

**RESOLUTION NO. 2004-3-2**

**THE GRAND COUNTY BOARD OF ADJUSTMENT**

**WHEREAS**, Anne Vickery, (hereinafter referred to as the “APPLICANT”) filed an application requesting a variance from Grand County’s Residential Zone District for a variance of eight (8) feet from the required thirty (30) foot front yard setback, thus creating a twenty-two (22) foot front yard setback; a variance of six and one half (6 1/2) feet to the required ten (10) foot side yard setback, thus creating a three and one-half (3 1/2) foot side yard setback located on the East side of the lot; a variance of six inches to the West side yard setback, thus creating a nine and one-half (9 1/2) foot side yard setback from the required ten (10) foot setback; and finally, requesting a variance of fifteen (15) from the required fifteen (15) foot parking setback resulting in a zero (0) foot parking setback on the following described property:

Lot 18, Block 4, Lake Forest Subdivision

**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 propose 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 impart the intent and purpose of the Zoning Resolution.

**WHEREAS**, the property is located in the Tourist Zone, unincorporated Grand County, Colorado;

**WHEREAS**, the Applicant is the current owner of a parcel of land that is 0.13 acres in size and triangular in shape and contains a single family dwelling that has been in place more than fifty years; and

**WHEREAS**, the Applicant wishes to build a home approximately 1150 square feet in size, which will fit into the existing footprint which the existing house and shed are located on; and

**WHEREAS**, if the house had a foundation a new structure could be built on it as a pre-existing nonconforming building, however the present structure does not have a foundation and is not sound enough to allow the Applicant to renovate it; and

**WHEREAS**, the home was built in 1953 and has not been given proper upkeep, which has resulted in more or less an eyesore to this area, near the perimeter of Lake Granby, which is in the Three Lakes Design Review Area; and

**WHEREAS**, the variance to the Grand County Zoning Regulations for parking setbacks. County regulations to allow a zero (0) foot setback from the property line for parking is not an issue since vehicle parking will not obstruct others using the street dead-ends in front of this lot; and

**WHEREAS**, this section of Lake Forest Subdivision is zoned Tourist but is Residential in character, and every lot on this street is either a mobile home or house; and

**WHEREAS**, the Tourist Zone has a ten feet side yard setback whereas the Residential Zone has a five feet side yard setback, of which none of the older existing mobile homes and homes meet the required setbacks; and

**WHEREAS**, this request does not affect any neighboring residential properties; and

**WHEREAS**, the new home will meet the Three Lakes Design Standards and Building Code Regulations and will be an asset to the area, and

**NOW, THEREFORE, BE IT RESOLVED**, by the Grand County Board of Adjustment that the above variance to approve variance from Grand County's Residential Zone District for a variance of eight (8) feet from the required thirty (30) foot front yard setback, thus creating a twenty-two (22) foot front yard setback; a variance of six and one half (6 1/2) feet to the required ten (10) foot side yard setback, thus creating a three and one-half (3 1/2) foot side yard setback located on the East side of the lot; a variance of six inches to the West side yard setback, thus creating a nine and one-half (9 1/2) foot side yard setback from the required ten (10) foot setback; and finally, requesting a variance of fifteen (15) from the required fifteen (15) foot parking setback resulting in a zero (0) foot parking setback, and that a surveyed site plan will be required with the building applications

**APPROVED AND ADOPTED** this 17<sup>th</sup> day of March 2004, in Hot Sulphur Springs, Grand County, Colorado.

GRAND COUNTY BOARD OF ADJUSTMENT

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Chairman

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Attest:  
Secretary