

RESOLUTION NO. 1541

**A RESOLUTION OF THE GOLDEN CITY COUNCIL APPROVING
AN EXCEPTION TO THE ARAPAHOE GULCH BUILDING
MORATORIUM FOR PROPERTY AT 522 WASHINGTON
AVENUE, AS REQUESTED BY DOUG AND MARILYN KINNER**

WHEREAS, the Golden City Council approved Ordinance No. 1677 on September 23, 2004, which ordinance enacted a moratorium on the acceptance, processing, and issuance of building permits in an area near Arapahoe Gulch for a period extending six months from the effective date of the ordinance; and

WHEREAS, Ordinance No. 1677 contained provisions whereby City Council may grant exceptions to the provisions of the moratorium based upon specific criteria; and


WHEREAS, Doug and Marilyn Kinner have submitted a request for an exception to the moratorium to construct a garage, and have provided evidence pertaining to the hardship and other criteria in Ordinance No. 1677; and

WHEREAS, the evidence presented to City Council demonstrates that the continued delay in constructing the attached garage at 522 Washington Avenue constitutes an undue hardship to the applicant, and also demonstrates that the issuance of the requested permit will not adversely affect the public interest or the purposes of the moratorium enacted by Ordinance NO. 1677.

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


Section 1. The City of Golden City Council hereby approves an exception to the provisions of Ordinance 1677 for the construction of a garage on the property at 522 Washington Avenue subject to compliance with the plot plan submitted to City Council with the request, and further subject to removal, by March 15, 2005, of any fill material from the portion of the lot lying below the 5733 elevation contour as shown on the aforementioned plot plan.

Adopted this 27th day of January, 2005.



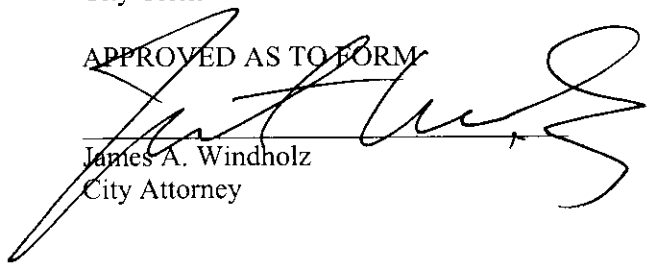
Charles J Baroch
Mayor

ATTEST:



Susan M. Brooks, MMC
City Clerk

APPROVED AS TO FORM



James A. Windholz
City Attorney

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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 meeting thereof held on the 27th day of January, A.D., 2005.

(SEAL)

ATTEST:

A handwritten signature in black ink, appearing to read "Susan M. Brooks", written over a horizontal line.

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