



Grand Lake Planning Commission

Wednesday, March 02, 2022 at 6:30 PM

Town Hall - 1026 Park Ave. * Participation In-Person Only*

*The Town of Grand Lake upholds the Six Pillars of Character:
Citizenship, Trustworthiness, Respect, Responsibility, Fairness and Caring*

1. Call to Order: 6:32pm

2. Roll Call

PRESENT

Commissioner Heather Bishop

Vice Chairman Heather MacSllarrow

Commissioner John Murray

Chairman James Shockey

Commissioner Judy Burke

Commissioner Ernie Bjorkman

3. Consideration to approve Meeting Minutes: 1-19-2022

Motion made by Commissioner Bishop to approve the minutes, Seconded by Commissioner Murray.

Voting Yea: Commissioner Bishop, Vice Chairman MacSllarrow, Commissioner Murray, Chairman Shockey, Commissioner Burke, Commissioner Bjorkman

Motion Passed 6:0

4. Unscheduled Citizen Participation

None

5. Conflicts of Interest

Voting Nay: Commissioner Bishop, Vice Chairman MacSllarrow, Commissioner Murray, Chairman Shockey, Commissioner Burke, Commissioner Bjorkman

6. Items of Business

A. Consideration to Adopt Resolution 02-2022 to Grant a Variance to Municipal Code 12-2-29(A) Stream and Lake Setbacks and Resolution 03-2022 Grant the Expansion and Enlargement of a Non-Conforming Structure Located at Block 14, Grand Lake Estates 2nd Filing; More Commonly Referred to as 700 Lake Front Road (A.K.A. Shadow Mountain Recreation Park) #12

Planner White spoke about this item of Business. Planner White stated that certified letters were sent 15 days prior to this hearing as well as properly noticed. The HOA began a planned development in 2007, but it was not completed, thus anytime a trailer is replaced, a variance must be approved due to the non-conforming use of a trailer in the Resort-zoned district. The proposed trailer has a smaller footprint than the existing trailer and is within the square footage restriction of the HOA guidelines. The actual dimensions are expanding in width while decreasing in length. The owner states that there is a hardship due to the water leak that has caused mold; trailers are no longer made in the existing

dimension, and the HOA has not completed the PD. The trailer is located within the 30' shoreline setback. The Planning Commission must find items a-g of the non-conforming code to exist.

- (a) The use is a non-conforming use as defined by this Article and is in full compliance with all requirements of this Article applicable to non-conforming uses;
- (b) That, owing to exceptional and extraordinary circumstances, literal enforcement of the provisions of this Article regarding non-conforming uses will result in unnecessary hardship;
- (c) That the exception will not substantially or permanently injure the appropriate use of adjacent conforming property in the same zone district or other zone districts;
- (d) That the exception will not alter the essential character of the district in which is located the property for which the exception is sought;
- (e) That the exception will not weaken the general purposes of this Article or the regulations established herein for the specific district;
- (f) That the exception will be in harmony with the spirit and purposes of this Article.
- (g) That the exception will not adversely affect the public health, safety, or welfare.

Planner White stated that the applicant would like to have approval to put in footers, if the structural report finds this necessary.

The commissioners asked the planner if there was existing slab foundation and there is not.

The applicant Bob Mathisen (551 Columbine, Broomfield CO) spoke: He stated that he acquired the property around July 2021. He said that the trailer is on blocks with axels and may want to put in piers. The commissioners asked if the deck would be any closer to the water than the existing deck and the applicant said it would not be.

Christensen is the secretary and treasurer of the HOA. He discussed that the trailer park lease with GLE ended after about 2 years, stating their insurance wouldn't allow the continued use. Commissioner Burke stated that she thought there was a lease for 99 years. Mr. Christensen said that the Town couldn't find any documentation about the 99 year lease. He said the park was founded in 1975. It used to be called El Navajo, owned by Esil Scott- possibly 1952. The trailers were put in the current configuration in 1980, in order to connect to the three lakes sewer system. Commissioner Burke asked if a 401 permit was required. It is not disturbing a wetland and is not in the water and the HOA owns the land.

Motion made by Commissioner Murray to recommend resolutions 02-2022 and 3-2022 with the conditions:

- 1. The Applicant obtains an approved Building Permit for the Property; and,**
- 2. The Applicant complies with all other federal, state, and local regulations; and,**
- 3. In granting this Request the Commission is not obligated to grant similar requests in the future nor does granting this Request set precedent for any future requests; and,**
- 4. The Applicant has one (1) year to comply with all the conditions and requirements above or this authorization shall become null in void.**
- 5. Adequate protection of the shoreline with erosion control devises during the placement of the proposed structure.**

Seconded by Vice Chairman MacSllarrow. **Voting Yea:** Commissioner Bishop, Vice Chairman MacSllarrow, Commissioner Murray, Chairman Shockey, Commissioner Bjorkman **Voting Nay:** Commissioner Burke

Motion Passed 5:1

7. Future Agenda Items

The following items were not on the agenda: Commissioner Murray brought up the survey that was sent out to the community in which one question asked to where the public would like to see the public works building moved, since it has to be moved from it's current location. Commissioner Bjorkman read an email that was sent 3/2/22 at 5:53 pm from Donna Ready pertaining to the the Rapids property. There was discussion about nightly rental at that location which will be handled by the Town attorney.

8. Adjourn Meeting: **7:24pm**

Motion made by Chairman Shockey, Seconded by Commissioner Bishop.

Voting Yea: Commissioner Bishop, Vice Chairman MacSarrow, Commissioner Murray, Chairman Shockey, Commissioner Burke, Commissioner Bjorkman