

**BOARD OF ADJUSTMENT
SUMMARY OF MOTIONS**

November 10, 2015

BOARD MEMBERS PRESENT: George Resseguie, Brian Birenbach, Mark Provino, Ryan Taylor, Jerry Westhoff

STAFF PRESENT: Jessica Potter, Planner I, Alan Hanson, Senior Planner

George Resseguie, Chairman, called the meeting of the Board of Adjustment to order at 5:31 p.m.

Approval of Summary of Motions: The Summary of Motions of the June 15, 2015 meeting was approved as submitted.

REGULAR AGENDA

PLN15-076: Lot 5, Block 1, Quandary Village Subdivision #2

A request for a variance from the 25-foot front setback and 15-foot side setbacks to allow for a garage to be located 6 feet from the front property line and 10 feet from the side property lines; Lot 5, Block 1, Quandary Village #2, a 0.592 acre parcel zoned R-2.

MOTION: Mark Provino made a motion to approve the request for a variance from the 25-foot front setback and 15-foot side setbacks to allow for a garage to be located 6 feet from the front property line and 10 feet from the side property lines; Lot 5, Block 1, Quandary Village #2, a 0.592 acre parcel zoned R-2, with the following findings:

Findings:

1. The strict application of the County's Zoning Regulations would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the property owner in the development of the property because the lot's configuration, steep slopes, and existing house location preclude the construction of a setback-compliant garage.
2. The variance can be granted without substantial impairment to the public health, safety, and welfare because the proposed location of the garage is outside of the existing utility easements and will pose no concern to the Road and Bridge Department since the previously existing ROW adjacent to the home has been vacated.
3. Granting this variance is consistent with the County Zoning Regulations because the proposed structure will comply with all applicable development standards, excluding the required setbacks.
4. Granting the variance does not constitute a grant of special privilege as several variances to setback requirements have been granted within Summit County for similar sized garages due to constraints including steep slopes and irregular lot configuration.
5. Reasonable use of the property including a two-car garage is not available without granting a variance and the variance being granted is the minimum necessary for reasonable use since the proposal is sited on the only reasonable location for a garage and is less than 400 square feet in size.
6. The parcel for which the variance is being granted was not created in violation of County zoning or subdivision regulations or in violation of Colorado State Statutes because the subject property was legally created via the plat for Quandary Village Subdivision, Filing 2 recorded under Reception Number 102620 in 1965.

Brian Birenbach seconded the motion which was approved on a vote of 5-0.

DISCUSSION ITEMS

- Countywide Planning Issues: Alan Hanson, Senior Planner, briefed the Board on pending code amendments concerning fire mitigation.
- Board of Adjustment Issues: The Board expressed concern over the lack of alternates and members of the BOA. They would like the BOCC to prioritize appointing new members.

ADJOURNMENT

The meeting was adjourned at 6:35 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Jessica J. Potter".

Jessica Potter
Planner I