

RESOLUTION NO. 08 06 01

AMENDING THE ZONING REGULATIONS OF THE CITY OF FORT MORGAN TO CHANGE THE BOARD OF ADJUSTMENT TO THE ZONING BOARD OF APPEALS AND TO CLARIFY THE VARIANCE PROCEDURE

WHEREAS, Zoning and Land Use Code of the City of Fort Morgan was revised in 2006; and,

WHEREAS, the Director for Community Development and the City Attorney have examined the current procedure for citizens to obtain a variance; and,

WHEREAS, the current practice under the procedure consists of the City Council's referral of an applicant to the Planning Commission for a recommendation and return to City Council for a Hearing; and,

WHEREAS, this current practice is lengthy and cumbersome to the applicant, the Council and to Staff; and,

WHEREAS, the current procedures do not require this double referral between Council and the Planning Commission; and,

WHEREAS, the Community Development Director has determined that the regulations could be clarified by revising the term Board of Adjustment to Zoning Board of Appeals.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:

Sec. 1: The term Board of Adjustment within the Zoning Regulations shall be revised to the Zoning Board of Appeals.

Sec. 2: All future zoning variance requests shall be brought by Staff directly to City Council, acting as the Zoning Board of Appeals.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 3rd day of June, 2008, the vote upon roll call being as follows:

Ayes: Mayor Darnell; Councilmembers Deal, McAlister, Powers, Schafer and Simmons.

Nays:

Absent /Abstain: Councilmember Shaver

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

[SEAL]

BY: Jack Darnell
Jack Darnell, Mayor

ATTEST:

Andrea Strand
Andrea Strand, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss.
CITY OF FORT MORGAN)

CERTIFICATE

I, Andrea Strand, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing **Resolution** is a true, perfect and complete copy of the **Resolution** adopted by the City Council and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fort Morgan this 3rd day of June, 2008.

Andrea Strand
Andrea Strand, City Clerk