

**TOWN OF OPHIR  
ORDINANCE 2009-1**

**APPROVING A VARIANCE FOR 210 AURUM STREET, LOTS 18 AND 19, Block S,  
TOWN OF OPHIR**

**WHEREAS**, on January 13, 2009 the Ophir Planning and Zoning Commission conducted a public meeting on an application by Pamela and Emil Sante for a variance from Ophir LUC section **§303.3**, Exterior Materials, ; and

**WHEREAS**, the application seeks approval of a variance from the requirements of Ophir LUC section 303.3, as amended on July 18, 2000, and it existed prior to application by the Santes for a building permit, which prohibited use of reflective siding materials, because "galvanized metal siding" was shown on the approved building permit plans for the Sante residence; and

**WHEREAS**, pursuant to §1103.2 of the Ophir Land Use Code, the Ophir Planning and Zoning Commission recommended, by a majority vote, that this application be approved; and

**WHEREAS**, the General Assembly finds that said Application for Variance meets all the requirements as stated in §1102 of the Ophir Land Use Code.

**NOW, THEREFORE BE IT ORDAINED BY THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR, COLORADO:**

Section 1. Variance Approved.

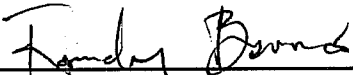
The variance application submitted by Pamela and Emil Sante is hereby approved such that the metal siding currently affixed to the subject property located at 210 Aurum Street, which consists of the commercial product known as Galvalume, shall be permitted to remain in place notwithstanding the provisions of §303.3 of the Ophir Land Use Code as Amended July 18, 2000, until such time as said siding is replaced.

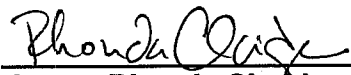
Section 2. Publication.

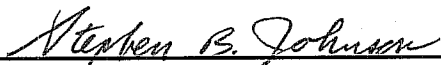
This Ordinance shall be effective upon final adoption. After final adoption, a public notice shall be published which notice shall contain the number and title of this ordinance, a brief description of the ordinance, its effective date and a notice that copies of the ordinance are available for inspection at the Town Clerk's office.

**INTRODUCED, READ, AND REFERRED TO PUBLIC HEARING BY THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR on the 17<sup>th</sup> day of February, 2009.**

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READ, HEARD, AND APPROVED ON THE SECOND AND FINAL READING BY THE  
GENERAL ASSEMBLY OF THE TOWN OF OPHIR on the 17<sup>th</sup> day of March, 2009.

  
By: Randy Barnes, Mayor

  
Attest: Rhonda Clardge, Town Clerk

  
Approved as to Form:  
Stephen B. Johnson, Town Attorney