

**TOWN OF MINTURN, COLORADO
RESOLUTION 09 – SERIES 2015**

A RESOLUTION APPROVING VARIANCE APPLICATION VAR 15-456RAUCH

WHEREAS, Rick & Lindsay Rauch, have submitted a land use application for a rear setback variance for a new garage at 456 Pine Street, Minturn, CO 81645; 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 July 22, 2015 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 August 5, 2015 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:

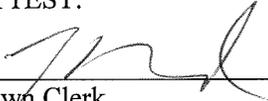
- There are exceptional or extraordinary circumstances or conditions applicable to the site of the variance that do not apply generally to other properties in the same zone;
- The exceptional or extraordinary circumstances of the site create a situation in which the strict, literal interpretation and 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;
- There is no substantial impairment to the public that would result from the granting of the variance.

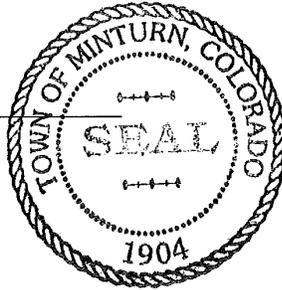
NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO:

That variance application of Rick and Lindsay Rauch is approved with the following conditions: (a) that the statements of the applicant in the application and in the public hearing are binding, and (b) that the garage structure be implemented in the manner depicted on the attachments to the variance application.

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 5th day of August, 2015.

ATTEST:


Town Clerk




Mayor