

RESOLUTION NO. 2004-6-1

THE GRAND COUNTY BOARD OF ADJUSTMENT

WHEREAS, Jeanne Campbell (herein referred to as the 'Applicant') requesting a variance of twenty-four feet from the required thirty (30) foot front yard setback, thus creating a six foot front yard setback. The Applicant is also requesting a variance of fifteen (15) from the required fifteen (15) foot parking setback resulting in a zero (0) foot parking setback. **in order to construct a garage on the following described property:**

A tract of land, containing Lot 4, Block 1, Villa Harbor Subdivision,
Grand County, Colorado.

WHEREAS, as public hearing was held by the Grand County Board of Adjustment on June 16, 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 Applicant is the current owner of the 0.27 acre parcel located on Shadow Mountain Lake; and,

WHEREAS, the lot is rectangular in shape and contains a single family dwelling and shed that has been since 1967; and,

WHEREAS, the Applicant wishes to build a garage approximately 360 square feet in size, which will fit into the existing footprint which the existing shed is located on; and,

WHEREAS, the existing shed is located near the perimeter of Shadow Mountain Lake, which is in the Three Lakes Design Review Area; and,

WHEREAS, the shed is partially located in the front yard setback and the applicant is requesting the variance to allow a garage, built to present day building code standards, to be built in the existing non-conforming setback; and,

WHEREAS, the new garage will be longer and wider than the existing setback but will not increase the existing encroachment; and,

WHEREAS, the Applicant is requesting a variance to the Grand County Zoning Regulations for parking setbacks of fifteen (15) feet to the required fifteen foot setback, resulting in a zero (0) foot setback from the property line for parking to allow vehicle parking so that it will not obstruct others using the street since the street dead-ends in front of this lot.

WHEREAS, this section of Villa Harbor Subdivision is zoned Tourist but is Residential in character, is set apart from the rest of Villa Harbor Subdivision by Grand County U. S. Highway 34 and does not affect any neighboring residential properties; and,

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

NOW, THEREFORE, BE IT RESOLVED, by the Grand County Board of Adjustment that the above variance request be approved, and that the Applicant is given notice the following will be required before a building permit is issued:

1. The Applicant will provide a surveyed site plan with a building permit application.
2. The Applicant will design and construct a roof in compliance with the Three Lakes Design Review; the material will be non-reflective.
3. The Building Department will add a condition to the building permit that requires that the Applicant provide means of access/egress to the neighbor, and that construction activities will not block the drive.

APPROVED AND ADOPTED this 16th day of June 16, 2004, in Hot Sulphur Springs, Grand County, Colorado.

GRAND COUNTY BOARD OF ADJUSTMENT

Chairman

Attest:
Secretary