



MEMORANDUM

To: Gerald Ashby  
From: Tim Woodmansee *Tim*  
Date: January 21, 1988  
Re: Upcoming request to vacate a portion of South 7th Street.

People's Ordinance No. 19, adopted at a special municipal election on August 18, 1925, vacated an 8 foot wide strip of road right-of-way along South 7th Street from 4th Avenue north to the Railroad Tracks. The property owners along that corridor were given the right and option to purchase the vacated portion abutting their property at a "fair and reasonable value" to be determined by a committee appointed by Ordinance No. 19.

While some owners did exercise their option, those that didn't have stated an interest in assuming ownership of the 8 foot wide strip, free of charge, in addition to vacating an additional portion of unused right-of-way for the \$420.00 mandatory fee for right-of-way vacations. In at least one instance, an existing building encroaches into the previously vacated right-of-way. The question that arises is, Should the property owners be required to pay a fair and reasonable value for the 8 foot wide strip as well as the \$420.00 mandatory fee now required for the new vacation?

I can only assume that the City did not charge a fee for vacating right-of-way in 1925, and that the administrative costs were recovered when portions of the vacated right-of-way were sold to the adjoining property owners. Given the amount of time that has elapsed since Ordinance No. 19 and the several transfers of ownership, we may wish to consider reverting the 8 foot strip to the property owners, free of charge, in conjunction with the more recent vacation, provided it finds approval by the Planning Commission and City Council.

Just wanted to give you some time to think about this before formal request is made.

cc: Mike Sutherland

January 25, 1988

To Whom It May Concern:

We are asking for a vacation of right-of-way along the address listed 761-803-811-South 7th. Vacation was granted on both sides of 759-821 7th Street. We were the only ones that were not included that puts a jog in the property line. This was done in 1954 and we are just asking to be placed on the same line.

*Julie Lips*

Original  
Do NOT Remove  
From Office

#07 88

STERLING COMPANY  
P O BOX 756  
GRAND JUNCTION, CO. 81502

WALTER K. WAYMEYER  
% WAKEFIELD  
P O BOX 2206  
GRAND JUNCTION, CO 81502

DWIGHT POLAND  
2449 BROADWAY  
GRAND JUNCTION, CO 81503

CASTINGS, INC.  
BOX 669  
GRAND JUNCTION, CO. 81502

JOSEPH & PEGGY LOFFREDA  
P O BOX 1806  
GRAND JUNCTION, CO 81502

DONALD & PATSY J. KUCEL  
814 S 7th STREET  
GRAND JUNCTION, CO 81501

UMETCO MINERALS CORP.  
% PROP & SALES TAX DEPT  
39 OLD RIDGEBURY ROAD  
DANBURY, CT 06817

JOE WILLOUGHBY  
MARVIN & WANDA MILLER  
503 RIVERVIEW DRIVE  
GRAND JUNCTION, CO 81503

MESA FEED & FARM SUPPLY  
715 S 7th STREET  
GRAND JUNCTION, CO. 81501

GRAND JUNCTION NEWSPAPERS,  
INC.  
P O BOX 668  
GRAND JUNCTION, CO 81502

D & RGW  
% VAN WATERS & ROGERS INC.  
645 EAST 4TH AVENUE  
GRAND JUNCTION, CO 81501

Marvin & Wanda Miller  
835 25 Rd.  
Grand Junction, CO 81505

Julio Reyes  
811 South 7th Street  
Grand Junction, CO 81501

Original  
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#07 88

# development summary



File # 7-88 Name Reyes Vacation Date 3-4-88

PROJECT LOCATION: 811, 809, 803, and 761 S. 7th Street

**PROJECT DESCRIPTION:**

Request to vacate 3.5' of right-of-way on the west side of 7th Street. Mr. Julio Reyes would like to construct an enclosed entryway and handicap entrance in front of his restaurant. The other three properties have no immediate plans for construction.

**REVIEW SUMMARY (Major Concerns)**

POLICIES COMPLIANCE	YES		NO *		TECHNICAL REQUIREMENTS	SATISFIED		NOT SATISFIED *	
Complies with adopted policies	X				Streets/Rights Of Way	X			
Complies with adopted criteria	X				Water/Sewer	X			
Meets guidelines of Comprehensive Plan	X				Irrigation/Drainage	X			
					Landscaping/Screening				X
					Other: _____				

\* See explanation below

Landscaping and parking will actually be addressed at the time of application for a building permit. Mr. Reyes has indicated a willingness to provide revised parking resulting from the new construction.

**STATUS & RECOMMENDATIONS:**

Public Works indicates that sufficient right-of-way exists for any improvements that the City might undertake. There have been no specific objections to the vacation. Consent agenda O.K.

**Planning Commission Action**

Planning Commission approval of the right-of-way vacation.

MEMORANDUM

To: Don Newton  
Mike Sutherland

From: Tim Woodmansee *Tim*

Date: April 13, 1988

Re: Revocable Permit - 811 South 7th Street.

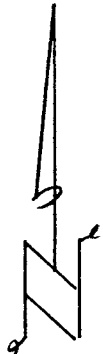
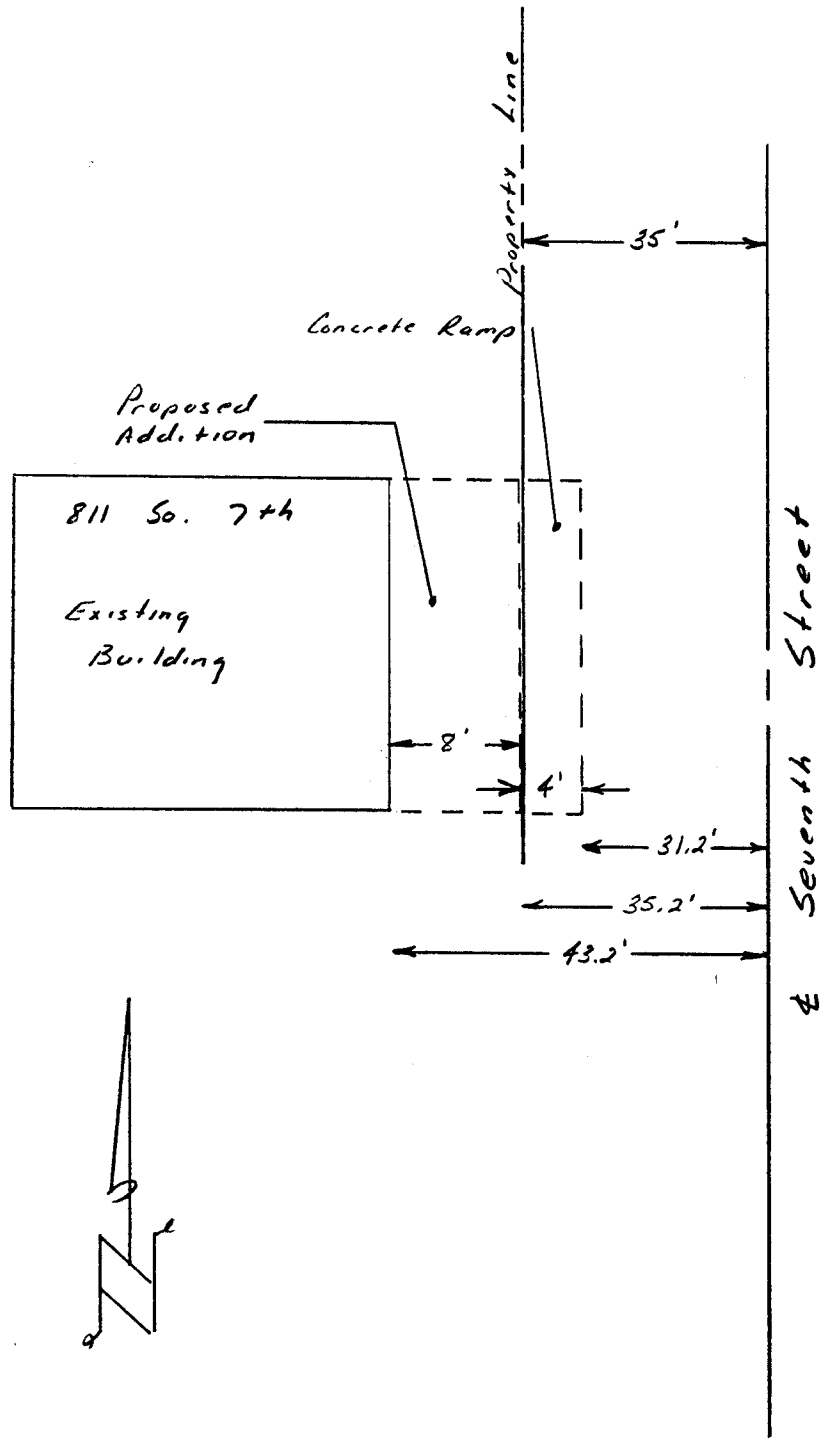
Attached is a site plan submitted by Mr. Julio Reyes for a proposed addition and handicap access ramp at 811 South 7th Street.

The recent right-of-way vacation approved by the City Council essentially placed the east line of this property on the 35 foot set-back line. The proposed addition will be located within the property and set-back line. However, a 4 foot wide handicap access ramp will encroach into the right-of-way.

I recommend approval of this Revocable Permit and will attempt to schedule this item for the April 20th City Council meeting. Please let me know by Friday, April 15th if you concur with my recommendation.

Attachment.

O.K. Mike Sutherland



# REVIEW SHEET SUMMARY

FILE NO. 7-88 TITLE HEADING Vacation of Road ROW 811 S. 7th DUE DATE 2-17-88

ACTIVITY - PETITIONER - LOCATION - PHASE - ACRES Vacation of road right of way 8 feet  
wide at the following locations: 761, 803, 809, 811 South 7th Street. Petitioner:  
Julio Reyes

PETITIONER ADDRESS 811 South 7th St.

ENGINEER \_\_\_\_\_

<u>DATE REC.</u>	<u>AGENCY</u>	<u>COMMENTS</u>
2-03-88	Public Service	Gas: no objection. Electric: no objection.
2-09-88	Mt. Bell	No objection.
2-09-88	Fire Dept.	We have no objections to this vacation as long as it doesn't interfere with our access for fire fighting purposes. If building or construction is done, it needs to be up to current Building and Fire Code standards. If you have any questions please call 244-1584,
2-12-88	Building Dept.	No objections, no comments.
2-16-88	Public Works	This request is for an 8 foot wide strip of right of way that has already been vacated. Therefore, this application is not necessary unless they wish to vacate additional right of way. The Ordinance vacating the 8 foot wide strip failed to revert the ownership back to the adjoining owners. The City Attorney and myself will be working on making these grants.
2-18-88	Planning Dept.	This request is comprised of two parts: 1. A request by the petitioner to be granted eight (8) feet of right of way which was vacated by City ordinance many years ago. Planning Department has no problem with deeding this right of way to the adjacent property owners. 2. A request for the vacation of three and one half (3½) feet of additional street right of way off of South Seventh Street. The current required frontyard building setback is thirty-five feet from the centerline of Seventh Street. In vacating the 3.5 feet, property owners would then be able to build structures out to that setback. This department has no objection to the vacation of 3.5 feet of Seventh Street right of way. Any new construction will require that all Uniform Building Codes & Uniform Fire Codes be met, as well as landscape requirements.

**LATE**

Grand Junction Planning Commission Hearing March 1, 1988

MOTION: (COMMISSIONER MADSEN) "MR. CHAIRMAN, ON ITEM #7-88 A RIGHT OF WAY VACATION, I MOVE THAT WE FOWARD THIS TO CITY COUNCIL AND RECOMMEND THEY APPROVE IT."

Motion passed unanimously 6-0. Commissioner Sewell seconded.

*sent 2/18/88  
Julio*



