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13. gasoline service stations;

14. signs for identification . . . provided that each use has not more than one projecting sign and that such a sign does not exceed 30 square feet in area.

B) Minimum Lot Area 10,000 square feet.C) & D) Minimum Lot Width and Street Frontage . . . 75 feet.E) Minimum Setback

Uses 2 - 13 inclusive herein.

Major highways or roads 80 feet from the center line of the right of way.

Secondary roads or highways 60 feet from the center line of the right of way.

Collector streets or roads 50 feet from the center line of the right of way.

Other streets or roads 40 feet from the center line of the right of way.

G) Minimum Rear Yard 20 feet.SC. SHOPPING CENTER DISTRICT Section IA) Uses Permitted

1. Uses numbered 4, 5, 6, 9 and 10 of the T, Tourist District, subject to all requirements specified for said District, unless otherwise stated herein; and establishments for the conduct of a retail business or to provide a service as follows:

2. agencies;

a. real estate b. insurance c. message

3. art, antique, curio and gift stores;

4. appliance stores (retail sales and service);

5. bakery (retail sales in premises as principal use);

6. banks;

7. barber and beauty shops;

8. book and stationery stores;

9. candy, nut and confectionary stores;

10. cleaning establishments;

11. custom tailors, dressmakers and milliners;

12. department stores;

13. drug and notion stores;

14. food shop retail (grocery store, super market, delicatessen grocery, meat, dairy products stores);

15. florist shops;

16. furniture stores;

17. garden supply and totally enclosed pet stores;

18. gasoline service station, provided at least four other uses permitted herein are established in the shopping center during or before construction of the service station;

19. hardware and sporting goods;

20. interior decorating shops;

21. jewelry stores;

22. laundries (self-service and drop-off and pick-up stations);

23. libraries and museums;

24. music stores and studios;

25. photographic studios;

26. photography supply stores;

27. post offices;

28. restaurants (not of the drive-in type);

29. shoe stores, shoe repairing;

30. tobacco stores and news stands;

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31. toy stores;

32. signs, providing they conform to specifications a. to c. as follows:

- a. shall be set back 10 feet from any lot line;
- b. a maximum of two free-standing signs, not exceeding 100 square feet in area for each, conforming to maximum building height and advertising the Shopping Center Unit in which located or products ordinarily offered for sale on the premises;
- c. signs advertising an individual store within the Shopping Center Unit shall be attached flat against the wall of the building, to the face of the canopy or marquee, or may be mounted on a structured "pylon" designed as an integral part of the principal building, provided the maximum height of the "pylon" does not exceed ten feet above the roof line or parapet wall, and thirty-five feet from the ground grade line.

B) Basic Composition

A minimum of five convenience type stores or services planned as provided herein, built and continually owned as a unit development on property owned by one person, firm or corporation. Prior to issuance of a Building Permit for this purpose, it must be shown to the satisfaction of the Building Inspector that five or more units will be commenced and completed contemporaneously.

C) Minimum Lot Area

Each Unit Development 5 acres.

D) Minimum Setback

The same as required for Districts fronting upon a street or continuation of a street adjacent to the Shopping Center Unit Development.

E) Minimum Side Yard

Adjacent to any "R" District 20 feet

F) Minimum Rear Yard

All buildings 20 feet.

G) Maximum Height of Buildings

All buildings 35 feet or two stories.

H) Service Entrances and Service Yards

Service entrances and service yards shall be located only in the rear and side yard of the shopping center unit and shall be set back from the street line not less than the minimum depth of the required front yard plus twenty five feet. Service yards must be screened from adjacent residential property by the installation and maintenance of a solid wall, or a lattice fence having a height of not less than four feet nor more than six feet; or a compact screen of trees set back at least ten feet from the property line. Likewise, suitable trees, as specified by the Planning Commission must be maintained in the parking adjacent to the property of the shopping center to form a partial screen from adjacent properties, if such adjacent properties are zoned or developed residentially. Such fence wall or planting shall conform to provisions as stated in Section XVIII, Paragraph 3, "Traffic Hazards."

I) For Minimum Parking, Loading Areas and Supplementary Regulations

See Sections XVII and XVIII.

B BUSINESS DISTRICT Section II

A) Uses Permitted

1. Uses numbered 2 to 13 inclusive, as permitted in the T, Tourist District, subject to all requirements specified for said T, Tourist District uses, unless otherwise stated herein:

2. establishments for the conduct of the following retail businesses, but only the following retail businesses, and subject to requirements specified in this section. Any retail business or activity not listed shall not be included in this business district or any higher classification:

- assembly hall or auditoriums;
- bakeries, retail;
- banks;
- book stores;
- business machine stores;
- cleaning establishments, (for drop-off and pick-up service only);
- camera and photography shops;
- candy, nut and confectionary stores;
- dairy products stores;
- delicatessen stores;
- department stores;
- dressmaking shops;
- drug stores;
- dry goods stores;
- furniture and appliance stores;
- garden supplies stores;

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- grocery stores;
- hardware stores;
- interior decorator shops;
- jewelry shops;
- laundries (self-service);
- libraries or reading rooms;
- liquor stores for package sales;
- linen supply stores;
- luggage sales stores;
- music stores;
- news stands;
- offices;
- personal service shops;
- pet stores;
- photostating and blueprinting shops;
- public buildings;
- restaurants, including drive-in eating places;
- shoe repair shops;
- shoe stores;
- sporting goods stores;
- stationery stores;
- studios;
- theatres, not of a drive-in type;
- tobacco stores;
- toy stores;
- trailer courts;
- signs of identification, provided each use has not more than one projecting sign, and that such a projecting sign does not exceed 60 square feet in area;

any similar, lawful business use which is intended to serve a neighborhood area, and which may be approved by a resolution of the Mesa County Planning Commission for a permitted use.

B, C & D) Minimum Lot Area, Lot Width and Street Frontage

No requirements . . . except minimum required by Mesa County Department of Public Health for adequate sanitation and disposal of sewage for each property.

E) Minimum Setback

- Major highways or roads 50 feet from the center line of the right of way.
- Secondary Roads or highways 40 feet from the center line of the right of way.
- Collector streets or roads 30 feet from the center line of the right of way.
- All other roads or streets 25 feet from the center line of the right of way.

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F) Minimum Rear Yard 20 feet, one-half of which may be measured from the center of a dedicated alley.

ER, ELECTRONICS & RESEARCH DISTRICT Section XII

1. Manufacture, fabrication and testing of electrical and electronic equipment, together with similar and allied operations conforming to B) below;
2. assembly and packaging of products or articles when completely enclosed within a building and with all outside storage used only for semi-finished or finished products with a six foot solid wall or fence enclosing said storage;
3. facilities for technological and scientific research and development;
4. research experimental and consulting laboratories, including offices for engineers, technicians, chemists and other professional persons essential to operation of the laboratories and other facilities permitted in 1, 2, 3 and 4 herein;
5. uses which are similar to the above, conform to B) below in this section, and which shall be approved by the Mesa County Planning Commission as a permitted use in this District.

B) Compatibility

In general, this zone shall be in a planned industrial district, and can be considered compatible with a nearby residential area if it meets most of the following criterions;

1. Uses have no harmful or unpleasant effects (noise, odors, fumes, glare, vibration, smoke, vapors and gasses, electrical emissions and industrial wastes).
2. Traffic entering or leaving the planned district is permitted on non-residential streets only; traffic routes and exits from a district are far enough away from houses so that truck noise and vibration are not objectionable.
3. The industrial district site is located on an arterial, major or secondary thoroughfare.
4. Appearance is harmonious. This feature shall include but not be limited to: landscaping, enclosure of principal and accessory uses, height control, sign control, low structural density, and possible architectural controls. Sixty percent of total areas shall be devoted to landscaping, parking, ground cover, shrubs and beautification.

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5. The distances separating all district uses and buildings from the surroundings are great enough to in fact constitute a buffer. Loading docks and truck maneuvering areas and terminals shall be further removed from residential lot lines than buildings, for example.

6. The site is large enough to constitute a full-sized zone; otherwise there is danger that small "spot zones" will result, with the usual attendant evils.

C) Minimum Lot Area

Each permitted use one acre.

D) Minimum Lot Street Frontage

Each permitted use 150 feet.

E) Minimum Setback

Arterial Highways 150 feet from the center line of the right of way
 Major highways or roads 100 feet from the center line of the right of way
 Secondary highways or roads 80 feet from the center line of the right of way

F) Minimum Side Yard

All buildings 20 feet.
 Where yards adjoin sites zoned for residential use - - - 60 feet.

G) Minimum Rear Yard

All buildings 20 feet.
 Where yards adjoin sites zoned for residential 60 feet.

H) Maximum Percent Lot Covered by Buildings 40 percent.

I) Maximum Building Height 40 feet or two stories.

J) Off-street Parking, Loading and Unloading See section XVII'

Permitted Signs - conforming to specifications a. to c. as follows:

- a. shall be set back 20 feet from any lot line;
- b. a maximum of two free-standing signs, not exceeding 100 square feet in area for each, conforming to maximum building height and advertising the ER, District in which located.
- c. signs advertising an individual laboratory, office or other establishment located in the ER, District, provided said sign is attached flat against the wall of the building, to the face of the canopy or marquee, or mounted on a structured "pylon" designed as an integral part of the principal building, provided the maximum height of the pylon does not exceed ten feet above the roof line or parapet wall, and forty feet from the ground grade line.

C. COMMERCIAL DISTRICT Section XIII

A) Uses Permitted

1. Any use permitted in the B, Business District, subject to all requirements specified for said B, Business District, unless otherwise stated herein;

2. establishments for the conduct of a general business, commercial or wholesale activities, but only the following general business, commercial or wholesale activities; any general business, commercial or wholesale activity not here listed shall not be included in this commercial district or any higher classification;

- animal hospitals, kennels and clinics;
- auto sales establishments and lots . . . provided all cars for sale meet State of Colorado inspection standards;
- automobile repair shops;
- auction houses, pawn shops and second hand stores;
- blacksmith shops;
- bowling alleys;
- building materials sales;
- cabinet making and carpenter shops;
- cleaning and dyeing establishments;
- commercial broadcasting and communications towers;
- dairy processing and distribution plants;
- electronic equipment fabrication, manufacture or testing;

- electrical contracting shops;
- feed and seed stores;
- frozen food lockers;
- handicraft manufacturing;
- ice and cold storage plants;
- machine shops;
- mortuaries and ambulance services;
- outdoor commercial signs or advertising structures;
- plumbing shops;
- printing and publishing establishments;
- roofing shops;
- sign painting shops;
- skating rinks;

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- 3. farm organization and community halls;
- 4. airports;
- 5. cemeteries;
- 6. gravel pits;
- 7. mines and quarries;
- 8. oil and gas exploration, drilling and pumping facilities;
- 9. packing sheds;
- 10. riding academies;
- 11. radio transmitting, commercial broadcasting and communication towers;
- 12. greenhouses;
- 13. fur farms, kennels, portable sawmills, and veterinary hospitals . . . provided that all such buildings and storage areas are located at least 250 feet from property lines of the property upon which such uses are located and at least 300 feet from existing dwellings, schools and churches on other lots or properties;
- 14. resort cabins, lodges, and guest houses . . . provided that all such uses are located in mountainous terrain at least 200 feet away from primary Federal, State or County highways;
- 15. signs for identification . . . provided each use has not more than one such sign per frontage, and that such a sign does not exceed 10 square feet in area;
- 16. feed lots.

B) Minimum Lot Area

Each permitted use one acre.

C) Minimum Lot Width . . .

Each permitted use 150 feet.

E) Minimum Setback

Major highways or roads	100 feet from the center line of the right of way.
Secondary highways or roads	80 feet from the center line of the right of way.
Collector streets or roads	60 feet from the center line of the right of way.
Other streets or roads	50 feet from the center line of the right of way.

V. UNCLASSIFIED DISTRICT Section XVI

A) Uses Permitted

1. All uses not otherwise prohibited by law except that none of the following uses shall be established unless approved by the Board of Adjustment;

- alfalfa dehydrators;
- automobile wrecking and salvage yards;
- cement, lime or gypsum manufacturing;
- chemical plants;
- commercial fertilizer manufacturing;
- fireworks or explosives manufacturing;
- garbage, offal or dead animal dumping or reduction operations;
- glue manufacturing or fat rendering or distillation of bones;
- junk yards;
- outdoor advertising signs;
- petroleum refining;
- licensed slaughter houses and packing houses;
- smelting of ore; and,

in general, all uses which may be obnoxious, offensive or hazardous by reason of creating traffic safety problems - by being materially detrimental to the public welfare or injurious to property or improvements in the neighborhood - or by emission of unusual and excessive amounts of dust, smoke, fumes, gas, noxious odor or noise; or any addition to any of the foregoing uses.

In reviewing the proposed establishment of any of the above listed uses, the Board of Adjustment shall consider whether substantial detriment to the public good in conflict with the intent and purpose of this resolution might result from such use.

PARKING & LOADING REQUIREMENTS Section XVII

A) Space Required

There shall be required in connection with the construction or addition to any of the following buildings and uses, off-street parking space as hereinafter designated:

- 1. dwellings one space for each dwelling unit;

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2. churches, hospitals and other public buildings (except schools) one space for 100 square feet of floor area;
3. hotels, motels, rooming and boarding houses and similar accommodation units - - one space for every rental unit;
4. places serving food and beverages . . . one space for every 100 square feet of building floor area;
5. all other business and commercial uses . . . one space for every 200 square feet of building floor area;
6. industrial and manufacturing establishments . . . one space for every 3 employees on all combined shifts.

B) Loading Space

For each use conforming to numbers 4, 5 and 6 above, one off-street loading space at least 12' x 30' shall be provided for each 2,500 square feet of floor area.

C) Description of spaces

Each off-street parking space shall not be less than 10 feet wide and 20 feet long; shall be provided with vehicular access to a street or alley; shall be surfaced with gravel, asphalt, concrete or equivalent; shall be properly drained; shall be owned by owners of building served and shall be located within convenient walking distance of the principal building for which the parking space is required.

D) Reduction

No part of an off-street parking space required for any building or use for the purpose of complying with the provisions of this resolution shall be included as a part of an off-street parking space similarly required for another building or use.

SUPPLEMENTARY REGULATIONSSection XVIII

1. General in any zoning district where a building, structure, or use is enumerated, any other building, structure or use which is similar to those enumerated and not more obnoxious or detrimental to the area in which it is located, shall be permitted by resolution of the Mesa County Planning Commission.
2. Illumination of uses any light used to illuminate signs, parking areas or for any other purposes shall be so arranged as to reflect light away from nearby residential properties, and away from the vision of passing motorists.
3. Traffic hazards no fence, wall or other structure shall be erected and no hedge, shrub, tree or other growth shall be maintained in such location upon any lot or property in a manner constituting a traffic hazard because of obstruction to view.
4. Storage in yards no portion of any required front yard, or side yard on the street side of a corner lot shall be used for the permanent storage of motor vehicle, trailers, airplanes, boats, parts of any of the foregoing, or building materials (except building materials for use on the premises stored thereon during the time valid permit is in effect for construction on the premises). Permanent storage, as used in this section, means the presence for a period of forty-eight (48) or more consecutive hours in the required front or side yard.

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ResolutionA & B) Minimum Lot Area
and
Minimum Lot Width

1. In addition to minimum lot areas and frontages provided elsewhere herein; for those lots not served by a public waste sewage disposal system, the minimum area and minimum frontage of each lot shall be as determined by the Mesa County Health Department. The determination of area and frontage shall be made after generally accepted sanitary engineering tests and study procedures such as percolation tests, drilling of test holes, etc. have been followed. Mesa County Health Department approval of a complete subdivision plat as to minimum lot areas and frontages may be substituted for approval on an individual lot basis. In either case a building permit shall not be issued the owner without first securing written approval and specifications from the Health Department for the disposal system.

2. Electric substations and gas regulator stations . . shall be permitted to occupy an area smaller than the minimum lot area prescribed by this resolution, provided minimum setbacks and other yard and open area requirements are complied with.

3. Established lots . . where an individual lot was held in separate ownership from adjoining properties or was platted and recorded at the time of passage of this resolution, and has less area and/or less width than required in other sections of this resolution, such a lot may be occupied according to the permitted uses provided for the district in which such lot is located, providing lot area is approved by the Health Department, as provided in Paragraph 1. above.

4. Adjacent streets and roads . . in measuring the minimum lot area where the requirement is one acre or more, one-half the area of adjacent public rights-of-way may be included. On all lots smaller than one acre, the minimum lot area shall not include portions of adjacent rights-of-way.

C & D) Minimum Setbacks

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Minimum Setback Side Yards
 and
Minimum Setback Rear Yards

1. Classification of roads streets and rights-of-way . . . in measuring the setback, side yards or rear yards for any given lot, the required setback distance, side yards or rear yards shall be determined by the classification of the existing or officially mapped roads streets and right-of-way, as shown on the Traffic Circulation Plan and Consolidated Zoning District Map of Mesa County, Colorado, dated the 6th day of January, 1959, or amendments thereto. Such map or amendments thereto shall show by appropriate code whether a right-of-way is classified as an "arterial highway" or as a "major highway or road," a "secondary road or highway," a "collector street or road," or where no code exists on the map, the setback shall be as designated in the text for "other streets or roads."

2. Partially Dedicated Streets or Roads

No building shall be started or a permit issued for a building or structure on a lot or parcel of land which abuts a street dedicated to a portion of its required width and located on that side thereof from which all dedication has not been made as required by the Traffic Circulation Plan.

3. Reduction . . . no part of an area, width or yard required for any building for the purpose of complying with the provisions of this resolution shall be included as a yard for another building, and all yards shall be open and unobstructed except as otherwise provided herein.

4. Architectural Features . . . cornices, canopies, eaves, or similar architectural features may extend into a required yard not more than 3 feet.

5. Porches . . . open, unenclosed, uncovered porches at ground level, or below first floor level, may extend into a required yard not more than 6 feet.

6. Fire Escape . . . fire escapes may extend into a required yard not more than 6 feet.

7. Reversed Corner Lots . . . the side yard along the street side of a reversed corner lot shall be not less than the required front yard for principal buildings along such a side street.

8. Accessory Buildings - . . . permitted accessory building may be located in the required rear yard for a principal building.

9. Survey . . . where doubt may exist in establishing the minimum setback distance, side yard or rear yard, the property owner may be required to provide an accurate survey of such measurement before a permit for construction is issued.

E) Maximum Height of Buildings

1. Special exceptions - the height limitations of this resolution shall not apply to church spires, belfries, cupolas or domes not used for human occupancy, nor to chimneys, ventilators, skylights, water tanks, silos, parapet walls, cornices without windows, antennas or necessary mechanical appurtenances usually carried above the roof level.

2. Near Airports . . . it shall be unlawful to construct, build or establish any building, tree, smoke stack, chimney, flag pole, wires, tower, or other structures or appurtenance thereto which may constitute a hazard or obstruction to the safe navigation, landing, and take-off of aircraft at a publicly used airport, as determined by Federal Aviation Agency regulations.

NON-CONFORMING USES AND BUILDINGS

Section XII

Except as provided in this section, the lawful use and location of any building or land existing at the time of enactment of this resolution, or any amendments to this resolution, may be continued even though such use or location does not conform to the requirements of this resolution.

A) Repairs and Maintenance

Ordinary repairs and maintenance of a non-conforming building shall be permitted.

B) Restoration

A non-conforming building which has been damaged by fire or other causes may be restored to its original condition, provided such work is commenced within one year of such event.

C) Abandonment

Whenever a non-conforming use has been discontinued for a period of one year, such use shall not thereafter be re-established, and any future use shall be in conformance with the provisions of this resolution.

D) Change in Use

A non-conforming use shall not be changed to a use of lower, or less restrictive classification; such non-conforming use may, however, be changed to another use of the same or more restrictive classification.

E) Extensions

A non-conforming use shall not be extended in scope or area.

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AMENDMENTSSection XIA) General Procedure

Amendments to the text and map of this resolution shall be in accordance with the laws of the State of Colorado.

B) Special Procedure

Before submitting a report and recommendation on any proposed amendment to this resolution, as required in No. 1 above, the County Planning Commission shall hold a public hearing on the proposed amendment in which event the following special conditions shall be required:

1. For proposed amendments to the "Zoning Area Map" a written notice of said hearing may be sent by first class mail at least 7 days prior to the hearing date, to property owners of record within the area in question, and within 500 feet of the area in question. Mailing such notice shall be discretionary with the County Planning Commission and failure to mail such notice shall not affect the validity of any proceeding before said Planning Commission.

2. For proposed amendments to the "Zoning Area Map," a fee of \$25.00 shall be charged to the proponents to cover the cost of advertising and processing. For all other proposed amendments a fee of \$10.00 shall be charged to cover such costs.

BOARD OF ADJUSTMENT, VARIANCESSection XIIA) Creation of Board of Adjustment

A Board of Adjustment for Mesa County, Colorado is hereby created pursuant to the Colorado Revised Statutes, 1953 (106-2-16 and 106-2-17). It shall be comprised of five members with representation from all segments of the County, in as far as possible, two members to be appointed initially by the Board of County Commissioners for terms of two years and three members to be appointed initially by the Board of County Commissioners for terms of one year and thereafter all members to be appointed by the County Commissioners for terms of two years.

B) Appeals to the Board of Adjustment

1. By whom taken . . . appeals to the Board of Adjustment may be taken by any person aggrieved by his inability to obtain a building permit, or by the decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of the provisions of this resolution. Appeals may be taken by any officer, department, board or bureau of the County affected by the granting or refusal of a building permit or other decision of an administrative official or agency based on or made in the course of the administration or enforcement of the provisions of this resolution.

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2. Appeals to the Board of Adjustment must be made in writing and filed with the Board of Adjustment within sixty (60) days of the act or failure to act or decision appealed from.

3. Powers of the Board of Adjustment upon appeals . . . upon appeals, the Board of Adjustment shall have the following powers:

a. to hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision or refusal made by an administrative official or agency based on or made in the enforcement of this resolution.

b. To hear and decide, in accordance with the provisions of this resolution as hereafter provided, requests for special exceptions or for interpretation of the zoning map or for conditional use permits as provided in this resolution.

c. Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the enactment of this resolution, or by reason of exceptional topographic conditions of such piece of property, the strict application of any regulation enacted under this resolution would result in peculiar and exceptional practical difficulties, to, or exceptional and undue hardship upon, the owner of such property, to authorize, upon appeal relating to said property, a variance from such strict application so as to relieve such difficulties or hardships; provided, however:

1) that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this zoning resolution or the master plan of Mesa County or any portion thereof;

2) that there are exceptional circumstances applying to the specific piece of property which do not apply generally to the remaining property in the same zoning area or neighborhood;

d. to permit the extension of a non-conforming use throughout a lot or any building thereon upon such terms and conditions as the Board of Adjustment shall deem just and proper; provided, that such extension may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this zoning resolution.

C) Procedure

1. Meetings of the Board of Adjustment shall be held at the call of the Chairman and at such other times as the board in its rules of procedure may specify; provided that the board shall meet to consider appeals not later than 30 days after an appeal has been filed with the board. All meetings and hearings of the Board of Adjustment shall be open to the public.

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2. All hearings of the Board of Adjustment upon any appeal shall be held not earlier than fifteen (15) days from the date that publication of the notice of said hearing in a newspaper of general circulation in the County shall have been made. Such publication shall contain the name of the appellant, the description of the property involved, a statement of the nature of the prayer of the appellant, and the time and place of the hearing.

3. Upon application for variances relating to the use requirements of this resolution, the Board of Adjustment, if it deems the same advisable and practical, may send a written notice of said hearing by first class mail at least seven (7) days prior to the hearing date to owners of property within five hundred (500) feet of the property in question. This provision shall be discretionary with the Board of Adjustment and the failure of the Board of Adjustment to send said notice or of any person to receive said notice shall not affect the validity of any hearing or determination of the Board of Adjustment.

4. Upon applications for variances which do not relate to the use requirements of this resolution, the Board of Adjustment, if it deems the same advisable and practical, may send a written notice of said hearing by first class mail at least seven (7) days prior to the hearing date to owners of property adjacent to the property in question. This provision shall be discretionary with the Board of Adjustment to send said notice or of any person to receive said notice shall not affect the validity of any hearing or determination of the Board of Adjustment.

INTERPRETATION, VALIDITY, ENFORCEMENTSection XIIIA) Interpretation

1. In their interpretation and application, the provisions of this resolution shall be held to be minimum requirements, adopted for the promotion of the public health, safety and welfare. Whenever the requirements of this resolution are at variance with the requirements of any other lawfully adopted rules, regulations or resolutions, the more restrictive, or that imposing the higher standards shall govern.

B) Validity

1. Should any section, clause or provision of this resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this resolution as a whole or any part thereof, other than the part so declared to be invalid.

C) Enforcement

1. It shall be unlawful to erect, construct, reconstruct, alter the exterior of any building or other structure, or change the use of any building or other structure within the zoned area in Mesa County except as provided in Paragraph C), Section III of this resolution, without first obtaining a building permit from the Board of County Commissioners or its authorized representative, and a building permit shall not be issued unless the plans of and for the proposed erection, construction, reconstruction, alteration, or use fully conform to the zoning regulations then in effect. For all building permits required, a fee to be set by the Board of County Commissioners shall be charged by Mesa County, except that all construction with a total cost of less than \$100.00 shall be exempt from paying a building permit fee.

VIOLATIONS AND PENALTIESSection XIIIA) General

It shall be unlawful to erect, construct, reconstruct, alter, maintain or use any building or structure or to use any land in violation of any provisions of this zoning resolution, or any amendment thereof. Any person, firm or corporation, either as owner, leasee, occupant or otherwise, who violates any of the provisions of this resolution, or any amendment thereof, or who interferes in any manner with any person in the performance of a right or duty granted or imposed upon him by the provisions of this resolution, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than One Hundred Dollars (\$100.00) or imprisoned not more than ten (10) days, or both. Each day during which such violation shall continue shall be deemed to be a separate offense.

B) Legal Action

In case any building or structure is, or is proposed to be, erected, constructed, reconstructed, altered, maintained or used, or any land is proposed to be used, in violation of any provision of this resolution, or any amendment thereof, the Board of County Commissioners of the County of Mesa, the District Attorney in and for the County of Mesa, or any owner of real estate within the zoned area, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or any other appropriate action or proceeding to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance, or use.

DEFINITIONSSection XIVA) General

When not inconsistent with the content, words used in the present tense include the future; words in the singular number include the plural number; words in the plural number include the singular number; and the masculine includes the feminine.

B) Terms and Words

For the purpose of this resolution certain terms and words are hereby defined as follows:

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1. "Accessory Building"

A detached subordinate building, the use of which is customarily incidental to that of the main building or to the main use of the land and which is located on the same tract with the main building or use, and not including those buildings defined herein as farm and garden buildings.

2. "Accessory Use"

A use naturally and normally incidental to, subordinate to, and devoted exclusively to the main use of the premises.

3. "Alley"

A minor public thoroughfare upon which the rear of building lots generally abut, used for service purposes and not intended for general travel.

4. "Apartment House"

A building arranged, intended or designed to be occupied, or which is occupied by three or more families or groups of individuals living independently of each other in separate dwelling units.

5. "Area, Minimum Lot"

The total area within the property lines of the lot, excluding adjacent streets except as otherwise provided.

6. "Auto Court"

Cottage camps; motor courts; motel; motor lodge; tourist court; one or more buildings, attached or detached, with not less than two hundred (200) square feet of floor space per unit, facing on a common court, place, or street and designed and used for transient occupancy, usually by traveling motorists.

7. "Auto Repair Shop"

A shop or place of business for repair and maintenance of automobiles, trucks and other automotive equipment. All automotive equipment on the premises must carry a valid title and show a work order with a reasonable completion date, not to exceed 15 days, thereon. Automotive equipment for which the shop operator holds no title or valid work order shall be classified as salvage and junk and may not be kept, stored or worked on in an auto repair shop.

Zoning
Resolution8. "Automobile Sales Establishments and Lots"

An auto sales lot is an open area other than a street, used for the display, sale or rental of new or used automobiles and where no repair work is done, except minor incidental repair of automobiles to be displayed, sold or rented on the premises unless an auto repair shop as defined in paragraph 7 of these definitions is provided.

An automobile sales establishment is such an open area as above defined or an enclosed structure, in conjunction with such open area or not in conjunction with such open area, for the display, sale or rental of new or used automobiles and where no repair work is done, except minor incidental repairs of automobiles to be displayed, sold or rented on the premises unless an auto repair shop as defined in paragraph numbered 7 of these definitions is provided.

9. "Automobile Wrecking and Salvage Yard"

Land or property used for dismantling, stripping and storing of automobiles, trucks or other automotive equipment for salvage of usable parts and sale of scrap iron.

10. "Automobile Junk Yard"

Land or property used for the piling, storing, keeping, discarding of, or disposal of car bodies, from which parts and/or some scrap iron have been taken.

11. "Boarding and Rooming House"

A building or portion thereof which is used to accommodate, for compensation, three or more boarders or roomers, not including members of the occupant's immediate family who might be occupying such building. The word "compensation" shall include compensation in money services or other things of value for purposes of minimum lot area, that designated for a "dwelling" shall apply to a Board and Rooming House.

12. "Building"

Any permanent structure built for the shelter or enclosure of persons, animals, chattels or property of any kind and not including advertising sign board or fences.

13. "Building Height"

The vertical distance from the "Grade" to the highest point of the roof surface.

14. "Building, Principal"

A building in which is conducted the main or principal use of the lot on which said building is situated.

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15. "Dwelling"

A building or portion thereof used exclusively for residential occupancy, including one (1) family, two (2) family and multi-family structures. The word "dwellings" shall not include boarding, procuring or lodging houses, tents, trailer parks or trailer coaches, motels, motor courts, motor lodges, cottage camps or other structures designed or used primarily for transient residents.

16. "Dwelling, One-Family"

A detached building, arranged, designed and intended to be occupied by not more than one (1) family, and which building has not more than one (1) kitchen and not less than one (1) bathroom.

17. "Dwelling, Multiple-Family"

A building occupied by two or more families living independently of each other, but not including motels or hotels.

18. "Dwelling Unit"

One or more rooms and a single kitchen, designed as a unit for occupancy by one family, for living and sleeping purposes, located in one (1) family, two (2) family and multiple-family dwellings.

19. "Family"

A family is a number of persons living and cooking together on the premises as a single dwelling unit, but it shall not include a group of more than three individuals not related by blood or marriage.

20. "Farm Ranch and Forestry Buildings and Uses"

Those buildings and structures used to shelter or enclose livestock, poultry, feed, flowers, field equipment or similar uses; and those uses of land devoted to raising of crops, poultry, or livestock.

21. "Farm Unit"

A building group used for the operation of a farm, with or without a dwelling.

22. "Floor Area"

Measurement in determining the minimum floor area of a structure all measurements shall be along the outside enclosing walls, except that garage and carport areas shall not be included as a part of the required floor area.

23. "Garage, Private"

A building or part thereof, attached or detached and accessory to the principal building on the lot, for the storage of motor vehicles and in which no business for profit is conducted.

24. "Garage, Public"

A garage other than a private garage, used for the housing or care of motor vehicles or where any such vehicles are equipped, repaired, or kept for remuneration, hire or sale.

25. "Grade"

Grade (ground level) is an average of the finished ground level at the center of all walls of a building. In case walls are within 25 feet of a public sidewalk, said ground level shall be measured at the sidewalk.

26. "Home Occupation"

Any use conducted principally within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof, provided that no article is sold or offered for sale except such as may be produced by members of the immediate family residing on the premises.

27. "Hospitals"

Any building or portion thereof used for the accommodation and medical care of sick, injured, or infirm persons and including sanitariums, but not including clinics, rest homes, and convalescent homes.

28. "Hotel"

A building occupied as the more or less temporary abiding place of individuals who are lodged with or without meals for compensation and in which there are more than ten (10) sleeping rooms usually occupied singly, and in which no provisions are made for cooking in any guest room.

29. "Household Pets"

Those small animals which are kept as pets, often are allowed within the residence, and are not raised for commercial purposes.

30. "Junk Yard"

Any lot, side, building or structure used for any one of the following purposes:

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Fifth Day July Term July 31, 1961

- a. The collection, storage, keeping abandonment, or sale of junky
- b. The collection, storage, keeping, abandonment, or sale of metal parts or scrap metals whether of the same source or kind or not of the same source and kind.
- c. The collection, dismantling, demolition, storage, sale or exchange or abandonment of automobiles or parts thereof or of any other machinery or parts thereof, except as otherwise in this zoning resolution permitted.

31. "Kennel"

Any lot or premises on which four or more animals of at least four months of age are harbored in a confined space.

32. "Lot"

A piece, plot or parcel of land, or assemblage of contiguous parcels of land, as established by survey, plat, or deed, occupied or to be occupied by a building, or a unit group of buildings, and accessory buildings thereto, together with such open spaces as are required under this resolution and having its frontage on a dedicated public street or officially approved place.

33. "Lot Area"

The area of land enclosed within the boundaries of the lot.

34. "Lot, Reversed Corner"

A corner lot having its side street line substantially a continuation of the front lot line of the first lot to its rear.

35. "Width of Lot"

The distance parallel to the front lot line measured between side lot lines through that part of the building or structure where the lot is narrowest.

36. "Lot Street Frontage"

The distance along the front lot line measured between side lot lines on the street property.

37. "Lot Line Front"

The property line dividing a lot from a street. On a corner lot only one street line shall be considered as a front line and the shorter street frontage shall be considered the front line.

38. "Lot Line, Rear"

The line opposite the front lot line.

39. "Lot Line, Side"

Any lot lines other than front lot lines or rear lot lines.

40. "Membership Club"

An association of persons, whether incorporated or unincorporated for some common purpose, but not including groups organized primarily to render a service carried on as a business.

41. "Non-Conforming Buildings"

A building or structure or portion thereof lawfully existing at the time of the adoption of this resolution and at the time of amendments thereto and which does not conform with the height, yard, lot coverage and area regulations of the zone district in which it is located.

42. "Non-Conforming Use"

A use lawfully occupying a building or land at the time this resolution is adopted, and at the time of amendments thereto and which does not conform with the use regulations of the zone district in which it is located.

43. "Nursery School"

A residence, home or dwelling unit, in which is maintained a home for the whole or part of the day, for the care of five (5) or more children under the age of six (6) years, who are not related within the second degree to the operator of said home.

44. "Occupied"

The word "occupied" includes arranged, designed, built, altered, converted, rented or leased, or intended to be occupied.

45. "Person"

The word "person" shall also include association, firm, co-partnership, or corporation.

46. "Private"Zoning
Resolution

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Areas, things or facilities not owned or operated by a governmental agency, not "Public" as defined herein, and which are not used or operated for gain or profit.

47. "Public"

Areas, things or facilities owned or operated by a governmental agency and for public use.

48. "Principal Buildings or Use"

The main or primary purpose for which a structure or land or use thereof is designed, arranged or intended, or for which it may be occupied or maintained under this resolution.

49. "Professional Office"

An office for professions such as physicians, dentists, lawyers, architects, engineers, artists, musicians, designers, teachers, accountants, and others who through training are qualified to perform services of a professional nature, and where no storage or sale of merchandise exists.

50. "Projecting Sign"

Projecting sign is any sign attached to a building or structure wall and extending horizontally outward from such wall more than six (6) inches.

51. "Public Water and Public Sewer Facilities"

Those facilities of a municipality, water or sanitation district approved by the State Department of Health for general public use.

52. "Resort Cabin"

A building designed for temporary recreational purposes in mountainous terrain and used to accommodate individuals on a term occupancy basis.

53. "Restaurants, Drive-in Type"

Those establishments serving food or beverages outside of an enclosed building, with or without waitresses, and/or walk-up or drive-up service where food is sold or delivered to a customer not within the building.

54. "Setback"

The distance extending across the full width of the lot between the surveyed or platted center line of the adjoining street and the nearest line or point of the building.

55. "Sign"

Any words, lettering, parts of letters, figures, numerals, phrases, sentences, devices, designs, pictures, trade names, or trade marks by which anything is made known, such as are used to designate an individual, a firm, an association, a corporation, a profession, a business, a service or a commodity or product, or any type of publicity or propaganda, whether placed on the ground, rocks, trees, tree stumps or other natural objects or on a building, wall roof, frame support, fence or other man-made structure, which are visible from any public street, public highway or public road right-of-way.

56. "Sign Projecting"

Projecting sign is any sign attached to a building or structure wall and extending horizontally outward from such wall more than six (6) inches.

57. "Street"

Any public thoroughfare which affords the principal means of access to abutting property, and including such terms as "public right-of-way," "highway," "road" and "avenue."

58. "Structure"

Anything constructed or erected, which requires location on the ground or attached to something having a location on the ground, but not including ditches and their appurtenances, fences or walls used as fences less than six (6) feet in height, poles, lines, cables, or other transmission or distribution facilities of public utilities.

59. "Subdivided Land"

Land located within a subdivision approved by Mesa County Planning Commission and the County Commissioners, recorded in the office of the County Clerk, and usually having lots of approximately one acre or less in size.

60. "Tourist Home"

A building in which more than one (1) but not more than five (5) guest rooms are used to provide or offer overnight accommodations for transient guests for compensation.

61. "Trailer Court"

Any premise where two (2) or more trailer coaches are parked for living or sleeping purposes, or any premise used or set apart for supplying to the public, parking space for one (1) or more trailer coaches for living or sleeping purposes, and which include any buildings, structures, vehicles or enclosure used or intended for use as a part of the equipment of such trailer court or camp.

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62. "Use"

The purpose for which land or building is designed, arranged, or intended, or for which either is or may be occupied or maintained.

63. "Used Car Lots"

A retail sales area for the sale of automobiles which are in such condition as to meet all requirements of the State and County for license and operation.

64. "Unsubdivided Land"

Land not conforming to definition number 59 herein.

65. "Yard"

A yard is an existing or required open space on the same lot with a principal building, open, unoccupied and unobstructed from the ground to the sky, except as otherwise provided herein.

66. "Yard, Front"

A yard extending across the full width of the lot between the front lot line and the nearest line or point of the building.

67. "Yard, Rear"

A yard extending across the full width of the lot between the rear lot line and the nearest line or point of the building.

68. "Yard, Side"

A yard extending from the front yard to the rear yard between the side lot line and the nearest line or point of the building or accessory building attached thereto.

69. "Signs for Identification"

Such signs shall refer only to the principal use of the lot upon which such signs are located.

70. "Highways, Roads and Streets"

"Major Highways or Roads", "Secondary Roads or Highways", "Collector Streets or Roads", "Other Streets or Roads" shall mean those highways, streets and roads of like classification as shown on the Traffic Circulation Plan and Consolidated Zoning District Map now adopted or as hereafter amended.

Zoning
Resolution

REPEALS AND ENACTMENTSection XIVA) Repeals

1. All resolutions or portions thereof of the Board of County Commissioners of Mesa County, inconsistent herewith are hereby repealed to the extent of such inconsistency. In particular, but not by way of limitation, all inconsistent portions of the following resolutions are hereby repealed;

Fruitridge Planning District
West Orchard Mesa Planning District
Redlands Zoning District
Clifton Bridge Planning District
Palisade Planning District
West Central Orchard Mesa Planning District
Central Orchard Mesa Planning District
South Clifton Planning District

2. The repeal of any of the above-mentioned resolutions does not revive any other resolution or portion thereof repealed by said resolution.

3. Such repeals shall not affect or prevent the prosecution or punishment of any person for the violation of any resolution repealed hereby, for an offense committed prior to the repeal.

Gene Allen was of the opinion that there are bound to be amendments to the Zoning Resolution that show up in the process of administration and enforcement of the regulations and any inequities will necessarily be taken care of; also, there should be representation on the Planning Commission and Board of Adjustment from all over the County; that there is a need for rural representation. It was also decided if it becomes necessary, the membership of the Commission would be increased. The Board recessed for lunch.

Discussion re:
amendments to zoning
resolution

When they returned to the Court House, on motion of Henry J. Tupper seconded by Roe F. Saunders and carried, Quit Claim Deeds from Ben J. Nichols and Marguerite Nichols for road right-of-way on KB Road west of Spring Creek were accepted as follows:

Quit Claim Deeds
from Ben J. and
Marguerite Nichols
to County

A strip of land eighty (80) feet in width to be used for road purposes. The center line of which is described as follows:

Beginning at a point whence the East 1/4 corner, Section 21, Township 10 South, Range 96 West, 6th Principal Meridian. Bears South 1° 30' West five hundred seventy and three tenths (570.3) feet.

Community Development Department
Project Tracking Report

PROJECT INFORMATION

Project File #	CUP-2001-056
Project Name	Grand Valley Irrigation
Location	688 1/2 26 rd.
Description: i.e. (comm/resid, density, subdivision, acreage, # lots, etc.)	Commercial Ditch Co. office + Outdoor storage + use
Approval Requested i.e. (rezone, vacation, etc.)	Conditional Use Permit
Date of Initial Pre-Application Conference	1-17-01
Initial Pre-Application Conference Planner	Bill Nebeker
Application Submittal Date	3-2-01
Assigned Planner	Tricia Parish

STATUS

Date	3 4-1-01		
Status	Continued until May P.C meeting by Applicant's lack of response to Comt's		
Weeks in Process	City 3	Applicant 1	Total 4

Date	5-1-01		
Status	P.C. Meeting on 5-1-01		
Weeks in Process	City 3	Applicant 6	Total 9

Community Development Department
Project Tracking Report

PROJECT INFORMATION

Project File #	62204
Project Name	16
Location	
Description: i.e. (comm/resid, density, subdivision, acreage, # lots, etc.)	
Approval Requested i.e. (rezone, vacation, etc.)	
Date of Initial Pre-Application Conference	
Initial Pre-Application Conference Planner	
Application Submittal Date	
Assigned Planner	

STATUS

Date	6-1-01		
Status	Pulled by Applicant - referred to Code Enforcement 5-9-01		
Weeks in Process	City 3	Applicant 7	Total 10

Date			
Status			
Weeks in Process	City	Applicant	Total

RECEIPT OF APPLICATION

DATE BROUGHT IN: 2/26/01
CHECK #: 20464 AMOUNT: 462.50 + 7.50 cash
DATE TO BE CHECKED IN BY: 3/2/01
PROJECT/LOCATION: 688 1/2 26 Rd ~~GUIC~~ office

If application is found to be complete, the Community Development Department guarantees that the review comments for this application will be available for pick up at our office by the end of the day on 3/2/01 or we'll refund up to \$100 of your application fee.

This guarantee does not include late comments from outside review agencies. The date that the comments will be ready only applies if the application is accepted as complete. It is possible that additional items and/or fees may be required.

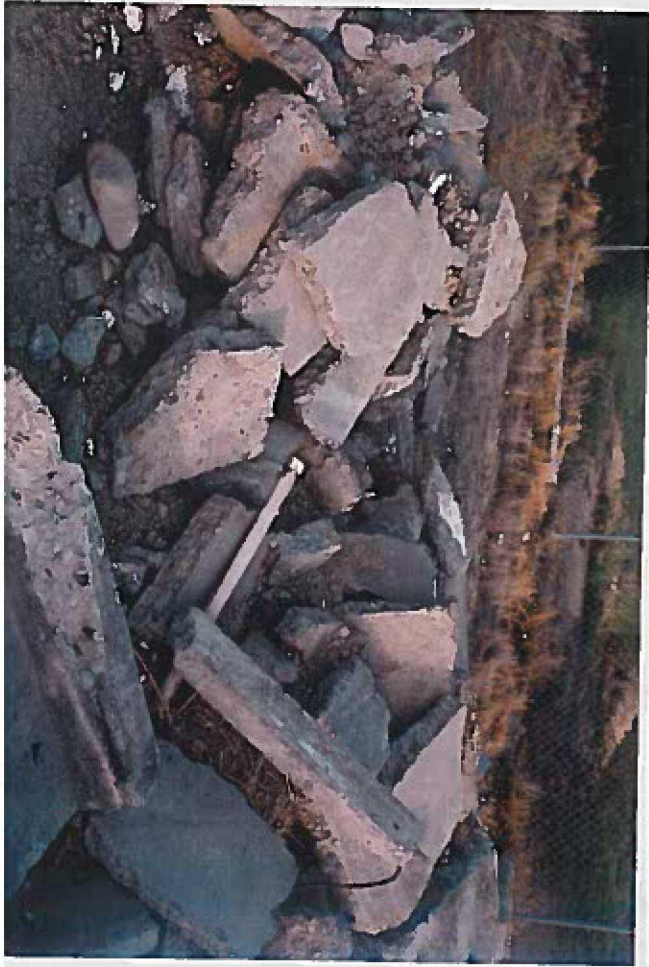
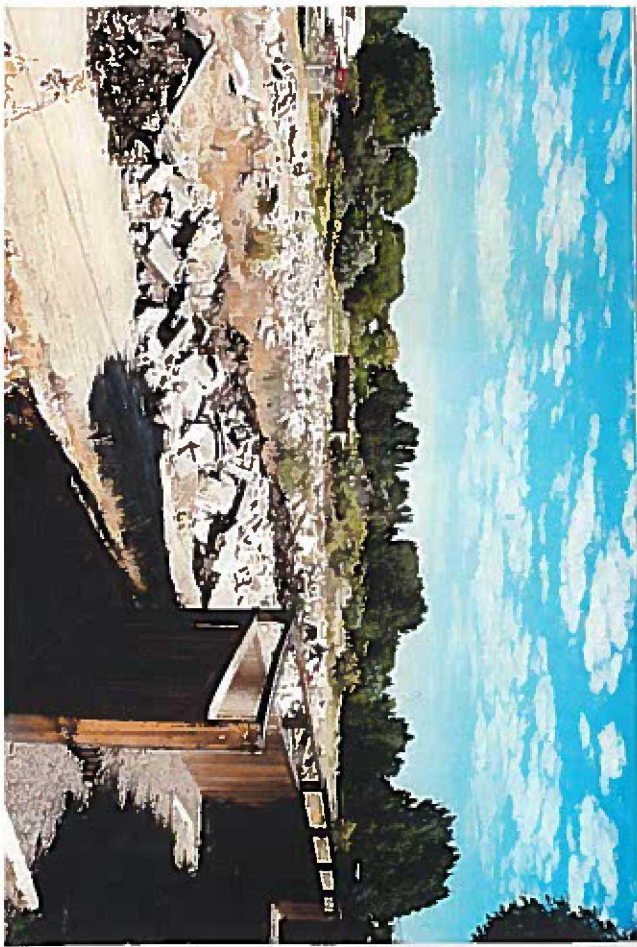
Items to be checked for on application form at time of submittal:

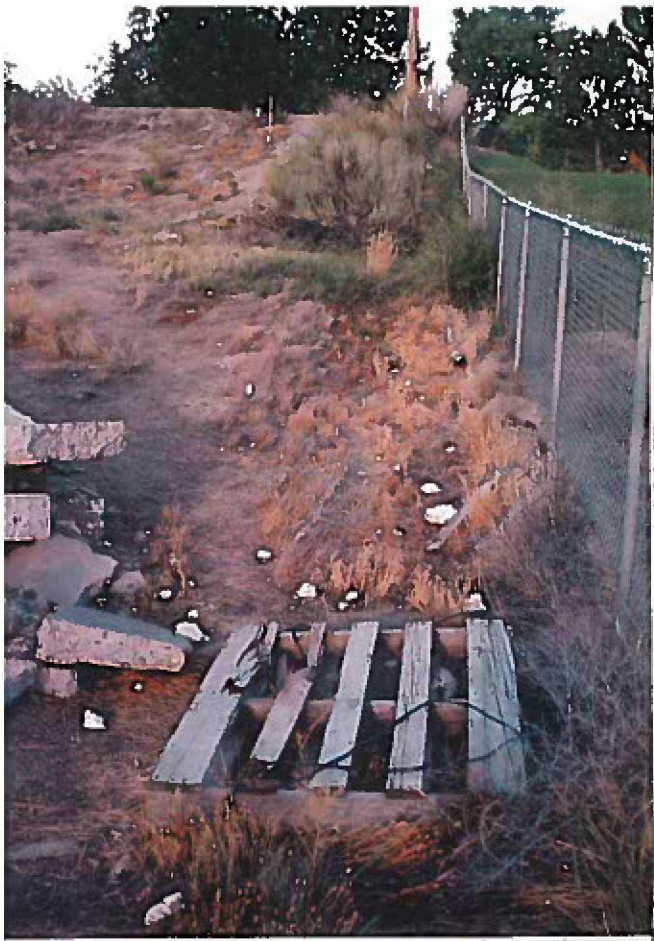
- Application type(s)
- Acreage
- Zoning
- Location
- Tax #(s)
- Project description
- Property owner w/ contact person, address & phone #
- Developer w/ contact person, address & phone #
- Representative w/ contact person, address & phone #
- Signatures of property owner(s) & person completing application



COMMUNITY DEVELOPMENT DEPARTMENT
250 NORTH 5TH STREET
GRAND JUNCTION CO 81501

Photos submitted by Baird Brown, neighbor
as evidence of disturbance









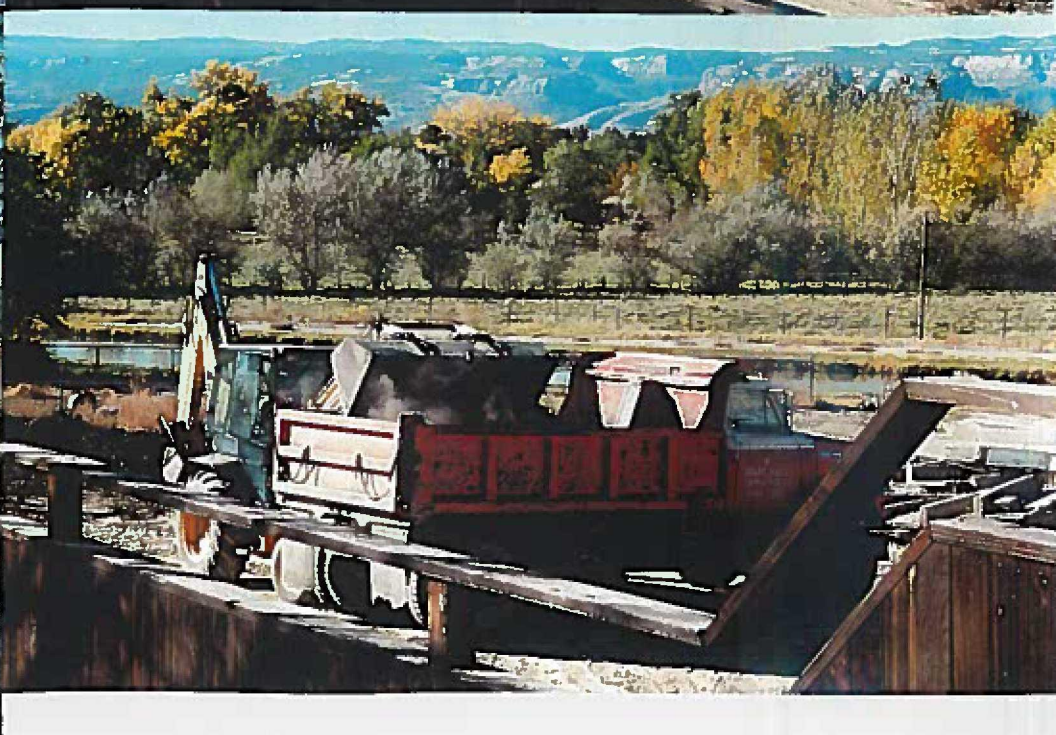
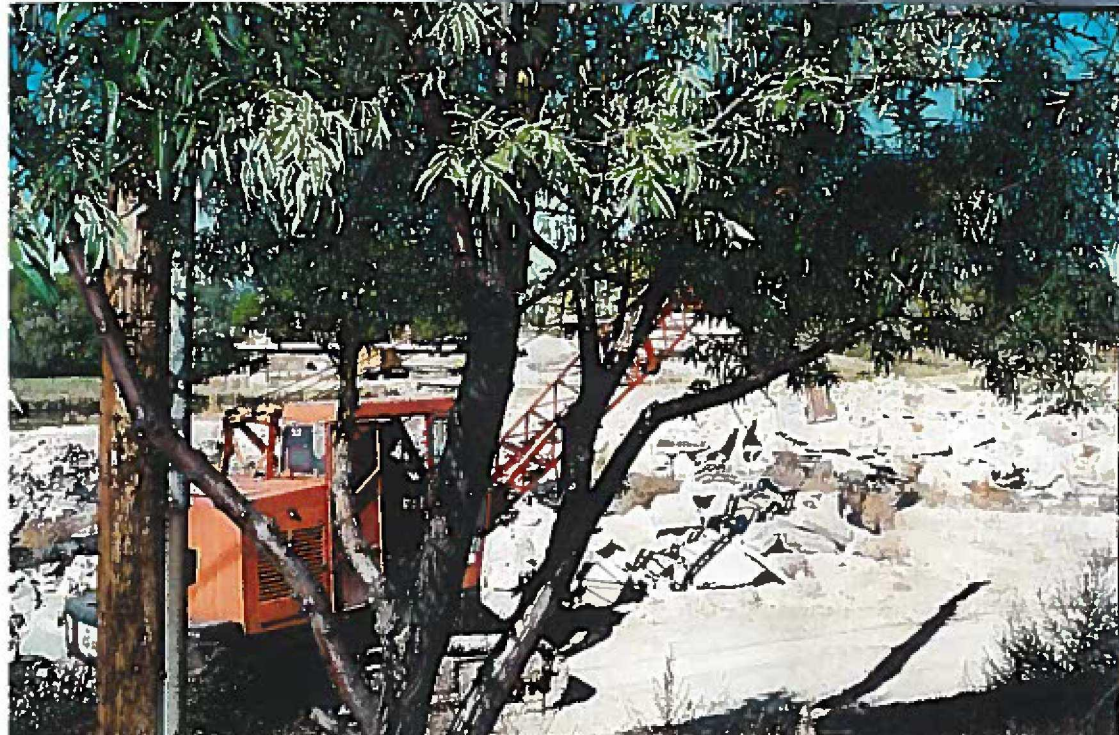




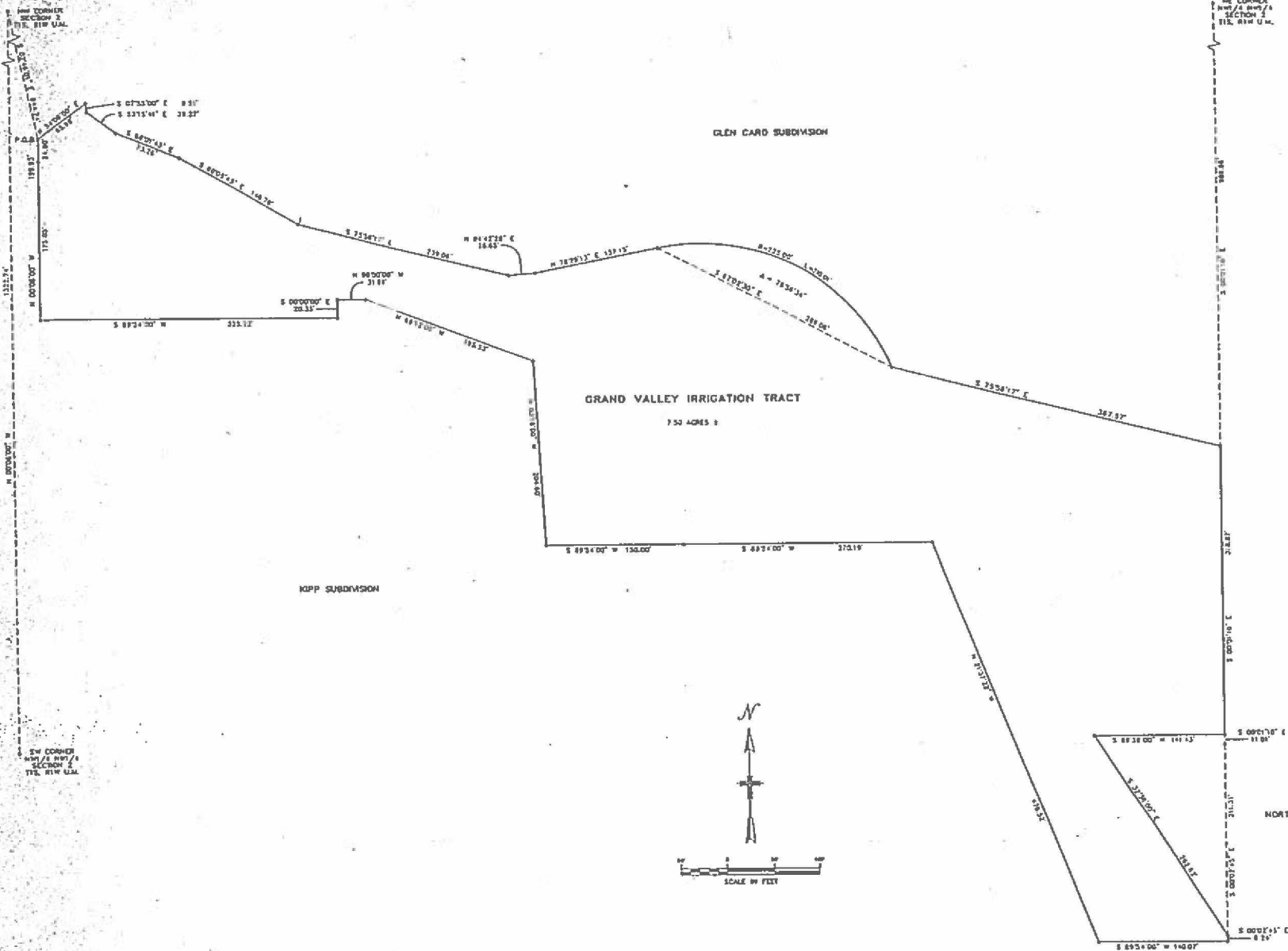












WORKSHEET FOR		
GRAND VALLEY IRRIGATION		
IN THE NW 1/4 SECTION 2		
T1S, R1W OF THE UTE MERIDIAN		
WEST COUNTY, COLORADO		
Northfield B.M. 11	Station: 10 AL	Contour: 8.0
Date: 4-2-91	By: S-M-R	1863-308-17

