



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

## **Workshop & Evening Meeting**

**April 11, 2022, 4:30 PM**

**Join Zoom Meeting**

<https://us06web.zoom.us/j/82311124838>

### **Evening Meeting**

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1. Call to Order
2. Pledge of Allegiance
3. Swearing in of new Trustees
4. Adjourn to Workshop (reconvene at 6 PM)

### **Workshop**

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- Call to Order
- Roll Call
- Conflict of Interest
- ArtSpace/Space to Create update
- DOLA Main Street Open for Business Grand (MSOB) update

### **Evening Meeting 6:00 PM**

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- A. Reconvene
- B. Six Pillars of Character: Citizenship, Trustworthiness, Respect, Responsibility, Fairness, Caring
- C. Announcements
- D. Roll Call
- E. Conflicts of Interest
- F. Managers' Report
- G. Public Comments (limited to 3 minutes)
- H. Consideration to approve the meeting minutes dated March 28, 2022 **(Pg E2)**
- I. Consideration to approve Accounts Payable for April 2022 **(Pg E7)**
- J. Consideration of Resolution 12-2022, a Resolution allowing a Conditional Use Permit application for a business that generates income from the use and utilization of animals, located at Lots 15-16, Block 26, Town of Grand Lake **(Pg E16)**
- K. Consideration of Resolution 13-2022, a Resolution to consider the construction of an Inland Boat slip at Subdivision Shadow Point Lot 6, also known as 300 Lakeside Drive **(Pg E43)**
- L. Consideration of a contract for the Community House upgrade
- M. Mayor's Report
- N. Future Items for Consideration
- O. Adjourn Meeting

Statement of Purpose: Workshops are held in the afternoon prior to each Board of Trustee meeting. Workshops are conducted:

- 1) To ensure that the Board Members have adequate information and background to make informed decisions on various items.
- 2) To provide the Trustees with a forum to frame emerging issues and to discuss potential alternatives to address these issues.
- 3) To learn about important events affecting the Town and to provide a chance for citizens to bring "for your information" items to the Trustees.
- 4) To make efficient and effective use of citizens time at Board meetings but allow citizens time to make their comments known in a recorded meeting.

**Regular Meeting  
Town of Grand Lake – Board of Trustees  
Monday March 28, 2022, 6:00 PM**

**CALL TO ORDER:** The regular meeting of the Board of Trustees was called to order by Mayor Kudron at 6:15 P.M. in the Town Hall Board Room

**PLEDGE OF ALLEGIANCE:** Mayor Kudron led everyone in reciting the Pledge of Allegiance

**ROLL CALL PRESENT:** Mayor Kudron, Mayor Pro-Tem Bjorkman, Trustees Calvin-Braleay, Southway, Bruton and Arntson; Town Clerk Thompson and Town Manager Crone

**ABSENT** Trustee Bergquist

**ANNOUNCEMENTS:** Mayor Kudron announced: Please turn off all cell phones during the meeting

**CONFLICTS OF INTEREST:** Mayor Kudron stated if there are any conflicts of interest with any item on this evening agenda, Trustees may announce their conflict at this time. **NONE**

**Consideration to Excuse Trustee Bergquist from the Workshop and Evening Meeting**

Trustee Calvin-Braleay made a motion to approve the excused absences of Trustee Bergquist. Trustee Southway seconded the motion. Town Clerk Thompson called the vote:

Mayor Kudron	Aye
Mayor Pro-Tem Bjorkman	Aye
Trustee Bruton	Aye
Trustee Bergquist	Absent
Trustee Arntson	Aye
Trustee Southway	Aye
Trustee Calvin-Braleay	Aye

**MANAGERS REPORT:** The recent warm weather we have had is definitely a sign that Spring is here (we will still have some winter). The Park closed the Town trail through RMPN; therefore, we have closed access through the Town itself. We have also been forced to stop maintenance on the ice rink. We plan on expanding the on-lake ice rink next winter. As spring rolls in, we will also see bears coming out of hibernation. They are going to be hungry. Keep your trash in wildlife proof containers and make sure to lock up your dumpsters. The Town will be vigorously enforcing code provisions requiring garbage to be kept in wildlife proof containers and requiring those containers to be properly secured.

We are starting to put together our summer team for the Marina. If you know anyone interested in a summer job, please have them contact Town Hall. Tonight is the last meeting for Fawn Calvin-Braleay, Tom Bruton and Cindy Southway. This Board has accomplished a lot for the Town during their terms. We’ve completed Streetscape Phase II on budget, purchased the 21-acre parcel and Thomasson Park, repaved Grand Avenue,

caught up on an extensive amount of deferred maintenance, and saw unprecedented growth in our tourism while dealing with COVID and the East Troublesome Fire. We are moving forward with upgrades to the Community House. The Town Park marquee, the Town website, and the Town Code. We've adopted an updated Master Plan and are putting together a Public Lands plan. All in all, this Board should be proud of what they have done for the Town.

The April election for the vacant Board of Trustee seats will be held on Tuesday, April 5<sup>th</sup>. 374 ballots were mailed out on March 12<sup>th</sup> to all of the registered voters in Town. If you do not receive your ballot in the mail, please reach out to the Town Clerk, Jenn Thompson. We have four open seats on the Board of Trustees (3 four-year terms and 1 two-year term) and four candidates. The top three vote getters will serve the four-year terms while the remaining candidate will serve the two-year term. The next scheduled meeting will be on April 11, 2022.

### **UNSCHEDULED PUBLIC COMMENTS:**

Mayor Kudron announced this time is reserved for members of the Public to make a presentation to the Board on items or issues that are not scheduled on the agenda. The Board will not discuss or debate these items, nor will the Board make any decisions on items presented during this time. Rather, the Board will refer the items to Staff for follow up. If a member of the public wishes to comment regarding items on the Agenda, time will be allocated at the beginning of each non-quasi-judicial item. For items of a quasi-judicial nature, time will be allocated during the public hearing for the item. Time limited for Public comments is 3 minutes.

#### **Rochelle & Joel Ashmore – 808 & 812 Park Avenue**

My husband Joel and I were here last fall and applied for a variance for a second driveway. We are back here to chat with you about it today. I just want to open up the discussion, or figure out the solution for creating our second driveway. It's kind of halfway there, I think it was fully on the drawing but then at some point it fell off. It was approved to be there so we are just hoping that we can get to a resolution that makes for a functional driveway because that was what it was when we first purchased the property in 2018. Currently, the first driveway is much more narrow than it was when we purchased the property by a new 10 feet of concrete that was added by the Town from right where Jim's concrete ended. That narrowed and kind of put the angle into our first driveway a little off.

On the second driveway, the new walkway came in and then there is the wood beams that hold it up. I think our property is unique because it drops down in the back so there is quite a slope on the back side. So, we are hoping that we can get something that we can still use to park our Pontoon boat and a large RV. Family and friends come up and we want to make it safe so we are not having to threat the needle completely or go four-wheeling to get into our driveway. John and I had a discussion last fall about some of this, which included cutting back that concrete that was poured quite far towards our first driveway. Since then, all of the building has happened up to the second driveway that we would like to figure out how to get in safely. Hopefully this helps clarify what we discussed and hopefully can agree to.

#### **Joel Ashmore – 808 & 812 Park Avenue**

## RECORD OF PROCEEDINGS

As far as the drainage goes, I don't know if you guys had seen the road and how the pan is in the middle now. Before, it just came straight into our yard, so everything pretty much came in which is great for the trees and never a problem. Cutting that little part off so that we can have two sides so we can get the trailer in is not going to be any issue with drainage. If anything, if we didn't have a drainage problem before, we're not going to have one now the way that the street was built. I don't see how that is really a factor. To think about the street like this, most of that water is going to be taken front and back so cutting the edge off shouldn't affect it at all. We just want to have both sides so we can come in with the trailer like we did before and I don't see how that can be an issue for drainage.

### MEETING MINUTES:

#### **Consideration to approve the meeting minutes dated March 14, 2022**

Trustee Arntson made a motion to approve the meeting minutes dated March 14, 2022. Trustee Bruton seconded the motion. Town Clerk Thompson called the vote:

Mayor Kudron	Aye
Mayor Pro-Tem Bjorkman	Aye
Trustee Bruton	Aye
Trustee Bergquist	Absent
Trustee Arntson	Aye
Trustee Southway	Aye
Trustee Calvin-Brale	Aye

### FINANCIAL REVIEW:

#### **Consideration to approve Accounts Payable for March 2022**

Trustee Southway made a motion to approve Accounts Payable for March 2022. Trustee Calvin-Brale seconded the motion. Town Clerk Thompson called the vote:

Mayor Kudron	Aye
Mayor Pro-Tem Bjorkman	Aye
Trustee Bruton	Aye
Trustee Bergquist	Absent
Trustee Arntson	Aye
Trustee Southway	Aye
Trustee Calvin-Brale	Aye

### ADMINISTRATIVE:

#### **Consideration of approval of the Administrative review and approval process of a Liquor License Renewal for Sloopy's Grill**

Mayor Pro-Tem Bjorkman made a motion to approve the administrative review process of the Liquor License renewal for Sloopy's Grill and have staff submit the renewal with local approval to the state of Colorado. Trustee Calvin-Brale seconded the motion. Town Clerk Thompson called the vote:

Mayor Kudron	Aye
Mayor Pro-Tem Bjorkman	Aye
Trustee Bruton	Aye
Trustee Bergquist	Absent
Trustee Arntson	Aye
Trustee Southway	Aye

## RECORD OF PROCEEDINGS

Trustee Calvin-Braleley      Aye

### **Consideration of approval of the Administrative review and approval process of a Liquor License Renewal for Daven Haven**

Mayor Pro-Tem Bjorkman made a motion to approve the administrative review process of the Liquor License renewal for Daven Haven and have staff submit the renewal with local approval to the state of Colorado. Trustee Calvin-Braleley seconded the motion. Town Clerk Thompson called the vote:

Mayor Kudron                      Aye  
Mayor Pro-Tem Bjorkman      Aye  
Trustee Bruton                      Aye  
Trustee Bergquist                Absent  
Trustee Arntson                    Aye  
Trustee Southway                 Aye  
Trustee Calvin-Braleley         Aye

### **Consideration of approval of the Administrative review and approval process of a Liquor License Renewal for Grand Lake Wine & Spirits**

Mayor Pro-Tem Bjorkman made a motion to approve the administrative review process of the Liquor License renewal for Grand Lake Wine & Spirits and have staff submit the renewal with local approval to the state of Colorado. Trustee Calvin-Braleley seconded the motion. Town Clerk Thompson called the vote:

Mayor Kudron                      Aye  
Mayor Pro-Tem Bjorkman      Aye  
Trustee Bruton                      Aye  
Trustee Bergquist                Absent  
Trustee Arntson                    Aye  
Trustee Southway                 Aye  
Trustee Calvin-Braleley         Aye

### **NEW BUSINESS:**

### **Consideration of Ordinance 05-2022, an Ordinance approving Trustee pay of \$200 per month and \$400 a month for the Mayor**

Mayor Pro-Tem Bjorkman made a motion to approve Ordinance 05-2022, an Ordinance establishing pay for the Mayor at \$400 a month and \$200 a month for Trustees. Trustee Bergquist seconded the motion. Town Clerk Thompson called the vote:

Mayor Kudron                      Aye  
Mayor Pro-Tem Bjorkman      Aye  
Trustee Bruton                      Aye  
Trustee Bergquist                Absent  
Trustee Arntson                    Aye  
Trustee Southway                 Aye  
Trustee Calvin-Braleley         Aye

## RECORD OF PROCEEDINGS

### MAYORS REPORT:

It's almost April, its spring. I've sat in this seat for two years, but I've shared this table with Trustee Bruton, Trustee Southway and Trustee Calvin-Braleley for a year and a half. Our Manager expressed the gratitude for the things that were accomplished in the past few years. There is a lot. More than that, there's been a lot of discussion about how things should be decided. We are losing a different kind of commitment. Because that word commitment has changed. For the three of you who are leaving us, I give you my gratitude. I also give you a few minutes to say what you want to say.

Our Clerk, our Treasurer, our Planner, our Code Enforcement, our Public Works, all of our staff have had to learn how to do their jobs differently than we did it before. That has not been easy either. It's because of this Board, and the voices of this Board, that our staff comes to work. Even in the worst of times, they believe that we will get them through it. They don't know how bad it's going to look, or how good it might be, but at least they know that we will get them through it. Hopefully, as we have all learned, it will become more efficient. I won't say it's not going to be easy, but it can certainly be a little smoother. To the three of you, Thank You, Thank You, Thank You. That isn't enough and I do expect to see all of you here at a meeting or two, you don't have to come to every one.

### FUTURE ITEMS & STAFF DIRECTION:

STR Ordinance  
Steering Committee / Lands Committee Board Appointment  
Stanley Property Annexation  
Art Space Property  
Planning Commission LERP approval

### ADJOURNMENT:

Trustee Arntson made a motion to adjourn the meeting. Mayor Pro-Tem Bjorkman seconded the motion. Town Clerk Thompson called the vote:

<b>Mayor Kudron</b>	<b>Aye</b>
<b>Mayor Pro-Tem Bjorkman</b>	<b>Aye</b>
<b>Trustee Bruton</b>	<b>Aye</b>
<b>Trustee Bergquist</b>	<b>Absent</b>
<b>Trustee Arntson</b>	<b>Aye</b>
<b>Trustee Southway</b>	<b>Aye</b>
<b>Trustee Calvin-Braleley</b>	<b>Aye</b>

This meeting of the Board of Trustees was adjourned at 7:34:36 PM.

(Attest)

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Jennifer Thompson, Town Clerk

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Steve Kudron, Mayor

Invoice Date	GL Account and Title	Description	Net Invoice Amount
<b>AFFILIATED BENEFITS CONSULTANTS INC</b>			
<b>3/31/22</b>			
03/31/2022	10-415-355 Professional Services-Other	ADMIN - FSA & HRA ADMINISTRATION-MARCH	120.00
Total 3/31/22:			120.00
Total AFFILIATED BENEFITS CONSULTANTS INC:			120.00
<b>ALPINE LUMBER COMPANY</b>			
<b>30397980</b>			
03/28/2022	40-460-237 Building/Facility Maintenan	MARINA -(16) 2x12 CEDAR	4,907.88
Total 30397980:			4,907.88
Total ALPINE LUMBER COMPANY:			4,907.88
<b>BACKGROUND INFO. SERVICES, INC.</b>			
<b>144787</b>			
03/31/2022	40-460-355 Purchased Professional Ser	MARINA - (1) NEW HIRES	78.00
Total 144787:			78.00
Total BACKGROUND INFO. SERVICES, INC.:			78.00
<b>BOBCAT OF THE ROCKIES</b>			
<b>11397823</b>			
03/08/2022	10-431-233 Equipment Maintenance	PW-PLOW BOLT,62" CUTTING EDGE, NUT LOCK	454.82
Total 11397823:			454.82
<b>11397928</b>			
03/10/2022	10-431-233 Equipment Maintenance	PW-FLASHER	59.37
Total 11397928:			59.37
Total BOBCAT OF THE ROCKIES:			514.19
<b>BROWNS HILL ENGINEERING &amp; CONTROLS</b>			
<b>22898</b>			
04/01/2022	20-430-320 Telemetry Maintenance	WATER-PROJECT 19-519 SERV WORK/CELLULAR SERV FEE APR 22	85.00
Total 22898:			85.00
Total BROWNS HILL ENGINEERING & CONTROLS:			85.00
<b>CASELLE INC</b>			
<b>115934</b>			
03/22/2022	10-415-370 Training/Travel	ADMIN -TREASURER TRAINING-UTILITY MANAGEMENT	435.00
Total 115934:			435.00
<b>116250</b>			
04/01/2022	10-415-215 Computer Software	ADMIN - SOFTWARE SUPPORT MAY 2022	327.50
04/01/2022	20-430-321 Computer System Support	WATER - SOFTWARE SUPPORT MAY 2022	327.50
Total 116250:			655.00

Invoice Date	GL Account and Title	Description	Net Invoice Amount
Total CASELLE INC:			1,090.00
<b>CED</b>			
<b>1872-1187887</b>			
03/14/2022	10-452-220 Operating Supplies	PARKS-(12) REFLECTOR LAMPS	77.50
Total 1872-1187887:			77.50
Total CED:			77.50
<b>CENTURYLINK</b>			
<b>970-111-2642-MARCH</b>			
03/25/2022	40-460-344 Telephone/Internet Utility	MARINA - 970-627-5031 MAR SUSPENDED	35.42
03/25/2022	20-430-344 Telephone Utility	WATER - 970-627-3936 MAR	64.96
Total 970-111-2642-MARCH:			100.38
<b>9706272426-MARCH</b>			
03/28/2022	10-450-344 Telephone/Internet/TV Utility	GLC - 970-627-2426 2 BUSINESS LINES MARCH	114.50
Total 9706272426-MARCH:			114.50
Total CENTURYLINK:			214.88
<b>COLORADO MOUNTAIN NEWS MEDIA</b>			
<b>IN25319</b>			
03/31/2022	10-413-215 Elections	BOT- ELECTION NOTICE	20.11
Total IN25319:			20.11
<b>IN25320</b>			
03/31/2022	10-415-314 Ads & Legal Notices	ADMIN-(1) PLANNING COMM. PUBLIC HEARING NOTICES	17.20
Total IN25320:			17.20
<b>IN25321</b>			
03/31/2022	10-415-314 Ads & Legal Notices	ADMIN-(1) PLANNING COMM. PUBLIC HEARING NOTICES	18.43
Total IN25321:			18.43
<b>IN25322</b>			
03/31/2022	40-460-314 Ads and Legal Notices	MARINA-BIDS FOR MARINA RE-ROOF	13.38
Total IN25322:			13.38
Total COLORADO MOUNTAIN NEWS MEDIA:			69.12
<b>COUNTRY ACE HARDWARE</b>			
<b>545813</b>			
03/16/2022	10-431-233 Equipment Maintenance	PW-GALV NIPPLE, COUPLING	7.18
Total 545813:			7.18
Total COUNTRY ACE HARDWARE:			7.18
<b>DEERE CREDIT, INC.</b>			

Invoice Date	GL Account and Title	Description	Net Invoice Amount
<b>4/1/22</b>			
04/01/2022	10-831-510 Capital Equip Lease Interest	PW-2018 J.DEERE 772G MOTOR GRADER-INTEREST	348.86
04/01/2022	10-831-500 Capital Equip Lease Princip	PW-2018 J.DEERE 772G MOTOR GRADER-PRINCIPAL	3,969.06
Total 4/1/22:			4,317.92
Total DEERE CREDIT, INC.:			4,317.92
<b>DPC INDUSTRIES, INC</b>			
<b>737001034-22</b>			
03/29/2022	20-430-221 Chemicals	WATER - (49) 50# BAGS SODA ASH DENSE,(1)CHLORINE 150#	1,053.76
Total 737001034-22:			1,053.76
Total DPC INDUSTRIES, INC:			1,053.76
<b>FAWN CALVIN-BRALEY</b>			
<b>4/5/22</b>			
04/05/2022	10-413-215 Elections	BOT-ELECTION JUDGE	250.00
Total 4/5/22:			250.00
Total FAWN CALVIN-BRALEY:			250.00
<b>GOLDEN AGE BUILDERS, LLC</b>			
<b>3/17/2022</b>			
03/17/2022	10-952-971 Park Improvements	MARQUEE SCULPTURE-PRE-CONSTRUCTION FEE OF 5%	712.50
Total 3/17/2022:			712.50
Total GOLDEN AGE BUILDERS, LLC:			712.50
<b>GOVERNMENT LEASING AND FINANCE, INC</b>			
<b>077-0019882-001-APRIL</b>			
04/01/2022	10-831-510 Capital Equip Lease Interest	PW-INTEREST-2015 JD 624K LOADER-APR-0770019882001	153.55
04/01/2022	10-831-500 Capital Equip Lease Princip	PW - PRINCIPAL 2015 JD 624K LOADER APR-0770019882001	1,183.60
Total 077-0019882-001-APRIL:			1,337.15
Total GOVERNMENT LEASING AND FINANCE, INC:			1,337.15
<b>GRAINGER</b>			
<b>6544155125</b>			
03/23/2022	10-452-220 Operating Supplies	PARKS-GENERAL PURPOSE PAIL	6.96
Total 6544155125:			6.96
Total GRAINGER:			6.96
<b>GRAND COUNTY INTERNET SERVICES</b>			
<b>67267</b>			
04/01/2022	10-415-346 Website Hosting Services	MARINA-WIRELESS INTERNET FOR MAY	60.00
Total 67267:			60.00
Total GRAND COUNTY INTERNET SERVICES:			60.00

Invoice Date	GL Account and Title	Description	Net Invoice Amount
<b>GRAND LAKE CHAMBER OF COMMERCE</b>			
<b>4/1/22</b>			
04/01/2022	10-415-885 Town Events	ADMIN-CHAMBER PUBLIC RELATIONS-2nd QTR 2022	2,500.00
04/01/2022	10-415-885 Town Events	ADMIN-EVENTS 2nd QTR 2022	2,500.00
04/01/2022	10-415-722 BLC Fee Remittance	ADMIN - BLC 2nd QTR 2022	9,500.00
04/01/2022	10-415-721 Chamber Service Agreemen	ADMIN - SERVICE AGREEMENT 2nd QTR 2022	8,183.00
04/01/2022	10-415-870 Contingency - General Admi	ADMIN-GENERAL EXPENSE 2nd QTR 2022	2,750.00
04/01/2022	10-415-724 NRL VC Op	ADMIN - NRL 2nd QTR 2022	7,500.00
04/01/2022	10-353-180 Rent - Visitors Center	ADMIN - VISITORS' CENTER RENT 2nd QTR 2022	625.00
Total 4/1/22:			32,308.00
Total GRAND LAKE CHAMBER OF COMMERCE:			32,308.00
<b>GRAND LAKE HARDWARE</b>			
<b>3/31/22</b>			
03/31/2022	10-452-220 Operating Supplies	PARKS-COMBO LOCK,PAINT,ROLLER,BOLTS,CAULK,SAND DISK,PAIL,DUCK TAPE	168.89
03/31/2022	10-431-222 General Supplies	PW-SPARK LIGHTER,BITS,STRAP HINGE	82.93
03/31/2022	20-430-234 Well/Plant Maintenance	WATER-BATTERY,KNEE PADS, CLEANER	72.28
03/31/2022	20-430-221 Chemicals	WATER-TARP	11.99
03/31/2022	20-430-238 Distribution Line Maintenanc	WATER-SHOVEL	17.99
03/31/2022	40-460-237 Building/Facility Maintenanc	MARINA-PAINT,ROLLER,TRAY,TAPE	103.45
Total 3/31/22:			457.53
Total GRAND LAKE HARDWARE:			457.53
<b>GRAND RESOURCE &amp; RECYCLE COALITION</b>			
<b>2022-04</b>			
04/01/2022	50-470-301 Recycling Contribution	PAYT - MONTHLY DONATION APRIL	125.00
Total 2022-04:			125.00
Total GRAND RESOURCE & RECYCLE COALITION:			125.00
<b>HEADWATERS TRAILS ALLIANCE</b>			
<b>4/1/22</b>			
04/01/2022	10-413-452 Headwater Trails Alliance	BOT - CONTRIBUTION 2022	5,000.00
Total 4/1/22:			5,000.00
Total HEADWATERS TRAILS ALLIANCE:			5,000.00
<b>IMAGING CONCEPTS</b>			
<b>262438</b>			
03/22/2022	10-415-233 Office Equipment Maintenanc	ADMIN - COPIER MAINT AGREEMENT -2/28/22-3/27/22	117.68
Total 262438:			117.68
Total IMAGING CONCEPTS:			117.68
<b>J&amp;M DISPLAYS, INC</b>			
<b>55413</b>			
02/05/2022	40-460-750 Fireworks	MARINA-2022 FIREWORKS DISPLAY-WINTER CARNIVAL	18,270.00
Total 55413:			18,270.00

Invoice Date	GL Account and Title	Description	Net Invoice Amount
Total J&M DISPLAYS, INC:			18,270.00
<b>KATHY WEYDERT</b>			
<b>4/5/22</b>			
04/05/2022	10-413-215 Elections	BOT-ELECTION JUDGE	250.00
Total 4/5/22:			250.00
Total KATHY WEYDERT:			250.00
<b>KROB LAW OFFICE, LLC</b>			
<b>1/31/22</b>			
02/04/2022	10-915-950 Space to Create Expenditur	ADMIN-ART SPACE LEGAL FEES-JANUARY 2022	52.50
02/04/2022	10-415-351 Legal Services	ADMIN-LEGAL SERVICES-JAN 2022	1,665.50
02/04/2022	10-412-351 Planning Legal Services	PC-LEGAL FEES-JANUARY 2022	5,636.00
02/04/2022	10-413-215 Elections	BOT-EXECUTIVE SESSION-JAN 2022	175.50
Total 1/31/22:			7,529.50
<b>2/28/22</b>			
03/09/2022	10-415-351 Legal Services	ADMIN-LEGAL SERVICES-FEB 2022	204.00
03/09/2022	10-412-351 Planning Legal Services	PC-LEGAL FEES-FEB 2022	5,210.50
03/09/2022	10-415-351 Legal Services	ADMIN-ART SPACE LEGAL FEES-FEB 2022	87.50
Total 2/28/22:			5,502.00
Total KROB LAW OFFICE, LLC:			13,031.50
<b>MARLIN BUSINESS BANK</b>			
<b>19736167</b>			
04/04/2022	10-450-226 Office Equip Lease	GLC - 401-1590280-001 COPIER LEASE APRIL	82.32
Total 19736167:			82.32
Total MARLIN BUSINESS BANK:			82.32
<b>MUNDUS BISHOP</b>			
<b>2109-7-0322</b>			
04/01/2022	10-412-380 Comp Plan Update	COMP PLAN-MUNI LANDS-2/27/22-3/26/22	6,180.00
Total 2109-7-0322:			6,180.00
Total MUNDUS BISHOP:			6,180.00
<b>NORTHWEST RANCH SUPPLY, INC</b>			
<b>F47900</b>			
03/25/2022	20-430-223 Well/Plant Supplies	WATER-KEROSENE	42.98
Total F47900:			42.98
Total NORTHWEST RANCH SUPPLY, INC:			42.98
<b>PATRICK ETLER</b>			
<b>222654-1</b>			
03/15/2022	10-452-237 Building Maintenance	PARKS-THAWED MAIN WATER LINE TO TOWN HALL-REISSUE CHECK	1,525.00

Invoice Date	GL Account and Title	Description	Net Invoice Amount
Total 222654-1:			1,525.00
Total PATRICK ETLER:			1,525.00
<b>PEAK TO PEAK LAND SURVEYING &amp; MAPPING</b>			
<b>432</b>			
01/27/2022	90-931-910 Streetscape	PLANNER-SURVEY FOR BLOCK 3 ALLEY, PITKIN/HANCOCK	6,670.00
Total 432:			6,670.00
Total PEAK TO PEAK LAND SURVEYING & MAPPING:			6,670.00
<b>SOUTHWAY, CINDY</b>			
<b>4/5/22</b>			
04/05/2022	10-413-215 Elections	BOT-ELECTION JUDGE	250.00
Total 4/5/22:			250.00
Total SOUTHWAY, CINDY:			250.00
<b>STAPLES CREDIT PLAN</b>			
<b>3/15/22</b>			
03/15/2022	10-415-211 General Office Supplies	ADMIN-PRINTER TONER,PAPER,POWER STRIP,EXTENSION CORDS,HOLE PUNCH	381.75
03/15/2022	10-415-238 Town Hall Furnishings	ADMIN-TREASURER-SAFE	245.50
Total 3/15/22:			627.25
Total STAPLES CREDIT PLAN:			627.25
<b>THE GREEN COMPANY</b>			
<b>192135</b>			
03/24/2022	10-452-220 Operating Supplies	PARKS-TOILET PAPER,PULL TOWEL,WINDEX CLEANER,ANTIMICROBIAL FOAM	574.32
Total 192135:			574.32
<b>192135-1</b>			
04/04/2022	10-452-220 Operating Supplies	PARKS-TOILET PAPER,TRASH BAGS, CITRUS FOAM,DISINFECTANT	1,320.12
Total 192135-1:			1,320.12
Total THE GREEN COMPANY:			1,894.44
<b>THREE LAKES WATER &amp; SANITATION DISTRICT</b>			
<b>138100-APRIL 2022</b>			
04/01/2022	10-450-342 Sewer Utility	GLC - #138100 SEWER 2ND QTR 2022	1,072.89
Total 138100-APRIL 2022:			1,072.89
<b>238900-APRIL 2022</b>			
04/01/2022	40-460-342 Sewer Utility	MARINA - #238900 SEWER 2ND QTR 2022	117.00
Total 238900-APRIL 2022:			117.00
<b>264100-APRIL 2022</b>			
04/01/2022	10-452-343 Water Utility	PARKS - #264100 SEWER 2ND QTR 2022	134.55

Invoice Date	GL Account and Title	Description	Net Invoice Amount
Total 264100-APRIL 2022:			134.55
<b>354400-APRIL 2022</b>			
04/01/2022	10-415-342 Sewer Utility	ADMIN - #354400 SEWER 2ND QTR 2022	304.20
Total 354400-APRIL 2022:			304.20
<b>438000-APRIL 2022</b>			
04/01/2022	10-415-800 Attainable Housing Expense	ADMIN-MARY DR UNIT G, UPPER & LOWER-2ND QTR 2022-#43800	.12
Total 438000-APRIL 2022:			.12
<b>438100-APRIL 2022</b>			
04/01/2022	10-415-800 Attainable Housing Expense	ADMIN-MARY DR UNIT A-2ND QTR 2022-#438100	117.00
Total 438100-APRIL 2022:			117.00
<b>438200-APRIL 2022</b>			
04/01/2022	10-415-800 Attainable Housing Expense	ADMIN-MARY DR UNIT B- 2ND QTR 2022-#438200	117.00
Total 438200-APRIL 2022:			117.00
<b>438300-APRIL 2022</b>			
04/01/2022	10-415-800 Attainable Housing Expense	ADMIN-MARY DR UNIT C-2ND QTR 2022-#438300	117.00
Total 438300-APRIL 2022:			117.00
<b>438400-APRIL 2022</b>			
04/01/2022	10-415-800 Attainable Housing Expense	ADMIN-MARY DR UNIT D-2ND QTR 2022-#438400	117.00
Total 438400-APRIL 2022:			117.00
<b>438500-APRIL 2022</b>			
04/01/2022	10-415-800 Attainable Housing Expense	ADMIN-MARY DR UNIT E-2ND QTR 2022-#438500	117.00
Total 438500-APRIL 2022:			117.00
<b>438600-APRIL 2022</b>			
04/01/2022	10-415-800 Attainable Housing Expense	ADMIN-MARY DR UNIT F-2ND QTR 2022-#438600	117.00
Total 438600-APRIL 2022:			117.00
<b>438700-APRIL 2022</b>			
04/01/2022	10-415-800 Attainable Housing Expense	ADMIN-MARY DR UNIT H-2ND QTR 2022-#438700	117.00
Total 438700-APRIL 2022:			117.00
<b>438800-APRIL 2022</b>			
04/01/2022	10-415-800 Attainable Housing Expense	ADMIN-MARY DR UNIT I-2ND QTR 2022-#43880	117.00
Total 438800-APRIL 2022:			117.00
<b>438900-APRIL 2022</b>			
04/01/2022	10-415-800 Attainable Housing Expense	ADMIN-MARY DR UNIT J-2ND QTR 2022-#438900	117.00

Invoice Date	GL Account and Title	Description	Net Invoice Amount
Total 438900-APRIL 2022:			117.00
<b>439000-APRIL 2022</b>			
04/01/2022	10-415-800 Attainable Housing Expense	ADMIN-MARY DR UNIT K-2ND QTR 2022-#439000	117.00
Total 439000-APRIL 2022:			117.00
<b>439100-APRIL 2022</b>			
04/01/2022	10-415-800 Attainable Housing Expense	ADMIN-MARY DR UNIT L-2ND QTR 2022-#439100	117.00
Total 439100-APRIL 2022:			117.00
<b>439200-APRIL 2022</b>			
04/01/2022	10-415-800 Attainable Housing Expense	ADMIN-MARY DR UNIT M -2ND QTR 2022-#439200	117.00
Total 439200-APRIL 2022:			117.00
<b>439300-APRIL 2022</b>			
04/01/2022	10-415-800 Attainable Housing Expense	ADMIN-MARY DR UNIT N-2ND QTR 2022-#439300	117.00
Total 439300-APRIL 2022:			117.00
<b>6498</b>			
04/01/2022	20-430-318 Testing Services	WATER-TESTING 17197-17833	50.00
Total 6498:			50.00
Total THREE LAKES WATER & SANITATION DISTRICT:			3,199.76
<b>UNCC</b>			
<b>222030656</b>			
03/31/2022	20-430-238 Distribution Line Maintenanc	WATER-RTL TRANSMISSIONS, POSITIVE RESPONSE RE-NOTIFY-MARCH	19.50
Total 222030656:			19.50
Total UNCC:			19.50
<b>WASTE CONNECTIONS OF CO, INC</b>			
<b>6097273V314</b>			
04/01/2022	10-431-318 Trash/Recycle Services	PW - TOWN SHOP TRASH SERVICE MAR-EXTRA PICK UPS	773.60
04/01/2022	10-431-318 Trash/Recycle Services	PW - TOWN SHOP TRASH SERVICE APRIL	597.75
Total 6097273V314:			1,371.35
<b>6097438V314</b>			
04/01/2022	50-470-300 Dumpster Service	PAYT - TRASH SERVICE-EXTRA PICK UPS-MAR-2@\$80.00	160.00
04/01/2022	50-470-300 Dumpster Service	PAYT - TRASH SERVICE-APRIL	1,726.46
Total 6097438V314:			1,886.46
Total WASTE CONNECTIONS OF CO, INC:			3,257.81
<b>WASTEZERO, INC.</b>			
<b>48046-HEM</b>			
03/21/2022	50-470-200 Bags for Resale	PAYT-46 CASES OF BLUE BAGS @\$50 PER CASE	2,300.00

Invoice Date	GL Account and Title	Description	Net Invoice Amount
Total 48046-HEM:			2,300.00
Total WASTEZERO, INC.:			2,300.00
<b>WEAR PARTS &amp; EQUIP CO., INC.</b>			
<b>323101</b>			
03/24/2022	10-431-233 Equipment Maintenance	PW-SNOW BUCKET-HOLE CENTERS	419.81
Total 323101:			419.81
Total WEAR PARTS & EQUIP CO., INC.:			419.81
Grand Totals:			110,930.62

TOWN OF GRAND LAKE COMBINED ACCOUNTS PAYABLE AND  
ACCOUNTS PAYABLE - ALREADY PAID (ATTACHMENT A): APRIL 2022

MAYOR: \_\_\_\_\_  
STEVE KUDRON, MAYOR

ATTEST: \_\_\_\_\_  
JENNIFER THOMPSON, CLERK



April 11<sup>th</sup>, 2022

To: Mayor Kudron and Board of Trustees  
From: Kim White, Town Planner

RE: Consideration of a Conditional Use Permit Application for a business that generates income from the use and utilization of animals (dog boarding and training) located at Lots 15-16, Block 26, Town of Grand Lake.



### **Purpose**

The Town has received a Conditional Use Permit (CUP) application from Heather Williams for a for a business that generates income from the use and utilization of animals (dog boarding and training) located at Lots 15-16, Block 26, Town of Grand Lake, also known as 525 Grand Avenue, which requires Planning Commission review and recommendation, and Board of Trustees Approval with possible public hearing.

### **Background**

Public notice was made in the sky-hi newspaper and certified letters were sent to neighbors within 200' of the property for the planning commission meeting on April 6<sup>th</sup>, 2022. There has only been one email response, which was in favor of the business and is attached.

### **Facts about the application**

- Applicant is under contract with the owners at 525 Grand Ave., also known as Mountain Mongrels, which currently boards dogs.
- The current owners have provided a letter to allow the applicant to pursue the conditional use permit while the sale of the property is pending.
- The current owners have a conditional use by right permit to board dogs in the commercial zone.
- Commercial zoning allows by conditional use: the operation of businesses that generate income from the use of animals (12-2-18)
- Applicant has submitted the Conditional Use permit with the business plan and a narrative.



The applicant has submitted the conditional use application, application fee, and information about the business.

The facility will have the same entrance, exit, snow storage, trash area, parking plan, open space, operational hours (7am-7pm) and functions, and assessed neighborhood compatibility and impact. Management responsibilities would be performed by Heather Williams and Justin Williams.

Parking assessment shows that 6 spaces are required and are met. This includes 1 space/8 students, 1 guest space, 1 unloading space. For this commercial lot, an on-street parking credit is available for the 100' of frontage for 8.5 spaces.

**Municipal Code pertaining to this application:**

12-2-18 Regulations for Commercial District – C

(B) Conditional Uses

5. Fixed-business kennels, boarding facilities, horseback riding facilities, and other businesses that generate income from the use and utilization of animals.

Conditional Use Permits (CUP)

1. Types of Conditional Use Permits

(a) General Conditional Use Permits (CUPs) - permitted uses allowed in a district, in addition to the uses by right, where so authorized, are designated by individual zoning districts. Please refer to Sections 12-2-81 through 12-2-25 for individual zone listing.

(b) Nightly Rental Conditional Use Permits

2. General CUP General Information – Conditional Uses are those uses allowed in a district, in addition to the uses by right, where so authorized, when and if a Conditional Use Permit (CUP) is granted, in accordance with special procedures and requirements. The CUP review process herein is intended to assure compatibility and harmony between the proposed conditional use with both the surrounding properties and the town at large.

(a) The Town of Grand Lake shall not review requests of this nature unless the applicant (its constituents or members) are current with the Town and all Town enterprises for all fees, assessments, charges, taxes, or amount due of any type.

3. Processing and Review Criteria - Unless identified in Section 12-2-31(B)4 Nightly Rental Conditional Use Permits, requests for Conditional Use Permits will be processed and reviewed according to the following criteria:

3. After taking evidence in relation to said Condition Use application, the Planning Commission shall formulate a recommendation, including such terms and conditions as it may deem necessary and appropriate. The recommendation shall be placed on the next agenda of the Board of Trustees.

(i) The Planning Commission shall take the following factors into consideration prior to making recommendation to the Town Board of Trustees:

- \_\_\_\_\_ (a) Relationship of the proposed Conditional Use to the economic development objectives of the Town and the anticipated impact of the Conditional Use on existing businesses and neighborhood residences.
- \_\_\_\_\_ (b) Effect upon the character of the area in which the proposed Conditional Use is to be located, including the scale and bulk of the proposed Conditional Use in relation to surrounding uses and neighborhood.
- \_\_\_\_\_ (c) Such other factors and criteria as the Commission deems applicable to the proposed Conditional Use including but not limited to: hours of operation; signage;



specific businesses, land owners or other interested parties to be notified; or proposed conditions of CUP issuance.

### **Board Discussion**

The Planning Commission reviewed the request at a Public Hearing on 4/6/2022 and made a recommendation to the Town Board of Trustees which is a table setting. The Board shall make the final determination and may opt to have a public hearing:

(b) Procedure before the Board of Trustees

*1. The Board of Trustees shall vote to approve, modify or disapprove the recommendation of the Planning Commission by Resolution. The Board of Trustees may also request a Public Hearing. Should the Board of Trustees choose so, at least fifteen (15) days prior to the scheduled date, Town Staff shall cause a legal notice to run in a local newspaper of general circulation advertising the time, date, and location of the CUP Public Hearing and certified letters to be mailed to all property owners within two hundred (200') feet of any portion of the property proposed for the SUP indicating the time, date, and location of the CUP Public Hearing.*

### **Board Action**

Suggested Motions:

- 1. I move to approve of the Conditional Use Permit for a business that generates income from the use and utilization of animals (dog boarding and training) located at Lots 15-16, Block 26, Town of Grand Lake more commonly known as 525 Grand Ave. with the following conditions\_\_\_\_\_.**

**Or**

- 2. I move to deny the Conditional Use Permit for a business that generates income from the use and utilization of animals (dog boarding and training) located at Lots 15-16, Block 26, Town of Grand Lake more commonly known as 525 Grand Ave.**



# Town of Grand Lake

## Planning Department

• P.O. Box 99 • 1026 Park Avenue • Grand Lake, CO 80447  
• Phone: 970-627-3435 • Fax: 970-627-9290  
• Email: [glplanning@townofgrandlake.com](mailto:glplanning@townofgrandlake.com) • Website: townofgrandlake.com

### LAND USE REVIEW APPLICATION FORM

APPLICATION DEADLINE IS NOON, 21 DAYS PRIOR TO THE NEXT REGULARLY SCHEDULED MEETING

#### PROPERTY

- Street Address (or general location if not addressed): 525 Grand Ave
- Legal Description: Lot 15/16 Block 26 Subdivision Town of Grand Lake
- Lot Area (in square feet or acres): 100 x 100 double lot
- Existing Use of Property: Dog daycare + boarding

**TYPE OF REVIEW** (circle one): • Rezoning • Subdivision • Minor Subdivision • Annexation • Planned Development  
• Conditional Use • Vacation – Public right-of-way • Amendments to approved Subdivision or PD • Other (explain below)

#### PROPOSAL

Description of Proposal (include proposed use and summarize number and size of units/buildings/lots, as applicable):

We are seeking a conditional use permit for 525 Grand Ave (block 26, lots 15+16) for the purpose of a dog daycare + training facility.

- Name of Development: \_\_\_\_\_
- Name of Applicant: Heather + Justin Williams Email: ~~both~~ info@movingmountainsdogtraining.com
- Address: PO Box 1498 Phone: 303-641-3516
- City: Grand Lake State: CO Zip: 80447 Fax: \_\_\_\_\_
- Contact Person (if not applicant): \_\_\_\_\_ Email: \_\_\_\_\_
- Address: \_\_\_\_\_ Phone: \_\_\_\_\_
- City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Fax: \_\_\_\_\_

#### STAFF USE ONLY

Application Received By: Kwhite Date / Time: \_\_\_\_\_  
File Name: \_\_\_\_\_  
Fee Paid: ch# 1003 Amount: 250.00 Reimbursement Form Signed: yes

**TOWN OF GRAND LAKE  
AGREEMENT FOR PAYMENT OF  
REVIEW AND DEVELOPMENT EXPENSES INCURRED BY THE TOWN  
SUBDIVISION, ANNEXATION AND ZONING PROCESS**

**THIS AGREEMENT** (“the Agreement” is entered into this 1 day of April, 2021, by and between the Town of Grand Lake, Colorado, a Colorado municipal corporation, (“the Town”) and Moving Mountains Dog Training LLC, a \_\_\_\_\_ (homeowner, type of corporation, LLC, etc. if applicable), (collectively, “the Owner”).

**WHEREAS**, the Owner owns certain property situated in the Grand County, Colorado described on Exhibit A, attached hereto and incorporated herein by reference, (“the Property”);

**WHEREAS**, the development review process includes review of all aspects of land use including, but not limited to, annexation, subdivision, zoning, change of land use, installation of public improvements, dedication of lands and the availability of and feasibility of providing utility services;

**WHEREAS**, the Owner desires to develop the Property and has made application to the Town for approval of subdivision, annexation and/or zoning of the Property, and

**WHEREAS**, the Parties recognize that the land use fees as specified by the Municipal Code of the Town may not be adequate to fully cover the Town’s expenses incurred during the application process, including but not limited to, legal publications, notices, reproduction of materials, public hearing expenses, recording of documents, engineering fees, attorney fees, consultant fees, and fees for administrative time of Town staff, including, but not limited to managerial, clerical, billing, and review time, and

**WHEREAS**, the Parties hereto recognize that the Town will continue to incur expenses through the entire development review process until final completion of the development including but not limited to, legal publications, notices, reproduction of materials, public hearing expenses, recording of documents, engineering fees, attorney fees, consultant fees, and fees for administrative time of Town staff, security, permits and easements;

**NOW THEREFORE**, for and in consideration of the foregoing premises and of the mutual promises and conditions hereinafter contained, it is hereby agreed as follows:

1. The Town has collected or will collect certain subdivision, annexation and land use fees from the Owner and the Town will apply those fees against the development review expenses incurred by the Town while processing the Owner’s development review proposal. In the event the Town incurs development review expenses greater than the monies collected from the Owner, the Owner agrees to reimburse the Town for the additional expenses and fees upon submittal of an invoice. Owner shall pay all invoices submitted by the Town within ten (10) days of the Town’s delivery of such invoice. Failure by the Owner to pay any invoice within the specified time shall be cause for the Town to cease processing the application, cease development of the Property, deny approval of the application, withhold the issuance of building permits or certificates of occupancy and for the Town to exercise such rights and remedies as are otherwise available to it in law or equity or under the applicable provisions of the Town Code.
2. Except where the law or an agreement with the Town provides otherwise, the Owner may terminate its application at any time by giving written notice to the Town. The Town

shall take all reasonable steps necessary to terminate the accrual of costs to the Owner and file such notices as are required by the Town's regulations. The Owner shall be liable for all costs incurred by the Town in terminating the processing of the application.

3. If the Owner fails to pay the fees and costs required herein when due, the Town may take those steps necessary and authorized bylaw to collect the fees and costs due, in addition to exercising those remedies set forth in Section 1, above. The Town shall be entitled to recover from Owner all court costs and attorneys' fees incurred in collection of the balance due, including interest on the amount due from its due date at the rate of 18% per annum.
4. The Town will account for all funds expended and fees and expenses incurred by the Town as a result of the development review of the application throughout the development process. Statements of expenses incurred will be made available to the Owner by the Town. Expenses to be charged to the Owner's account shall include, but shall not be limited to legal publications, notices, reproduction of materials, public hearing expenses, recording of documents, engineering fees, attorney fees, consultant fees, fees for administrative time of Town staff, security, permits and easements. Within 60 days after the completion of the processing of the application by the Town, the Town will provide Owner with a statement of account and will refund to the Owner any funds paid by the Owner that were not expended by the Town, except where the Parties expressly agree to the contrary.
5. Owner's obligation to pay the costs and expenses provided for in this Agreement shall exist and continue independent of whether the Owner's application, or any part thereof, is approved, approved with conditions, denied, withdrawn, or terminated by the Town or the Owner prior to a final decision in the process.

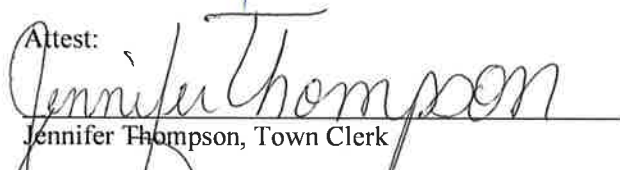
**IN WITNESS WHEREOF**, the Town and the Owner have caused this Agreement to be duly executed on the day and year first above written.

PRINTED OWNER'S NAME: Heather Williams

OWNER OF PROPERTY:   
Signature

TOWN OF GRAND LAKE

By:   
Kimberly White, Town Planner

Attest:   
Jennifer Thompson, Town Clerk





**From:** [loosends1@comcast.net](mailto:loosends1@comcast.net)  
**To:** [Kim White](#)  
**Subject:** Your March 17th letter Re: hearing on conditional use permit 525 Grand Ave.  
**Date:** Saturday, March 26, 2022 7:52:50 AM

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Kim...My name is Steve Loo my family has owned 6 lots directly east of the dog boarding facility for 30 years. It is a seasonal cabin up on the hill. I will not be able to attend the hearing, but I have some questions.

I believe the dog boarding facility has been in operation for some years. Is this conditional use permit going to significantly change the operation of the business? If so how so? My guess is that they want more space and might want to use the town right of way to the east at the bottom of the glacial moraine? If so, I have no objections. How long would the conditional use permit be good for?

I have another question not related but when was the Grand Ave. road cut through the moraine completed? Mid 1940s is my guess but I have yet to track down a specific date.  
Thanks...Steve  
303-941-1829

Moving Mountains Dog Training (MMDT) has been an established business in Grand County since 2016. Over the last six years, MMDT has been steadily grown into a successful operation with a large clientele from Grand Lake to Winter Park. The time has come for us to expand to a brick and mortar building so we can help more people and their dogs in a 24 hour period.

We have also seen first-hand the need and desire for a doggie daycare in Grand Lake. After relying the previous daycare for socialization and safe supervision, there is an entire daycare's worth of dogs waiting for the chance to play with their friends again. Several training clients, as well as members of the local community work force, have come to us with the need for daycare. In our current state, as a mobile training company only, it isn't a niche we've been able to fill for them. We want to change that!

525 Grand Ave is a great location for MMDT to expand its services and provide Grand Lake with much needed daycare. The property is already set up for daycare, so we would very little to do to begin business operations. It is "in town" and close for locals, but far enough out of the way, that it won't interfere with the other businesses in Grand Lake.

Because MMDT is a training company first, the daycare dogs, as well as the training dogs, will be expected to follow some rules and boundaries while having fun and playing with their comrades. Grand Lake and Grand County as a whole, is such a dog friendly community, why not help those dogs to be mannerly and polite and bring out their greatest potential? This also means that barking will not be allowed in our facility. Barking will be constantly managed both indoors and out to prevent any noise complaints, as well as keep all the dogs calm, balanced, and happy.

MMDT's founder, Heather Williams, has over ten years of experience working with dogs. She has even had the pleasure of managing a daycare, boarding, and training facility in the Denver Metro area. She is prepared and backed with knowledge on how to make this facility beneficial to every dog and human that walk through the doors. Between Heather and Justin, the dogs will either be supervised in playgroup, participating in training exercising, or having a break in their kennel. Safety is our utmost priority for everyone involved.

Part of providing a safe environment is keeping everything clean and sanitary. MMDT is dedicated to clearing the play yards of excrement as it happens and cleaning regularly with a dog safe enzymatic cleaner. We would also love to keep the waste bag station currently on the property, provided by the Town of Grand Lake. We are also committed to following all rules and guidelines required for proper licensing by the state.

Please consider our application for a conditional use permit at 525 Grand Ave. We are a local company that wants to serve the community the best way we possibly can.

# Business Plan

01



01

# Presentation Highlights

Executive summary  
Company description  
The team  
Industry outlook  
Target market  
Company objectives  
Strengths and weaknesses of competitors  
Our services  
Services and income projections  
Marketing  
Funding  
Expenses  
Contact us

2022



# Executive summary

Moving Mountains Dog Training LLC is intending to expand its services from remote training only, to localized onsite training, as well as structured doggie daycare. This includes purchasing a physical location at 525 Grand Ave in Grand Lake, CO. Demand for daycare already exists in the Grand Lake area and we will be filling that niche. Additionally, MMDT will continue to do what it does well (private and group training) on a grander scale.

As the only professional dog trainer in Grand County, we will continue to dominate the market and grow beyond past ability. We will also be located on "Main St" in Grand Lake and all persons entering and exiting town will pass by us twice.

The business is seeking funding to provide the brick and mortar facility and some start up costs to prepare said facility and get going for the first few months.



# Company description

Moving Mountains Dog Training is and will continue to run as an LLC in Grand County CO. MMDT will operate under the laws and regulations of the state of Colorado, and will be run by Heather and Justin Williams who will serve as the Business owners and operators.

MMDT will provide both training and daycare services to citizens of Grand County and its tourists. Heather will continue to be the main trainer and both Heather and Justin will run playgroup as well as other business operations.

# The team

05



**HEATHER WILLIAMS**  
Founder and Head Trainer



**JUSTIN WILLIAMS**  
Owner



# Industry outlook

06

There is little competition with doggie daycare services. Mountain Mongrels in Granby provides both daycare and boarding services. They are selling their location in Grand Lake (525 Grand Ave which we are looking to acquire). We will not be providing boarding services, only daycare and training.

There are no other trainers in the county that we are aware of. Some dog walkers exist, but there is little else in the pet industry outside of vet offices. MMDT has been active in the county for seven years and already has a healthy clientele.

# Target market

We are targeting all dog owners in Grand County, both resident, local dog owners, and those visiting our tourist town with their dogs.

We will have a slightly different target group for daycare services than training. Daycare services are needed more by working full time residents, while training could be required by full time, part time, or vacation residents.

Dog training and doggie daycare are both considered luxury services, so our ideal client has a steady job with some disposable income. There is a large population of second home owners in the area, as well as retirees. Both of which tend to have extra income and the desire for well behaved and well taken care of dogs.



# Company Objectives

08

## OBJECTIVE 1

Expand training services to double the current capability, as well as add daycare services for 15-20 dogs per day, 5 days a week.

## OBJECTIVE 2

Continue to solidify Moving Mountains Dog Training's glowing reputation as accomplished and professional by always exceeding the client's expectations and providing them with genuine care and knowledge for their dogs.

## OBJECTIVE 3

Increase gross profit from \$65,000 in 2021 (without a physical location or daycare) to \$200,000 in the first 12 months.



## COMPETITORS' STRENGTHS AND WEAKNESSES

09

The main competitor, Mountain Mongrels, has the benefit of providing overnight boarding services to their clients. If clients board there, they are likely to use them for daycare as well.

They have the disadvantage of not offering training services. In addition to not providing training, the playgroups aren't as structured or controlled to provide the utmost safety for each and every dog that participates. They are also located on a back county road. People won't see them from main highways.

# Our services

Moving Mountains Dog Training is separated above other dog services in the county due to Heather's 10 year ongoing education and experience in dog training, dog behavior, and hands on management of a doggie daycare from 2014-2016.

We are also an already established and successful business in Grand County with a growing clientele.

Moving Mountains Dog Training has over 200 clients in Grand County and supply and demand has never been more in our favor.

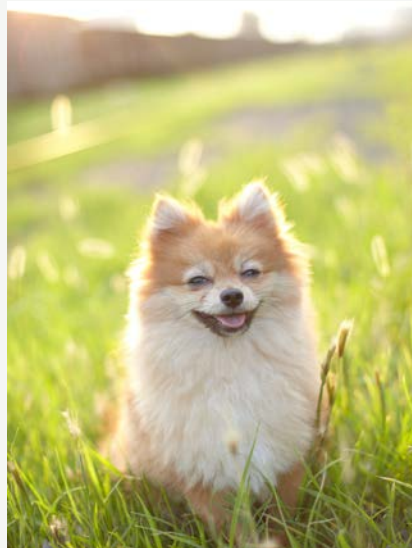
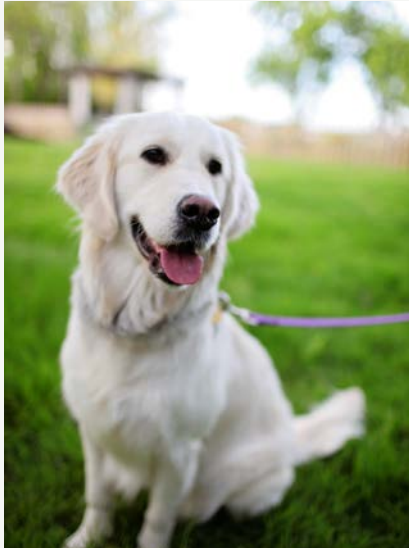
This puts both our training and daycare services above our competition.



# Services and Sales

Daycare \$30 per day per dog 20 dogs per day \$12,000 per month	Day School Training \$1,700 per dog 1-3 dogs per month \$1,700-\$5,100 total per month	Private Training \$100 per session 6-10 sessions per week \$2,400-\$4,000 per month	Group Classes \$250 per class 1 classes per month 10 dogs per class \$2,500 per month	Training Equipment Sales \$200-\$1,000 per month
--	--	---	--	--

Expected to start: \$18,800 per month – \$225,600  
 Potential Growth to: \$24,600 per month – \$295,200



## MARKETING

Marketing for Moving Mountains Dog Training will focus on word of mouth and referral as it has in the past. We will also be expanding our social media presence and using advertisements there. Lastly, we have the benefit of being on the main street in Grand Lake with a lot of drive bys.

**\$799,000**

COST TO PURCHASE PHYSICAL  
LOCATION

**\$20,000**

SMALL BUSINESS LOAN TO COVER  
START UP COSTS

# Expenses

## 2021 Expenses for Moving Mountains Dog Training

\$16,000  
Insurance  
Training Equipment  
Advertising  
Uniform  
Accounting  
Web Domain etc

## Yearly Expenses for 525 Grand Ave

\$67,000  
Mortgage  
Internet  
Taxes  
Utilities  
Inventory/Supplies

Total Projected Yearly  
Expenses \$83,000

## FOR INQUIRIES AND CONCERNS

### MAILING ADDRESS

PO Box 1498  
Grand Lake, CO  
80447

### EMAIL ADDRESS

[info@movingmountainsdogtraining.com](mailto:info@movingmountainsdogtraining.com)

### PHONE NUMBER

303-641-3516  
720-280-5963



# Contact us



**TOWN OF GRAND LAKE  
BOARD OF TRUSTEES  
RESOLUTION NO. 12– 2022**

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A BOARDING FACILITY LOCATED AT BLOCK 26, LOT 15-16, TOWN OF GRAND LAKE; MORE COMMONLY REFERRED TO AS 525 GRAND AVENUE**

**WHEREAS**, the Town of Grand Lake (the “Town”) received an application for a conditional use permit to operate a boarding facility (the “Application”) at 525 Grand Avenue (the “Property”); and

**WHEREAS**, staff reviewed the application and found it to be complete and comply with the requirements of the Section 12-2-31(B)(3); and

**WHEREAS**, the Town of Grand Lake Municipal Code (the “Municipal Code”), Section 12-2-18: Regulations for Commercial District allows for conditional uses including “*fixed-business kennels, boarding facilities, horseback riding facilities, and other businesses that generate income from the use and utilization of animals*”; and

**WHEREAS**, Municipal Code 12-2-31(B): Conditional Use Permits, allows the Planning Commission the option of scheduling a Public Hearing prior to consideration; and

**WHEREAS**, the Planning Commission properly noticed and conducted a public hearing on April 6, 2022 to consider the Application; and

**WHEREAS**, Municipal Code 12-2-31(B): Conditional Use Permits states:

*The Planning Commission shall take the following factors into consideration prior to making recommendation to the Town Board of Trustees:*

- 1. Relationship of the proposed Conditional Use to the economic development objectives of the Town and the anticipated impact of the Conditional Use on existing businesses and neighborhood residences.*
- 2. Effect upon the character of the area in which the proposed Conditional Use is to be located, including the scale and bulk of the proposed Conditional Use in relation to surrounding uses and neighborhood.*
- 3. Such other factors and criteria as the Commission deems applicable to the proposed Conditional Use including but not limited to: hours of operation; signage; specific businesses, land owners or other interested parties to be notified; or proposed conditions of CUP issuance.*

**WHEREAS**, the Town of Grand Lake has made efforts to support local “brick and mortar” businesses; and

**WHEREAS**, the Zoning Regulations limits the location of boarding facilities to the Commercial District; and

**WHEREAS**, the Property is located within the Commercial District.

**WHEREAS**, the Planning Commission recommended approval of the Application with conditions to the Board of Trustees.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE AS FOLLOWS:**

1. The Board of Trustees has reviewed the recommendations of the Planning Commission and the Application for a boarding facility located at Block 26, Lot 15-16, Town of Grand Lake during a properly noticed public hearing.
2. The Applicant has operated a successful business in the County similar to the proposed use.
3. The Applicant has fulfilled the necessary requirements set forth in the Municipal Code for the approval of the issuance of a Conditional Use Permit.
4. After taking into consideration of the expected relationship, probable effect, and anticipated impact of the proposed use on the Town of Grand Lake; the Board of Trustees hereby approves the Conditional Use Permit application subject to the following conditions:
  1. The Applicant comply with the requirements of Municipal Code Chapter 8: Regulation of Animals; and
  2. The Applicant is the considered the responsible party and/or “person” of the animals relating to Municipal Code Chapter 8: Regulation of Animals; and
  3. The Applicant obtain all permits and comply with inspections required by the State of Colorado; and
  4. The outdoor operating hours are limited to 7am to 7pm; and
  5. If a written noise complaint is received by the Town, the applicant will be required to timely install acoustic tiling inside the kennel; and
  6. The breeding of animals is NOT permitted; and
  7. The Applicant is responsible for maintaining a clean facility including the area immediately surrounding the premise, as determined by the Town; and
  8. The play area shall graded, drained and maintained by the Applicant to prohibit off premise discharge of any and all animal waste; and
  9. All animal care activities such as grooming and washing shall be conducted inside the facility; and
  10. The Applicant shall maintain the existing wood fence; and
  11. All structures, including shade shelters, shall be constructed less than 6’ in height and in accordance with the Municipal Code; and
  12. The Applicant shall adhere to the site plan provided in Exhibit A; and
  13. All permits necessary to comply with the Municipal Code shall be obtained by the Applicant.
  14. The Town shall supply a doggy pick up station at the property and supply dog the waste bags so long as the Applicant empties the waste basket; and
  15. The Town shall review the Conditional Use Permit if two (2) or more written complaints, including citations, which are received by the Town in any twelve (12) month period. The review shall be conducted according to Municipal Code 12-2-18(B);

**INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE AND SIGNED THIS 11<sup>TH</sup> DAY OF APRIL, 2022.**

( S E A L )

Votes Approving:

Votes Opposed:

Absent:

Abstained:

**ATTEST:**

**BOARD OF TRUSTEES OF THE  
TOWN OF GRAND LAKE, COLORADO**

\_\_\_\_\_  
Jenn Thompson, Town Clerk

By: \_\_\_\_\_  
Steve Kudron, Mayor



April 11<sup>th</sup>, 2022

To: Mayor Kudron and Board of Trustees  
From: Kim White, Town Planner

RE: Consideration to adopt Resolution 13-2017; a resolution approving a shoreline variance and retaining wall engineering for a new boatslip located at Lots 6, Shadow Point Subdivision, also known as 300 Lakeside Drive.

**Purpose**

The Town has received a request for a new boatslip at 300 Lakefront Dr. The request includes repairing existing stairs down to the water, excavating a boatslip in the back yard area and reinforcing it with poured concrete retaining walls with a stamped, integrated color-finish, with top of wall even with the yard grade. The work is within the 30' shoreline setback and the walls are over the 6' allowable height without a variance, measured from the underwater footer to the top of wall at grade (and up to 4' without being engineered by a Colorado Professional engineer), thus variances have been requested.

**Background:**

February- March 2017- Application was reviewed at a public meeting to request a boat slip.

April 11, 2017- Permit issued to install boat slip on. Applicants installed erosion control waddles and then paused the project, due to legal issues with neighboring HOA.

November 6<sup>th</sup>, 2018- The Chapdelaine's sent a letter to the Town, to request an extension, due to a legal matter that has since been resolved.

The Permit was eventually expired by the County in 2019.

July 7<sup>th</sup>, 2020 County re-issued the permit with a new permit number (B20-0296GL)

July, 7<sup>th</sup>, 2021, Staff contacted Devon Cotsamire, Recreation Special Uses Specialist in the Sulphur Ranger District and she said "We issued Chapdelaine a construction permit last year with a one year term, however due to the ET fire they pushed back construction to this fall. They have a current permit with the USFS. This is the first time I have seen these current plans and they appear to be different than the original plans that were approved last year.... We'll have to extend their current construction permit which expired in 2021. Or will issue another construction permit. It shouldn't be too much of a workload."

January 3<sup>rd</sup>, 2022 - Email received from Candace Knight Regulatory Assistant USACE  
"Attached is notification that a Department of the Army permit is not required for the Chapdelaine Boat



Slip located along the entry channel to Shadow Mountain Estates Marina, at 300 Lakeside Drive, Grand County, Colorado. This document is provided on behalf of Mr. Tyler Adams, Project Manager, Northwestern Colorado Branch, U.S. Army Corps of Engineers. Mr. Adams can be reached at 970-243-1199, ext. 1013.” (letter from the USACE attached).

January 7<sup>th</sup>, 2022, Applicant requested information on how to proceed with the building. Staff stated that the application has changed from the original building permit and new permit must be reviewed. Staff did not locate any shoreline variance on file for the project.

March 16<sup>th</sup>, 2022 - Applicants submitted completed application for building permit, shoreline variance, retaining wall height variance.

April 6, 2022 – Application was presented at the planning commission public hearing.

### **Municipal Code**

Municipal Code 12-2-29 Shoreline and Surface Water Regulations:

#### **(A) STREAM AND LAKE SETBACKS**

- 1. In order to help preserve the environmental quality of the water in the Grand Lake, a thirty (30) foot stream and lake setback from the mean identifiable high water mark shall be maintained for buildings, parking, snow storage areas and other improvements to a site. ...*
- 2. When activities are proposed within the 30’ setback, a variance may be requested by an Applicant.*

#### **9. RETAINING WALLS**

- (b) Height – Retaining walls may not exceed 6 feet in height and require a 4’ shelf between walls. Any walls exceeding 6’ will require a variance.*

### **Staff Analysis**

Upon review of original ecological assessment, the site has no significant habitat value to wildlife, including waterfowl, no fens, springs, or Critical Resource Waters, No proposed structures in the waterway and no existing structures.

The applicant has submitted all the required paperwork for the project. The applicant has stated they will be performing the work themselves, and have unstamped architectural drawings and minimal erosion control details. The proposed design has significantly changed from the originally approved design in every way except for the location of the boatslip. This includes the material, the erosion control detail, and the design of the soil retainage, leading Staff to require a new permit review and variance requests.

Per code 12-2-29 (B) Setbacks: All structures, including uncovered boat docks, shall meet the side setback requirements of the zoning district. Notwithstanding any other provision of this zoning code, freestanding uncovered docks, or docks attached to the sides of boathouses shall be allowed to encroach five (5') feet into the side setback requirements of the zoning district.



The proposal is a use by right in this single family high density zone and complies with most municipal code regulations pertaining to boatslip construction, including setbacks, and distances, as laid out in section 12-2-29. However, the walls of the boatslip are 8' high. The code only allows for up to 4' high walls without being engineered by a Colorado Professional Engineer; and up to 6' foot walls without a variance. The applicant's representative has also furnished the required supplemental information, including material and color samples, minimal erosion/sediment control details, and potential disturbed landscapes.

The excavation will create a large amount of cut soil to be transported offsite, with potential of erosion into the lake, as well as possibility of spill or contamination from concrete during the wall pour. Much detail to erosion control and containment is required to avoid any spill from occurring. The applicant has signed the required 404 permit disclaimer, agreeing to obtain the Army Corp of Engineers Permit. The applicant has obtained feedback from the USACE indicating that this is a non-discharge project in their opinion and does not require a permit.

Staff caused publication of this Public Hearing in the Middle Park Times and contacted the surrounding properties owners as required by the Municipal Code for the planning commission public hearing. The Town received zero (0) written comments regarding the application.

### **Board Discussion**

The Planning Commission reviewed the request at a Public Hearing on 4/6/2022 and made a recommendation to the Town Board of Trustees which is a table setting. The Board shall make the final determination and may opt to have a public hearing:

Shoreline setback discussion:

*(b) The following factors will be considered in determining whether to issue a variance:*

- 1. The shape, size, topography, slope, soils, vegetation, and other physical characteristics of the property.*
- 2. The locations of all bodies of water on the property, including along property boundaries.*
- 3. The location and extent of the proposed setback intrusion.*
- 4. Whether alternative designs are possible which require less intrusion or no intrusion.*
- 5. Sensitivity of the body of water and affected critical habitats.*
- 6. Intensity of land use adjacent to the body of water proposed to intrusion.*
- 7. Impact on floodplains and stream functions (a variance shall not be approved when the reduction would result in the setback being narrower than the floodplain)*

Retaining wall discussion:

*Variance requests will only be granted if the applicant can demonstrate all of the following:*

- 1. That by reason of exceptional shape, size or topography of lot, or other exceptional situation or condition of the building or land, practical difficulty or unnecessary hardship would result to the owners of said property from a strict enforcement of these Regulations;*



2. *That literal interpretation of the provisions of these Regulations would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of these Regulations.*
3. *That the special conditions and circumstances do not result from the actions of the applicant;*
4. *That granting the variance request will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district;*
5. *That the granting of the variance does not pose a detriment to the public good and does not substantially impair the intent and purpose of the Zone Plan and these Regulations.*

### **Board Suggested Motion**

1. **I Move to Adopt Resolution 13-2022; Approving the Variance to Shoreline and Surface Water Regulations and a Retaining Wall over Eight Feet High at Lot 6, Shadow Point Subdivision, as presented.**

Or

1. **I Move to Adopt Resolution 13-2022; Approving of the Variance to Shoreline and Surface Water Regulations and a Retaining Wall over Eight Feet High at Lot 6, Shadow Point Subdivision, with the following conditions\_\_\_\_\_.**

Or

2. **I Move to Deny the Resolution**

# BUILDING PERMIT APPLICATION

JURISDICTION: Town of Grand Lake

BUILDING PERMIT NUMBER: B- 17 - 0076 GL

DATE OF ISSUE 04 / 11 / 2017

PARCEL I.D. NUMBER: \_\_\_\_\_

SCHEDULE NUMBER: R \_\_\_\_\_

**REQUIRED WITH SUBMISSION OF APPLICATION:**

- **CONTRACTOR VERIFICATION FORM**
- OR**
- **ACKNOWLEDGEMENT OF CONTRACTOR INSURANCE**

CONTACT NAME: Linda Chapdelaine

CONTACT PHONE: 970-274-8042

CONTACT EMAIL: L\_Chapdelaine@hotmail.com

1. Mark and Linda Chapdelaine PO Box 5134  
OWNER NAME MAILING ADDRESS

Snowmass Village CO 81615 970-274-8042  
CITY STATE ZIP CODE OWNER PHONE NUMBER

2. LEGAL DESCRIPTION: 6 Shadow Pointe  
LOT NUMBER BLOCK NUMBER SUBDIVISION NAME

OR METES AND BOUNDS  
SECTION TOWNSHIP RANGE

3. JOB ADDRESS: 300 Lakeside Drive, Grand Lake, CO 80447

4. ARCHITECT OR DESIGNER: NA

5. ENGINEER: Jared Veenstra, Ascent Structural Engineering 79050 US Highway 40, Unit 1C  
CITY STATE ZIP PHONE  
Winter Park CO 80481 970-363-6100  
CITY STATE ZIP PHONE

6. CONTRACTOR EMAIL: NA

7. HOMEOWNER EMAIL: L\_Chapdelaine@hotmail.com

8. USE OF BUILDING: NA

9. CLASS OF WORK:  NEW  ADDITION  ALTERATION  REPAIR  MOVE  REMOVE

10. DESCRIBE WORK: Install Boat Slip

**NOTICE:** This permit becomes null and void if work or construction is not commenced within 180 days, or if construction or work is Suspended or abandoned for a period of 365 days at any time after work is commenced. I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to Violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

11. L Chap 3-4-22  
SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT DATE SIGNATURE OF OWNER (IF OWNER BUILDER) DATE

**DO NOT WRITE BELOW THIS LINE**

VALUATION OF WORK		BUILDING PERMIT FEE		TOTAL FEE	
		ZONING FEE			
SEPTIC PERMIT FEE		DRIVEWAY PERMIT FEE			
SEPTIC PERMIT #		TYPE OF CONSTRUCTION		OCCUPANCY GROUP	
ZONING APPROVAL		SIZE OF BUILDING TOTAL SF		No. of Stories	
		Max Occ Load		USE ZONE	
		SET BACKS		BACK	
		FRONT		SIDE	
		SIDE		SIDE	
		SPECIAL APPROVAL		NOT REQUIRED	
		WATER		APPROVED	
		SEWER			
SPECIAL CONDITIONS:		P&Z SIGNOFF			
		3 LAKES DESIGN REVIEW			
		DRIVEWAY PERMIT			
APPLICATION ACCEPTED BY	PLANS CHECKED BY	ISSUED BY	APPLICATION #		
DATE	DATE	DATE			



## Town of Grand Lake

### Planning Department

• P.O. Box 99 • 1026 Park Avenue • Grand Lake, CO 80447  
• Phone: 970-627-3435 • Fax: 970-627-9290  
• Email: [glplanning@townofgrandlake.com](mailto:glplanning@townofgrandlake.com) • Website: [townofgrandlake.com](http://townofgrandlake.com)

## GRAND LAKE PLANNING DEPARTMENT CONSENT FORM

Pursuant to Town of Grand Lake Ordinance No. 04-2013, by signing this document;

*The property owner hereby acknowledges that he/she is responsible for building on their own property within the setbacks or building envelopes and affirmatively represents that they are the owner of or have the right to build on all property on which construction will occur.*

Owners Name or Representative: \_\_\_\_\_

*Linda + mark chapdelaine*

Signature: \_\_\_\_\_

*[Handwritten Signature]*

Date: \_\_\_\_\_

*3-4-22*



TOWN OF GRAND LAKE



TAXES AND FEES CALCULATION SHEET

Date 8-10-22

Building Permit Number \_\_\_\_\_

- 1. Owner Name CHAPDELAINE
  - 2. Owner Address 300 LAKE SIDE DRIVE, GRAND LAKE, CO 80447
  - 3. Owner Phone and Email 970 274 8042 L-CHAPDELAINE@HOTMAIL.COM
  - 4. Job Address 300 LAKE SIDE DRIVE, GRAND LAKE, CO 80447
- Subdivision SHADOW POINTE Block \_\_\_\_\_ Lot(s) 6

USE TAX CALCULATION

<u>Total Project Cost (\$)</u>		<u>Cost of Material</u>		<u>Use Tax (0.05)</u>		<u>Total Use Tax (\$)</u>
<u>\$ 55,000</u>	X	<u>50%</u>	X	<u>5%</u>	=	<u>1375.00 (1)</u>

AFFORDABLE HOUSING FEE CALCULATION

Category	Total Square Feet	Exemptions (Sq. Ft.)	Fee per Sq. Ft. (\$)	Subtotal Fee (\$)
<u>ACC</u>	<u>517.82</u>	--	<u>.25</u>	= <u>129.46</u>
_____	_____	--	X _____	= _____
_____	_____	--	X _____	= _____
<b>Total Affordable Housing Fee</b>				= <u>129.46 (2)</u>

COMBINED TAXES AND FEES

(1) \$ 1375.00 + (2) \$ 129.46 = \$ 1,504.46

Permit Number: \_\_\_\_\_

Date Issued: \_\_\_\_\_

**TO ALL BUILDING PERMIT APPLICANTS:**

As a part of building permit issuance, you are required to pay a five percent (5%) use tax for the building materials you anticipate using in the course of your construction project.

The purpose and philosophy of use tax is to serve as an "in-lieu-of" sales tax to:

1. Make our local merchants more cost competitive because of lower sales tax rates charged elsewhere; and,
2. Capture tax revenues which might otherwise be lost to the Town due to purchase of construction materials outside of the Town but used in the Town.

Because two-thirds of general fund revenues are derived from sales tax, the Town has adopted a use tax to help pay for basic municipal services which you, as a property owner, deserve and expect from your Town. The payment of use tax is a credit against local sales tax you will pay either here in Grand Lake or in another municipality, up to (but not to exceed) the total amount of use tax paid.

You have two options available to you in order to realize your credit:

Option A. As you purchase building materials, you may present your building permit showing "Use Tax Paid" and NOT be charged up to 5% of the municipal tax on the items so purchased.

Option B. If a local sales tax is charged on your construction material purchases, save your receipts. Please note the building permit number, date of purchase, and construction site location for the purchases and present the receipts to the Town Clerk. After verifying the items submitted and computing the taxes paid, you will be reimbursed for the local sales tax paid up to (but not exceeding) the total amount of use tax paid.

**ALL RECEIPTS MUST BE SUBMITTED TO THE TOWN WITHIN THIRTY (30) DAYS AFTER THE CERTIFICATE OF OCCUPANCY, A LETTER OF FINAL INSPECTION, OR OTHER DOCUMENT DENOTING ACKNOWLEDGMENT OF SUBSTANTIAL COMPLETION HAS BEEN ISSUED, OR THE PERMIT IS CLOSED FOR ANY OTHER REASON BY THE TOWN OF GRAND LAKE OR THE GRAND COUNTY BUILDING AND SANITATION DEPARTMENT.**

Failure to submit all documentation for reimbursement within this period shall relieve the Town of any obligation to refund any use tax which would otherwise be due. A receipt should be obtained when a request for reimbursement is received by the Town. Mailed requests must be sent certified, return receipt requested.

Please feel free to ask any questions about use tax prior to signing the acknowledgment below.

I, Linda Chapdekine, who is requesting a Building Permit for construction at the  
(Print Name)  
following site: 300 LAKE SIDE DR, Grand Lake, CO 80447  
(legal description or street address)

have read the above and by my signature, agree and acknowledge that I understand the use tax refunding procedures of the Town of Grand Lake. I further understand, per Municipal Code 4-3-33, that if I do not submit receipts for the use tax paid for this permit within thirty (30) days after the Town of Grand Lake or the Grand County Building and Sanitation Department has closed this permit, I forfeit any right to claim a use tax refund for this Building Permit.

Signature Linda Chapdekine

**ARMY CORPS OF ENGINEERS 404 PERMIT REQUIREMENT DISCLAIMER**

**THIS FORM IS TO BE FILLED OUT AND SIGNED FOR ANY PROJECT WHICH BORDERS U.S. WATERS: WETLANDS, STREAMS, RIVERS, PONDS, LAKES OR OTHER WATERWAYS.**

If the project requires an Army Corps of Engineers 404 Permit, a copy of the 404 Permit application and the 404 Permit must be submitted to the Town of Grand Lake with the Building Permit application.

Please see <http://www.spk.usace.army.mil/missions/regulatory.aspx> for more information about the Army 404 Permit, or you may also contact:

**Tyler Adams, Project Manager**  
Colorado West Regulatory Branch  
400 Rood Avenue, Room 224  
Grand Junction, CO 81501  
(970) 243-1199 #1013  
[Tyler.R.Adams@usace.army.mil](mailto:Tyler.R.Adams@usace.army.mil)

Property Legal Address: 300  
Property Street Address: LAKE SIDE DRIVE  
Property Owner Name: LINDA + MARK CHAPPELVAINE  
Contractor Name: SELF

I understand that this project which borders United States waters (any wetland, stream, river, pond, lake or other waterway) obligates me to comply with the Federal Clean Water Act. I understand that it is my responsibility to obtain a Department of the Army 404 Permit prior to the placement of any fill materials into waters of the United States. I understand that placement of such fill into the waters of the United States without a 404 Permit is a violation of the Clean Water Act, 33 U.S.C. §1251, and is subject to Federal actions.

I agree to obtain an Army Corps of Engineers 404 Permit, if required. I understand the penalties for failure to obtain a permit, if required.

Signature Lhapp  
Printed Name LINDA CHAPPELVAINE Date 3-4-22

**TOWN OF GRAND LAKE  
AGREEMENT FOR PAYMENT OF  
REVIEW AND DEVELOPMENT EXPENSES INCURRED BY THE TOWN  
SUBDIVISION, ANNEXATION AND ZONING PROCESS**

**THIS AGREEMENT** ("the Agreement" is entered into this 3 day of MARCH 2021, by and between the Town of Grand Lake, Colorado, a Colorado municipal corporation, ("the Town") and MARK & Linda Chapdelaine, a homeowner, (homeowner, type of corporation, LLC, etc. if applicable), (collectively, "the Owner").

**WHEREAS**, the Owner owns certain property situated in the Grand County, Colorado described on Exhibit A, attached hereto and incorporated herein by reference, ("the Property");

**WHEREAS**, the development review process includes review of all aspects of land use including, but not limited to, annexation, subdivision, zoning, change of land use, installation of public improvements, dedication of lands and the availability of and feasibility of providing utility services;

**WHEREAS**, the Owner desires to develop the Property and has made application to the Town for approval of subdivision, annexation and/or zoning of the Property, and

**WHEREAS**, the Parties recognize that the land use fees as specified by the Municipal Code of the Town may not be adequate to fully cover the Town's expenses incurred during the application process, including but not limited to, legal publications, notices, reproduction of materials, public hearing expenses, recording of documents, engineering fees, attorney fees, consultant fees, and fees for administrative time of Town staff, including, but not limited to managerial, clerical, billing, and review time, and

**WHEREAS**, the Parties hereto recognize that the Town will continue to incur expenses through the entire development review process until final completion of the development including but not limited to, legal publications, notices, reproduction of materials, public hearing expenses, recording of documents, engineering fees, attorney fees, consultant fees, and fees for administrative time of Town staff, security, permits and easements;

**NOW THEREFORE**, for and in consideration of the foregoing premises and of the mutual promises and conditions hereinafter contained, it is hereby agreed as follows:

1. The Town has collected or will collect certain subdivision, annexation and land use fees from the Owner and the Town will apply those fees against the development review expenses incurred by the Town while processing the Owner's development review proposal. In the event the Town incurs development review expenses greater than the monies collected from the Owner, the Owner agrees to reimburse the Town for the additional expenses and fees upon submittal of an invoice. Owner shall pay all invoices submitted by the Town within ten (10) days of the Town's delivery of such invoice. Failure by the Owner to pay any invoice within the specified time shall be cause for the Town to cease processing the application, cease development of the Property, deny approval of the application, withhold the issuance of building permits or certificates of occupancy and for the Town to exercise such rights and remedies as are otherwise available to it in law or equity or under the applicable provisions of the Town Code.
2. Except where the law or an agreement with the Town provides otherwise, the Owner may terminate its application at any time by giving written notice to the Town. The Town

shall take all reasonable steps necessary to terminate the accrual of costs to the Owner and file such notices as are required by the Town's regulations. The Owner shall be liable for all costs incurred by the Town in terminating the processing of the application.

3. If the Owner fails to pay the fees and costs required herein when due, the Town may take those steps necessary and authorized bylaw to collect the fees and costs due, in addition to exercising those remedies set forth in Section 1, above. The Town shall be entitled to recover from Owner all court costs and attorneys' fees incurred in collection of the balance due, including interest on the amount due from its due date at the rate of 18% per annum.
4. The Town will account for all funds expended and fees and expenses incurred by the Town as a result of the development review of the application throughout the development process. Statements of expenses incurred will be made available to the Owner by the Town. Expenses to be charged to the Owner's account shall include, but shall not be limited to legal publications, notices, reproduction of materials, public hearing expenses, recording of documents, engineering fees, attorney fees, consultant fees, fees for administrative time of Town staff, security, permits and easements. Within 60 days after the completion of the processing of the application by the Town, the Town will provide Owner with a statement of account and will refund to the Owner any funds paid by the Owner that were not expended by the Town, except where the Parties expressly agree to the contrary.
5. Owner's obligation to pay the costs and expenses provided for in this Agreement shall exist and continue independent of whether the Owner's application, or any part thereof, is approved, approved with conditions, denied, withdrawn, or terminated by the Town or the Owner prior to a final decision in the process.

**IN WITNESS WHEREOF**, the Town and the Owner have caused this Agreement to be duly executed on the day and year first above written.

PRINTED OWNER'S NAME: Linda & MARK CHAPDELAINÉ

OWNER OF PROPERTY:   
Signature

TOWN OF GRAND LAKE

By:   
Kimberly White, Town Planner

S E A L

Attest:

\_\_\_\_\_  
Jennifer Thompson, Town Clerk

**GRAND COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT**  
**PROPERTY OWNER**  
**ACKNOWLEDGEMENT OF CONTRACTOR INSURANCE**

This acknowledgement pertains only to homeowner/builders. Grand County requires that all applications for a building permit include evidence that property owners are informed of the liability protection provided by their contractors and subcontractors. Uninsured contractors expose the property owner to considerable financial risk including injured workers, unpaid suppliers, property damage, fire, and theft.

Typically owners protect themselves by:

1. Obtaining certificates of liability and workers compensation insurance from all contractors and subcontractors, preferably naming the property owners as additional insured parties;
2. Alternatively, requiring the general contractor to guarantee all subcontractors are adequately insured;
3. Requiring the contractor and subcontractors to keep these policies in full force throughout the construction project;
4. Obtaining builder's risk insurance to protect against fire and theft;
5. Seeking the advice of an insurance professional before signing a building contract.

I, Linda + mark Chapdelaine, the owner of property located at  
300 LAKESIDE DR, Grand Lake, CO 80447

understand the risks of employing uninsured contractors.

Lmap  
Owners Signature

3-4-22  
Date



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, ALBUQUERQUE DISTRICT  
400 ROOD AVENUE, ROOM 224  
GRAND JUNCTION, CO 81501-2520

January 3, 2022

Regulatory Division

SUBJECT: No Permit Required – Action No. SPK-2017-00127, Chapdelaine Boat Slip

Linda Chapdelaine  
P.O. Box 5134  
Snowmass Village, CO 81615  
[l\\_chapdelaine@hotmail.com](mailto:l_chapdelaine@hotmail.com)

Dear Ms. Chapdelaine:

This letter responds to your request for a determination of Department of the Army (DA) permit requirements for the *Chapdelaine Boat Slip* project. The subject area is located along the entry channel to Shadow Mountain Estates Marina, at 300 Lakeside Drive, within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 6, Township 3 North, Range 75 West, Latitude 40.2494725°, Longitude -105.8331203°, Grand County, Colorado. A no-permit-required letter was issued by Corps in 2017 (*SPK-2017-00127*), for a boat slip. However, the structural engineer has modified the boat slip plans in order to reinforce the excavation area and provide better retainage to protect an existing house foundation. We have assigned Action No. *SPK-2017-00127* to this project. Please reference this number in all future correspondence concerning the project.

Based on the information provided, the project involves the excavation of fill material to construct a boat slip with excavated materials being placed directly onto a truck for off-site disposal in an upland location. After review, we have determined that a DA permit is not required because the project does not involve a discharge of materials (i.e., excavation only) into waters of the United States (WOTUS). This determination applies only to this project and any proposed modifications within WOTUS should be coordinated with our office prior to implementation.

Please note that a Corps permit decision does not constitute approval of project design features, nor does it imply that the construction is adequate for its intended purpose. Additionally, a Corps permit decision does not authorize any injury to property or invasion of rights or any infringement of federal, state, or local laws or regulations. The responsible party and/or any contractors acting on behalf of the responsible party must possess the authority and any other approvals required by law, including property rights, in order to undertake the proposed work.

We would appreciate your feedback on this permit action including your interaction with our staff and processes. For more information about our program or to complete our Regulatory Program national customer service survey, visit our website at <https://regulatory.ops.usace.army.mil/customer-service-survey/>. If you have any questions, please contact me at the Northwestern Colorado Branch, 400 Rood Avenue, Room 224, Grand Junction, Colorado 81501, by email at [Tyler.R.Adams@usace.army.mil](mailto:Tyler.R.Adams@usace.army.mil), or telephone at 970-243-1199, extension 1013.

Sincerely,

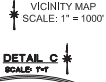
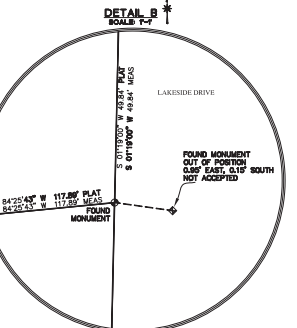
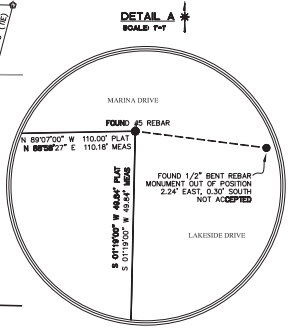
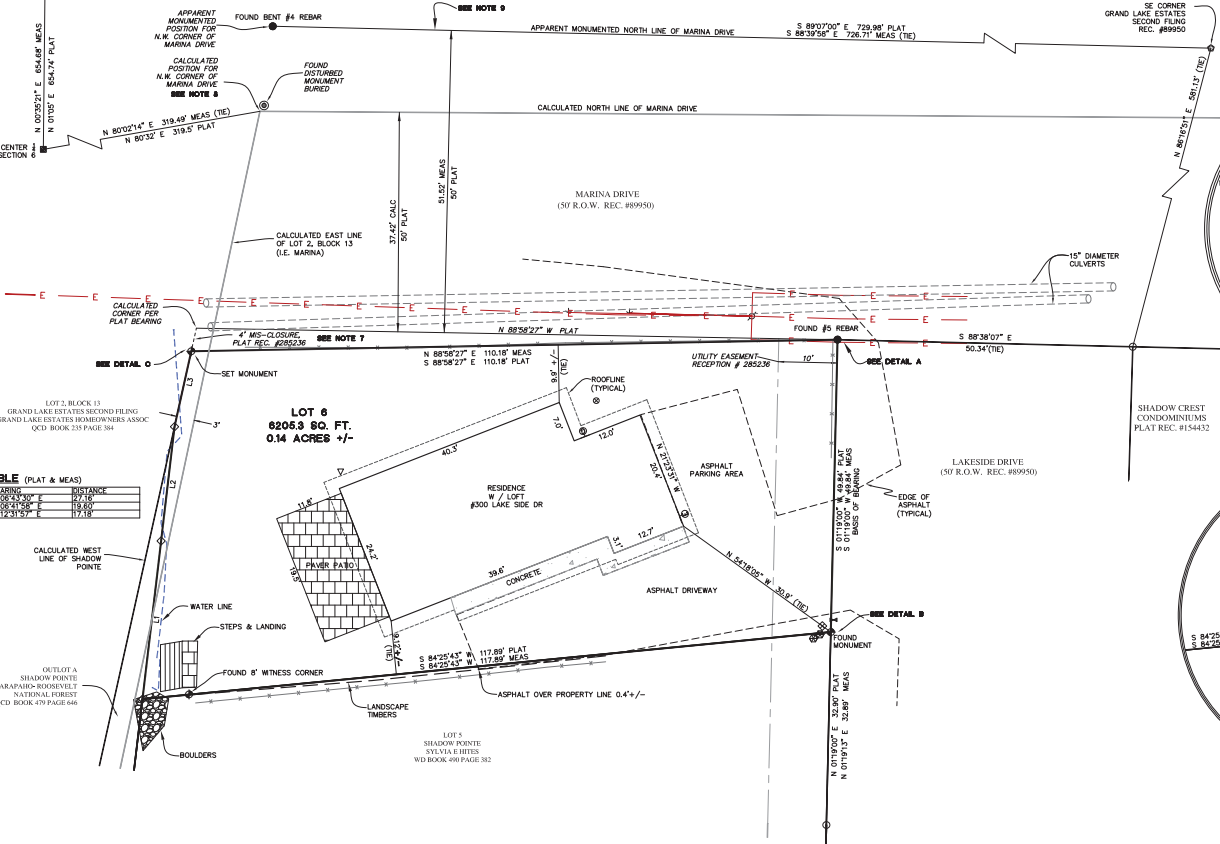
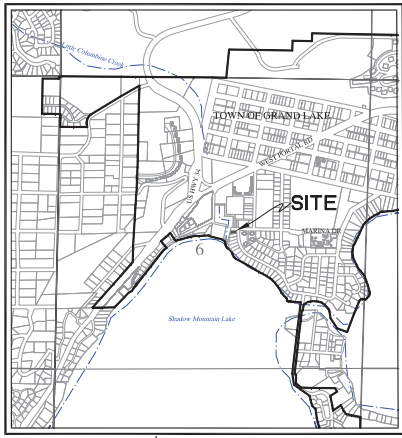
Tyler R. Adams  
Project Manager  
NW Colorado Branch

cc:

Kimberly White, Town of Grand Lake, [kwhite@toglco.com](mailto:kwhite@toglco.com)  
Steve Dahmer, Environmental Solutions, Inc., [steve.dahmer@esinc.biz](mailto:steve.dahmer@esinc.biz)

# IMPROVEMENT SURVEY PLAT

LOT 6, SHADOW POINTE, RECEPTION No. 285236  
SECTION 6, TOWNSHIP 3 NORTH, RANGE 75 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
TOWN OF GRAND LAKE, COUNTY OF GRAND, STATE OF COLORADO  
OWNERSHIP VESTED AT WARRANTY DEED 2014-004329



**LINE TABLE (PLAT & MEAS)**

LINE	BEARING	DISTANCE
13	N 08°29'00" E	27.16'
14	N 08°29'00" E	27.16'
15	N 12°31'57" E	17.18'

- NOTES**
- THE FOLLOWING PLAT DOCUMENTS WERE UTILIZED IN THE PREPARATION OF THIS SURVEY:
    - A. GRAND COUNTY RECORDS, GRAND LAKE ESTATES SECOND FILING, RECEPTION NO. 80990.
    - B. GRAND COUNTY RECORDS, RECEPTION NO. 285236, "FINAL PLAT SHADOW POINTE".
    - C. GRAND COUNTY RECORDS, RECEPTION NO. 194740, SHADOW GRAND MARINA.
    - D. GRAND COUNTY RECORDS, RECEPTION NO. 154432, CONDOMINIUM MAP OF SHADOW CREST CONDOMINIUMS.
    - E. GRAND COUNTY SURVEYOR'S RECORDS, LS 870, LAND SURVEY PLAT OF LOT 19, BLOCK 7 GRAND LAKE ESTATES AND LOT 1 SHADOW POINTE.
    - F. TITLE POLICY NO. 6000483 WITH THE EFFECTIVE DATE OF JULY 1, 2015 ISSUED BY LAND TITLE GUARANTEE COMPANY.
  - FIELDWORK FOR THIS SURVEY PERFORMED SEPTEMBER 20-21, 2017.
  - THESE PREMISES ARE SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS OF WAYS, VARIANCES, AND/OR AGREEMENTS AS OF RECORD MAY APPEAR.
  - UNDERGROUND UTILITIES (IF ANY) ARE NOT SHOWN.
  - THE SUBJECT PROPERTY IS CURRENTLY ZONED GRAND LAKE "RESIDENTIAL-HIGH DENSITY". ADDITIONALLY, THE SUBJECT PARCELS ARE SITUATED IN THE THREE LAKES DESIGN REVIEW AREA.
  - ALL MEASUREMENTS ARE EXPRESSED IN U.S. SURVEY FOOT AND DECIMALS THEREOF.
  - LOT 6 OF SHADOW POINTE (SUBJECT PROPERTY) HAS A MIS-CLOSURE OF +/- 4". THE MIS-CLOSURE IS SITUATED AT THE N.W. CORNER OF SAID LOT 6, ASSUMING THE PLAT BEARING OF S 88°58'27" E IS UTILIZED, THE RESULTANT DISTANCE FOR THE NORTHERMOST PORTION OF THE WEST LINE OF SAID LOT 6 WOULD BE N 12°30'07" E FOR A DISTANCE OF 12.59' RATHER THAN THE PLATTED DISTANCE OF 13.17'. CONVERSELY, ASSUMING THE PLAT BEARING IS S 88°58'27" W, (RATHER THAN S 88°58'27" E) THE MIS-CLOSURE IS ELIMINATED WITHIN THE AREA OF 6205.3 SQUARE FEET IS A MATCH TO THE SHADOW POINTE PLAT OF 6206 SQUARE FEET. THE MORE NORTHERLY LINE (S 88°58'27" E) IS MORE CONSISTENT TO THE OVERALL WIDTH OF 50' FOR MARINA DRIVE WHEN MEASURED TO THE APPARENT MONUMENTED NORTH LINE, HOWEVER THE MORE SOUTHERLY LINE (S 88°58'27" W) ENABLES CLOSURE AND MATCHES THE PLATTED AREA. NEITHER LINE ENABLES A 50' RIGHT OF WAY IF MEASURED TO THE CALCULATED NORTH LINE. FOR PURPOSES OF THIS SURVEY, THE SOUTHERLY LINE HAS BEEN UTILIZED.
  - THE CALCULATED POSITION OF THE N.W. CORNER OF MARINA DRIVE IS SIGNIFICANTLY DIFFERENT THAN THE APPARENT MONUMENTED POSITION. ADDITIONALLY, AN OVERLAP APPEARS TO EXIST BETWEEN THE WEST LINE OF SHADOW POINTE (ORIGINALLY TRACT A, BLOCK 7, GRAND LAKE ESTATES FIRST FILING) AND THE EAST LINE OF LOT 2, BLOCK 13, GRAND LAKE ESTATES SECOND FILING (MARINA). SAID OVERLAP APPEARS TO BE RELATED TO THE LACK OF SPECIFICITY IN THE 1974 & 1976 CALLS FOUND IN THE ORIGINAL PLAT OF FILING 1 AND A CONTRASTING BASIS OF BEARING BETWEEN SHADOW POINTE SUBDIVISION AND THE BOUNDARY OF FILING 2 (WHEN ADJUSTED ALONG THE WEST BY APPROX. 4" AT THE CENTER POINT). IT IS THIS SURVEYOR'S OPINION THAT SAID OVERLAP IS "THEORETICAL" IN NATURE AND THAT THE TRUE WEST LINE OF TRACT A (FIRST FILING, NOW KNOWN AS SHADOW POINTE) IS AS MONUMENTED BY SHADOW POINTE AND THIS RE-SURVEY. ADDITIONALLY, IT IS THIS SURVEYOR'S OPINION THAT THE WEST LINE OF SHADOW POINTE IS SENIOR TO THE EAST LINE OF LOT 2, BLOCK 13 (MARINA) PROPERTY. LEGAL COUNSEL AND ADDITIONAL LAND SURVEYING IS REQUIRED IF RESOLUTION OF THIS MATTER IS NECESSARY.
  - THE MONUMENTED NORTH LINE OF MARINA DRIVE IS SIGNIFICANTLY DIFFERENT (+/- 14") THAN THE CALCULATED LINE AS SHOWN HEREIN. ONCE AGAIN, THIS APPEARS TO BE RELATED TO LACK OF SPECIFICITY IN FILING 1 AND VARIATIONS IN MONUMENTS IF AND WHEN FILING 1 IS COMPARED WITH FILING 2. LEGAL COUNSEL AND ADDITIONAL LAND SURVEYING IS REQUIRED IF RESOLUTION OF THIS MATTER IS NECESSARY.
  - ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

**LAND SURVEYOR'S CERTIFICATE**

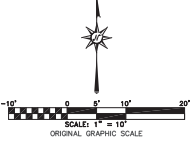
I, TIMOTHY R. SHENK, A DULY LICENSED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS IMPROVEMENT SURVEY PLAT OF LOT 6, SHADOW POINTE, TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECTION, AND THAT SAID PLAT COMPLIES WITH THE REQUIREMENTS OF TITLE 38, ARTICLE 51, COLORADO REVISED STATUTES, 1973, AND THAT THE MONUMENTS, REQUIRED BY SAID STATUTE, HAVE BEEN PLACED ON THE GROUND.

DATED THIS 13TH DAY OF OCTOBER, 2017.



TIMOTHY R. SHENK, COLORADO P.L.S. #31942  
PREPARED ON BEHALF OF TIM SHENK LAND SURVEYING, INC.

- LEGEND**
- - CALCULATED CORNER ONLY, NO MONUMENT FOUND OR SET
  - - ALUMINUM CAP, P.L.S. #31942 ON 18" LONG #5 REBAR (FOUND OR SET AS NOTED)
  - - FOUND ALUMINUM CAP, P.L.S. #35086
  - ⊙ - FOUND SPIKE & WASHER
  - - FOUND SPIKE
  - - FOUND SPIKE
  - - FOUND HEX BOLT WITH WASHER
  - - FOUND REBAR (SIZE AS NOTED)
  - ⊗ - FOUND ALUMINUM CAPPED REBAR, P.L.S. #25971
  - ⊗ - FOUND PIN & CAP, P.L.S. #1415
  - ⊗ - FOUND BLM BRASS CAP, AP 210
  - ⊗ - ELECTRIC METER
  - ⊗ - GAS METER
  - ⊗ - PHONE PEDestal
  - ⊗ - UTILITY PEDESTAL
  - ⊗ - POWER POLE
  - ⊗ - GUY WIRE
  - ⊗ - WATER VALVE
  - ⊗ - 4" DIAMETER PVC CLEAN OUT
  - ⊗ - WOOD FENCE
  - ⊗ - OVERHEAD ELECTRIC
  - ⊗ - IRRIGATION VALVE BOX



**TIM SHENK**  
**LAND SURVEYING, INC.**  
P.O. BOX 1670  
GRANBY, CO 80446  
(970) 887-1046

SHEET 1 OF 1:

JOB: 17119	SCALE: 1" = 10'	DATE: 10/13/2017	CHECKED BY: TRS
DWG: 17119.05	CRD: 17119.07	DRAWN BY: JL/TRS	REVISED:

REQUEST FOR VARIANCE FROM STREAM AND LAKE SETBACK ZONING REGULATIONS

TOWN OF GRAND LAKE  
P.O. BOX 99  
GRAND LAKE, CO 80447  
Phone: 970.627.3435  
Fax: 970.627.9290  
Email: [glplanning@townofgrandlake.com](mailto:glplanning@townofgrandlake.com)

PLEASE FILL OUT THE FOLLOWING INFORMATION.

Property Legal Description: Lot 6, Shadow Point

Property Street Address: 300 Lakeside Drive, Grand Lake, Colorado 80447

Property Owner: Linda and Mark Chapdelaine

Applicant's Name: Linda and Mark Chapdelaine Day Phone: 970-274-8042

Applicant's Mailing Address: PO Box 5134, Snowmass Village, Colorado 81615

Variance Requested:

We would like to request to build a boat slip.

At a minimum, a variance request shall include the following information:

**I. Application Deposit and executed Agreement for Development Fees**

**II. Documentation of unusual hardship via answers to the criteria listed below (only need to prove ONE)**

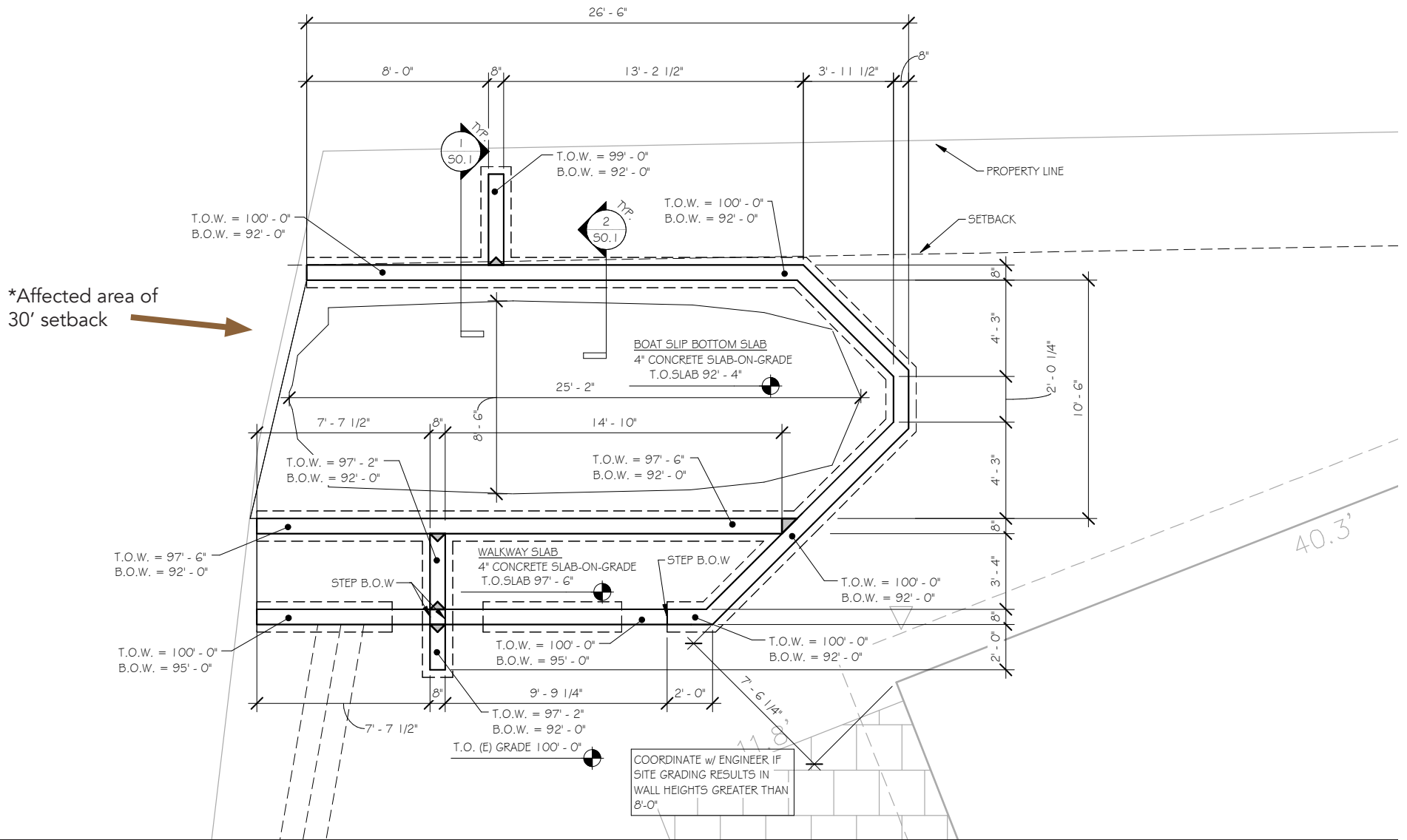
- 1. By reason of exceptional shape, size or topography of lot, or other exceptional situation or condition of the building or land, practical difficulty or unnecessary hardship would result to the owners of said property from a strict enforcement of Municipal Code 12-2-29 [Shoreline and Surface Water Regulations]*
- 2. Literal interpretation of the provisions would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of Municipal Code 12-2-29*
- 3. The special conditions and circumstances do not result from the actions of the applicant*
- 4. Granting the variance request will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district*
- 5. The granting of the variance does not pose a detriment to the public good and does not substantially impair the intent and purpose of Municipal Code 12-2-29*

**III. A topographic survey that includes locations of all streams, wetlands, floodplain boundaries, slope, topography, and other natural features**

**IV. A detailed site plan that shows the locations of all existing and proposed activities/improvements, both inside and outside the setback.**

1. A calculation of the total area (square footage) of the proposed improvements shall be indicated
2. The exact area of the 30' setback to be affected shall be accurately and clearly indicated.

- V. At least one alternative plan, which does not include a setback intrusion, or an explanation of why such a plan is not possible**
- VI. An erosion and sedimentation control plan (i.e. temporary and permanent interventions such as retaining walls, straw wattles and silt fencing, french drains, or other practices)**
- VII. A stormwater control plan, if applicable.**



SHORELINE VARIANCE REQUEST: CHAPDELAINE  
300 LAKESIDE DRIVE, GRAND LAKE, CO

NOTES:

- 1) The size of the slip itself is 10' 6" wide x 25' 10" long. The soils and vegetation are normal.
- 2) Total Area: 517.82 square footage.
- 3) There are no options for an alternative plan that would not require a shoreline variance request.



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SHORELINE VARIANCE REQUEST: CHAPDELAINE  
300 LAKESIDE DRIVE, GRAND LAKE, CO

DOCUMENTATION OF UNUSUAL HARDSHIP:

1) Due to the properties proximity to the water and our love for boating we would like to request a shoreline variance to construct a boat slip on our property. Most of our neighbors that have properties on the water have boat slips and can enjoy all that Grand Lake has to offer as a lakeside community.



SITE PLAN: CHAPDELAINE  
300 LAKESIDE DRIVE, GRAND LAKE, CO

NOTES:

- 1) Boat slip footprint as close as practicable to North property line to reduce risk to house foundation.
- 2) Grading slip site in preparation for the slip foundation.
- 3) Slip structure to be poured concrete with a warm medium brown color and appealing concrete facade finish.
- 3) Repairing existing stairs.



# Town of Grand Lake

## Planning Department

• P.O. Box 99 • 1026 Park Avenue • Grand Lake, CO 80447  
• Phone: 970-627-3435 • Fax: 970-627-9290  
gplanning@townofgrandlake.com • www.townofgrandlake.com

# ZONING VARIANCE REQUEST APPLICATION

### PROPERTY LOCATION:

Street Address: 300 Lakeside Dr., Grand Lake, CO 80447  
Legal Description: Lot 6 Block \_\_\_\_\_ Subdivision Shadow Pointe

### PROPERTY OWNER INFORMATION:

Name: Mark and Linda Chapdelaine Email: L\_Chapdelaine@hotmail.com  
Mailing Address: PO Box 5134 Phone: 970-274-8042  
City: Snowmass Village State: CO Zip: 81615 Fax: \_\_\_\_\_

### APPLICANT INFORMATION:

Is the Applicant the Property Owner?  YES  NO

Name: \_\_\_\_\_ Email: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Fax: \_\_\_\_\_

### CONTACT INFORMATION:

Is the Contact Person the Applicant?  YES  NO

Contact Person (if not Applicant): \_\_\_\_\_ Email: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Fax: \_\_\_\_\_

### VARIANCE REQUEST (Brief Description): Construction of boat slip with the North foundation wall

to be a height of 8'.

### REQUIRED INFORMATION CHECKLIST:

- Site Plan (showing dimensions to existing and proposed features, locations of specific activities, proposed and existing signage, parking, ingress and egress points, traffic circulation, utilities, drainage features, and property lines)
- Explanation of Hardship (See Municipal Code for review criteria)
- Statement of Authority (If applicable. Required for representatives of entities and property owners.)
- Property Survey
- Agreement for Services Form
- Application Deposit (See Fee and Deposit schedule for amount)
- Additional Information (If applicable. Staff may require other helpful information for review.)

**AFFIDAVIT:**

BY MY SIGNATURE, I attest that the information contained or attached to this application is true and correct to the best of my knowledge. I further understand that submission of false or misleading information shall be sufficient cause for the Special Use Permit to be revoked immediately without notice or hearing.

Print Name: Linda Chapdelaine

Signature : *hnap* Date: 3/16/22

**STAFF USE ONLY**

Application Received By: \_\_\_\_\_ Date & Time: \_\_\_\_\_

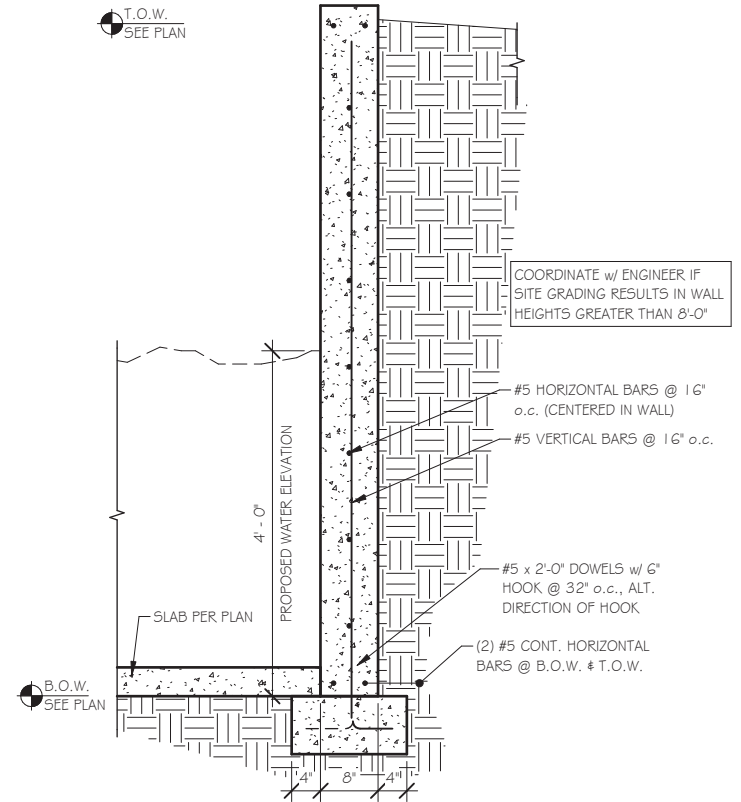
File Name: \_\_\_\_\_ Deposit:  YES  NO Amount: \$ \_\_\_\_\_

Agreement for Services Form Signed?  YES  NO

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RETAINING WALL VARIANCE REQUEST: CHAPDELAINÉ  
300 LAKESIDE DRIVE, GRAND LAKE, CO  
DOCUMENTATION OF UNUSUAL HARDSHIP

1) Due to the layout of the property and the slip location being close to the house, we had an structural engineer design our boat slip. He suggests that the boat slip be constructed of poured concrete. We will need to grade the site, but in keeping with the natural look of the existing berm that runs down the side of our house, the foundation wall will be approximately 8'. We would color the concrete and stamp it with a pleasing brick look for general aesthetic appeal and the visible portion above the water will be approximately 4'.



2 TYP. FOUNDATION WALL  
 50.1 3/4" = 1'-0"

SITE PLAN: CHAPDELAINÉ  
 300 LAKESIDE DRIVE, GRAND LAKE, CO

NOTES:

- 1) Foundation walls to be poured concrete with a warm medium brown color and appealing concrete facade finish. (similar to picture on the right)
- 2) As pictured above: Foundation walls visible above the water is about 4'.

# BUILDING PERMIT APPLICATION

Jurisdiction of TOWN OF GRAND LAKE

BUILDING PERMIT NUMBER: B- 17 - 0076 GL

DATE OF ISSUE 4 / 11 / 17

**THE CONTRACTOR VERIFICATION FORM MUST ACCOMPANY THIS APPLICATION.**

APPLICANT MUST COMPLETE ALL NUMBERED SPACES      CONTACT NAME: Geoff Elliott  
 CONTACT PHONE #: (970) 509-0199

1.	OWNER NAME: <u>Mark Chappelaine</u> <small>OWNER NAME</small>	MAILING ADDRESS: <u>Po Box 5134</u> <small>MAILING ADDRESS</small>
	CITY: <u>Snowmass Village</u> <small>CITY</small>	STATE: <u>CO</u> <small>STATE</small>
	ZIP: <u>81615</u> <small>ZIP</small>	PHONE: <u>970 948 0005</u> <small>PHONE</small>
2.	LEGAL DESCRIPTION: <u>6</u> <small>LOT NUMBER</small>	
	OR MEETS AND BOUNDS: <u>Shadow Pointe</u> <small>BLOCK/TOWER</small> <small>SUBDIVISION NAME</small>	
	SECTION:      TOWNSHIP:      RANGE:	
3.	JOB ADDRESS: <u>300 Lakeside Dr.</u>	
4.	ARCHITECT OR DESIGNER: <u>Grand Environmental #0072</u>	
	CITY: <u>Grand Lake</u> <small>CITY</small>	STATE: <u>CO</u> <small>STATE</small>
	ZIP: <u>80447</u> <small>ZIP</small>	PHONE: <u>970-509-0199</u> <small>PHONE</small>
5.	ENGINEER: <u>NA</u>	
	CITY:      STATE:      ZIP:      PHONE:	
6.	LENDER: <u>NA</u>	
	CITY:      STATE:      ZIP:      PHONE:	
7.	USE OF BUILDING: <u>N/A</u>	
8.	CLASS OF WORK: <input checked="" type="checkbox"/> NEW <input type="checkbox"/> ADDITION <input type="checkbox"/> ALTERATION <input type="checkbox"/> REPAIR <input type="checkbox"/> MOVE <input type="checkbox"/> REMOVE	
9.	DESCRIBE WORK: <u>install boat slip</u>	
10.	NOTICE: This permit becomes null and void if work or construction is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 365 days at any time after work is commenced. I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.	

SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT: [Signature]      DATE: 8 Feb 17      SIGNATURE OF OWNER (IF OWNER/BUILDER):      DATE:

**DO NOT WRITE BELOW THIS LINE      DO NOT WRITE BELOW THIS LINE**

TOTAL FEE: <u>1,258.06</u>	VALUATION OF WORK: <u>22,632.00</u>	BUILDING PERMIT FEE: <u>258.06</u>	
PREPAYMENT: <u>1,258.06</u>	DATE PREPAYMENT PAID: _____	ZONING FEE: <u>\$1,000</u>	
TOTAL BALANCE DUE: _____	TYPE OF CONSTRUCTION: <u>V-B</u>	OCCUPANCY GROUP:      DMSION:	
ZONING APPROVAL: <u>DOB 3-15-17</u>	SIZE OF BUILDING TOTAL SF: <u>600</u>	No. of Stories: _____	
	Max Occ Load: _____	USE ZONE: _____	
SPECIAL CONDITIONS: <u>Need As-Builts</u>	SET BACKS: FRONT: <u>30</u> SIDE: <u>10</u> SIDE: <u>10</u> BACK: <u>with</u>		
	SPECIAL APPROVAL:      NOT REQUIRED      APPROVED		
	WATER:      SEWER:      P&Z SIGNOFF:      3 LAKES DESIGN REVIEW:      OTHER:		
	APPLICANT ACCEPTED BY: <u>[Signature]</u> DATE: <u>3-17-17</u>	PLANS CHECKED BY: <u>[Signature]</u> DATE: <u>3-21-17</u>	APPROVED FOR ISSUANCE BY: <u>[Signature]</u> DATE: <u>4-11-17</u>
	APP # <u>161</u>		

Town of Grand Lake  
Attn: Nate Shull  
PO Box 99  
Grand Lake, CO 80447

November 6, 2018

## REQUEST FOR A BUILDING PERMIT EXTENSION

Dear Nate,

We would like to submit a request to receive an extension on our building permit issued to Mark Chapdelaine, 300 Lakeside Drive, Grand Lake, CO 80447 for a boat slip.

We were issued a building permit in April 2017. At that time we posted our permit and commenced work preparing the site for excavation. We installed the straw wattles in the water and removed all of our cement decking tiles from the lawn. Once we started the project we immediately began to get pushback from the Grand Lake Homeowners Association. They sent us a letter from their lawyer and had our Special Use Permit put on hold from the US Forest Service. To be respectful of the GLHOA's concerns we removed the wattles from the water and stopped work immediately in hopes to resolve the issue quickly and continue to be allowed to move forward. At that point our project became dormant.

Since April 2017 we have had Tim Shenk do a thorough survey of our property and have found that there is a sliver of land which is owned by the Forest Service and that borders our property. With this new information the Forest Service has granted us permission to build our boat slip and will be issuing us a Special Use Permit.

Our building permit lapsed during the course of our efforts to resolve things amicably with the GLHOA and our research. We are ready to move forward at this time with the project and our hope is that you will consider reissuing our building permit due to the circumstances beyond our control that held up our project.

Thank you for your consideration.

Sincerely,



Mark and Linda Chapdelaine  
300 Lakeside Drive  
Grand Lake, CO 80477

# BUILDING PERMIT APPLICATION

Jurisdiction of TOWN OF GRAND LAKE

BUILDING PERMIT NUMBER: B- 17 - 0076 GL

DATE OF ISSUE 4 / 11 / 17

**THE CONTRACTOR VERIFICATION FORM MUST ACCOMPANY THIS APPLICATION.**

APPLICANT MUST COMPLETE ALL NUMBERED SPACES CONTACT NAME: Geoff Elliott  
CONTACT PHONE #: (970) 509-0199

1.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"><u>Mark Chappelaine</u></td> <td style="width: 50%;"><u>Po Box 5134</u></td> </tr> <tr> <td style="font-size: small;">OWNER NAME</td> <td style="font-size: small;">MAILING ADDRESS</td> </tr> <tr> <td><u>Showmass Village</u></td> <td><u>CO 81615</u></td> </tr> <tr> <td style="font-size: small;">CITY</td> <td style="font-size: small;">STATE ZIP</td> </tr> <tr> <td colspan="2" style="text-align: right;"><u>970 948 0005</u></td> </tr> <tr> <td colspan="2" style="font-size: small;">PHONE</td> </tr> </table>	<u>Mark Chappelaine</u>	<u>Po Box 5134</u>	OWNER NAME	MAILING ADDRESS	<u>Showmass Village</u>	<u>CO 81615</u>	CITY	STATE ZIP	<u>970 948 0005</u>		PHONE	
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PHONE													
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CITY	STATE	ZIP	PHONE										
5.	ENGINEER: <u>NA</u>												
6.	LENDER: <u>NA</u>												
7.	USE OF BUILDING: <u>N/A</u>												
8.	CLASS OF WORK: <input checked="" type="checkbox"/> NEW <input type="checkbox"/> ADDITION <input type="checkbox"/> ALTERATION <input type="checkbox"/> REPAIR <input type="checkbox"/> MOVE <input type="checkbox"/> REMOVE												
9.	DESCRIBE WORK: <u>install boat slip</u>												
10.	<p style="font-size: small;">NOTICE: This permit becomes null and void if work or construction is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 365 days at any time after work is commenced. I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.</p> <p style="text-align: center;"><i>[Signature]</i> <u>8 Feb 17</u></p>												

SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT DATE SIGNATURE OF OWNER (IF OWNER/BUILDER) DATE

DO NOT WRITE BELOW THIS LINE		DO NOT WRITE BELOW THIS LINE	
TOTAL FEE	<u>1,258.06</u>	VALUATION OF WORK	<u>22,632.00</u>
PREPAYMENT	<u>1,258.06</u>	BUILDING PERMIT FEE	<u>258.06</u>
TOTAL BALANCE DUE		ZONING FEE	<u>\$1,000</u>
ZONING APPROVAL	<u>DOB 3-15-17</u>	TYPE OF CONSTRUCTION	<u>V-B</u>
	<u>Richard Bull 1-23-19</u>	OCCUPANCY GROUP	
SPECIAL CONDITIONS:	<u>Need As-Builts &amp; Final Pre/ zoning &amp; Final Inspections</u>	SIZE OF BUILDING TOTAL SF	<u>600</u>
		NO. OF STORES	<u>1</u>
APPLICATION ACCEPTED BY	<u>3.17.17</u>	MAX OCC LOAD	<u>10</u>
PLANS CHECKED BY	<u>3-21-17</u>	USE ZONE	<u>wtc</u>
APPROVED FOR ISSUANCE BY	<u>4.11.17</u>	SET BACKS	
		FRONT	<u>30</u>
		SIDE	<u>10</u>
		REAR	<u>10</u>
		BACK	<u>wtc</u>
		SPECIAL APPROVAL	NOT REQUIRED
		APPROVED	
		WATER	
		SEWER	
		P&Z SIGNOFF	
		3 LAKES DESIGN REVIEW	
		OTHER	

*[Signature]* 1-23-19

*[Signature]* 1-23-19

**GRAND COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT  
PROPERTY OWNER  
ACKNOWLEDGEMENT OF CONTRACTOR INSURANCE**

This acknowledgement pertains only to homeowner/builders. Grand County requires that all applications for a building permit include evidence that property owners are informed of the liability protection provided by their contractors and subcontractors. Uninsured contractors expose the property owner to considerable financial risk including injured workers, unpaid suppliers, property damage, fire, and theft.

Typically owners protect themselves by:

1. Obtaining certificates of liability and workers compensation insurance from all contractors and subcontractors, preferably naming the property owners as additional insured parties;
2. Alternatively, requiring the general contractor to guarantee all subcontractors are adequately insured;
3. Requiring the contractor and subcontractors to keep these policies in full force throughout the construction project;
4. Obtaining builder's risk insurance to protect against fire and theft;
5. Seeking the advice of an insurance professional before signing a building contract.

I, MARK CHAPDELAINÉ, the owner of property located at  
300 LAKESIDE DR, GRAND LAKE, CO 80447

understand the risks of employing uninsured contractors.

  
\_\_\_\_\_  
Owners Signature

1-23-19  
Date

Permit Number: \_\_\_\_\_

Date Paid: \_\_\_\_\_

**TOWN OF GRAND LAKE  
USE TAX CALCULATION SHEET**

Owner Name: Mark Chapdelaine

Job Address: 300 Lakeside Dr.

Subdivision: Shadow Pointe Block \_\_\_\_\_ Lot(s) 6

**Use Tax for all construction** (Based on total cost of project: labor and material):

Total cost of project: \$ 40,000 x .50 x .05 = **TOTAL USE TAX** \$ 1,000

**TOWN OF GRAND LAKE**  
**AFFORDABLE HOUSING FEE CALCULATION SHEET**  
 (For use until March 15, 2010)

Owner Name: Mark Chapdelaine

Job Address: 300 Lakeside Dr Grand Lake CO 80447

**NEW CONSTRUCTION**

Category	Building Types (including, but not limited to)	Fee Per Sq. Ft.
Single-Family Residential (SFR)	Single Family Dwelling/ Factory Built Home/ /Manufactured (HUD) Home	\$1.00
Multi-Family Residential (MFR)	Townhome/Condominium/Apartment/Residential Building with 2 or more dwelling units	\$1.00
Commercial (COM)	Hotel/Motel/Office/Store/Restaurant/Bank/Theater/Service Station/Church/Hospital/Library	\$1.00
Accessory Use (ACC)	Garage/Boathouse/Boat Dock/Deck/Porch/Unattached Storage Shed	\$0.25

**EXEMPTIONS**

Types of Exemptions	
Single-Family Residential	1. 800 square feet is exempted for buildings less than 2000 square feet (excluding garage and deck). 2. No exemptions for any additions to existing structures.
Multi-Family Residential	1. 400 square feet per unit is exempted for any unit less than 1000 square feet (excluding garage and deck). 2. No exemptions for any additions to existing structures.

Category	Total Square ft.	Exemptions	Fee	Total
<u>ACC</u>	<u>125</u>	<u>(-)</u>	<u>X \$ 0.25 = \$</u>	<u>31<sup>25</sup></u>
_____	_____	<u>(-)</u>	<u>X \$ _____ = \$</u>	_____
_____	_____	<u>(-)</u>	<u>X \$ _____ = \$</u>	_____

**TOTAL AFFORDABLE HOUSING FEE = \$** 31<sup>25</sup>

**ARMY CORPS OF ENGINEERS 404 PERMIT REQUIREMENT DISCLAIMER**

**THIS FORM IS TO BE FILLED OUT AND SIGNED FOR ANY PROJECT WHICH BORDERS U.S. WATERS: WETLANDS, STREAMS, RIVERS, PONDS, LAKES OR OTHER WATERWAYS.**

If the project requires an Army Corps of Engineers 404 Permit, a copy of the 404 Permit application and the 404 Permit must be submitted to the Town of Grand Lake with the Building Permit application.

Please see <http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/program.html> for more information about the Army 404 Permit, or you may also contact:


Nick Mezei, Environmental Engineer  
Colorado West Regulatory Branch  
400 Rood Avenue, Room 142  
Grand Junction, CO 81501

(970) 243-1199 x. 18  
[nick.mezei@usace.army.mil](mailto:nick.mezei@usace.army.mil)

Property Legal Address: Subd: Shadow Pointe Lot: 6  
Property Street Address: 300 Lakeside Dr. Grand Lake CO 80447  
Property Owner Name: Mark Chapdelaine  
Contractor Name: Grand Environmental Services

I understand that this project which borders United States waters (any wetland, stream, river, pond, lake or other waterway) obligates me to comply with the Federal Clean Water Act. I understand that it is my responsibility to obtain a Department of the Army 404 Permit prior to the placement of any fill materials into waters of the United State. I understand that placement of such fill into the waters of the United States without a 404 Permit is a violation of the Clean Water Act, 33 U.S.C. §1251, and is subject to Federal actions.

I agree to obtain an Army Corps of Engineers 404 Permit, if required. I understand the penalties for failure to obtain a permit, if required.

 Geoff Elliott, Agent  
Signature

Mark Chapdelaine  
Printed Name

8 Feb 17  
Date

see Pre-Application Consultation  
dated 31 Jan 17



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT  
1326 J STREET  
SACRAMENTO CA 95814-2922

March 13, 2017

Regulatory Division (SPK-2017-00127)

Attn: Mr. Mark Chapdelaine  
Post Office Box 5134  
Snowmass Village, Colorado 81615

Dear Mr. Chapdelaine:

This concerns your proposed Chapdelaine Boat Slip project which would construct a boat slip. The project site is located along the entry channel to Shadow Mountain Estates Marina, at 300 Lakeside Drive, within the SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 6, Township 3 North, Range 75 West, Latitude 40.2494725°, Longitude -105.8331203°, Grand County, Colorado.

Based on the information you have provided, we have determined that the proposed work will not result in the discharge of dredged or fill material within waters of the United States. Therefore, a Department of the Army Permit is not required for this work. Measures should be taken to prevent construction materials and/or activities from entering any waters of the United States. Appropriate soil erosion and sediment controls should be implemented onsite to achieve this end.

Our disclaimer of jurisdiction is only for this activity as it pertains to Section 404 of the Federal Clean Water Act and does not refer to, nor affect jurisdiction over any waters present on site. Other Federal, State, and local laws may apply to your activities. Therefore, in addition to contacting other Federal and local agencies, you should also contact state regulatory authorities to determine whether your activities may require other authorizations or permits.

Please refer to identification number SPK-2017-00127 in any correspondence concerning this project. If you have any questions, please contact Tyler Adams at the Colorado West Regulatory Branch, 400 Rood Avenue, Room 224, Grand Junction, Colorado 81501, by email at [Tyler.R.Adams@usace.army.mil](mailto:Tyler.R.Adams@usace.army.mil), or telephone at (970) 243-1199, extension 1013. For more information regarding our program, please visit our website at [www.spk.usace.army.mil/Missions/Regulatory.aspx](http://www.spk.usace.army.mil/Missions/Regulatory.aspx).

We would appreciate your feedback. At your earliest convenience, please tell us how we are doing by completing the customer survey on our website under Customer Service Survey.

Sincerely,

*Matthew Montgomery*

*Sof* Susan Bachini Nall  
Chief, Colorado West Branch  
Regulatory Division

cc: (w/o encls)

Mr. Joe Biller, Town Planner, Town of Grand Lake, Post Office Box 99, Grand Lake,  
Colorado 80447

Mr. Geoff Elliott, Grand Environmental Services, Post Office Box 857, Grand Lake,  
Colorado 80447

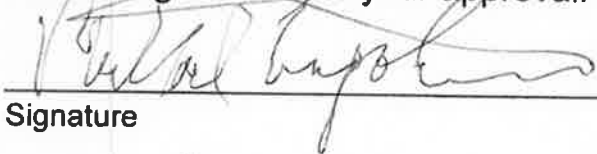
Mike & Jackie Tompkins  
Shadow Pointe Lot #2

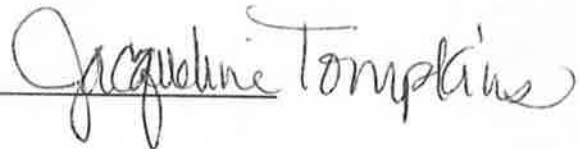
Dear Mike & Jackie,

Hope you guys are having a nice winter so far.

The Town is ready to reissue our previous building permit for our boat slip and Nate Shull is asking for a written letter stating our HOA approval from all the owners of Shadow Pointe HOA. We have received approval from the Forest Service as well and have been issued a Special Use Permit.

Please sign below for your approval.

  
Signature



12/10/2018  
Date

If you have any questions give us a call at 970-948-0005 or 970-274-8042.

Thanks so much,

Mark and Linda Chapdelaine

**QUIT CLAIM DEED**

NOT REAL PROPERTY DECLARATION RECEIVED. DATE 05/30/91

**THIS DEED**, Made this 22nd day of May, 1991.

between Daystar VI, Inc.  
478 17th Ave.  
Longmont, Co. 80501

a corporation duly organized and existing under and by virtue of the laws of the State of Colorado,

grantor, and Arapaho-Roosevelt National Forest  
240 W. Prospect  
Ft. Collins, Co. 80526

whose legal address is 240 W. Prospect  
Ft. Collins, Co. 80526

of the said \* County of Grand, State of Colorado, grantee.

WITNESSETH, That the grantor, for and in consideration of the sum of \$1.00 ( One Dollar and 00/100)

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QUIT CLAIM, the receipt and satisfaction of which is hereby acknowledged, has caused, released, sold, conveyed and QUIT CLAIMED, and by these presents does remise, release, sell, convey and QUIT CLAIM unto the grantee, his heirs and assigns forever, all the right, title, interest, claim and demand which the grantor has in and to the real property together with improvements, if any, situate, lying and being in the County of Grand and State of Colorado, described as follows:

Outlot A  
Shadow Pointe Subdivision

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also known by street and number as:

**TO HAVE AND TO HOLD** the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the grantor, either in law or equity, to the only proper use, benefit and behoof of the grantee, his heirs and assigns forever. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

**IN WITNESS WHEREOF**, The grantor has caused its corporate name to be hereunto subscribed by its Corporate President, and its corporate seal to be hereunto affixed, attested by its Corporate Secretary, the day and year first above written.

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Attest:  
*Kevin R. Miller*  
Secretary

By *[Signature]*  
President  
Daystar VI, Inc.

STATE OF COLORADO  
Longmont County of Boulder

The foregoing instrument was acknowledged before me this 22nd day of May, 1991, by Andrew J. Terranova as Corporate President and Kevin R. Miller as Corporate Secretary of Daystar VI, Inc., a corporation.

My notarial commission expires: 08/03/93

Witness my hand and official seal.

\*If in Denver, insert "City and."

*[Signature]*  
Rita Norstrud  
Notary Public  
11 James Circle  
Longmont, Co. 80501

**TOWN OF GRAND LAKE  
BOARD OF TRUSTEES  
RESOLUTION NO. 13-2022**

**A RESOLUTION APPROVING OF A VARIANCE REQUEST FOR CONSTRUCTION OF A BOAT SLIP LOCATED AT LOT 6, SHADOW POINT SUBDIVISION, ALSO KNOWN AS 300 LAKESIDE DRIVE.**

**WHEREAS**, the Town of Grand Lake (the “Town”) received a Building Permit Application (the “Application”) from Linda and Marc Chapdelaine (the “Applicant”) to construct a boat slip substantially in accordance with the plans attached hereto as Exhibit A (the “Boat Slip” or “Plans”); and

**WHEREAS**, the Applicant is requesting a variance to the shoreline and surface water regulations and certain municipal code requirements regarding the height of retaining walls to construct the Boat Slip at Lots 6, Shadow Point Subdivision (the “Property”); and

**WHEREAS**, Municipal Code 12-2-29 Shoreline and Surface Water Regulations:

*1. In order to help preserve the environmental quality of the water in the Grand Lake, a thirty (30) foot stream and lake setback from the mean identifiable high water mark shall be maintained for buildings, parking, snow storage areas and other improvements to a site. ...*

*2. When activities are proposed within the 30’ setback, a variance may be requested by an Applicant.*

; and

**WHEREAS**, Municipal Code 11-2-4 (D) (9) States:

*Retaining walls may not exceed 6 feet in height and require a 4’ shelf between walls. Any walls exceeding 6’ will require a variance.; and*

**WHEREAS**, the Planning Commission reviewed the Application at a Public Hearing on April 6<sup>th</sup>, 2022; and

**WHEREAS**, the Planning Commission considered all of the following factors to determine whether to issue a variance from Shoreline Regulations:

1. The shape, size, topography, slope, soils, vegetation, and other physical characteristics of the property.
2. The locations of all bodies of water on the property, including along property boundaries.
3. The location and extent of the proposed setback intrusion.
4. Whether alternative designs are possible which require less intrusion or no intrusion.
5. Sensitivity of the body of water and affected critical habitats.
6. Intensity of land use adjacent to the body of water proposed to intrusion.
7. Impact on floodplains and stream functions (a variance shall not be approved when the reduction would result in the setback being narrower than the floodplain); and

**WHEREAS**, The Planning Commission Found that the applicant demonstrated all of the following in regards to the Retaining Wall Variance:

1. That by reason of exceptional shape, size or topography of lot, or other exceptional situation or condition of the building or land, practical difficulty or unnecessary hardship would result to the owners of said property from a strict enforcement of these Regulations;

2. That literal interpretation of the provisions of these Regulations would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of these Regulations.
3. That the special conditions and circumstances do not result from the actions of the applicant;
4. That granting the variance request will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district;
5. That the granting of the variance does not pose a detriment to the public good and does not substantially impair the intent and purpose of the Zone Plan and these Regulations.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO AS FOLLOWS:**

1. The Board of Trustees finds the proposed Boat Slip and plans contained in Exhibit A comply with all applicable provisions from section 12-2-29 (B) and 11-2-4 (D)(9) of the Town of Grand Lake Municipal Code.
2. The Board of Trustees hereby approves of the Application for the construction of the Boat Slip in accordance with the plans submitted as Exhibit A.

**INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE AND SIGNED THIS 11<sup>TH</sup> DAY OF APRIL, 2022.**

( S E A L )

Votes Approving:  
 Votes Opposed:  
 Absent:  
 Abstained:

**ATTEST:**

**BOARD OF TRUSTEES OF THE  
 TOWN OF GRAND LAKE, COLORADO**

\_\_\_\_\_  
 Jenn Thompson  
 Town Clerk

By: \_\_\_\_\_  
 Steve Kudron  
 Mayor