

GRAND COUNTY BOARD OF ADJUSTMENT

RESOLUTION NO. 2009-11-1

A RESOLUTION DENYING A VARIANCE TO THE FRONT YARD SETBACK REQUIREMENT IN THE TOURIST ZONE DISTRICT, ON THE FOLLOWING DESCRIBED PROPERTY, TO WIT:

Mobile Home Owner:
Edwin H. and Mary F. Gibbens
Trail Ridge Marina Mobile Home Park
Grand County, Colorado

Land Owner:
Triple Diamond, Inc
1.48 acre tract located in
Section 13, Township 3 North, Range 76 West of the 6th P.M.
Grand County, Colorado

At the regular meeting of the Grand County Board of Adjustment held on November 18, 2009, a request for a variance from the front yard setback requirement in the Tourist Zone District, was requested by Edwin Gibbens.

WHEREAS, the Grand County Zoning Regulations require a minimum front yard setback of thirty feet (30') in the Tourist Zone District; and

WHEREAS, the applicants have a mobile home located in Trail Ridge Marina Mobile Home Park; and

WHEREAS, the mobile home and mobile home park are considered to be pre-existing, non-conforming; and

WHEREAAS, the applicants would like to construct a deck on the side of their mobile home which will encroach into the front yard setback; and

WHEREAS, the applicants have requested a variance from the minimum front yard setback in the amount of thirty (30) feet, which would allow a zero (0) foot front yard setback; and

WHEREAS, a notice of public hearing was published in the local newspaper fourteen (14) days prior to the November 18, 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 November 18, 2009, Board of Adjustment meeting by certified mail, return receipt; and

WHEREAS, the applicants have deck on the other side of their mobile home; and

WHEREAS, the Board of Adjustment does not believe that this situation constitutes a hardship, nor creates an exceptional situation or condition.

NOW THEREFORE BE IT RESOLVED that the Grand County Board of Adjustment has voted to deny the variance to the required front yard setback requirement in the Tourist Zone District because no extraordinary or exceptional situation is proven.

BE IT FURTHER RESOLVED that no hardship is placed upon the applicants by the denial of this variance.

APPROVED AND ADOPTED THIS 18th DAY OF NOVEMBER, 2009.

GRAND COUNTY BOARD OF ADJUSTMENT

Timothy Moreland, Chairman

ATTEST:

Secretary