

# Table of Contents

File MS-1995-079

Date 12/15/99

|   |   |                                                                                                                                                                                                                                                                                                                                                                     |
|---|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| P | S | <b>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.</b> |
|   |   | <b>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.</b>                                                                                                                                                                                                  |
|   |   | <b>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.</b>                                                                                                                                                |
| X | X | <b>*Summary Sheet – Table of Contents</b>                                                                                                                                                                                                                                                                                                                           |
| X | X | Application form                                                                                                                                                                                                                                                                                                                                                    |
|   |   | Receipts for fees paid for anything                                                                                                                                                                                                                                                                                                                                 |
| X | X | <b>*Submittal checklist</b>                                                                                                                                                                                                                                                                                                                                         |
| X | X | <b>*General project report</b>                                                                                                                                                                                                                                                                                                                                      |
|   |   | Reduced copy of final plans or drawings                                                                                                                                                                                                                                                                                                                             |
| X |   | Reduction of assessor's map                                                                                                                                                                                                                                                                                                                                         |
|   |   | Evidence of title, deeds                                                                                                                                                                                                                                                                                                                                            |
|   |   | <b>*Mailing list</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 nonbound reports                                                                                                                                                                                                                                                                                                                                     |
|   |   | Traffic studies                                                                                                                                                                                                                                                                                                                                                     |
| X |   | Individual review comments from agencies                                                                                                                                                                                                                                                                                                                            |
| X | X | <b>*Consolidated review comments list</b>                                                                                                                                                                                                                                                                                                                           |
| X | X | <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>                                                                                                                                                                                                                                   |

## DOCUMENTS SPECIFIC TO THIS DEVELOPMENT FILE:

|   |   |                                                                           |  |  |  |
|---|---|---------------------------------------------------------------------------|--|--|--|
| X | X | File Close-out Summary- File Expired, Plat not recorded – 3/18/98         |  |  |  |
| X | X | Planning Commission Minutes – ** - 11/7/95                                |  |  |  |
| X |   | Dedication – Utility Easements – Irrigation Easements                     |  |  |  |
| X | X | Board of Appeals – Staff Report                                           |  |  |  |
| X |   | Letter from Mike Best, LANDesign to City of Grand – 10/2/95               |  |  |  |
| X |   | Certification of Review – James Shanks – 10/24/95                         |  |  |  |
| X | X | Frost Sub-Replat of Lots 11 & 12, Blk 2 – First Addition to Arbor Village |  |  |  |
| X |   | UCC Sign-off – 11/8/95                                                    |  |  |  |
| X | X | Aerial Photo                                                              |  |  |  |
| X |   | Treasurer's Certificate of Taxes Due – 4/28/95                            |  |  |  |
| X |   | Owner's Policy of Title Insurance from TransAmerica Title Ins. Co.        |  |  |  |
|   |   |                                                                           |  |  |  |
|   |   |                                                                           |  |  |  |
|   |   |                                                                           |  |  |  |





# DEVELOPMENT APPLICATION

Community Development Department  
 250 North 5th Street, Grand Junction, CO 81501  
 (303) 244-1430

Receipt \_\_\_\_\_  
 Date \_\_\_\_\_  
 Rec'd By \_\_\_\_\_  
 File No. MS-95-79

We, the undersigned, being the owners of property situated in Mesa County, State of Colorado, as described herein do hereby petition this:

| PETITION                                                  | PHASE                                                                                                         | SIZE    | LOCATION         | ZONE      | LAND USE                                                                   |
|-----------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|---------|------------------|-----------|----------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Subdivision Plat/Plan | <input checked="" type="checkbox"/> Minor<br><input type="checkbox"/> Major<br><input type="checkbox"/> Resub | 0.72 ac | 2565 Orchard Ave | RSF-8     | Residential                                                                |
| <input type="checkbox"/> Rezone                           |                                                                                                               |         |                  | From: To: |                                                                            |
| <input type="checkbox"/> Planned Development              | <input type="checkbox"/> ODP<br><input type="checkbox"/> Prelim<br><input type="checkbox"/> Final             |         |                  |           |                                                                            |
| <input type="checkbox"/> Conditional Use                  |                                                                                                               |         |                  |           |                                                                            |
| <input type="checkbox"/> Zone of Annex                    |                                                                                                               |         |                  |           |                                                                            |
| <input type="checkbox"/> Variance                         |                                                                                                               |         |                  |           |                                                                            |
| <input type="checkbox"/> Special Use                      |                                                                                                               |         |                  |           |                                                                            |
| <input type="checkbox"/> Vacation                         |                                                                                                               |         |                  |           | <input type="checkbox"/> Right-of Way<br><input type="checkbox"/> Easement |
| <input type="checkbox"/> Revocable Permit                 |                                                                                                               |         |                  |           |                                                                            |

|                                                    |                                               |                                                    |
|----------------------------------------------------|-----------------------------------------------|----------------------------------------------------|
| <input checked="" type="checkbox"/> PROPERTY OWNER | <input checked="" type="checkbox"/> DEVELOPER | <input checked="" type="checkbox"/> REPRESENTATIVE |
| SHAUN ADELL FREEBURG<br>JILL C. JACOBS-BURGER      | Bob Frost                                     | Tom Logue, LANdesign, LLC                          |
| Name                                               | Name                                          | Name                                               |
| c/o Bob Frost                                      | 2969 North Ave.                               | 200 No. 6th Street                                 |
| Address                                            | Address                                       | Address                                            |
|                                                    | Grand Jct. CO. 81501                          | Grand Jct. CO. 81501                               |
| City/State/Zip                                     | City/State/Zip                                | City/State/Zip                                     |
|                                                    | 242-4982                                      | 245-4099                                           |
| Business Phone No.                                 | Business Phone No.                            | Business Phone No.                                 |

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item will be dropped from the agenda, and an additional fee charged to cover rescheduling expenses before it can again be placed on the agenda.

|                                                                        |        |
|------------------------------------------------------------------------|--------|
| <u>Thomas A. Logue</u>                                                 | 5/1/95 |
| Signature of Person Completing Application                             | Date   |
| <u>Shaun Freeburg</u>                                                  | 5-1-95 |
| <u>Jill Jacobs-Burger</u>                                              | 5-1-95 |
| Signature of Property Owner(s) - attach additional sheets if necessary | Date   |

## **General Project Report For The Frost Subdivision**

**Location** Frost Subdivision contains approximately 0.72 acres. The subject property is located at 2565 Orchard Avenue in Grand Junction, Colorado. The property is also located in a part of the NE 1/4 of Section 12, Township One South, Range One West, of the Ute Meridian.

**Existing Land Use** The site is currently occupied by two single family dwellings and out buildings. The balance of the property is contains landscaped yards or in a fallow state. Topography of the property is considered to be "flat" in nature and slopes towards the south at an average rate of less than one percent. The subject property is presently zoned RSF - 8 by the City of Grand Junction.

**Surrounding Land Use** The surrounding land in the vicinity of the subject property is considered to be moderate to light intensity. Predominate uses surrounding the Frost Subdivision include single family dwellings on subdivided small tracts. All of the adjoining property is zoned RSF-8 by the City of Grand Junction. The attached Location Map depicts the configuration of various properties in the area of the Frost Subdivision.

**Proposed Land Use** The proposal calls for the creation of one additional single family building site. The resulting density would be 4.2 dwelling units per acre. The re-plated building sites range in size from 9460 square feet for the new building site to 12,075 square feet for the largest existing site.

The accompanying re-plat depicts the relationship of each lot to the property boundary, and the existing roadway access.

**Access** Primary access to the Frost Subdivision will be from Orchard Avenue a fully improved local collector street. Review of the accompanying Location Map reveals that access is also available to 28 Road, a north south minor arterial roadway which is located about 500 feet east of the site.

Access to the re-plated lots calls for the of a 20 feet wide by 151 feet long ingress, egress and utility easement. The easement will be paved after construction of the new residence has been completed. All of the lots in the Frost Subdivision will have the right to use the ingress, egress utility easement as access to and from Orchard Avenue.

### **Utility Service**

**Domestic Water** The new lot within the Frost Subdivision will be served by an existing domestic water distribution system located in Orchard Avenue. The existing water main is owned and maintained by the City of Grand Junction. Sufficient flows and pressure exist to provide adequate water supply for fire protection.

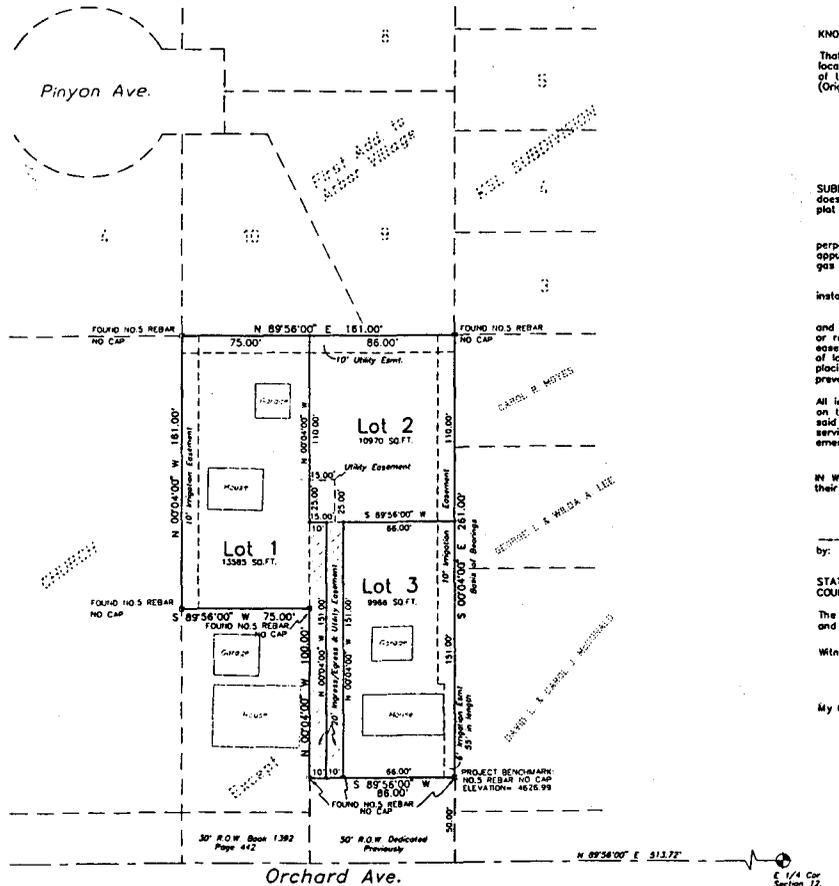
**Sanitary Sewer** A new sanitary sewer service will be constructed to serve the new lot within the Frost Subdivision. Sewer service and treatment is provided by the City of Grand Junction.

**Electrical, Natural Gas, Telephone and Cable Television** All of the utilities will be extended to the new lot from the existing lines located adjacent to the property.

**Drainage** Stormwater generated from the development will be conveyed to Orchard Avenue overland. Increases to the historic run-off is considered to be minimal as a result of the proposed re-plating.

**Development Schedule** Construction of the new residence will begin immediately upon the City of Grand Junction's acceptance of the proposed re-plating.

# FROST SUBDIVISION



Basis of bearings assume the East line of the First Addition of Arbor Village Subdivision, as recorded in Plat Book 11, Page 361 to bear S 00°04'00" E. Original monuments found on this line were #5 rebars without caps, reset in concrete.

Note: Property corners located during this survey that were within 0.206 feet of the calculated point were accepted as being "in position".

Easement and Title Information provided by Transamerica Title Insurance Company, Policy No. 144-151773.

### LEGEND

- MESA COUNTY OR BLM SURVEY MARKER
- CALCULATED POSITION (NOT SET)
- SET ALUMINUM CAP ON NO. 5 REBAR, PLS 16635 IN CONCRETE
- (R) RECORD MEASUREMENT
- FOUND REBAR, AS NOTED

NOTICE: ACCORDING TO COLORADO LAW YOU MUST OBTAIN AN INSURANCE POLICY BEFORE YOU CAN OBTAIN A SURVEY. IF YOU DO NOT OBTAIN AN INSURANCE POLICY BEFORE YOU OBTAIN A SURVEY, YOU MAY BE SUBJECT TO PENALTIES. PLEASE CONTACT YOUR SURVEYOR FOR MORE INFORMATION.

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That Shaun Adell Freeburg and Jill C. Jacobs-Burger are the owners of that real property located in the First Addition of Arbor Village, in Section 12, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado, being more particularly described as follows: (Original Warranty Deeds in Book 1859, Page 152 and Book 2095, Page 734.)

LOTS 11 & 12, BLOCK 2, OF THE FIRST ADDITION TO ARBOR VILLAGE SUBDIVISION

That said owners have caused the real property to be laid out and platted as FROST SUBDIVISION, a subdivision of a part of the City of Grand Junction, Colorado, that said owner does hereby dedicate and set apart real property as shown and labeled as the accompanying plat of FROST SUBDIVISION as follows:

All Utility Easements to the City of Grand Junction for the use of public utilities as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances thereto including, but not limited to electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, water lines, and telephone lines.

All Irrigation Easements a set forth on this plat, as perpetual easements for the installation, operation, maintenance and repair of private irrigation systems;

All easements include the right of ingress and egress on, along, over, under, and through and across by the beneficiaries, their successors, or assigns, together with the right to trim or remove interfering trees and brush. Provided, however, that the beneficiaries of said easements shall utilize the same in a reasonable and prudent manner. Furthermore, the owners of lots or tracts hereby platted shall not burden nor overburden said easements by erecting or placing any improvements thereon which may prevent reasonable ingress and egress to and from prevent reasonable ingress and egress to and from the easement.

All ingress/egress easements to the owners of the lots or tracts specifically identified on the plat as perpetual easements for ingress and egress purposes for the use by said lot or tract owners, their guests, and invitees, and also for the use by public services, including but not limited to postal services, trash collection, fire, police, emergency vehicles, and the City of Grand Junction.

IN WITNESS WHEREOF, said owners, Shaun Adell Freeburg & Jill C. Jacobs-Burger, have caused their names to be hereunto subscribed this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 1995.

by: Shaun Adell Freeburg by: Jill C. Jacobs-Burger

STATE OF COLORADO )  
COUNTY OF MESA )

The foregoing instrument was acknowledged before me by Shaun Adell Freeburg, and Jill C. Jacobs-Burger this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 1995.

Witness my hand and official seal:

Notary Public

My Commission Expires \_\_\_\_\_

### LIENHOLDERS RATIFICATION OF PLAT

THE UNDERSIGNED, having property interests in or encumbrances upon the real property involved, DO HEREBY RATEIFY AND AFFIRM the Plat of Frost Subdivision. Signed this \_\_\_\_\_ day of \_\_\_\_\_, 1995.

by: \_\_\_\_\_  
for: Directors Mortgage Loan Corporation,  
a California Corporation

### NOTARY PUBLIC CERTIFICATION

STATE OF COLORADO )  
COUNTY OF MESA )

The foregoing instrument was acknowledged before me by \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 1995.  
Witness my hand and official seal:

Notary Public

My Commission Expires \_\_\_\_\_

### CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO )  
COUNTY OF MESA )

I hereby certify that this instrument was filed in my office at \_\_\_\_\_ M., \_\_\_\_\_ A.D. 1995, and was duly recorded in Plat Book No. \_\_\_\_\_ Page No. \_\_\_\_\_

Clerk and Recorder

### CITY OF GRAND JUNCTION APPROVAL

This plat of FROST SUBDIVISION, a subdivision of a part of the City of Grand Junction, County of Mesa, State of Colorado, is approved and accepted this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 1995.

City Manager

President of City Council



SCALE: 1"=40'

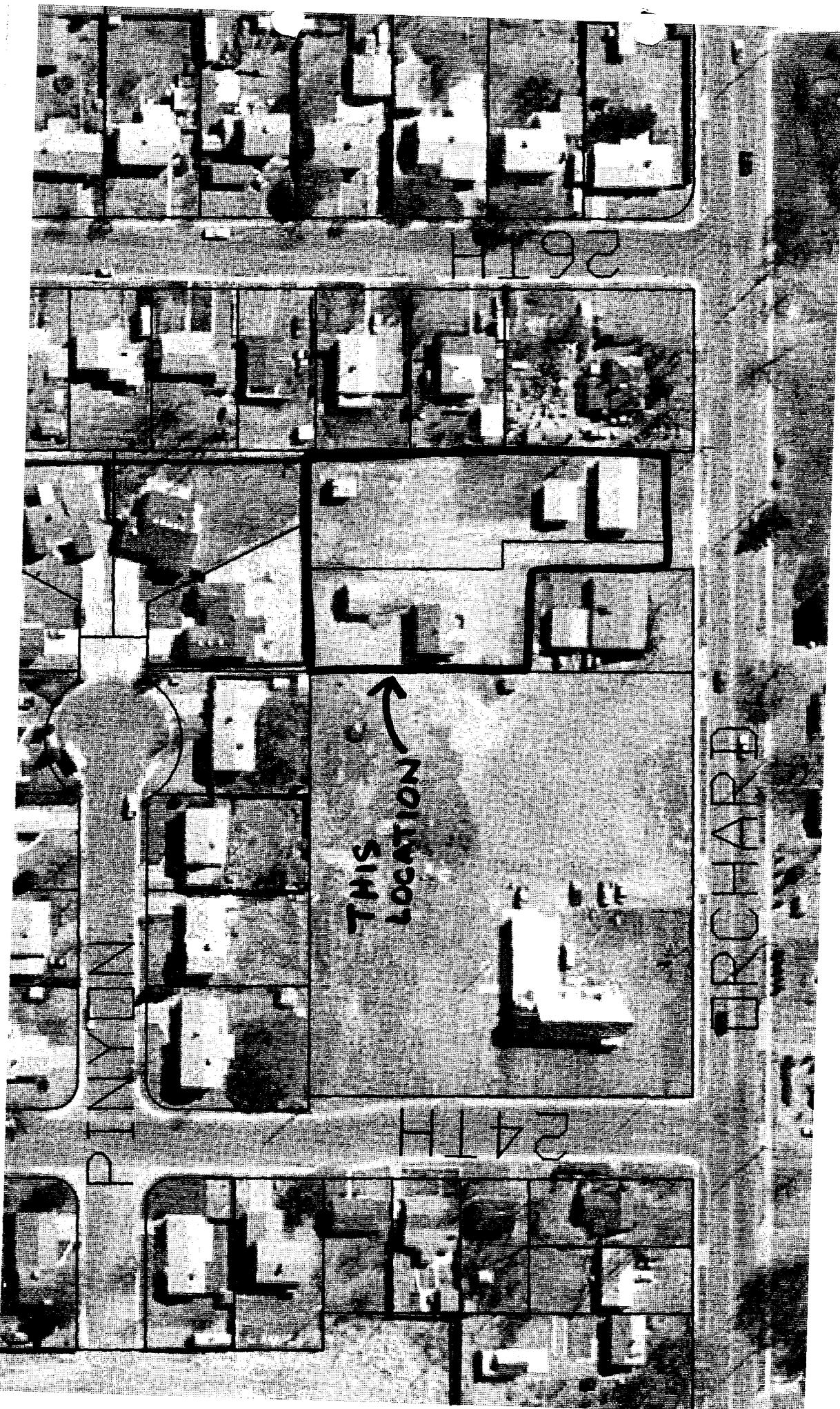


### SURVEYOR'S CERTIFICATION

I, DENNIS W. JOHNSON, DO HEREBY CERTIFY THAT THE ACCOMPANYING PLAT OF FROST SUBDIVISION, A SUBDIVISION OF A PART OF THE CITY OF GRAND JUNCTION, COLORADO HAS BEEN PREPARED UNDER MY DIRECT SUPERVISION AND REPRESENTS A FIELD SURVEY OF SAME. THIS PLAT CONFORMS TO THE REQUIREMENTS FOR SUBDIVISION PLATS SPECIFIED IN THE CITY OF GRAND JUNCTION DEVELOPMENT CODE AND THE APPLICABLE LAWS OF THE STATE OF COLORADO.

Date certified \_\_\_\_\_

|  |                                                                                                |                               |
|--|------------------------------------------------------------------------------------------------|-------------------------------|
|  | <b>FROST SUBDIVISION</b>                                                                       |                               |
|  | A Replot of Lots 11 & 12, Blk 2<br>First Addition to Arbor Village<br>GRAND JUNCTION, COLORADO |                               |
|  | Professional Surveying Services<br>P.O. BOX 4506, Grand Jct., CO 81502<br>303-241-3841         |                               |
|  | SURV. BY: LD/WH<br>JOB NO. 95062                                                               | DRAWN BY: DMU<br>SHEET 1 OF 1 |



# REVIEW COMMENTS

Page 1 of 2

FILE #MS-95-79

TITLE HEADING: Frost Minor Subdivision

LOCATION: 2565 Orchard Avenue

PETITIONER: Shaun Adell Freeburg & Jill Jacobs-Burger

PETITIONER'S ADDRESS/TELEPHONE: c/o Bob Frost  
2969 North Avenue  
Grand Junction, CO 81501  
242-4982

PETITIONER'S REPRESENTATIVE: Tom Logue

STAFF REPRESENTATIVE: Tom Dixon

**NOTE: THE PETITIONER IS REQUIRED TO SUBMIT FOUR (4) COPIES OF WRITTEN RESPONSE AND REVISED DRAWINGS ADDRESSING ALL REVIEW COMMENTS ON OR BEFORE 5:00 P.M., MAY 24, 1995.**

**GRAND JUNCTION FIRE DEPARTMENT** 5/4/95  
**Hank Masterson** 244-1414

The Fire Department has no requirements for this Minor Subdivision. The existing hydrants are adequate.

**GRAND JUNCTION POLICE DEPARTMENT** 5/8/95  
**Dave Stassen** 244-3587

This proposal causes no concerns for the Police Department.

**CITY ATTORNEY** 5/12/95  
**Dan Wilson** 244-1505

1. Private drive and irrigation system proposal requires proof of Homeowner's Association formation. I'll need to review proposed CCR's which will include rights or each owner to use the private drive and forced assessment mechanism.
2. (looking at north corners) Where do utility easements end and irrigation easements begin? These need to be defined since it appears that there are different beneficiaries. - *STEVE PACE*  
*DID NOT AGREE*

**CITY PROPERTY AGENT** 5/15/95  
**Steve Pace** 244-1542 1452

Pedestrian easements are addressed in the dedication, but not shown on the plat.

# REVIEW COMMENTS

Page 1 of 1

FILE #MS-95-79

TITLE HEADING: Frost Minor Subdivision

LOCATION: 2565 Orchard Avenue

PETITIONER: Bob Frost

PETITIONER'S ADDRESS/TELEPHONE: 241-A 29 Road  
Grand Junction, CO 81503  
242-4982

PETITIONER'S REPRESENTATIVE: Mike Best, Landesign

STAFF REPRESENTATIVE: Bill Nebeker

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**NOTE: THE PETITIONER IS REQUIRED TO SUBMIT FOUR (4) COPIES OF WRITTEN RESPONSE AND REVISED DRAWINGS ADDRESSING ALL REVIEW COMMENTS ON OR BEFORE 5:00 P.M., OCTOBER 26, 1995.**

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CITY DEVELOPMENT ENGINEER 10/10/95  
Jody Kliska 244-1591

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Dedications need to match easements shown and vice-versa (SEE ATTACHED).

COMMUNITY DEVELOPMENT DEPARTMENT 10/17/95  
Bill Nebeker 244-1447

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1. Public Service requested that the southerly 25' of the westerly 15' of Lot 2 be dedicated as a utility easement to cover the existing gas service to 2520 Orchard. This easement has not been shown.
2. Provide a Composite Plan that shows the following:
  - a. location of sewer taps
  - b. differentiate between sanitary and storm sewers
  - c. show depth to invert manholes
  - d. show location of water lines and proposed taps
3. Pedestrian and multi-purpose easements are addressed in the dedication but not shown on the plat. Remove from the plat if they are not being dedicated.
4. Provide the following language for the ingress/egress easement:

"All ingress/egress easements to the owners of lots or tracts specifically identified on the plat as perpetual easements for ingress and egress purposes for the use by said lot or tract owners, their guests, and invitees, and also for use by public services, including but not limited to, postal service, trash collection, fire, police, emergency vehicles, and the City of Grand Junction."

NOTE: Board of Appeals approved 10' wide street frontage for both lots.

FILE COPY

BOARD OF APPEALS - STAFF REVIEW

FILE: VAR-95-143  
 DATE: August 15, 1995  
 STAFF: Mike Pelletier  
 REQUEST: Street frontage 10' instead of the required 15'  
 LOCATION: 2526 Orchard Ave.  
 ZONING: RSF-8  
 APPLICANT: Tom Logue, Representative

EXISTING LAND USE: Single Family Residential

PROPOSED LAND USE: Single Family Residential

SURROUNDING LAND USE:

NORTH: Single Family Residential  
 SOUTH: Single Family Residential  
 EAST: Single Family Residential  
 WEST: Single Family Residential

EXISTING ZONING: RSF-8

SURROUNDING ZONING:

NORTH: RSF-8  
 SOUTH: PZ  
 EAST: RSF-8  
 WEST: RSF-8

ZONING AND DEVELOPMENT CODE REQUIREMENT:

Section 4-2-6-C-1 requires a minimum street frontage of 15 feet.

VARIANCE REQUESTED:

Reduce the street frontage requirement to 10 feet.

APPLICANTS REASON FOR REQUEST:

To allow the subdivision of the eastern lot within the Frost Subdivision into 2 lots.

STAFF ANALYSIS:

The variance will allow for the placement of another home which is desirable for the petitioner and for the general public since the area in question will receive improved care. Currently, the lot to be split is too big for the owner to properly care for it. The variance would allow for the creation of a 20' ingress egress easement to the existing rear lot and to the new lot. This creates minimal

disruption to the western edge of the existing lot along Orchard Avenue. The applicant plans on laying an 18' wide asphalt drive in the easement.

**FINDINGS OF REVIEW:**

Section 10-1-1B(2) of the Zoning and Development Code says that the applicant must meet all of the following criteria in order to be granted a variance.

- a) The granting of a variance will not conflict with the public interest as expressed by the City's adopted comprehensive plan;
- b) There are exceptional conditions creating an undue hardship, applicable only to the property involved or the intended use thereof, which do not apply generally to the other land areas or uses within the same zone district, and such exceptional conditions or undue hardship was not created by the action or inaction of the applicant or owner of the property;
- c) The granting of a variance will not be detrimental to the public health, safety or welfare;
- d) The applicant and the owner of the property can not derive a reasonable use of the property without a variance, and
- e) The variance will not be injurious to, or reduce the value of, the adjacent properties or improvements. In granting a variance, the Board may impose conditions deemed necessary to protect affected property owners and to protect the intent of this Code. In considering variance requests to the bulk requirements of the zone districts, if all of the criteria listed in this subsection are not met, yet the Board finds that the variance request would harm no one and would be a general benefit to the neighborhood or community, a variance may be permitted.

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**STAFF RECOMMENDATION:**

Approval with the condition that the drive be covered by a 20' ingress egress easement dedicated to all three lots in the subdivision.

**RECOMMENDED BOARD MOTIONS:**

Mr. Chairman, on item 95-143, a variance request from the , I move that we ("deny" or "approve") the request for the following reasons:

FILE: MS-95-79  
DATE: October 17, 1995  
STAFF: Bill Nebeker  
REQUEST: Minor subdivision for three residential lots  
LOCATION: 2565 Orchard Avenue  
Tax Parcel #2945-124-00-011, 012  
APPLICANT: Bob Frost

Staff Comments:

1. Public Service requested that the southerly 25' of the westerly 15' of lot 2 be dedicated as a utility easement to cover the existing gas service to 2520 Orchard. This easement has not been shown.
2. Provide a Composite Plan that shows the following:
  - a. location of sewer taps
  - b. differentiate between sanitary and storm sewers
  - c. show depth to invert manholes
  - d. show location of water lines and proposed taps
3. Pedestrian and Multi-Purpose easements are addressed in the dedication but not shown on the plat. Remove from the plat if they're not being dedicated.
4. Provide the following language for the ingress/egress easement:

" All Ingress/Egress easements to the owners of lots or tracts specifically identified on the plat as perpetual easements for ingress and egress purposes for the use by said lot or tract owners, their guests, and invitees, and also for use by public services, including but not limited to, postal service, trash collection, fire, police, emergency vehicles, and the City of Grand Junction."

NOTE:

- a. Board of Appeals approved 10' wide street frontage for both lots.
- b. Need comments from Jody Kliska before plat can be approved.

STAFF REVIEW

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FILE: MS-95-79  
DATE: November 7, 1995  
STAFF: Bill Nebeker  
REQUEST: Minor subdivision for three residential lots  
LOCATION: 2565 Orchard Avenue  
Tax Parcel #2945-124-00-011, 012  
APPLICANT: Bob Frost

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EXECUTIVE SUMMARY: Staff recommends approval of this request to create a three lot minor subdivision from two lots. Prior Board of Appeals action granted a variance to reduce the required street frontage to 10 feet wide for the two rear lots. The applicant has complied with all requested corrections. Only minor corrections to the plat are necessary before recording.

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EXISTING LAND USE: Two homes on two lots

PROPOSED LAND USE: Three homes on three lots

SURROUNDING LAND USE:

NORTH: Single Family Residential  
SOUTH: Park  
EAST: Single Family Residential  
WEST: Church

EXISTING ZONING: RSF-8

SURROUNDING ZONING:

NORTH: RSF-8  
SOUTH: PZ  
EAST: RSF-8  
WEST: RSF-8

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RELATIONSHIP TO COMPREHENSIVE PLAN: The preferred alternative of the Growth Plan recommends 4-8 dwelling units per acre. This proposal complies with the Growth Plan. Buildout of this subdivision proposes approximately 4 units per acre. The current density is 2.5 dwelling units per acre.

STAFF ANALYSIS: The applicant requests to create a three lot minor subdivision from

two lots. There are two homes on the existing lots. Previous to this request, lot 1, as shown on the proposed subdivision plan, was split from the lot fronting Orchard Avenue (not included in this subdivision). To meet the minimum lot frontage on the street, a 20 foot wide panhandle or flagpole was provided, for access to Orchard Avenue. Lot 3 included what is now lot 2.

The applicant is desirous to sell off the back portion of lot 3 because it is not in use and is onerous to maintain. The applicant has received approval of a variance to reduce the required street frontage to 10 feet wide for lots 1 & 2. Lot 1 is being reconfigured to give lot 2 a 10 foot wide accessway to Orchard Avenue. Conditions to the variance required that the driveway be covered by a 20 foot wide ingress-egress easement dedicated to all three lots in the subdivision. This easement and dedication statement has been shown on the subdivision plat.

The two homes and garages existing on lots 1 and 3 meet or exceed the bulk requirements for the RSF-8 zone. A Traffic Capacity Payment of \$500, Open Space Fee of \$225 and Plant Investment Fee of \$750 will be required for development on lot 2. Other non-city fees not specified above also apply to this development.

No Covenants, Conditions and Restrictions (CCRs) have been submitted, nor are they necessary for this subdivision. The applicant has one year from final Planning Commission approval to record the subdivision plat. Only a few minor corrections are needed on the plat before it can be recorded.

STAFF RECOMMENDATION: Approval with the following conditions:

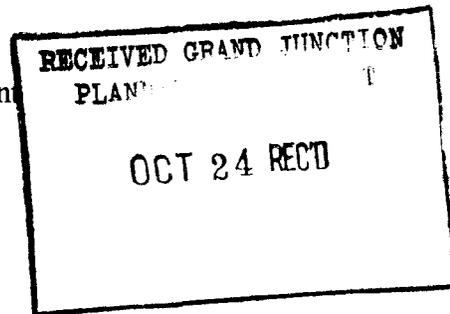
1. The applicant shall obtain all necessary permits prior to construction and the final plat shall comply with all applicable codes and regulations.
2. Remove outline of homes and garages from plat.
3. Include, "A replat of" lots 11 & 12, block 2, ... in dedication statement.
4. Revise dedication statement regarding irrigation easement to read: All irrigation easements as set forth on this plat, "to the owners of the lots and tracts hereby platted" as perpetual easements for the installation, operation, maintenance and repair of private irrigation systems.  
  
(All easements must be dedicated to somebody.)
5. Correct misspellings and typographical errors in the dedication statements.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item 95-79, I move that we approve the Frost Subdivision at 2526 Orchard Avenue with the conditions in the staff recommendation.

October 23, 1995

Bill Nebeker  
City of Grand Junction Community Development Department  
250 North 5th Street  
Grand Junction, Colorado



RE: Frost Minor Subdivision

Dear Mr. Nebeker :

On behalf of our client Mr. Frost we offer the following response to the review comments sent to our office for the above referenced site:

Jody Kliska City Development Engineer :

Item One : The dedication on the final plat have been corrected to reflect the conditions at the site.

Bill Nebeker Community Development Department

Item One : The final plat has been modified to contain the easement described by Public Service Company.

Item Two : The Site Plan has been revised to show the following items.

1. The location of the existing and proposed sewer taps are now shown on the Site Plan. The existing taps were obtained from the previous subdivision drawing archived with the City of Grand Junction.
2. The existing sanitary sewer and the existing irrigation lines are now shown on the Site Plan.
3. The inverts for the sanitary sewer manholes have also been placed on the Site Plan.
4. The location of the water lines and the proposed taps are also shown on the Site Plan.

Items Three and Four: The easement have been revised to address the site. The language submitted for the ingress / egress easement has been included in the final plat dedication.

If we can be of any further please feel free to contact our office.

Very Truly Yours,  
*Mike Best*  
Mike Best

## File Close-out Summary

**File #:** MS-95-79

**Name:** Frost Minor Subdivision

**Staff:** Bill Nebeker

**Action:** File Expired; Plat not recorded within one year of Planning Commission approval

**Comments:**

**File Turned In:** March 18, 1998