

**GRAND COUNTY BOARD OF ADJUSTMENT  
RESOLUTION NO. 2008-5-2**

A RESOLUTION GRANTING A VARIANCE TO ALLOW EIGHT BOAT DOCKS, EXTENDING FORTY-FIVE (45) FOOT IN LENGTH BEYOND THE NATURAL SHORELINE, RATHER THAN THE THIRTY-FIVE (35) FOOT MAXIMUM BOAT DOCK EXTENSION IN LENGTH BEYOND THE NATURAL SHROELINE ALLOWED PER THE GRAND COUNTY ZONING REGULATIONS IN THE TOURIST ZONE DISTRICT, ON THE FOLLOWING DESCRIBED PROPERTY, TO WIT:

Tract of land in the NW4NE4 of Section 13, Township 3 North, Range 76 West of the 6<sup>th</sup> P.M.,  
Grand County, Colorado

At the regular meeting of the Grand County Board of Adjustment held on May 28, 2008 a request for a variance to the maximum length of a boat dock from the natural shoreline in the Tourist Zone District from the provisions of the Grand County Zoning Regulations was presented by Jack Messervey, Tony DiCroce and Ed Gibbens, representing Triple Diamond, Inc.

WHEREAS, the applicant has requested a variance to the maximum length of a boat dock from the natural shoreline in the amount of ten (10) feet; and

WHEREAS, a notice of public hearing was published in the local newspaper fifteen (15) days prior to the May 28, 2008 Board of Adjustment meeting; and

WHEREAS, all property owners within 500' from property as established by Grand County GIS system were sent notification fifteen (15) days prior to the May 28, 2008, Board of Adjustment meeting by certified mail, return receipt; and

WHEREAS, the Grand County Zoning Regulations allow a thirty-five (35) foot maximum boat dock extension beyond the natural shoreline and a variance in the amount of ten (10) feet will allow a forty-five (45) foot maximum boat dock extension beyond the natural shoreline; and

WHEREAS, the applicant has stated the necessity of the variance is due to the shallow depth of the water, navigational issues, safety hazards with docking boats and potential damage to boats and docks that would place an undue hardship on the applicant, as allowed by the Grand County Zoning Regulations; and

WHEREAS, the applicant previously had pre-existing, non-conforming boat docks on site that extended forty-five (45) feet beyond the natural shoreline; and

WHEREAS, if the applicant were repairing the pre-existing, non-conforming boat docks versus complete replacement of the docks, a variance would not be necessary.

NOW THEREFORE BE IT RESOLVED that the Grand County Board of Adjustment has voted to grant a variance which would allow Triple Diamond, Inc. to extend forty-five (45) feet beyond the natural shoreline with their eight association boat docks due to shallow water depth, potential safety hazards and potential boat damage that might occur on a tract of land in the NW4NE4 of Section 13, Township 3 North, Range 76 West of the 6<sup>th</sup> P.M., Grand County, Colorado.

APPROVED AND ADOPTED THIS 28<sup>TH</sup> DAY OF MAY, 2008.

GRAND COUNTY BOARD OF ADJUSTMENT

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Timothy Moreland, Chairman

ATTEST:

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Secretary