

STATE OF COLORADO            )  
  ) SS. Resolution No. 2003-042  
COUNTY OF OURAY            )

At a regular meeting of the Board of Adjustment for Ouray County, Colorado held at the Court House, Ouray, Colorado on the 4th day of August A.D., **2003**.

When the following proceedings, among others, were had and done, to-wit:

**WHEREAS**, Nick and Sandra Peck have submitted to Ouray County an application for variances to the required fifty (50) foot side and rear setbacks to allow a 30' x 40' pole barn to be located adjacent to the existing property lines; and

**WHEREAS**, the Board of Adjustment has reviewed the request in accordance with Section 19.7 of the Ouray County Land Use Code during a regular meeting on the 4<sup>th</sup> day of August, 2003 and is ready to take action.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with Section 19.7 of the Ouray County Land Use Code and by reason of exceptional narrowness and shallowness of the property, the strict application of setback regulations results in an undue hardship upon the property owner and that approval of the requested variances may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this Code. Therefore, a recommendation of approval is given to the Board for the variance requests with the following conditions:

1. Due to concern of snow shedding onto adjacent property, it is suggested that the eave of the proposed structure be setback a minimum of 2 feet from any property line.
2. If this structure is to be used for a Home Business the applicant shall apply for a Special Use Permit as required by Section 28 of the Land Use Code.

THE BOARD OF ADJUSTMENT OF OURAY COUNTY.

By: \_\_\_\_\_  
Don Batchelder, Chairman

\_\_\_\_\_  
Bill Ferguson, Vice-chairman

\_\_\_\_\_  
Tom Hollenbeck, Member

ATTEST:

\_\_\_\_\_  
Michelle Olin, County Clerk and Recorder

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Shelli D. Banks, Deputy Clerk of the Board