

SUPPLEMENTAL LEGAL NOTICE – APPEAL APPLICATION

Section 17.25.040 (D) Scheduling and Notice of Public Hearings. The appeal shall be scheduled for a public hearing before the appropriate appellate body within forty-five (45) days of the date of the filing of the appeal. Public notice shall be provided in accordance with Subsection 17.07.040.E.

The application was deemed complete by Staff on January 12, 2024, and scheduled for a public hearing on February 20, 2024.

Section 17.07.040 (E) Public Notice. The Director shall establish a place and time certain for a hearing, if required by this Title, on the development application.

- 1) For every public hearing required by this Title, unless otherwise required by law or this Title, the city shall notify the public of such hearing by:**
 - a) Publication once in a newspaper of general circulation within the city, at least fifteen (15) days prior to the public hearing; and**

Completed and posted in the Daily Sentinel on January 24, 2024.

Published in Grand Junction Daily Sentinel on January 24, 2024

Location

Mesa County, Colorado

Notice Text

NOTICE OF PUBLIC HEARING

The Fruita City Council will hold a public hearing **Tuesday, February 20, 2024 at 7:00 p.m. at the Fruita Civic Center located at 325 E. Aspen Avenue, 2nd Floor** . Details on how to access this meeting will be found at www.fruita.org . The following item will be presented at the public hearing. The City Council will formulate a decision. Please check www.fruita.org for more details. If you have an interest in the item please call 858-0786 or come to the Planning & Development Department office located at 325 E. Aspen Avenue to review the information in the file. Your appearance at the hearing is encouraged to ensure your concerns are accurately represented or you can write a letter outlining your concerns and submit it to the Planning & Development Department. Application: # 2023-35

Application Name: City Market Fueling Station

Application Type: Appeal of Planning Commission Decision

Applicant: Brownstein, Hyatt, Faber, Shreck, LLP

Location: 437 W. Aspen Avenue

Description This is a request to appeal the Fruita Planning Commissions decision of denial on December 12, 2023 for a request of a Conditional Use Permit for a drive-thru facility for a retail fueling station on approximately .52 acres.

Physically disadvantaged persons who wish to obtain information may call (970) 858-0786, the hearing impaired may call Relay Colorado at 1-800-659-2656, or visit our website: www.fruita.org

<https://gjsentinel.column.us/search?activeNotice=r2ZahnKoxjtp9K2ZvJok-0>

- b) Posting notice at the Fruita City Hall, 325 East Aspen, Fruita, CO 81521, at least five (5) days prior to the hearing; and**

Completed and posted at the Fruita City Hall on January 19, 2024.

- c) Sign(s) shall be posted on or near the subject property, and shall be sufficiently conspicuous in terms of size, location and content to provide reasonably adequate notice to potentially interested persons of the land use action at a specified date and time. Such notice(s) shall be posted at least fifteen (15) days prior to the public hearing; and**

Completed and posted on the subject property on January 19, 2024.



- d) **Written notice shall be mailed to property owners, as recorded at the office of the Mesa County Assessor, of property within three hundred and fifty (350) feet of the subject property, or more until a minimum of twenty (20) unique property owners are provided notice. Notice shall be provided at least fifteen (15) days prior to the public hearing. This requirement does not apply to applications that are not property specific such as Land Use Code or Master Plan amendments.**

Completed and mailed out on January 19, 2024.

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