



# CITY OF GRAND JUNCTION PETITION FOR VARIANCE

DATE RECEIVED: 5-3-96

FILE NO. VAR-96-119

RECEIVED BY: MC

RECEIPT NO. 3980

PROPERTY OWNER: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

PHONE: (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

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

ADDRESS: 1450 Grand Avenue

TAX SCHEDULE #: 2945-132-20-007 ZONE CLASSIFICATION: RSF-8

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

Section 4-2-6 Front yard setback  
requirement of 20' (15th Street)

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.

Sheral S. Condit  
Signature of Property Owner

4-25-96  
Date

\_\_\_\_\_  
Signature of Joint Property Owner (if applicable)

\_\_\_\_\_  
Date



# DEVELOPMENT APPLICATION

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

Receipt \_\_\_\_\_

Date \_\_\_\_\_

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

File No. VAR-96-119

*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			<u>1450 GRAND AVE</u>	<u>RSF-8</u>	
<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

GERALD L. Condit

Name

Name

Name

1450 GRAND AVE

Address

Address

Address

GRAND Jct. Co 81501

City/State/Zip

City/State/Zip

City/State/Zip

464-5681

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.*

Gerald J. Condit

Signature of Person Completing Application

4-25-96

Date

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

Date

15 copies

# SUBMITTAL CHECKLIST

## VARIANCE

 Location: 1450 Grand Ave

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

**ITEMS**
**DISTRIBUTION**

 Submit by 5-8-96 for  
June 12 Hearing.

 Date Received 5-3-96

 Receipt # 3980

 File # VAR-96-119
**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 Bldg. Dept.
- Sign Consultant

TOTAL REQ'D.

13

- Application Fee \$180<sup>00</sup> 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\* X 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 2945-132 X IX-21 1
- Vicinity Sketch 11x17 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.

PRE-APPLICATION CONFERENCE

Date: 4-19-96
Conference Attendance:
Proposal:
Location:

Tax Parcel Number: 2945-132-20-007
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, Screening/Buffering, Land Use Compatibility, Drainage, Landscaping, Traffic Generation, Floodplain/Wetlands Mitigation, Availability of Utilities, Geologic Hazards/Soils, Other

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)

# REVIEW COMMENTS

Page 1 of 1

FILE #VAR-96-119

TITLE HEADING: Front yard setback (15th Street) and  
Side yard setback (West side) in an  
RSF-8 Zone District

LOCATION: 1450 Grand Avenue

PETITIONER: Gerald L. Condit

PETITIONER'S ADDRESS/TELEPHONE: 1450 Grand Avenue  
Grand Junction, CO 81501  
242-2764

STAFF REPRESENTATIVE: Kristen Ashbeck

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**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. May 31, 1996.**

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**MESA COUNTY BUILDING DEPARTMENT** 5/9/96  
**Bob Lee** 244-1656

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Walls less than 3' to property lines must be fire-rated, however this does not seem to be the case. No other comments.

**CITY COMMUNITY DEVELOPMENT** 5/15/96  
**Kristen Ashbeck** 244-1437

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1. Need to clarify in narrative that variance request is for front and side yards is for existing structures (not just proposed). Also state reasons why request is for existing structures.
2. A variance for rear yard is not required (setback is 3' for accessory structure such as detached garage).
3. With proposed construction, maximum lot coverage by structures (45%) is built-out (will have 42% lot coverage). Further construction on the lot may not be possible.

**CITY DEVELOPMENT ENGINEER** 5/22/96  
**Jody Kliska** 244-1591

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1. Please be aware that backing from the garage into the alley with only 6' from building to alley will present a visibility problem. Suggested distance is one car length.

**TO DATE, COMMENTS NOT RECEIVED FROM:**

City Attorney  
City Property Agent

BOA 6/12/96  
For house: approve 3-foot side & 6-foot front  
For garage: approved  
6' front w/ condition that rear yard be 12 feet.

BOARD OF APPEALS - STAFF REVIEW

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FILE: VAR 96-119

DATE: June 4, 1996

REQUEST: Variance to Front and Side Yard Setbacks

LOCATION: 1450 Grand Avenue

APPLICANT: Gerald Condit

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EXISTING LAND USE: Single Family Residence w/ Detached Storage Shed

PROPOSED LAND USE: Same w/ Second Floor and Detached Garage

SURROUNDING LAND USE: All Single Family Residential

EXISTING ZONING: Residential Single Family 8 units per acre (RSF-8)

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ZONING AND DEVELOPMENT CODE REQUIREMENT:

Section 4-2-6 C.4. Minimum Side Yard Setback, Principal structure: 5 feet

Section 4-2-6 C.6. Minimum Front Yard Setback: 45 feet from centerline of right-of-way or 20 feet, whichever is greater

APPEAL OR VARIANCE REQUESTED:

Side Yard: 2 feet, to allow a 3-foot setback  
Front Yard: 14 feet to allow a 6-foot setback

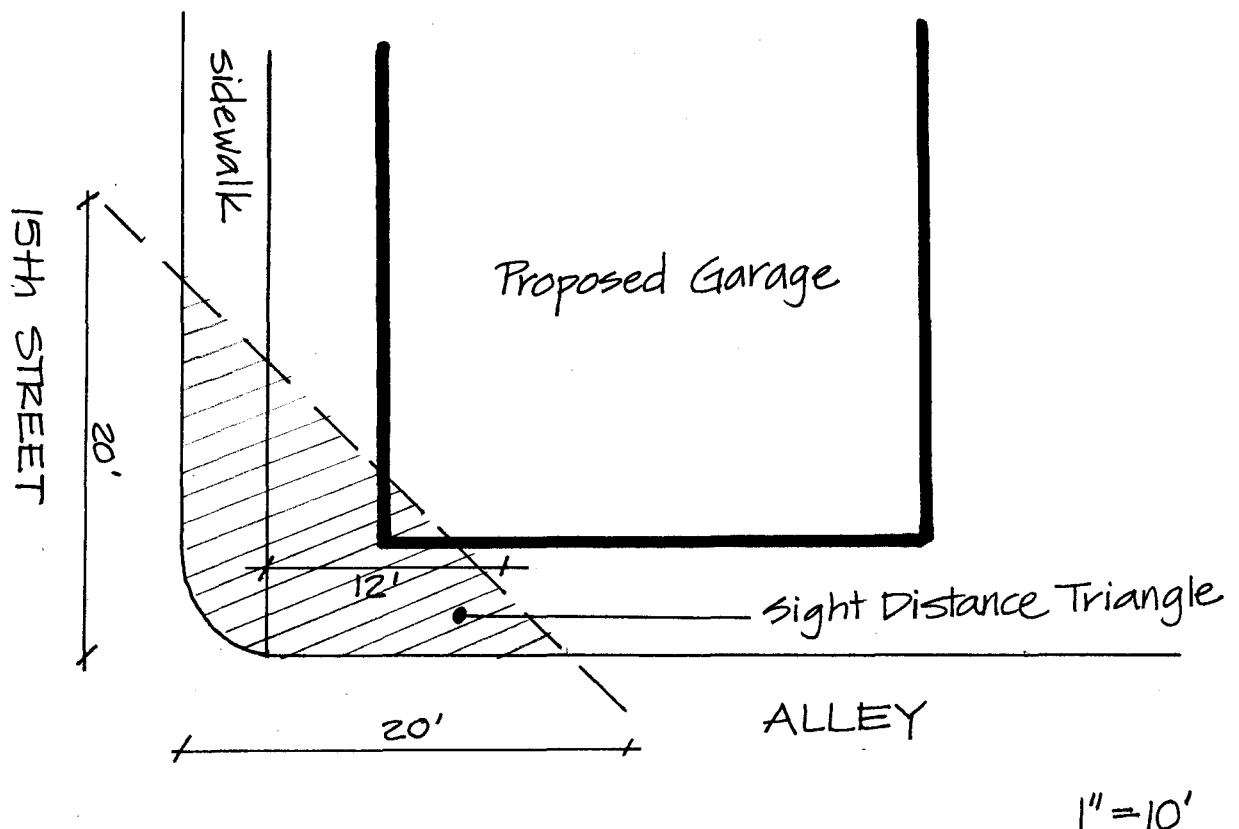
APPLICANT'S REASON FOR REQUEST:

The variance is requested in order to construct a second story addition to an existing older home and to construct a detached 3-car garage. The unique situation is the size of the lot (37.5 feet in width) being on a corner which requires the 20-foot front yard setback be met from both streets. If the setbacks are met, it is not possible to increase the size of the residence in a uniform manner and it may not be structurally possible to step back the second story. The second floor will most likely have to be constructed on the bearing (outside) wall in order to be structurally sound.

STAFF ANALYSIS:

The Zoning and Development Code requires that all new construction meet current setbacks in any given zone. The applicant is proposing to construct a second story addition to the existing residence at 1450 Grand Avenue and add a detached 3-car garage on the rear portion of the parcel. The existing residence is approximately 3 feet from the side property line rather than the 5 feet required by Code. The Building Department has indicated to the petitioner that most likely the second floor must be built on top of the exterior bearing wall in order for it to be structurally sound.

The required front yard setback from the front property lines along both Grand Avenue and 15th Street is 20 feet. The existing residence and detached storage shed are both located 6 feet from the front property line on 15th Street. The applicant is requesting that a variance be granted to allow a new 3-car garage to be sited 6 feet from the 15th Street property line as well. Given the narrow width of the lot on a corner site, staff feels such a variance is a reasonable request. However, if the garage is sited as proposed the northeast corner will extend into the required 20-foot sight distance triangle required at an intersection of an alley and a street (see section 5-3-2 of the Zoning and Development Code). The diagram below would indicate that a minimum setback of 10 feet is required for the proposed garage to be located just on the edge of the sight triangle. A requirement of 12 feet would better ensure that the proposed garage is safely outside the sight triangle.





FILE # VAR - 96 - 119

Location: 1450 GRAND AVE

Petitioner: Gerald L. Condit

Petitioner's address / Telephone: 1450 GRAND AVE

GRAND Jct. Co 81501

242-2764

Title Heading Front yard: Set Back (with street) and  
Side yard: setback (west side) in an  
RSF-8 Zone District.

### Response to Review Comments

Mesa County Building Department

Bob Lee

My plan is to stay 3 feet from property line  
Thank you for the information.

City Community Development

Kristen Ashbeck

Reason For Variance on Existing structures  
is to cover method used to put weight  
on load bearing walls.

Called and talked to Kristen Ashbeck  
on 5-28-96!

Thank you for the additional information.

City Development Engineer

Jody Kliska

The reason for a 6' set back in the rear was to be uniform with the other structures on the block.

The alley ends on 15<sup>th</sup> Street  
There is very little traffic.

Thank you for the information  
and will take it into consideration.

Thank You  
Suzal J. Condit

1. The variance request is for the 14 feet off of the ~~20~~ foot set back from 15th street, 9 feet off of the 15 feet at the rear of my property and 2 feet off of the 5 foot to property line on the side of the property.
2. The property is located at 1450 Grand Ave., Grand Junction Co.
3. My situation is unique due to the size of my lot. It is only 37 1/2 feet wide. The hardship is that if I meet all of the setbacks there is no way I can increase the size of my house in a uniform manner.
4. A. A variance of this type will not conflict with the public in any way. It will help the public by eliminating parking on the street with my car. It will also add to the value of the home.  
B. The lot was devided in the 1930's when the property was not in the city and codes were different then. The lot is 37 1/2 feet wide and the house was built with only a 6 foot set back from 15th street and 3 feet from the property line.  
C. There will be no public health, safety or welfare problem to the neighborhood. It will help safety by eliminating having to park on 15th street.  
D. Because of the narrow lot there is no way the property can be improved with out a variance.  
E. A variance will not devalue the adjacent properties or improvements in any way. By remodeling and updating the house that was built in 1940 and adding a nice garage to the property. The value of all property around should improve.

Gerald Condit

*Gerald Condit*

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 is the narrow width of the parcel, being located on the corner which requires two front yards, and the location of the existing residence, none of which were self-inflicted.

**Not Detrimental to Public Health, Safety or Welfare.** The proposal to add a second story to the residence is not detrimental to the public health, safety or welfare. However, the proposed detached garage, as proposed could be detrimental to public safety if it is not required to be adequately sited outside of the sight distance triangle.

**No Reasonable Use of Property without a Variance.** Although this property can continue to be used as a single family residence without this variance, the home, as proposed, will be more appropriately sized for present-day single family desires. Although it may not be able to be as large as originally proposed, the construction of an updated garage on the parcel will also be more consistent with present-day single family desires.

**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.

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STAFF RECOMMENDATIONS: 1) Approval of the side yard variance of 2 feet to allow for the second story to be constructed 3 feet from the side property line; 2) Approval of the front yard setback variance but with a minimum setback of 12 feet from the front property line along 15th Street (as opposed to the 6 feet requested).

SUGGESTED BOARD MOTIONS:

Mr. Chairman, on item VAR 96-119, a variance request of 2 feet for a principal structure to be located 3 feet from the side property line, I move that we APPROVE the request for the following reasons:

Mr. Chairman, also on item VAR 96-119, a variance request of 14 feet for a structure to be located 6 feet from the front property line, I move that we APPROVE the request for a maximum of 8 feet (12-foot setback) for the following reasons:

2 copy

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

\*\*\*\*\*

Lots 14 and the East 1/2 of Lot 15 in Block 4 of  
DUNDEE PLACE in the County of Mesa, and State of  
Colorado



DURAY AVE.

GRAND AVE.

14th ST.

15th ST.

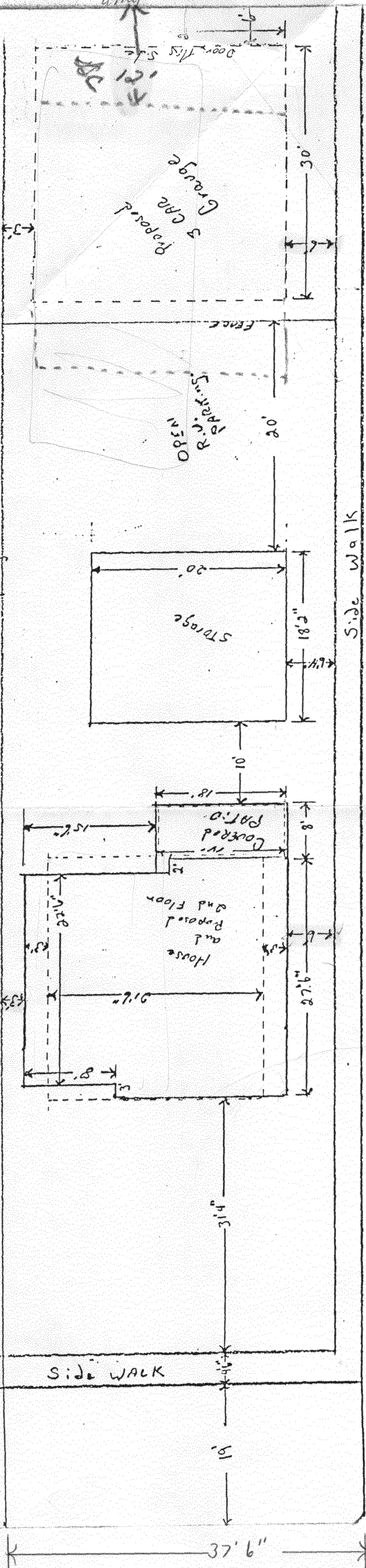
SITE

↑ NORTH

Approved - BOA 6/12/96



Present Buildings  
Proposed

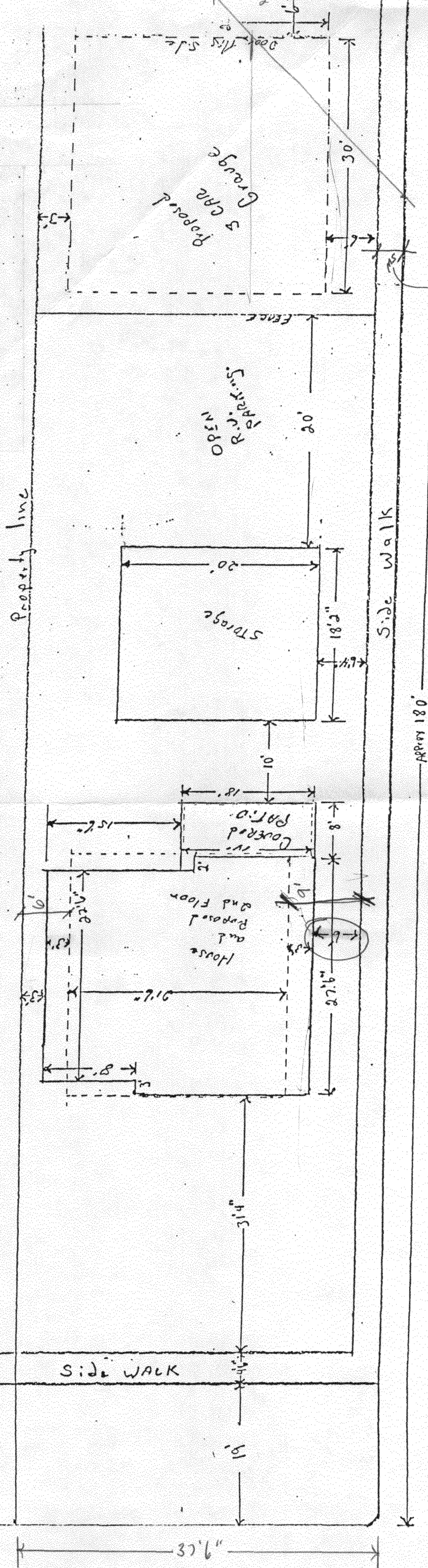


5th Street

Grand Ave

Present Buildings  
 Proposed

GRAND AVE



5th Street

1981  
 855  
 144  
 592  
 360

37.5 x 125

19  
 4687.5



