

GRAND COUNTY BOARD OF ADJUSTMENT

RESOLUTION NO. 2012-9-2

A RESOLUTION DENYING A FIVE (5') FOOT VARIANCE TO THE MINIMUM SIDE YARD SETBACK, IN THE FORESTRY & OPEN ZONE DISTRICT, ON THE FOLLOWING DESCRIBED PROPERTY, TO WIT:

23517 County Road 50, a metes and bounds parcel, located in the SE ¼ NW ¼ of Section 24, Township 1 South, Range 76 West of the 6th P.M.

At the regular meeting of the Grand County Board of Adjustment held on September 12, 2012, Joann and Gary V. Erickson, requested a variance from the minimum side yard setback in the Forestry & Open Zone District.

WHEREAS, Joann and Gary V. Erickson are the owners of approximately 0.35 acres of land on County Road 50 purchased by Warranty Deed recorded at Reception No. 2003015345 of the Grand County records; and

WHEREAS, the applicants are requesting a variance for a five (5') foot side yard setback instead of ten (10') feet, to accommodate a 24 foot x 36 foot garage; and

WHEREAS, the Grand County Zoning Regulations stipulate a minimum side yard setback of ten (10') feet in the Forestry Zone District; and

WHEREAS, a notice of public hearing was published in the local newspaper at least fifteen (14) days prior to the August 23, 2012 Board of Adjustment meeting; and

WHEREAS, all adjacent property owners as established by the Grand County GIS System were sent notification at least fifteen (14) days prior to the September 12, 2012 Board of Adjustment meeting by certified mail, return receipt; and

WHEREAS, the applicant is able to construct a garage of the same size within the zoning setbacks; and

WHEREAS, all representations of the applicant are deemed conditions of approval; 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 side yard setback requirement in the Forestry and Open 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 12th DAY OF September, 2012.

GRAND COUNTY BOARD OF ADJUSTMENT

Gary Salberg, Acting Chairman

ATTEST:

Secretary