

GRAND JUNCTION BOARD OF ADJUSTMENT

August 8, 1978

M I N U T E S

The regular meeting of the Grand Junction Board of Adjustment was called to order at 8:00 a.m. in the City Hall Auditorium by Vice-Chairman DON HENRY, with the following members present: VIRGINIA FLAGER, CHERYL LYNN, WARREN LOWE, CECIL HOBBS, MEARLEN BROWN, and BLAINE FORD.

Also present were: PHIL ROMEO, Zoning Administrator; KARL METZNER, Planner I; DEBBIE FOTH, Acting Secretary; and seven interested persons.

Minutes were approved unanimously.

1. #78-10 Consider a request to vary the south sideyard setback from 5 feet to 3 feet in order to build a workshop (front half of lot).

Petitioner: Verne A. Jones. Location: 513 Melody Lane.

Virginia Flager asked Karl Metzner if there was a City Ordinance prohibiting building a solid wall within 5 feet of the property line.

Karl Metzner replied yes if it's over 6 feet high.

Virginia Flager asked Karl Metzner if they could give a variance on that because the request is only for a setback variance, not for a variance in the building code.

Karl Metzner said they would have to check with the building inspectors.

FLAGER/LOWE MOVED THAT THIS ITEM BE TABLED UNTIL FURTHER INSTRUCTION FROM THE CHIEF BUILDING INSPECTOR. CECIL HOBBS CAST A NO VOTE.

- ← 2. #78-12 Consider a request to vary the east sideyard setback from 5 feet to 2 feet and to vary the total minimum setback from 14 feet to 5 feet in order to replace a portion of the existing house.

Petitioner: Jacoba & C.J. Lambert. Location: 248 Chipeta

Don Henry stated that since this is a Housing Authority Project and his office is involved with some Housing Authority work he will not comment or vote on this item.

Phil Romeo stated that the petitioner is proposing to tear down the existing rear half of the house and replace it with the same dimensions.

LOWE/FLAGER PASSED A MOTION TO APPROVE THE VARIANCE AS THE HOUSE HAS BEEN THERE FOR OVER 50 YEARS. THE MOTION PASSED UNANIMOUSLY.

3. #78-13 Consider a request to vary the rear yard setback from 30 feet to 21.6 feet in order to build an addition.

Petitioner: W. F. Newton, d/b/a Newton Construction. Location: 2936 Crocus Court

August 3, 1978

Page 2

Don Henry read a letter dated July 11, from Richard Hollinger, Chief Building Official, to Bill Newton stating that the addition was built without a Building Permit and in violation of the zoning regulations. Also, directing Mr. Newton to remove the addition and bring setbacks in compliance with the zoning ordinances.

J. D. Snodgrass, Attorney for Mr. Newton gave each board member a packet containing two letters and a survey. Purchasers of house wanted additional space for a dining room. Newton then submitted to building department an application for a building permit (dated received June 27, 1978 by Building Department). He also obtained a Radiological Survey. He also explained that although a written building permit was not received, Newton did go through the initial process of getting a building permit; Newton's foreman did call building department and got verbal okay to proceed with construction; application for building permit has been signed as approved by building department; inspections were made by building department.

Don Henry stated he did not think the board could decide whether Mr. Newton was right or wrong in building the addition without the permit. The only thing they could do is decide whether they want to allow the variance.

Virginia Flager asked if this was a Staff error.

Phil Romeo said it appeared to him that it was.

LOWE/FLAGER MOVED THAT THIS ITEM BE TABLED WITH THE STIPULATION THAT RICHARD HOLLINGER AND GERALD ASHBY BE REQUESTED TO ATTEND THE NEXT HEARING. THE MOTION PASSED UNANIMOUSLY.