

# Table of Contents

File 1990-0040

Name 318 27 3/8 Rd. - CUP for goat

	<b>S c a n n e d</b>	<p>A few items are denoted with an asterisk (*), which means they are to be scanned for permanent record on the in some instances, not all entries designated to be scanned by the department 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 provided.</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	<b>Table of Contents</b>	
X	X	<b>Review Sheet Summary</b>	
X		Application Form	
X		Review Sheets	
		Receipts for fees paid for anything	
		<b>*Submittal checklist</b>	
		<b>*General project report</b>	
		Reduced copy of final plans or drawings	
		Reduction of assessor's map.	
		Evidence of title, deeds, easements	
X	X	<b>*Mailing list to adjacent property owners</b>	
		Public notice cards	
		Record of certified mail	
X		Legal description	
		Appraisal of raw land	
		Reduction of any maps - final copy	
		<b>*Final reports for drainage and soils (geotechnical reports)</b>	
		Other bound or non-bound reports	
		Traffic studies	
		<b>*Petitioner's response to comments</b>	
X	X	<b>*Staff Reports</b>	
		<b>*Planning Commission staff report and exhibits</b>	
		<b>*City Council staff report and exhibits</b>	
		<b>*Summary sheet of final conditions</b>	
		<b>*Letters and correspondence dated after the date of final approval (pertaining to change in conditions or expiration date)</b>	
<b><u>DOCUMENTS SPECIFIC TO THIS DEVELOPMENT FILE:</u></b>			
X	X	Action Sheet - approved 9/19/90	X X
X	X	Review Sheet Summary	X
X		Review Sheets	X X
X	X	Development Summary - 9/4/90	X X
X		Development Application - 8/20/90	
X		Special Warranty Deed - Valley Federal to James Garoutte and Katherine Garoutte - Book 1722 / Page 993	
X		Legal Ad - 8/28/90	
X		Letters for and against Condition Use	
X	X	Planning Commission Minutes - ** - 9/4/90	
X	X	Site Plan	
X	X	Letter from Linda Weitzel to Kathy Garoutte re: conditions required in order to keep goat within city limits - 5/31/90	
X	X	Comments from various agencies and veterinarians in community	
X	X	Memo from Linda Weitzel to City Council re: request for fee waiver - 8/10/90	
X	X	Memo from Linda Weitzel to City Council re: conditions to keep a goat - 9/18/90	

2945-243-13-001  
Opha G Oxley  
2739 Laguna Dr.  
Grand Junction, CO. 81503

2945-243-14-001  
Larry D Mattison  
28156 Lupine Dr.  
Evergreen, CO. 80439

2945-243-12-005  
Harley Hagerman  
2740 Laguna Dr.  
Grand Junction, CO. 81503

2945-243-13-002  
Porfirio Sanchez  
2739  $\frac{1}{2}$  Laguna Dr.  
Grand Junction, CO. 81503

2945-243-14-002  
Debra J Paulsen  
318 Parkwood Dr.  
Grand Junction, CO. 81503

2945-243-12-007  
David R Williamson  
2740  $\frac{1}{2}$  Laguna Dr.  
Grand Junction, CO. 81503

2945-243-13-003  
Virgil Robertson  
2741 Laguna Dr.  
Grand Junction, CO. 81503

2945-14-003  
David B Crawford  
316  $\frac{1}{2}$  Parkwood Dr.  
Grand Junction, CO. 81503

2945-243-12-009  
Edward H Roderick  
2742 Laguna Dr.  
Grand Junction, CO. 81503

2945-243-13-004  
Judd Swihart  
2741 Laguna Dr.  
Grand Junction, CO. 81503

2945-243-14-004  
Robert W McConnel  
316 Parkwood Dr.  
Grand Junction, CO. 81503

2945-243-12-011  
Clifford J Wheeler  
2742  $\frac{1}{2}$  Laguna Dr.  
Grand Junction, CO. 81503

2945-243-13-005  
Stephen Schwarz  
2743 Laguna Dr.  
Grand Junction, CO. 81503

2945-243-14-005  
Calvin F Anthony  
2749 Parkwood Dr.  
Grand Junction, CO. 81503

2945-243-12-013  
Carl E Zimmerman  
2744 Laguna Dr.  
Grand Junction, CO. 81503

2945-243-13-006  
Robert Vialpando  
2745 Laguna Dr.  
Grand Junction, CO. 81503

2945-243-14-006  
William J Sightler Jr.  
2747  $\frac{1}{2}$  Parkwood Dr.  
Grand Junction, CO. 81503

2945-243-12-015  
James R Pasterz  
2746 Laguna Dr.  
Grand Junction, CO. 81503

2945-243-13-007  
Steven Miller  
2745  $\frac{1}{2}$  Laguna Dr.  
Grand Junction, CO. 81503

2945-243-14-007  
Mark A Minoz  
2747 Parkwood Dr.  
Grand Junction, CO. 81503

2945-243-12-017  
Daniel R boe  
2746  $\frac{1}{2}$  Laguna Dr.  
Grand Junction, CO. 81503

2945-243-13-008  
Stephen Guarneros  
2747 Laguna Dr.  
Grand Junction, CO. 81503

2945-243-14-008  
Norman L Gambrell  
2745 Parkwood Dr.  
Grand Junction, CO. 81503

2945-243-12-019  
Andrew E Messinger  
2748 Laguna Dr.  
Grand Junction, CO. 81503

2945-243-13-009  
Hoyte G Williams  
2746 Parkwood Dr.  
Grand Junction, CO. 81503

2945-243-12-001  
Roy A Stone  
2738 Laguna Dr.  
Grand Junction, CO. 81503

2945-243-12-021  
Steve Lester Hagedorn  
2844 Newport Cr.  
Grand Junction, CO. 81503

2945-243-13-010  
Daniel F OBrien  
2744 Parkwood Dr.  
Grand Junction, CO. 81503

2945-243-12-002  
Bill G Turnbull  
322  $\frac{1}{2}$  27 3/8 Road  
Grand Junction, CO. 81503

2945-243-27-001  
William J Ross  
316  $\frac{1}{2}$  27 3/8 Road  
Grand Junction, CO. 81503

2945-243-27-002  
David A Cypher  
316 27 3/8 Road  
Grand Junction CO. 81503

2945-243-27-003  
Peter Jansons  
P.O. Box 481  
Rangely, CO. 81648

2945-243-27-004  
Verl F Langford  
2737 Parkwood Dr.  
Grand Junction, CO. 81503

2945-243-10-024  
Security Land CO.  
P.O. Box 1058  
Parker, CO. 80134

2945-243-10-023  
Darlene Alire  
312 3/4 27 3/8 Road  
Grand Junction, CO. 81503

2945-243-10-003  
Eloise Cernusak  
P.O. Box 734  
Cedaredge, CO. 81413

2945-243-10-004  
Rose Marie Murphy  
2746 Olson Ave.  
Grand Junction, CO. 81503

2945-243-00-942  
School District 51  
2115 Grand Ave.  
Grand Junction, CO. 81501

2945-243-00-131  
James T Garoutte  
318 27 3/8 Road  
Grand Junction, CO. 81503

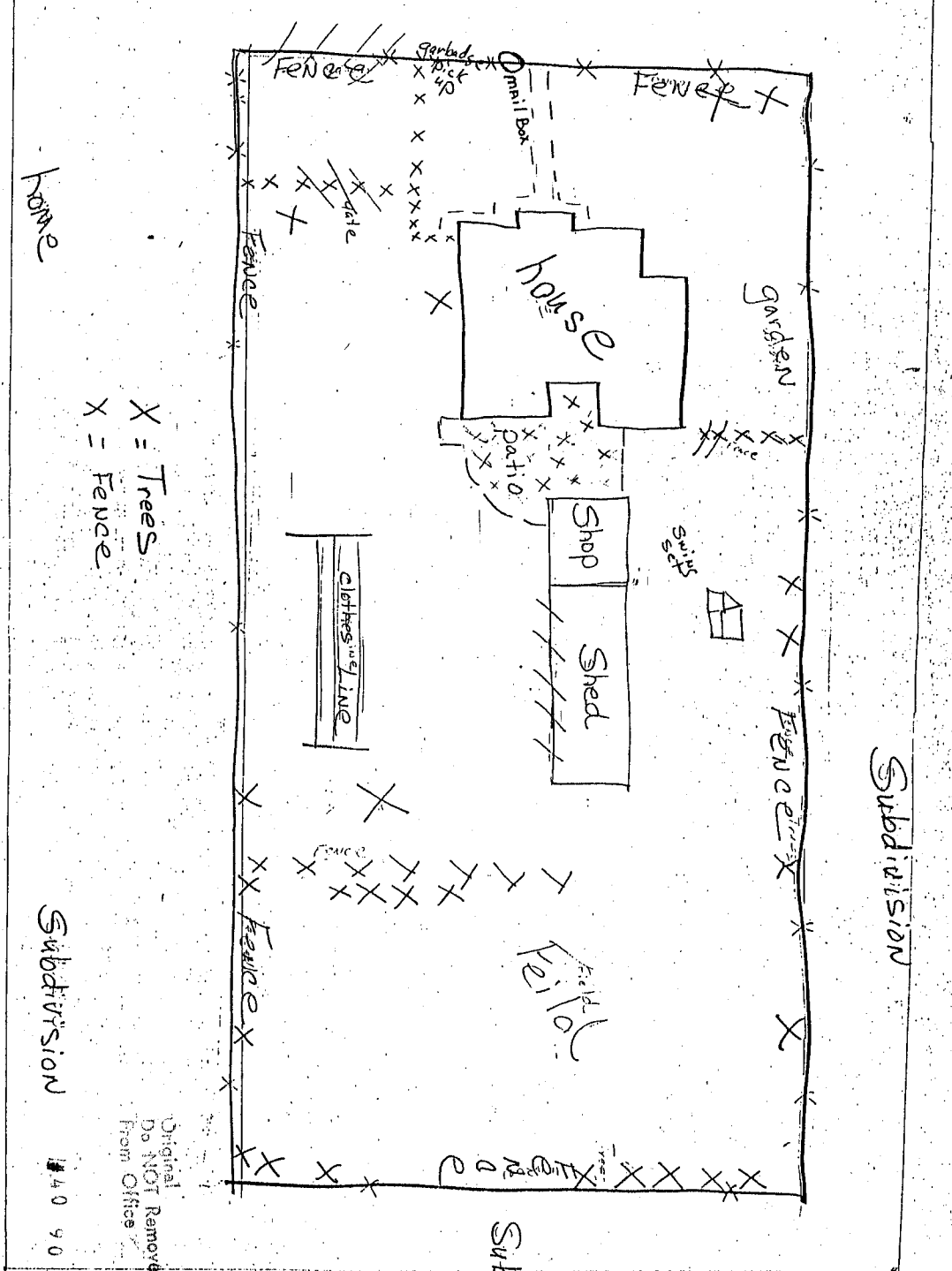
Original  
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# 4 0 9 0



Middle School

27 3/4 Road



Home

X = Trees  
 X = Fence

Subdivision

40 90

Original  
 Do NOT Remove  
 From Office

Subdivision

Subdivision

N



Grand Junction Planning Department  
250 North Fifth Street  
Grand Junction, Colorado 81501-2668  
(303) 244-1430

May 31, 1990

Ms. Kathy Garoutte  
318 27 3/8 Road  
Grand Junction, CO 81503

Dear Ms. Garoutte:

In response to your questions of the last few days, allow me to go through what is required in order to keep a goat within the City limits. One of the first steps to take is to schedule an appointment with one of the Planners for a pre-application conference for a Conditional Use to keep a goat. The time line for submittals is as follows:

1. The submittal deadline is the first working day of the month.
2. The Planning Commission normally meets on the first Tuesday of the following month. If the Conditional Use is approved by the Planning Commission and no appeals to City Council, that is the end of hearings.
3. If the Planning Commission denies the submittal, you have the opportunity to appeal it to the City Council.
4. The City Council normally meets on the first and third Wednesdays of the month.

The fee for a Conditional Use Permit is \$420.00. There is a provision in the Grand Junction Zoning & Development Code so that you may request a waiver of fees from the City Council. The request shall be submitted to the Planning Department and heard by Council at a regularly scheduled public hearing. Enclosed is Section 2-2-2.G.16. which refers to the fee waiver procedure.

Normally, the applicant goes through the pre-application process, submits the application and pays the fee. The check is then held until the City Council makes a decision regarding the waiver of fees. Meanwhile, the proposal has been heard by the Planning Commission, thus saving time.

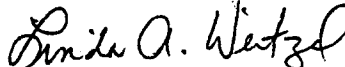
During our phone conversations, you had mentioned that the animal regulations referred to a 30 day period to relocate animals. The 30 day period refers specifically to the revocation of permission to fence an animal 20 feet from a principal residential structure on an adjoining property. In the case of a complaint such as the one this Department received about your goat, the 30 days does not apply. The amount of time allocated for the relocation of the

animal(s) is at the discretion of the zoning enforcement officer. Section 5-10-3.B.2. states:

... No person shall keep, house or shelter one or more pigs, goats, burros or mules unless such person has obtained a conditional use permit in accordance with the provisions of Section 4-6 and 4-8 of this Code.

If you have further questions, please give me a call.

Sincerely,

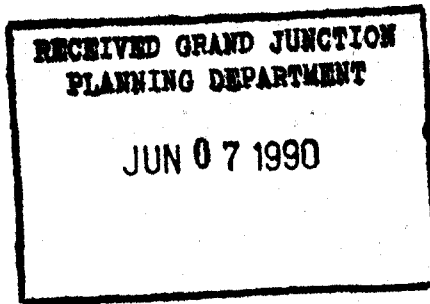
  
Linda A. Weitzel  
Planning Technician

enc.

xc: Paul Nelson, Councilman  
Reford Theobald, Councilman  
Dan Wilson, City Attorney  
Karl Metzner, Planning Director  
Blaine Powell, Zoning Enforcement Officer  
File

/lw

Linda



City of Grand Junction, Colorado  
81501-2668  
250 North Fifth Street

June 6, 1990

Ms. Kathy Garoutte  
318 27 3/8 Road  
Grand Junction, Colorado 81503

Dear Ms. Garoutte:

You will recall that you and I talked about what is required for keeping of a goat within the City limits.

I believe we agreed that there were two steps that you needed to consider:

- a. Approval from the Planning Commission (technically this means obtaining a conditional use permit);
- b. Whether or not you have to pay the \$420 fee.

As I recall, you indicated that you would be unable to make a request to the City Council for any fee waiver until August. I told you that I had no objection to your making the request to the City Council for the waiver of the fee first. That made sense to me since if Council denied your request (if you were required to pay the \$420) there would be no purpose for your going to the Planning Commission, since keeping of the goat was not worth that much. If Council approves the fee waiver then it made sense for you to apply to the Planning Commission for the conditional use permit.

We discussed that this process was a little unusual and that normally the applicant for a permit must pay the fee up front before going to the Planning Commission. I suggested that I would recommend "bending the rules" since the issue is the keeping of one goat and not a major development.

In Linda Weitzel's letter of May 31 she describes the technical submittal requirements. Before you leave town, please call Planning to make certain that you don't miss the deadline. By copy of this letter I am asking Linda Weitzel to coordinate the deadline dates to get you in front of the City Council and the Planning Commission.




Kathy Garoutte  
June 6, 1990  
Page 2

When we ended our conversation, we agreed that you would submit your request in writing. As Ms. Weitzel indicated, to be safe, you should call the Planning department, meet with a planner to get direction on what to submit.

I appreciate the opportunity to talk with you and want to remind you that if you have any questions or concerns after reading this letter or after you contact the Planning department, please feel free to call me directly.

Very truly,

  
Daniel E. Wilson  
City Attorney

DEW:tm

cc: Linda Weitzel, Planning Technician  
Paul Nelson, City Councilman  
Reford Theobald, City Councilman  
Karl Metzner, Planning Director

# development summary



File # 40-90 Name Conditional Use-Goat Date 09/04/90

PROJECT LOCATION: 318 27 3/8 Road

## PROJECT DESCRIPTION:

A request for a Conditional Use Permit to keep a goat on approximately 9/10 of an acre in a Residential Single Family (RSF-8) Zone.

## REVIEW SUMMARY (Major Concerns)

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

\* See explanation below

This Conditional Use Permit was denied by the Planning Commission and appealed by the petitioner. The Planning Commission felt that the area was residential and not agricultural. The petitioner feels that the goat can be kept as a pet and would not have an adverse impact on the neighborhood. This department received two letters of opposition and during the Planning Commission Hearing, one adjacent landowner spoke about his concerns regarding the goat. The majority of adjacent landowners signed a petition (see attached) in favor of keeping the goat.

## STATUS & RECOMMENDATIONS:

Planning staff feels that the petitioner has answered all concerns about keeping the goat. Although she has not received written permission to keep the goat less than 100 feet from all the adjacent land owners, she does have the majority of signatures and at this time she is negotiating with the remaining two owners.

## Planning Commission Action

Planning Commission denied the request by a vote of 4-3.



Grand Junction Planning Department  
250 North Fifth Street  
Grand Junction, Colorado 81501-2668  
(303) 244-1430

MEMORANDUM

TO: CITY COUNCIL  
FROM: LINDA WEITZEL, PLANNING DEPARTMENT *AW*  
DATE: AUGUST 10, 1990  
RE: KATHY GAROUTTE'S REQUEST FOR FEE WAIVER

Mrs. Garoutte was contacted on May 24, 1990 by Code Enforcement Officer Blaine Powell about a complaint that she was keeping a goat. According to the Grand Junction Zoning & Development Code, a Conditional Use Permit is required in order to keep a goat. No Conditional Use Permit had been applied for.

The Garoutte's did find another home for the goat, however, they would like to be able to have one at a later date. Mrs. Garoutte had contacted Paul Nelson and Dan Wilson about this. Dan suggested that she apply for a fee waiver (\$420.00) for the Conditional Use Permit because Mrs. Garoutte had indicated that it would be a financial hardship to pay the fee.

In order to cooperate with the Garoutte's, Dan suggested that Mrs. Garoutte apply for the fee waiver before submitting the application for Conditional Use. Mrs. Garoutte has been through a pre-application conference for a Conditional Use and should be prepared to submit it pending the decision on her fee waiver request.

xc: Marty Currie  
Dan Wilson  
Karl Metzner  
File

MEMORANDUM

TO: CITY COUNCIL  
FROM: LINDA WEITZEL *LW*  
DATE: SEPTEMBER 18, 1990  
RE: #40-90 CONDITIONAL USE TO KEEP A GOAT

As requested from the Monday night workshop, the following are some suggestions for conditions to keep a goat at 318 27 3/8 Road:

1. Manure shall be disposed of properly so that it does not create an odor problem.
2. The goat shall remain tethered at all times. The location shall be changed often enough so that it does not create a manure problem. It is understood that she may be walked on a leash.
3. The goat shall be tethered no closer than 20 feet to an adjacent structure with written permission from the occupant or property owner. She shall be tethered no closer than 100 feet to an adjacent structure when no permission for a lesser distance has been obtained.
4. If the goat is to be bred, the kids (offspring) shall be kept no longer than 4 months. The milk and milk products shall be used solely by the Garoutte family.
5. Responsible ownership/veterinarian care is expected. Any required vaccinations, etc. will be provided.
6. It is understood that the Conditional Use permit can be revoked if valid complaints are received and a solution cannot be found that is reasonable to all the parties concerned.

Robbie Baird Tri-River Extension office

- Goats can be easily trained as pets, esp. if purchased as kids.
- They are dog like in many ways
- prefer to see goat tethered
- manure need disposal
- can be noisy during mearing and at feeding times sound does not carry as much as dogs barking

### Veterinarians

Dr. Thomas Melzer - Orchard Mesa Vet Clinic

"small animal practice" goats make good pets and ~~can be~~ <sup>can be</sup> ~~to~~ <sup>to</sup> chew. They normally do not chew on people's fingers or kick etc. manure tends to break down quickly

Dr. Mark Ryan - Columbine - small animal

- good pets and can integrate well in suburban areas.

Dr. Donald Moore Adobe Creek Animal Clinic - very supportive of goats as pets & they could work out well surrounded by residential

Dr. Harvey Chappell - Cottonwood - small animal favorable

**GRAND JUNCTION CITY COUNCIL**

DATE: March 18, 1992

AGENDA ITEM SUMMARY:

STAFF: Kathy Portner

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**ACTION REQUESTED:**

Council consideration of a request for a variance fee waiver or reduction.

**EXECUTIVE SUMMARY:**

Kathy Garoutte is requesting a fee waiver or fee reduction for a variance request to the Board of Appeals to allow her goat to be kept closer than the required minimum distance of 100 feet from a principal residential structure on an adjoining property.

**FISCAL IMPACT:**

The fee for a variance request is \$115.00 to cover staff review time, legal notices and notification of property owners within 200 feet.

**BACKGROUND/ISSUES/OPTIONS:**

Section 2-2-2.G.16 of the Zoning and Development Code allows the City Council to "waive fees required in cases of exceptional hardship or other good cause as may be demonstrated by the applicant". Council did grant the applicant a fee reduction for the original Conditional Use Permit for the goat, from \$420.00 to \$25.00.

**RECOMMENDATION:**

The applicant has not demonstrated exceptional hardship or other good cause as required by the Code. Staff recommends denial of the request to waive the fee.

# City permit cost almost gets her goat

Dana Nunn  
Daily Sentinel

8/16/90

Kathy Garoutte thought it seemed like a baaaad idea to spend \$420 for a permit to keep a \$15 goat. Surely, the city of Grand Junction had to be kidding. They wouldn't ram that down her throat.

She was right. The City Council agreed to waive the \$420 conditional-use permit fee for the goat and decided \$25 would be reasonable.

Garoutte only wanted a little goat to act as a weed-eater, she said, so she spent \$15 for a Nubian goat named Nanny.

Nanny had lived with the Garouttes at 318 Road 27 3/8 for about a week when there was a knock at the door and a city official said Nanny had to butt out — no goats allowed.

Garoutte got rid of her goat — which went on to take second place at the Mesa County Fair as Emma, her new name.

Garoutte said she was amazed and delighted with the council's decision and will start filling out reams of paperwork to get her goat — again.