

RESOLUTION No. 2014-025

**A RESOLUTION OF THE
BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO
TO APPROVE AN APPLICATION FOR EXEMPTION**

WHEREAS, Steven and Linda Yarbrough, through their authorized agent, Mike Hockersmith ("Applicant") submitted an application to Ouray County for approval of an Exemption; and

WHEREAS, a properly noticed public hearing was held at 10:00am on August 5, 2014 at the Ouray County 4-H Event Center in Ridgway, and;

WHEREAS, the Board has reviewed the request in accordance with Section 17 of the Ouray County Land Use Code;

WHEREAS, the Ouray County Board of County Commissioners ("the Board") has reviewed and considered information provided by Land Use Staff and the Applicant and allowed time for any comment from members of the public; and

WHEREAS, the Board determined that the application proposed no new parcels or increase in density as would otherwise be allowed in the zoning district; and

WHEREAS, the Board determined that the proposed exemption reduced the degree of non-conformity on Lot B (of proposed the Yarbrough Exemption).

WHEREAS, the Board determined that the proposed exemption improves the flexibility in potential building sites on Lot B; and

WHEREAS, the Board found that the application has met the requirements and conditions set forth in Section 17 of the Ouray County Land Use Code; and

NOW THEREFORE, BE IT RESOLVED, that the Ouray County Board of County Commissioners APPROVES the application with the following conditions:

1. Point of access for Parcel B shall be the same as used by Parcel A to Highway 550.
2. The Applicant shall label the access road on the plat as "12-Foot Access & Utility Easement".
3. The Applicant shall add a plat note stating that the access/easement is dedicated to all present and future owners of Parcels A and B of the Yarbrough Exemption.
4. The Applicant shall add the following plat note regarding visual impact: "Lots A and B of the Yarbrough exemption are within the Visual Impact Corridor as defined by the Ouray County Land Use Code and subject to all Visual Impact regulations as found therein and as may be updated or revised from time-to-time."
5. The applicant, through covenant or deed restriction, shall limit Parcel B to a maximum of one dwelling unit.
6. The Applicant shall provide Staff a revised exemption plat, addressing all required conditions, for final review and preparation for signature by the Board of County Commissioners.

Passed in open meeting on: August 12, 2014 ratifying action taken on August 5, 2014

APPROVED AND ADOPTED THIS 12 DAY OF AUGUST, 2014.

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

**BOARD OF COUNTY COMMISSIONERS OF
OURAY COUNTY, COLORADO**



Michelle Nauer
Michelle Nauer, Clerk and Recorder
By: Hannah Hollenbeck, Deputy Clerk of the Board

Lynn M. Padgett
Lynn M. Padgett, Chair
F. Mike Fedel
F. Mike Fedel, Vice-Chair
Don Batchelder
Don Batchelder, Member