

GRAND COUNTY BOARD OF ADJUSTMENT

RESOLUTION NO. 2014-11-2

A RESOLUTION GRANTING A VARIANCE TO ALLOW FOR A SEVEN (7') FOOT SIDE YARD SETBACK RATHER THAN THE REQUIRED TEN (10') FOOT SIDE YARD SETBACK TO ACCOMMODATE AN EXISTING DECK AND A TEN (10') FOOT REAR YARD SETBACK RATHER THAN THE REQUIRED TWENTY (20') FOOT SETBACK TO ACCOMMODATE A SMALL GARAGE, LOCATED ON LOT 12, BLOCK 13, BUSSEY HILLS SUBDIVISION, GRAND COUNTY, COLORADO

At the regular meeting of the Grand County Board of Adjustment held on November 12, 2014, Neal Botie, the applicant, requested a variance to allow for a seven (7) foot side yard setback instead of the required ten (10) foot setback to legalize a deck and a ten (10) foot rear yard setback instead of the required twenty (20) foot setback to accommodate the addition of a small garage in the Forestry and Open zoned District.

WHEREAS, the applicant is the current owner of Lot 12, Block 13, Bussey Hills Subdivision by Warranty Deed recorded at Reception No. 2014005884; and

WHEREAS, this request is to allow for a side yard setback reduction from ten (10') feet to seven (7') feet to cure a zoning violation for an existing deck; and

WHEREAS, this request is also to allow for a rear yard setback reduction from twenty (20') feet to ten (10') feet to accommodate the addition of a small garage; and

WHEREAS, notice of this public hearing was published in the local newspaper at least fourteen (14) days prior to the October 16, 2014 Board of Adjustment meeting; and

WHEREAS, all adjacent property owners, as established by the Grand County GIS System, were sent notification at least fourteen (14) days prior to the November 12, 2014 Board of Adjustment meeting by certified mail, return receipt requested; and

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

WHEREAS, the Board of Adjustment finds that a hardship exists for the owner of this property due to the small size of the lot, and this request is in character with the surrounding properties. Granting this variance will not be substantially detrimental to the public good, nor would it substantially impair the intent and purpose of the Forestry and Open Zone District.

NOW THEREFORE BE IT RESOLVED that the Grand County Board of Adjustment has voted to grant a three (3') foot variance to the Side Yard Setback, allowing for a seven (7') foot side yard setback, instead of the normally required ten (10') foot Side Yard Setback to cure a zoning violation for an existing deck, and a ten (10') foot variance to the Rear Yard Setback, allowing for a ten (10') foot Rear Yard Setback instead of the normally required twenty (20') foot Rear Yard Setback to accommodate the addition of a small garage, with staff conditions:

1. The side yard setback on the Northeast side shall be seven (7') feet.
2. The rear yard setback on the Northwest side shall be ten (10') feet.
3. That the applicant provides any additional fees required in conjunction with the public notification of this request.
4. 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 12th DAY OF NOVEMBER, 2014.

GRAND COUNTY BOARD OF ADJUSTMENT

Timothy Moreland, Chairman

ATTEST:

Secretary

common-boa-resolutions-2014-2014-06-01 Sawyer Front Yard