

**GRAND JUNCTION BOARD OF APPEALS
AUGUST 10, 2005 MINUTES
12:04 p.m. to 12:20 p.m.**

The regularly scheduled Board of Appeals meeting was called to order at 12:04 p.m. by Chairman Paul Dibble. The public hearing was held in the City Hall Auditorium.

In attendance, representing the Board of Appeals, were Dr. Paul Dibble (Chairman), Travis Cox and Reginald Wall, Mark Williams and Patrick Carlow were present.

In attendance, representing the Community Development Department, were Pat Cecil (Development Services Supervisor) and Scott Peterson (Associate Planner).

Jamie Kreiling, Assistant City Attorney, was also present.

The minutes were recorded by Bobbie Paulson.

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

I. APPROVAL OF MINUTES

Available for consideration were the minutes of the July 13, 2005 public meeting.

MOTION: (Mr. Cox) "Mr. Chairman, I move that we approve the minutes from July 13, 2005."

Mr. Wall seconded the motion. A vote was called and the motion passed by a vote of 3-0, with Mark Williams and Pat Carlow abstaining.

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

III. REHEARING REQUEST

VAR-2005-134 VARIANCE--CRAWFORD SETBACKVARIANCE

A request for approval to vary the rear yard setback in an RSF-1, Residential Single Family, 1 unit/acre) zoning district to construct a building addition connecting the existing detached garage with the existing single family home.

Petitioner: Susan and Greg Crawford

Location: 687 26 Road

PETITIONER'S PRESENTATION

The applicant, Susan Crawford, asked the Board of Appeals members to consider rehearing the above request as she felt that that the Board may not have considered some pertinent facts regarding the topography of the lot. Ms. Crawford stated that at the July 13th hearing, the Board discussed the lot's topography after the public hearing was closed and that the petitioner was not allowed to speak at that point. Ms. Crawford said that the lot's elevation varies significantly which makes it very difficult, if not impossible, to build an addition to the home elsewhere on the lot. In addition, there is a ditch and a septic line that runs along the property that also limits where an addition can be built. Ms. Crawford stated that the original house was built in the early 1900's and was not constructed to take the load of a second floor so the addition as proposed is the only logical option.

Ms. Crawford said she asked the Building Department how close she could build the detached-garage to the existing house. She said they told her that it could be up to 6 inches. She said she understands that there are Codes but it seemed silly to her that the walls could be this close but couldn't be connected.

Chairman Dibble asked Mrs. Crawford why she didn't offer this information in her original presentation?

Ms. Crawford did not have a clear answer but said she assumed that the Board was already aware of the topography limitations.

Chairman Dibble stated that he felt the Board was probably remiss in not asking the applicant about the topography of the lot and locations of septic tanks, etc.

STAFF'S PRESENTATION

Scott Peterson, Associate Planner, advised the Board of the applicant's request for a rehearing and provided some history of what was presented at the July 13, 2005 Board Hearing. Mr. Peterson stated that staff stands by their original recommendation and; therefore, does not support granting a rehearing.

BOARD'S DISCUSSION & MOTION

The Board continued to discuss the issues and the information that was presented.

MOTION: (Chairman Paul Dibble): "I make a motion to rehear items VAR-2005-134. I would like to make absolute sure that we have heard everything and that we are not in fault for not considering all of the aspects of what they are trying to do in light of the size of the property and so I will make a motion to rehear the rear yard setback."

Pat Carlow seconded the item. The motion passed by a vote of 3-2, with Travis Cox and Reggie Wall voting no.

Chairman Paul Dibble requested that staff arrange a rehearing date with the petitioner and that all five Board members attend.

With no further business to discuss, the meeting was adjourned at 12:20 p.m.