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File 1978-0069

Date 9/1/00

Project Name: Jackson Bulk Development -DENIED

| | | |
|---------------------------------|---------------------------------|---|
| P r e s e n t | S c a n n e d | <p>A few items are denoted with an asterisk (*), which means they are to be scanned for permanent record on the ISYS retrieval system. In some instances, not all entries designated to be scanned are present in the file. There are also documents specific to certain files, not found on the standard list. For this reason, a checklist has been included.</p> <p>Remaining items, (not selected for scanning), will be marked present on the checklist. This index can serve as a quick guide for the contents of each file.</p> <p>Files denoted with (**) are to be located using the ISYS Query System. Planning Clearance will need to be typed in full, as well as other entries such as Ordinances, Resolutions, Board of Appeals, and etc.</p> |
|---------------------------------|---------------------------------|---|

| | | |
|---|---|---|
| X | X | *Summary Sheet – Table of Contents |
| | | Application form |
| | | Receipts for fees paid for anything |
| | | *Submittal checklist |
| | | *General project report |
| | | Reduced copy of final plans or drawings |
| | | Reduction of assessor's map |
| | | Evidence of title, deeds |
| | | *Mailing list |
| | | Public notice cards |
| | | Record of certified mail |
| | | Legal description |
| | | Appraisal of raw land |
| | | Reduction of any maps – final copy |
| | | *Final reports for drainage and soils (geotechnical reports) |
| | | Other bound or nonbound reports |
| | | Traffic studies |
| | | Individual review comments from agencies |
| | | *Consolidated review comments list |
| | | *Petitioner's response to comments |
| | | *Staff Reports |
| | | *Planning Commission staff report and exhibits |
| | | *City Council staff report and exhibits |
| | | *Summary sheet of final conditions |
| | | *Letters and correspondence dated after the date of final approval (pertaining to change in conditions or expiration date) |

DOCUMENTS SPECIFIC TO THIS DEVELOPMENT FILE:

| | | | | | |
|---|---|--|-----------------|--|--|
| X | X | Follow-Up Form | | | |
| | | Review Sheets | | | |
| X | | Planning Commission Minutes - ** - 7/25/78 | | | |
| X | X | Letter from James Roberts to Del Beaver – 7/21/78 | | | |
| X | X | Petition opposing the request for a residential bulk development | | | |
| X | X | Letter from Owen Aspinall to Karl Johnson re: lawyer representing private citizen opposing – 7/31/78 | | | |
| X | | Letters from Supporting Neighbors | | | |
| X | X | Handwritten Notes – no date | | | |
| X | | Deed with the City of Grand Junction - alley at Jackson Bulk | | | |
| X | X | Letter from Del Beaver to Dorothy Jackson re: development approved- 7/26/78 | | | |
| X | X | Letter from James Roberts to Planning re: flood hazard – 7/21/78 | | | |
| X | | Site Plan | TO BE ANNOTATED | | |

TO: Grand Junction City Council

We the undersigned hereby submit the following petition opposing the request for a residential bulk development at 1444 North 23rd Street. This request is for locating a duplex on subject property.

Our objections are as follows:

1. The neighborhood is zoned R1C - one-family residence - consists of a building housing one family living unit, ONLY.
2. The harmony of the neighborhood does not need to be disrupted.
3. By allowing this request you would be opening the door for the same type of units elsewhere in the immediate vicinity.

We are confident you will honor our wishes. Thank you.

Robert W. Bacon
Willard M. Schroeder
Sharlee Hottle
Elva J. Jones
Cyrus Johnson
Eva H. Allen
E. J. Ball
Donna L. Echave
CA Nichols
Luzia P. Sinclair
Sheryl Bywell
Jane Crawford
Jan Loulake

✓ 1436 N. 23rd St.
✓ 1431 N. 23rd St.
✓ 1428 N. 23rd St.
✓ 1373 N. 23rd St.
✓ 1376 N. 23rd St.
✓ 1354 N. 23rd St.
✓ 1362 N. 23rd St.
✓ 1332 N. 23rd St.
✓ 1353 N. 23rd St.
✓ 1411 N. 23rd St.
✓ 1421 N. 23rd St.
✓ 2276 Elm. Hvy.
- 1505 N. 23rd St.



PARAGON ENGINEERING, INC.

P.O. Box 2872
825 Rood Avenue
Grand Junction, Colorado 81501 (303) 243-8966

July 21, 1978

Mesa County Planning Department
Mesa County, Colorado

Attn: Del Beaver

Gentlemen:

On July 21, 1978, we were asked by Mrs. Dorothy Jackson to comment on the flood hazard potential caused by the construction of a residential dwelling at 1444 North 23rd Street in Grand Junction.

An investigation of the site revealed the following conditions:

- 1) Approximately 700 square feet of roof area and a strip of ground approximately 10 feet wide and 100 feet long, partially covered with concrete, primarily covered with gravel, drains to the south line of the subject property. The elevation of the house is about 1½ feet above the ground elevation at the property line.
- 2) The adjoining property has 60 feet or so of solid wood fence on the property line, the dwelling unit being located about 8 feet beyond the fence. Finished grade from the property line to the house is about level. The ground surface between the fence and the neighboring house is bare dirt.

We would consider the flood hazard potential to the neighboring property to be minimal in view of the minute quantity of runoff involved. Runoff from a 10 year storm for instance would be less than 0.1 cubic feet per second.

If problems were to persist which were clearly the result of construction on the subject property, a simple solution would be to provide a small swale between the toe of the slope and the fence directing the runoff west to 23rd Street.

We would recommend at this time, however, that no improvements be required.

Very truly yours,

James R. Roberts

JRR/kb



CITY - COUNTY
DEVELOPMENT DEPT.

P.O. BOX 897 - GRAND JUNCTION, COLORADO - 81501
DIAL 303. 243-9200 ext. 343

Grand Junction Planning - Mesa County Planning - Building Department

#69-78

July 26, 1978

Dorothy D. Jackson
3151 Lakeside Drive, Apt. 207
Grand Junction, Colorado 81501

Dear Mrs. Jackson:

The Grand Junction Planning Commission at the regularly scheduled meeting on July 25, 1978, approved the Bulk Development Plan for the Jackson Bulk Development. The following conditions and requirements were attached to the approval:

1. Curb, gutter, and sidewalk will have to be constructed on Elm Avenue.
2. The Public Service Corporation needs a ten foot (10') easement along the east side of the property line.
3. Staff is directed to work with you on a vegetation species.

This item is scheduled for the City Council meeting of August 16, 1978, 7:30 p.m., in the City Council Chambers.

If you have any questions concerning this approval, please contact us prior to that meeting.

Yours truly,

Del Beaver
Senior City Planner

DB:df

*Received 8.1.78
12.20 pm.
W. N. Aspinall*

ASPINALL & ASPINALL

Attorneys at Law

Valley Federal Plaza Building
Suite - 320
P.O. Box 1974
Grand Junction, Colorado, 81501
Telephone 243-0759
Area Code 303

Of Counsel:
Wayne N. Aspinall

Owen S. Aspinall

July 31, 1978

*Del Call Aspinall and
ask if he will waive
the requirement for notice
since his client was
at P.C. and then
we.*

Honorable Karl Johnson, Mayor
and Members of the City Council
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

Re: Property of Mrs. Dorothy Jackson
1444 North 23rd Street
Grand Junction, CO 81501

Dear Mayor Johnson:

This office represents Mr. Robert W. Bacon, who lives at 1436 North 23rd Street, adjacent to and to the South of the property of Mrs. Dorothy Jackson located at 1444 North 23rd Street.

Last week the Planning Commission of the City recommended the permitted use of Residential Bulk Development for Mrs. Jackson's property. My client, Mr. Bacon, contests this RBD use. Mrs. Jackson's property and the general area is presently zoned as R-1-C, a single family area. Under permitted uses (1.8) for Residential Bulk Development within an R-1-C area, there is now an attempt by the City Planning Commission to turn this area into a multi-family area.

The purpose of this letter is to let you know that Mr. Bacon objects to the interpretation of the Planning Commission in this effort to do by indirection what has not been done directly.

In going through copies of various ordinances of the City of Grand Junction provided for Mr. Bacon with regards to the intent of Bulk Development plans we have gleaned the following: "...to provide variation in building placement, which is developed as a Bulk Development plan as defined, processed and approved according to the regulations established for this section." In another definition for intent for Residential Bulk Development we find the following: "...for providing variation and diversity in the residential development of a single parcel of land through varying set-backs, parcel frontages, and minimum floor area...it is not the intent to permit the Residential Bulk Development to be used as an option to avoid planned development or sub-division regulations." (See attached copies for sources.)

Honorable Karl Johnson, Mayor
July 31, 1978

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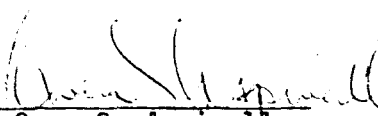
Another point to be considered is with regards to notice where the Bulk Development plan is used. Section 14. b5. points out that "notice will be given to all adjacent property owners informing them of the request." (See copy.) It is our opinion that this procedure of Notice was not followed.

It is the opinion of Mr. Bacon and this writer that the Planning Commission of the City is trying to open the door of R-1-C zoning to allow for multi-family units. We think that this is contrary to what the ordinances were intended to do. If the area is to be zoned multi-family, then procedures should be set up for a re-zoning hearing.

We anticipate that this will come before the Council of the City of Grand Junction within a very short time. We would like to be notified of the time of the hearing as far in advance as possible so that we can be present together with such witnesses as we might see fit to bring to contest the approval of PBD in the R-1-C zone, thus allowing multi-family units.

Sincerely yours,

ASPINALL AND ASPINALL, ATTORNEYS

by 
Owen S. Aspinall

OSA/11b

Subdivision

3rd & Elm Bulk Development

7/11 entry

Date 29 JUN 78

Item # 69-78

Petitioner Mrs. Dorothy Jackson

for duplex on S.W. corner

Review Agencies Comments

Review Agencies Comments

Review Accomplished in Previous Submittal (DUNCAN Bulk Dev.)

66 S.W. - on Elm Identify Species

- City Engr. = Curb, Gutter, Sidewalk on Elm # Now
- PSec - 10' easement along east side of alley
- Fire - OK

Action Taken

P.C. Approved 7/25/78

C.C. FINDING of FACT 6 Sept 78

Comments

Alley Vacation - Approved 8/29/78

Bulk Dev - Appr. 8/29/78

- extend screening to E. lot line + Staff Comments

Action Taken

P.C. Denied Sept. 20, 1978

Comments

173 # short of necessary square footage for bulk development.

Bd of Adjustments - granted variance of lot sq. footage by 163' 11/15/78

CC. Voted to go to fact finding 11/1/78

ITEMS REQUIRED FROM DEVELOPER

Check

Drainage

Improvements

Utility Agreement

Landscaping

Guarantee

Annexation

Title Investigation

Covenants

Other (Specify)

11/15 CC. Approved with staff comment screening to S & Drainage Corrections

SITE PLAN - BULK DEVELOPMENT APPLICATION

GENERAL INFORMATION

TITLE N/A

ZONING

PRESENT: RIC

DESIRED:

Sq. Foot:

LOCATION

1444 N. 23RD.

S.E. CORNER OF 23RD & ELM

LANDSCAPING

BY OWNER

CIVIL

SEWER & WATER TAPS EXISTING

OWNERS

DOROTHY D. JACKSON
3154 LAKESIDE DR.
APT 207 - PH. 245-4654

LEGAL DESCRIPTION





Beginning 25 feet E. of 570 feet N. of the S.W. Corner of the N.W. Quarter, S.E. Quarter of the S.E. Quarter, Section 12, Township 1 South, Range 1 West, North 60 feet East 186.84 feet, South 60 feet West to Beginning.

ADJ. PROPERTY OWNERS

1. JOHN BOOGERT
3312 ELM
2. DALE Mc LAUGHLIN
2324 ELM
3. CHARLES ROTH
2304 ELM
4. BOB BACON
1436 N. 23RD ST.
5. R.D. LOVELACE
1505 N. 23RD ST.
6. William M. MITCHELL
1435 N. 24TH

NOEXISTING BUILDINGS

LEGEND:

-  ELM TREES 25' TALL (EXISTING)
-  POPLAR TREES 20' TALL (EXISTING)
-  SHRUBS
-  GRAVEL PARKING

