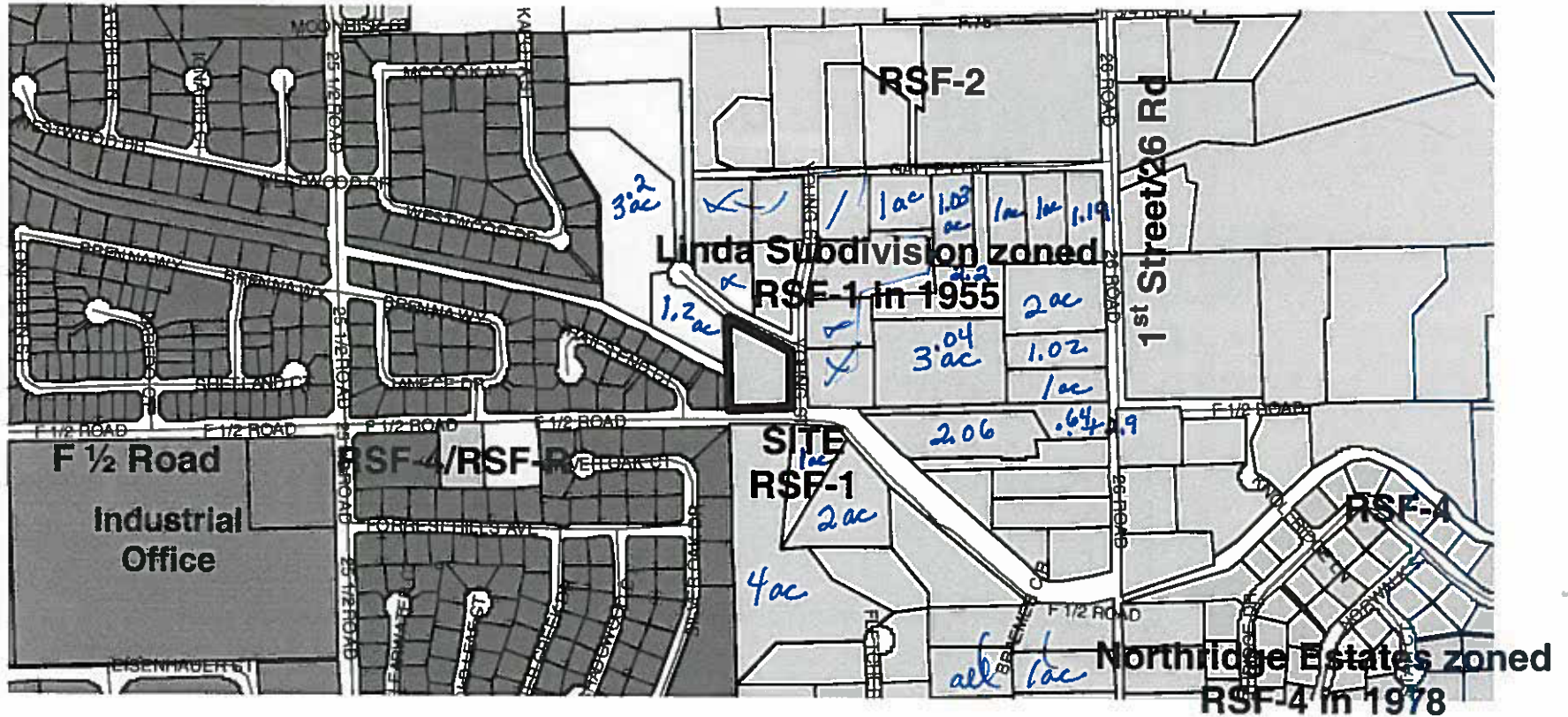
-EXPLANATION-
 steel pins
 easements

Existing City and County Zoning

Figure 4

PD with density ranges of
2.8 to 3.86 du/ac

Galley Minor Subdivision
zoned RSF-2 in 1995



Valley Meadows East at PR 2.93, Kay Subdivision at PR 3.86,
Cimarron North at PR 3.7 & Fall Valley at PR 2.9 du/ac all zoned
in 1995 thru 1997.

NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

Policy 1.3 - may limit site development to a lower intensity than shown on the FLU map if site specific conditions do not support planned intensities.

RSF-1: Residential Single Family - 1

1. **Purpose.** To provide areas for low density residential uses in less intensely developed areas. RSF-1 tracts should abut or be in close proximity to existing large lot single family development, making RSF-1 an appropriate transition district between rural and higher density areas. This District implements the *Residential/Low Density* future land use classification of the GROWTH PLAN.

2. **Authorized Uses.** Table 3.5 lists the uses authorized in the RSF-1 District.

3. **Intensity/Density.** Subject to the density bonus provisions of this Code, and other development standards in this Code, the following density provisions shall apply:

- a. Maximum gross density shall not exceed one dwelling per acre;
- b. Minimum lot size shall be one acre, except as provided in the cluster provisions; and
- c. Density shall also conform with the minimum and maximum densities identified in the Growth Plan.

RSF-1 Summary

Primary Uses	Detached Single-Family, Civic
Max. Density	1 unit/acre (cluster allowed)

Zoning District	Minimum Lot Size		Minimum Street Frontage (ft)	Minimum Setbacks ⁽¹⁾ (Principal/Accessory Building)			Max. Lot Coverage (%)	Max. FAR	Max. Height (ft)
	Area (sq. ft.)	Width (ft)		Front ⁽⁶⁾ (ft.)	Side (ft)	Rear ⁽⁸⁾ (ft.)			
See Section	3.2.B	3.2.C	3.2.D	3.2.F	3.2.E	3.2.E	3.2.F	3.2.G	3.2.H

Urban Residential Zoning Districts

RSF-1	1 Acre	100	50 ⁽²⁾	20/25	15/3	30/10	20	0.40 ⁽³⁾	35
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GENERAL NOTE: See the Alternative Residential Development Standards of Chapter Five for additional information regarding flagpole lots, attached housing, zero lot line and cluster development.

Footnotes:

- (1) Minimum front yard setback for garage, carport or other vehicle storage space (principal and accessory) shall be 20 feet, measured from the storage entrance to the property line.
- (2) Minimum street frontage on cul-de-sac is 30 feet.
- (3) RSF-R through RMF-5, the FAR (Floor Area Ratio) applies only to non-residential uses; RMF-8 through RMF-24, the FAR applies to multi-family and non-residential uses.
- (4) Maximum height is 40 feet if adjacent to any residential zoning district.
- (5) 10/5 foot setback if abutting a residential zone or use.
- (6) Maximum height for structures in the C-1 and I-O zone districts which are along Horizon Drive and north of G Road (including Crossroad Boulevard and Horizon Court) shall be 65 feet.
- (7) Setbacks may be reduced to zero feet (0') by the Director if located within the downtown area.
- (8) The setback from the street along the rear half of a double frontage lot shall be the greater of the required front yard setback or the required rear yard setback.
- (9) Maximum building height may be increased up to 65 feet if the building front yard setback is at least 1.5 times the overall height of the building. A minimum of 50 percent of the resulting front yard setback area must be landscaped per Code requirements.

RSF-2: Residential Single Family - 2

1. **Purpose.** To provide areas for medium-low density, single-family residential uses where adequate public facilities and services exist. RSF-2 zoning implements the *Residential Low Density* and *Residential Medium Low Density* future land use classifications of the GROWTH PLAN.
2. **Authorized Uses.** Table 3.5 lists the uses authorized in the RSF-2 District.
3. **Intensity/Density.** Subject to the density bonus provisions of this Code, and other development standards in this Code, the following density provisions shall apply:
 - a. Maximum gross density shall not exceed two dwellings per acre;
 - b. Minimum lot size shall be 17,000 square feet, except as provided in the cluster provisions; and
 - c. Density shall also conform with the minimum and maximum densities identified in the Growth Plan.

RSF-2 Summary	
Primary Uses	Detached/Attached Single-Family, Civic
Max. Density	2 units/acre (cluster allowed)

Zoning District	Minimum Lot Size		Minimum Street Frontage (ft.)	Minimum Setbacks ⁽¹⁾ (Principal/Accessory Building)			Max. Lot Coverage (%)	Max. FAR	Max. Height (ft.)
	Area (sq. ft.)	Width (ft.)		Front ⁽²⁾ (ft.)	Side (ft.)	Rear ⁽²⁾ (ft.)			
See Section	3.2.B	3.2.C	3.2.D	3.2.E	3.2.E	3.2.F	3.2.F	3.2.G	3.2.H

Urban Residential Zoning Districts									
RSF-2	17,000	100	50 ⁽²⁾	20/25	15/3	30/5	30	0.40 ⁽³⁾	35

GENERAL NOTE: See the Alternative Residential Development Standards of Chapter Five for additional information regarding flagpole lots, attached housing, zero lot line and cluster development.

Footnotes:

- (1) Minimum front yard setback for garage, carport or other vehicle storage space (principal and accessory) shall be 20 feet, measured from the storage entrance to the property line.
- (2) Minimum street frontage on cul-de-sac is 30 feet.
- (3) RSF-R through RMF-5, the FAR (Floor Area Ratio) applies only to non-residential uses; RMF-8 through RMF-24, the FAR applies to multi-family and non-residential uses.
- (4) Maximum height is 40 feet if adjacent to any residential zoning district.
- (5) 10/5 foot setback if abutting a residential zone or use.
- (6) Maximum height for structures in the C-1 and I-O zone districts which are along Horizon Drive and north of G Road (including Crossroad Boulevard and Horizon Court) shall be 65 feet.
- (7) Setbacks may be reduced to zero feet (0') by the Director if located within the downtown area.
- (8) The setback from the street along the rear half of a double frontage lot shall be the greater of the required front yard setback or the required rear yard setback.
- (9) Maximum building height may be increased up to 65 feet if the building front yard setback is at least 1.5 times the overall height of the building. A minimum of 50 percent of the resulting front yard setback area must be landscaped per Code requirements.

City of Grand Junction GIS Subdivision Map

FLU map 1/2 to 2ac/du

~~not in a subdivision~~
not in a subdivision

Kay Sub (1993) 4.27 ac / 15 lots

Kay Sub #2 (1995) - 3.929 ac / 15 lots













Valley Meadows East #2 (1996) 9.84 ac / 12 lots

Valley Meadows East #3 (1997) 5.33 ac / 18 lots

Cimarron North (1997) 5.278 ac / 19 lots

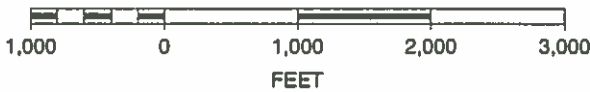
LINDA Sub (1955) 11.16 ac / 7 lots

Galley Minor 8.919 ac / 3 lots (1996)

-  Cemetery Replat 2
-  Cemetery Original
-  Subs Replat 7
-  Subs Replat 6
-  Subs Replat 5
-  Subs Replat 4
-  Subs Replat 3
-  Subs Replat 2
-  Subs Replat 1
-  Subs Original
-  Highways
-  Rail Roads



SCALE 1 : 17,296



Harwood & Tolman Sub - (1959) 9 lots

Fall Valley #3 - (1999) 9.38 ac / 31 lots

Fall Valley #2 (1998) 20.41 ac / 44 lots

Fall Valley #1 (1997) 37.87 ac / 35 lots

Research County Subs -

County Zoning
AFT

Arial, 10
Point Bold

Existing City and County Zoning

City Limits

Figure 4

City Limits

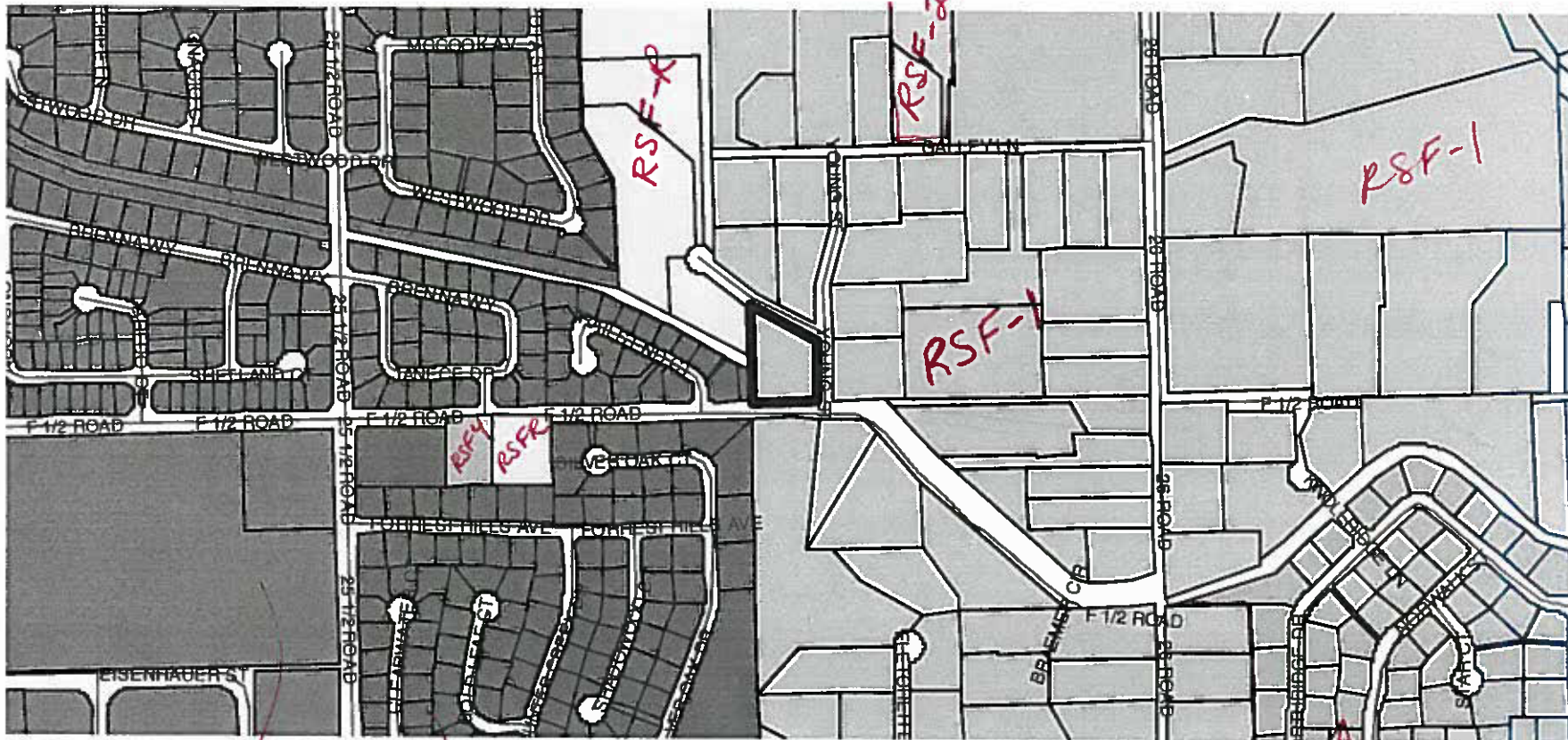
Street Name

Arial, 14
Point Bold

SITE
RSF-4

Street Name

Arial, 12
Point Bold



I-10

all PD

transition?

RSF-4

NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

RSF-2: Residential Single Family - 2

1. **Purpose.** To provide areas for medium-low density, single-family residential uses where adequate public facilities and services exist. RSF-2 zoning implements the *Residential Low Density* and *Residential Medium Low Density* future land use classifications of the GROWTH PLAN.
2. **Authorized Uses.** Table 3.5 lists the uses authorized in the RSF-2 District.
3. **Intensity/Density.** Subject to the density bonus provisions of this Code, and other development standards in this Code, the following density provisions shall apply:
 - a. Maximum gross density shall not exceed two dwellings per acre;
 - b. Minimum lot size shall be 17,000 square feet, except as provided in the cluster provisions; and
 - c. Density shall also conform with the minimum and maximum densities identified in the Growth Plan.

RSF-2 Summary	
Primary Uses	Detached/Attached Single-Family, Civic
Max. Density	2 units/acre (cluster allowed)

Zoning District	Minimum Lot Size		Minimum Street Frontage (ft.)	Minimum Setbacks ⁽¹⁾ (Principal/Accessory Building)			Max. Lot Coverage (%)	Max. FAR	Max. Height (ft.)
	Area (sq. ft.)	Width (ft.)		Front ⁽⁸⁾ (ft.)	Side (ft.)	Rear ⁽⁵⁾ (ft.)			
See Section	3.2.B	3.2.C	3.2.D	3.2.E	3.2.E	3.2.F	3.2.F	3.2.G	3.2.H

Urban Residential Zoning Districts

RSF-2	17,000	100	50 ⁽²⁾	20/25	15/3	30/5	30	0.40 ⁽³⁾	35
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GENERAL NOTE: See the Alternative Residential Development Standards of Chapter Five for additional information regarding flagpole lots, attached housing, zero lot line and cluster development.

Footnotes:

- (1) Minimum front yard setback for garage, carport or other vehicle storage space (principal and accessory) shall be 20 feet, measured from the storage entrance to the property line.
- (2) Minimum street frontage on cul-de-sac is 30 feet.
- (3) RSF-R through RMF-5, the FAR (Floor Area Ratio) applies only to non-residential uses; RMF-8 through RMF-24, the FAR applies to multi-family and non-residential uses.
- (4) Maximum height is 40 feet if adjacent to any residential zoning district.
- (5) 10/5 foot setback if abutting a residential zone or use.
- (6) Maximum height for structures in the C-1 and I-O zone districts which are along Horizon Drive and north of G Road (including Crossroad Boulevard and Horizon Court) shall be 65 feet.
- (7) Setbacks may be reduced to zero feet (0') by the Director if located within the downtown area.
- (8) The setback from the street along the rear half of a double frontage lot shall be the greater of the required front yard setback or the required rear yard setback.
- (9) Maximum building height may be increased up to 65 feet if the building front yard setback is at least 1.5 times the overall height of the building. A minimum of 50 percent of the resulting front yard setback area must be landscaped per Code requirements.

RSF-1: Residential Single Family - 1

1. **Purpose.** To provide areas for low density residential uses in less intensely developed areas. RSF-1 tracts should abut or be in close proximity to existing large lot single family development, making RSF-1 an appropriate transition district between rural and higher density areas. This District implements the *Residential/Low Density* future land use classification of the GROWTH PLAN.
2. **Authorized Uses.** Table 3.5 lists the uses authorized in the RSF-1 District.
3. **Intensity/Density.** Subject to the density bonus provisions of this Code, and other development standards in this Code, the following density provisions shall apply:
 - a. Maximum gross density shall not exceed one dwelling per acre;
 - b. Minimum lot size shall be one acre, except as provided in the cluster provisions; and
 - c. Density shall also conform with the minimum and maximum densities identified in the Growth Plan.

RSF-1 Summary	
Primary Uses	Detached Single-Family, Civic
Max. Density	1 unit/acre (cluster allowed)

Zoning District	Minimum Lot Size		Minimum Street Frontage (ft.)	Minimum Setbacks ⁽¹⁾ (Principal/ Accessory Building)			Max. Lot Coverage (%)	Max. FAR	Max. Height (ft.)
	Area (sq. ft.)	Width (ft.)		Front ⁽³⁾ (ft.)	Side (ft.)	Rear ⁽³⁾ (ft.)			
See Section	3.2.B	3.2.C	3.2.D	3.2.E	3.2.E	3.2.E	3.2.F	3.2.G	3.2.H

Urban Residential Zoning Districts

RSF-1	1 Acre	100	50 ⁽²⁾	20/25	15/3	30/10	20	0.40 ⁽³⁾	35
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GENERAL NOTE: See the Alternative Residential Development Standards of Chapter Five for additional information regarding flagpole lots, attached housing, zero lot line and cluster development.

Footnotes:

- (1) Minimum front yard setback for garage, carport or other vehicle storage space (principal and accessory) shall be 20 feet, measured from the storage entrance to the property line.
- (2) Minimum street frontage on cul-de-sac is 30 feet.
- (3) RSF-R through RMF-5, the FAR (Floor Area Ratio) applies only to non-residential uses; RMF-8 through RMF-24, the FAR applies to multi-family and non-residential uses.
- (4) Maximum height is 40 feet if adjacent to any residential zoning district.
- (5) 10/5 foot setback if abutting a residential zone or use.
- (6) Maximum height for structures in the C-1 and I-O zone districts which are along Horizon Drive and north of G Road (including Crossroad Boulevard and Horizon Court) shall be 65 feet.
- (7) Setbacks may be reduced to zero feet (0') by the Director if located within the downtown area.
- (8) The setback from the street along the rear half of a double frontage lot shall be the greater of the required front yard setback or the required rear yard setback.
- (9) Maximum building height may be increased up to 65 feet if the building front yard setback is at least 1.5 times the overall height of the building. A minimum of 50 percent of the resulting front yard setback area must be landscaped per Code requirements.

FUTURE LAND USE PLAN

GOALS, POLICIES AND IMPLEMENTATION

Policy 5.2: The City and County will encourage development that uses existing facilities and is compatible with existing development.

Policy 5.3: The City and County may accommodate extensions of public facilities to serve development that is adjacent to existing facilities. Development in areas which have adequate public facilities in place or which provide needed connections of facilities between urban development areas will be encouraged. Development that is separate from existing urban services ("leap-frog" development) will be discouraged.

Goal 6: To promote the cost-effective provision of services for businesses and residents by all service providers.

Policy 6.1: The City and County will conduct periodic meetings with other service providers to exchange information about capital improvements projects and to coordinate the timing and capacity of improvements to efficiently provide for demands from planned development.

Policy 6.2: The City and County will coordinate with other service providers to identify opportunities for improving operating efficiencies. The City and County will encourage service providers to participate in joint service ventures that reduce service costs while maintaining adequate levels of service.

Policy 6.3: The City and County will cooperate with the school district to identify appropriate locations for future school facilities. Elementary schools should be located within residential neighborhoods to minimize the need for children to cross arterial streets.

Policy 6.4: The City and County will encourage consolidations of services whenever such consolidations will result in



FUTURE LAND USE PLAN

GOALS, POLICIES AND IMPLEMENTATION

areas were scattered throughout. The plan continues the efforts started and recommends stronger design guidelines, especially in the highly visual areas of the community.

D. Future Land Use Classes

The Urban Planning Area is located in and around the most heavily urbanized area of the Grand Valley, including the community areas of the Redlands, Orchard Mesa, Clifton and Grand Junction. This area is jointly planned by Mesa County and the City of Grand Junction.

The Urban Planning Area has a more detailed land use classification system than the Rural Areas of the County due to the more intense urban pressures it experiences. This second tier in the County land use terminology has fourteen (14) classifications. The fourteen (14) land use classes are:

- a. **Agriculture** (orchard, crop/pasture, feeding, non-irrigated range/35 acre plus)
- b. **Rural** (5-35 acre lots)
- c. **Estate** (2-5 acre lots)
- d. **Residential/Low Density** (1.9 du/acre - 1 du/2 acres)
- e. **Residential/Medium Low Density** (2-3.9 du/acre)
- f. **Residential/Medium Density** (4-7.9 du/acre)
- g. **Residential/Medium High Density** (8-11.9 du/acre)
- h. **Residential/High Density** (12-24 du/acre)
- i. **Commercial** (Retail, Office, Service, Entertainment, etc.)
- j. **Commercial/Industrial** (Heavy commercial and light industrial)
- k. **Industrial** (Heavy commercial and industrial operations)
- l. **Public/Institutional** (Schools, colleges, hospitals, libraries, etc.)



FUTURE LAND USE PLAN

GOALS, POLICIES AND IMPLEMENTATION

Policy 1.3: The City and County will use Exhibit V.3: Future Land Use Map in conjunction with the other policies of this plan to guide zoning and development decisions.

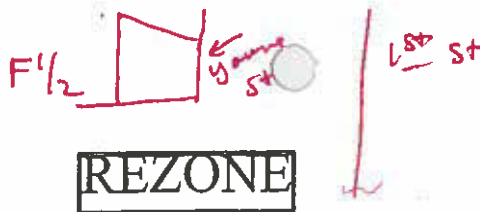
- City and County decisions about the type and intensity of land uses will be consistent with the Future Land Use Map and Plan policies.
- The City and County may limit site development to a lower intensity than shown on the Future Land Use Map if site specific conditions do not support planned intensities.

Policy 1.4: The City and County may allow residential dwelling types (e.g., patio homes, duplex, multi-family and other dwelling types) other than those specifically listed for each residential category³ through the use of planned development regulations that ensure compatibility with adjacent development. Gross density within a project should not exceed planned densities except as provided in policy 1.5. Clustering of dwellings on a portion of a site should be encouraged so that the remainder of the site is reserved for usable open space or agricultural land.

Policy 1.5: The City and County may allow maximum residential densities to exceed those specified in Exhibit V.2 by up to twenty (20) percent through the use of planned development regulations that result in specific community benefits, if adequate public facilities can be provided and the proposed development will be compatible with adjacent development. (Specific community benefits may

³ Residential categories include Rural, Estate Residential, Residential/Low Density, Residential/Medium Low Density, Residential/Medium Density, Residential/Medium-High Density, and Residential/High Density.





REZONE

FEE: \$330 payable at the time of application

*at the time of
Linda Sub development
& surrounding area - was
not in error - was
1. orig sub. recorded
orig 10/17/55
orig. zoning?*

2.6 CODE AMENDMENT AND REZONING

A. Approval Criteria. In order to maintain internal consistency between this Code and the Zoning Maps, map amendments must only occur if:

- NO* 1. The existing zoning was in error at the time of adoption;
- YES* 2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.;
- NOT w/ the existing sub. it is in.* 3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances;
- 4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code, and other City regulations and guidelines;
- 5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;
- 6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and
- 7. The community or neighborhood will benefit from the proposed zone.

*annex # 402
annexed 2000
8/6/00
G Rd South
Enclave
RSF-1 was
annexed
to RSF-1
City*

*Apr. 2000
RIA = RSF1*

B. Decision-Maker.

- 1. The Director and Planning Commission shall make recommendations and the City Council shall make the final decision. Either the Planning Commission or the City Council may add additional property to be considered for a zoning change if such additional property is identified in the notice, in accordance with Section 2.3.B.6.

C. Application and Review Procedures. Application requirements and processing procedures are in Table 2.1 and Section 2.3.B except:

- 1. **Text Amendment.** An application for an amendment to the text of this Code shall address in writing the reasons for the proposed amendment.

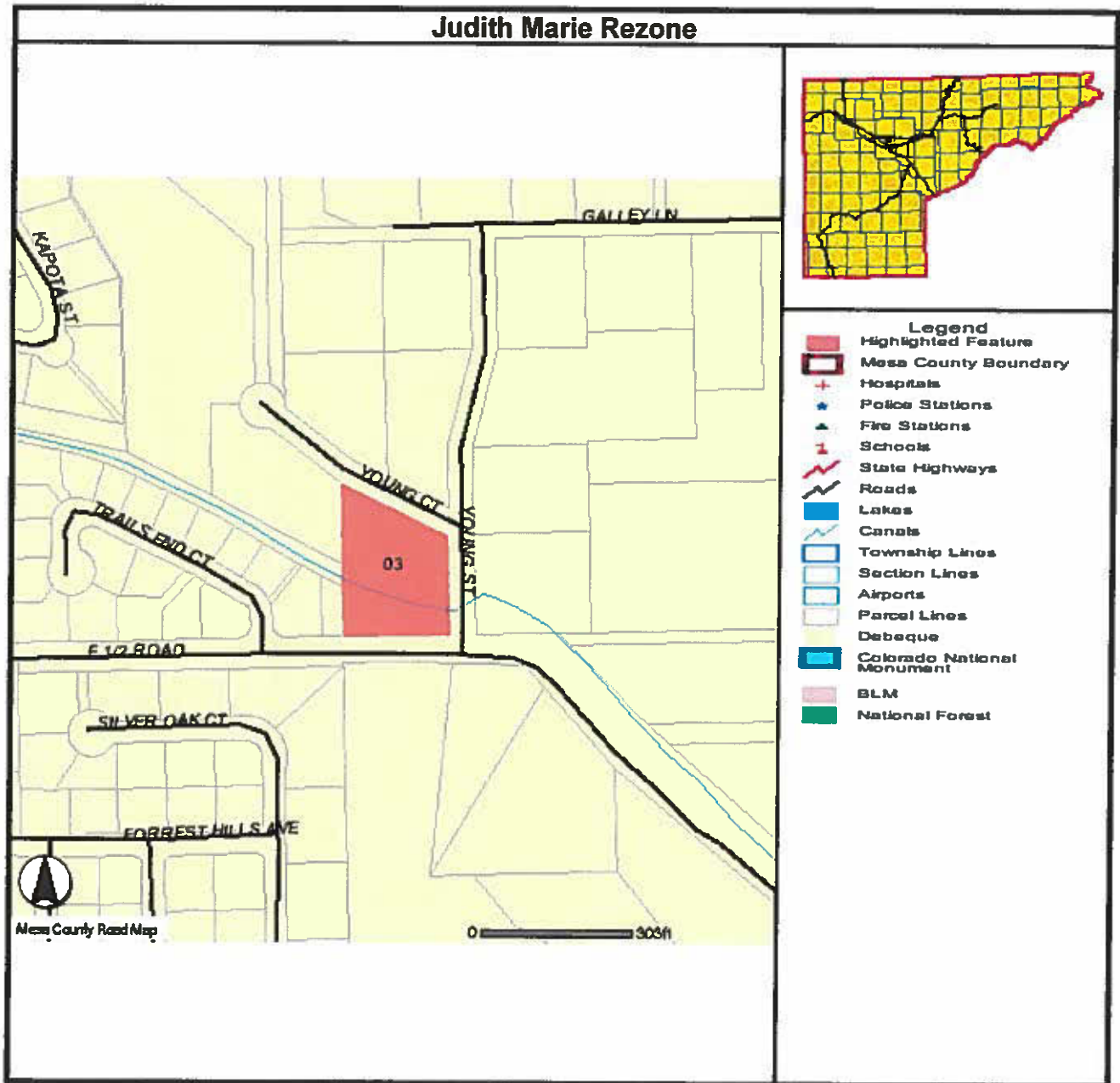
2. Notice.

- a. **Property Sign.** Notice signs are not required for a rezoning request initiated by the City as a City-wide or area plan process, nor for a text amendment.
- b. **Mailed Notice** is not required for a rezoning request relating to more than five percent (5%) of the area of the City and/or related to a City-wide or area plan process, nor for any text amendment request. The Director shall give notice in a local newspaper of general circulation (Section 2.3.B.6).

REPORT CHECKLIST AND OUTLINE

GENERAL PROJECT REPORT

CHECKLIST	OK	NA
Typed text		
Size: 8½ x 11" format		
Bound: If more than 1 page, use a staple		
Name of report on a title page or on the first page of text		
OUTLINE		
<p>A. Project Description</p> <ol style="list-style-type: none">1. Location2. Acreage3. Proposed use <p>B. Public Benefit</p> <p>C. If a "Neighborhood Meeting" has been held (required for all rezones and Growth Plan Amendments to a greater density/intensity, and all subdivisions of 35 lots or more) proof of those who attended, along with the date, time and place shall be provided. See Section 2.3.4 of the Zoning and Development Code for details on Neighborhood Meetings.</p> <p>D. Project Compliance, Compatibility, and Impact</p> <ol style="list-style-type: none">1. Adopted plans and/or policies (for rezones, variances, conditional and special use, revocable permits, and vacations, discuss the circumstances that justify the request, as required by the Zoning and Development Code)2. Land use in the surrounding area3. Site access and traffic patterns4. Availability of utilities, including proximity of fire hydrants5. Special or unusual demands on utilities (high water or sewage quantities, grease, or sediment contribution, pre-treatment needs, etc.)6. Effects on public facilities (fire, police, sanitation, roads, parks, schools, irrigation, etc.)7. Site soils and geology (such as per SCS soils mapping)8. Impact of project on site geology and geological hazards, if any9. Hours of operation10. Number of employees11. Signage plans (required with CUPs and Planned Development) <p>E. Development Schedule and Phasing</p>		
COMMENTS		
1. This report should only provide general information, and should not be more than 2 pages long		



653 Gault

CITY OF GRAND JUNCTION
WENDY-COMM DEV
250 NORTH 5TH STREET
GRAND JUNCTION, CP 81501

VALLEY MEADOWS EAST HOA
MIKE LIGHTFOOD
667 CHAMA LANE
GRAND JUNCTION, CO 81505

FALL VALLEY HOA
CAROL SNYDER
P.O. BOX 55033
GRAND JUNCTION, CO 81502

KAY SUBDIVISION HOA
PATTI VISCONTI
659 JANECE DRIVE
GRAND JUNCTION, CO 81505

DENISE A KIPFER
2591 GALLEY LN
GRAND JUNCTION, CO 81505-1407

BERNADINE RAE SHERMAN
2570 YOUNG CT
GRAND JUNCTION, CO 81505-1417

LOUIS J MOTTS
BELLE D
2574 YOUNG CT
GRAND JUNCTION, CO 81505-1417

ROBERT R HUNT
LOU ELLEN
2572 YOUNG CT
GRAND JUNCTION, CO 81505-1417

JOHN R LAFFEY
CYNTHIA M LAFEY
2575 YOUNG CT
GRAND JUNCTION, CO 81505-1417

PETER JANSONS
NANCY GAIL
653 26 RD
GRAND JUNCTION, CO 81506-1418

SHELDON D MURPHY
JANICE L MURPHY-TRUS
2593 1/2 GALLEY LN
GRAND JUNCTION, CO 81505-1407

MICHAEL M COTE
YVONNE K FINCH
3239 B 1/2 RD
GRAND JUNCTION, CO 81503-9411

LAWRENCE BALL
CAROLINE M BALL - TR
2577 GALLEY LN
GRAND JUNCTION, CO 81505-1411

ROBERT J ROYCE
R M
662 YOUNG ST
GRAND JUNCTION, CO 81505-1416

LEONARD E PEVLER
CAROL A PEVLER
656 YOUNG ST
GRAND JUNCTION, CO 81505-1416

PATRICK A RALSTON
CHRISY M
652 YOUNG ST
GRAND JUNCTION, CO 81505-1416

JUDITH MARIE
TRUSTEE
653 YOUNG ST
GRAND JUNCTION, CO 81505-1415

DENNIS D PRETTI
PEGGY D PRETTI
2576 YOUNG CT
GRAND JUNCTION, CO 81505-1417

HAROLD E HARRIS
ELIZABETH I
657 YOUNG ST
GRAND JUNCTION, CO 81505-1427

JOHN D VERZUH
PATRICIA G VERZUH
658 YOUNG ST
GRAND JUNCTION, CO 81505-1416

CITY OF GRAND JUNCTION
250 N 5TH ST
GRAND JUNCTION, CO 81501-2628

PIER J MARASCHIN
KAY O'NEAL MARASCHIN
543 PINNACLE CT
GRAND JUNCTION, CO 81503-1430

RONALD C ELLIOTT
658 KAPOTA ST
GRAND JUNCTION, CO 81505-1056

ROBERT A FULCHER
DIANA S FULCHER
3329 NORTHRIDGE DR
GRAND JUNCTION, CO 81506-1925

KRISTINE ABELS
2571 TRAILS END CT
GRAND JUNCTION, CO 81505-1432

ALLAN E BEAVERS
NEVA BEAVERS
638 S SURREY CT
GRAND JUNCTION, CO 81503-9705

HARRY L HALL
MARILYNN R HALL
2567 TRAILS END CT
GRAND JUNCTION, CO 81505-1431

KENNETH DEARL PETERSON
JENNIFER LEA
2565 TRAILS END CT
GRAND JUNCTION, CO 81505-1431

KEITH R DAVIS
RACHAEL A DAVIS
2562 TRAILS END CT
GRAND JUNCTION, CO 81505-1431

RICHARD I KING
EUGENIA G
2564 TRAILS END CT
GRAND JUNCTION, CO 81505-1431

RYAN E HAYES
NICOLE E HAYES
2566 TRAILS END CT
GRAND JUNCTION, CO 81505-1431

RONALD K EHRLICH
KATHRYN E EHRLICH
2568 TRAILS END CT
GRAND JUNCTION, CO 81505-1431

HERBERT A BROOKS
PATSY L BROOKS
2574 TRAILS END CT
GRAND JUNCTION, CO 81505-1432

MURRAY C WAKEFIELD
KELLI WAKEFIELD
2576 TRAILS END CT
GRAND JUNCTION, CO 81505-1432

BRADEN SHAFER
PAMELA SHAFER
2597 F 1/2 RD
GRAND JUNCTION, CO 81505-1426

MATTHEW PIROFALO
EMMA F PIROFALO - TR
2585 F 1/2 RD
GRAND JUNCTION, CO 81505-1426

DAVID SIGISMUND
A G
649 26 RD
GRAND JUNCTION, CO 81506-1970

LARRY LEE CROSSER
7318 MOUNT MEEKER RD
LONGMONT, CO 80503-8679

DAVID A PALMER
JACQUELINE P
2577 F 1/2 RD
GRAND JUNCTION, CO 81505-1426

MILES D LAHUE
PATRICIA A
647 26 RD
GRAND JUNCTION, CO 81506-1970

RAYMOND C PILCHER
MARGARET G PILCHER
645 26 RD
GRAND JUNCTION, CO 81506-1970

RAYMOND ALAN WORKMAN
JUDY ANN WORKMAN
1873 DEER PARK CIR S
GRAND JUNCTION, CO 81503-9581

BEVERLEE A TAYLOR
633 FLETCHER LN
GRAND JUNCTION, CO 81505-1403

JACK W MCKELVY
MARY E MCKELVY
642 SHADOWOOD CT
GRAND JUNCTION, CO 81505-1093

ALLAN T ALDRIDGE
BARBARA S ALDRIDGE
639 SILVER OAK DR
GRAND JUNCTION, CO 81505-1088

JOHN N BARBEE
LORYN R BARBEE
298 E DAKOTA DR
GRAND JUNCTION, CO 81503-2594

KEITH H PRATT
SANDRA G PRATT
2572 FOREST HILLS AVE
GRAND JUNCTION, CO 81505-1090

JOHN S PALMER
MARY A PALMER
2570 FOREST HILLS AVE
GRAND JUNCTION, CO 81505-1090

ENVER MEHMEDBASICH
456 WILDWOOD DR
GRAND JUNCTION, CO 81503-2506

CHENG-ER MEHMEDBASICH
456 WILDWOOD DR
GRAND JUNCTION, CO 81503-2506

RANCY L ACRE
SANDRA S ACRE
2569 SILVER OAK CT
GRAND JUNCTION, CO 81505-1091

DONALD RHEA HAMMONDS
AMANDA A HAMMONDS
2657 SILVER OAK CT
GRAND JUNCTION, CO 81505

DOUGLAS E MILLER
GAYLE E
2568 SILVER OAK CT
GRAND JUNCTION, CO 81505-1091

BROOKS M POWELL
LIVING TRUST
2572 SILVER OAK CT
GRAND JUNCTION, CO 81505-1091

KELLY A OWENS
DALE R OWENS
2574 SILVER OAK CT
GRAND JUNCTION, CO 81505-1091

RICHARD R KNOTT
DEBORAH J KNOTT
644 SILVER OAK DR
GRAND JUNCTION, CO 81505-1088

CARL LEE EMMERTON
HARRIET S EMMERTON
640 SILVER OAK DR
GRAND JUNCTION, CO 81505-1088

LELAND E RICORD
JENNY J RICORD
636 SILVER OAK DR
GRAND JUNCTION, CO 81505-1088

GENERAL PROJECT REPORT

Judith Marie Rezone

- A. Project Description – It is the desire of the land owner to rezone and split off approximately 1/3 acre of this lot which is naturally separated by the Grand Valley Irrigation Canal. The 1/3 acre rests on the south side of the canal and is currently vacant ground creating an attractive nuisance for children and an eye sore for the neighborhood. Should this rezone and split be approved, a new home would be constructed on the property. Eliminating the neighborhood eye sore and dangers associated with the current play area.
1. Location is 653 Young Street, approximately 25 ½ Road and F ½ Road.
 2. Acreage is 1.252
 3. Proposed use is a residential building site.
- B. Public Benefit – This vacant land provides great access to the Grand Valley Canal for anyone (kids). It collects trash and weeds and is fairly unsightly. This lot is damaging the esthetic value of the area, bringing down property values. The canal creates a natural divide, which has created a significant barrier to making any improvements to the lot. By turning this attractive nuisance into a residential building site and new house, the canal access is virtually eliminated and the adjacent newer subdivision to the west (Trails West) would appear complete. Property values appreciate and liabilities are reduced.
- C. Neighborhood Meeting – To be completed
- D. Project Compliance –
- E. Development Schedule and Phasing – To be completed by Buyer.

GENERAL PROJECT REPORT

Judith Marie Rezone

A. Project Description – It is the desire of the landowner to rezone approximately 1.252 acres, which is currently, zoned RSF1 to RSF2. Once the rezone is accomplished a simple land split will take place to create a new residential lot approximately 17,000 square feet. The Grand Valley Irrigation Canal divides Judith Marie's lot. It is due to this division that no improvements have ever taken place on the south side of the canal. The south side of the canal is currently vacant ground creating an attractive nuisance for children and an eye sore for the neighborhood. This rezone and split would allow a new home would be constructed on the property. Eliminating the neighborhood eye sore and dangers associated with the current play area.

1. Location is 653 Young Street, approximately 25 ½ Road and F ½ Road.
2. Acreage is 1.252
3. Proposed use is a residential building site.

B. Public Benefit – This vacant land provides great access to the Grand Valley Canal for anyone (kids). It collects trash and weeds and is fairly unsightly. This lot is damaging the esthetic value of the area, bringing down property values. The canal creates a natural divide, which has created a significant barrier to making any improvements to the lot. By turning this attractive nuisance into a residential building site and new house, the canal access is virtually eliminated and the adjacent newer subdivision to the west (Trails West) would appear complete. Property values appreciate and liabilities are reduced.

C. Neighborhood Meeting – To be completed

D. Project Compliance –

E. Development Schedule and Phasing – To be completed by Buyer.

CODE AMENDMENT AND REZONING

A. Approval Criteria

1. No error was made.
2. Significant changes have been made to the area, as this location is build out to the west with subdivisions.
3. The proposed rezone will compliment and complete the constructed home neighboring this lot. As it sits, it looks like the Cimarron Subdivision

didn't complete this lot. This would not create any problems with parking, water or drainage, air, noise, pollution, lighting, etc.

4. The growth plan for the area to the west is RSF4 and built out. Higher densities surround this lot.
5. All utilities are on the property or F ½ Road.
6. This just makes sense.
7. The community and neighborhood will benefit by completing a newly developed, quality subdivision.

General Meeting/Pre-application Conference Checklist

Date 11-25-02

Applicant Judith Marie of Carl Clemons Phone 245-0200 Tax Parcel # 2945-031-01-008
Location 653 Young Street Proposal Rezone / 2 lot minor sub.
Meeting Attendees Carl Clemons, Ronnie, Rick, Laura, Scott, George, Hank

While all factors in a development proposal require careful thought, preparation and design, the following circled items are brought to the petitioner's attention as needing special attention or consideration. Other items of special concern may be identified during the review process. General meetings and pre-application conference notes/standards are valid for only six months following the meeting/conference date shown above. Incomplete submittals will not be accepted. Submittals with insufficient information identified during the review process, which have not been addressed by the applicant will not be scheduled for a public hearing. Failure to meet any deadlines for the review process may result in the project not being scheduled for hearing or being pulled from the agenda. Any changes to the approved plan will require re-review and approval prior to those changes being accepted.
cannot be approved until Rezone is approved Neighborhood mtg req'd

ZONING & LAND USE

- a. Zoning: RSF-1
b. Future Land Use Designation: Resi-Low 1/2-2 ac/par
c. Growth Plan, Corridor & Area Plans Applicability:

PLANNER'S NOTES

Rezone to RSF-2

OFF-SITE IMPACTS

- a. access/right-of-way required - off of Young St. if feasible
b. traffic impact
c. street improvements - per Engineering
d. drainage/stormwater management - fee
e. availability of utilities

SITE DEVELOPMENT

- a. bulk requirements - meet minimum lot size, etc
b. traffic circulation
c. parking (off-street: handicap, bicycle, lighting)
d. landscaping (street frontages, parking areas)
e. screening & buffering N/A
f. lighting & noise
g. signage

Site plan to show existing & propose.

Provide copy of covenants
Separate maps -

MISCELLANEOUS

- a. revocable permit
b. State Highway Access Permit
c. floodplain, wetlands, geologic hazard, soils
d. proximity to airport (clear or critical zone)

fire flow form - NO
vicinity map to show fire hydrant

OTHER

- a. related files
b. neighborhood meeting YES -

Street improvements required -
See Engineering notes

FEES

- a. application fee: Rezone fee of \$330.00
Due at submittal. Checks payable to City of GJ
b. Transportation Capacity Payment (TCP):
c. Drainage fee:
d. Parks Impact Fee: N/A
e. Open Space Fee or Dedication: - 225.00 for new lot
f. School Impact Fee:
g. Recording Fee: fees - to be determined
h. Plant Investment Fee (PIF) (Sewer Impact):

neighborhood mtg - req'd

PROCESSING REQUIREMENTS

- a. Documents - ZDC, SSID, TEDS, SWMM
b. Submittal Requirements/Review Process
c. Annexation (Persigo Agreement)



Mesa County

Property Search Results *(Continued)*

The Mesa County Assessor's Office makes every effort to collect and maintain accurate data. However, the Mesa County Assessor's Office is unable to warrant any of the information contained herein.

Owner's Name:	MARIE, JUDITH and TRUSTEE
Mailing Address:	653 YOUNG ST GRAND JUNCTION, CO 81505-1415
Parcel Identifier:	2945-031-01-008
Associated Par:	
Legal Description:	PART LOT 7 LINDA SUB BEG N 0DEG12' W 25FT FR SW CORSE4 NE4 SEC 3 1S 1W N 0DEG12' W 289FT S 65DEG48' E TOW LI YOUNG STREET S 204.96FT S 89DEG51'24SEC W 218.58FT TO BEG
Property Address:	653 YOUNG ST
Neighborhood:	Linda Sub
Land Unit 1:	
Schedule Type:	Single Family Resi
Units:	1.0
Unit Type:	Lot
	<u>Building Characteristics</u> (Including Drawings and Information)

Tax Information

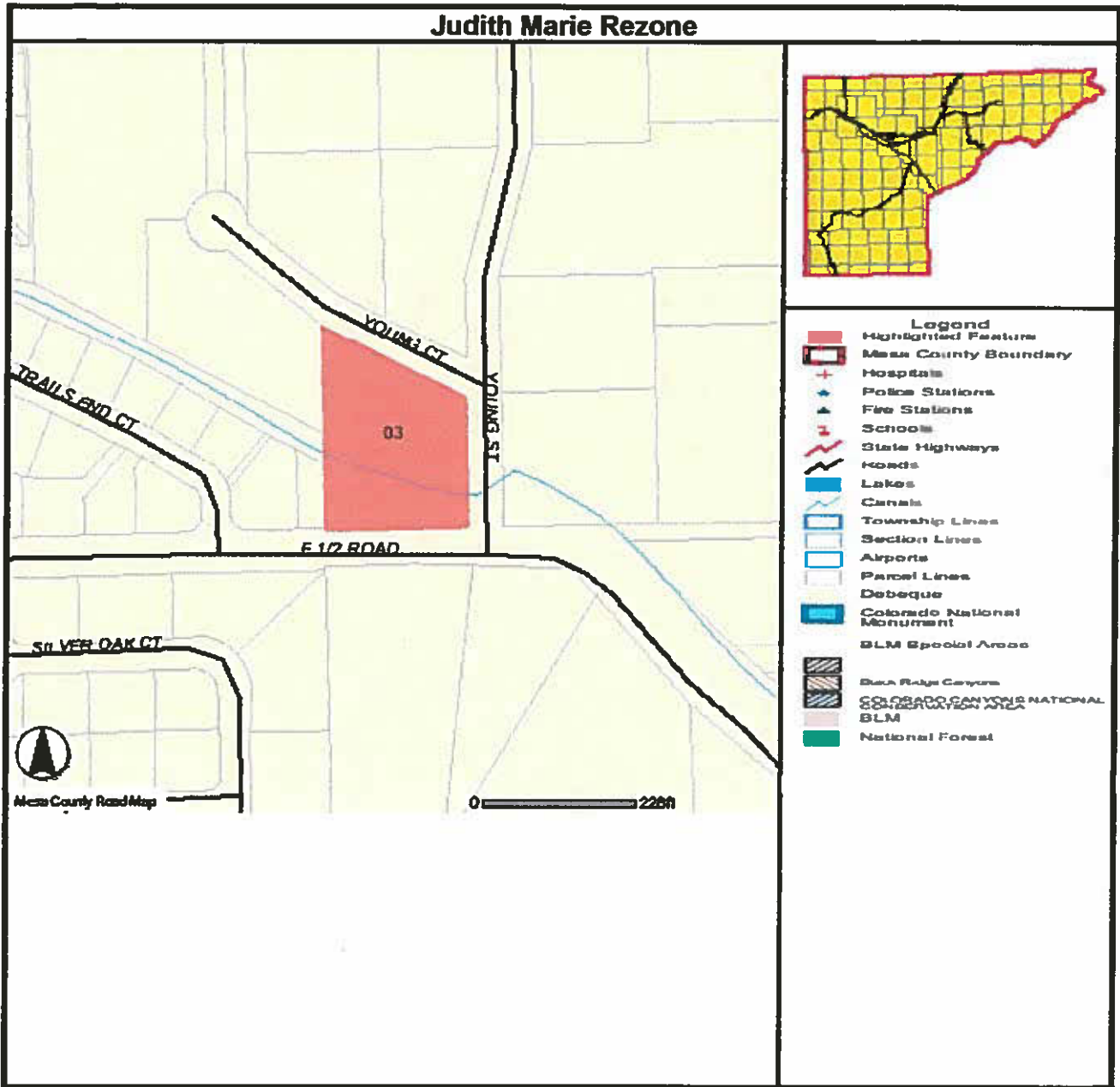
2002	Tac 10300	Improvements	Land	Total
	Actual	\$132,670	\$40,000	\$172,670
	Assessed	\$12,140	\$3,660	\$15,800
	Mill Levy			0.071441
	Special Asmt			\$0.00
	Property Taxes + Special Asmt			\$1,128.77
2001	Tac 10300	Improvements	Land	Total
	Actual	\$132,670	\$40,000	\$172,670
	Assessed	\$12,140	\$3,660	\$15,800
	Mill Levy			0.071441
	Special Asmt			\$0.00
	Property Taxes + Special Asmt			\$1,128.77
2000	Tac 10800	Improvements	Land	Total
	Actual	\$135,780	\$15,100	\$150,880
	Assessed	\$13,220	\$1,470	\$14,690
	Mill Levy			7.999501E-2
	Special Asmt			\$0.00
	Property Taxes + Special Asmt			\$1,175.13

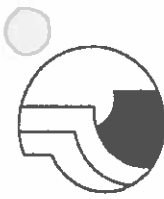
Sales Activity (if any)

Date	Amount	Book	Page	Instrument Type
08/08/1997	\$169,200	2349	198	WD
12/28/1998	\$189,900	2532	91	WD
06/14/2000	\$0	2721	724/725	QCD

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Mesa County

Property Search Results *(Continued)*

The Mesa County Assessor's Office makes every effort to collect and maintain accurate data. However, the Mesa County Assessor's Office is unable to warrant any of the information contained herein.

Owner's Name:	MARIE, JUDITH and TRUSTEE
Mailing Address:	653 YOUNG ST GRAND JUNCTION, CO 81505-1415
Parcel Identifier:	2945-031-01-008
Associated Par:	
Legal Description:	PART LOT 7 LINDA SUB BEG N 0DEG12' W 25FT FR SW CORSE4 NE4 SEC 3 1S 1W N 0DEG12' W 289FT S 65DEG48' E TOW LI YOUNG STREET S 204.96FT S 89DEG51'24SEC W 218.58FT TO BEG
Property Address:	653 YOUNG ST
Neighborhood:	Linda Sub
Land Unit 1:	
Schedule Type:	Single Family Resi
Units:	1.0
Unit Type:	Lot
	<u>Building Characteristics</u> (Including Drawings and Information)

Tax Information

2003	Tac 10300	Improvements	Land	Total
	Actual	\$164,700	\$50,000	\$214,700
	Assessed	\$15,070	\$4,580	\$19,650
	Mill Levy			0.075519
	Special Asmt			\$0.00
	Property Taxes + Special Asmt			\$1,483.95
2002	Tac 10300	Improvements	Land	Total
	Actual	\$132,670	\$40,000	\$172,670
	Assessed	\$12,140	\$3,660	\$15,800
	Mill Levy			0.075519
	Special Asmt			\$0.00
	Property Taxes + Special Asmt			\$1,193.20
2001	Tac 10300	Improvements	Land	Total
	Actual	\$132,670	\$40,000	\$172,670
	Assessed	\$12,140	\$3,660	\$15,800
	Mill Levy			0.071441
	Special Asmt			\$0.00
	Property Taxes + Special Asmt			\$1,128.77

Sales Activity *(if any)*

Date	Amount	Book	Page	Instrument Type
8/8/1997	\$169,200	2349	198	WD
12/28/1998	\$189,900	2532	91	WD
6/14/2000	\$0	2721	724/725	QCD

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GENERAL PROJECT REPORT

Judith Marie Rezone

A. Project Description – It is the desire of the landowner to rezone approximately 1.252 acres, which is currently, zoned RSF1 to RSF2. Once the rezone is accomplished a simple land split will take place to create a new residential lot approximately 17,000 square feet. The Grand Valley Irrigation Canal divides Judith Marie's lot. It is due to this division that no improvements have ever taken place on the south side of the canal. The south side of the canal is currently vacant ground creating an attractive nuisance for children and an eye sore for the neighborhood. This rezone and split would allow a new home would be constructed on the property. Eliminating the neighborhood eye sore and dangers associated with the current play area.

1. Location is 653 Young Street, approximately 25 ½ Road and F ½ Road.
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C. Neighborhood Meeting – To be completed

D. Project Compliance –

E. Development Schedule and Phasing – To be completed by Buyer.

CODE AMENDMENT AND REZONING

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1. No error was made.
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didn't complete this lot. This would not create any problems with parking, water or drainage, air, noise, pollution, lighting, etc.

4. The growth plan for the area to the west is RSF4 and built out. Higher densities surround this lot.
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6. This just makes sense.
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GENERAL PROJECT REPORT

Judith Marie Rezone

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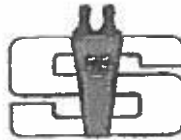
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STEWART TITLE OF GRAND JUNCTION, INC.

521 Rood Avenue
Grand Junction, Colorado 81501
(970) 243-3070

TITLE FAX (970) 243-9556/CLOSING FAX (970) 256-7955

ORDER NO. 03005218K
BUYER/BORROWER: STOGSDILL
PROPERTY ADDRESS: 653 YOUNG STREET
TAX SCHEDULE NUMBER: 2945-031-01-008

DATE: March 31, 2003

COPIES HAVE BEEN SENT TO:

HILL & HOLMES
1204 N 7TH ST
GRAND JCT, CO 81501
ATTN: BEV CRAWFORD
PH: (970)241-7653
FAX: (970)242-7304

ELK RIDGE REALTY, LLC
2742 SPRING VALLEY CIRCLE
GRAND JUNCTION, CO 81506
ATTN: KARL CLEMONS
PH: (970)250-5555
FAX: (970)256-9498

FOR CLOSING QUESTIONS PLEASE CONTACT: LEANN FISHER

FOR TITLE QUESTIONS PLEASE CONTACT: KARIN

Attached please find the following in connection with the above-captioned:

Title Commitment	<u> X </u>	Endorsement	<u> </u>
Amended Title Commitment	<u> </u>	Statement of Identity	<u> </u>
Tax Certificate <i>To Follow</i>	<u> X </u>	Survey Affidavit	<u> </u>
Assessors Statement	<u> </u>	Lien Affidavit	<u> </u>
Invoice	<u> </u>	Document Copies	<u> X </u>
ILC NOT REQUIRED	<u> X </u>		

When making inquiries, please refer to our ORDER NO. above. We appreciate your business and hope that we may be of service to you in the future.

SCHEDULE A

Order Number: 03005218X

1. Effective date: March 07, 2003 at 8:00 A.M.

2. Policy or Policies to be issued:
(a) A.L.T.A. Owner's

Amount of Insurance
\$ 215,900.00

Proposed Insured:
STEVEN R. STOGSDILL AND JULIE A. STOGSDILL

(b) A.L.T.A. Loan

\$ 205,105.00

Proposed Insured:
TO BE DETERMINED

(c) Leasehold

\$

Proposed Insured:

3. The estate or interest in the land described or referred to in this Commitment and covered herein is
fee simple

4. Title to the fee simple estate or interest in said land is at the effective date hereof vested in:
JUDITH MARIE TRUST DATED MAY 31, 2000

5. The land referred to in this Commitment is described as follows:
SEE ATTACHED LEGAL DESCRIPTION

Purported Address:

653 YOUNG STREET
GRAND JUNCTION, CO 81505

STATEMENT OF CHARGES

These charges are due and payable before a
Policy can be issued.

PREMIUM	REISSUE RATE
OWNERS:	\$ 439.00
MORTGAGE:	\$ 85.00
TAX CERT:	\$ 15.00
FORM 130	\$ 30.00

SCHEDULE A

Order Number: 03005218K

LEGAL DESCRIPTION

That part of Lot 7 in
LINDA SUBDIVISION being more particularly described as follows:

Beginning North 00°12' West 25.00 feet from the Southwest corner of the
SE 1/4 NE 1/4 of Section 3, Township 1 South, Range 1 West of the Ute
Meridian,
thence North 00°12' West 289 feet,
thence South 65°48' East to the West right of way line of Young Street;
thence South 191.27 feet to the Southeast corner of said Lot 7;
thence South 89°51' West 215.2 feet more or less to the Southwest corner
of said Lot 7 and the point of beginning,

Mesa County, Colorado.

Tax Schedule No: 2945-031-01-008

Order Number: 03005218K

EXCEPTIONS

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

1. Rights or claims of parties in possession, not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof, but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this commitment.
6. Unpatented mining claims; reservations or exceptions in patents, or an act authorizing the issuance thereof; water rights, claims or title to water.
7. All taxes and assessments now a lien or payable.
8. Reservations and exceptions in Patents, or Acts authorizing the issuance thereof, including the reservation of the right of proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises as reserved in United States Patent recorded November 2, 1892 in Book 11 at Page 226.
9. Drainage and utility easement over the rear 5 feet of said lot recorded October 20, 1955 in Book 665 at Page 214.
10. All easement(s) across herein described property as shown on the Plat of said subdivision.
11. Right of way for Grand Valley Canal across herein described property. <
12. Easement recorded October 9, 1975 in Book 1048 at Page 630.
13. Declaration of Protective Covenants recorded October 20, 1955, in Book 655 at Page 214 and all amendments thereto.
14. Subdivision Improvements Agreement recorded June 9, 1976 in Book 1070 at Page 902. <
15. Easement and Agreement between Grand Junction Drainage District and Judith Marie, Trustee of the Judith Marie Trust recorded October 27, 2000 in Book 2765 at Page 47.
16. Grant of Easement recorded February 6, 1998 in Book 2402 at Page 684.

Continued on next page

Continuation of Schedule B - Section 2
Order Number: 03005218X

17. Easement recorded June 30, 1997 in Book 2337 at Page 557.

DISCLOSURES

Pursuant to C.R.S. 10-11-122, notice is hereby given that:

- (A) THE SUBJECT REAL PROPERTY MAY BE LOCATED IN A SPECIAL TAXING DISTRICT;
- (B) A CERTIFICATE OF TAXES DUE LISTING EACH TAXING JURISDICTION SHALL BE OBTAINED FROM THE COUNTY TREASURER OR THE COUNTY TREASURER'S AUTHORIZED AGENT;
- (C) INFORMATION REGARDING SPECIAL DISTRICTS AND THE BOUNDARIES OF SUCH DISTRICTS MAY BE OBTAINED FROM THE BOARD OF COUNTY COMMISSIONERS, THE COUNTY CLERK AND RECORDER, OR THE COUNTY ASSESSOR.

Note: Colorado Division of Insurance Regulations 3-5-1, Paragraph C of Article VII requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed." Provided that Stewart Title of Western Colorado, Inc. conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lender's Title Policy when issued.

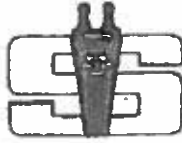
Note: Affirmative Mechanic's Lien Protection for the Owner may be available (typically by deletion of Exception No. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- A. The land described in Schedule A of this commitment must be a single family residence, which includes a condominium or townhouse unit.
- B. No labor or materials have been furnished by mechanics or materialmen for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- C. The Company must receive an appropriate affidavit indemnifying the Company against unfiled mechanic's and materialmen's liens.
- D. The company must receive payment of the appropriate premium.
- E. If there has been construction, improvements or major repairs undertaken on the property to be purchased, within six months prior to the Date of the Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and/or the contractor; payment of the appropriate premium; fully executed Indemnity agreements satisfactory to the company; and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

NOTHING HEREIN CONTAINED WILL BE DEEMED TO OBLIGATE THE COMPANY TO PROVIDE ANY OF THE COVERAGES REFERRED TO HEREIN UNLESS THE ABOVE CONDITIONS ARE FULLY SATISFIED.

Order No. 03005218K



STEWART TITLE GUARANTY COMPANY

Privacy Policy Notice

PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of Stewart Title Guaranty Company.

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you, such as on applications or other forms.
- Information about your transactions we secure from our files, or from our affiliates or others.
- Information we receive from a consumer reporting agency.
- Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

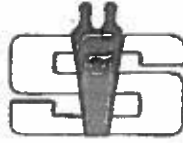
We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to nonaffiliated third parties as permitted by law.

We also may disclose this information about our customers or former customers to the following types of nonaffiliated companies that perform marketing services on our behalf or with whom we have joint marketing agreements:

- Financial service providers such as companies engaged in banking, consumer finance, securities and insurance.
- Non-financial companies such as envelope stuffers and other fulfillment service providers.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.



STEWART TITLE OF GRAND JUNCTION, INC.
Privacy Policy Notice

PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of Stewart Title of Grand Junction, Inc.

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you, such as on applications or other forms.
- Information about your transactions we secure from our files, or from our affiliates or others.
- Information we receive from a consumer reporting agency.
- Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

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WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

DISCLOSURE

Order No.: 03005218X

To comply with the provisions of C.R.S. 10-11-123, the Company makes the following disclosure:

- (a) That there is recorded evidence that a mineral estate has been severed, leased or otherwise conveyed from the surface estate and that there is a substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
- (b) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

Note:

MERIDIAN LAND TITLE, LLC

2454 Patterson, Suite 100
Grand Junction, CO 81505
PHONE: (970) 245-0550 FAX: (970) 241-1593

Agent for SECURITY UNION TITLE INSURANCE COMPANY and LAND TITLE INSURANCE CORPORATION

PROPERTY PROFILE

FILE #: 60446 PREPARED FOR: KARL CLEMONS
DATE: 11/27/2002 COMPANY: KELLER-WILLIAMS THE REALTY GROUP

This profile is being provided by Meridian Land Title, LLC for informational purposes only. While this information has been obtained from sources that are deemed reliable, Meridian Land Title, LLC, makes no warranty as to the accuracy of the data.

OWNER INFORMATION

OWNER: JUDITH MARIE
ADDRESS: 653 YOUNG ST
GRAND JUNCTION, CO 81505-1415
CO OWNER: TRUSTEE

PROPERTY INFORMATION

PARCEL NO: 2945-031-01-008 PREVIOUS PARCEL NO: 0000-000-00-000
LOCATION: 00653 YOUNG ST
LEGAL: PART LOT 7 LINDA SUB BEG N 0DEG12' W 25FT FR SW COR SE4 NE4 SEC 3 1S 1W N 0DEG12' W 289FT S 65DEG48' E TO W LI
YOUNG STREET S 204.96FT S 89DEG51'24SEC W 218.58 FT TO BEG

YR BUILT: 1976 ROOMS: 0004 BATHS: 001.70 UNITS: 002600.00 ABST: 01212 IMP SQ FT: 0

SALE INFORMATION

DATE: 06/14/00 PRICE: \$0.00 RECORDING INFO - BOOK: 2721 PAGE: 724

TAX INFORMATION

TAC: 10300	MILL LEVY: 071.4410	MILL LEVY DATE: 01/01/02	
APPRAISED VALUE-	LAND: \$40,000.00	ASSESSED VALUE-	LAND: \$3,660.00
	IMPS: \$132,670.00		IMPS: \$12,140.00
	TOTAL: \$172,670.00		TOTAL: \$15,800.00
TAXES: \$1,128.79		TAX SALE: No	DELINQUENT: No

SPECIAL ASSESSMENTS: CODE 1: AMT 1: 0000000.00
CODE 2: AMT 2: 0000000.00
CODE 3: AMT 3: 0000000.00
OTHER: N

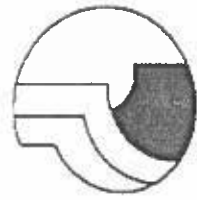
PLEASE NOTE: If owner extended coverage is requested this company will require:

Improvement Location Certificate Improvement Survey Plat ALTA Survey None

(This requirement may change upon diligent search of subject property.)

When you sell, a fast and efficient title company will be important to the prompt closing of your transaction. When you specify MERIDIAN LAND TITLE, you'll receive professional title services and a nationally known insurance policy that is instantly acceptable to local lenders.

PLEASE ASK FOR US!



Mesa County

Building Characteristics

The Mesa County Assessor's Office makes every effort to collect and maintain accurate data. However, the Mesa County Assessor's Office is unable to warrant any of the information contained herein.

Owner's Name:	MARIE, JUDITH and TRUSTEE
Parcel Number:	2945-031-01-008
Location:	653 YOUNG ST

Building 1	
Arch. Style:	ranch w/ baseme
Roof Cover:	ASPH/COMP SHNGL
Heating Fuel:	GAS
Heating Type:	FA WALL NO DUCT
Air Conditioning:	ROOF TOP AIR
Construction Quality:	average
Frame:	WOOD FRAME
Wall:	WOOD SIDING
Bathrooms:	1.75
# of Rooms:	4
Bedrooms:	3
# of Units:	1
Actual Year Built:	1976
Effective Year Built:	1976
Heated Sqft:	2600

Property Drawing

(Note - The MS LineDraw Font must be installed)

UAA16AAA

7WBA (112) 7

UOP

UAA20AAAAAA16AAAAAA46AAAAAA

30	UGR (600) 30	FBM (1220)	30
		BAS	
	AA20AAA		
		8	

AA20AAAAA7AAAAAA46AAAAAA

5UOP (35)

A7AA

AREA	SQFT
BAS	1380
UBM	1380
UOP	147
WBA	112
UGR	600

Miscellaneous: 1	WOOD STOVE
Miscellaneous: 2	FIREPLACE



[MC Home Page](#)



[Assessor Main Page](#)



[Return to Run Query](#)



[Top of Page](#)

Click "Back" on your web browser to return to the previous page.

546

Reception No. _____ Recorder
Recorded at _____ o'clock _____ M., _____

WARRANTY DEED

BOOK 2532 PAGE 91

Grantor(s), Suzanne Kelly Wilson, County of Mesa, State of Colorado, for the consideration of One Hundred Eighty-Nine Thousand Nine Hundred And 00/100 in hand paid, hereby sell(s) and convey(s) to Judith Marie

1881226 12/29/98 1019AM
MONIKA TODD CLK&REC MESA COUNTY CO
REC FEE \$5.00 SURCHG \$1.00
DOCUMENTARY FEE \$18.99

whose legal address is 653 Young Street, Grand Junction 81505, County of Mesa, and State of Colorado, the following real property in the County of Mesa, and State of Colorado, to wit:

A part of Lot 7 in LINDA SUBDIVISION being more particularly described as follows:
Beginning North 00°12' West 25.00 feet from the Southwest corner of the SE1/4 NE1/4 of Section 3, Township 1 South, Range 1 West of the U.M.,
thence North 00°12' West 289 feet,
thence South 65°48' East to the West right of way line of Young Street,
thence South 191.27 feet to the Southeast corner of said Lot 7,
thence South 89°51' West 215.2 feet more or less to the Southwest corner of said Lot 7 and the point of beginning.

also known as street and number: 653 Young St, Grand Junction, CO 81505

with all its appurtenances, and warrant(s) the title to the same, subject to taxes for 1998, payable in 1999 and all subsequent years, easements, rights of way, reservations and restrictions of record.

Signed this 28th day of December, 1998

Suzanne Kelly Wilson
Suzanne Kelly Wilson

STATE OF COLORADO,
County of Mesa

} ss.

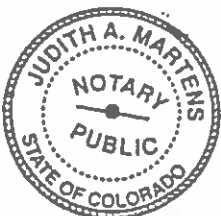
The foregoing instrument was acknowledged before me this 28th day of December, 1998 by Suzanne Kelly Wilson.

My commission expires: 2-28-19

Witness my hand and official seal.
Judith A. Martens
Notary Public

*If in Denver, insert "City and"

Name and Address of Person Creating Newly Created Legal Description (§ 38-35-106.5, C.R.S.)



1881227 12/29/98 1019AM
MONIKA TODD CLK&REC MESA COUNTY CO
REC FEE \$35.00 SURCHG \$1.00

WHEN RECORDED MAIL TO:
COUNTRYWIDE HOME LOANS, INC.
MSN SV-79 / DOCUMENT CONTROL DEPT.
P.O. BOX 10266
VAN NUYS, CALIFORNIA 91410-0266

SPACE ABOVE FOR RECORDERS USE

Prepared by: A. QUILLEN

LOAN #: 2796535
ESCROW/CLOSING #: 901546

DEED OF TRUST

THIS DEED OF TRUST ("Security Instrument") is made on December 28, 1998, among the grantor, JUDITH MARIE,

("Borrower"), the Public Trustee of MESA County ("Trustee"), and the beneficiary, COUNTRYWIDE HOME LOANS, INC., which is organized and existing under the laws of NEW YORK, and whose address is 4500 PARK GRANADA, CALABASAS, CA 91302-1613

("Lender"). Borrower owes Lender the principal sum of ONE HUNDRED FIFTY ONE THOUSAND NINE HUNDRED TWENTY and 00/100 Dollars (U.S. \$ 151,920.00). This debt is evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for monthly payments, with the full debt, if not paid earlier, due and payable on January 1, 2029. This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals, extensions and modifications of the Note; (b) the payment of all other sums, with interest, advanced under paragraph 7 to protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower, in consideration of the debt and the trust herein created, irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in MESA County, Colorado:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

which has the address of 653 YOUNG ST, GRAND JUNCTION, Colorado 81505- [Street, City] ("Property Address"); [Zip Code]

Form 3006 1/91
Amended 5/91

COLORADO - Single Family - Fannie Mae/Freddie Mac UNIFORM INSTRUMENT
15112 - 6R(CO) (9/07) CHL (08/97) VMP MORTGAGE FORMS - (800) 821-7291

Page 1 of 8

Initials: *jm*



LOAN #: 2796535

24. Riders to this Security Instrument. If one or more riders are executed by Borrower and recorded together with this Security Instrument, the covenants and agreements of each such rider shall be incorporated into and shall amend and supplement the covenants and agreements of this Security Instrument as if the rider(s) were a part of this Security Instrument.

[Check applicable box(es)]

- Adjustable Rate Rider(s)
- Graduated Payment Rider
- Balloon Rider
- VA Rider
- Condominium Rider
- Planned Unit Development Rider
- Rate Improvement Rider
- Other(s) [specify]
- 1-4 Family Rider
- Biweekly Payment Rider
- Second Home Rider

BY SIGNING BELOW, Borrower accepts and agrees to the terms and covenants contained in this Security Instrument and in any rider(s) executed by Borrower and recorded with it.
Witnesses:

_____ Judith Marie (Seal)
 JUDITH MARIE -Borrower

_____ (Seal)
 -Borrower

_____ (Seal)
 -Borrower

_____ (Seal)
 -Borrower

STATE OF COLORADO, _____ County ss:
 The foregoing instrument was acknowledged before me this 27 day of December,
 1998 by Judith Marie

Witness my hand and official seal.
 My Commission Expires: 2-28-99
Judith A. Martens
 Notary Public



Exhibit A

A part of Lot 7 in
LINDA SUBDIVISION being more particularly described as follows:
Beginning North 00°12' West 25.00 feet from the Southwest corner of the SE1/4 NE1/4 of Section 3, Township 1 South, Range
1 West of the U.M.,
thence North 00°12' West 289 feet,
thence South 65°48' East to the West right of way line of Young Street,
thence South 191.27 feet to the Southeast corner of said Lot 7,
thence South 89°51' West 215.2 feet more or less to the Southwest corner of said Lot 7 and the point of beginning.

2 PAGE DOCUMENT

1954559 06/21/00 0213PM
MONIKA TODD CLK&REC MESA COUNTY CO
REC FEE \$10.00
DOCUMENTARY FEE \$NO FEE

Recorded at: _____ o'clock
Reception Number _____ Recorder
QUIT CLAIM DEED

This Deed, made this 14 day of June, 2000 is by and between Grantor JUDITH MARIE whose legal address is 653 Young Street, Grand Junction, CO 81505 and Grantee Judith Marie, Trustee or her successor in trust of the Judith Marie Trust dated May 31, 2000. The Lifetime beneficiary of the hereinreferenced Trust is Judith Marie. The successor trustee of the Judith Marie Trust dated May 31, 2000 upon the death, disability or resignation of Judith Marie is Eddie Lemmon. See Affidavit of Trust attached hereto and fully incorporated herein.

GRAND JUNCTION, 81501

WITNESS, that the Grantor, for and in consideration of no dollars, the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold and QUITCLAIMED, and by these presents do remise, release, sell and QUITCLAIM unto said Grantee, its heirs, successors and assigns forever, all the right, title interest, claim and demand which the Grantor has in and to the real property, together with improvements, if any, situate, lying and being in the County of Mesa and State of Colorado described as follows:

A part of Lot 7 in LINDA SUBDIVISION being more particularly described as follows:
Beginning North 00 degrees 12 feet West 25.00 feet from the Southwest corner of the SE 1/4 NE 1/4 of Section 3, Township 1 South, Range 1 West of the U.M.,
thence North 00 degrees 12 feet West 289 feet,
thence South 65 degrees 48 feet East to the West right of way line of Young Street,
thence South 191.27 feet to the Southeast corner of said Lot 7,
thence South 89 degrees 51 feet West 215.2 feet more or less to the Southwest corner of said Lot 7 and the point of beginning.

Also known as 653 Young Street
Grand Junction, Colorado 81505

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee, its heirs and assigns forever.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

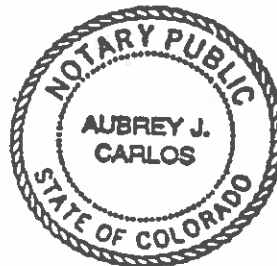
IN WITNESS WHERE, The Grantor has executed this Deed on the date set forth above.

Judith Marie
Judith Marie

State of Colorado
County of Mesa: ss

The foregoing instrument was acknowledged before me this 14th day of June, 2000 by Grantor Judith Marie.
Witness my hand and official seal. My commission expires: 3-11-02

Aubrey J. Carlos
Notary Public



My Commission Expires 3/11/2002

1954560 06/21/00 0213PM
MONIKA TODD CLK&REC MESA COUNTY CO
REG FEE \$5.00

MEMORANDUM AND AFFIDAVIT OF TRUST

1. The following Trust is the subject of this Affidavit:
JUDITH MARIE TRUST DATED MAY 31, 2000.
2. The name of the initial Trustee of the Trust is Judith Marie at 653 Young Street, Grand Junction, CO 81505. The lifetime beneficiary of the trust is Judith Marie.
3. Upon the death or disability of the above referenced Trustee, the successor Trustee is Eddie Lemmon currently residing in Grand Junction, Colorado. Disability of any Trustee serving hereunder shall be evidenced by a written statement of two physicians duly licensed in the states of their respective practices or by a letter of resignation of the then acting Trustee.
4. The Trust is currently in full force and effect.
5. The initial and successor Trustees have broad powers to sell, lease, transfer, exchange, grant options with respect to, or otherwise dispose of the trust property, whether real or personal. The Trustee may deal with the trust property at such time or times, for such purposes, for such considerations and upon such terms, credits and conditions and for such periods of time, as the Trustee deems advisable. In addition to all of the above powers, trustee may exercise those powers set forth in the Colorado Fiduciaries' Powers Act, as amended after the date of this affidavit. Settlor incorporates such act as it exists today by reference and makes it a part of this affidavit.
6. The signatories of this Affidavit are the Settlor and initial Trustee of the Trust. A copy of this Affidavit shall be as valid as the original. 7. This Affidavit is dated:

Judith Marie
Settlor

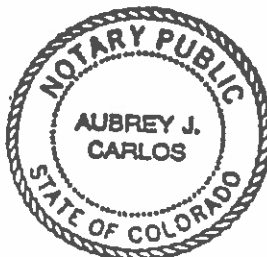
Judith Marie
Trustee

State of Colorado:
County of Mesa: ss

This Memorandum and Affidavit of Trust was acknowledged before me on June 14, 2000 by the aforesigned who did so of free act after swearing the Statements contained herein to be true and accurate. Witness my official hand and seal.

Aubrey J. Carlos
Notary Public

My commission expires: 3-11-02



My Commission Expires 3/11/2002

2 PAGE DOCUMENT

EASEMENT AND AGREEMENT

THIS EASEMENT, made and entered into this 17th day of October, 2000, by and between GRAND JUNCTION DRAINAGE DISTRICT, hereinafter referred to as "District", whose address is 722 23 Road, Grand Junction, Colorado, and JUDITH MARIE, TRUSTEE OF THE JUDITH MARIE TRUST dated May 31, 2000, hereinafter referred to as "Owner" whose address for the purpose of this agreement is 653 Young Street, Grand Junction, Colorado.

WITNESSETH:

WHEREAS, the parties hereto agree that the installation hereinafter described is for the mutual benefit of the parties; and

WHEREAS, the Owners desire to acknowledge the easement applied to the existing drain tile line known as the BEEHIVE DRAIN SYSTEM across their premises as more particularly described in said EXHIBIT "A".

IT IS THEREFORE AGREED AS FOLLOWS:

1. Owners agree to operate their premises in such a manner as not damage said drain line. Any such damage so caused by the owners shall be the owners' sole responsibility to repair.

2. District agrees to maintain in a workmanlike manner said drain tile EXCEPT if any act or omission of the Owner causes said upkeep or maintenance to be increased over and above that which would normally be expected, the Owner shall be responsible for the cost of any additional upkeep or maintenance.

3. In consideration of the foregoing and in order to accomplish the operation and maintenance of said line, the Owner hereby grants unto the District, a perpetual easement through, over and across the Owner's premises for the cleaning, maintenance, replacement, adjustment or deepening of said line; together with the right to trim interfering trees and brush. Owner further grants unto the District reasonable right of ingress and egress to accomplish the above, including the right to bring the necessary equipment upon the premises to accomplish same. It is agreed by the Owner that said easement shall not be burdened or overburdened by erection or placing of any improvement thereon, including fences.

4. Owners agree to indemnify and save the District harmless from any and all claims or damages of third parties, which may occur on Owners' property. Further, Owners waive any right of claim as against the District for injuries or damages to Owners arising out of the location and normal operation and maintenance thereof.

5. Should either party fail or refuse to comply with the terms of this agreement, after having received ten (10) days written notice specifying the matters complained of, the complaining party may take whatever legal action is necessary to recover the damages as a result thereof, or to perform or correct the complaints thereunder and collect the cost thereof plus damages from the offending party. The prevailing party shall, in addition to the above, be entitled to collect all costs incurred as a result of said breach including their reasonable attorney's fees.

6. If there is more than one Owner as party to this agreement, then and in that event, the cost allocated to the Owners hereunder and shall be borne equally between them.

7. This agreement shall be binding upon and inure to the benefit of the heirs, successors and assigns of the respective parties.

8. The recitals are a part of this agreement.

IN WITNESS WHEREOF, the parties have affixed their signatures, the day and year above mentioned.

2 PAGE DOCUMENT

EXHIBIT "A"

We, the undersigned Owners, their heirs, assigns and successors hereby grant to the District an Easement which includes a reasonable right of ingress and egress thirty (30) feet in width, situate in a part of the NE1/4 of Section 3, Township 1 South, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado, as per Quit Claim Deed recorded in Book 2721, Page 724 - 725 in the office of the Clerk and Recorder of said County, the sidelines of said Easement being more particularly described as follows:

Commencing at the SE Corner SW1/4 NE1/4 of said Section 3 and considering the south line of the SW1/4 NE1/4 of said Section 3 to bear N89°55'45"W with all other bearings contained herein relative thereto;

- Thence N00°00'00"E 117.03 to the TRUE POINT OF BEGINNING;
- Thence continuing N00°00'00"E 34.55 feet;
- Thence S60°16'07"E 247.84 feet;
- Thence S00°12'00"W 3.85 feet;
- Thence N89°57'00"W 53.62 feet;
- Thence N60°16'07"W 185.85 feet to the TRUE POINT OF BEGINNING.

Dated this 17th day of October, 2000.

Judith Marie Trust dated May 31, 2000.

Judith Marie
Judith Marie, Trustee

State of Colorado)
)ss
County of Mesa)

The foregoing instrument was acknowledged me before this 17th day of October, 2000 by Judith Marie Trustee for the Judith Marie Trust date May 31, 2000.

My Commission Expires:



Thomas J. Gully
Notary Public

ACCEPTED BY GRAND JUNCTION DRAINAGE DISTRICT

By Ron C. Demelle

ATTEST: Arthur Gully

D A S U B D I V I S I O N

MESA COUNTY, COLORADO

E Y L A N E F

STATE OF COLORADO
COUNTY OF MESA

KNOW ALL MEN BY THESE PRESENTS

THAT THE UNDERSIGNED JOHN A. SOELBERG & JOAN SOELBERG ARE THE OWNERS OF THAT REAL PROPERTY SITUATED IN THE COUNTY OF MESA, STATE OF COLORADO, AND LYING BEGINNING AT A POINT MARKED BY A STEEL PIN IN GALLEY LANE AND WHICH HAS BEEN ESTABLISHED BY THE COUNTY SURVEYOR AS BEING 910'S AND 810'S OF THE NE CORNER OF THE SE 1/4 NE 1/4 SEC. 3 T15 R1W UTE MER, RUN THENCE W 600' THENCE S 380.8' THENCE S 50° 40' E 1375' THENCE S 342' TO A POINT WHICH IS IN THE RIGHT OF WAY OF COUNTY ROAD F; THENCE E 500' TO A POINT WHICH IS 810'S OF THE POINT OF BEGINNING THENCE N. TO THE POINT OF BEGINNING, AS SHOWN BY THE ACCOMPANYING PLAT THEREOF;

THAT THE SAID JOHN A. SOELBERG & JOAN SOELBERG HAVE CAUSED THE SAID REAL PROPERTY TO BE LAID OUT AND SURVEYED AS LINDA SUBDIVISION, A SUB-DIVISION OF A PART OF THE COUNTY OF MESA;

THAT SAID JOHN A. SOELBERG & JOAN SOELBERG HEREBY DEDICATE AND SET APART ALL OF THE STREETS AND ROADS AS SHOWN ON THE ACCOMPANYING PLAT TO THE USE OF THE PUBLIC FOREVER AND HEREBY DEDICATE THOSE PORTIONS OF SAID REAL PROPERTY WHICH ARE LABELED AS UTILITY EASEMENTS ON THE ACCOMPANYING PLAT AS EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF TELEPHONE AND ELECTRIC LINES, POLES AND UNDERGROUND CABLES; STORM AND SANITARY SEWER MAINS, GAS PIPE LINES, AND THOSE PORTIONS OF SAID REAL PROPERTY WHICH ARE LABELED AS IRRIGATION EASEMENTS ON THE ACCOMPANYING PLAT AS EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF IRRIGATION DITCHES, FLUMES AND CONDUITS;

THAT ALL EXPENSES INVOLVING NECESSARY IMPROVEMENTS FOR A WATER SYSTEM, SANITARY SEWER SYSTEM, GAS SERVICE, ELECTRICAL SERVICE, GRADING AND LANDSCAPING, STORM SEWER SYSTEM, CURB AND GUTTERS, STREET PAVEMENT AND SIDEWALKS SHALL BE FINANCED BY THE PURCHASER OR SELLER—NOT THE COUNTY OF MESA.

IN WITNESS WHEREOF, SAID JOHN A. SOELBERG & JOAN SOELBERG HAVE CAUSED THEIR NAMES TO BE HEREUNTO SUBSCRIBED THIS 7 DAY OF October A.D. 1955.

John A. Soelberg
Joan Soelberg

STATE OF COLORADO
COUNTY OF MESA:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 7th DAY OF October, A.D. 1955, BY John A. Soelberg & Joan Soelberg

MY COMMISSION EXPIRES June 30, 1956
WITNESS MY HAND AND OFFICIAL SEAL
Richard B. Williams
NOTARY PUBLIC

CLERK AND RECORDER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK _____ M., _____ A.D. 1955 AND IS DULY RECORDED IN PLAT BOOK NO. _____ PAGE _____

RECORDER
BY _____
DEPUTY

FEE: _____

COUNTY PLANNING COMMISSION CERTIFICATE

APPROVED THIS 4th DAY OF October A.D. 1955
COUNTY PLANNING COMMISSION OF MESA COUNTY COLORADO

Ray Hamilton

BOARD OF COUNTY COMMISSIONERS CERTIFICATE

APPROVED THIS 4th DAY OF October A.D. 1955
BOARD OF COUNTY COMMISSIONERS MESA COUNTY COLORADO

Henry J. Tupper