

RESOLUTION NO. 2012-026

**A RESOLUTION OF THE
BOARD OF ZONING ADJUSTMENT OF OURAY COUNTY, COLORADO
TO APPROVE A VARIANCE APPLICATION FOR A PARCEL OF LAND LOCATED
AT 2010 COUNTY ROAD 24 AND OWNED BY JOHN MELTZER**

WHEREAS, John Meltzer (*Owner*) has filed an application for a variance to the setback requirement in the Valley Zone for a parcel of land located at 2010 County Road 24; and

WHEREAS, the owner wishes to add a barn to an existing structure on the subject property; and

WHEREAS, the existing and proposed structure are within the 50-foot setback in the Valley Zone; and

WHEREAS, the Owner is seeking the variance to allow construction within the 50-foot setback, but not closer to the property line than 20 feet; and

WHEREAS, Section 19 of the Ouray County Land Use Code provides for variance applications; and

WHEREAS, the Board of County Commissioners (*Board*), sitting as the Board of Zoning Adjustment (*BOZA*), reviewed the subject Application at its regularly scheduled and properly noticed meeting on September 4, 2012, at 11:30 a.m.; and

WHEREAS, the BOZA heard and considered statements from Staff and the Owner; and

WHEREAS, the BOZA accepted public comment at the hearing; and

WHEREAS, the BOZA reviewed the application and supporting materials and made the determination that the application for a variance complies with requirements of Section 19 of the Ouray County Land Use Code.

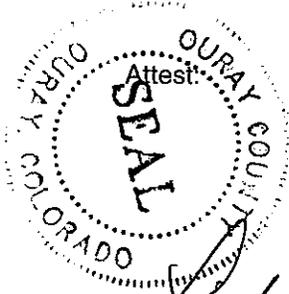
NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners sitting as the Board of Zoning Adjustment for Ouray County, Colorado, that the subject application for variance from the setback requirement in the Valley Zone for a parcel of land located at 2010 County Road 24 is approved with the following conditions:

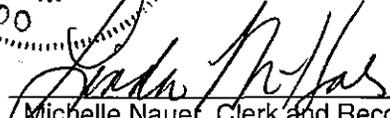
- 1) The Applicant shall not construct the proposed structure closer than 20' (twenty feet) of the eastern property line.
- 2) All future construction, with the exception of the 30' x 36' pole barn described within this application, is subject to the standard setbacks set forth in the Ouray County Land Use Code.

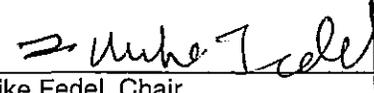
APPROVED AND ADOPTED THIS 11th DAY OF SEPTEMBER, 2012.

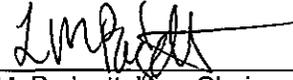
Voting for: Commissioners Fedel, Padgett and Willits
Voting against: None

BOARD OF COUNTY COMMISSIONERS OF
OURAY COUNTY, COLORADO SITTING AS
THE BOARD OF ZONING ADJUSTMENT




Michelle Nauer, Clerk and Recorder
By: Linda Munson-Haley, Deputy Clerk of the Board


F. Mike Fedel, Chair


Lynn M. Padgett, Vice-Chair


Patrick Willits, Member