

PRE-APPLICATION CONFERENCE

Date: 3/11/96

Conference Attendance: Marvin Maldonado

Proposal: Danance

Location: 527 W. Quay

Tax Parcel Number: 2945-151-09-007

Review Fee: 180.00

(Fee is due at the time of submittal. Make check payable to the City of Grand Junction.)

Additional ROW required? _____

Adjacent road improvements required? _____

Area identified as a need in the Master Plan of Parks and Recreation? _____

Parks and Open Space fees required? _____ Estimated Amount: _____

Recording fees required? _____ Estimated Amount: _____

Half street improvement fees/TCP required? _____ Estimated Amount: _____

Revocable Permit required? _____

State Highway Access Permit required? _____

On-site detention/retention or Drainage fee required? _____

Applicable Plans, Policies and Guidelines _____

Located in identified floodplain? FIRM panel # _____

Located in other geohazard area? _____

Located in established Airport Zone? Clear Zone, Critical Zone, Area of Influence? _____

Avigation Easement required? _____

While all factors in a development proposal require careful thought, preparation and design, the following "checked" items are brought to the petitioner's attention as needing special attention or consideration. Other items of special concern may be identified during the review process.

- Access/Parking, Drainage, Floodplain/Wetlands Mitigation, Other, Screening/Buffering, Landscaping, Availability of Utilities, Land Use Compatibility, Traffic Generation, Geologic Hazards/Soils

Related Files: _____

It is recommended that the applicant inform the neighboring property owners and tenants of the proposal prior to the public hearing and preferably prior to submittal to the City.

PRE-APPLICATION CONFERENCE

WE RECOGNIZE that we, ourselves, or our representative(s) must be present at all hearings relative to this proposal and it is our responsibility to know when and where those hearings are.

In the event that the petitioner is not represented, the proposed item will be dropped from the agenda, and an additional fee shall be charged to cover rescheduling expenses. Such fee must be paid before the proposed item can again be placed on the agenda. Any changes to the approved plan will require a re-review and approval by the Community Development Department prior to those changes being accepted.

WE UNDERSTAND that incomplete submittals will not be accepted and submittals with insufficient information, identified in the review process, which has not been addressed by the applicant, may be withdrawn from the agenda.

WE FURTHER UNDERSTAND that failure to meet any deadlines as identified by the Community Development Department for the review process may result in the project not being scheduled for hearing or being pulled from the agenda.

Signature(s) of Petitioner(s)

Signature(s) of Representative(s)

VARIANCE

VAR-96-87

Location: 527 W. Quay

Project Name: Frontyard variance

ITEMS		DISTRIBUTION													TOTAL REQ'D.						
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 Planning Rec.	County Planning	Code Enforcement	Sign Consultant									
Date Received	3/29/96																				
Receipt #	# 3759- for 180																				
File #	VAR 96-87																				
● Application Fee	\$180 ⁰⁰	VII-1	1																		
● Submittal Checklist *		VII-3	1																		
● Review Agency Cover Sheet *		VII-3	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 * Co. Assessor		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 - large assessor's map		IX-21	1																		
● Vicinity Sketch - site Plan		IX-33	1	1	1	1	1	7	1	1	1	1	2								
2945-151-09-107																					

6
13
13
3
1
13
1
13

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

Vol-96-87

4-26-96

To: City of Grand Junction

The reason of wanting to put the Garage on the west side of the driveway is because the east side has Lawn and Bushes and trees.

The west side has gravel on top of plastic, it also has two trees I will cut down, it also has three sheds I will remove.

By putting the garage on the west side, it will eliminate the sheds and beautify the yard.

I'm wanting the garage close to the house so it's not so far to walk. plus I might buy a new car and a new motorcycle and I can lock them up.

Thank you.

Maria E. Maldonado

C. L. ...

2945-151-00-038
JOHN BERA
ALMA
416 W GRAND AVE
GRAND JUNCTION, CO 81505-7307

2945-151-00-055
JOHN TRUJILLO
V S
323 W OURAY AVE
GRAND JUNCTION, CO 81505-7223

2945-151-00-072
BETTY GILSDORF
C/O BETTY WHITEHORN
2558 TANGO DR
NORTH POLE, AK 99705-6545

2945-151-00-941
CITY OF GRAND JUNCTION

GRAND JUNCTION, CO 81501

2945-154-11-004
DIONICIA ARRIETA
JOSE ARRIETA SR
444 PARK AVE
GRAND JUNCTION, CO 81505-1647

2945-154-11-010
FRANK M CORDOVA
MARCIA
401 W GRAND AVE
GRAND JUNCTION, CO 81505-7306

2945-154-32-002
ROBERT W KEMP
ASENATH I
635 W WHITE AVE
GRAND JUNCTION, CO 81505-7336

2945-154-12-002
WILLIAM B THOMPSON
AUDREY C
214 EASTER HILL DR
GRAND JUNCTION, CO 81503-1175

2945-154-12-007
JUDY TATTERSHALL
PHYLLIS BESS & JOYCE STUCKER
2694 MILO DR
GRAND JUNCTION, CO 81503-1948

2945-151-09-003
FELIX MALDONADO
1944 N 22ND ST
GRAND JUNCTION, CO 81501-6718

2945-151-00-053
JENNIE TRUJILLO
MARGARET BALERIO
312 SOUTH AVE
GRAND JUNCTION, CO 81501-2417

2945-151-00-066
ISIDORE GARCIA
ROSIE M
501 W OURAY AVE
GRAND JUNCTION, CO 81505-7234

2945-151-00-074
JAUN BAPTISTA BERA
ALMA
416 W GRAND AVE
GRAND JUNCTION, CO 81505-7307

2945-151-12-010
GNT DEVELOPMENT COR

PO BOX 308
GRAND JUNCTION, CO 81502-0308

2945-154-11-008
MARIA G TRUITT
445 CROSBY AVE
GRAND JUNCTION, CO 81505-7240

2945-154-09-937
MESA COUNTY BOARD OF COUNTY
COMMISSIONER
750 MAIN ST
GRAND JUNCTION, CO 81501-3536

2945-154-12-006
T M L PROJECT TWO
C/O ART SULLEY
PO BOX 3545
GRAND JUNCTION, CO 81502-3545

2945-154-12-003
WILLIAM B THOMPSON
AUDREY C
214 EASTER HILL DR
GRAND JUNCTION, CO 81503-1175

2945-154-12-005
NANCY ARCHULETA
CONRAD - ETAL
1224 N WINCHELL ST
PORTLAND, OR 97217-6549

2945-151-09-004
VIRGINIA S TRUJILLO
323 W OURAY AVE
GRAND JUNCTION, CO 81505-7223

2945-151-00-054
RICHARD ROCHA
13802 N 32ND ST STE 7
PHOENIX, AZ 85032-5638

2945-151-00-067
JOHN BERA
ALMA
416 W GRAND AVE
GRAND JUNCTION, CO 81505-7307

2945-151-00-106
MAC BERA
BERNICE E
414 W GRAND AVE
GRAND JUNCTION, CO 81505-7307

2945-154-00-942
SCHOOL DISTRICT 51
RIVERSIDE ELEMENTARY
2115 GRAND AVE
GRAND JUNCTION, CO 81501-8007

2945-154-11-009
JAMES GOLDEN
KEITH G MUMBY
PO BOX 398
GRAND JUNCTION, CO 81502-0398

2945-154-32-001
ROBERT K SACCO
J HOLMES JR- SURP CTY PRFMC CN
616 N 1ST ST
GRAND JUNCTION, CO 81501-2234

2945-154-12-001
WILLIAM B THOMPSON
AUDREY C
214 EASTER HILL DR
GRAND JUNCTION, CO 81503-1175

2945-154-12-004
WILLIAM B THOMPSON
AUDREY C
214 EASTER HILL DR
GRAND JUNCTION, CO 81503-1175

2945-151-09-002
KIM R DECOURSEY
ETAL
725 HILL AVE
GRAND JUNCTION, CO 81501-3229

2945-151-09-007
MARVIN E MALDONADO
527 W OURAY AVE
GRAND JUNCTION, CO 81505-7234

2945-151-09-008
MARVIN EFRAIN MALDONADO

527 W OURAY AVE
GRAND JUNCTION, CO 81505-7234

2945-151-09-005
ALBERT MALDONADO
VIRGINIA M
324 W GRAND AVE
GRAND JUNCTION, CO 81505-7339

2945-151-09-009
MARVIN EFRAIN MALDONADO

527 W OURAY AVE
GRAND JUNCTION, CO 81505-7234

2945-151-09-001
JOHN D MOORE
1221 HERMOSA AVE
GRAND JUNCTION, CO 81506-4054

2945-151-09-006
FRANK MALDONADO
402 W GRAND AVE
GRAND JUNCTION, CO 81505-7307

March 29, 1996

City of Grand Junction

A. I would like to build a garage 24' X 40' on the property line. There is an easement for a ditch from my property to the road, which is considered the front of the property, but it is actually the side of the property. The easement is 30 feet from my property line to the road.

B. It will upgrade the property. *Replacing an existing building.*

Thank you,

Marvin E. Maldonado
527 West Ouray Ave.
Grand Junction, CO 81505

REVIEW COMMENTS

Page 1 of 1

FILE # VAR-96-87

TITLE HEADING: Variance - Front Yard Setback

LOCATION: 527 W. Ouray

PETITIONER: Marvin Maldonado

PETITIONER'S ADDRESS/TELEPHONE: 527 W. Ouray
Grand Junction, CO 81505
241-5303

PETITIONER'S REPRESENTATIVE: Marvin Maldonado

STAFF REPRESENTATIVE: Kristen Ashbeck

NOTE: THE PETITIONER IS REQUIRED TO SUBMIT FOUR (4) COPIES OF WRITTEN RESPONSE AND REVISED DRAWINGS ADDRESSING ALL REVIEW COMMENTS NO LATER THAN 5:00 P.M., APRIL 26, 1996.

CITY UTILITY ENGINEER 4/16/96
Trent Prall 244-1590

No Comment.

CODE ENFORCEMENT 4/17/96
Jan Koehn 244-1593

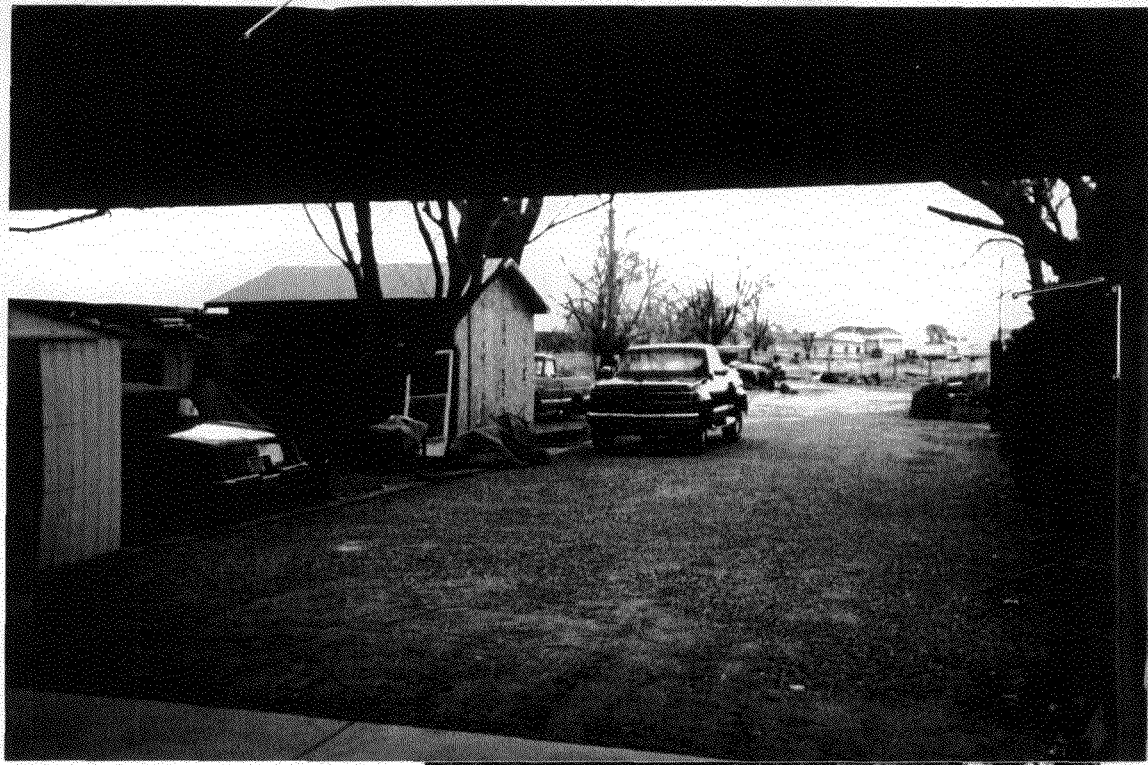
It appears from the attached sketch that the proposed building is placed directly on property line. Should a side or rear yard setback be met? The proposed garage also appears to be substantially larger than the existing building. Will the outdoor storage violations be eliminated by placing these goods inside the new building? Could this be a condition of approval (Removing outdoor storage/junk violations).

COMMUNITY DEVELOPMENT DEPARTMENT 4/19/96
Kristen Ashbeck 244-1437

1. What is the variance being requested? (number of feet)
2. Is the applicant certain that the ditch is not his property? Typically, "easements" are on private property, not in the public right-of-way. Please verify.
3. Why can't the garage be built on the eastern side of the lot or on the other lots owned by the same owner? There appears to be enough space to do so and a variance would not be required. This must be addressed or a hardship for the variance cannot be justified.

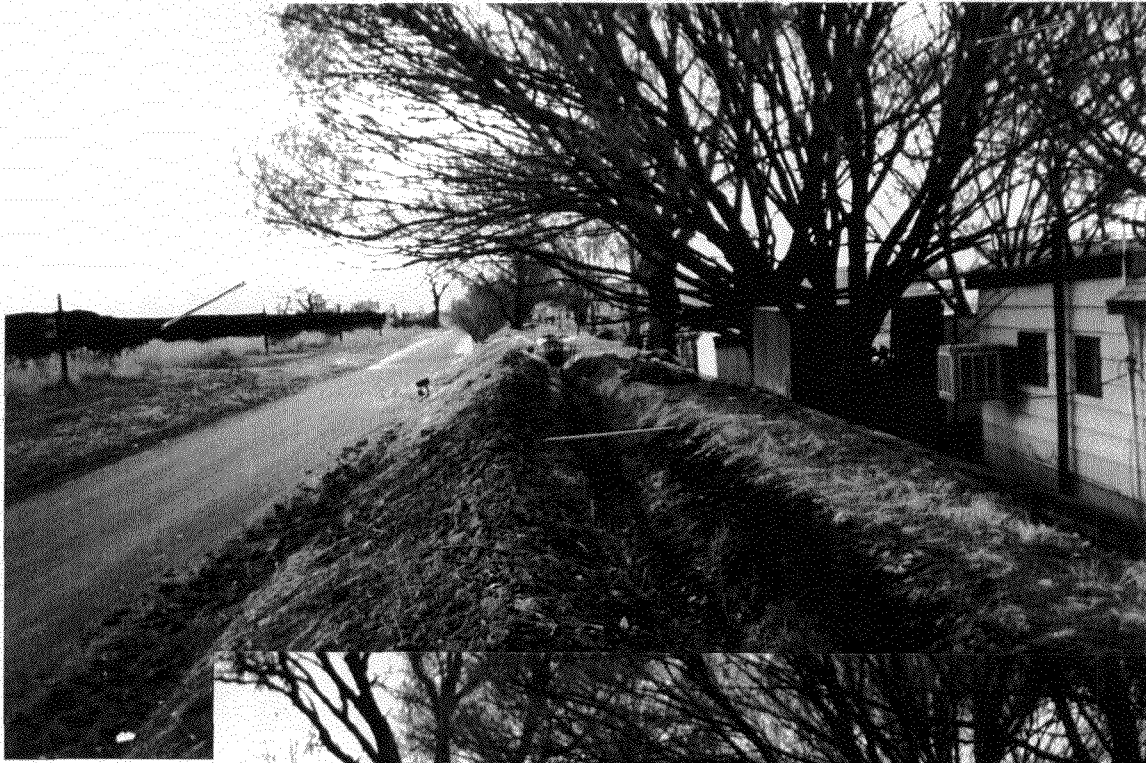
GRAND JUNCTION DRAINAGE DISTRICT 4/23/96
John Ballagh 242-4343

This variance will not intrude into any easements or access routes that the Grand Junction Drainage District uses.









JAR-96-87

To: Code Enforcement

On the question on a side & rear yard setback
will be met. The outdoor storage will
be taken care of.

Thank you

Maria E. Holdred

CITY OF GRAND JUNCTION PETITION FOR VARIANCE

DATE RECEIVED: _____

FILE NO. _____

RECEIVED BY: _____

RECEIPT NO. _____

PROPERTY OWNER: Marvin Maldonado

MAILING ADDRESS: 527 W. Ouray

PHONE: (HOME) 241-5303 (WORK) _____

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

ADDRESS: 527 W. Ouray

TAX SCHEDULE #: 2945-151-09-007 ZONE CLASSIFICATION: RMF-64

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

4-2-9-C.4 Front yard setback in RMF-64 zone

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.

Marvin E Maldonado
Signature of Property Owner

Signature of Joint Property Owner (if applicable)

3-21-96
Date

Date

May 8, 1996

Motion: *Marie-approval*
2nd- Hoffmann
3-0 Approval

BOARD OF APPEALS - STAFF REVIEW

FILE: VAR 96-87

DATE: April 30, 1996

REQUEST: Variance to Allow Accessory Structure in Front Half of Parcel and
Front Yard Setback Variance

LOCATION: 527 West Ouray

APPLICANT: Marvin Maldonado

EXISTING LAND USE: Single Family Residence w/ Several Outbuildings

PROPOSED LAND USE: Same w/ Detached Garage

SURROUNDING LAND USE:

North: Single Family Residential
South: Railroad Right-of-Way
East: Single Family Residential
West: Undeveloped

EXISTING ZONING: Residential Multifamily 64 units per acre (RMF-64)

ZONING AND DEVELOPMENT CODE REQUIREMENT:

Section 4-2-9 C.2. Accessory Structure (on rear half of parcel)

Section 4-2-9 C.3. Minimum Front Yard Setback: 45 feet from centerline of right-of-way or
20 feet, whichever is greater

APPEAL OR VARIANCE REQUESTED: 20 feet, allowing a 0-foot front yard setback for
an accessory structure in the front half of the parcel

APPLICANT'S REASON FOR REQUEST:

The applicant is proposing to construct a 24' x 40' garage to replace an existing outbuilding in the same location on the parcel. The parcel is currently accessed from the west and there is a ditch and steep embankment the length of the property along Crosby Road. Thus, the applicant considers the traditional "front" of the parcel (facing Crosby) as the side of the parcel, and the ditch provides enough of a buffer between the building and the road. Also, due to the existing landscape development and other improvements on the site, the location of the existing outbuildings is the most reasonable place for the garage to be constructed.

STAFF ANALYSIS:

The parcel located at 527 W. Ouray Avenue (Lot 7, Maldonado Subdivision) actually has no frontage on Ouray Avenue. Rather, the frontage is along Crosby Road and present access to the site is from Crosby Road through the lot to the northwest (Lot 8), also owned by the petitioner. A ditch runs along the top of a steep embankment that lies between the pavement edge of the road and the existing buildings on the parcel. The petitioner is proposing to construct an oversized garage on Lot 7 in the same location as several small existing outbuildings--directly on the front property line.

The proposed garage could possibly be located elsewhere on Lot 7 or on one of the other lots also owned by the petitioner. However, as the petitioner has pointed out, these options would require the removal of existing fencing, mature landscaping and an irrigation system. Staff agrees that the ditch does provide some buffer between the road and the buildings, and, as such, accomplishes the same separation as a front yard setback. It is not likely that Crosby Road would ever be reconstructed to eliminate the ditch. However, staff would recommend that, if the variance is approved, the setback be a minimum of 3 feet rather than the 0 feet requested in order to at least provide some space for maintenance on the garage.

The unique situation in this case is a combination of the established nature of the lot, having access from the side, the barrier of the embankment and ditch, and existing landscaping. It is reasonable to request that the garage be constructed in the same location as the existing outbuildings in order to be most functional as a garage. Location on one of the parcels would not be a convenient location for a typical garage. Staff concurs that this variance would not have an impact on the character of the neighborhood nor would it be detrimental to surrounding properties.

FINDINGS OF REVIEW:

No Conflict with Public Interest. This proposal will not conflict with the public interest.

Exceptional Conditions / Undue Hardship not Self-Inflicted. The exceptional conditions in this case are the established nature of the lot and the unusual barrier created by the embankment and ditch.

Not Detrimental to Public Health, Safety or Welfare. This proposal is not detrimental to the public health, safety or welfare.

No Reasonable Use of Property without a Variance. This property could accommodate construction of the garage without the need for a variance. However, given the character of the site and the landscaping and other improvements on the parcel, it is a reasonable request to allow a variance to site garage very similar to the plan proposed.

Not Injurious to or Reduce Value of Surrounding Properties. This proposal will not be injurious to nor will it reduce the value of surrounding properties. In fact, this improvement will actually enhance the property, thereby increasing the value of surrounding properties.

STAFF RECOMMENDATION: Approval of the front yard setback variance of 17 feet to allow a 3-foot front yard setback for an accessory structure in the front half of the parcel.

RECOMMENDED BOARD MOTIONS:

Mr. Chairman, on item VAR 96-87, a variance request of 20 feet for an accessory structure in the front half of the parcel to be located on the front property line, I move that we **APPROVE** the request for a maximum of 17 feet for the following reasons:

Mr. Chairman, on item VAR 96-87, a variance request of 20 feet for an accessory structure in the front half of the parcel to be located on the front property line, I move that we **DENY** the request for the following reasons:



May 8, 1996

Grand Junction Community Development Department
Planning • Zoning • Code Enforcement
250 North Fifth Street
Grand Junction, Colorado 81501-2668
(970) 244-1430 FAX (970) 244-1599

Mr. Marvin Maldonado
527 West Ouray
Grand Junction, Colorado 81505

RE: Front Yard Setback Variance (VAR 96-87)

Dear Mr. Maldonado,

The City of Grand Junction Board of Appeals, at its May 8, 1996 hearing, granted approval of a variance to allow an accessory structure in the front part of your parcel (tax parcel number 2945-151-09-007) with a setback from the front property line of three (3) feet. This approval was granted with the understanding that the existing outbuildings will be demolished in order to make room for construction of the new garage.

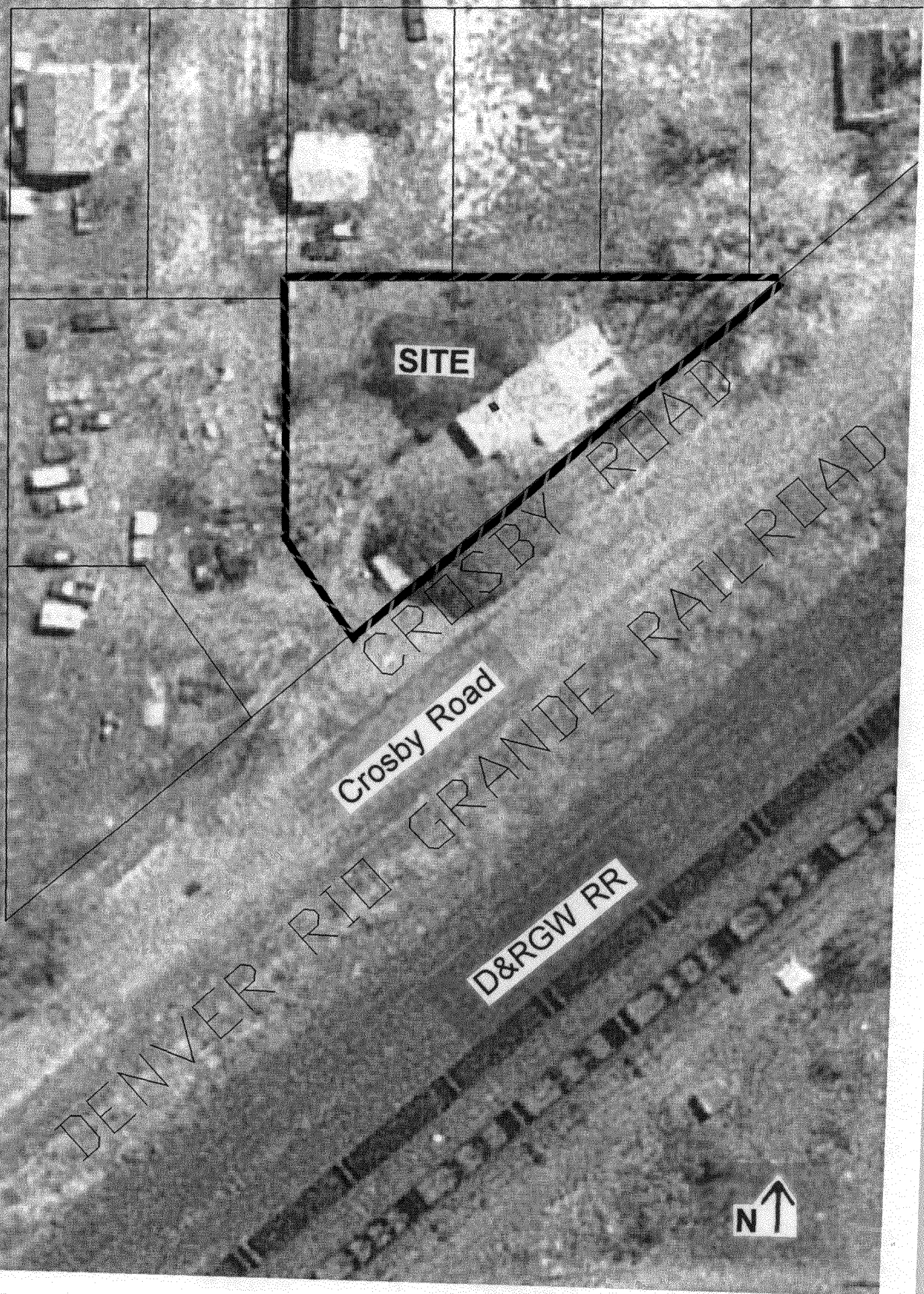
You may now be issued a Planning Clearance for a Building Permit for the garage construction at any time. A site plan indicating the setback as approved by the Board of Appeals (3 feet) must be submitted for the Planning Clearance.

Please do not hesitate to contact me if you have questions regarding this variance.

Sincerely,

Kristen Ashbeck
Planner

W. BROADWAY STREET



SITE

Crosby Road

D&RGW RR

DENVER RIO GRANDE RAILROAD



