

GRAND JUNCTION BOARD OF APPEALS**February 12, 1993****8:00 a.m. - 8:13 a.m.**1646295 10:05 AM 07/20/93
MONIKA TODD CLK&REC MESA COUNTY CO

The Grand Junction Board of Appeals Public Hearing was called to order by Chairperson John Elmer at 8:00 a.m. in the City Auditorium, 520 Rood Avenue.

In attendance, representing the Board of Appeals, were Chairperson John Elmer, Cindy Enos-Martinez and William Putnam.

In attendance representing the Community Development Department was Jan Koehn. Also present were John Shaver, Assistant City Attorney and Ivy Williams from the Community Development Department. Marcia Petering was present to record the minutes.

There were no other interested parties in attendance.

I. APPROVAL OF MINUTES

MOTION: (WILLIAM PUTNAM) "Mr. Chairman I move that the minutes of November 18, 1992 be approved as corrected."

Cindy Enos-Martinez seconded the motion, and the motion was unanimously approved by a vote of 3-0.

II. PUBLIC HEARING

- 1. Item #93-1 - Consideration of a request for a variance from the required front yard setback of 20 feet in the B-2 Zone District to 16 feet for a 4 feet variance. The purpose of the variance request is to enable construction of a canopy over gasoline pumps.**

PETITIONER: Rob Lipson, LOCO, Inc.
REPRESENTATIVE: Tom Logue
LOCATION: 1917 North 1st Street

PETITIONER'S PRESENTATION

Tom Logue said Hillcrest Conoco facilities have operated at this location for a number of years and recently had mill tailings removed from the property. LOCO would like to take this opportunity to bring the station into the 90's which includes building a canopy over the pump islands. The petitioner is requesting a four feet variance to allow the canopy to encroach into the setback. According to City staff, there is a minimal amount of B-3 zoning in the City limits and if the station was located in any other non-residential zone this request would not require a variance. The canopy is slightly over 14 feet high so it wouldn't obstruct sight distance at the intersection of Lorey Drive and 1st Street.

Mr. Logue said there were no review comments which needed to be addressed except for the Building Department's who had apparently misunderstood the request and thought this was a full-blown convenience store rather than just a service station.

John Elmer asked if this was a B-3 zone or a B-2 zone?

Jan Koehn replied it is B-2.

STAFF PRESENTATION

Jan Koehn stated there is a limited amount of B-2 zoning within the City. There are only four locations, including this particular location. Although the site does not meet the criteria for the B-2 Zone, it does meet the definition of what the B-2 Zone should be. If the property was rezoned today, it would be zoned B-3 which would require a 45 feet setback from centerline of right-of-way instead of the B-2 setback of 55 feet from center-line. The setback the building department required in the comments was for a convenience store rather than a service station; the Building Department allows the 45 feet setback from center of right-of-way.

Staff recommends approval of this variance request.

PUBLIC COMMENT

There was no public present to comment on this request.

BOARD OF APPEALS QUESTIONS

John Elmer asked if the placement of the pump islands was to allow for two vehicles between the structure and the store.

Mr. Logue said yes, it is directly related to traffic circulation.

John Elmer felt it would be a hardship to require rezoning the property even though the property seems to be incorrectly zoned.

MOTION: (CINDY ENOS-MARTINEZ) "Mr. Chairman, I move that the variance request for the required front yard setback of 20 feet in the B-2 Zone District to 16 feet for a 4 feet variance for LOCO, Inc. at 1917 North 1st Street be granted."

William Putnam seconded the motion, and the motion was unanimously approved by a vote of 3-0.

The meeting adjourned at 8:13 a.m.