

RESOLUTION NO. 2004-11-1

THE GRAND COUNTY BOARD OF ADJUSTMENT

WHEREAS, Darin Good, (herein referred to as the ‘Applicant’) Applicant requests a twenty-five (25) foot variance from Grand County’s required minimum thirty (30) foot front yard setback, thus creating a five (5) foot front yard setback, and a variance of fifteen feet from Grand County’s twenty (20) foot rear yard setback, thus creating a five (5) foot rear yard setback in areas where said lot meets the thirty (30) foot water quality setback, for the purpose of constructing a single family dwelling unit with attached garage, on the Lot 14, Block 9, Scanloch Subdivision, on the following described property:

A tract of land, containing Lot 14, Block 9, Scanloch Subdivision,
Grand County, Colorado.

WHEREAS, as public hearing was held by the Grand County Board of Adjustment on November 17, 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 prospective owner of the 0.15 acre parcel located in the Residential (“R”) District on Lake Granby; and,

WHEREAS, the applicant has proposed a modest size home with a fifteen-hundred (1,500) square feet area, and a two car garage; and,

WHEREAS, staff believe that the proposed home will not impact the subdivision if the setbacks are granted since the road rights of way are privately owned by the Scanloch Subdivision; and,

WHEREAS, staff has received a letter of support from the neighboring parcel that is closest, and most impacted by the proposed variance on Lot 14, Block 9; and,

WHEREAS, the parcel is part of the Scanloch Subdivision, a very old subdivision that was not engineered to accommodate road, a contemporary building footprint, and setbacks as required under current subdivision regulations; and,

WHEREAS, the lot is trapezoidal in shape and slopes downward towards Lake Granby, and,

WHEREAS, the side of the lot measure sixty-six (66) feet on the south and fifty-nine (59) feet six (6) inches on the north; and,

WHEREAS, if the regulated setback of twenty (20) feet and the front yard setback of thirty (30) feet were applied to the building envelop would be fifteen (15) feet deep at the widest point; and,

WHEREAS, the lot width (sixty-six feet) and size (0.15 acre) are the criterion that creates the hardship; and,

WHEREAS, staff has reviewed the on-site conditions and notes that there are limited areas on lot 14, Block 9 that will not meet the thirty (30) foot water quality setback so that the recommendation is that the thirty (30) foot water quality setback will override the rear setback variance of five (5) feet if required; and,

NOW, THEREFORE, BE IT RESOLVED, by the Grand County Board of Adjustment that the above variance request be approved.

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

GRAND COUNTY BOARD OF ADJUSTMENT

Chairman

Attest:
Secretary