

**A RESOLUTION OF THE
OURAY COUNTY BOARD OF ZONING ADJUSTMENT
TO APPROVE A VARIANCE TO THE DEFINITION OF A BED AND BREAKFAST
FOR TROY ABELL AND LISA BAKER**

WHEREAS, Troy Abell and Lisa Baker, (“Applicant”) has filed an application for a variance to the definition of Bed and Breakfast as described in Section 22 of the Ouray County Land Use Code (“LUC”) to allow a detached building to house two (2) individual rental sleeping units for the property known as “The Inn at Laughing Bear” and described as Lot 1, Spud Hill Ranch PUD and located at 31329 Highway 550 (“Application”); and

WHEREAS, notice of a Public Hearing on such Application was published on September 8, 2006 and on September 15, 2006 in the Ouray County Plaindealer and the Board of Zoning Adjustment of Ouray County, Colorado (“Board”) held a public hearing on the Application on September 25, 2006 at 1:30 p.m.; and

WHEREAS, Applicant has also requested that the fee for a Variance be waived in this matter; and

WHEREAS, on September 25, 2006 the Board reviewed the Application and supporting materials and heard comments on the Application; and

WHEREAS, the Board has found an extraordinary and exceptional situation, where the strict application of the definition of Bed and Breakfast would result in an exceptional and undue hardship upon the Applicant and that the granting of the requested variance from such strict application will not be substantially detrimental to the public good and will not substantially impair the intent and purpose of this Code.

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

1. The application for a variance to the definition of Bed and Breakfast as described in Section 22 of the Ouray County Land Use Code (“LUC”) to allow a detached building to house two (2) individual rental sleeping units is granted.
2. The granting of the requested variance does not allow the maximum number of four (4) individual rental sleeping units to be exceeded.
3. An amendment to the previously approved Special Use Permit shall be approved in conjunction with the variance request.
4. The fee for a Variance has not been waived.

APPROVED AND ADOPTED THIS 2nd DAY OF OCTOBER 2006, RATIFYING ACTION TAKEN ON SEPTEMBER 25, 2006.

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

Attest:

Heidi M. Albritton, Chair

Don Batchelder, Vice Chair

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

Kristi R. Westfall, Member