

**GRAND COUNTY BOARD OF ADJUSTMENT
RESOLUTION NO. 2008-10-2**

A RESOLUTION GRANTING A VARIANCE TO THE FRONT YARD SETBACK REQUIREMENT AND GRANTING A VARIANCE TO THE WATER QUALITY SETBACK IN THE RESIDENTIAL ZONE DISTRICT, ON THE FOLLOWING DESCRIBED PROPERTY, TO WIT:

Lots 12 and 13, Adams 1st Addition to Grand Lake, Lying between the South Shore of Grand Lake and Jericho Road, NE4 Section 8, Township 3 North, Range 75 West of the 6th P.M., Grand County, Colorado

At the regular meeting of the Grand County Board of Adjustment held on October 15, 2008 a request for a variance from the front yard setback requirement in the Residential Zone District and a variance from the water quality setback requirement in the Residential Zone District, was requested by Will O'Donnell, representing Gilbert Eugene Caillouet Jr. and Patricia Sayles Ferry Caillouet, Trustees.

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

WHEREAS, the applicants have requested a variance from the minimum front yard setback in the amount of twenty five feet (25'), which would allow a five foot (5') front yard setback; and

WHEREAS, the applicants have requested a variance from the minimum water quality setback in the amount of twenty feet (20'), which would allow a ten foot (10') water quality setback; and

WHEREAS, the front yard setback variance would allow the creation of a building envelope in the size of 1760 square feet for a home and 625 square feet for a garage; and

WHEREAS, the water quality setback variance is allowed for the sole purpose of placing four (4) deck support posts twenty five feet (25') from the high water mark; and

WHEREAS, the deck is allowed to cantilever an additional five feet (5') towards the Lake; and

WHEREAS, any future construction shall be placed across the boundary line between Lots 12 and 13, Adams 1st Addition to Grand Lake and a combination deed shall be recorded through the office of the Grand County Clerk and Recorder when a building permit is applied for; and

WHEREAS, Mountain Parks Electric has indicated that it may be difficult and/or expensive to provide electric service to the property; and

WHEREAS, a notice of public hearing was published in the local newspaper fourteen (14) days prior to the August 27, 2008, Board of Adjustment meeting; and

WHEREAS, all property owners within 500' from property as established by Grand County GIS system were sent notification fourteen (14) days prior to the August 27, 2008, Board of Adjustment meeting by certified mail, return receipt; and

WHEREAS, the applicant has stated the necessity of the variances is due to the minimal width of the lots, as allowed by the Grand County Zoning Regulations; and

NOW THEREFORE BE IT RESOLVED that the Grand County Board of Adjustment has voted to grant a variance to the minimum front yard setback, reducing the minimum thirty (30) foot front yard setback to five (5) feet and a variance to the minimum water quality setback, reducing the minimum thirty (30) foot water quality setback to ten (10) feet due to the constraints of the lots for the purpose of constructing structure(s) and placing deck posts on Lots 12 and 13, Adams 1st Addition to Grand Lake with the following conditions:

- Any construction shall be built across the Lot line between Lots 12 and 13, Adams 1st Addition to Grand Lake, and a Combination Deed shall be recorded through the office of the Grand County Clerk and Recorder when a building permit is applied for.

- The water quality setback is allowed for the sole purpose of a deck. The deck shall be allowed a maximum of four (4) support posts twenty five (25) feet from the high water mark of the Lake. The deck is allowed to cantilever an additional five (5) feet towards the Lake, effectively allowing for a twenty (20) foot setback.
- Mountain Parks Electric has indicated that it may difficult and/or expensive to provide electric service to this property.

BE IT FURTHER RESOLVED that these variances run with the property and are only valid for one year from date of approval.

APPROVED AND ADOPTED THIS 15th DAY OF OCTOBER, 2008.

GRAND COUNTY BOARD OF ADJUSTMENT

Timothy Moreland, Chairman

ATTEST:

Secretary

common-boa-resolutions-2008-Caillouet Variance