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### Final decisions on historic district land uses may be up to City Council

By MIKE WIGGINS/The Grand Junction Daily Sentinel

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The Grand Junction City Council is considering making itself the final decision-maker on whether land uses other than single-family homes should be allowed in the Seventh Street Residential Historic District.

Council members are expected to consider later this month or early next month a revised zoning overlay that would require them to review planning staff decisions on all applications for home-based businesses and day care, accessory units, sub-units and small bed and breakfasts. More significant changes would go directly to the City Council.

Under a prior zoning overlay the council considered but ultimately tabled last month, city planners would have the final say on those more minor changes without a public hearing.

But historic district residents who have been pushing for months for a public-hearing provision as part of any land-use changes within the district said Monday they remain unsatisfied with the revised zoning overlay. They say the overlay fails to address their fundamental concern: whether anything other than a single-family house is compatible with the neighborhood.



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The council discussed the revised overlay for more than an hour during a Monday workshop attended by historic district residents Sharon Snyder, and Teddy and Kathy Jordan and their attorney, Jodie Behrmann.

The debate over land uses within the historic district took off earlier this year when Ron and Sherri DeRose filed an application to open a bed and breakfast at their home at 604 N. Seventh St. Under current zoning codes, city planners were able to approve the application without a public hearing. Historic district residents argued that a plan they thought had been in place since 1984 required such a hearing, although city officials have said there's no evidence the plan was ever formally adopted.

Behrmann filed an appeal of the decision, and a group of historic district residents says it will sue the city if the Planning Commission doesn't overrule city planners.

During Monday's workshop, Councilman Tom Kenyon questioned why the council was creating a new zoning overlay rather than simply formally acknowledging the 1984 plan.

"It feels very much like to me we're mandating these changes without (the residents') involvement," he said.

Councilman Gregg Palmer said he's concerned that by allowing uses such as bed and breakfasts and home-based businesses in the historic district "we're starting to dilute what we originally intended a historic residential district to be."

But Councilwomen Bonnie Beckstein and Linda Romer Todd said the city shouldn't put up barriers to homeowners who want to adjust how the interior of the home is used without affecting the exterior appearance of the home.

And they questioned the wisdom of forcing an applicant who meets current zoning codes to go before the council anyway.

"We're making people go through another step by pushing this forward," Todd said.

After the workshop, Behrmann said although historic district residents appreciated that the council may be willing to hold a public hearing and called it a "step in the right direction," the revised zoning overlay remains "unacceptable."

That's because, Behrmann contends, the council could still approve the land-use changes and effectively rezone the historic district without allow residents a say.

Under the revised zoning overlay, the council could deny an application if it fails to meet historic preservation standards, preserve the architectural value of buildings, create an aesthetic appearance that complements the buildings or stabilize or improve property value.

Behrmann said the criteria for approving land-use changes should address whether the change is appropriate for the particular property and the neighborhood as a whole.

"It really does nothing," she said of the revised overlay.

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