

GRAND COUNTY BOARD OF ADJUSTMENT

RESOLUTION NO. 2010-7-1

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

Henderson Mill Site
8929.896 acres total
Sections 6, 7, 8, 17, Township 3 South, Range 77 West;
Section 31, Township 2 South, Range 77 West;
Sections 36, 39, Township 2 South, Range 78 West
Grand County, Colorado

At the regular meeting of the Grand County Board of Adjustment held on July 14, 2010, a request for a variance to the maximum building height requirement in the Forestry and Open Zone District was requested by Marty Kreel, representing Climax Molybdenum Company – Henderson Operations.

WHEREAS, Climax Molybdenum Company is the owner of 8929.896 acres located in Sections 6, 7, 8, 17, Township 3 South, Range 77 West; Section 31, Township 2 South, Range 77 West; Sections 36 and 39, Township 2 South, Range 78 West of the 6th P.M., Grand County, Colorado; and

WHEREAS, the Grand County Zoning Regulations stipulate a maximum building height of thirty five feet (35') in the Forestry and Open Zone District; and

WHEREAS, the applicant has requested a variance from the maximum building height in the amount of thirty feet (30'), to accommodate a Lime Slaker Silo structure approximately sixty five feet (65') in height; and

WHEREAS, the Lime Slaker Silo structure will be used to mix Quick Lime pebbles with water to form a slurry type material known as Hydrated Lime, to be added to mill water prior to it entering the tailings pond; and

WHEREAS, the lime will increase the pH level of the liquid, making it less acidic and more alkaline, and at a more constant level, which will be better for the environment; and

WHEREAS, the silo structure will be located adjacent to the existing mill building which is 85' in height, and will be Khaki in color to match the building; and

WHEREAS, all representations of the applicant are deemed conditions of approval; and

WHEREAS, a notice of public hearing was published in the local newspaper fourteen (14) days prior to the July 14, 2010 Board of Adjustment meeting; and

WHEREAS, all adjacent property owners as established by the Grand County GIS System were sent notification fourteen (14) days prior to the July 14, 2010 Board of Adjustment meeting by certified mail, return receipt; and

WHEREAS, the Board of Adjustment believes that it would be a hardship for the owner of this property to meet the maximum building height requirement, and that granting this variance would not be substantially detrimental to the public good, nor would it substantially impair the intent and purpose of the Forestry and Open Zone District.

NOW THEREFORE BE IT RESOLVED that the Grand County Board of Adjustment has voted to grant the Climax Molybdenum Company – Henderson Operations Variance, allowing a maximum sixty five foot (65') building height, instead of the normal maximum building height of thirty five feet (35'), on of 8929.896 acres located in Sections 6, 7, 8, 17, Township 3 South, Range 77 West; Section 31, Township 2 South, Range 77 West; Sections 36 and 39, Township 2 South, Range 78 West of the 6th P.M., Grand County, Colorado, with the following conditions:

- Applicant shall pay all fees associated with the public notice and certified mailings prior to a Resolution of approval being recorded.

- The Slaker shall be painted Khaki as shown on the Metal Roof and Wall Colors sample sheet from Metal Sales Manufacturing Corporation.

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 14th DAY OF JULY, 2010.

GRAND COUNTY BOARD OF ADJUSTMENT

Timothy Moreland, Chairman

ATTEST:

Secretary

common-boa-resolutions-2010_7-Climax Molybdenum Variance