

**GRAND COUNTY BOARD OF ADJUSTMENT**

**RESOLUTION NO. 2009-9-1**

A RESOLUTION GRANTING A VARIANCE TO THE MAXIMUM BUILDING HEIGHT IN THE FORESTRY AND OPEN ZONE DISTRICT, ON THE FOLLOWING DESCRIBED PROPERTY, TO WIT:

Portion of 729.99 acres located in Sections 13, 23, 24, 25,  
Township 1 North, Range 79 West of the 6<sup>th</sup> P.M.,  
Grand County, Colorado  
(Williams Fork Outlet)

At the regular meeting of the Grand County Board of Adjustment held on September 16, 2009, a request for a variance from the maximum building height requirement was requested by Jon Fischer, representing the City and County of Denver, Board of Water Commissioners.

WHEREAS, the Grand County Zoning Regulations allow a maximum building height of thirty five (35) feet in the Forestry and Open Zone District, unless there is a change in finished grade of at least five (5) feet as measured ten (10) feet from the building, in which case the regulations allow for a maximum building height of forty (40) feet; and

WHEREAS, there is a change in finished grade on this property which allows for a maximum building height of forty (40) feet; and

WHEREAS, the applicant has required a variance to the maximum building height to allow construction of an addition onto an existing building, which is located at the outlet of the Williams Fork Reservoir; and

WHEREAS, there is a two hundred (200) foot plus concrete wall behind this building; and

WHEREAS, with the addition, the structure will be seventy three (73) feet in height as measured from the water; and

WHEREAS, the addition will allow for an interior bridge crane to be installed and used for removal of turbines, pipes, valves and other large equipment currently housed within the structure; and

WHEREAS, a notice of public hearing was published in the local newspaper fourteen (14) days prior to the September 16, 2009, Board of Adjustment meeting; and

WHEREAS, all adjacent property owners as established by Grand County GIS system were sent notification fourteen (14) days prior to the September 16, 2009, Board of Adjustment meeting by certified mail, return receipt; and

WHEREAS, this request will not impair the intent of the Forestry and Open Zone District.

NOW THEREFORE BE IT RESOLVED that the Grand County Board of Adjustment has voted to grant a variance in the amount of thirty three (33) feet, to allow a maximum building height of seventy three (73) feet instead of the normally allowed maximum building height of forty (40) feet with an applicable change in finished grade.

BE IT FURTHER RESOLVED that this variance runs with the property and is only valid for one year from date of approval.

APPROVED AND ADOPTED THIS 16<sup>th</sup> DAY OF SEPTEMBER, 2009.

GRAND COUNTY BOARD OF ADJUSTMENT

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Timothy Moreland, Chairman

ATTEST:

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Secretary  
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