



COMMUNITY DEVELOPMENT DIVISION
BUILDING – **PLANNING** – SEPTIC SYSTEMS – CODE COMPLIANCE

200 S. Spruce Street • PO Box 20,000-5022 • Grand Junction, Colorado • 81502
Telephone: 970.244.1636 • www.mesacounty.us

HEARING LEGAL AD

NOTICE OF MESA COUNTY BOARD OF ADJUSTMENT PUBLIC HEARING

Thursday, May 14, 2026 at 11:00 a.m. in the Mesa County Courthouse, Public Hearing Room, 544 Rood Avenue, Second Floor, Grand Junction.

PRO2026-0032 CHAVEZ ACCESSORY DWELLING UNIT ZONING VARIANCE

Property Owners: Cristal and Mario Chavez

Location: 3099 A ½ Road, Grand Junction, CO 81503

Parcel: 2943-334-00-036

Zoning: AFT (Agricultural Forestry Transitional)

Planner: Collin Rode, 970-254-4152, collin.rode@mesacounty.us

Request: A zoning variance to allow an accessory dwelling unit (ADU) to be 1980 square feet, which is 480 square feet larger than the allowed 1,500 square feet for an ADU on 4.34 acres.

Web Notification Date: April 06, 2026

Publication Date: April 11, 2026



COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION

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PROJECT REVIEW April 15, 2026

PRO2026-0032 CHAVEZ ADU ZONING VARIANCE

Property Owners: Cristal and Mario Chavez
Location: 3099 A 1/2 Rd., Grand Junction, CO 81503
Parcel: 2943-334-00-036
Zoning: AFT (Agricultural Forestry Transitional)
Planner: Collin Rode, 970-254-4152, collin.rode@mesacounty.us
Request: A zoning variance to allow an accessory dwelling unit (ADU) to be 1,980 square feet, which is 480 square feet larger than the allowed 1,500 square feet for an ADU on 4.34 acres.

Staff Recommendation: Denial and adoption of the resolution.

Aerial Photo:



PROJECT DESCRIPTION:

The subject parcel is located at the intersection of A ½ Rd and 31 Rd, is approximately 0.47 miles north of Highway 50, and is approximately 4.44 acres. The property is zoned AFT (Agricultural Forestry Transitional) and has a future land use designation of Rural.

The applicant is requesting a zoning variance to allow an Accessory Dwelling Unit (ADU) to be 1,980 square feet, which is 480 square feet larger than the allowed 1,500 square feet for an (ADU). The applicant is building a new home on the property with a heated square footage of 2,300 square feet. They are wanting the new home to become the primary residence and the existing home to become the ADU. They are requesting this variance in order to accommodate the needs of their family as well as caring for an elderly parent. In addition, the applicant operates two home business out of the current dwelling.

Pursuant to Section 6.04.E the allowed size of the ADU on parcels greater than one acre would be either 1,500 square feet, or half the size of the primary dwelling, whichever is greater. With the heated square footage of the existing home being 1980 square feet, this exceeds the maximum allowed size. With the information provided during review of the request, the approval criteria of the Land Development Code could not be met as a hardship cannot be proven.

COMPLIANCE WITH MESA COUNTY CODE REQUIREMENTS:

4.22 D. Approval Criteria

In evaluating the proposed request, all of the following criteria must be met:

- 1. The requested Variance is consistent with the Purposes set out in Section 3.09 of this LDC;**

The requested variance is consistent with the purposes set out in section 3.09 of the 2020 Land Development Code.

This criterion **has been met.**

- 2. There are special circumstances or conditions (such as exceptional topographic conditions, narrowness, shallowness, or the shape of the property) that are peculiar to the land or building for which the Variance is sought that do not apply generally to land or buildings in the area;**

The lot is of sufficient size and appears to have no special conditions or circumstances that don't generally apply to the land or buildings in the area.

This criterion **has not been met.**

- 3. The special circumstances and conditions that account for the need for a Variance are not the result of the owners' actions;**

Based on the applicant's project narrative there is nothing to indicate that there are any special circumstances or conditions.

This criterion **has not been met.**

- 4. The special circumstances and conditions are such that the strict application of the provisions of this LDC would result in peculiar and practical difficulties to, and exceptional and undue hardship upon, the use of the land or building;**

Strict application of this LDC would not result in any difficulties or hardship in the use of the land or building, as there appears to be no special circumstances or conditions.

This criterion **has not been met**.

- 5. The granting of the Variance is the minimum necessary to relieve the applicant of the practical difficulties and exceptional and undue hardship in the use of the land or building; and**

Adhering to the maximum ADU size limitation would not create a practical difficulty or undue hardship.

This criterion **has not been met**

- 6. The granting of the Variance will not have an adverse impact upon the properties located within the written notification area defined in Section 3.02 D.**

The granting of the variance should have no adverse impact on the properties located within the written notification area.

This criterion **has been met**

4.22 E. Approval Criteria for Accessory Dwellings

In evaluating the proposed request, the above criteria and all of the following criteria must be met:

- 1. The available building area of the property, as shown on a survey or site analysis map submitted by the applicant, would allow the construction of the proposed accessory dwelling, including adequate space for a septic system and replacement septic system as required by Mesa County;**

The building area would be of sufficient size to accommodate both the ADU and septic system.

This criterion **has been met**.

- 2. Except for maximum size, the proposed accessory dwelling will meet all applicable requirements of the LDC;**

The Accessory dwelling unit could meet all applicable requirements of the 2020 Mesa County Land Development Code, as amended except for maximum size.

This criterion **has been met**.

- 3. The approval of the accessory dwelling is not sought to subsequently compel or influence approval of an application to subdivide the property or to circumvent subdivision regulations; and**

The approval of the ADU is not sought to subsequently compel or influence approval of an application to subdivide the property or to circumvent subdivision regulations. The applicant stated within their project narrative that they have no intentions of subdividing.

This criterion **has been met**

- 4. Notice of the requirements and restrictions pertaining to the accessory dwelling will be provided to potential future owners by recording the variance approval resolution in the public records of the Mesa County Clerk and Recorder.**

The resolution will be recorded after the final decision is made by the Board of Adjustment at the scheduled hearing on May 14, 2026.

This criterion can be met PROJECT HISTORY:

PRO2026-0032 Chavez ADU Variance

PUBLIC COMMENTS:

No public comment letters were received regarding this application.

The basis for the recommendation is:

The petition does not demonstrate compliance with the entire criterion in Section 4.22.D-E and Section 3.09 A-C of the 2020 Mesa County Land Development Code, as amended.

ATTACHEMENTS:

Review Agency Comments Report