

RESOLUTION NO. 2004-3-1

THE GRAND COUNTY BOARD OF ADJUSTMENT

WHEREAS, Timothy Moreland (hereinafter referred to as the “APPLICANT”) filed an application requesting a variance from Grand County’s Residential Zone District for a variance of ten (10) feet from the required thirty (30) foot front yard setback, thus creating a twenty (20) foot front yard setback, in order to build a warehouse in the Business Zone District. The Applicant is also requesting a zero (0) foot setback for parking on the following described property:

A tract of land, containing Lot 1, Block 2, located in the Unincorporated Town of Tabernash.

WHEREAS, as public hearing was held by the Grand County Board of Adjustment on February 18, 2004 and continued to March 18, 2004; and

WHEREAS, based on the evidence, testimony, and exhibits, comments of the Grand County Department of Planning and Zoning, comments of public officials, and agencies, and comments from all interested parties, this Board finds as follows:

1. That proper posting and public notice of this hearing were provided as required by law.
2. That the hearing before this Board was extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested parties were heard at said hearing.
3. That the Applicant has demonstrated that strict application of the Zoning Resolution will result in peculiar and exceptional practical difficulties or exceptional and undue hardship by reason or exceptional topographic condition of the property.
4. That such variance should not result in substantial detriment to the public good and would not substantially impair the intent and purpose of the Zoning Resolution.

WHEREAS, the property is located in the Business Zone District, in unincorporated Tabernash, Grand County, Colorado;

WHEREAS, the Applicant is the current owner of a parcel of land that is 0.33 acres in size and triangular in shape.

WHEREAS, the Applicant wishes to build a warehouse with an office approximately 950 square feet in size, to operate his electrical business and store supplies in; and

WHEREAS, in order to accommodate the structure, the Applicant is requesting a variance of ten (10) feet in the thirty (30) feet front yard setback, and in addition to this, the Applicant is requesting a variance to the Grand County Zoning Regulation, that requires a fifteen-foot setback from a property line, to allow a zero (0) setback from the property line for parking; and

WHEREAS, the lot is located behind a large warehouse so it is a use that already exists as well as a use allowed in the Business Zone District. Snow storage will be provided on the Applicant’s property where Circle Street was vacated; and

WHEREAS, the Grand County Zoning Regulations stipulate a side yard set back in the Business District can be zero (0) to ten (10) feet. The ten (10) foot setback is applied if the roof is draining to the side of the lot adjacent to another structure or if the new structure is located next to a residence; and.

WHEREAS, this variance request was tabled at the February 18, 2004 meeting to allow notification of the Union Pacific Railroad and to allow the Applicant to submitted a new site plan showing the placement of all utilities; and

NOW, THEREFORE, BE IT RESOLVED, by the Grand County Board of Adjustment that the above variance to approve the twenty-foot front yard setback, to allow space for the proposed warehouse approximately 950 square feet, and to approval for a zero (0) front yard setback for necessary parking spaces in front of the structure.

APPROVED AND ADOPTED this 17th day of March 2004, in Hot Sulphur Springs, Grand County, Colorado.

GRAND COUNTY BOARD OF ADJUSTMENT

Chairman

Attest:
Secretary