

GRAND JUNCTION BOARD OF APPEALS
June 4, 2019 MINUTES
12:00 p.m.

The scheduled Board of Appeals meeting was called to order at 12:00 p.m. by Chairman Christian Reece. The public hearing was held in the City Hall Auditorium.

In attendance, representing the Board of Appeals, were Board Members; Christian Reece (Chairman), Ken Scissors, and Sam Susuras.

Also present were Jamie Beard (Assistant City Attorney), Tamra Allen, (Community Development Director), and Jace Hochwalt (Associate Planner). The minutes were recorded and transcribed by Isabella Vaz (Planning Technician).

Approximately 16 citizens, including the applicant, were present.

I. APPROVAL OF MINUTES

Action: None. Minutes from previous meeting have already been approved.

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

III. PUBLIC HEARING

VAR-2018-359 VARIANCE – Variance to Bulk Standards

Consider a request from the Applicant, Jana Franklin, located at 703 Caleb Street, for approval of a variance to the rear yard setback in the R-4 zone district from 25 feet to 16 feet 9 inches.

STAFF PRESENTATION

Jace Hochwalt, Associate Planner, presented all exhibits entered into the record.

Mr. Hochwalt presented a PowerPoint on the variance request to the bulk standards of the R-4 zone district standards on the rear yard setback from 25 feet to 16 feet 9 inches and provided staff's recommendation of denial of the request.

PETITIONER'S PRESENTATION

Kim Kerk, Kerk Land Consulting & Development represented the Applicant. Ms. Kerk gave a presentation on behalf of the applicant.

Ms. Franklin made a comment in support of her variance request.

QUESTIONS

Board Member Scissors asked the applicant a question about the agreement with the contractor and Jana Franklin responded.

PUBLIC COMMENT

Public comments were received from Donald Pettigrove, Karen Daughtery, Laura Rhodes, Lin Benoit, and Ronda Sutton. All spoke in support of Ms. Franklin and the variance request.

Board Member Susuras asked Ms. Daughtery if the addition affects the quality of her property. Ms. Daughtery replied that it does not.

Chairman Reece closed the public comment period.

REBUTTAL

Chairman Reece asked if the applicant had a response to the comment period. The Applicant's representative provided additional information about not obtaining a planning clearance for the project.

Chairman Reece asked Jamie Beard, Assistant City Attorney, if the approval of the variance request could open up litigation in the future. Ms. Beard confirmed that it could.

Chairman Reece closed the public hearing.

DISCUSSION

Board Member Susuras stated that he is in favor of the variance request.

Board Member Scissors stated he believed that the appeal falls short of the required criteria and does not support the request and supported the Staff's finding for denial.

Chairman Reece stated that she feels the criteria for approving a variance have not been met. Chairman Reece stated that she also supports the Staff's finding for denial.

MOTION

Board Member Susuras moved to approve the request from the Applicant, Jana Franklin, located at 703 Caleb Street, for approval of a variance to the rear yard setback in the R-4 zone district from 25 feet to 16 feet 9 inches.

Chairman Reece seconded the motion. A vote was called and the motion was not approved by a vote of 2-1.

With no further business to discuss, the meeting was adjourned at 1:06PM.