

BOA Reorganizational Meeting

Approval of Resolution-Boston Variance

BOARD OF ADJUSTMENTS

January 16, 2024

5:30 p.m.



**MORGAN COUNTY
PLANNING AND BUILDING DEPARTMENT**

**MORGAN COUNTY BOARD OF ADJUSTMENT
FILE SUMMARY
December 28, 2023**

January 16, 2024 – Meeting Date

**OWNERS: Dennis and Curt Bostron
APPLICANT: Dennis Bostron**

On December 18, 2023, the Board of Adjustment held a public hearing on an application from Dennis Bostron for a variance to the minimum lot size and side setback to subdivide off the existing residence from the farm. The applicant is requesting the minimum area of the lot to be reduced from 1 acre to 0.73 acres and also to reduce the side setback from 25 feet to 6.5 feet as shown in Table 1 of Appendix B, Zone District Bulk Requirements of the Morgan County Zoning Regulations regarding minimum lot size and side setback in the Agricultural zone district.

The property is described as parcel of land in the N½ SE¼ of Section 12, Township 3 North, Range 57 West of the 6th P.M., Morgan County, Colorado. The property is also known as 16497 Co Rd 24, Fort Morgan, CO 80701.

The Board of Adjustments approved this application and Resolution 2024 BOA 01 reflects the outcome of the hearing.

Nicole Hay
Morgan County Planning Administrator

**MORGAN COUNTY, COLORADO
BOARD OF ADJUSTMENT**

RESOLUTION 2024 BOA 01

**A RESOLUTION APPROVING A VARIANCE REQUEST TO THE MINIMUM LOT
SIZE AND SIDE SETBACK ON A PARCEL LOCATED
IN THE N½ OF THE SE¼ OF SECTION 12, TOWNSHIP 3 NORTH, RANGE 57 WEST
OF THE 6th P.M., MORGAN COUNTY, COLORADO, ADDRESSED AS
16497 COUNTY ROAD 24, FORT MORGAN, COLORADO 80701**

WHEREAS, Dennis L. Bostron and Curt B. Bostron (“Owners”) own the N½ of the SE¼ of Section 12, Township 3 North, Range 57 West of the 6th P.M., Morgan County, Colorado addressed as 16497 County Road 24, Fort Morgan, CO 80701 (the “Property”);

WHEREAS, on October 26, 2023 the Owner applied for a variance to Appendix B – Zone District Bulk Requirements and Special Design Standards Chart, Table 1, of the Morgan County Zoning Regulations in the Agricultural zone district to reduce the minimum lot area from 1 acre to 0.73 acre and also to reduce the side setback from 25 feet to 6.5 feet; and

WHEREAS, on December 18, 2023, the Morgan County Board of Adjustment held a duly noticed public hearing on the application at which, after receiving public comment and staff input, the Board of Adjustment approved the application subject to the conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF MORGAN COUNTY, COLORADO, that based upon the findings set forth below that the application is conditionally granted:

1. The Board of Adjustment having reviewed the criteria for a variance as set forth in Section 5-220(B) of the Morgan County Zoning Regulations finds that:
 - a. The strict application of the applicable regulations results in peculiar and exceptional hardship on the owner.
 - b. The hardship is not self-imposed.
 - c. The variance will not adversely affect the use of adjacent property as permitted under the County Zoning Regulations. The adjacent properties are currently being used for residential purposes.
 - d. That the variance is in keeping with the intent of these Zoning Regulations and the Morgan County Comprehensive Plan. The Zoning Regulations provide for variance requests to reduce front yard setbacks.
 - e. That the variance does not adversely affect the health, safety, and welfare of the citizens of Morgan County.

2. The Board of Adjustment hereby grants the variance request subject to:
 - a. The approval of a subdivision exemption. If the subdivision exemption is not approved, the approval of the variance shall be deemed void.

Dated this 16th day of January, 2024.

**BOARD OF ADJUSTMENT
MORGAN COUNTY, COLORADO**

Allyn Wind, Chairman

ATTEST:
(SEAL)

Kevin Strauch, Clerk to the Board