



COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

200 S. Spruce Street • PO Box 20,000-502 • Grand Junction, Colorado 81502
Telephone: 970-244-1636 • www.mesacounty.us

NOTICE OF MESA COUNTY PUBLIC HEARINGS

BOARD OF COUNTY COMMISSIONERS: September 15, 2026 at 1:30 p.m.

All hearings are held in the Mesa County Courthouse, Public Hearing Room, 544 Rood Avenue, Second Floor, Grand Junction, CO 81501.

PRO2026-0191 PARENTICE APPEAL OF ADMINISTRATIVE APPROVAL OF RES2026-0224

Property Owner: Passion Project, LLC

Representative: Wayne Cooley

Location: 123 Mesa Vista Rd., approx. ¼ mi. S of S. Broadway,
Grand Junction, CO 81507

Parcel: 2945-211-02-018

Zoning: RSF-4 (Residential Single-Family 4)

Planner: Britt Dveris, (970) 255-7191, britt.dveris@mesacounty.us

Request: Appeal of the administrative decision to approve the Beatrice Estate Residential Planning Clearance application (RES2026-0224) to operate a short-term rental of the home at 123 Mesa Vista Rd. The appellant states "On June 23, 2026 the County approved an increase in the maximum overnight occupancy of the short-term rental at the subject property from 20 persons to 32 persons — a 60 percent increase. I am appealing that decision because it was reached by an official who lacked authority to make it, through a process the Land Development Code does not provide, without the public notice the Code requires, and on the basis of an occupancy calculation that the County's own worksheet shows does not add up. The practical result is a 32-guest transient lodging operation — in substance, a small hotel — next to my home, in a district where the LDC does not permit a hotel of any size."

Publication Date: August 19, 2026



COMMUNITY DEVELOPMENT DIVISION PLANNING DEPARTMENT

200 S. Spruce Street • PO Box 20,000-5022 • Grand Junction, Colorado 81502
Telephone: 970-244-1636 - www.mesacounty.us/planning

PROJECT REPORT August 21, 2026

PRO2026-0191 PARENTICE APPEAL OF ADMINISTRATIVE APPROVAL OF RES2026-0224

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Representative: Wayne Cooley

Location: 123 Mesa Vista Rd., approx. ¼ mi. S of S. Broadway, Grand Jct., CO
81507

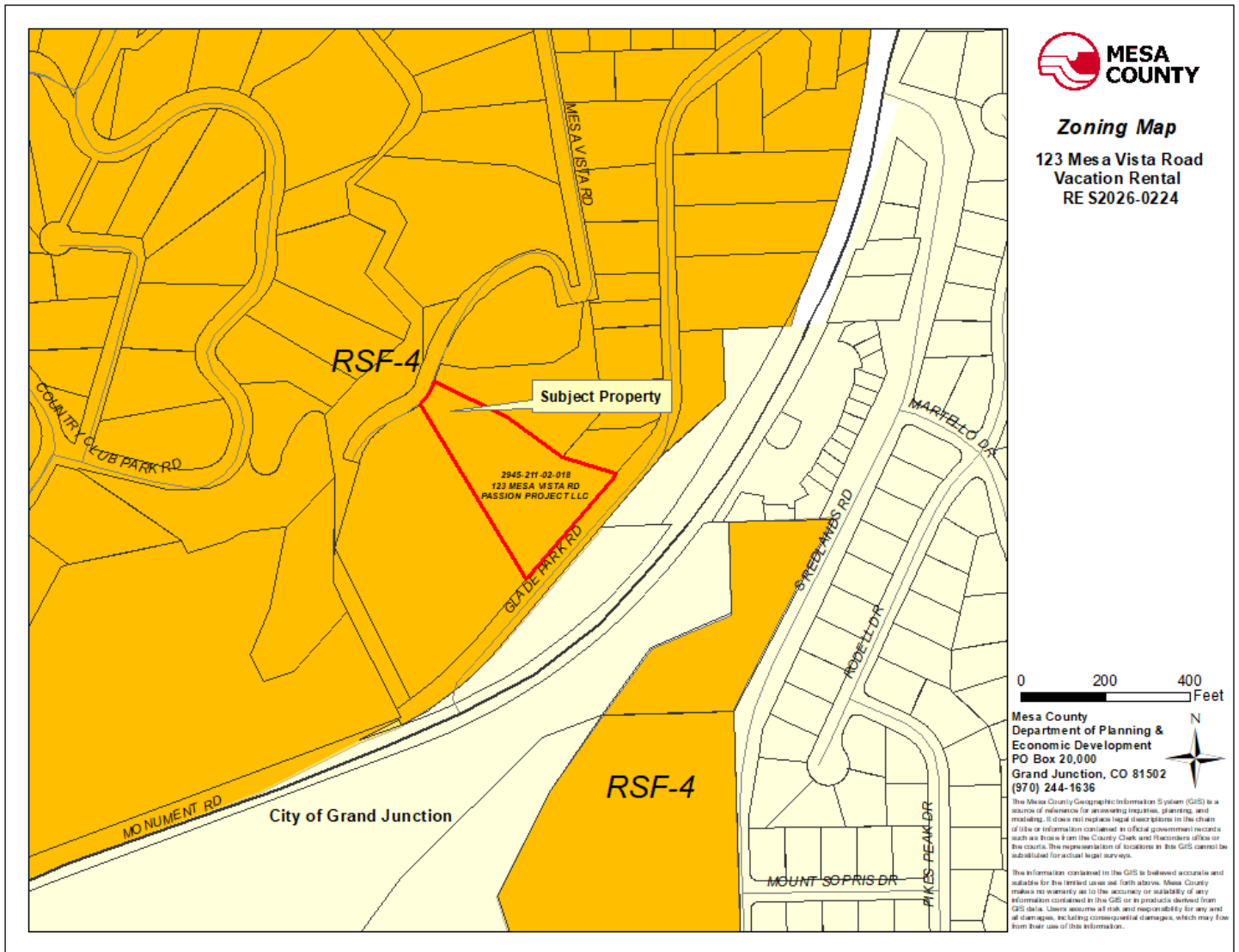
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ZONING MAP



SURROUNDING ZONING AND LAND USES

Zoning within the 500-foot public notification area:

- Residential Single-Family 4 (RSF-4)

Land Uses within the 500-foot public notification area:

- Low- and Medium-Density Residential

Applicable Area Plans

- Mesa County Master Plan

SUBJECT PROPERTY DESCRIPTION

The subject property is Lot 11 of the Mesa Vista Subdivision (Reception #258205), encompasses about two acres, and is located approximately one-quarter mile south of S. Broadway. According to the Mesa County Assessor's records, the property is occupied by a 3,519-square-foot principal dwelling built in 1947, a 712-square-foot accessory dwelling unit built in 1999, and a 544-square-foot swimming pool built in 1990. Additionally, there are two detached garages and several accessory structures on the property. The property has approximately 65 feet of frontage along and direct access to Mesa Vista Road, which is a County-maintained, local road. The property is bounded by but has no access to Glade Park Road to the southeast. A 12-inch water main is installed in Glade Park Road. The property is in the Ute Water District, Redlands Water and Power, Xcel Energy, Grand Junction Rural Fire District, and Mesa County Sheriff's Office service areas. The current zoning of the subject property is RSF-4, and the future land-use designation is Residential Low.

RESIDENTIAL SITE PLAN 2026-0224

On May 8, 2026, Wayne Cooley, representing the property owner Laura Wilbur, filed a Residential Site Plan application with the Mesa County Community Development Department proposing the operation of vacation rental lodging with a maximum occupancy of 37 guests at 123 Mesa Vista Road. The guests were to be accommodated primarily in the principal dwelling, which contains six bedrooms, an additional sleeping area, three full bathrooms, and two half bathrooms. Additionally, the accessory dwelling unit, with its one bedroom, additional sleeping area, and one full bathroom, was to provide accommodations for guests. (The Residential Site Plan application indicates a total of 4,892 square feet of floor area contained within the two dwelling units.) A total of 15 parking spaces are provided on site. On June 23, 2026, the Mesa County Community Development Department issued an administrative approval of the Residential Site Plan application allowing a maximum occupancy of 32 guests. At two people per bed, the approval of a maximum of 32 guests was based on the total number of beds (17 total – 15 king size, queen size, or full size, plus two twin size) in the two dwelling units on the subject property.

AERIAL MAP



APPEAL OF ADMINISTRATIVE DECISION TO APPROVE RESIDENTIAL SITE PLAN 2026-0224

On July 20, 2026, Nicole Parentice filed an appeal of the administrative decision to approve Residential Site Plan application 2026-0224. (Ms. Parentice had filed a formal complaint with the Mesa County Code Compliance Division regarding the operation of a vacation rental at 123 Mesa Vista Road prior to the June 23, 2026 approval of Residential Site Plan application 2026-0224 and is, therefore, a "Party of Record" with standing pursuant to Section 3.05.E.3 of the Mesa County 2020 Land Development Code.) According to the appellant, the appeal was filed for the following reasons: 1) "The number does not add up on the County's own worksheet." 2) "The decision was made the wrong way, by the wrong official." 3) "This is not a technicality-the safety questions were never asked." 4) "The impact on the neighborhood."

MESA COUNTY PLANNING DIVISION RESPONSES TO APPELLANT'S CONCERNS

- 1) "The number does not add up on the County's own worksheet."
Section 6.02.BB.3 of the Mesa County 2020 Land Development Code, as amended, states "Maximum occupancy of a vacation rental shall be determined at the time of site plan approval based on the number of parking spaces and bedrooms." Historically, the Community Development Department has based maximum occupancy of a vacation rental on the total number of beds in the dwelling unit. In the case of RES2026-0224, the two dwelling units on the subject property were found to contain 17 beds, which, at two guests per most of the beds, provided the basis of a determination to allow a maximum occupancy of 32 guests.
- 2) "The decision was made the wrong way, by the wrong official."
The Mesa County Building Division uses a Short Term Rental Worksheet to determine maximum occupancy of a vacation rental. The Mesa County Chief Building Official and Mesa County Community Development Director conducted a site visit to the subject property on June 23, 2026 to inspect the dwelling units that have been rented on a short-term basis and to which the request to increase maximum occupancy applied. During that site inspection, a total of 17 beds were counted in the principal and accessory dwelling units. The 17 beds on the premises were then used to determine the maximum occupancy of 32 guests.
- 3) "This is not a technicality-the safety questions were never asked."
A determination was made by the Mesa County Building Division that a maximum occupancy of 32 guests did not exceed the safety threshold for the lodging accommodations on site. Emergency access, building egress, and wastewater disposal for the lodging facilities were all found to be sufficient.
- 4) "The impact on the neighborhood."
The Mesa County 2020 Land Development Code currently does not prohibit large gatherings of people on the site of a vacation rental. Minor entertainment events requiring significant planning such as weddings, reunions, and business gatherings, which require a conditional use permit in the Agricultural, Forestry, Transitional (AFT) zoning district, are not allowed at all in the Residential Single-Family 4 (RSF-4) zoning district. More spontaneous, ad hoc gatherings held by guests of a vacation rental, such as private parties for which no admission fee is charged, are not regulated by the County. However, the Mesa County Attorney's Office has determined that the maximum occupancy of 32 guests at 123 Mesa Vista Road applies to any time of the day or night.

MESA COUNTY LAND DEVELOPMENT CODE REQUIREMENTS

Section 6.02.BB.3 of the Mesa County 2020 Land Development Code reads:

The vacation rental of a private residence, either as a whole or as an individual room, shall be subject to the following requirements.

- 1) Vacation rentals shall be subject to Site Plan Review.
- 2) Short-term rentals shall be permitted in single-family dwellings (attached and detached), townhomes, accessory dwelling units, and owner-occupied duplexes.
 - a) The maximum length of stay shall be less than 30 consecutive days.
 - b) Only structures permitted for residential occupancy shall be used as vacation rentals. Tents, RVs, temporary shelters, and other provisions intended for temporary occupancy are not allowed as guest accommodations.
- 3) Maximum occupancy of a vacation rental shall be determined at the time of site plan approval based on the number of parking spaces and bedrooms.
- 4) Residential dwellings that are used for vacation rentals shall meet Building Code requirements for smoke and carbon monoxide detectors. No room shall be rented that does not meet egress requirements.
- 5) All accommodations shall have sanitary and bathing facilities available to guests within or in close proximity to the area of rental, and shall not be unduly restricted in access.
- 6) The vacation rental shall have a minimum of one off-street parking space per sleeping room plus one additional space. All vehicles shall be parked in designated parking areas only.
- 7) The local property manager or representative shall be a county resident who can be contacted by telephone and is available at all times when the home is rented. The representative shall be available for resolution of conflicts, cleanup of the property, or issues with the home or occupants and shall be able to respond within a reasonable amount of time.
 - a) If the local representative changes, it shall be the responsibility of the owner to immediately notify the Mesa County Planning Department of the new representative's name and phone number.
 - b) If the local representative is not available for a specific period of time, the property shall not be rented during that time.
- 8) No changes shall be made to the dwelling or site that would diminish or detract from the residential appearance in the neighborhood.
- 9) If the proposed vacation rental is more in line with the standards set forth under Section 6.02.C, Bed and Breakfast, it may be required that the proposed vacation rental be processed as a Bed and Breakfast.
- 10) The vacation rental shall be subject to all applicable safety and health inspections, licenses, registrations, fees, and taxes to which other licensed businesses or places of accommodation are subject.

- 11) Failure to maintain compliance with the aforementioned standards shall result in the revocation of approval. Should a vacation rental receive three or more formal, verified nuisance, health and/or safety complaints in a calendar year, the Community Development Director may revoke the site plan approval.

DECISION-MAKING AND APPEAL PROCESS

The authority to make administrative decisions and hear appeals is established in Section 3.01 of the Mesa County 2020 Land Development Code, as amended.

Table 3-1 Development Review Procedures Summary Table (Excerpt)

Review (R), Decision Maker (DM), and Appeals (A) Bodies

Procedure	Community Development Director	Planning Commission	Board of County Commissioners
Site Plan	DM		A

Section 3.05.E Standing to Appeal

Any appeals to actions taken under this LDC may only be made to the Colorado Courts as allowed by Colorado law. The standing of any party to pursue such an appeal is only to the extent allowed by Colorado law. Any other appeal contemplated in this LDC, besides those filed in Colorado Court proceedings, standing may only exist to those persons who are "Parties of Record," who shall be deemed to include the following:

- 1) The applicant;*
- 2) The property owner or holder of any interest or easement in the subject property;*
or
- 3) Any person who submitted written comments on the application before final action was taken (excluding persons who have only signed petitions or form letters).*

Section 3.06 Burden of Proof or Persuasion

The burden of demonstrating that an application complies with applicable review and approval criteria is on the applicant. The burden is not on the County or other parties to show that the criteria have been met.

Section 4.02 Appeals of Administrative Decisions

A. Applicability

- 1) Board of Adjustment*
- 2) Floodplain Board of Appeals*
- 3) Board of County Commissioners*

Unless otherwise specifically provided in this LDC, the Board of County Commissioners shall hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the administration or enforcement of this LDC, except as specifically provided for above in subsections 1. and 2.

B. Application Filing

Those individuals allowed to file an appeal may submit an application for an Appeal of Administrative Decisions to the Director.

C. Timing

Appeals of Administrative Decisions must be filed within thirty (30) days of the date of the decision or action being appealed.

D. Effect of Filing

Once a complete application for appeal has been received by the Director, no other development approvals or permits will be issued for the subject property, unless the official whose decision is being appealed certifies that such a hold on permits and approvals would cause immediate peril to life or property. If such a certification is made, development approvals and permits may be issued for the subject property, unless a stop work order is issued by the Board of County Commissioners, Board of Adjustment, or the Floodplain Board of Appeals, or a restraining order is issued by a court.

E. Required Notice

Notice shall be published, mailed, and posted, in accordance with the requirements of Section 3.02 D.

F. Record of Administrative Decision

Before the public hearing, the official whose decision is being appealed shall transmit to the Board of County Commissioners, Board of Adjustment, or Floodplain Board of Appeals all documents constituting the record of the decision being appealed.

G. Review and Action

The Board of County Commissioners, Board of Adjustment, or Floodplain Board of Appeals shall hold a public hearing of a complete application and take action on the appeal.

1) Appeal Powers

In exercising the appeal power, the Board of County Commissioners, Board of Adjustment, or Floodplain Board of Appeals shall have all the powers of the

official from whom the appeal is taken, and they may reverse or affirm wholly or partly or may modify the decision being appealed. If the Board of County Commissioners, Board of Adjustment, or Floodplain Board of Appeals determines that it is necessary to obtain additional evidence in order to resolve the matter, it may remand the matter to the official from whom the appeal is taken, with directions to obtain such evidence and to reconsider the decision in light of such evidence.

2) Consideration of Evidence

In considering a request for appeal, the Board of County Commissioners, Board of Adjustment, or Floodplain Board of Appeals shall consider only those facts, evidence, testimony and witnesses that were part of the official record of the decision-maker's action. No new evidence or testimony may be considered, except County staff may be asked to interpret materials contained in the record.

3) Burden of Persuasion or Error

In acting on the appeal, the Board of County Commissioners, Board of Adjustment, or Floodplain Board of Appeals shall grant to the administrative official's decision a presumption of correctness; the burden of persuasion of error shall be on the appellant.

H. Approval Criteria

An appeal shall be sustained only if the Board of County Commissioners, Board of Adjustment, or Floodplain Board of Appeals finds that the administrative official erred.

I. Appeals

Appeals of decisions of the Board of County Commissioners, Board of Adjustments or Floodplain Board of Appeals shall be made to the courts, as provided by law.

SUMMARY

The appellant stated that the appeal was filed for the following reasons: 1) "The number does not add up on the County's own worksheet." 2) "The decision was made the wrong way, by the wrong official." 3) "This is not a technicality-the safety questions were never asked." 4) "The impact on the neighborhood."

Historically, the Community Development Department has based maximum occupancy of a vacation rental on the total number of beds in the dwelling unit. In the case of RES2026-0224, the two dwelling units on the subject property were found to contain 17 beds (15 king, queen, or full size, plus two twin size), which provided the basis of a determination to allow a maximum occupancy of 32 guests.

BoCC Hearing Date: September 15, 2026