

**GRAND COUNTY BOARD OF ADJUSTMENT**

**RESOLUTION NO. 2012-8-1**

A RESOLUTION GRANTING A 6 INCH VARIANCE TO THE MINIMUM FRONT YARD SETBACK, IN THE RESIDENTIAL ZONE DISTRICT, ON THE FOLLOWING DESCRIBED PROPERTY, TO WIT:

Lot 9, Amended Final Plat of Lots 8 & 9, Blk 1, Replat of Winter Park Ranch 2<sup>nd</sup> Filing, Lot S-87, Re-subdivision of a portion of Winter Park Ranch 4<sup>th</sup> Filing & Kelso Outright Exemption

At the regular meeting of the Grand County Board of Adjustment held on August 8, 2012, Russell Waugh, represented by David Michel, requested a variance from the minimum front yard setback in the Residential Zone District.

WHEREAS, Russell J. Waugh is the owner of Lot 9, Amended Final Plat of Lots 8 & 9, Block 1, Replat of Winter Park Ranch 2<sup>nd</sup> Filing and Lot S-87, Resubdivision of a Portion of Winter Park Ranch 4<sup>th</sup> Filing and Kelso Outright Exemption; and

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

WHEREAS, Russell Waugh has requested a variance to allow a 28 foot 10 inch front yard setback, instead of the normally required thirty (30) foot front yard setback, to accommodate an existing encroachment of a garage and permit a remodel of the existing garage; and

WHEREAS, a notice of public hearing was published in the local newspaper at least fifteen (15) days prior to the May 9, 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 (15) days prior to the August 8, 2012 Board of Adjustment meeting by certified mail, return receipt; and

WHEREAS, documentation shows there was probable surveying errors between the original Winter Park Ranch 2<sup>nd</sup> Filing Plat from 1965 and the Amended Final Plat recorded in 2003 ; and

WHEREAS, in 1998 it was probable that the garage was constructed in compliance with the 30 foot setback; and

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

WHEREAS, the Board of Adjustment has found that due to documented surveying errors, that

granting this variance would not be substantially detrimental to the public good, nor would it substantially impair the intent and purpose of the Residential Zone District.

NOW THEREFORE BE IT RESOLVED that the Grand County Board of Adjustment has voted to grant a 6 inch" variance to the minimum front yard setback requirement for the Residential Zone District, which allows a 29 foot 6 inch front yard setback, instead of the normally required thirty foot front yard setback, on Lot 9, Amended Final Plat of Lots 8 & 9, Blk 1, Replat of Winter Park Ranch 2<sup>nd</sup> Filing, Lot S-87, Re-subdivision of a portion of Winter Park Ranch 4<sup>th</sup> Filing & Kelso Outright Exemption.

APPROVED AND ADOPTED THIS 8<sup>th</sup> DAY OF August, 2012.

GRAND COUNTY BOARD OF ADJUSTMENT

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Timothy Moreland, Chairman

ATTEST:

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Secretary

common-boa-resolutions-2012-Waugh Variance