

**TOWN OF MINTURN, COLORADO
RESOLUTION 25 – SERIES 2009**

A RESOLUTION APPROVING VARIANCE APPLICATION VAR 09-03

WHEREAS, Western Capital Partners, LLC has submitted a land use application for a front setback variance for an attached garage at 789 Main Street; and

WHEREAS, The Town of Minturn Town Council is commissioned with certain powers and duties contained in the Minturn Municipal Code Sec. 16.21.30; and

WHEREAS, public notice was given pursuant to Minturn Municipal Code Sec. 16.21.610; and

WHEREAS, on September 23, 2009 the Planning Commission held a public hearing on the application pursuant to Minturn Municipal Code Section 16.21.620 and recommended approval of the application to the Minturn Town Council; and

WHEREAS, on October 7, 2009 the Town Council held a public hearing on the application pursuant to Minturn Municipal Code Section 16.21.620; and

WHEREAS, pursuant to Minturn Municipal Code Section 16.21.230, the Town Council makes the following findings:

- There are exceptional or extraordinary circumstances or conditions applicable to the site of the variance that do not apply generally to other properties in the same zone;
- The exceptional or extraordinary circumstances of the site create a situation in which the strict, literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this chapter;
- That the granting of the variance would not be materially injurious to properties or improvements in the vicinity and would not result in substantial impairment to the purposes of the zoning code;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO:

THAT land use application VAR 09-03 be approved

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 7th day of October, 2009.



TOWN OF MINTURN

By: Haukeye Flaherty
Mayor

ATTEST:

[Signature]
Town Clerk