





# DEVELOPMENT APPLICATION

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

Receipt \_\_\_\_\_

Date \_\_\_\_\_

Rec'd By \_\_\_\_\_

File No. RZF-96-194

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 <input type="checkbox"/> Major <input type="checkbox"/> Resub	~2 acres	25 Rd & G Rd	RSF-R	Residential
<input checked="" type="checkbox"/> Rezone		"	"	From: RSF-R To: RSF-4	"
<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 type="checkbox"/> Variance					
<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

Gary E. or Vicki M Johnson

693 25 Rd  
Grand Junction CO 81505

(970) 242-7285

Business Phone No.

~~DEVELOPER~~

~~MIKE KOCHAVAR~~

~~244-1106~~

~~City/State/Zip~~

~~Business Phone No.~~

REPRESENTATIVE

PAUL M. KOCHAVAR

Box 3047  
ESTES PARK, CO 80517

970-586-5175

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.

*Vicki M Johnson*  
Signature of Person Completing Application

8-29-96  
Date

*Vicki M Johnson Gary E Johnson*  
Signature of Property Owner(s) - attach additional sheets if necessary

8-29-96  
Date

# SUBMITTAL CHECKLIST

*Rezone* # **MINOR SUBDIVISION**

Location: \_\_\_\_\_

Project Name: \_\_\_\_\_

ITEMS	SSID REFERENCE	DISTRIBUTION																				TOTAL REQ'D.							
		City Community Development	City Dev. Eng.	City Utility Eng.	City Property Agent	City Parks/Recreation	City Fire Department	City Attorney	City G.J.P.C. (8 sets)	City Downtown Dev. Auth. <i>Quoted</i>	City Police	County Planning	County Building Department	County Surveyor	Walker Field	School Dist. #51	Irrigation District <i>G.V.</i>	Drainage District <i>G.D.</i>	Water District <i>W.D.</i>	Sewer District	U.S. West		Public Service	GVRP	CDOT	Corps of Engineers	Colorado Geologic Survey	U.S. Postal Service	Persigo <i>WATF</i>
Date Received _____																													
Receipt # <u>4527</u>																													
File # <u>RZE-96-A4</u>																													
DESCRIPTION																													
● Application Fee <u>\$400.00 + \$15/acre</u>	VII-1	1																											
● Submittal Checklist*	VII-3	1																											
● Review Agency Cover Sheet*	VII-3	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
● Application Form*	VII-1	1	1	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
● Reduction of Assessor's Map*	VII-1	1	1	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
● Evidence of Title	VII-2	1		1			1																						
○ Appraisal of Raw Land	VII-1	1			1	1																							
● Names and Addresses*	VII-2	1																											
● Legal Description*	VII-2	1		1																									
○ Deeds	VII-1	1		1			1																						
○ Easements	VII-2	1	1	1	1		1														1	1	1						
○ Avigation Easement	VII-1	1		1			1							1															
○ ROW	VII-3	1	1	1	1		1														1	1	1						
○ Covenants, Conditions & Restrictions	VII-1	1	1				1																						
○ Common Space Agreements	VII-1	1	1				1																						
● County Treasurer's Tax Cert.	VII-1	1																											
○ Improvements Agreement/Guarantee*	VII-2	1	1	1			1																						
○ CDOT, 404, or Floodplain Permit	VII-3,4	1	1																										
● General Project Report	X-7	1	1	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
○ Location Map	IX-21	1																											
○ Composite Plan	IX-10	1	2	1	1																								
● 11"x17" Reduction Composite Plan	IX-10	1	2	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
● Final Plat	IX-15	1	2	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
● 11"x17" Reduction of Final Plat	IX-15	1							8	1	1	1			1	1	1	1	1	1	1	1	1			1		1	1
○ Cover Sheet	IX-11	1	2																										
○ Grading & Stormwater Mgmt Plan	IX-17	1	2														1								1	1			
○ Storm Drainage Plan and Profile	IX-30	1	2														1			1	1	1							
○ Water and Sewer Plan and Profile	IX-34	1	2	1														1	1	1	1	1					1	1	
○ Roadway Plan and Profile	IX-28	1	2															1											
○ Road Cross-sections	IX-27	1	2																										
○ Detail Sheet	IX-12	1	2																										
○ Landscape Plan	IX-20	2	1	1																									
○ Geotechnical Report	X-8	1	1										1													1			
○ Phase I & II Environmental Report	X-10,11	1	1																										
○ Final Drainage Report	X-5,6	1	2																	1									
○ Stormwater Management Plan	X-14	1	2																	1					1				
○ Sewer System Design Report	X-13	1	2	1																	1								
○ Water System Design Report	X-16	1	2	1																1									
○ Traffic Impact Study	X-15	1	2																							1			
● Site Plan	IX-29	1	2	1	1		1		8																				

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

## **GENERAL PROJECT REPORT**

**Johnson Minor  
Sub-divide**

We, Gary and Vicki Johnson, own 2.19 acre's and would like to sub-divide, making two equal lots. The property is located at 25 and G road. The proposed use of this land is to build an additional residence.

The main public benefit will be to move another residence into the City limits, which means more taxes for the city.

This project complies with all of the proposed and approved Mesa County Growth and Development Plan. Our re-zone request is to be re-zoned to RSF-4 from RSF-R. The proposed zoning for this area is RFS-9 to RSF-11, so we are compatible with the Growth Plan.

Land use in the surrounding area is developing, such as; Fountainhead sub-division, a new proposed sub-division on the East side of our property and the new State park located at 24 and G road. There is also some agricultural land use.

Access to the sight is from an existing driveway and will not change traffic patterns.

All utilities are existing on the East side of the property, therefore there is no unusual demand on utilities.

RZF-96-194

Western Slope Gas  
C/O Division of Property  
Taxation  
1313 Sherman Street #414  
Denver, CO 80203

Leemon Reynolds  
695 25 Road  
Grand Junction, CO 81505

Dennis Hercher  
2485 G Road  
Grand Junction, CO 81505

Bert Wells  
2479 G Road  
Grand Junction, CO 81505

Robert VanDoozer  
685 25 Road  
Grand Junction, CO 81505

Columbia House LLC  
2999 N 44th St. Ste 600  
Phoenix, AZ 85018

Dennis Hercher  
C/O Walter H. Bruschnig  
2485 G Road  
Grand Junction, CO 81505

Gary & Vicki Johnson  
693 25 Road  
Grand Junction, CO 81505

Paul Kochevar  
P.O. Box 3047  
Estes Park, CO 80517

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

# REVIEW COMMENTS

Page 1 of 4

FILE #RZF-96-194

TITLE HEADING: Johnson Minor Subdivision

LOCATION: S of SW corner of 25 & G Roads

PETITIONER: Gary & Vicki Johnson

PETITIONER'S ADDRESS/TELEPHONE: 693 25 Road  
Grand Junction, CO 81505  
242-7285

PETITIONER'S REPRESENTATIVE: Paul Kochevar

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., SEPTEMBER 23, 1996.**

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**CITY COMMUNITY DEVELOPMENT**

9/13/96

**Bill Nebeker**

244-1447

1. Staff is not supportive of a rezone that allows up to 10 lots on this parcel, when the design of the subdivision plat allows for access to only one lot in the rear. The "flagpole" on lot 2 should be widened to 44 feet to allow future subdivision of the back portion of lot 1 and the unused portion of lot 2.
2. A utility easement is needed for the electric service that runs from the house and crosses the flagpole portion of lot 2.
3. 25 Road is a designated Minor Arterial street, needing a 40 foot half street. Provide an additional 10 foot dedication. A revocable permit will be required for the fence that will be in the right-of-way after the dedication, unless the fence is proposed to be removed.
4. Apparently there is no sewer service to this parcel. If sewer is within 400 feet it must be extended. If not and sewer is not desired for lot 2, a variance must be sought from the City Council.
5. Remove language for dedication of a multi-purpose easement unless one is being shown on the plat.
6. Remove the statement regarding expenses for street paving.
7. **NOTE:** Please submit a revised 11" X 17" copy of plat along with 4 full size copies of plat with response to review comments.

**CITY DEVELOPMENT ENGINEER**

9/6/96

**Jody Kliska**

244-1591

The minimum frontage for the additional lot needs to be a minimum width of 44' to provide for a future street. The proposed new zoning will allow for future subdivision, thus provision for a future street must be provided.

**CITY UTILITY ENGINEER**  
**Trent Prall**

9/12/96  
244-1590

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Petitioner claims that "all utilities are existing on East side of property." Composite site plan by Estes Park Surveyors and Engineers fails to delineate any sewer. Even though sewer is located north of this proposed subdivision in Fountainhead Subdivision grades will not permit gravity sewer to north. Sewer currently exists 1250' south of property and would have to be extended up 25 Road in order for this proposed subdivision to sewer at this time. Recommendation is for this subdivision to be put on hold until final filings of Country Crossing develop which will bring sewer to within 150' of the east side of this property.

According to City of Grand Junction Zoning and Developing Code Section 5-1-8, "All lots must be served by a sewer system connected to a public wastewater treatment facility unless the closest available sewer line is more than 400 feet from the lot and a replacement on-site system, meeting State and County Health Department standards, can be installed."

Therefore as long as these proposed lots remain at 1 acre or more, a connection to public sewer will not be required until sewer is within 400 feet. Any further subdividing of these lots will require for public sewer to be extended. In accordance with Section 38-35 of the City Municipal Code, these lots will be required to connect to sewer within 120 days of public sewer being available. As mentioned above, later filings of Country Crossing should bring sewer to within 150' of this proposed development.

**CITY PROPERTY AGENT**  
**Steve Pace**

9/16/96  
256-4003

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1. Outer monumentation needs to be set or rehabilitated with concrete.
2. Please provide an explanation as to why the south 2 acres as shown in the deed is now 2.228 acres.
3. If the description has changed then provide new metes and bounds description in the dedication.
4. Multi-purpose easements are addressed in the dedication but are not shown on the plat.
5. Lien holder approval certificate? (if needed)

**CITY FIRE DEPARTMENT**  
**Hank Masterson**

9/11/96  
244-1414

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A fire hydrant will be required along 25 Road, located within 250' of both lot frontages. The minimum fire line size for this hydrant is 6". These requirements are specified in City ordinance number 2726.

The access for Lot 2 is acceptable to the Fire Department. Any future subdivision of this property that results in an access drive serving more than two lots must comply with Section 902 of the Uniform Fire Code:

1. Access drives must be at least 20' wide.
2. An all weather surface must be provided.
3. Access road must support the weight of a 20 ton vehicle.
4. If the access road exceeds 150' in length, an approved turn around must be provided.
5. Signage for "no parking" may be required.

**MESA COUNTY PLANNING**  
**Verna Cox**

9/9/96  
244-1637

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1. 25 and G Roads are both designated as minor arterials. Direct access to minor arterials is discouraged by the County. A neighborhood circulation plan should be developed for this area to serve the densities anticipated by the Draft Growth Plan.

2. The proposed layout will prevent the future development of the subject property in accordance with development standards presently in effect. The applicant should be advised of this fact and the following alternatives should be explored to address this issue:
  - a. Rezoning to a lower density which would reflect a lack of future development potential.
  - b. Placing a note on the plat advising that no future development on either lot could be allowed until such time as a standard City street was available to serve the development.
  - c. Redesigning the subdivision to provide for a future City street to access future development on each lot. An offer of dedication of right-of-way may be needed to ensure that future development could take place on Lot 1 with access over the "flagpole" portion of Lot 2.
  - d. Coordinating the future development of the subject property with the property to the north. (Reservation of sufficient right-of-way for 1/2 of a local street on the north edge of the subject property.) This would benefit the minor arterial by eliminating the need for another access point to develop the property to the north.
3. In any case, notes on the plat should be required to indicate that no additional access to 25 Road will be allowed in the future and a common access drive should be required for both lots.

**GRAND JUNCTION DRAINAGE DISTRICT**

9/11/96

**John Ballagh**

242-4343

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1. The Drainage District has no facilities through the site. If either proposed lot drains through the other lot then there should be an easement granted for drainage.
2. The surface water probably finds its way to the Grand Junction Drainage District Carpenter Drain. The site is in the upper third of that basin. Limitations to historic rate of discharge should apply.

**UTE WATER**

9/12/96

**Gary Mathews**

242-7491

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No objections. Policies and fees in effect at the time of application will apply.

**U S WEST**

9/9/96

**Max Ward**

244-4721

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Looks OK.

**PUBLIC SERVICE COMPANY**

9/10/96

**Jon Price**

244-2693

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Public Service Company has no additional requirements.

**LATE COMMENTS**

**CITY POLICE DEPARTMENT**

9/13/96

**Lisa Dicamillo**

244-3587

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No comment.



**CITY PARKS & RECREATION**

9/16/96

**Shawn Cooper**

244-3869

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Open Space Fee - 1 lot x \$225 = \$225.

**TO DATE, NO COMMENTS RECEIVED FROM:**

City Attorney

Grand Valley Irrigation

Mesa County School District #51

TCI Cablevision

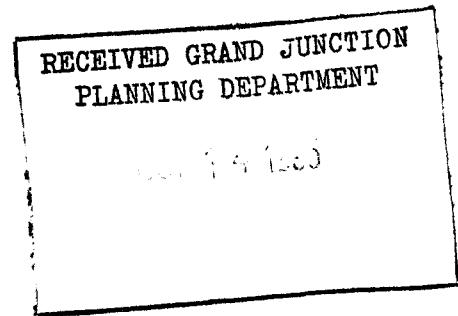
# ESTES PARK SURVEYORS & ENGINEERS, INC.

Post Office Box 3047  
Estes Park, CO 80517

Telephone 970-586-5175

October 11, 1996  
W.O. 2919  
LETTERS \ 2919

Mr. Bill Nebeker, Planner  
250 North 5th Street  
City of Grand Junction  
Grand Junction, CO 81501



Re: Johnson Minor Subdivision  
Response to Review Comments

Dear Mr. Nebeker:

Thank you for forwarding the review comments for the above mentioned proposal. As you are aware we are preparing this plat for my nephew and are not totally familiar with the City process and requirements. The City staff has been quite helpful.

Our response below to the review comments are listed by department, agency, etc. and numbered in the sequence of the "REVIEW COMMENTS" you sent to us in mid-September and are as follows:

## CITY COMMUNITY DEVELOPMENT

1. This division will only be for 2 lots and it is not anticipated that additional lots will be requested in the future. If it will help avoid problems in the future, we can add a note to the plat.
2. A multi-purpose easement has been added to the plat to cover an existing electric and telephone service.
3. A 40 foot wide half-width right-of-way has been indicated upon the plat. The existing fence along the side of the road will be removed.
4. The nearest sanitary sewer line is well over 400 feet from the property. The owners would therefore request a variance to allow the proposed land division with on-lot septic systems. The existing home is served with a septic system which has functioned very well for many years. If a system failure does occur sometime in the future, there is adequate space on each lot to construct an additional absorption bed.
5. A multi-purpose easement was added to the plat and the dedication statement remains unchanged.
6. The statement regarding expenses for street paving has been removed.

## CITY DEVELOPMENT DIRECTOR

This division will only be for 2 lots and it is not anticipated that additional lots will be requested in the future. If it will help avoid problems in the future, we can add a note to the plat.

#### **CITY UTILITY ENGINEER**

The nearest sanitary sewer line is well over 400 feet from the property. The owners would therefore request a variance to allow the proposed land division with on-lot septic systems. The existing home is served with a septic system which has functioned very well for many years. If a system failure does occur sometime in the future, there is adequate space on each lot to construct an additional absorption bed.

#### **CITY PROPERTY AGENT**

1. Additional verbiage has been added to all monumentation notes that indicates the existing and set corners will be placed with concrete.
2. The owners title insurance policy indicates the ownership as shown upon the plat as does the assessors record description. The Johnsons have conferred with their neighbor to the North relative to this discrepancy. A survey they commissioned in 1987 indicates the common boundary line as following the existing fence. In addition, the fence along the north property has been in it's current location for as many years as the Reynolds and Johnsons have owned their properties, 1962 and 1978 respectively. Therefore, a property line agreement has been drafted which identifies the north line as their common property line in accordance with this plat. A copy of this agreement is attached.
3. The property line agreement will be signed, recorded and the recording data will be added to the plat. A provision for this data has been anticipated at the end of the description in the dedication and as a note in large letters on the survey portion of the plat.
4. A multi-purpose easement has been added to the plat to cover an existing electric and telephone service.
5. The Johnsons are now in the process of refinancing and will have the lienholder sign the plat. A separate notary statement has been provided. If a separate certificate for the lienholder is required, please forward the same by FAX to 970-586-6331 .

#### **CITY FIRE DEPARTMENT**

The owner requests that the City Council consider a variance from the requirement to install a fire hydrant as a condition of approval for this division. It does appear financially burdensome to require such a substantial expense to justify the creation of one additional building site.

#### **MESA COUNTY PLANNING**

1. A neighborhood circulation plan cannot be developed by an owner of only two acres with frontage and access to only one street. An alternate access is not available or planned at this time.
2. The owner is aware and accepts the fact that the proposed lot layout does not allow for additional development of this property.
3. A common access would not function properly as the current garage is only 8 feet from the South property line. Access to lot 2 would then curve northerly to avoid the garage thereby utilizing most of what would normally be the private backyard of lot 1. Conversely, lot 1 cannot readily utilize the access from the north and still pull a vehicle into the existing garage in the forward position. The property is currently served by drives at the northeast and southeast corners and has been for 25 years.

October 11, 1996  
W.O. 2919  
Page 2  
Mr. Bill Nebeker

**GRAND JUNCTION DRAINAGE DISTRICT**

1. Both lots drain to the southeast in an overland, sheet flow fashion. Neither lot is dependent upon the other to carry this natural flow to a defined location.
2. Each lot is over one acre in size. Lot 1 currently supports a single family residence and several outbuildings. This situation is not proposed to be altered at this time. Lot 2 is vacant and has a ground cover of sparse native grasses. In the coming year, a single family home will be constructed. Landscaping around the home shall include blue grass sod and planter beds. Storm water runoff will not be increased and irrigation water will only be sufficient to sustain the new landscape materials. Therefore, it is anticipated that the historic rate of discharge will not be modified.

**UTE WATER**

It is understood that policies and fees of Ute Water will govern the use of domestic water for the new residence on Lot 2.

Again, thank you for your assistance in preparing this proposal. If you have any questions or need additional information, please contact us.

Respectfully yours,

Estes Park Surveyors & Engineers, Inc.



Paul M. Kochevar, P.E. & P.L.S.  
President

Gary & Vicki Johnson  
Mike & Paula Kochevar

To: Bill Nebeker  
From: Trenton Prall  
Subject: Johnson Minor Sub / RZF96-194  
Date: 10/22/96 Time: 1:51PM

Please ensure the conditions of approval include something to the effect "Any further subdividing of these lots will require for public sewer to be extended. In accordance with Section 38-35 of the City Municipal Code, these lots will be required to connect to sewer within 120 days of public sewer being available."

TCP

STAFF REVIEW - PLANNING COMMISSION REPORT - NOVEMBER 5, 1996 HEARING

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FILE: RZF-96-194  
DATE: October 30, 1996  
STAFF: Bill Nebeker  
REQUEST: Two lot residential subdivision (Johnson Minor Subdivision), Rezone from RSF-R to RSF-4, and Variance to allow an on-site septic system in lieu of city sewer  
LOCATION: 693 25 Road; Tax Parcel #2945-041-00-004.  
APPLICANT: Gary & Vicki Johnson

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EXECUTIVE SUMMARY: The applicant proposes a two lot minor residential subdivision, rezone from RSF-R to RSF-4, and a variance to Section 5-1-8A to allow a septic system in lieu of city sewer. An additional lot will be created in the rear with access to 25 Road over a flagpole wide enough to accommodate a portion of a future street, if further subdivision of the parcel is proposed in the future. The variance is required for the additional home to be serviced by a septic system since sewer is not located within 400 feet of the property. Future development will require the extension of sewer. Both homes must connect to sewer within 120 days after sewer is located within 400 feet of the property. Staff recommends approval of all requests with conditions.

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EXISTING LAND USE: single family home on front, vacant on rear

PROPOSED LAND USE: residential single family home

SURROUNDING LAND USE:

NORTH: single family home  
SOUTH: agricultural  
EAST: agricultural  
WEST: single family home

EXISTING ZONING: RSF-R

PROPOSED ZONING: RSF-4

SURROUNDING ZONING:

NORTH: RSF-R  
SOUTH: RSF-R  
EAST: PR 3.8  
WEST: RSF-R

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RELATIONSHIP TO COMPREHENSIVE PLAN: The Planning Commission adopted Growth Plan recommends that this area develop as Residential High Density 8-11.9 dwelling units per acre. The density of the proposed subdivision is approximately 1.1 dwellings per acre.

STAFF ANALYSIS: The applicant proposes to subdivide a 2.1 acre lot into 2 lots of 1.06 acres a piece. To accomplish this the parcel must be rezoned since it is already smaller than the 5 acre minimum lot size required in the RSF-R zone. The applicant has proposed to rezone to RSF-4, even though a density of only 1 dwelling per acre, which could be accommodated with RSF-1, is proposed for the property. The RSF-4 zoning is sought because it only requires lots with 20 feet of frontage on a public street. RSF-1 and RSF-2 require 50 feet of frontage. Providing 50 feet of frontage for the rear lot will conflict with owner's pool.

The subdivision proposes one lot in the front along 25 Road and one flag lot in the rear with a 390 foot long and 20 foot wide flagpole providing the access to 25 Road. Staff's concern is that a zoning density of 4 units per acre encourages future subdivision of these parcels, without providing appropriate access. Instead of the present configuration, staff recommends that lot 2's street frontage be increased to 28.5 feet to allow for extension of a future public street and further subdivision of the parcels to the rear.

The 28.5 feet would accommodate 22 feet of pavement mat and curb, gutter and sidewalk in the remaining 6.5 feet for partial completion of a standard urban residential street. The remainder of the pavement mat and curb, gutter and sidewalk would be built on the adjacent property owned by the Reynolds. The entire street could be shifted to the north depending on the timing of further development of the Reynolds property, but at a minimum there would be sufficient room for two lanes of traffic on a street within the Johnson property if it was to further develop first.

The applicant claimed that all utilities were existing to the site, however sewer is not available within 400 feet of the proposed subdivision. Section 5-1-8A of the Grand Junction Zoning and Development Code requires that all lots be served by a sewer system connected to a public wastewater treatment facility unless, 1- an existing on-site sewage disposal system is in good operating condition and meets the requirements of City Code; and 2- the closest available sewer line is more than 400 feet from the lot and a replacement on-site system, meeting State and County Health Department standards, can be installed. Since an on-site system is currently not available on the rear lot, a variance must be sought for a septic system to be installed in lieu of connecting to the public sewer.

The sewer currently exists 1250 feet south of the property. When the sewer is extended within 400 feet of this subdivision, the owners of both lots will be required to connect to the public sewer line within 120 days. A note shall be placed on the plat indicating this requirement of City Code Section 38-35. Future subdivision will require extension of the sewer. A fire hydrant is required along 25 Road, located within 250 feet of both lot frontages. Although initially the applicant requested a waiver of this requirement, they have agreed with staff to provide this improvement.

Staff finds that the proposed rezone meets the criteria established in Section 4-4-4 of the Grand Junction Zoning and Development Code as noted below:

- A. **Was the existing zone an error at the time of adoption?** No. This parcel was zoned to a density to reflect its existing density when annexed into the City.
- B. **Has there been a change in character in the area due to the installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.?** Yes. Growth in the general area warrants subdivision of this parcel to allow a greater density. Further subdivision of this parcel will require the extension of sewer and a public street.
- C. **Is there an area of community need for the proposed rezone?** Yes. Rezones from rural density residential to medium density residential are necessary to provide higher densities within the City's growth area.
- D. **Is the proposed rezone compatible with the surrounding area or will there be adverse impacts?** There are no foreseen adverse impacts with this rezone and the surrounding area.
- E. **Will there be benefits derived by the community, or area, by granting the proposed rezone?** Yes. The rezone and subdivision allow development in the rear of a parcel otherwise limited to one home and agricultural use. The size of the parcel does not lend itself to profitable agricultural uses.
- F. **Is the proposal in conformance with the policies, intents and requirements of this Code, with the City Master Plan (Comprehensive Plan), and other adopted plans and policies?** The Growth Plan Map shows this area developing as residential 8 to 11.9 dwellings per acre. The rezone request is for 4 units per acre.
- G. **Area adequate public facilities available to serve development for the type and scope suggested by the proposed zone?** Sewer is not located within 400 feet of the subject site. A septic system for the rear parcel will be allowed if a variance is approved by City Council. Future subdividing of this property will require a sewer extension, and dedication and construction of a public street which will provide safe emergency vehicle access. One additional lot will provide a minimal impact on schools in the area.

STAFF RECOMMENDATION: Approval of the rezone, subdivision and variance request subject to the following conditions:

1. Lot 2 shall be reconfigured to have a 28.5' wide flagpole to 25 Road.
2. A fire hydrant shall be installed along 25 Road within 250 feet of both lot frontages. The minimum fire line size is 6 inches. A revised utility composite map shall be submitted showing the location of the hydrant. The hydrant must be installed prior to recordation of



the plat unless a development improvements agreement has been approved guaranteeing installation of the hydrant prior to obtaining a building permit.

3. A note shall be placed on the plat stating that future subdivision of either of these lots will require the dedication and construction of a street with appropriate turnaround and extension of the sewer line. A note shall also be placed on the plat stating that both lots will connect to city sewer within 120 days of its extension to within 400 feet of the subdivision. Exact wording to be determined by staff prior to plat recordation.
4. A \$225 open space fee is required at the time of platting.

**RECOMMENDED PLANNING COMMISSION MOTION:**

Mr. Chairman, on item 96-194 I move that we:

1. Forward a recommendation of approval to the City Council for the rezone of this parcel from RSF-R to RSF-4 and for a variance to Section 5-1-8A for the rear lot to allow an on-site septic system in lieu of city sewer.
2. Approve the Johnson Minor Subdivision based upon staff's recommendation.

STAFF REVIEW - CITY COUNCIL REPORT - NOVEMBER 20, 1996 HEARING

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FILE: RZF-96-194  
DATE: November 6, 1996  
STAFF: Bill Nebeker  
REQUEST: Rezone from RSF-R to RSF-4 and Variance to allow an on-site septic system in lieu of city sewer  
LOCATION: 693 25 Road; Tax Parcel #2945-041-00-004.  
APPLICANT: Gary & Vicki Johnson

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EXECUTIVE SUMMARY: The applicant proposes to rezone a 2.1 acre parcel from RSF-R to RSF-4 in conjunction with a two lot minor residential subdivision request previously heard and approved by the Planning Commission. A variance to Section 5-1-8 to allow a septic system in lieu of city sewer is also sought. An additional lot will be created in the rear of the parcel at 693 23 Road. The variance is required for the additional home to be serviced by a septic system since sewer is not located within 400 feet of the property. Future development will require the extension of sewer. Both homes must connect to sewer within 120 days after sewer is located within 400 feet of the property. Staff recommends approval of both requests with conditions.

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EXISTING LAND USE: single family home on front, vacant on rear

PROPOSED LAND USE: residential single family home

SURROUNDING LAND USE:

NORTH: single family home  
SOUTH: agricultural  
EAST: agricultural  
WEST: single family home

EXISTING ZONING: RSF-R

PROPOSED ZONING: RSF-4

SURROUNDING ZONING:

NORTH: RSF-R  
SOUTH: RSF-R  
EAST: PR 3.8  
WEST: RSF-R

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RELATIONSHIP TO COMPREHENSIVE PLAN: The Planning Commission adopted Growth Plan recommends that this area develop as Residential High Density 8-11.9 dwelling units per acre. The density of the proposed subdivision is approximately 1.1 dwellings per acre.

STAFF ANALYSIS: The applicant proposes to subdivide a 2.1 acre lot into 2 lots of 1.06 acres a piece. To accomplish this the parcel must be rezoned to a higher density. The applicant has proposed to rezone to RSF-4, even though a density of only 1 dwelling per acre which could be accommodated with RSF-1 is proposed for the property. The RSF-4 zoning requires lots with 20 feet of frontage on a public street whereas RSF-1 and RSF-2 require 50 feet of frontage. Providing 50 feet of frontage for the rear lot will conflict with owner's pool adjacent to the home on the front lot.

Section 5-1-8A of the Grand Junction Zoning and Development Code requires that all lots be served by a sewer system connected to a public wastewater treatment facility unless, 1- an existing on-site sewage disposal system is in good operating condition and meets the requirements of City Code; and 2- the closest available sewer line is more than 400 feet from the lot and a replacement on-site system, meeting State and County Health Department standards, can be installed. Since an on-site system is currently not available on the rear lot, a variance must be sought for a septic system to be installed in lieu of connecting to the public sewer.

The sewer currently exists 1250 feet south of the property. When the sewer is extended within 400 feet of this subdivision, the owners of both lots will be required to connect to the public sewer line within 120 days. A note will be placed on the plat indicating this requirement of City Code Section 38-35. Future subdivision will require extension of the sewer.

Staff finds that the proposed rezone meets the criteria established in Section 4-4-4 of the Grand Junction Zoning and Development Code as noted below:

- A. **Was the existing zone an error at the time of adoption?** No. This parcel was zoned to a density to reflect its existing density when annexed into the City.
- B. **Has there been a change in character in the area due to the installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.?** Yes. Growth in the general area warrants subdivision of this parcel to allow a greater density. Further subdivision of this parcel will require the extension of sewer and a public street.
- C. **Is there an area of community need for the proposed rezone?** Yes. Rezones from rural density residential to medium density residential are necessary to provide higher densities within the City's growth area.
- D. **Is the proposed rezone compatible with the surrounding area or will there be adverse impacts?** There are no foreseen adverse impacts with this rezone and the surrounding area.

- E. **Will there be benefits derived by the community, or area, by granting the proposed rezone?** Yes. The rezone and subdivision allow development in the rear of a parcel otherwise limited to one home and agricultural use. The size of the parcel does not lend itself to profitable agricultural uses.
- F. **Is the proposal in conformance with the policies, intents and requirements of this Code, with the City Master Plan (Comprehensive Plan), and other adopted plans and policies?** The Growth Plan Map shows this area developing as residential 8 to 11.9 dwellings per acre. The rezone request is for 4 units per acre.
- G. **Area adequate public facilities available to serve development for the type and scope suggested by the proposed zone?** Sewer is not located within 400 feet of the subject site. A septic system for the rear parcel will be allowed if a variance is approved by City Council. Future subdividing of this property will require a sewer extension, and dedication and construction of a public street which will provide safe emergency vehicle access. One additional lot will provide a minimal impact on schools in the area.

**STAFF RECOMMENDATION:** Approval of the rezone and variance request subject to the following condition:

A note shall be placed on the plat stating that future subdivision of either of these lots will require extension of the sewer line. A note shall also be placed on the plat stating that both lots will connect to city sewer within 120 days of its extension to within 400 feet of the subdivision. Exact wording to be determined by staff prior to plat recordation.

**PLANNING COMMISSION RECOMMENDATION:** Approval with the condition noted above.



G ROAD

25 ROAD

RZF-96-194  
JOHNSON MINOR SUBDIVISION



CITY OF GRAND JUNCTION

Ordinance No. \_\_\_\_\_

REZONING PROPERTY TO BE KNOWN AS  
JOHNSON MINOR SUBDIVISION, LOCATED ON THE  
WEST SIDE OF 25 ROAD, SOUTH OF G ROAD  
FROM RSF-R TO RSF-4

Recitals.

A rezone from RSF-R to RSF-4 (residential with a density not to exceed 4 dwellings per acre) has been requested for a 2.1 acre parcel located at 693 25 Road. The parcel will be divided into lots 1 and 2 of Johnson Minor Subdivision. The subdivision will allow the construction of a home on the rear parcel. There is an existing home on the front parcel. The subdivision was previously approved by the Planning Commission at its November 5, 1996 hearing, pending adoption of this ordinance. The proposed density is less than the density recommended on the adopted Growth Plan which shows this area developing at 8-11.9 dwellings per acre.

At their November 5, 1996 hearing, the Grand Junction Planning Commission recommended approval of this rezone request.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

City Council finds that the requested rezone meets the criteria as set forth in Section 4-4-4 of the Grand Junction Zoning and Development Code and in accordance therewith the following described parcel is hereby rezoned from RSF-R to RSF-4:

A parcel of land described in Book 1160, Page 392 of the Mesa County Clerk and Records Office, and being situated in the NE1/4 NE1/4 Section 4, T.1S, R.1W Ute Meridian, Mesa County, Colorado, being more particularly described as follows: The south 2 acres of the east 7 acres of the east 9/10 of the north 1/3 of the east 3/4 of the NE1/4 NE/4 Section 4, T.1S, R.1W Ute Meridian.

INTRODUCED for FIRST READING and PUBLICATION this     day of     1996.

PASSED on SECOND READING this     day of     1996.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
President of City Council



## Memorandum

DATE: December 6, 1996  
TO: Dan Wilson  
FROM: Bill Nebeker *BN*  
RE: Johnson Minor Subdivision - plat note and agreement per Council approval

Please review the following wording for a plat note and recorded agreement for this subdivision. Return comments to me by 12-18-96. Thanks.

Proposed wording for plat:

**NOTE ON PLAT:** Further subdivision of either lot in Johnson Minor Subdivision will require the dedication and improvement of a public street with appropriate turnaround and the extension of sewer to existing and future lots. Regardless of whether either lot is further subdivided, at the time that public sewer is available within 400 feet of the lots in this subdivision, the sewer line will be extended and connected to the homes on lots 1 and 2 within 120 days in accordance with City Code Section 38-35.

**Proposed wording for agreement or notice should include the following portion of the note above:** At the time that public sewer is available within 400 feet of the lots in this subdivision, the sewer line will be extended and connected to the homes on lots 1 and 2 within 120 days in accordance with City Code Section 38-35.

and

The further subdividing of lot 1, Johnson Minor Subdivision will require the cooperation and participation of lot 2 for the dedication of a public right-of-way over its 28.5 foot wide panhandle that provides access to 25 Road.

# Memorandum

DATE: December 24, 1996  
TO: Steve Pace  
FROM: Bill Nebeker *BN*  
RE: Johnson Minor Subdivision - Boundary Line Agreement

The attached property line agreement was submitted by the applicant for this subdivision. Is the agreement necessary or is it optional? Please review it and let me know by 1-13-97. I've also attached a copy of one of the most recent plat copies. Please return the plat. Thanks.

*THE AGREEMENT  
IS NECESSARY & NEEDS  
TO BE RECORDED w/ RECORDING  
INFO PUT ON THE PLAT.  
STEVE*

R2F-96-194

CITY OF GRAND JUNCTION  
DEPARTMENT OF PUBLIC WORKS & UTILITIES  
250 NORTH 5TH STREET  
GRAND JUNCTION, CO 81501  
(970) 244-4003

1799702 0842AM 05/23/97  
MONIKA TODD CLR&REC MESA COUNTY CO

TO THE MESA COUNTY CLERK & RECORDER:

THIS IS TO CERTIFY that the herein named Subdivision Plat,

JOHNSON MINOR SUBDIVISION

Situated in the NE 1/4 of Section 4,

Township 1 SOUTH, Range 1 WEST,

of the UTE Meridian in the City of Grand Junction, County of Mesa, State of Colorado, has been reviewed under my direction and, to the best of my knowledge, satisfies the requirements pursuant to C.R.S. 38-51-106 and the Zoning and Development Code of the City of Grand Junction for the recording of subdivision plats in the office of the Mesa County Clerk and Recorder.

This certification makes no warranties to any person for any purpose. It is prepared to establish for the County Clerk and Recorder that City review has been obtained. This certification does not warrant: 1) title or legal ownership to the land hereby platted nor the title or legal ownership of adjoining; 2) errors and/or omissions, including, but not limited to, the omission(s) of rights-of-ways and/or easements, whether or not of record; 3) liens and encumbrances, whether or not of record; 4) the qualifications, licensing status and/or any statement(s) or representation(s) made by the surveyor who prepared the above-named subdivision plat.

Dated this 2 day of May, 1997.

City of Grand Junction,  
Department of Public Works & Utilities

By: James L. Shanks  
James L. Shanks, P.E., P.L.S.  
Director of Public Works & Utilities

Recorded in Mesa County  
Date: \_\_\_\_\_  
Plat Book: 15 Page: 316  
Drawer: DDSY  
g:\special\platcert.doc

CITY OF GRAND JUNCTION

Ordinance No. 2959

REZONING PROPERTY TO BE KNOWN AS  
JOHNSON MINOR SUBDIVISION, LOCATED ON THE  
WEST SIDE OF 25 ROAD, SOUTH OF G ROAD  
FROM RSF-R TO RSF-4

Recitals.

A rezone from RSF-R to RSF-4 (residential with a density not to exceed 4 dwellings per acre) has been requested for a 2.1 acre parcel located at 693 25 Road. The parcel will be divided into lots 1 and 2 of Johnson Minor Subdivision. The subdivision will allow the construction of a home on the rear parcel. There is an existing home on the front parcel. The subdivision was previously approved by the Planning Commission at its November 5, 1996 hearing, pending adoption of this ordinance. The proposed density is less than the density recommended on the adopted Growth Plan which shows this area developing at 8-11.9 dwellings per acre.

At their November 5, 1996 hearing, the Grand Junction Planning Commission recommended approval of this rezone request.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

City Council finds that the requested rezone meets the criteria as set forth in Section 4-4-4 of the Grand Junction Zoning and Development Code and in accordance therewith the following described parcel is hereby rezoned from RSF-R to RSF-4:

A parcel of land described in Book 1160, Page 392 of the Mesa County Clerk and Records Office, and being situated in the NE1/4 NE1/4 Section 4, T.1S, R.1W Ute Meridian, Mesa County, Colorado, being more particularly described as follows: The south 2 acres of the east 7 acres of the east 9/10 of the north 1/3 of the east 3/4 of the NE1/4 NE/4 Section 4, T.1S, R.1W Ute Meridian.

INTRODUCED for FIRST READING and PUBLICATION this 20th day of November, 1996.

PASSED on SECOND READING this 4th day of December, 1996.

ATTEST:

Stephanie Nye  
City Clerk

Donda Cefman  
President of City Council

**CITY OF GRAND JUNCTION PLANNING COMMISSION  
GRAND JUNCTION, COLORADO**

	)	<b>PLANNING COMMISSION</b>
<b>FOR</b>	)	<b>DECISION</b>
	)	
Gary & Vicki Johnson	)	<b>RZF-96-194</b>
693 25 Road	)	
Grand Junction, CO 81505	)	

An application by Gary & Vicki Johnson, requesting approval of a final plat for a two lot minor subdivision in a proposed RSF-4 zone, located at 693 25 Road, was considered by the Planning Commission of the City of Grand Junction on November 5, 1996.

After considering all the pertinent testimony and reviewing various data, the Planning Commission approved the plan with the following conditions:

1. Lot 2 shall be reconfigured to have a 28.5 foot wide flagpole to 25 Road.
2. A fire hydrant shall be installed along 25 Road within 250 feet of both lot frontages. The minimum fire line size is 6 inches. A revised utility composite map shall be submitted showing the location of the hydrant. The hydrant must be installed prior to recordation of the plat unless a development improvements agreement has been approved guaranteeing installation of the hydrant prior to obtaining a building permit.
3. A note shall be placed on the plat stating that future subdivision of either of these lots will require the dedication and construction of a street with appropriate turnaround and extension of the sewer line. A note shall be placed on the plat stating that both lots will connect to city sewer within 120 days of its extension to within 400 feet of the subdivision. Exact wording to be determined by staff prior to plat recordation.
4. A \$225 open space fee is required at the time of platting.

NOTE: At its November 20, 1996 hearing the Grand Junction City Council approved an ordinance rezoning this property to RSF-4 and approved a variance for a septic tank with condition #3 noted above.

Please make the above corrections on the utility composite and final plat and submit three copies of each for final review. Upon final approval you will be directed to submit a signed mylar and a computer disk with the subdivision. If you have any questions please call Bill Nebeker at 244-1447.

The undersigned does hereby declare that the said Planning Commission reached its decision as heretofore noted.

Bill Nebeker

Bill Nebeker  
Senior Planner

# FINAL APPROVAL CHECKLIST

NAO 1. Development Improvements Agreement (DIA) #

NAO 2. Improvements Guarantee (type used: \_\_\_\_\_) #

INSTALLED PER HOME INSPECTION

5-19-97  3. Final Plans # — FIRE HYDRANT TO BE INSTALLED & INSPECTED PRIOR TO PLAT RECORDING

NAO 4. Articles of Incorporation of HOA

NAO 5. CC&Rs

          6. Plat

\$20  7. Disk of Plat

8. UCC Approval 5-14-97

9. TCP Credit Request NA \$500 PER LOT 2

10. City Surveyor Certificate

          11. AGREEMENT

# : Minimum required for commencement of construction

## FEES

Open Space Fees - \$ 225 (1 EXTRA LOT)

TCP - \$ 500 /lot (1 EXTRA ~~LOT~~ HOME)

School Impact Fee - \$ 292 /lot (1 EXTRA ~~LOT~~ HOME)



TYPE LEGAL DESCRIPTION(S) BELOW, USING ADDITIONAL SHEETS AS NECESSARY. USE SINGLE SPACING WITH A ONE INCH MARGIN ON EACH SIDE.

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BEG SE COR N3E3/4NE4NE4 SEC 4 IS IW W 680FT N 140FT E 680FT S TO BEG