

RESOLUTION OF THE BOARD OF COMMISSIONERS,  
SAN MIGUEL COUNTY, COLORADO,  
GRANTING A ROAD STANDARD EXEMPTION FOR COUNTY ROAD K69

Resolution 2001- 26

WHEREAS, Idarado Mining Company (Applicant) seeks an Exemption from Road Standards to allow a portion of relocated County Road K69 to be constructed in a manner similar to what currently exists, which is consistent with a request by the County Road Superintendent;

WHEREAS, a separate application for the road relocation and vacation has been filed with the County and will be reviewed on April 18, 2001, also;

WHEREAS, the applicant proposes a road right-of-way width that complies with County Road Standards, but has a driving surface of approximately 20 feet wide rather than the required 22 feet;

WHEREAS, the relocated portion of the road that will require a variance is approximately 0.25 miles long;

WHEREAS, variances from the County Road Standard require One-step Board of County Commissioner review in accordance with Section 5-501 B. of the San Miguel County Land Use Code.

Review Standards

This section establishes development standards for all public and private rights-of-ways in San Miguel County, except non-residential uses in the Forestry, Agriculture and Open Zone District, which require County Building Department and Planning Department Development Permit Review and County Road and Bridge Department Review. This Section is intended to maintain uniform road development throughout the County.

5-501 B. Exemption

The Board of County Commissioners may grant an exemption from any standard in Section 5-501 or 5-502, provided the Board finds such exemption will not adversely affect public health, safety and welfare.

5-501 G. Design Capacities

The maximum allowable capacities for roads (expressed in Average Daily Traffic one-way trips) are:

IV. Local Access - 500;

WHEREAS, Local Access Roads require a 22-foot wide driving surface with 4-foot minimum shoulders on each side;

WHEREAS, in a February 12 2001 memorandum, County Road Superintendent Mike Horner recommends a variance to the county road standards be granted in an effort to keep CR K69 in its current condition. He also recommends the following minimum standards for the variance:

- 1) a 50 foot right-of-way width;
- 2) 20 foot wide driving surface with shoulders;
- 3) 2:1 grade on fill slopes;
- 4) Native material be used for subbase and surface course; and
- 5) a maximum grade of 10%;

WHEREAS, in a February 8, 2001 letter District Fire Marshall Jim Boeckel states the Fire District has no objection to the variance as submitted;

WHEREAS, the Board of Commissioners of San Miguel County, Colorado, considered this application, along with relevant evidence and testimony at a public hearing on April 18, 2001 and finds that the application meets the requirements of Land Use Code Section 5-501 B.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of San Miguel County, Colorado, hereby grants to a road standard exemption to Idarado Mining Company to construct a portion of County Road K 69 as presented.

BE IT FURTHER RESOLVED that this approval is contingent upon the applicant complying with the minimum standards as recommended by the County Road Superintendent.

DONE AND APPROVED by the Board of Commissioners of San Miguel County, Colorado, on April 24, 2001.

SAN MIGUEL COUNTY BOARD OF COMMISSIONERS

By: [Signature]  
Vern Ebert, Chair

ATTEST:

By: [Signature]  
Chief Deputy Clerk

