

GRAND JUNCTION BOARD OF APPEALS
Public Hearing October 13, 1993
8:02 a.m. - 8:15 a.m.

I. CALL TO ORDER

The public hearing was called to order by Chairman John Elmer at 8:02 a.m. in the City Auditorium.

In attendance, representing the Board of Appeals, were Chairman John Elmer, Jeff Driscoll, Bill Putnam and Cindy Enos-Martinez. Lewis Hoffman was absent.

In attendance, representing the City Community Development Department, was Dave Thornton, Senior Planner. John Shaver, Assistant City Attorney, was also present. Bobbie Paulson, Senior Administrative Secretary, was present to record the minutes.

There were no citizens present during the course of the meeting.

II. APPROVAL OF MINUTES FROM THE JULY 14, 1993 MEETING

MOTION: (Jeff Driscoll) "I move that we approve the minutes of the July 14, 1993 meeting."

Cindy Enos-Martinez seconded the motion. A vote was called, and the motion passed unanimously by a vote of 4-0.

III. PUBLIC HEARING ITEMS FOR CONSIDERATION BY THE BOARD

- 1. #93-3 Consideration of a request to vary the front yard from 45 feet to 34.5 feet; the side yard from 5 feet to 3 feet; and the minimum lot area requirements from 6,500 s.f. to approximately 3,000 s.f. in an RSF-5 Zone District (Residential Single Family, 5 units per acre). This item was tabled at the June 9, and July 14, 1993 Board of Appeals hearings.
PETITIONER: Carl Noble
LOCATION: 120 Mantey Heights Drive**

STAFF PRESENTATION

Dave Thornton stated that this variance request had been tabled until today to allow the Petitioner to submit an application for a right-of-way vacation which was needed as a result of a property survey which indicated that part of the house at 120 Mantey Heights Drive encroached onto the right-of-way. Staff has attempted on several occasions to contact the Petitioner; however, the Petitioner has not responded. Staff recommends denial of this request. The Petitioner has the

option of resubmitting his request at a future time.

PETITIONER'S PRESENTATION

The Petitioner, Carl Noble, was not present.

PUBLIC COMMENT: There was no public comment.

DISCUSSION

The Board discussed tabling rather than denying this request to avoid making the Petitioner pay another variance fee to resubmit. It was the consensus of the Board that the Petitioner was given a reasonable opportunity (3 months) to have submitted his application for vacation of right-of-way or request additional time for the variance.

MOTION: (Cindy Enos-Martinez) "Mr. Chairman, I move that we deny #93-3, the variance request for the front yard setback, the side yard setback and minimum lot area requirements in an RSF-5 Zone District for Carl Noble."

Jeff Driscoll seconded the motion. A vote was called, and the motion passed unanimously by a vote of 4-0.

2. **#93-5 A request to vary the side yard setback requirement in an RMF-64 (Residential Multifamily, 64 units per acre) from the required 10 feet to 6 feet to allow the Petitioner to enclose an existing carport.**

PETITIONER: David & Charlotte Stephenson

LOCATION: 2225 North 13th Street

STAFF PRESENTATION

Dave Thornton stated that the Petitioner requests approval of a side yard setback variance from 10 feet to 6 feet to allow the Petitioner to enclose a carport to provide additional living space in the existing single family residence at 2225 North 13th Street.

Land Uses on the west side of 13th Street, where this house exists, are a mixture of multifamily and single family units and to the north is a three-story apartment building. The zoning is multifamily on the west side of 13th Street and single family on the east side of 13th Street. The single family setback is 5 feet in the zone across the street.

A few years back, a variance was granted to enclose a carport attached to a house just south of 2225 North 13th Street.

Staff feels that this proposed variance would not adversely affect the surrounding properties and recommends approval of this request.

John Elmer stated that he felt the hardship is that the multifamily zoning is inappropriate for this lot; if it were zoned single family, a variance would not be needed.

Dave Thornton agreed that an RSF-8 zone would be more appropriate for this lot.

PETITIONER'S PRESENTATION

The Petitioner, Charlotte Stephenson, stated she did not have anything in addition to staff's comments.

PUBLIC COMMENT: There was no public comment.

MOTION: (William Putnam) "I move that we approve #93-5 variance request to Section 4-2-7, Zone District Bulk Requirements for the RMF-64 Zone District."

Jeff Driscoll seconded the motion. A vote was called, and the motion passed unanimously by a vote of 4-0.

The meeting was adjourned at 8:15 a.m.