



DEVELOPMENT APPLICATION

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

Receipt _____

Date _____

Rec'd By _____

File No. VAR-96-120

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			538 Teller	RMF-32	SF Residence
<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

MICHAEL O'BOYLE

SAME

Name

Name

Name

538 TELLER AVE.

"

Address

Address

Address

GRAND JUNCTION, CO 81501

"

City/State/Zip

City/State/Zip

City/State/Zip

241-4792

241-4792

"

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 Michael Boyle
Signature of Person Completing Application

11-12-95
Date

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

11-12-95
Date

SUBMITTAL CHECKLIST

VARIANCE

Location: 538 Teller

Project Name: Side Yard

ITEMS	DISTRIBUTION											
DESCRIPTION	SSID REFERENCE	City Community Development	City Dev. Eng.	City Utility Eng.	City Planning Dept.	City Attorney	City Board of Appeals (3 slots)	City Department of Public Works: Bldg	City Department of Public Works: Fire Dept	County Planning	Walker Field	TOTAL RECORD
<p style="font-size: small;">DUE 2nd Wed of month for hearing 2nd Wed of following month VAR-96720 Rect # 3981</p>												
● Application Fee \$180	VII-1	1										1
● Submittal Checklist*	VII-3	1										1
● Review Agency Cover Sheet*	VII-3	1	1	1	1	1	1	1	1	1	1	10
● Application Form*	VII-1	1	1	1	1	1	1	1	1	1	1	10
● Reduction of Assessor's Map	VII-1	1	1	1	1	1	1	1	1	1	1	10
● Evidence of Title / Title Ins Policy	VII-2	1										1
● Technical of Raw Land	VII-1											
● Names and Addresses	VII-3	1										1
● Local Description	VII-2											
○ Deed	VII-1	1										
○ Easement	VII-2	1	1	1								
○ Avigation Easement	VII-1	1										
○ ROW	VII-3	1	1	1								
● General Project Report / Narrative	X-7	1	1	1	1	1	1	1	1	1	1	10
● Location Map	IX-21											
● Vicinity Sketch / Site Plan	IX-33	1	1	1	1	1	1	1	1	1	1	10

NOTES: 1) An asterisk in the item description column indicates that a form is supplied by the City.
 2) Required submittal items and distribution are indicated by filled in circles, some of which may be filled in during the pre-application conference. Additional items or copies may be subsequently requested in the review process.
 3) Each submitted item must be labeled, named, or otherwise identified as described above in the description column.

PRE-APPLICATION CONFERENCE

Date: 10/26/94
Conference Attendance: Kristen Ashbeck, Michael O'Boyle
Proposal: Variance, Side Yard
Location: 538 Teller

Tax Parcel Number: 2945-142-08-011
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 required? Estimated Amount:
Revocable Permit required?
State Highway Access Permit 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) [Handwritten Signature]

Signature(s) of Representative(s)

Mr & Mrs Gary Lobdell
557 Belford Ave.
Grand Jct. CO. 81501

J D Estes - BL Estes &
J.T. Hemming
560 Teller Ave
Grand Jct. CO. 81501

Mr & Mrs Paul Lans
536 Teller Ave.
Grand Jct. CO. 81501

Mr & Mrs James P Rankin
122 Hillcrest Dr.
Grand Jct. CO. 81501

Mr Van Faith
P O Box 1564
Grand Jct. CO. 81502

Mr. Michael E. O'Boyle
538 Teller Ave.
Grand Jct. CO. 81501

Mr & Mrs C. S. McIntyre
807 La Paz Ct.
Grand Jct., CO. 81506

Mr & Mrs Luther M Garber
P O Box 68
Whitewater, CO. 81527-0068

Mr Walter E. Barrett
1648 Washington St.
Denver, CO. 80203-1400

Mr. & Mrs. Kenneth Perino
P.O. Box 60357
Grand Junction, CO 81502

Mr. Donald Kendall
554 Belford Ave.
Grand Junction, CO 81501

Mr. Ronald Shreeves
548 Belford Ave.
Grand Junction, CO 81501

Mr. & Mrs. Gary Lobdell
557 Belford Ave.
Grand Junction, CO 81501

JD Estes, BL Estes & JT Hemming
560 Teller Ave.
Grand Junction, CO 81501

Mr. & Mrs. Paul Lans
536 Teller Ave.
Grand Junction, CO 81501

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

VAR-96-120

Mr & Mrs Kenneth E. Perino
P O Box 60357
Grand Jct. CO. 81502

Mr Donald F. Kendall
554 Belford Ave.
Grand Jct. CO. 81501

Mr. Ronald Shreeves
548 Belford Ave.
Grand Jct. CO. 81501

Mr. Clair Longuevan
538 Belford Ave.
Grand Jct. CO. 81501

F. A. Strachan Estate
c/o Sherri Chambers
8005 Keneshaw Dr.
Austin, TX 78745-6915

Mr & Mrs Wm. E. Pomrenke
710 Victor Dr.
Grand Jct. CO. 81506

Ms. Betty M. Unfred
3020 Vin Rose Way
Grand Jct. CO. 81504

Gail H. & Virginia A
Curran
6350 Yukon St.
Arvada, CO. 80004-3457

Mr. Alan D. Hodges
850 N. 5th St.
Grand Jct. CO. 81501

Mr & Mrs Michael A. Smith
830 N. 5th St.
Grand Jct. CO. 81501

Ms LilaLee Williamson
560 Hill Ave.
Grand Jct. CO. 81501

Ms. Elizabeth A Butler
556 Hill Ave.
Grand Jct. CO. 81501

Ms. Marylin A. Binkley
546 Hill Ave.
Grand Jct. CO. 81501

Mr. Carl W. Strippel
518 Hill Ave.
Grand Jct. CO. 81501

Mr & Mrs J. Hutchens
533 Teller Ave.
Grand Jct. CO. 81501

Mr & Mrs G. E. Mitchell
535 Teller Ave.
Grand Jct. CO. 81501

Mr. John E. Brady
545 Teller Ave.
Grand Jct. CO. 81501

Ms Theresa R. Green
561 Teller Ave.
Grand Jct. CO. 81501

Mr & Mrs David Canaday
627 Grand Ave.
Grand Jct. CO. 81501

Mr. Leonard Lang
P O Box 4182
Grand Jct. CO. 81502

Winona A. Willoughby
Sheryl Ann Morris
503 River View Dr.
Grand Jct. CO. 81503

Mr & Mrs D. C. Lindstrom
361 Rodell Dr.
Grand Junction, CO 81501

Mr & Mrs Morris Stimson
3074 F 3/4 Rd.
Grand Jct. CO. 81504

Mr & Mrs T.M. Kukulan
698 Glen Caro Dr.
Grand Jct. CO. 81506

Mr & Mrs James Bateman
4240 N. Albany Ave.
Chicago, IL. 60618-2508

Mr. Andrew Fotopulos
926 N 5th St.
Grand Jct. CO. 81501

Mr Robert N Hollamon
908 N. 5th St.
Grand Jct. CO. 81501

Ms BillieJo Nelson
527 Belford Ave.
Grand Jct. CO. 81501

Ms Anna R Murphy
533 Belford Ave.
Grand Jct. CO. 81501

Mr & Mrs E.L. Murphy
541 Belford Ave.
Grand Jct. CO. 81501

CITY OF GRAND JUNCTION
PETITION FOR VARIANCE



DATE RECEIVED: 5-6-96

FILE NO.: VAR-96-120

RECEIVED BY: MR

RECEIPT NO.: 3981

PROPERTY OWNER: MICHAEL O'BOYLE

MAILING ADDRESS: 538 TELLER AVE, GRAND JUNCTION CO 81501

PHONE: (HOME) 241-4792 (WORK) 241-4792

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

ADDRESS: 538 Teller

TAX SCHEDULE #: 2945-142-08-011 ZONE CLASSIFICATION RMF-32

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

4-2-8 B. Minimum side yard - Principal structure 10' to 4'6"

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 Michael O'Boyle
Signature of Property Owner

11-12-95
Date

X Luther Martin Garber
Signature of Joint Property Owner *****

1-9-96
Date

***** Signed with the agreement that Michael O'Boyle will build a privacy fence from the point of the addition to the rear lot line at his expense and add extra sound insulation along the East wall of the proposed addition

PROJECT NARRATIVE - VARIANCE REQUEST

MICHAEL O'BOYLE
538 TELLER AVE
GRAND JUNCTION, CO

1. The variance request is a SIDE YARD SETBACK change from the present 10 ft. ruling to 4'6" to allow me to add a family room & 2nd bath to my home.

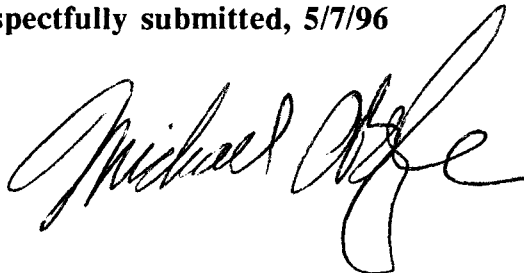
2. The property is located at 538 TELLER AVE, GRAND JUNCTION, CO.

3. What makes my situation unique and the hardship is as follows:
My 1000 sq.ft. home, which was built in the early 1900's was built 3' from my East lot line. I am looking to improve the home by adding a family room, a 2nd bath & laundry room and creating good storage space with an attic within the 10/12 pitch roof line of this addition. This proposed addition infringes on the 10 ft. setbacks presently enforce. Attempting to build to the 10 ft. setback throws off the roof line and takes away from exterior esthetics as well as a normal flow of interior rooms.

4. I feel my appeal for a variance meets the criteria for board decision in the following ways:

- A) It is not detrimental to public safety, health or welfare nor is it in conflict w/ the public interest. Just the opposite, it will improve my property and my block and when completed it will be one of the finer COMPLETELY REMODELED homes in downtown Grand Junction (new plumbing, electricity new windows, fully insulated, new original siding, a new heat system, all new sheet rock & interior paint & new floor coverings) The review board is welcome to visit my home, the existing improvements & the proposed addition.
- B) Without this variance the addition to the house would have to be jogged over 5' to the West. This would change the roof line of the home as well as altering the interior floor plan, making it look like an ADD-ON instead of a nicely flowing house.
- C) The Variance is not injurious to my neighbor. Martin Garber, the owner of 540 Teller has seen my plans and has no problems with it. I have agreed to build a privacy fence along our common lot line from the back corner to the point of the addition and also build with added insulation to insure any possible future problems with noise. Although my home is 3' from our lot line, there is a driveway between the homes and there will be 18 ft. between the addition and his home.

Respectfully submitted, 5/7/96



REVIEW COMMENTS

Page 1 of 1

FILE #VAR-96-120

TITLE HEADING: Side yard setback in RMF-32

LOCATION: 538 Teller Avenue

PETITIONER: Michael O'Boyle

PETITIONER'S ADDRESS/TELEPHONE: 538 Teller Avenue
Grand Junction, CO 81501
241-4792

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. MAY 31, 1996.

MESA COUNTY BUILDING DEPT.	5/9/96
Bob Lee	244-1656

No comments.

CITY FIRE DEPARTMENT	5/15/96
Hank Masterson	244-1414

The Fire Department has no problems with this proposal.

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

Narrative states setback requested is 4'6", but drawing shows 4'6" or 5'. Which is correct? If setback can be 5', there is greater justification for a variance since this would be the allowed setback in a typical single family residential zone.

CITY UTILITY ENGINEER	5/15/96
Trent Prall	244-1590

No objections.

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

No comment.

TO DATE, COMMENTS NOT RECEIVED FROM:

City Attorney

5 31 96

To: Kristen Ashbeck
City Community Development
Grand Junction, Colorado

From: Michael O'Boyle
538 Teller Ave.
Grand Junction, Colorado
241 4792

RE: Side Yard Setback petition at above address.

Dear Kristen,

I received your Review Comments for my proposed variance(VAR-96-120)

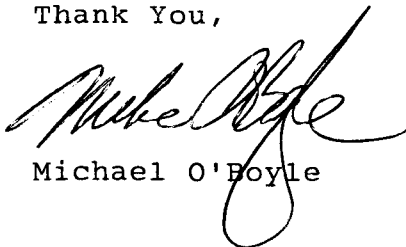
As all the other city departments noted no problems or comments to my petition, I am sending this letter to your department only

My request is for a 4 ft. 6 inch setback on my side yard.

At present the main portion of my home sits 3 ft. from the lot line and the shed which will be removed during construction is at present 4 ft. 6 inches. I will basically be using the same footprint as there is now, but adding 12 more feet to it.

Attached is a detailed drawing describing this proposal.

Thank You,



Michael O'Boyle

BOA Approved 6/12/96
East Side variance
for 4.5'
setback

BOARD OF APPEALS - STAFF REVIEW

FILE: VAR 96-120

DATE: June 4, 1996

REQUEST: Variance to Side Yard Setback

LOCATION: 538 Teller Avenue

APPLICANT: Michael O'Boyle

EXISTING LAND USE: Single Family Residence w/ Detached Garage

PROPOSED LAND USE: Same w/ Addition to Rear

SURROUNDING LAND USE: All Single Family Residential

EXISTING ZONING: Residential Multifamily 32 units per acre (RMF-32)

ZONING AND DEVELOPMENT CODE REQUIREMENT:

Section 4-2-8 B Minimum Side Yard Setback, Principal Structure: 10 feet

VARIANCE REQUESTED: Variance of side yard setback on east side from 10 feet to 5 feet.

APPLICANT'S REASON FOR REQUEST:

The variance is requested in order to construct an addition to provide more living space in a smaller, older existing home. The addition can blend better with the existing structure (e.g. roof line and floor plan) if it does not have to be stepped back to the 10-foot setback. This would detract from the aesthetic character of the house.

STAFF ANALYSIS:

The applicant is proposing to build an addition to the rear of the existing residence located at 538 Teller Avenue to include a family room, a second bathroom, and a laundry room. A lean-to storage shed presently attached to the rear of the home will be removed for the new construction. The addition will not extend any closer to the eastern property line than the existing structure already does (3 feet). A similar variance was granted on this property in

1989 to allow for a small addition to the front of the residence. However, the previous variance may not be extended for this proposed addition--a second variance is necessary.

If this single family residence and the surrounding area were zoned as such (e.g. RSF-8), the petitioner would not need to request such a large variance. The 4.5-foot side yard setback requested is very close to the 5 feet required in a single family zone. 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. It is within the public interest to allow for the improvement of property, particularly when, as in this case, the improvement is in keeping with the overall character of the neighborhood.

Exceptional Conditions / Undue Hardship not Self-Inflicted. The exceptional condition and undue hardship in this case is the requirement to meet multifamily zone setbacks for a single family residence.

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 addition without the need for a variance. However, given the character of the home, and the desire to aesthetically blend the addition with the existing, older residence, it is a reasonable request to allow a variance to site the addition as proposed.

Not Injurious to or Reduce Value of Surrounding Properties. This variance will not adversely affect the surrounding properties.

STAFF RECOMMENDATION: Approval of the side yard setback variance of 5.5 feet to allow a 4.5-foot setback for an addition to the rear of the existing home.

SUGGESTED BOARD OF APPEALS MOTIONS:

Mr. Chairman, on item VAR 96-120, a request for a side yard variance of 5.5 feet to allow a 4.5-foot setback for an addition to the existing residence at 538 Teller Avenue, I move that we APPROVE the variance for the following reasons:

Mr. Chairman, on item VAR 96-120, a request for a side yard variance of 5.5 feet to allow a 4.5-foot setback for an addition to the existing residence at 538 Teller Avenue, I move that we DENY the variance for the following reasons:

BELFORD AVE.

6th ST.



TELLER AVE.

5th ST.

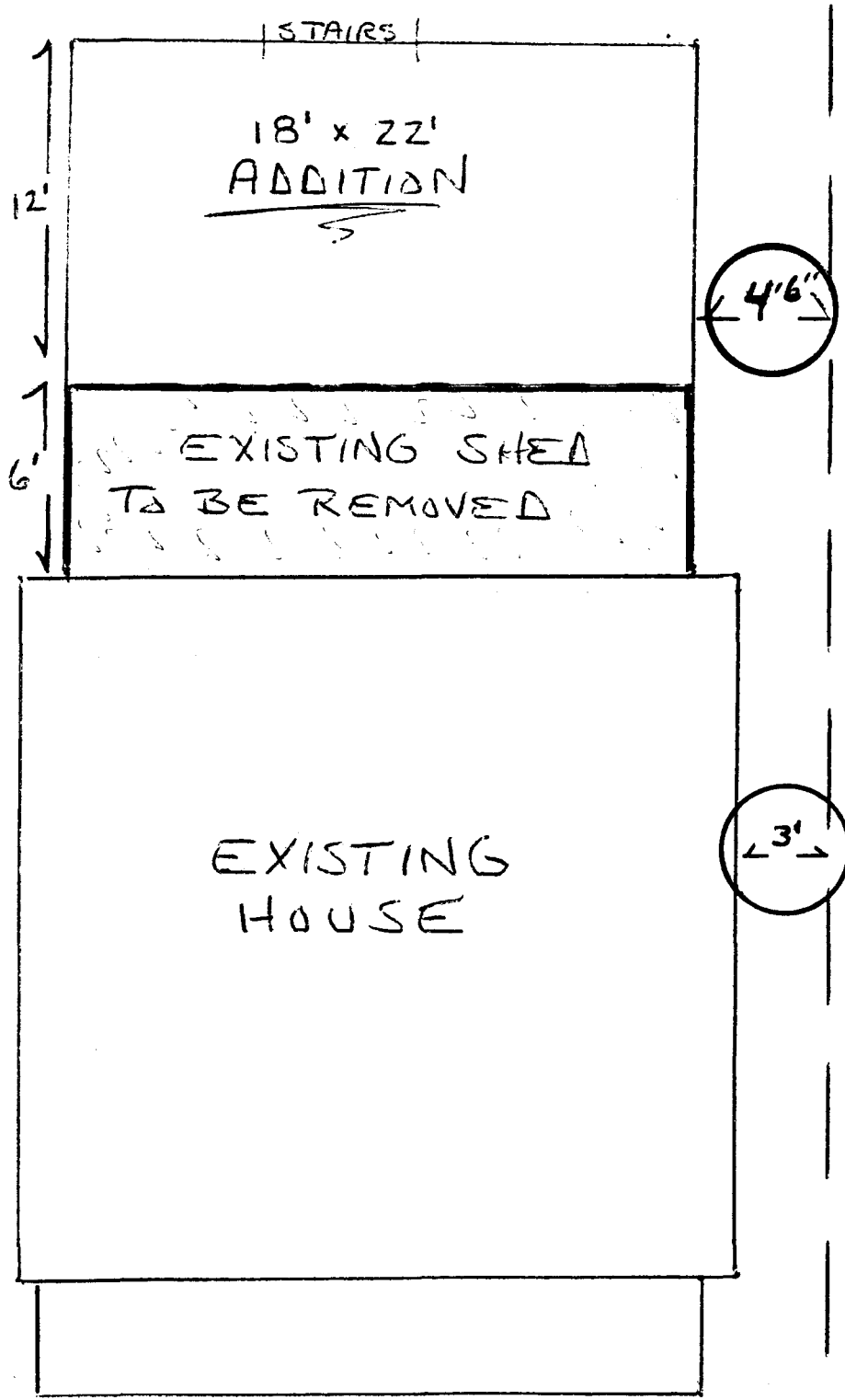


BACK ALLEY

LOT LINE IS 34 FT FROM PROPOSED ADDITION

MICHAEL O'BOYLE
538 TELLER AVE
G.J. CO. 81501
241-4792

VAR-96-120



DRIVE WAY

NEIGHBORS DRIVE WAY

TELLER AVE.

MIKE OBOYLE - 538 TELLER AVE. G.J. CO.

2945-142 08 011

RE: - PROPOSED ADDITION TO HOUSE
SUBMITTED TO G.J. PLANNING

