



DEVELOPMENT APPLICATION

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

Receipt _____

Date _____

Rec'd By _____

File No. _____

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			2512 W Independent Ave	C-2	Retail
<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

Holly LANG

Name

Name

Name

230 RED MESA HTS

Address

Address

Address

GRAND JUNCTION 81503

City/State/Zip

City/State/Zip

City/State/Zip

245-0981

Business Phone No.

Business Phone No.

Business Phone No.

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

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

X H. Lang

Signature of Person Completing Application

4-10-96

Date

X H. Lang

Signature of Property Owner(s) - attach additional sheets if necessary

4-10-96

Date

PRE-APPLICATION CONFERENCE

Date: 3/22/96
Conference Attendance: Holly Lang, K Ashbeck via mail
Proposal: Sign Height Variance
Location: 2512 W. Independent Ave. Grand Jct. CO 81505

Tax Parcel Number: 2945-103-00-152

Review Fee: \$180

(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.

H. Lang
Signature(s) of Petitioner(s)

Signature(s) of Representative(s)

VAR-96-90

BROADWAY FINANCIAL
DEVELOPMENT
PO BOX 1962
GRAND JUNCTION, CO
81502-1962

ERASMO MUNIZ
SANDRA MUNIZ
123 UTE AVE
GRAND JUNCTION, CO
81501-2214

JOSEPH SARNAC
MARILYN A
609 PIONEER RD
GRAND JUINCTION, CO
81504-5245

CLARABELL MCELLEY
EDWARD
2509 HIGHWAY 6 and 50
GRAND JUNCTION, CO
81505-7165

JACK BOGART
PATRICIA E.
525 25 rd
GRAND JUNCTION, CO
81501-2214

JOSEPH P SARNAC
MARILYN SARNAC
609 PIONEER RD
GRAND JUNCTION, CO
81504-5245

P. LLOYD
F HOLMES C/O GULF &
WESTERN IND.
640-26 ROAD
GRAND JUNCTION, CO81506

C R BROWN OIL
70 23 1/2 RD
GRAND JUNCTION, CO
81505-9689

GERALD W. ARNOLD
356 W KENNEDY AVE
GRAND JUNCTION, CO
81505-7141

HNL COMPANY
PO BOX 1239
GRAND JUNCTION, CO
81502-1239

VELVA V CARNES
PO BOX 3117
Grand Junction, CO
81502-3117

CITY OF GRAND JUNCTION PETITION FOR VARIANCE

DATE RECEIVED: _____

FILE NO. _____

RECEIVED BY: _____

RECEIPT NO. _____

PROPERTY OWNER: Holly Lang

MAILING ADDRESS: 2512 W. Independent Ave. (E 1/4 Rd.)

PHONE: (HOME) 257-7463

(WORK) 245-0981

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

ADDRESS: 2512 E 1/4 Rd.

TAX SCHEDULE #: 2945-103-00-152

ZONE CLASSIFICATION: C-2

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

5-7-7 B.7.b - Two Traffic Lanes - max wt. 25 feet

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.

X H. Lang
Signature of Property Owner

4-10-96
Date

X _____
Signature of Joint Property Owner (if applicable)

Date



2512 West Independent • Grand Junction, Colorado
1-800-925-3214 • (303) 245-0981

TO: City of Grand Junction
Petition for Variance

FROM: All Seasons Pools and Spas Inc.

SUBJECT: General project Report/Narrative
Petition of Sign Variance

All Seasons Pools and Spas is submitting our request for a sign variance based upon the following:

1. Our location and position of building is located at 2512 W. Independent Ave., Grand Junction. The building is situated not directly facing the main 4 lane highway (Highway 6 & 50) but is on the frontage road facing caddy corner.
2. We are not located in any type of mall but as a stand alone building with no large display windows.
3. We are located behind fuel tanks, a service station and a warehouse type of building with a liquor store in it.
4. A sign of existing legal specifications is not readily visible from the public passing on Highway 6 & 50.
5. Unless specific directions are given verbally our customers invariably manage to get lost, and as a result any drive by potential customers are not aware of our business.



Your Backyard Fun Store!

2512 West Independent • Grand Junction, Colorado
1-800-925-3214 • (303) 245-0981

Page 2

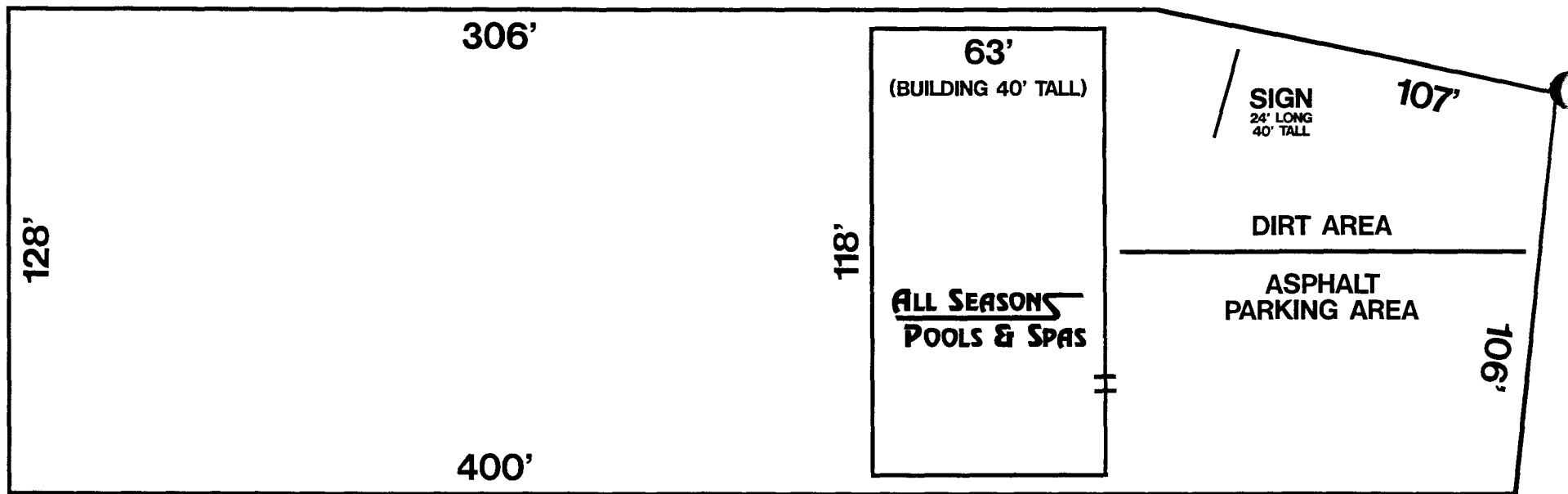
6. Due to the way W. Independent runs as a frontage road on both sides of Highway 6 & 50 and then curves behind the frontage road confuses potential customers.

7. We are not located near or in a residential area.

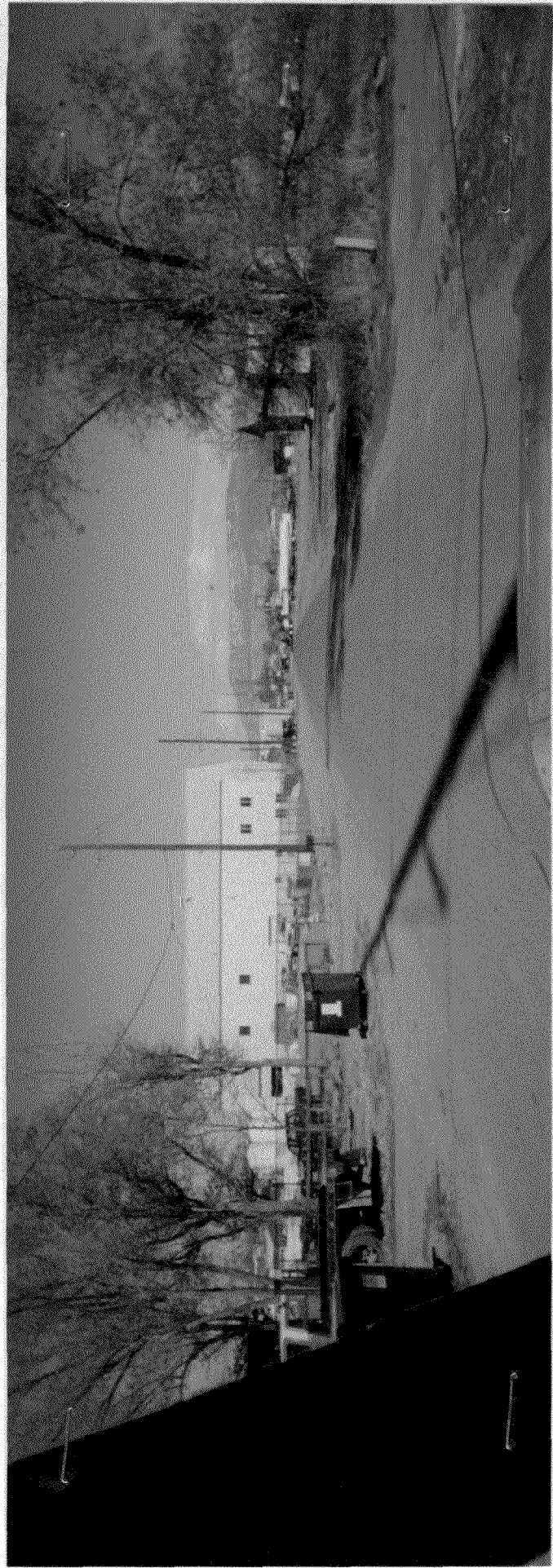
You consideration is greatly appreciated.

Thank you,

Holly Lang
Owner

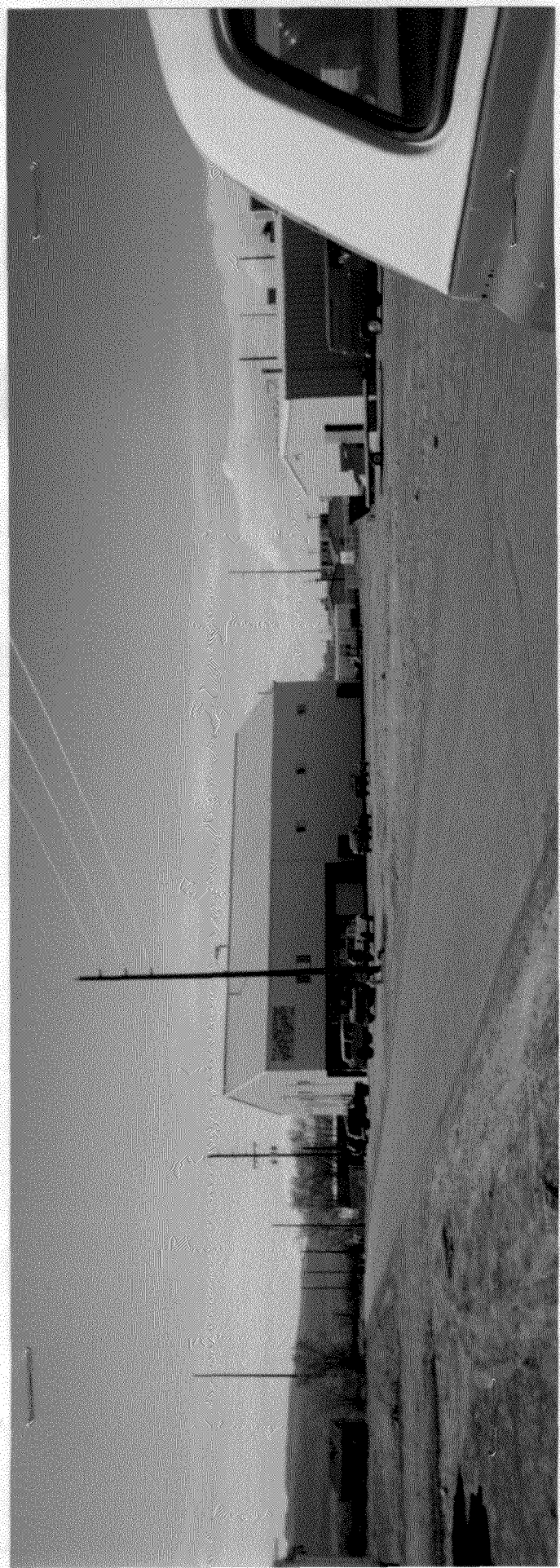


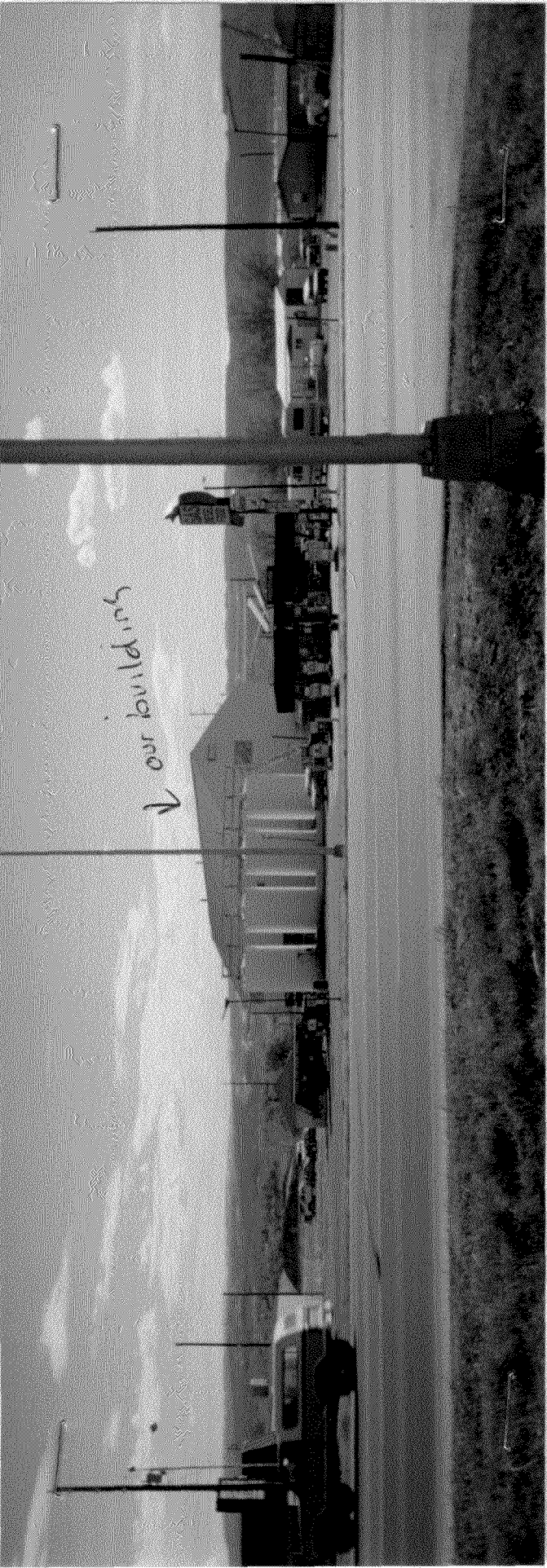
2512 W. Independent Ave.



West →

East →

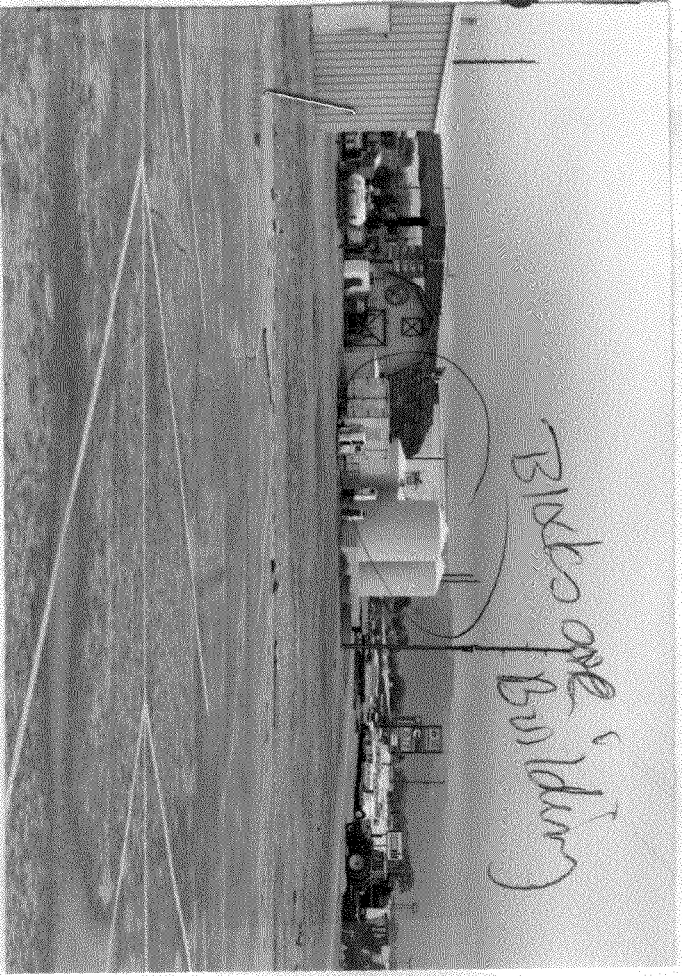




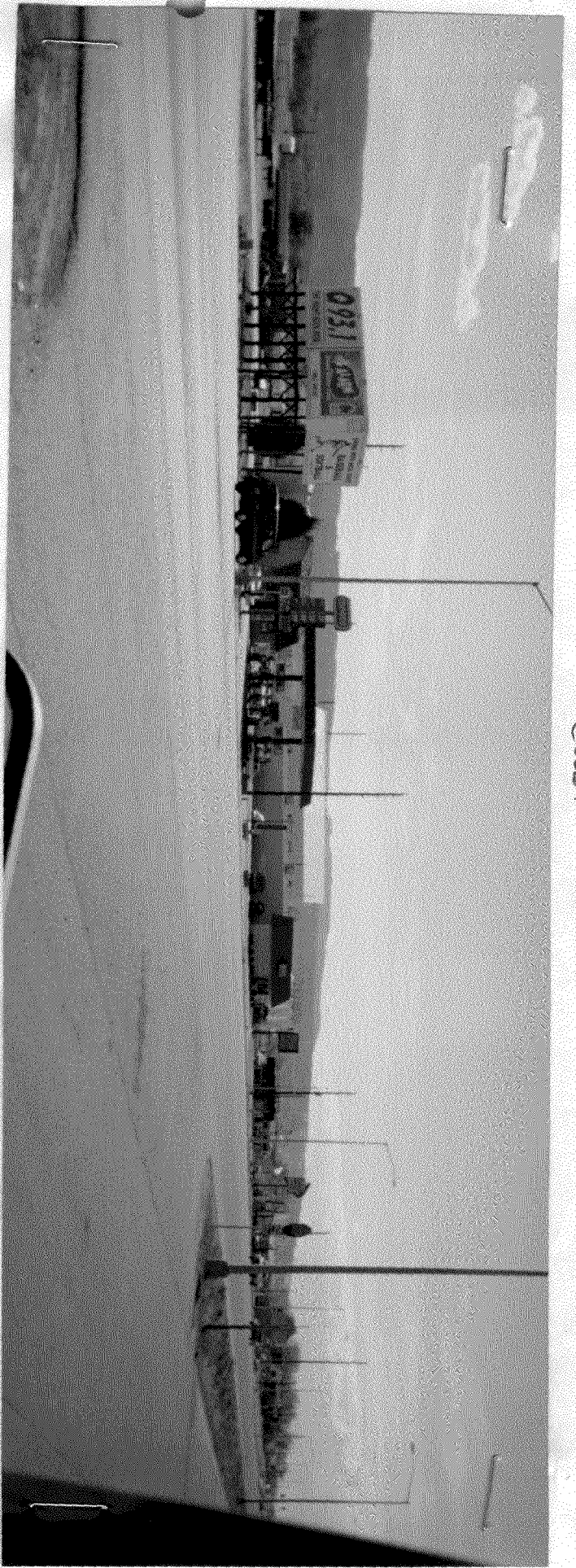
North-East →



North →



Biscope's Building



East



in front of our buildings



←
5702

North-West →





East →

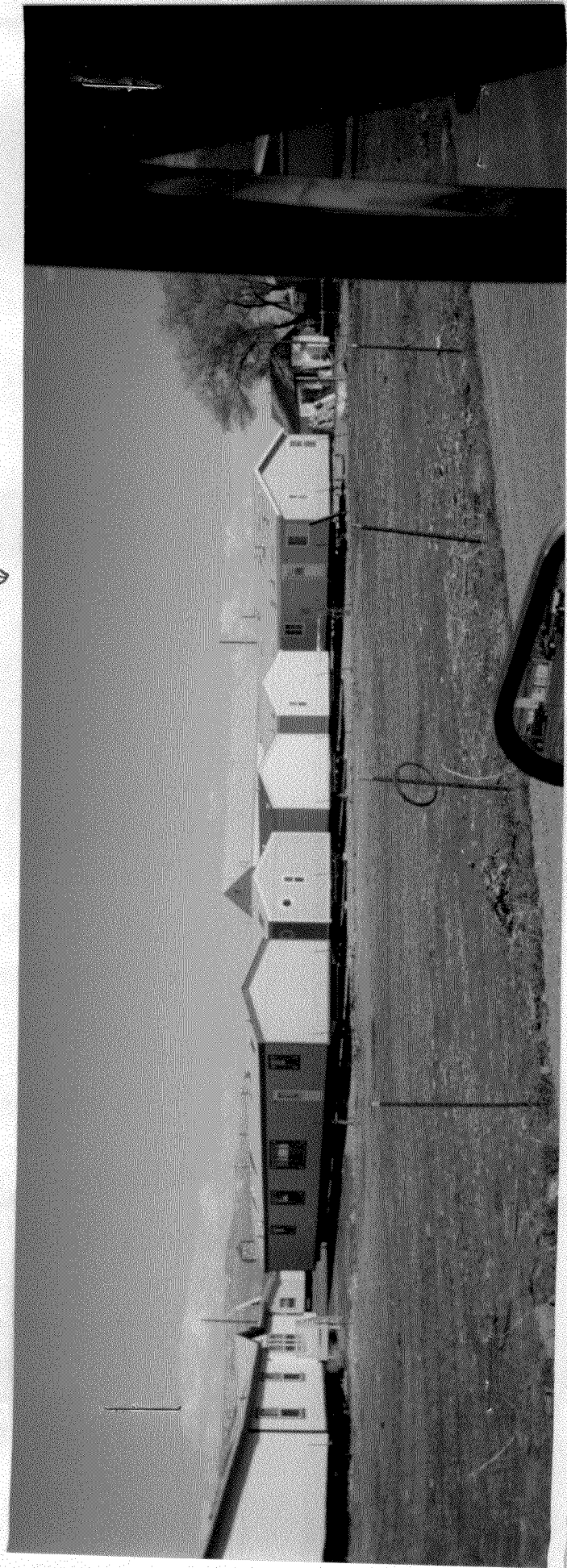
East →





6+50 and 25 Rd. Intersection West →

25 Rd. N.W. ↓



REVIEW COMMENTS

Page 1 of 2

FILE # VAR-96-90

TITLE HEADING: Sign Height Variance

LOCATION: 2512 W. Independent Avenue

PETITIONER: All Seasons Pools & Spas

PETITIONER'S ADDRESS/TELEPHONE: 2512 W. Independent Avenue
Grand Junction, CO 81505
245-0981

PETITIONER'S REPRESENTATIVE: Holly Lang

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

The building at this location appears to exceed 40' in height. Can a large wall sign not be placed on it to direct attention to the business?

SIGN CONSULTANT

4/18/96

Bruce Bauerle

243-7084

I believe the variance should be granted, but not at the 40' height, necessarily. Planning staff should go out with the petitioner, and determine the lowest height necessary to make the sign visible from Highway 6 & 50 - - it may be 30' or 35'. Once that is decided by staff, petitioner can take it or leave it.

CITY DEVELOPMENT ENGINEER

4/18/96

Jody Kliska

244-1591

No comments.

COMMUNITY DEVELOPMENT DEPARTMENT

4/19/96

Kristen Ashbeck

244-1437

1. What are dimensions of building? Length of both sides and height?
2. What are dimensions of lot lines?
3. Where is the entrance to the building?
4. It appears that a large wall sign could serve the same purpose as the variance request.
See attached drawing.

To Date, no comments received from:

City Property Agent

City Attorney



Your Backyard Fun Store!

2512 West Independent • Grand Junction, Colorado
1-800-925-3214 • (303) 245-0981

TO: City of Grand Junction
Petition for Variance

FROM: Petitioner: All Seasons Pools and Spas
Location: 2512 W. Independent Avenue
File No.: VAR-96-90 - Sign Height Variance

Subject: Reply to Review Comments

City Utility Engineer - Trent Prall: Unable to respond to his comments.

Code Enforcement - Jan Koehn: The building is 40 ft. in height but that includes a pitched roof with overhang. Sign on wall can only be seen briefly from frontage road and because of the way building is located on property, sign on wall cannot be seen from any direction on Highway 6 & 50. See attached photographs.

Sign Consultant - Bruce Bauerle: We would be amendable to a lower sign variance if in fact it could be seen readily and easily from Highway 6 & 50. The building is 40 ft tall and only the roof is visible from Highway 6 & 50. See attached photographs and comments under Code Enforcement.

City Development Engineer - Jody Kliska: Unable to respond to her comments.

Community Development Department - Kristen Ashbeck:

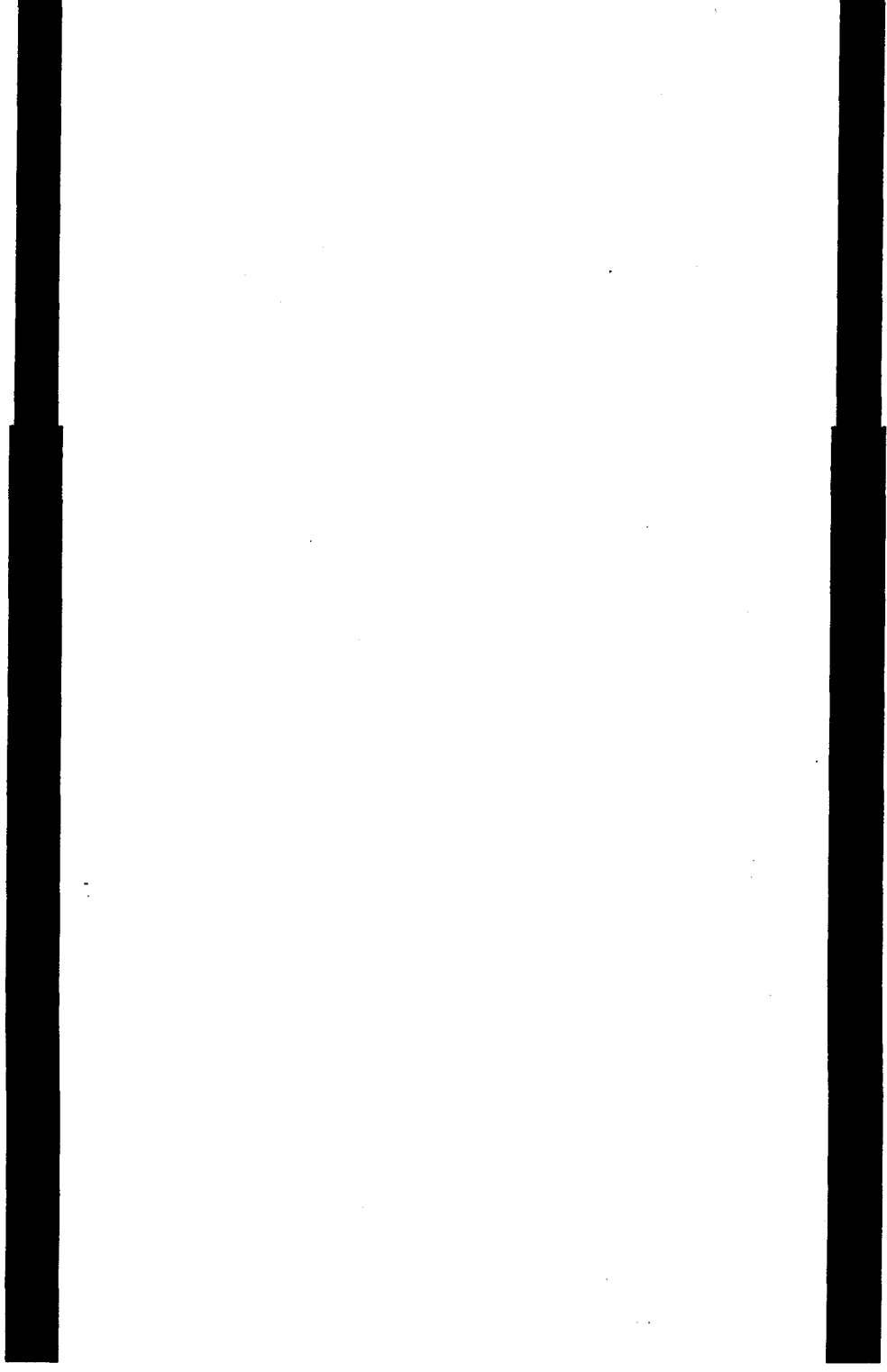
1. Please see attached drawing and photographs for dimensions of building- Please note the steep pitched roof and the little window below on the front of building - that is the top floor.
2. Please see attached drawing for dimensions of lot lines.
3. Please note on drawing and photograph that the entrance to building faces parking lot and back of liquor store warehouse and storage tanks.
4. Please refer to response under Code Enforcement and Sign Consultant concerning wall sign.

Thank you for your consideration,

Holly Lang, Owner

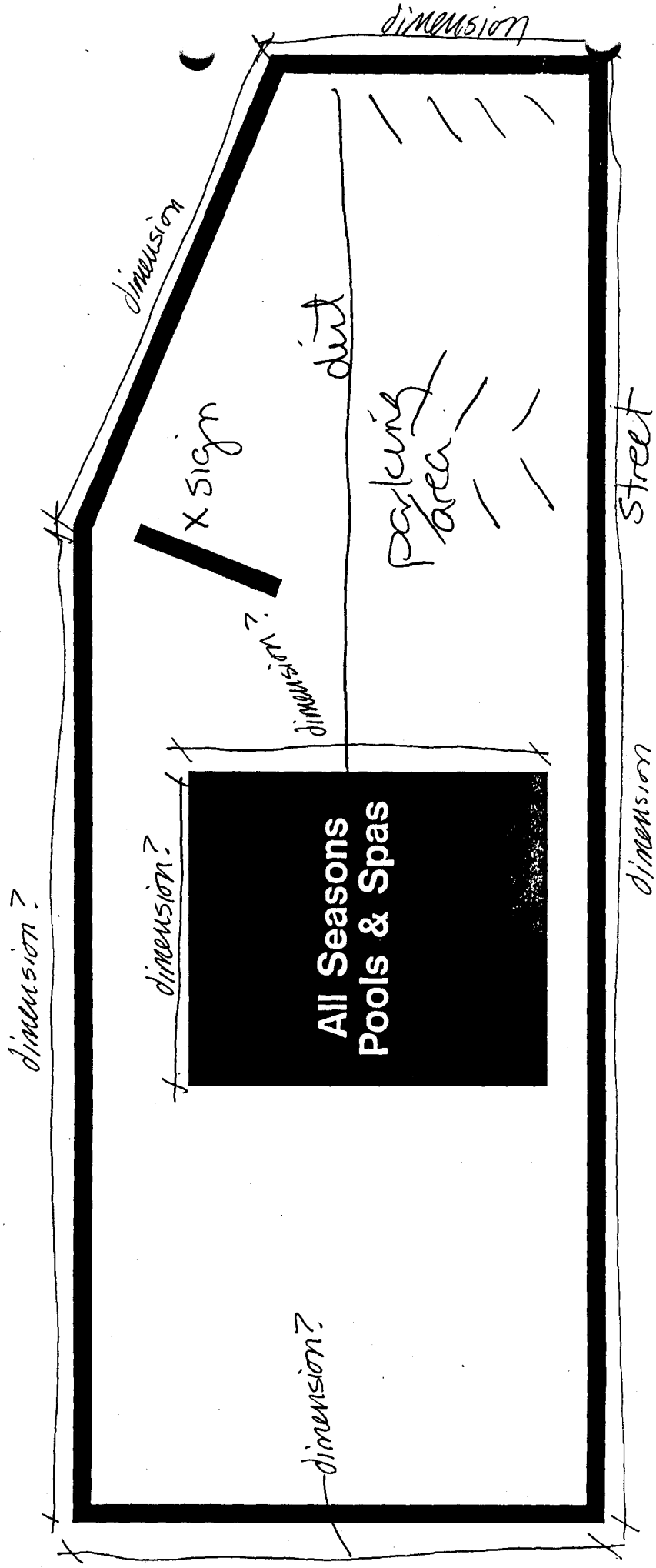
8

**ALL SEASONS
POOLS & SPAS**

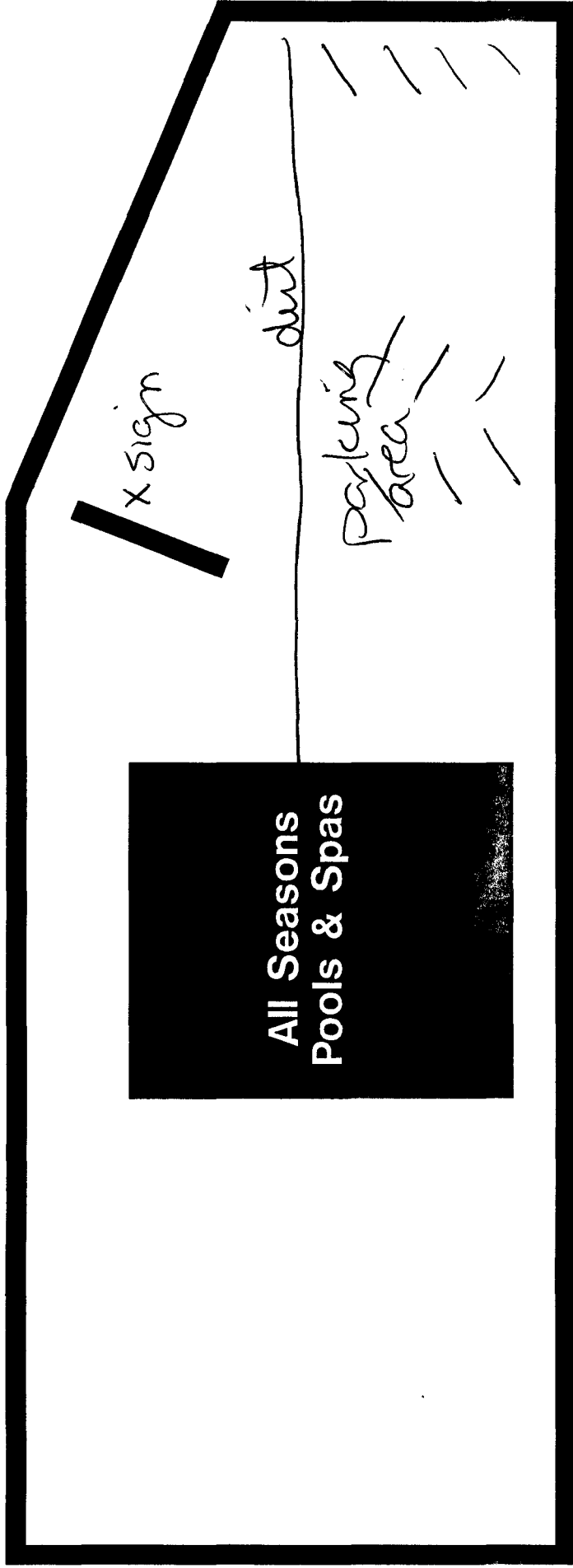


40' TO
TOP OF SIGN

UAR-96-90



W. Independent Ave



street
W. Independent Ave

24

ALL SEASONS POOLS & SPAS

BOARD OF APPEALS - STAFF REVIEW

FILE: VAR 96-90

BOA 5/8/96
Denied 3-0

DATE: April 30, 1996

REQUEST: Sign Height Variance

LOCATION: 2512 W. Independent Avenue

APPLICANT: Holly Lang

EXISTING LAND USE: Retail/Commercial - All Seasons Pools & Spas

PROPOSED LAND USE: Same

SURROUNDING LAND USE:

North: Commercial - Sinclair Gas Station
South: Commercial - Vacant
East: Commercial - Cottonwood Liquor
West: Commercial - Sun City Homes

ZONING AND DEVELOPMENT CODE REQUIREMENT:

Section 5-7-7 B.7.b. - Maximum sign allowance shall be calculated by the linear front foot of property on a public street right-of-way in conformance with the following:

Two Traffic Lanes: Maximum area of sign per face per front foot of property, .75 square foot; maximum height, twenty five feet (25').

VARIANCE REQUESTED:

A variance to allow a free-standing sign with an overall height of 40 feet on a parcel which fronts a two traffic lane street.

APPLICANT'S REASON FOR REQUEST: The location and position of the building is not visible from the nearby 4-lane highway.

STAFF ANALYSIS: The All Seasons Pool & Spa business is located in a building located on Independent Avenue just west of Highway 6 & 50. The building is very large and tall and is presently painted with unique, noticeable colors (pink and blue). The applicant feels this location is not visible from the Highway 6 & 50, and a 40-foot pole sign would be.

The intent of the Grand Junction sign code, as in most communities, is to allow for larger signs on busier streets, and decrease the sign allowance and height for minor streets. The theory is that traffic is travelling slower on the minor streets and lower, smaller signs can still be read by the passerby. The code does not intend for businesses on side streets to be seen from the major arterials. Businesses that feel they need the exposure on a major arterial, typically locate on parcels along those roadways.

In the case of All Seasons Pools & Spas, it is not apparent whether the business must rely on drive-by visibility or not. However, even if it does require such visibility, there appears to be other options for signage that do not require a variance. The building is large enough that approximately 126 square feet of signage would be allowed on the building under the current code and a proposed text amendment may allow up to 236 square feet on the building.

The building also appears tall relative to surrounding structures. Thus, if a larger wall sign were placed on the building, it would be just as visible as the proposed freestanding sign. It is also not readily apparent that a 25-foot sign would not be as visible as a 40-foot sign.

In addition, staff feels this is no undue hardship with this case. Certainly, there are other businesses on side and/or minor streets in the community that must work within the same sign regulations. A variance for signage on this site would set a precedent for similar properties and businesses to request a similar variance. Over time, granting of such variances would compromise the overall intent of the code. An example for this location would be: If the variance is granted for All Seasons Pools & Spas, couldn't the same arguments for larger/taller signs be used by businesses on River Road that also are not visible from Highway 6 & 50?

Generally, staff feels that this is not a unique situation and there are other options to provide visible signage on the site and/or building within the allowance without the need for this variance.

FINDINGS OF REVIEW:

No Conflict with Public Interest. It is within the public interest for the City to consistently enforce regulations pertaining to community aesthetics. The calculation of sign allowance and sign height is strictly defined in the Code so as to be equitable while trying to minimize visual clutter along transportation corridors.

Exceptional Conditions / Undue Hardship not Self-Inflicted. There is no hardship or exceptional condition in this case. There are many other businesses throughout the community that are on side streets that may not be visible from a nearby principle arterial.

Not Detrimental to Public Health, Safety or Welfare. Granting this variance will result in a loss of control of community aesthetics. This will set a precedent for other property owners to request additional sign allowance or height, thereby encouraging the proliferation of more and/or larger signs which create additional unnecessary visual clutter.

No Reasonable Use of Property without a Variance. There are other options for advertisement on this property using other signage that is allowed Code. Failure to grant this variance will not affect reasonable use of the property.

Not Injurious to or Reduce Value of Surrounding Properties. The potential proliferation of unnecessary visual clutter such as more and/or higher signs on a parcel can degrade the quality of a business/commercial area, thereby reducing the value of the properties within that area.

STAFF RECOMMENDATION: Denial of the free-standing sign height variance request for the property located.

RECOMMENDED BOARD OF APPEALS MOTIONS:

Mr. Chairman, on item VAR 96-90, a request for a variance to allow a 40-foot freestanding sign on a parcel fronting a 2-lane street located at 2512 W. Independent Avenue, I move that we APPROVE the variance for the following reasons:

Mr. Chairman, on item VAR 96-90, a request for a variance to allow a 40-foot freestanding sign on a parcel fronting a 2-lane street located at 2512 W. Independent Avenue, I move that we DENY the variance for the following reasons:



US Highway 6 & 50

25 Road

RIVER ROAD

W. Independent Avenue

SITE



EXHIBIT "A"

PARCEL NO. 1.

Beginning at a point 30 feet North and 1115.00 feet West of the Southeast corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 1 South, Range 1 West of the Ute Meridian;
thence North 150 feet;
thence East 300.53 feet;
thence South 150 feet;
thence West 300.53 feet to the point of beginning.

PARCEL No. 2

Beginning at a point 30 feet North and 814.47 feet West of the Southeast corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 1 South, Range 1 West of the Ute Meridian;
thence East 138 feet;
thence North 96.1 feet;
thence North 61°22' West 112.48 feet;
thence West to a point North of the point of beginning;
thence South 150 feet to the point of beginning.



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

Ms. Holly Lang
All Seasons Pools & Spas
230 Red Mesa Heights
Grand Junction, Colorado 81503

RE: Sign Height Variance (VAR 96-90)

Dear Ms. Lang,

As you are aware, the City of Grand Junction Board of Appeals, at its May 8, 1996 hearing, denied your request for a height variance for a freestanding sign on the property located at 2512 W. Independent Avenue (tax parcel number 2945-10300-152). The reasons stated for the denial were failure to meet the following sign variance criteria: no undue hardship or unique/unusual situation; the unusual conditions are not specific to this property--they apply to other properties within the City; granting the variance would be contrary to the general objective of the Code to reduce visual clutter; and there appears to be other options for visible signage for this business and property.

I would recommend that you contact a local sign contractor to work with you regarding those other signage options that exist (25-foot freestanding sign, wall or roof sign). We will be happy to review any proposals you may have and offer suggestions for working within the sign allowance for your property.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Kristen", followed by a small flourish.

Kristen Ashbeck
Planner

