

RESOLUTION NO. 2004-10-2

THE GRAND COUNTY BOARD OF ADJUSTMENT

WHEREAS Ronald J. and Frances L. Inman, (hereinafter referred to as the "Applicant") are requesting a twenty (20) foot variance from Grand County's minimum thirty (30) foot side yard setback for the purpose of constructing an accessible (handicap) walkway to their single family dwelling in a parcel located in the Residential District ('R') specifically,

On a parcel located on Lot 49, Block 10, Columbine Lake Subdivision, Grand County, Colorado

WHEREAS, as Public Hearing was held by the Grand County Board of Adjustment on October 20, 2004; and,

WHEREAS, based on the evidence, testimony, and exhibits, comments of the Grand County Department of Planning and Zoning, comments of public officials, and agencies, and comments from all interested parties, this Board finds as follows:

1. That propose posting and public notice of this hearing were provided as required by law.
2. That the hearing before this Board was extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested parties were heard at said hearing.
3. That the Applicant has demonstrated that strict application of the Zoning Resolution will result in peculiar and exceptional practical difficulties or exceptional and undue hardship by reason or exceptional topographic condition of the property.
4. That such variance should not result in substantial detriment to the public good and would not substantially impart the intent and purpose of the Zoning Resolution.

WHEREAS, the Applicant is the current owner of Lot 49, Block 10, Columbine Lake Subdivision, a 0.17 acre parcel, (hereinafter referred to as "Lot 49"); and,

WHEREAS, Columbine Lake Subdivision is a 131 lot subdivision that was filed (or created) in Grand County on May 2, 1969, and is recorded at reception no. 110970, Grand County real property records; and,

WHEREAS, Lot 49 is rectangle in shape, located adjacent to Columbine Drive and Columbine Lake, and the lot slopes moderately down in elevation (10% - 20%) from front to back; and,

WHEREAS, the Applicants are proposing to construct an elevated handicap walkway from the parking area adjacent to Columbine Drive to the house; and,

WHEREAS, the walkway is necessary for an elderly mother who lives with them; and,

WHEREAS, an elevated walkway is viewed the same as a deck and is required to meet required setbacks, thus necessitating a variance of twenty feet; and,

WHEREAS, said variance request is only for the walkway and does not pertain to additions to the existing single family dwelling.

WHEREAS, Staff has made proper public notification for the requested variance, and  
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received on telephone call from Allen Keesan, who lives directly across the street from said Lot, in support of the variance; and,

WHEREAS, the Board of Adjustment shall allow a variances to the minimum area of lot, width, front yard, side yard, rear yard, height of building, where, by reason of exceptional shape, size or topography of lot, or other exceptional situation or condition of the building or land, practical difficulty or unnecessary hardship would result to the owners of said property from a strict enforcement of these regulations.

WHEREAS, the Applicant has requested that the Board of Adjustment authorize a variance to the County's minimum side yard setback of 30 feet, to allow for a twenty (20) foot variance for purposes of facilitating the construction of an accessible walkway to their single family residence; and,

WHEREAS, based on the evidence, testimony, and exhibits, comments of public officials, and agencies, and comments from all interested parties, this Board finds as follows

**NOW, THEREFORE, BE IT RESOLVED**, by the Grand County Board of Adjustment that the above variance to approve variance from Grand County's Tourist District for a twenty (20) foot variance from Grand County's required minimum ten (10) foot rear yard setback for the purpose of constructing an accessible walkway to their single family residence.

APPROVED AND ADOPTED this 20th day of October 2004, in Hot Sulphur Springs, Grand County, Colorado.

GRAND COUNTY BOARD OF ADJUSTMENT

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Chairman

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Attest:  
Secretary