

RESOLUTION NO. 1976

**A RESOLUTION OF THE GOLDEN CITY COUNCIL PERTAINING
TO A SIDE YARD SETBACK VARIANCE FOR A PROPOSED
BUILDING ADDITION AT 1200 12TH STREET**

WHEREAS, Tom and Noelle Link, owners of 1200 12th Street have requested approval for construction of a building addition that would lie within the required side yard setback; and

WHEREAS, proper notice of the required public hearing has been accomplished according to law, including posting on the subject property, publication in the local newspaper, as well as the necessary letters to all owners of real property within 300 feet of the property; and

WHEREAS, a special hearing regarding the variance request has been held at a public meeting of the Golden City Council on July 9, 2009.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLDEN,
COLORADO:

Section 1: City Council finds that the variance request, to permit construction of a building addition to the residential structure at 1200 12th Street encroaching into the required twenty (20) foot R-3 zone side yard setback for a multi-family building, complies with the criteria in Chapter 18.12.030 of the Golden Municipal Code pertaining to a hardship in complying with the current code, said hardship being related to the lot depth and lot shape.

Section 2. City Council finds that such relief may be granted without substantial detriment to public good, without altering the essential character of the neighborhood, and without substantially impairing the intent and purpose of this zoning title or the growth plan of the city.

Section 3. On the basis of these findings, City Council hereby approves the variance for 1200 12th Street to permit a three (3) foot side setback, subject to the following conditions:

a. The variance will terminate on August 1, 2010 if a building permit for construction of the building addition has not been issued by the Chief Building Official of the City of Golden; and

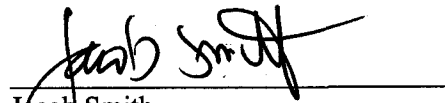
b. With the Agreement of the owner on the record of the July 9, 2009 public hearing, any addition to the existing structure shall be located within the building footprint and no higher than the height (one story), all as presented to City Council by the owner in the public hearing.

Adopted this 9th day of July, 2009.





Susan M. Brooks, MMC
City Clerk



Jacob Smith
Mayor

Approved as to form:



David S. Williamson
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing is a true copy of a certain Resolution adopted by the City Council of the City of Golden, Colorado at a regular business meeting thereof held on the 9th day of July, A.D., 2009.



ATTEST:



Susan M. Brooks, City Clerk of the City of
Golden, Colorado