

Artillery Blocks Landowner from Developing

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Ouray, Colorado A Texas native who owns a 5-acre parcel of land off of Red Mountain Pass located in southwestern Colorado was denied the right by the local county zoning board to build a residential home on the property. The property development request was turned down because according to county, it would be 'a substantial impairment to the public good.'

As it turns out, the property sits within the surface danger zone (SDZ) of a 155mm howitzer gun that is used for avalanche control. Colorado Department of Transportation officials are concerned that it would be too dangerous for the occupants of the house to fire 155mm high explosive shells over the house and that the resulting nearby explosions could also result in extensive property damage including broken windows and glass.

The property owner has tried to negotiate with the county by agreeing to vacate the property during firing operations but county officials say that could become too troublesome to manage especially if others opted to build in the area as well. The property owner feels that the state is creating a hazard for his property. State and county officials contend that without the artillery, a hardship for others would be created because highways would have to be closed more often. The battle over the artillery is sure to heat up as the landowner has vowed to beat the howitzer.