

**GRAND JUNCTION BOARD OF APPEALS
October 8, 2003 Minutes
12:05 P.M. to 12:15 P.M.**

The regularly scheduled Board of Appeals meeting was called to order at 12:05 P.M. by Chairman Paul Dibble. The public hearing was held in the City Hall Auditorium.

In attendance, representing the Board of Appeals, were Paul Dibble (Chairman), Travis Cox, and Mark Williams and John Paulson. One position is currently vacant.

In attendance, representing the Community Development Department, were Bob Blanchard (Community Development Director) and Ronnie Edwards (Associate Planner).

John Shaver, Assistant City Attorney, was also present.

The minutes were recorded by Bobbie Paulson.

There were three citizens present during the course of the meeting.

I. APPROVAL OF MINUTES

Available for consideration were the minutes of the September 10, 2003 meeting.

MOTION: (Mr. Cox) "I move that we approve the minutes of the September 10, 2003 hearing."

Mr. Williams seconded the motion. A vote was called and the motion passed unanimously by a vote of 3-0 with Mr. Paulson abstaining.

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

III. FULL HEARING

VAR-2003-159 VARIANCE—CEDAR TERRACE SETBACK VARIANCE

A request for approval of a variance to the side and rear yard setbacks to accommodate the replacement of existing storage sheds in an RMF-16 zone district.

**Petitioner: Cedar Terrace Townhomes HOA
Location: 555 28 ½ Road
Staff: Ronnie Edwards, Associate Planner**

PETITIONER'S PRESENTATION

Pam Francil, association president of Cedar Terrace Townhomes, appeared. Ms. Francil asked that the requested setback variance be approved.

STAFF'S PRESENTATION

Ronnie Edwards gave a PowerPoint presentation. Ms. Edwards testified that the property is located at 555 28 ½ Road; the petitioners have requested approval of a variance to reduce the side and rear yard setbacks to 0 feet; the property owners have recently replaced the existing storage sheds that have been on the property since the 70's; and that the owners did not realize the setbacks had changed for accessory units and that a planning clearance is required to replace the storage units.

Ms. Edwards stated that after being contacted by the Code Enforcement division, the representative for Cedar Terrace applied for a variance.

The subject property was annexed in November 1974 and was given a zoning of R-2-A. The zoning designation for the property eventually changed to RMF-16. The property was developed under the R-2-A zone district as Cedar Terrace townhomes, which was originally platted in July 1976. Under the permitted residential uses, any building consisting of more than four separate family living units would be reviewed under Section 1.8 Residential Bulk Development. A residential bulk development is defined as an area planned as a unit to provide variation in building placement. Under the provisions of Section 1.8, the Planning Board and City Council could vary requirements as to minimum area of individual lots, lot frontage, setbacks for side and rear yards and maximum heights of buildings normally required in the zone in which said bulk development is proposed to be located. Ms. Edwards stated that as shown on the Improvement Location Certificate, there is an additional 8 feet between the rear site development line and the rear property line. Ms. Edwards stated that staff finds that the criteria, as outlined in the staff report, have been met. Ms. Edwards recommended approval of the variance.

QUESTIONS

Dr. Dibble asked, "What are the sizes of the sheds?" Ms. Edwards said that she understands that the sheds will be the same size as the ones being replaced but didn't know the exact dimensions.

Mr. Cox asked, "Is the setback measured from the property line or the site development line?" Ms. Edwards replied that the setback is measured from the property line.

MOTION: (Mr. Williams) "Mr. Chairman, on item VAR-2003-159, I move that the Board of Appeals approve the request to reduce the side yard setback from 3' to 0' and the rear yard setback from 5' to 0' to allow the replacement of existing storage buildings with the Findings and Conclusions listed in the staff report."

Mr. Cox seconded the motion. A vote was called and the motion passed unanimously by a vote of 4-0.

With no further business to discuss, the meeting was adjourned at 12:15 P.M.