

General Project Report:

525 28¹/₄ Road.

- a). Will be used
- b). Why needed.

a). We are using the right of way (R.O.W) because it has a row of about 7 trees and we have three dogs that use the trees for shade and we have been caring for the R.O.W by mowing, trimming trees, and picking up trash (beer bottles, cans, liquor bottles, trash from Restaurants) also, due to the improvements of 28¹/₄ Rd, we lost one of our drive ways and we moved our second set of gates to the end of our property on Elm Ave. So now we can get in & out without troubling the crew.

b). It is needed because Briar Gate Cpts., do not care for their privacy fence or have no regard to their pets - Cats! And this keep our dogs on the other side of yard. Also, the dog can see the road (Elm Ave) or doesn't bark as much now and kids and teenagers can't tease our dogs.

Also, with us losing our second drive, we need a new parking or new drive way and we park our business trucks by the farge and not the middle of our yard making it look trashy. This movement will not enterfer with the improvement. Considering I care for the R.O.W I don't understand why I can't use it. If you look up and down Elm Ave you will see 97% of the community used and is using the R.O.W. Which would mean everyone would have to move their fences, decorations, and what ever else.

Jeresa A. Black
Home Owner

Also, the tenants let their animals and so does every other person. Every night there's at least 7 or 8 dogs running loose and cats. At least we take care of our dog and neighbor's fences since they won't at all.

=====

2943-073-08-003
ROBERT E CURLEY
2819 1/2 TEXAS
GRAND JUNCTION, CO. 81501

2943-073-29-004
MARGARET L COSTON
520 1/2 EASTGATE CT.
GRAND JUNCTION, CO. 81501

2943-073-00-086
Carol E. Burns
522 1/2 28 1/4 Road
Grand Junction CO 81501

2943-073-16-002
2943-073-16-002
2943-073-16-001
VICTOR W PERINO
2731 SIERRA VISTA ROAD
GRAND JUNCTION, CO. 81503

2943-073-29-005
HAZEL L THOMAS
520 EASTGATE CT.
GRAND JUNCTION, CO. 81501

2943-073-00-087
LEO BREWER
P.O. Box 831
Delta, Co. 81416

2943-073-08-004
BILLIE ROBERTS
529 28 1/4 ROAD
GRAND JUNCTION, CO. 81501

2943-073-29-003
harold f. elam
p.o. box 1728
GRAND JUNCTION, CO. 81502

2943-073-00-160
Beverly Eddy
519 28 1/4 Road
Grand Junction CO 81501

2943-073-08-002
FREDERICK W. LUTH
P.O. BOX 100
PALISADE, CO. 81526-5305

2943-073-00-039
GARY A MATZKANIN
BRANDELMAN AVENUE, CO 81501

2943-073-00-161
Roger S. O'Brien
P.O. Box 4979
Grand Junction Co 81501

2943-073-08-001
VICTOR BUKUS
2000 N. 8TH STREET

2943-073-00-039
GARY A MATZKANIN
2830 WLM AVE.
GRAND JUNCTION, CO. 81501

2943-073-29-002
Fredia Anderson
522 1/2 Eastgate Ct.
Grand Junction Co 81501

2943-073-08-001
VICTOR BUKUS
140 EL TORO CT.
MORGAN HILL, CA 95037-4310

2943-073-26-005
2093-073-26-006
2943-073-26-007
R J THURLOW
P.O. BOX T
PALISADE, CO. 81526

2943-073-29-004
Margaret Coston
520 1/2 Eastgate Ct.
Grand Junction Co 81501

2943-073-15-002
robert g. lucas
2000 N 8TH STREET
GRAND JUNCTION, CO 81501
2943-073-15-003

2943-073-26-008
2943-073-26-009
2943-073-26-010
R J THURLOW
P.O. BOX T
PALISADE CO. 81526

2943-073-29-005
Hazel Thomas
520 Eastgate Ct.
Grand Junction Co 81501

2943-073-15-001
MARK D. BAILEY
2822 ELM AVE
GRAND JUNCTION, Co. 81501

2943-073-26-011
2943-073-26-012
2943-073-26-013
RJ THURLOW
P.O. BOX T
PALISADE, CO. 81526

2943-073-29-006
Irene Jenkins
518 1/2 Eastgate Ct.
Grand Junction Co 81501

2943-073-29-001
BETTY J. MAROONEY
524 EASTGATE CT.
GRAND JUNCTION, CO. 81501

2943-073-00--45
PHYLLIS DODGE
527 28 1/4 ROAD
GRAND JUNCTION, CO. 81501

2943-073-29-003
Harold F. Elam
P.O. Box 1728
Grand Junction Co 81501

2943-073-29-002
FREIDA L COSTON
520 1/2 EASTGATE CT.
GRAND JUNCTION, C) 81501

2943-073-00-085
MAJORIE BANKS
524 28 1/4 ROAD
GRAND JUNCTION, CO. 81501

2943-073-28-001
Alex Mc Donnell
523 Eastgate Ct.
Grand Junction Co 81501

RUP-95-117

2943-073-29-002
MENDELL SILZELL
521 1/2 EASTGATE CT.
GRAND JUNCTION, CO 81501

2943-073-22-002
PETER FITZSIMMONS
2780 COUNTY ROAD 113
CARONDALE CO. 81623-9651

2943-073-28-005
SAMUEL FARMER-HACKER
519 EASTGATE CT.
GRAND JUNCTION, CO. 81501

2943-073-26-015
RICHARD HAYNES
123 COUNTY ROAD 13 #9
GUNNISON, CO. 81230-9702

2943-073-26-002
TERRY HAMM
523 28 1/4 RD APT 13
GRAND JUNCTION, CO. 81501

2943-073-00-041
GREGORY FRAME
530 28 1/4 ROAD
GRAND JUNCTION, CO81501

2943-073-00-042
DOUG O'ROARK
528 28 1/4 ROAD
GRAND JUNCTION, CO81501

2943-073-26-002
TERRY HAMM
523 28 1/4 Rd. Apt 13
GRAND JUNCTION, CO. 81501

2943-073-00-043
MARGARET SANFORD
2826 ELM AVE.
GRAND JUNCTION, CO 81501

2943-073-26-003
dianna k saysa
523 28 1/4 ROAD APT. 12
GRAND JUNCTION, CO. 81501

2943-073-32-001
2943-073-32-002
CARL ROLLER
423 N. 18TH STREET
GRAND JUNCTION, CO. 81501

2943-073-26-016
FREDEE PLUMER
523 28 1/4 ROAD #5
GRAND JUNCTION, CO. 81501

2943-073-22-007
MARTHA MAILHOT
2821 1/2 ELM AVE.
GRAND JUNCTION, CO. 81501

2943-073-26-014
JOHN GREEN
523 28 1/4 Rd. #7
GRAND JUNCTION, CO. ~~81501~~
81501

2943-073-22-008
BRUNO BALKE
2821 1/2 ELM AVE.
GRAND JUNCTION, CO 81501

2943-073-26-021
2943-073-26-022 & 023
BRIARGATE HOME OWNER ASSOC.
2227 VILLAGE COURT
GRAND JUNCTION, CO. 81503

2943-073-22-010
ruth newell
2823 ELM AVE.
GRAND JUNCTION, CO. 81501

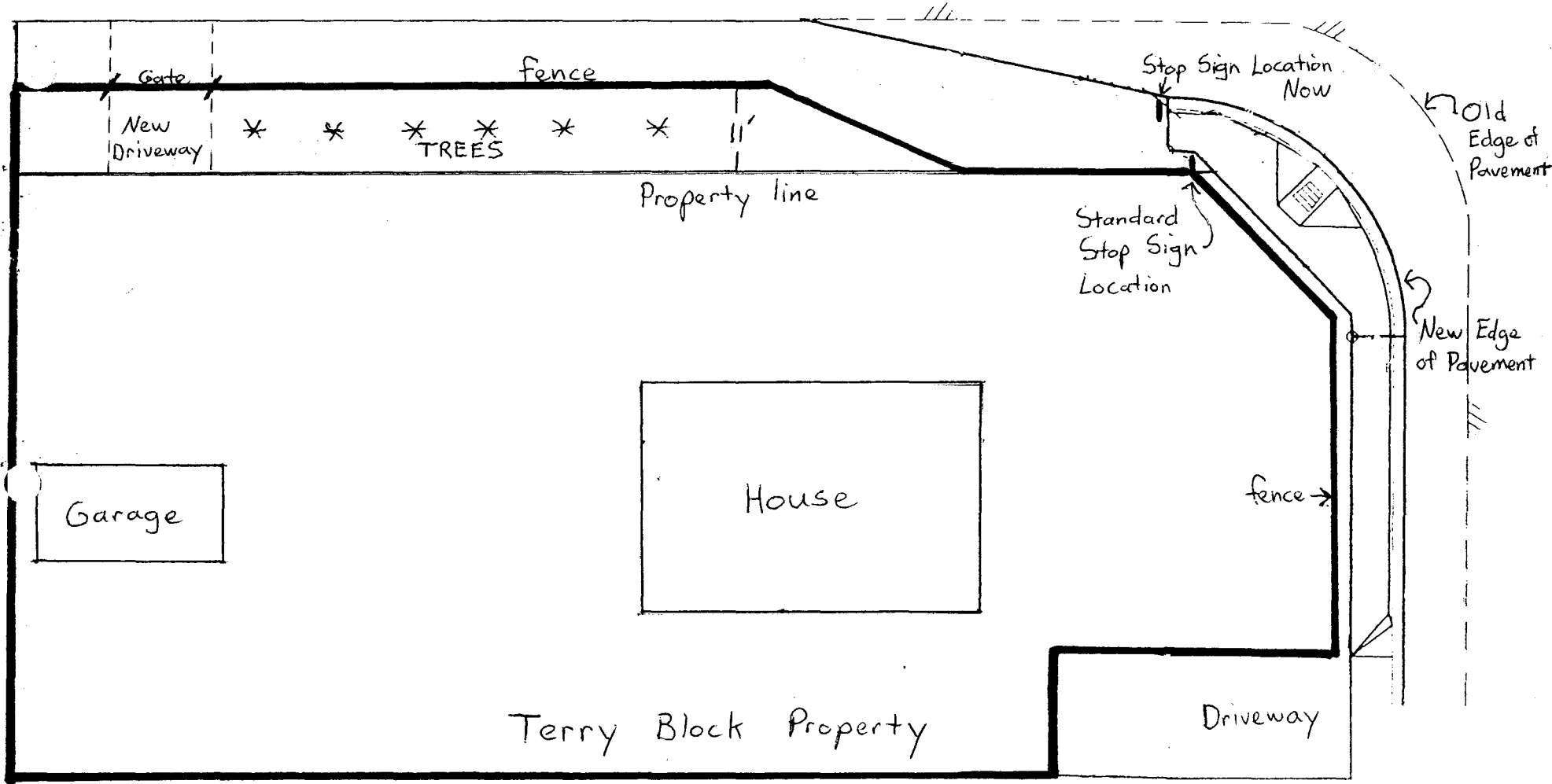
2943-073-26-017
REGINALD ROBBINS
350 SHEFFIELD CT.
SAN JOSE, CA. 95125-5664

2943-073-22-010
WARREN KIEFER
2823 1/2 ELM AVE.
GRAND JUNCTION, CO. 81501

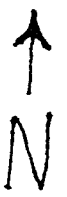
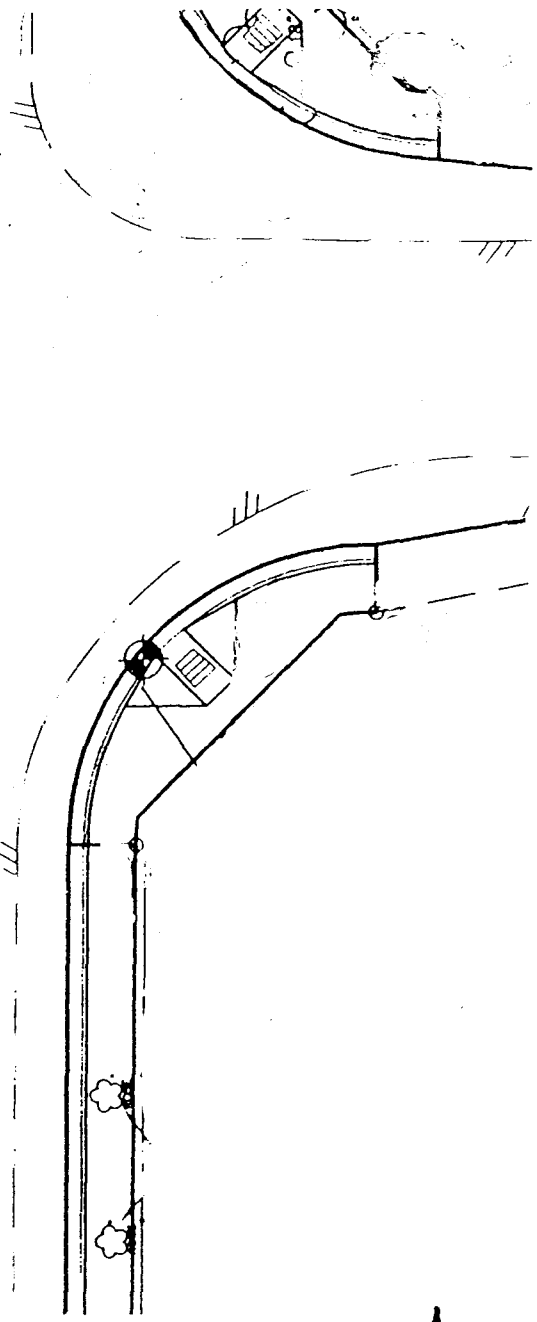
2943-073-26-018
2943-073-26-019 & 020
REGINALD ROBBINS
350 SHEFFIELD CT.
SAN JOSE, CA. 95125-5664

2943-073-22-002
PETER FITZSIMMONS
2780 COUNTY ROAD 113
CARD

ELM AVENUE



28 1/4 Road



Scale 1" = 20'

BLOCK
NEW
- SITE PLAN -

OUR
BACKYARD

Property line.

* * * * *

Neighbors USE for
Parking Spaces

gates

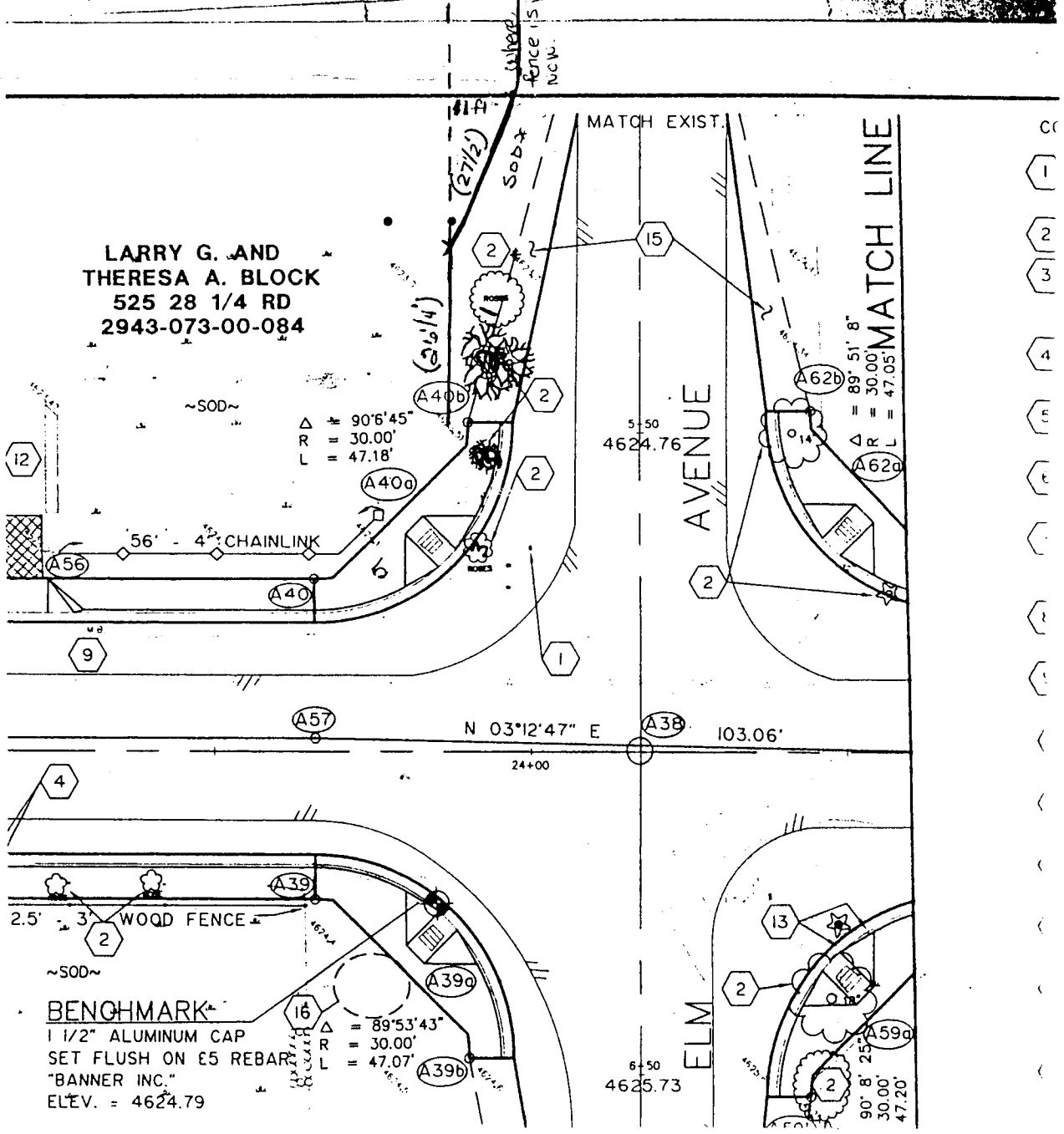
(97 3/4 ft.) to Back
Property Fence

Because we angled our fence to match front fence -
Back fence is NO longer a Sight Problem.

We want to use 11ft of Right-of-way.

* - trees -
1 } Our trees would like
2 } that were to lay sod
3 } taken out to improve
look inside
out dirt track!

S - was old driveway we lost
because of sidewalks



- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 15
- 16

REVIEW COMMENTS

Page 1 of

FILE #RVP-95-117

TITLE HEADING: Revocable Permit - Fence in the
Right-of-way

LOCATION: 525 28 1/4 Road

PETITIONER: Larry & Teresa Block

PETITIONER'S ADDRESS/TELEPHONE: 585 28 1/4 Road
Grand Junction, CO 81501
245-7048

STAFF REPRESENTATIVE: Michael Drollinger

**NOTE: THE PETITIONER IS REQUIRED TO SUBMIT FOUR (4) COPIES OF WRITTEN
RESPONSE AND REVISED DRAWINGS ADDRESSING ALL REVIEW COMMENTS .**

CITY DEVELOPMENT ENGINEER
Jody Kliska

7/13/95
244-1591

There may be a sight distance and visibility problem with seeing the stop sign at the intersection. Right now the street is torn up and no concrete is in place, so it is difficult to determine if the fence will block sight of the future stop sign. Prior to issuance of the permit, a field check by the City Traffic Engineer is required to determine where placement of the fence can be to avoid a visibility problem. Stopping sight distance at 30 miles per hour is 200 feet.

Comments on
RVP-95-117

us
Jody
Tim
John Shaver

There was only 4
review agencies-

- Misley Elementary
28³/₄ Road, South of Orchard
- Utilities pedestals behind fence

STAFF REVIEW

FILE: RVP-95-126
 DATE: August 25, 1995
 STAFF: Mike Pelletier
 REQUEST: Revocable Permit for Fence in R-O-W
 LOCATION: 525 28 1/4 Road
 ZONING: RSF-8
 APPLICANT: Larry & Teresa Block

- 2 complaints - one mentions pathway
- Especially difficult if cars parked there for ped.

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

EXECUTIVE SUMMARY

The applicant wants to place a fence in the right-of-way along 28 1/4 Road. The proposal will compromise safety both for pedestrians since they will be forced further out into the roadway and for vehicles in the intersection. Also, future improvements along Elm will need to use the right-of-way. Staff recommends denial based on these concerns.

STAFF ANALYSIS:

The fence was originally along the property line, but has since been moved approximately 11 feet into the right-of-way. The proposal creates a safety problem for pedestrians since the walking area is reduced in width by the fence. The reduction is especially important because Elm Avenue is a designated school walking route.

A safety problem is also created for vehicles at the intersection because of a less than ideal placement of the stop sign. This is not a major concern, but it should have a bearing on the decision.

In addition, it is likely that in the next few years, street improvements along Elm Avenue will need to use the right-of-way. Staff normally does not recommend

approval of revocable permits when the need to revoke the permit is within a few years. This is because of the cost involved and the difficulty in actually removing the items when the property owners are upset.

All of the above concerns were expressed in the following comments from City Staff.

Comments made by Jody Kliska, Development Engineer regarding this proposal:

1. Relocation of the fence and relocation of the stop sign and stop ahead sign, as well as tree trimming have improved visibility of the signs. However, the relocated stop sign is in a less than ideal location because it is at the end of the curb return approximately 30' behind where vehicles actually stop and does not meet the MUTCD requirement of either being behind the walk or 6-12' from the pavement edge.
2. Elm Avenue is a designated bicycle route as well as a school walking route. The encroachment of the fence leaves less room for pedestrians. It is likely in the next few years the City will be doing some interim shoulder improvements along Elm Avenue (similar to what we have done on Unawep, 29 Road, & 7th St.) and will need to use the right of way.
3. The intersection has had a high number of accidents in the past according to Dave Tontoli [City Traffic Engineer] and the applicant for revocable permit, Terry Block, echoed this yesterday. The accident history should be indicative that the revocable permit for the fence should not be allowed.

Comments made by Jan Koehn, Code Enforcement Supervisor regarding this proposal:

1. The reason we initially received a complaint on this fence was because it was blocking a "walking path" of sorts, that the neighbors had been historically using in the absence of sidewalks. The walkers now are forced further out into the roadway which is a potentially hazardous situation. From our standpoint, this revokable permit is not advisable.

STAFF RECOMMENDATION:

Denial, because the above stated concerns outweigh Terry Block's need for placing the fence in the right-of-way.

COMPLAINT/INSPECTION REPORT

CODE ENFORCEMENT - CITY OF GRAND JUNCTION

B
C

- () Junk, trash, cars () Animal
 () Sign () Use/Zoning
 Fence () Other

| | |
|--------------------------|------------------|
| DATE ^{5/23/95} | CASE NO. 95-2262 |
| CALL TAKEN BY <i>AM</i> | |
| ASSIGNED TO <i>Mince</i> | |

LOCATION OF VIOLATION ⁵²⁵
~~80000~~ 28 1/4 Rd. - SWC

| ZONE | SUBDIVISION | BLOCK | LOT | PARCEL NO. |
|------|-------------|-------|-----|------------|
|------|-------------|-------|-----|------------|

| |
|--|
| OWNER <i>Larry + Theresa Block</i> |
| ADDRESS CITY ZIP PHONE ²⁴⁵⁻ |
| (H) (H) <i>7048</i> |
| ----- |
| (B) (B) |

| |
|-------------------------|
| () RESIDENT () LESSEE |
| ADDRESS CITY ZIP PHONE |
| (H) (H) |
| ----- |
| (B) (B) |

| | |
|----------------------------------|---------------------------|
| REPORTING PARTY <i>Tom Tracy</i> | (H) PHONE ²⁴¹⁻ |
| ADDRESS <i>523 28 1/4 Rd.</i> | (B) |

| |
|---|
| NATURE OF COMPLAINT <i>new fence (addition)</i> |
| <i>no permit (6' cedar?)</i> |

5/23/95 ++ Owner re need to call CD
about getting permit, told her it's ok
1 week. R 5/30

5/24 New Compl., same problem. also complained @
blocking walking

Find they also moved chain link.

Asked Eng. to ck ROW. Met Tim Patty
on site, arranged for surveyors. ++
Jerry Block. 5/25 ++ Gordon, Eng.

Got copy of map. Need to go to
blocks with req. for permit for
fence, call Planning. Ck 6/9.

7/10 - No permit done yet. Gordon (?) recomm.
wait til street in. ++ Jody, they saw her

out there the other day. Jody wants to
wait until pavement is done before

Rev. permit OK'd or denied. Comments
from Mike D. are due 7/14. Ck stat 7/21 if
no p, asked Jody to keep me advised.

7/21 ^{Concrete} forms going in NEC; Ck 7/27. 8/1

Impr. in; ++ Jody, ask her to call me
when checking. 8/3 ++ Mike P, CD.

told him go ahead w/ revoc. permit
review process - Ck 8/9. → Ltr to Block
from Mike P. (CD) gave them 9/16 to move

Ck (9/18)

To: Dave Tontoli, JIMT, Mike Pelletier, Nina McNally, Shawn Cooper
From: Jody Kliska
Subject: Re: Stop Signs, 28 & Elm
Date: 8/03/95 Time: 12:16p

Originated by: JIMT 8/02/95 10:58a
Replied by: JODYK 8/03/95 12:16p

Jim,

I agree with your analysis. Dave Tontoli and I looked at the intersection yesterday. We came up with a tentative solution to relocate the stop sign at the edge of pavement rather than behind the sidewalk, and to relocate the stop ahead sign from the power pole to a ground-mounted post approximately 150' back from the intersection near the end of the fence.

The fence and the trees remain a sight distance problem. The fence should be required to be relocated out of the right of way. The trees are in the right of way and need to be thinned and trimmed as they pose a visibility problem as is.

Some enforcement effort from the PD may be necessary when 28 1/4 is reopened to traffic, especially in the vicinity of Elm St.

The intersection has had a high number of accidents in the past according to DaveT. and the applicant for revocable permit, Terry Block, echoed this yesterday. The accident history should be indicative that the revocable permit for the fence should not be allowed.

To: MIKEPEL (Mike Pelletier)
From: Jody Kliska
Subject: Re: Stop Signs, 28 & Elm
Date: 8/04/95 Time: 2:54p

| | |
|---------------------|----------------|
| Originated by: JIMT | 8/02/95 10:58a |
| Replied by: JODYK | 8/03/95 12:16p |
| Replied by: MIKEPEL | 8/03/95 4:08p |
| Replied by: JODYK | 8/04/95 2:54p |

Michael,

The fence is currently encroaching into the right of way approximately 12-13'. It needs to be relocated back where it was, which is shown on the construction plans as being on the property line. The trees are in the way of locating the fence at an intermediate point, and the trees themselves are also a visibility problem which needs to be addressed by Parks Dept.

Hope this helps.

Jody

August 7, 1995

Teresa A. Block
525 28 1/4 Road
Grand Junction, CO 81501

Dear Mrs. Block,

The City Engineering Department has determined that your fence in the right-of-way on 28 1/4 Road interferes with visibility towards traffic on Elm Street. They also have determined that the trees also create a visibility problem, which the Parks Department will remedy.

If you still would like to pursue obtaining a revocable permit for the fence in the right-of-way, you have that option. However, City staff will recommend to City Council to deny the request based on the Engineering Department's safety concerns. If a permit is not obtained, the fence must be returned to its original location by September 16, 1995.

Feel free to call me if you have any questions at 244-1447.

Sincerely,

Mike Pelletier
Associate Planner

cc Nina McNally, Code Enforcement

To: Mike Pelletier, Nina McNally
From: Jody Kliska
Subject: Block Revocable Permit
Date: 8/25/95 Time: 9:05a

In response to the latest submittal showing the relocated fence, I have the following comments:

1. Relocation of the fence and relocation of the stop sign and stop ahead sign, as well as tree trimming have improved visibility of the signs. However, the relocated stop sign is in a less than ideal location because it is at the end of the curb return approximately 30' behind where vehicles actually stop and does not meet the MUTCD requirement of either being behind the walk or 6-12' from the pavement edge.
2. Elm Avenue is a designated bicycle route as well as a school walking route. The encroachment of the fence leaves less room for pedestrians. It is likely in the next few years the City will be doing some interim shoulder improvements along Elm Avenue (similar to what we have done on Unawep, 29 Road, 7th St.) and will need to use the right of way.
3. Placement of sod in the right of way is desirable, as long as the applicant is aware that it could be removed when the pavement is widened.

To: Mike Pelletier
From: Jan koehn
Subject: Revokable Permit/28 1/4/Elm
Date: 8/25/95 Time: 3:32p

Mike, the reason we initially received a complaint on this fence was because it was blocking a "walking path" of sorts, that the neighbors had been historically using in the absence of sidewalks. The walkers now are forced further out into the roadway which is a potentially hazardous situation. From our standpoint, this revokable permit is not advisable. Jan