

SUBMITTAL CHECKLIST

VARIANCE

VAR-95-143

Location: 2565 Orchard Ave

Project Name: Variance to reduce street

ITEMS	DISTRIBUTION <i>frontage from 15' to 1-</i>																	
DESCRIPTION	SSID REFERENCE	● City Community Development	● City Dev. Eng.	● City Utility Eng.	● City Property Agent	● City Attorney	● City Board of Appeals (7 sets)	○ City Downtown Dev. Auth.	○ City Parks and Rec.	○ County Planning	○ Code Enforcement	○ Sign Consultant					TOTAL REQ'D.	
● Application Fee \$180	VII-1	1																
● Submittal Checklist *	VII-3	1																
● Review Agency Cover Sheet *	VII-3	1	1	1	1	1	1	1	1	1	1	2						
● Application Form *	VII-1	1	1	1	1	1	7	1	1	1	1	2						
● Reduction of Assessor's Map	VII-1	1	1	1	1	1	7	1	1	1	1	2						
● Evidence of Title	VII-2	1			1	1												
● Names and Addresses *	VII-2	1																
○ Legal Description *	VII-2	1			1													
● General Project Report	X-7	1	1	1	1	1	7	1	1	1	1	2						
● Location Map	IX-21	1																
● Vicinity Sketch	IX-33	1	1	1	1	1	7	1	1	1	1	2						

NOTES: * An asterisk in the item description column indicates that a form is supplied by the City.

zone: RSF-8



DEVELOPMENT APPLICATION

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

Receipt _____

Date _____

Rec'd By _____

File No. UAR-95-143

(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 type="checkbox"/> Subdivision Plat/Plan	<input type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Resub				
<input type="checkbox"/> Rezone				From: To:	
<input type="checkbox"/> Planned Development	<input type="checkbox"/> ODP <input type="checkbox"/> Prelim <input type="checkbox"/> Final				
<input type="checkbox"/> Conditional Use					
<input type="checkbox"/> Zone of Annex					
<input checked="" type="checkbox"/> Variance			2565 Orchard	RSF-8	Residential
<input type="checkbox"/> Special Use					
<input type="checkbox"/> Vacation					<input type="checkbox"/> Right-of Way <input type="checkbox"/> Easement
<input type="checkbox"/> Revocable Permit					

PROPERTY OWNER

DEVELOPER

REPRESENTATIVE

Shaun Freeburg & Jill C. Jacobs

Bob Frost

Tom Logue

Name

Name

Name

Address

241A 29 Road

200 N. 6th Street

Address

Address

City/State/Zip

Grand Jct. CO. 81503

Grand Jct. CO. 81501

City/State/Zip

City/State/Zip

Business Phone No.

242-4982

243-4099

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.

Thomas A. Logue
 Signature of Person Completing Application

5/25/95
 Date

Shaun Freeburg
Jill Jacobs-Burger
 Signature of Property Owner(s) - attach additional sheets if necessary

6-26-95
7-3-95
 Date

CITY OF GRAND JUNCTION PETITION FOR VARIANCE

DATE RECEIVED: _____

FILE NO. _____

RECEIVED BY: _____

RECEIPT NO. _____

PROPERTY OWNER: SHAUN FREEBURG, JILL G. JACOBS, Burger 40 Bob Frost

MAILING ADDRESS: 241 A 29 Road Grand Jct. CO. 81503

PHONE: (HOME) — (WORK) 242-4982

I (We), the undersigned, hereby petition for a variance on the property located at:

ADDRESS: 2565 Orchard Ave.

TAX SCHEDULE #: 2945-121-33-011 4012 ZONE CLASSIFICATION: RSF-8

1. Section(s) of the City of Grand Junction Zoning and Development Code which are requested to be varied:

Min Street Frontage

I (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 RESPONSIBILITY TO MONITOR THE STATUS OF THE APPLICATION. WE RECOGNIZE THAT WE, OURSELVES, OR OUR REPRESENTATIVE MUST BE PRESENT AT ALL 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.

Shaun Freeburg
Signature of Property Owner

6-26-95
Date

Jill Jacobs-Burger
Signature of Joint Property Owner (if applicable)

7-3-95
Date

GENERAL PROJECT REPORT FOR FROST VARIANCE

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 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 existing single family dwellings and out buildings. The balance of the property is landscaped yards or in a fallow state. Topography of the property is considered to be "flat" in nature and slopes towards the south at a 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 use in the vicinity of the subject property is considered to be of moderate to light intensity. Predominate uses surrounding the subject property include single family dwellings on subdivided small tracts. Melrose Park is located across Orchard Avenue to the south. All of the adjoining property is zoned RSF - 8 by the City. The attached Location Map depicts the configuration of various properties in the area surrounding Frost Subdivision.

PROPOSED LAND USE - The proposal is a request for a variance in the minimum street frontage requirement from 15 feet to 10 feet. Once the variance is granted, it will then allow for the creation of one additional single family building site. The resulting density would be 4.2 dwelling units per acre. The re-platted building sites range in size from 9460 for the proposed new building site to square feet to 12,075 square feet for the largest exiting site.

The accompanying drawing depicts the relationship of each lot to the property boundary, and roadway access.

ACCESS - Primary access to property is 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 reconfigured lots include the dedication and re-construction of 151 feet of private ingress/egress easement. Improvements will include asphalt pavement 18 feet in width.

UTILITY SERVICE

DOMESTIC WATER - Once the new lot is created it can 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 sewage service line can be constructed to serve the new dwelling once the variance and replatting has been accepted by the City. Sewer service and treatment is provided by the City of Grand Junction.

ELECTRIC, GAS, PHONE & CATV - Electric, gas, and communication lines will be extended to the new lot within the development from existing lines located adjacent to the proposed development.

DRAINAGE - Stormwater generated from the development is carried on the ground surface to Orchard Avenue. Increases to the historic run-off is considered to be minimal as a result of the proposed re-platting.

CRITERIA - The City has established criteria in granting a variance from the bulk requirements of the zoning districts. A response to the criteria follows:

1. Granting the requested variance will not conflict with the City's adopted comprehensive plan since granting of the variance will allow an infill project which the City currently encourages.

2. The narrow configuration of the two existing lots creates a hardship in the ability to redevelop the property and maximize to its fullest potential. Additionally, it is difficult for the current property owner of Lot 12 to maintain the property to an acceptable standard.

3. Granting of the variance will not be detrimental to the public health, safety or welfare since all necessary utility service exist and traffic increase will be minimal.

4. If the variance is not granted, the applicant and property can not derive a reasonable use of the property since they could not subdivide the subject lot. If the City had a private drive standard, the request for the variance would not be necessary. It is the applicants understanding that the City is currently considering adoption of a private drive standard sometime in the future.

5. Granting of the variance would not be injurious to, or reduce the value of surrounding property owners. The future new lot exceed the minimum square footage requirements of the RSF - 8 zone and would be the same area as the existing lots in the vicinity.

Shaun Adell Freeburg
Jill C. Jacobs-Burgèr
c/o Bob Frost
2969 North Ave.
Grand Junction, CO 81501

Helen Adkins
2050 N. 26th Ave.
City 81501

William States
2422 Pinyon Ave.
City 81501

Bowden Ent.
6303 County Rd. # 214
New Castle, CO 81647

Roger Whitaker
2030 N. 26th St.
City 81501

Joyce Springer
2258 Willow Wood Rd.
City 81503

David McDonald
2528 Orchard Ave.
City 81501

Richard Baca
1930 N. 26th St.
City 81501

Joe Garcia
2524 Pinyon Ave.
City 81501

George Lee
1915 N. 26th St.
City 81501

Marvin Walworth
1920 N. 26th St.
City 81501

John Stites
2534 Pinyon Ave.
City 81501

Carole Moyes
2015 Linda Ln.
City 81501

Loren Phippen
1910 N. 26th St.
City 81501

Pray Family Trust
2538 Pinyon Ave.
City 81501

Laura Venable
545 Greenwood Dr.
City 81503

Steve Mabie
1900 N. 26th St.
City 81501

Jerry Spomer
2537 Pinyon Ave.
City 81501

Jaunita Aragon
2045 N. 26th St.
City 81501

Emmitt Pittman
2409 Pinyon Ave.
City 81501

Shirley Elliott
2533 Pinyon Ave.
City 81501

Chip Harrington
2059 N. 26th St.
City 81501

Robert Herber
PO Box 1413
Clifton, CO 81520

Orchard Community Church
2430 Orchard Ave.
City 81501

Wayne Pace
2111 N. 26th St.
City 81501

Laurence Schafer
2507 Pinyon Ave.
City 81501

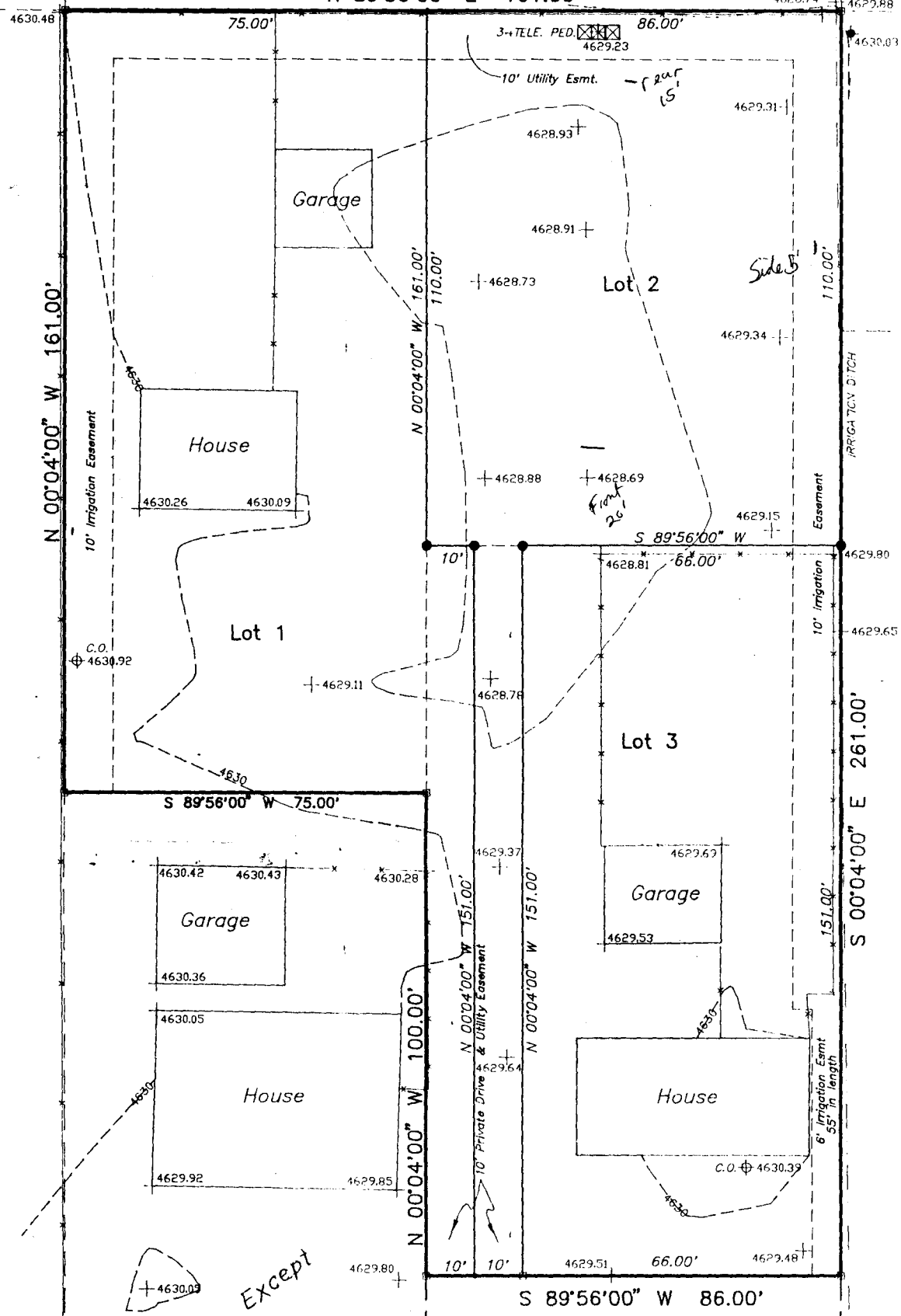
Tom Logue
Landesign
200 N 6th Street
Grand Junction, CO 81501

Becky Beverly
2060 N. 26th St.
City 81501

Larry Prosser
2523 Pinyon Ave.
City 81501

City of Grand Junction
Community Development Dept.
250 N 5th Street
Grand Junction, CO 81501

N 89°56'00" E 161.00'



Except

ORCHARD AVE.

REVIEW COMMENTS

Page 1 of 2

FILE # VAR-95-143

TITLE HEADING: Variance - Minimum street frontage from 15' to 10'

LOCATION: 2526 Orchard

PETITIONER: Bob Frost

PETITIONER'S ADDRESS/TELEPHONE: 2969 North Avenue
Grand Junction, CO 81504
242-4982

PETITIONER'S REPRESENTATIVE: Landesign

STAFF REPRESENTATIVE: Mike Pelletier

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., SEPTEMBER 1, 1995.

CITY UTILITY ENGINEER 8/16/95
Trent Prall 244-1590

1. Rights of ingress/egress required on private drives along with Utility Easement.
2. Conceptually okay, more comments on minor submittal.

CITY DEVELOPMENT ENGINEER 8/22/95
Jody Kliska 244-1591

No Comment.

COMMUNITY DEVELOPMENT DEPT. 8/23/95
Mike Pelletier 244-1447

The 10' driveway to lot 2 should be labelled as an ingress/egress easement instead of a private drive to be consistent with current practice in the City.

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.

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:

August 30, 1995

City of Grand Junction
250 N 5th Street
Grand Junction, CO 81501

Re: File No. VAR.-95-143 Variance for Bob Frost

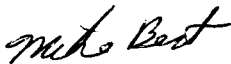
Dear Mike Pelletier:

Response to the review comments by Trent Prall:

Item One: The driveway to lot 2 will be labeled as an ingress/egress easement and not a private drive. This will be done at the time of the minor subdivision submittal.

If you have any further questions or comments please contact us.

Sincerely,



Mike Best

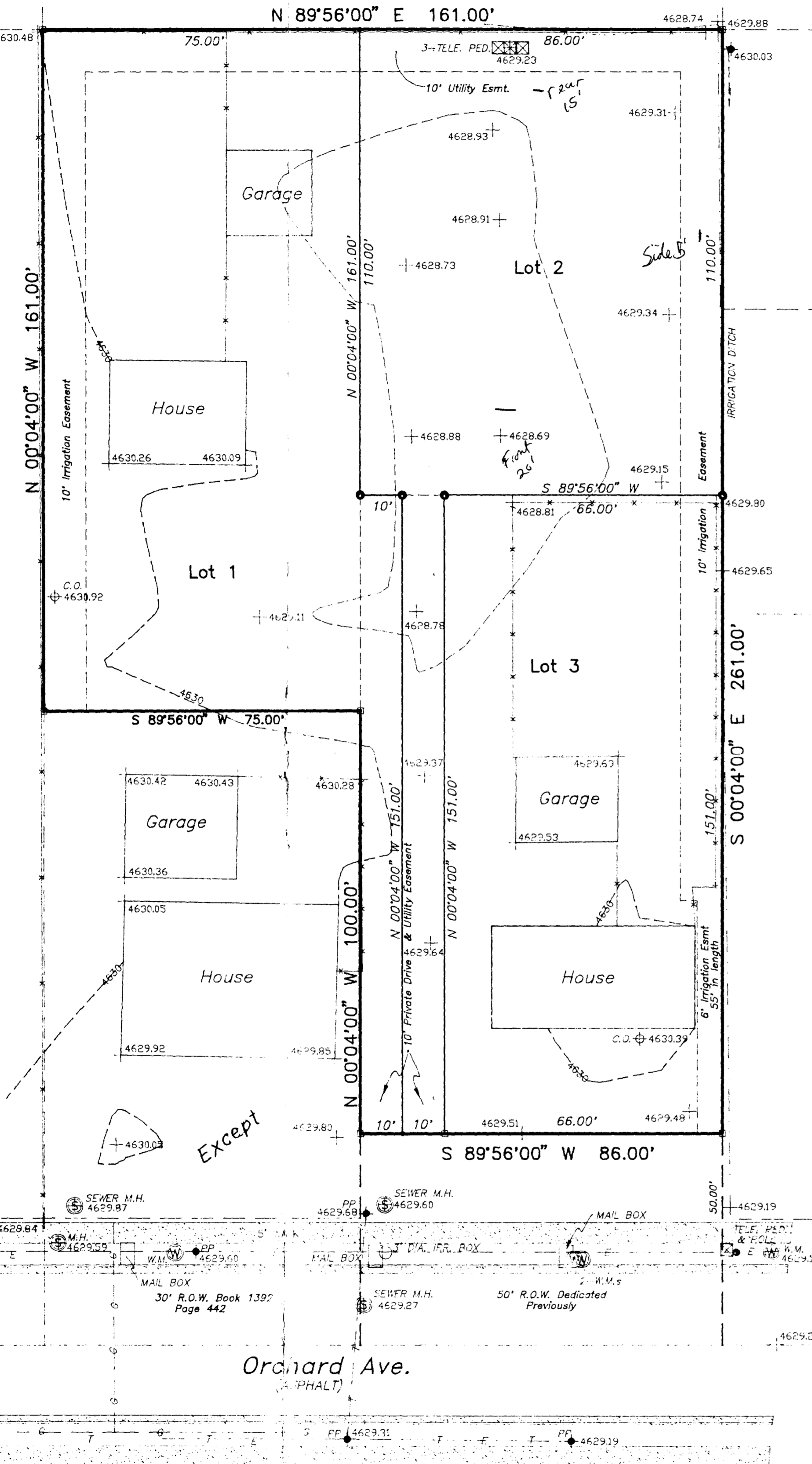
FROST SUBDIVISION SITE PLAN

4

10

9

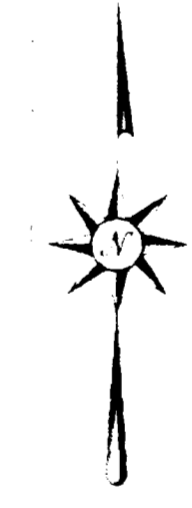
First Add. to
Arbor Village



CHURCH

RES. SUBDIVISION

Handwritten note:
Found no rebar in lot 2



SCALE: 1"=20'
20 10 0 20

LEGEND

- ⊕ MESA COUNTY OR BLM SURVEY MARKER
- CALCULATED POSITION (NOT SET)
- SET ALUMINUM CAP ON No. 5 REBAR, PLS 16R35 IN CONCRETE
- (R) RECORD MEASUREMENT
- FOUND REBAR, AS NOTED

E 1/4 Cor
Section 12,
T15, R1W, U4
MCSM
Benchmark:
Elev. = 4629.50

Orchard Ave.
(PHALT)

Basis of bearings assume the East line of the First Addition of Arbor Village Subdivision 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 0.20± 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.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION HEREON.

	FROST SUBDIVISION A Replat of Lots 11 & 12, Blk 2 First Addition to Arbor Village GRAND JUNCTION, COLORADO	
	Professional Surveying Services P.O. Box 4506, Grand Jet., CO 81502 303-241-3841	
	SUR. BY: LA/BH	DRAWN BY: DAV
JOB NO. 95062	SHEET 1 OF 1	

FOR REVIEW