

**RESOLUTION No. 2006-042**

**A RESOLUTION OF THE OURAY COUNTY BOARD OF ZONING  
ADJUSTMENT TO APPROVE A FRONT SETBACK  
VARIANCE FOR RICHARD AND LAVONNE WEBB AND THE AMENDED  
AND RESTATED WEBB TRUST DATED JULY 16, 2004**

**WHEREAS,** Richard and Lavonne Webb, on behalf of The Amended and Restated Webb Trust Dated July 16, 2004 (“Applicant”) filed an application to allow a variance from the setback requirements described in Section 3.4 H(5) of the Ouray County Land Use Code (“LUC”) for the property known as Lot 6, Panoramic Heights Subdivision, according to the Plat recorded October 10, 1972 as Reception No. 118053, County of Ouray, Colorado (“Application”); and

**WHEREAS,** notice of a Public Hearing on such Application was published on May 19, 2006 in the Ouray Plaindealer and on May 24, 2006 in the Ridgway Sun and the Board of County Commissioners of Ouray County, Colorado, sitting as the Board of Zoning Adjustment (“Board”) held a public hearing on the Application on June 5, 2006 at 11:15 a.m., which hearing was continued to June 12, 2006 at 9:30 a.m.; and

**WHEREAS,** the Board reviewed the Application and supporting materials and the Staff Report; and

**WHEREAS,** based upon the Application, supporting materials and Staff Report, the Board has determined that “exceptional topographic conditions” exist on the Applicant’s property that would result in exceptional practical difficulties for the Applicant to construct an addition/garage on the property and that granting the variance will not result in substantial impairment of the intent or purpose of the LUC, as described in Section 19.7.D (3) of the LUC;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF  
COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO, SITTING  
AS THE BOARD OF ZONING ADJUSTMENT AS FOLLOWS:**

1. The application for a variance to the minimum setback requirements set forth in Section 3.4 H(5) of the LUC is granted. The Applicant shall be required to comply with the requirements set forth in the Ouray County Road Standards for construction of a driveway and obtain approval from the Road and Bridge Department for the final location and configuration of a driveway that may access the proposed garage.
2. As provided by Section 19.7.D (3) of the LUC, this variance shall expire one year from the date it is granted unless the use for which it has been requested has occurred.

APPROVED AND ADOPTED THIS 26th DAY OF JUNE, 2006 ratifying the action taken by the Board on June 12, 2006.

Board of County Commissioners of  
Ouray County, Colorado sitting as the Board  
of Zoning Adjustment

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Heidi M. Albritton, Chair

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Don Batchelder, Vice-Chair

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Kristi R. Westfall, Commissioner Member

ATTEST:

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