

**FRASER BOARD OF ADJUSTMENT
RESOLUTION NO. 2025-02-01**

A RESOLUTION **APPROVING/DENYING** AN APPEAL OF A STAFF DETERMINATION OF DENIAL OF AN ADMINISTRATIVE VARIANCE REQUEST FROM SECTION 19-2-250 TABLE 2.8 TO INCREASE THE MAXIMUM HEIGHT FROM FORTY-FIVE (45) FEET TO FORTY-NINE AND ONE-HALF (49.5) FEET FOR THE ASCENT CONDOMINIUMS, A MULTIFAMILY DEVELOPMENT LOCATED WEST OF US HIGHWAY 40 AND EAST OF JOHNS DRIVE, ON PROPERTY LEGALLY DESCRIBED AS A REPLAT OF LOT 2, MEYERS SUBDIVISION AND A REPLAT OF SKI BROKER EMPLOYEE HOUSING APARTMENTS TRACT C RESUBDIVISION, RECEPTION NO. 2021013571, PART OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 75 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF FRASER, COUNTY OF GRAND, STATE OF COLORADO

WHEREAS, on November 22, 2024, Layla Rosales, as a representative of Terracina Design, acting on behalf of Ski and Board Broker, LLC and Cornerstone Winter Park Holdings, LLC, both Colorado limited liability companies, submitted a Variance application requesting administrative approval of a height variance in conjunction with a Major Subdivision-Final Plat and Major Site Plan for a proposed multifamily development located at 601 S. Zerex Street (a.k.a. 601 US Highway 40); and

WHEREAS, Ski and Board Broker, LLC a Colorado limited liability company, is the current owner of Lot 1, and Cornerstone Winter Park Holdings, LLC, a Colorado limited liability company, is the current owner of Lot 2, and Terracina Design is authorized to act on behalf of the property owners with regards to this application; and

WHEREAS, Sec. 19-1-350 states that Town Staff shall have authority to act upon variance requests under certain circumstances; and

WHEREAS, following review of the submitted plans and documents by Town Staff and applicable referral entities, Town Staff determined the requested height variance was eligible for an administrative decision, however, denied the variance due to determining that only three of the six applicable variance criteria in Sec. 19-1-330 were met; and

WHEREAS, on January 30, 2025, the applicant requested to appeal the decision to the Board of Adjustment per Sec. 19-1-350 and subject to Sec. 19-1-320; and

WHEREAS, per Sec. 19-1-330, the Board of Adjustment may grant a variance only to the extent it finds certain conditions, where relevant to the subject property and adjacent neighborhood or district are present, and

WHEREAS, the Board found, based on the criteria presented below, the variance request **meets/does not meet** the conditions necessary for granting a variance;

- (1) The property possesses physical circumstances or other conditions peculiar to the affected property: **Met / Not Met**

- (2) The physical condition is unique to the identified property or is not common through the surrounding district: **Met / Not Met**
- (3) The condition or circumstance for which variance is sought was not created by the applicant: **Met / Not Met**
- (4) The property cannot be reasonably developed in conformity with the Land Development Code without a variance: **Met / Not Met**
- (5) The essential character of the neighborhood or district in which the property is located will not be altered, nor will the appropriate use of adjacent property be substantially or permanently impaired by the variance: **Met / Not Met**
- (6) The variance is the minimum variance that will afford relief and is not detrimental to the public good or to the purpose, intent and spirit of this Chapter or the Town Comprehensive Plan: **Met / Not Met**
- (7) The variance is needed to provide a reasonable accommodation to a person or persons with a disability: Not applicable

NOW THEREFORE BE IT RESOLVED that the Fraser Board of Adjustment has voted to **APPROVE/DENY** this appeal of an administrative variance request.

1. Approval of the Variance is valid for one (1) year from the date the Board of Trustees provide final approval for case number TF24-12 The Ascent Condominiums Major Subdivision-Final Plat and the Major Site Plan per Sec. 19-1-245.

APPROVED AND ADOPTED THIS 26TH DAY OF FEBRUARY, 2025.

FRASER BOARD OF ADJUSTMENT

Chairperson

ATTEST:

Town Clerk