

**GRAND COUNTY BOARD OF ADJUSTMENT**

**RESOLUTION NO. 2013-8-1**

A RESOLUTION APPROVING A VARIANCE TO ALLOW A EIGHTEEN FOOT (18') FRONT YARD SETBACK TO ACCOMMODATE A DETACHED GARAGE, IN THE RESIDENTIAL ZONE DISTRICT, ON THE FOLLOWING DESCRIBED PROPERTY, TO WIT:

Lot D, Newby Subdivision Exemption, aka 1092 Jericho Road, according to the Plat thereof filed May 14, 1985, at Reception No. 229475

WHEREAS, Johnson GL Family Limited Partnership, the Applicants, are the owners of approximately 3.394 acres in the NE ¼ NW ¼ of Section 8, Township 3 North, Range 75 West of the 6<sup>th</sup> P.M., Lot D, Replat of the Newby Subdivision Exemption recorded at Reception No. 2012001758; and

WHEREAS, the applicants have requested a variance for a eighteen (18') foot front setback to allow for a detached garage; and

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

WHEREAS, in December 2012, this Board denied the applicants request to approve a variance for a garage by Resolution No. 2012-12-1; and

WHEREAS, the previous garage plans had a deck attached and was not considered to be a hardship and the current plans have eliminated the deck ; and

WHEREAS, the total disturbance area is now 552 square feet, compared to the previous plans showing 888 square feet; and

WHEREAS, a notice of public hearing was published in the local newspaper at least fifteen (14) days prior to the August 14, 2013 Board of Adjustment meeting; and

WHEREAS, all adjacent property owners as established by the Grand County GIS System were sent notification at least fifteen (14) days prior to the August 14, 2013 Board of Adjustment meeting by certified mail, return receipt required; and

WHEREAS, the applicant has stated the necessity of the variance to allow for the building of a garage is due to the topography of the lot; and

WHEREAS, all representations of the applicant are deemed conditions of approval.

NOW THEREFORE BE IT RESOLVED that the Grand County Board of Adjustment has voted to approve a eighteen foot (18') variance to the required front yard setback requirement for the purpose of building a detached garage in the Residential Zone District with staff conditions

1. All retaining walls shall be engineered, and a building permit obtained from the Grand County Building Department
2. All retaining walls shall comply with Three Lakes Design Review Area regulations.
3. Any resolution of approval shall have an attached site plan that shows all encroachments that have been approved by this Board. No other encroachments shall be permitted.

APPROVED AND ADOPTED THIS 14<sup>th</sup> DAY AUGUST, 2013.

GRAND COUNTY BOARD OF ADJUSTMENT

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Timothy Moreland, Chairman

ATTEST:

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Secretary