

BOARD OF ADJUSTMENT

Tuesday - April 12, 1960 - 2:30 P.M.

Members Present: Chairman Ray Hume, Glen Hopper, Bruce Brownson
Members Absent: G. E. Randolph and Floyd Felt
Others Present: City Manager Joe Lacy, City Engineer Carl Alstatt,
Assistant Building Inspector James Stockton, and
Dr. H. L. Sanders.

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The first item considered was the request by Dr. H. L. Sanders for a variance from Zoning Ordinance #83, Sec 8-g (front yard requirement) at 1435 W. Sherwood Drive where he is building a new house.

Dr. Sanders was present and explained the reason he was asking for this variance was to preserve the symmetrical pattern of the neighborhood. He said if he were allowed to extend the NE corner of his house 2 ft. nearer the curb than the minimum specified by ordinance (which is 25 ft.) this could be accomplished; otherwise, he stated that his view would be blocked by the house to the north of his property and by a 6 ft. fence which extends to within 24 ft. of the property line.

In the discussion following, Board members felt that granting a variance of this kind would create a precedent for many more such requests in areas involving curved streets. Also it was felt that a matter of only 2 feet would not materially solve Dr. Sander's problem. The question was also asked whether the Board of Adjustment would have the right to grant a request such as this.

The City Attorney's opinion was asked and he stated that he was not familiar with this particular case, but that the only criteria for granting variances from the requirements of the zoning ordinance or building code are where hardships are involved or where proper utilization of the ground cannot be gotten otherwise -- variances cannot be granted for matters of convenience.

Therefore, in accordance with this opinion, since it was felt by the Board that this was not a hardship case, but rather a matter of convenience since it would be possible to place the house upon the lot and meet the necessary requirements, and also because of the matter of precedent and the fact that the Board felt that a 2 ft. variance would not materially help the situation, motion was made by Bruce Brownson that this request for variance be denied. Motion was seconded by Glen Hopper, and carried.

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The next item considered was the request by Dr. Geo. Bosma for a variance from Ordinance #80, Section 6, paragraph 4, in order to convert a garage on an alley to an apartment unit. This garage is located in the rear of the property at 729 Chipeta.

After discussion, and due to the fact that this garage is located at the intersection of two allies with no street outlet, motion was made by Mr. Hopper that this request be denied. Motion seconded by Mr. Brownson, and carried.

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Upon motion, the meeting was duly adjourned.

Case No. 7

Hearing 4-12 19 60
1:15 P.M.

BOARD OF ADJUSTMENT

Z O N I N G

CITY OF GRAND JUNCTION, COLORADO

APPLICANT: Dr. Geo. Bosma

OWNER: Dr. Geo. Bosma

APPEARANCES:

For Applicant:

For Opposition:

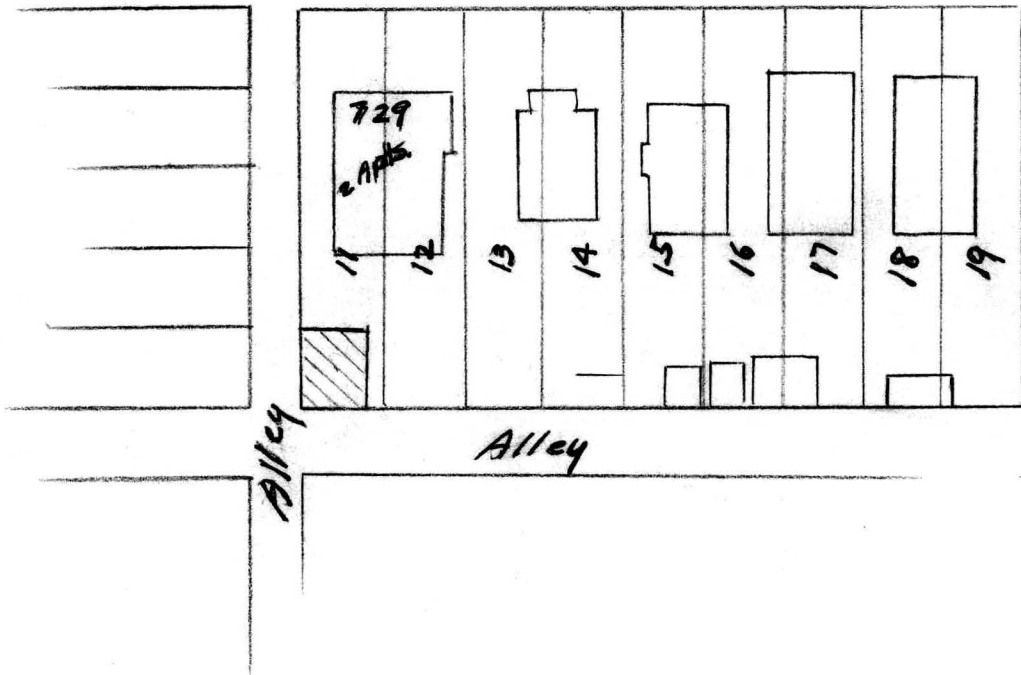
PREMISES AFFECTED: 729 Chipeta

SUBJECT: Request for variance from Ordinance #80, Section 6, paragraph 4, in order to convert garage on back alley to apartment unit.

ACTION OF BOARD: After discussion, and due to the fact that this garage is located at the intersection of two allies, with no street outlet, motion was made, seconded, and carried that this request be denied.

This action of the Board of Adjustment is not a permit. Apply to the Building Department, City Hall, for a building permit.

CHIPETA



EIGHTH ST.

Case No. 6

Hearing 4-12 19 60
1:15 P.M.

BOARD OF ADJUSTMENT

Z O N I N G

CITY OF GRAND JUNCTION, COLORADO

APPLICANT: Dr. H. L. Sanders

OWNER: Dr. H. L. Sanders

APPEARANCES: Dr. H. L. Sanders

For Applicant:

For Opposition:

PREMISES AFFECTED: Lot 7, Block 8, Sherwood Park Sub (1435 W. Sherwood Dr.)

SUBJECT: Request for variance from Zoning Ordinance #83, Sec. 8-g
(front yard requirement)

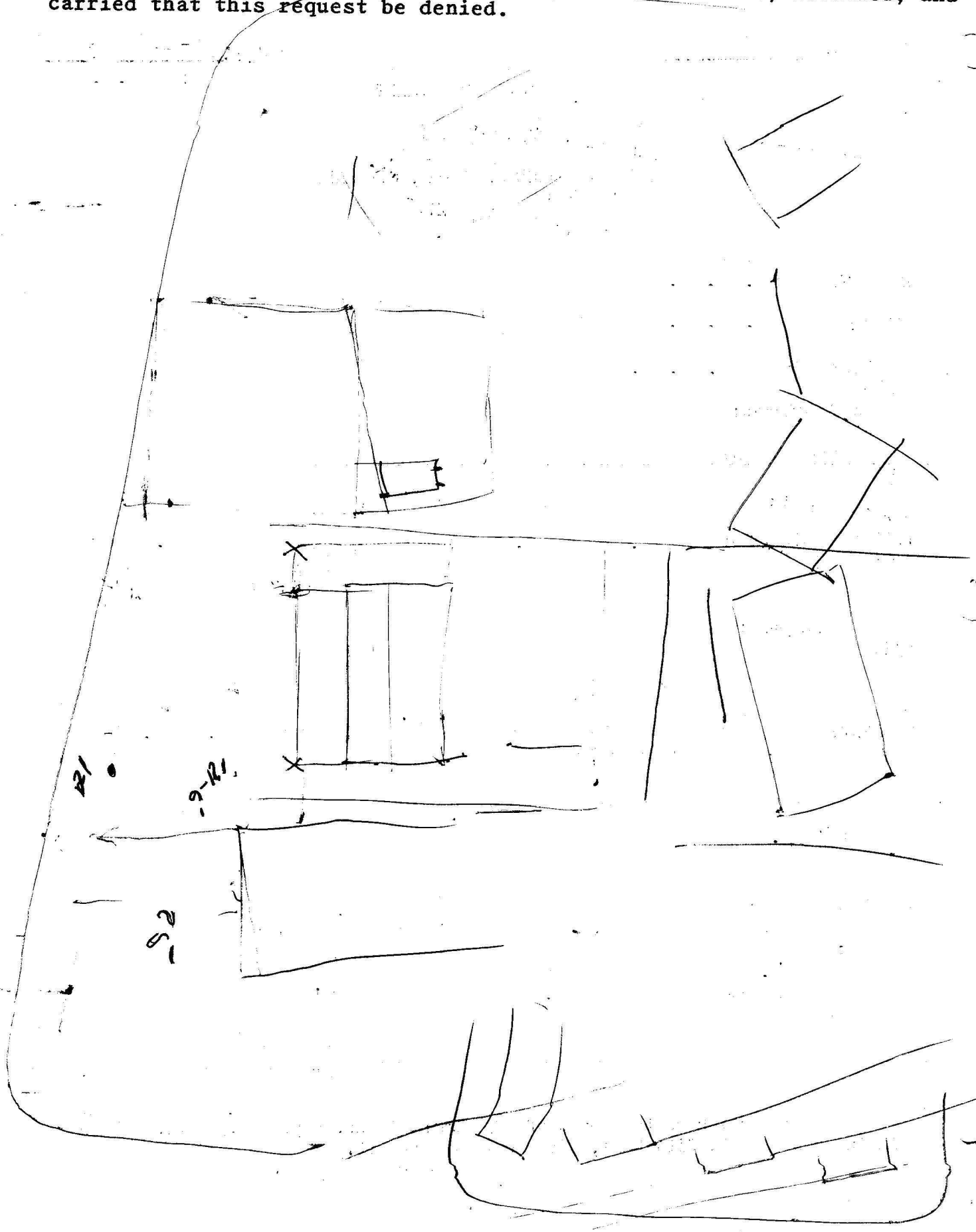
ACTION OF BOARD: In the discussion of this item, Board members felt the granting of such a request would set a precedent for many more such requests; also they questioned whether a 2 ft. variance would materially help in this case. The question was brought up as to whether the Board had the right to grant such a request, and the attorney's opinion on this was asked.

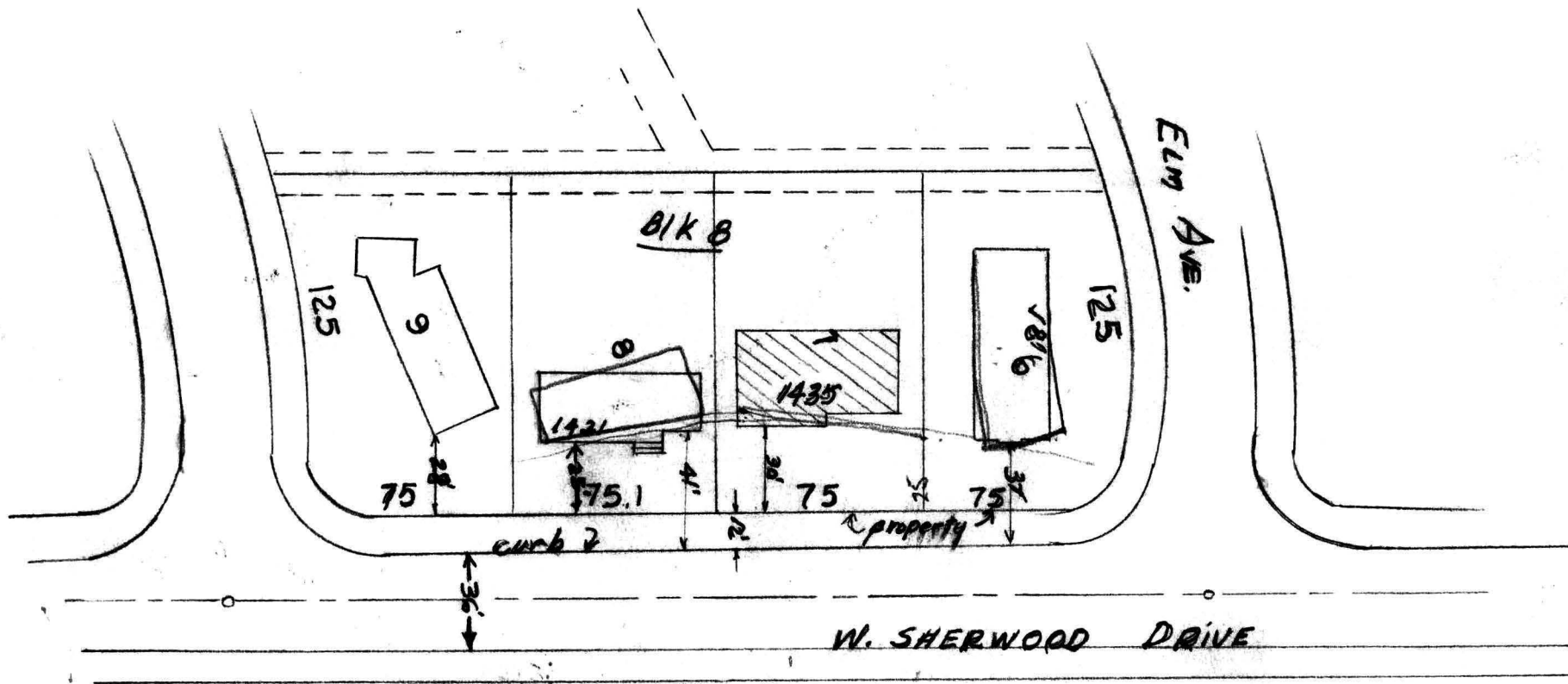
The City Attorney stated that he was not familiar with this particular case, but that the only criteria for granting variances from the requirements of the zoning ordinance or building code are where hardships are involved or where proper utilization of the ground cannot be gotten otherwise -- variances cannot be granted for matters of convenience.

This action of the Board of Adjustment is not a permit. Apply to the Building Department, City Hall, for a building permit.

(OVER)

Therefore, in view of the above matters, motion was made, seconded, and carried that this request be denied.





Permit #103, 4-8-60

Dr. H. L. Sanders