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GRAND JUNCTION BOARD OF ADJUSTMENTS
M I N U T E S
February 10, 1989

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E.SAWYER, CLK&REC MESA COUNTY CO

The regularly scheduled meeting of the Board of Adjustments was called to order at 8:10 a.m. in the City/County Auditorium by Chairman Aden Hogan.

In attendance, representing the Board, were: Jan Pomrenke, Lee Gibson, John Elmer, and Aden Hogan (Chairman).

In attendance, representing City Planning staff, was: Linda Weitzel.

Terri Troutner was present to record the minutes.

I. APPROVAL OF MINUTES

POMRENKE/GIBSON 3-0 to approve the minutes as submitted.

II. MEETING

1. #89-1 Consideration of a request to allow a Home Occupation in a building other than the principle dwelling unit in a Residential Multi-Family (RMF-64) zone.
Petitioner: Vince and Joan Navarette
Location: 215 Gunnison Avenue

Discussion centered around Mr. Navarette's reason for having the home occupation located in other than the principal structure. He based his hardship on his having no other means of income besides disability compensation each month. His wife had been laid off, and he would use the barber shop to supplement this limited income. His wife would not participate in the shop.

Questions arose concerning the parking situation; Mr. Navarette said that there was a space in the rear of the property for use. Other parking would be on-street. He felt that this would not present a problem, since he would have only one appointment at a time.

Linda felt that if Mr. Navarette's vehicle was moved, it would allow for an additional parking space on the property. Alley parking was discouraged.

Aden reiterated that it seemed Mr. Navarette's "hardship" was more financial than due to any physical constraints of the property.

Linda added that she had been in contact with the State Cosmetology Board. A Board representative said that if the barber shop was located in the main dwelling unit, they would require a separate entrance and separate restroom facilities. Linda felt that this would constitute a hardship, since the accessory dwelling unit would not require major remodeling.

A request to vary the number of persons visiting the home occupation per day was made. Discussion resulted in a proposed limitation of 14 persons per day. It was felt that more traffic than this would constitute a business use, and the business would then be required to relocate to a more proper zone.

A petition, containing the names and addresses of approximately 37 adjacent and nearby residents in favor of the proposal, was entered into the record.

There were no comments from the audience either for or against the proposal.

ELMER/GIBSON 3-0 to approve, with the stipulation that there be no alley right-of-way parking and that the number of persons visiting the home occupation be limited to 14 per day.

2. #89-2 Consideration of a request to vary the frontyard setback from 10 feet to 5 feet to allow construction of a new candy manufacturing facility in the Heavy Commercial (C-2) zone.
Petitioner: Douglas Simmons and Emil Enstrom
Location: 212 South 7th Street

John Newell, 2176 Avenal Lane, presented an overview of the proposal and outlined plans for expansion on the site plan(s) which were presented. The hardship was that, in order to build the size facility needed, it was necessary to maximize the space available. The variance was asked for only along Ute Avenue.

Doug Simmons added the potential income which would be generated from the facility, and said that positive community benefit would be derived from the expansion. Construction was to begin no later than in the next four or five weeks, with completion occurring by September 1, 1989.

When asked why there was no plan for a two-level facility, Doug replied that the single story created maximum efficiency, and that the cost for stairs/elevator was prohibitive.

Linda said that she had contacted Larry Botham of the State Highway Department. The Department had no problem with allowing the variance; therefore, staff could see no problems. She felt that there would be no adverse affects to allowing the variance, there appeared to be no sight distance problems, and hardship existed in the attempt to relocate an existing business.

Clarification was given on the loading aspect of the site plan.

There was no comment from the audience either for or against the proposal.

POMRENKE/ELMER 3-0 to approve the variance along Ute Avenue only.

3. #89-3 Consideration of a request to vary the sideyard setback from 10 feet to 5 feet to allow construction of a room addition in a Residential Multi-Family (RMF-32) zone.
Petitioner: Mike O'Boyle
Location: 538 Teller Avenue

Mike presented a brief overview and passed pictures around to Board members for inspection. Though his request was initially for exemption, it was determined that a variance was necessary. He presented a site plan to show the proposed addition onto his home.

John Elmer indicated that he had no problem with allowing the addition to extend to the maximum limit of the existing structure, which was three feet from property line.

Linda stated that in most single family zones, the sideyard setback is five feet, and thus the reasoning for the request to vary to five feet. Because the existing structure is located three feet from the side property line, it was considered feasible that a sideyard setback variance for three feet could be considered. In the RMF-32 zone, the required setback is ten feet.

When asked about a survey, Mike replied that he had found the monument and had measured from that point. Although he felt the measurement was accurate, it was not a survey. Jan asked if he considered this an accurate measurement from his perspective, based on his knowledge and expertise in construction. Mike replied affirmatively.

Hugh Burton, 557 Belford Avenue, spoke in favor of the proposal.

ELMER/POMRENKE 3-0 to approve the variance to three feet, but not to exceed the present width of the existing principal structure.

Aden and Jan thanked Mr. Burton for his participation and for caring enough to come before the Board to testify for Mr. O'Boyle.

III. GENERAL DISCUSSION

Linda brought up the question of requiring improvement location certificates as verification of property lines, setbacks, etc. In the case of Morris Treat, the certificate, while costing less than an actual survey, did not provide the necessary information, and also contained a disclaimer saying that it could not be relied upon to provide accuracy. It was then decided that when future questions arose, an actual survey should be required.

Terri informed the Board that John Elmer had submitted his letter of interest for participation on the Planning Commission. He would be allowed to serve on both boards in a voting capacity. His request is scheduled for consideration at the February 15 City Council hearing.

The meeting was adjourned at 9:12 a.m.