

FEE \$10.00

PERMIT # 10646



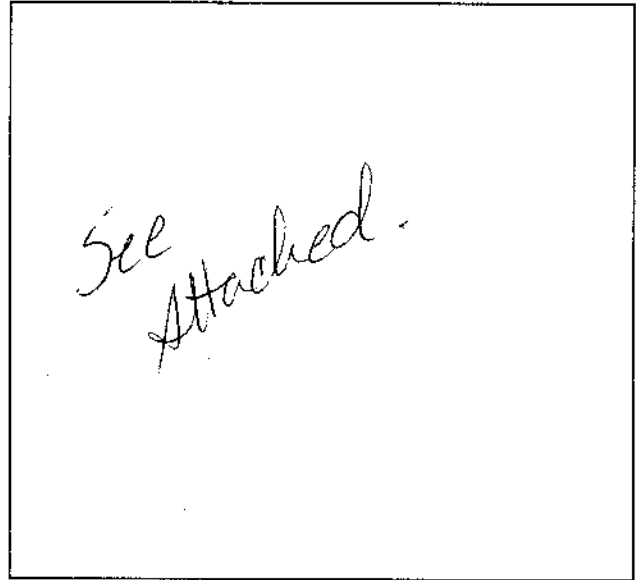
FENCE PERMIT
GRAND JUNCTION COMMUNITY DEVELOPMENT DEPARTMENT

Handwritten initials 'GA' in a circle

THIS SECTION TO BE COMPLETED BY APPLICANT

PLOT PLAN

PROPERTY ADDRESS 2289 EL MONTE CRT.
TAX SCHEDULE NO 2945-071-32-002
PROPERTY OWNER MIKE GALAGHER
OWNER'S PHONE 970-243-0988
OWNER'S ADDRESS 2289 EL MONTE
CONTRACTOR WILCO ENTERPRISES
CONTRACTOR'S PHONE 970-242-2203
CONTRACTOR'S ADDRESS 569 S. WESTGATE DR.
FENCE MATERIAL CONCRETE
FENCE HEIGHT 4' + FOOTING of 8" to 12"



Plot plan must show property lines and property dimensions, all easements, all rights-of-way, all structures, all setbacks from property lines, & fence height(s).

THIS SECTION TO BE COMPLETED BY COMMUNITY DEVELOPMENT DEPARTMENT STAFF

ZONE PR 1.86
SPECIAL CONDITIONS See attached letter

SETBACKS: Front from property line (PL) or from center of ROW, whichever is greater.
Side from PL Rear from PL

Fences exceeding six feet in height require a separate permit from the City/County Building Department. A fence constructed on a corner lot that extends past the rear of the house along the side yard or abuts an alley requires approval from the City Engineer (Section 5-5-5B of the Grand Junction Zoning and Development Code).

The owner/applicant must correctly identify all property lines, easements, and rights-of-way and ensure the fence is located within the property's boundaries. Covenants, conditions, restrictions, easements and/or rights-of-way may restrict or prohibit the placement of fence(s). The owner/applicant is responsible for compliance with covenants, conditions, and restrictions which may apply. Fences built in easements may be subject to removal at the property owner's sole and absolute expense. Any modification of design and/or material as approved in this fence permit must be approved, in writing, by the Community Development Department Director.

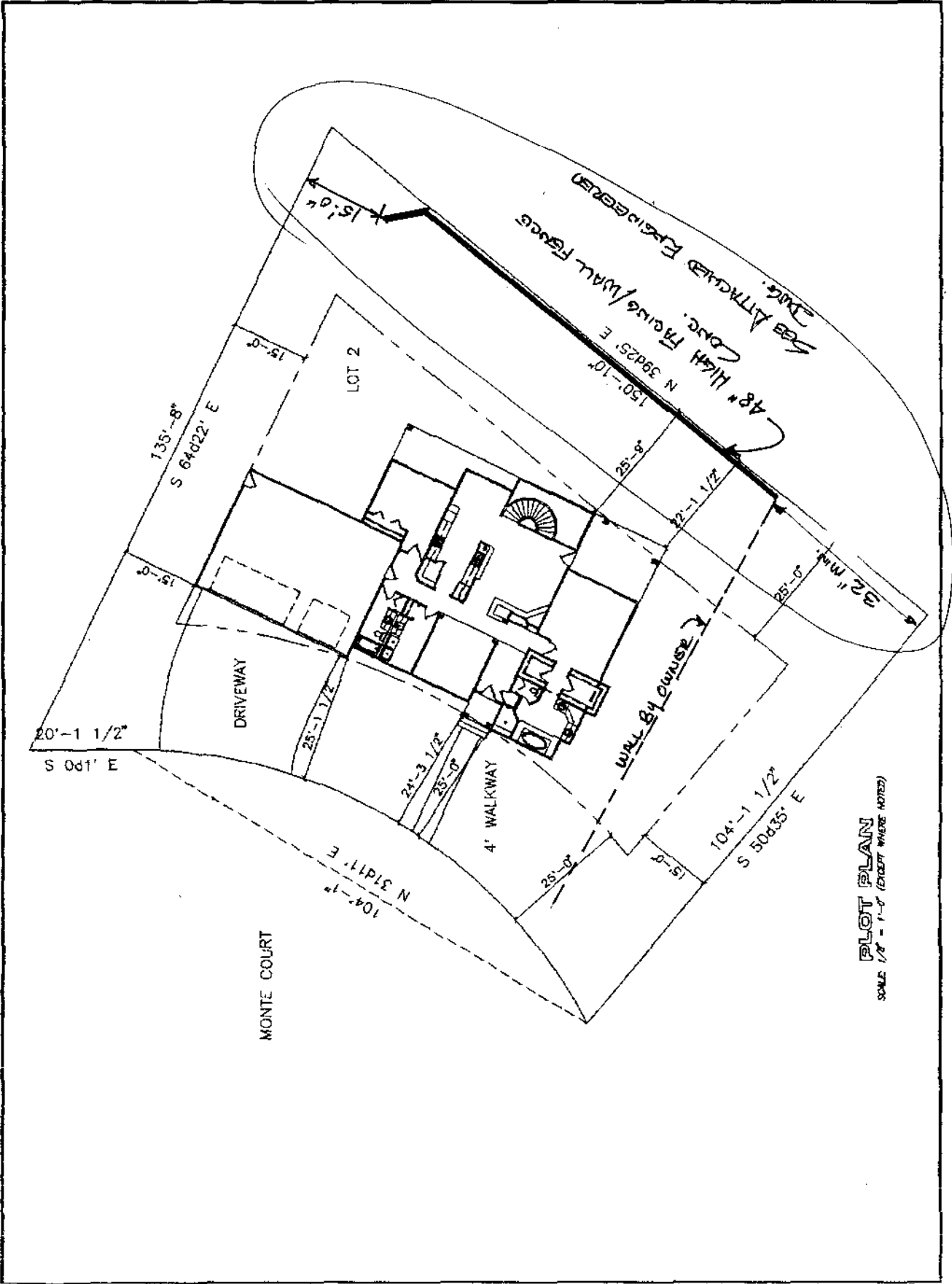
I hereby acknowledge that I have read this application and the information and plot plan are correct; I agree to comply with any and all codes, ordinances, laws, regulations, or restrictions which apply.

I understand that failure to comply shall result in legal action, which may include but not necessarily be limited to removal of the fence(s) at the owner's cost.

Applicant's Signature [Signature]
Community Development's Approval [Signature]
City Engineer's Approval (if required) [Signature]

Date 4/2/99
Date 4/5/99
Date

VALID FOR SIX MONTHS FROM DATE OF ISSUANCE (Section 9-3-2D Grand Junction Zoning & Development Code)
(White: Planning) (Yellow: Customer) (Pink: Code Enforcement)



PLOT PLAN
 SCALE 1/8" = 1'-0" (EXCEPT WHERE NOTED)

2289 El Monte Court
Grand Junction, CO 81503
April 2, 1999

Planning and Development Department
City of Grand Junction
Grand Junction, CO 81501

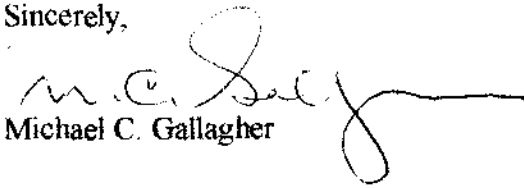
Dear Planner:

Please find attached a copy of a letter sent last August to Mr. Kevin Nourse, the registered agent for the Vista Del Rio Homeowners Association requesting a variance and approval of the existing wall at 2289 El Monte Court.

According to Section 6 of Article VI (Restriction and Architectural Control) of the Vista Del Rio Declaration of Covenants, Conditions and Protections, "The Committee's approval or disapproval as required in these covenants shall be in writing. In the event the Architectural Control Committee fails within thirty (30) days to approve or disapprove plans or specifications which have been submitted to it, approval will not be required and the related covenants shall be deemed to have been fully complied with." As of this date, April 2, 1999, I have received no response in writing regarding this plan and request for variance and approval from the Vista Del Rio Homeowners Association, the Architectural Control Committee, or Mr. Kevin Nourse.

It is therefore, my belief that since approximately the middle of September of 1998 this plan and wall "have fully complied with" the related covenants of the Vista Del Rio subdivision.

Sincerely,


Michael C. Gallagher

August 12, 1998

V. Kevin Nourse
Registered Agent VDR HOA
Vista Del Rio
111 South 12th Street
Grand Junction, CO 81501

copy

Dear Kevin:

Thank you for meeting with me to discuss our common predicament with the retaining wall at 2289 El Monte Court. As a means to resolve this issue which you identified in your letter of August 10 to my builder Mr. Dennis Wiltgen, Wilco Enterprises, I am requesting a variance and approval of the existing retaining wall subject to the following two conditions. That we:

1. Place a sleeve behind the wall which could provide an alternate path for the existing irrigation lines should they fail at some time in the future.
2. Fill in the area below the existing retaining wall to place the existing footer below ground level.

Approval of this request should provide both of us with at least a timely and operational resolution of this issue as well as not impact negatively other similar non-compliant situations which currently exist on other properties in Vista Del Rio.

As you suggested it is also probably time to formally organize Vista Del Rio property owners and initiate a true organization of all homeowners. If I can be of assistance in this endeavor please let me know. Certainly the issues of drainage, retaining walls, use of irrigation/drainage easements, etc. should be priority topics. Because of the steepness of several of the lots and uniqueness of each situation, retaining walls, specifically, (just as "fences", "hedges", "trees", etc.) should be mentioned in the restrictions and covenants.

Final construction on my home above this wall is now delayed because of the uncertainty of the issue. As you know, I was only formally notified of this problem yesterday even though this retaining wall has been in place for more than two months. As you also know I am scheduled to move into the residence at 2289 El Monte Court on August 31 (less than three weeks away). The home I am temporarily in has been rented as of September 1st.

Kevin, please help me find an acceptable resolution of this problem as soon as possible. I look forward to moving into the neighborhood and being neighbors. Thank you for your time and consideration.

Sincerely,


Michael Gallagher