

**GRAND COUNTY BOARD OF ADJUSTMENT**

**RESOLUTION NO. 2009-9-3**

A RESOLUTION GRANTING A ONE YEAR EXTENSION FOR THE APPROVAL OF THE CAILLOUET VARIANCE, WHICH GRANTED A VARIANCE TO THE FRONT YARD SETBACK REQUIREMENT AND VARIANCE TO THE WATER QUALITY SETBACK IN THE RESIDENTIAL ZONE DISTRICT, ON THE FOLLOWING DESCRIBED PROPERTY, TO WIT:

Lots 12 and 13, Adams 1<sup>st</sup> 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 6<sup>th</sup> P.M., Grand County, Colorado

At the regular meeting of the Grand County Board of Adjustment held on September 16, 2009, a request for an extension to the Gilbert Eugene Caillouet Jr. and Patricia Sayles Ferry Caillouet, Trustees Variance was presented.

WHEREAS, on October 15, 2008, by Grand County Board of Adjustment Resolution No. 2008-10-2, recorded at Reception Number 2009000784 of the Grand County Records, the Grand County Board of Adjustment granted a variance to the front yard setback requirement and water quality setback on Lots 12 and 13, Adams 1<sup>st</sup> 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 6<sup>th</sup> P.M., Grand County, Colorado; and

WHEREAS, the variance allowed for a variance to the front yard setback in the amount of twenty five (25) feet, to allow for a five (5) foot front yard setback, instead of the normally required thirty (30) foot setback; and

WHEREAS, the variance allowed for a variance to the water quality setback in the amount of twenty (20) feet to allow for a water quality setback of ten (10) feet instead of the normally required thirty (30) feet; and

WHEREAS, per Section 16.3 (5) of the Grand County Zoning Regulations, all variance permits shall be issued within one (1) year from the time such variance is granted by the Board; and

WHEREAS, if the permit has not been obtained, the applicant can request a one (1) year extension from the Board of Adjustment, or the variance shall become null and void; and

WHEREAS, a permit has not been obtained; and

WHEREAS, Patricia Caillouet has requested an extension to the variance approval.

NOW THEREFORE BE IT RESOLVED that the Grand County Board of Adjustment has voted to grant a one year extension to the Caillouet Variance issued by Grand County Board of Adjustment Resolution Number 2008-10-2, recorded at Reception Number 2009000784 of the Grand County Records, with the following conditions:

- Any construction shall be built across the lot line between Lots 12 and 13, Adams 1<sup>st</sup> 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 be 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 from one year from the date of the original approval, or until October 15, 2010.

APPROVED AND ADOPTED THIS 16<sup>th</sup> DAY OF SEPTEMBER, 2009.

GRAND COUNTY BOARD OF ADJUSTMENT

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Timothy Moreland, Chairman

ATTEST:

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Secretary  
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