



GRAND LAKE BOARD OF TRUSTEES WORKSHOP AND MEETING AGENDA

Monday, April 08, 2024 at 4:30 PM

Town Hall Board Room – 1026 Park Avenue

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

Please join my meeting from your computer, tablet or smartphone.

<https://us06web.zoom.us/j/89928945057>

You can also dial in using your phone.

United States: 719 359 4580

Access Code: 899 2894 5057

WORK SESSION 4:30 PM

1. Call to Order
2. Roll Call
3. Conflicts of Interest
4. Items of Discussion
 - A. Grand Lake Chamber of Commerce Report
 - B. Strategic Plan Discussion
 - C. Report on Town Manager Search

EVENING MEETING 6:00 PM

1. Call to Order
2. Pledge of Allegiance
3. Announcements
4. Roll Call
5. Conflicts of Interest
6. Manager's Report
7. Public Comments (Limited to 3 Minutes)
8. Consideration to Approve Accounts Payable
 - A. April 8, 2024
9. Items of Discussion
 - A. **Quasi-Judicial (Public Hearing)**:: Resolution 25-2024; a Resolution Reviewing a Lot Consolidation of Lots 3 & 4, Block 39, Town of Grand Lake, More Commonly Referred to as 217 Mountain Avenue
 - B. Well Permit Request for Lot: 39A, Block: 3 Hooper-Gibbs Minor Subdivision of Grand Lake, Also Known as 1540 Grand Ave.
 - C. **Quasi-Judicial (Public Hearing)**: Continued from March 25th, 2024, and continued from January 22nd, 2024, Consideration to Adopt Resolution 21-2024; Considering a Variance to the Stream and Lake Setback Requirements for Property Located at 210 Rapids Lane, with Conditions
 - D. **Quasi-Judicial (Public Hearing)**: Consideration to Approve a Special Event Liquor Permit From Fire on the Mountain Inc., for Their "Troublesome Fest" event on, September 7, 2024.
 - E. **Quasi-Judicial (Public Hearing)**: Consideration to Approve a Special Event Liquor Permit From Kevin's Outreach for Local Emergencies, for Their "Chili Cookoff" event on, June 22, 2024.
 - F. Approving a New Special Event Permit & Consideration of Resolution 26-2024, Waiving the New Special Event Fee of \$250.00 for Kevin's Outreach for Local Emergencies for Their "Chili Cookoff" on June 22, 2024
 - G. Consideration of Approval of Resolution 23-2024, a Resolution Regarding Compensation of Appointed Judges for the April 2,2024, Town of Grand Lake Municipal Election
 - H. Consideration of Ordinance 04-2024, Amending Town Code 4-2-7, Purchase Authorization
 - I. Consideration of Resolution 24-2024, Amending Town Pay Schedule
 - J. Consideration to Trade the Case Loader & the John Deere Backhoe for a John Deere 624 Loader.
10. Future Items for Consideration
11. Mayor's Report
12. Adjourn Meeting



1026 Park Ave · PO Box 99
Grand Lake, CO 80447
970-627-3435
www.townofgrandlake.com

To: Mayor Kudron and the Board of Trustees
From: John Crone, Town Manager
Re: Strategic Plan Discussion
Date: April 8, 2024

Background

On February 26, 2024, the Board began the process of establishing a strategic plan to guide future decision making. At that meeting, the Board discussed natural resources, economic development, and economic development businesses. Due to a lack of time, the Board was not able to address several other areas of the plan.

After the Board finishes its initial discussion of these issues, staff will need to consolidate the ideas and then the Board should hold several Town Hall meetings to solicit citizen input.

Mission Statement

The Town of Grand Lake will protect its natural environment, preserve its history, and enhance its economic vitality to ensure quality of life for its residents, businesses, and visitors

Economic Development – Land Use

We value Grand Lake’s walk-able streetscape, historically appropriate building design, and accessibility to Town amenities. We appreciate the Town’s efforts to improve parking, road safety and traffic flow, transportation options, signage upgrades, and overall Town maintenance.

- Infrastructure
- Design Codes
- Transportation
- Beautification
- Historical Preservation
- Growth

Quality of Life

We value the historical character and serenity of our small-town community that support the quality of life in and around Grand Lake.

We value a diverse, inclusive and equitable community that is welcoming and supportive to everyone since it enriches our lives and enhances our individual and community well-being.

We value efforts and innovative ideas that improve economic opportunities for the benefit of current and future generations while maintaining our small-town appeal.

Authentic Small Town



1026 Park Ave · PO Box 99
Grand Lake, CO 80447
970-627-3435
www.townofgrandlake.com

Family
Community
Local Residents

Community Services

We value positive, transparent collaboration between Town, surrounding community and other contributing organizations to provide quality services.

We value attainable quality housing that positively impacts the economic and social stability of everyone in our community.

We value effective and consistent services to improve the health and safety of our community members and visitors, like the Grand Lake Center, Middle Park Health Clinic, Fire & Ambulance Services, 3 Lakes Water & Sewer, Town Services and others which enhance and strengthen our quality of life.

Health
Safety
Seniors
General Services

Governance

We value accessible, inclusive and transparent local government that welcomes and facilitates active participation and local community input.

Town Government
Community Involvement
Implementation



Town of Grand Lake will post Accounts Payable online after Board of Trustees Approves it.

Feel free to reach out to Heike Wilson, Treasurer at hwilson@toglco.com or call 970-776-0779 if would like to view Accounts Payable before the Board of Trustees Approves it. List will be available the Thursday before the 2nd and 4th Monday of each month by request

Jim Findlater
4248 Kingsbury Drive
Fort Collins, Colorado 80525
970.590.7478
James.E.Findlater@Gmail.com

Town of Grand Lake
Planning Department
PO Box 99
1026 Park Avenue
Grand Lake, CO 80447
Attn: Ms. Kim White

March 14, 2024

Re: Lot Consolidation, 217 Mountain Ave., Grand Lake, CO

Dear Ms. White:

Enclosed please find the following submission materials provided in connection with our request for consolidation of Lots 4 & 5, Block 39, Town of Grand Lake, Reception No. 9066:

1. Completed Application Form
2. Application Deposit, \$350.00
3. Proof of Ownership – Warranty Deed
4. Project description – see below
5. List of addresses for adjacent property owners
6. Lot Consolidation Plat prepared by Tim Shenk Land Surveying, Inc.

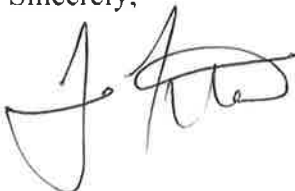
As a result of a recent change in Colorado law, we are interested in consolidating our 2 lots to ensure that the consolidated lot will be assessed for real estate tax purposes as residential. No changes to the property or its use are otherwise planned.

The street address of the property is 217 Mountain Avenue, Grand Lake, CO, and the property currently consists of Lots 4 & 5, Block 39, Town of Grand Lake. There are 3 structures on the property: (1) a residential cabin on Lot 4, 782 sq. ft. of gross living area above grade; (2) a work / storage shed, behind and to the northwest of the cabin, 150 sq. ft., and (3) a rarely used outhouse, 5' x 7' on concrete slab, behind and to the north of the cabin.

As the enclosed Survey discloses, the only change to the lot lines will be the elimination of the current common lot line between / dividing Lots 4 & 5.

Please contact me with any questions or concerns.

Sincerely,



WARRANTY DEED

THIS DEED, made this 31st day of July, 2017, between

ARTHUR D. LLOYD AND VANESSA K. LLOYD, IN JOINT TENANCY
whose address is 21 Birmingham Court, Highlands Ranch, CO 80130-3944, GRANTOR(S), and

JAMES EDWARD FINDLATER AND JANET JOY FINDLATER
whose address is 4248 Kingsbury Drive, Fort Collins, CO 80525, GRANTEE(S):

WITNESS, that the grantor(s), for and in consideration of the sum of TWO HUNDRED NINETY THOUSAND AND 00/100 DOLLARS (\$290,000.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantees, grantee's heirs and assigns forever, not in tenancy in common but IN JOINT TENANCY, all the real property, together with improvements, if any, situate, lying and being in the County of Grand and State of Colorado, described as follows:

Lots 4 and 5,
Block 39,
TOWN OF GRAND LAKE

also known by street and number as: 217 Mountain Avenue, Grand Lake, CO 80447

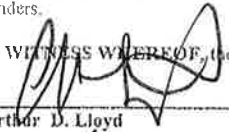
TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appurtenant, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, grantee's heirs and assigns forever. The grantor, for the grantor, grantor's heirs, and personal representatives, does covenant, grant, bargain and agree to and with the grantee, grantee's heirs and assigns, that at the time of the ensembling and delivery of these presents, grantor is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except general taxes for the current and subsequent years, and except easements, covenants, conditions, restrictions, reservations, and rights of way of record, if any.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantees, grantee's heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

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 executed this deed on the date set forth above.

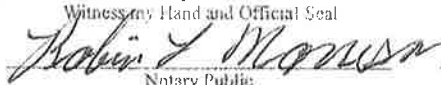
X 
Arthur D. Lloyd

X 
Vanessa K. Lloyd

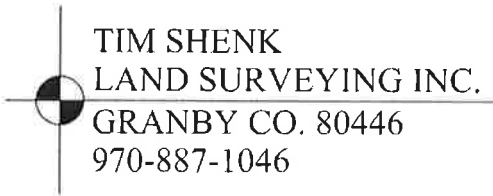
X State of Colorado)
County of Boulder)

The foregoing instrument was acknowledged, subscribed and sworn to before me this 28th day of July, 2017 by Arthur D. Lloyd and Vanessa K. Lloyd

My Commission Expires: 9/15/18


Notary Public





2/27/2024

Mailing List

COAN, MICHAEL G & HOLLY L
760 KOHLOR DR
LAFAYETTE , CO 80026-2688

BAKER, THE FAMILY REV LIVING TRUST DTD 2/20/17
7735 SAN DIEGO ST
BEAUMONT, TX 77708-2116

EPPICH, DANIEL C & ROBERT C
1229 E JAMISON AVE
CENTENNIAL, CO 80122-3040

CARLSON, PAUL E & SUSAN K
679 BRENNAN CIR
ERIE, CO 80516-7045

MEADOR, LAURIE L
PO BOX 1992
SILVERTHORNE, CO 80498-1992

HESTER, KAREN
12-7059 HOKUIMOIMO ST #45
PAHOA, HI 96778-7875

HIGHT DAVID BRENT
230 RIDGE RD
BOULDER, CO 80303-4843

RTA GRAND LAKE LODGE, LLC &
6191 STATE HIGHWAY 161 STE 100
IRVING, TX 75038-2290

**RESUBDIVISION /LOT CONSOLIDATION PLAT,
AMENDED LOT 5, BLOCK 39, TOWN OF GRAND LAKE**
BEING A CONSOLIDATION OF LOTS 4 & 5, BLOCK 39, TOWN OF GRAND LAKE, RECEPTION NO. 9066
PART OF 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 BY WARRANTY DEED, RECEPTION NO. 2017005939
#217 MOUNTAIN AVENUE

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT JAMES EDWARD FINDLATER AND JANET JOY FINDLATER ARE THE OWNERS OF THAT REAL PROPERTY SITUATED IN THE TOWN OF GRAND LAKE, COLORADO, MORE FULLY DESCRIBED AS FOLLOWS:

LOTS 4 AND 5, BLOCK 39, TOWN OF GRAND LAKE

THAT THEY HAVE CAUSED SAID REAL PROPERTY TO BE LAID OUT AND SURVEYED AS RESUBDIVISION / LOT CONSOLIDATION PLAT, AMENDED LOT 5, BLOCK 39, TOWN OF GRAND LAKE AND DO HEREBY DEDICATE AND SET APART ALL OF THE STREETS, ALLEYS, AND OTHER PUBLIC WAYS AND PLACES AS SHOWN ON THE ACCOMPANYING PLAT TO THE USE OF THE PUBLIC FOREVER, AND DO HEREBY DEDICATE THOSE PORTIONS OF SAID REAL PROPERTY WHICH ARE INDICATED AS EASEMENTS ON THE ACCOMPANYING PLAT AS EASEMENTS.

IN WITNESS WHEREOF JAMES EDWARD FINDLATER HAS CAUSED HIS NAME TO BE HEREINTO SUBSCRIBED THIS _____ DAY OF _____, 20____.

JAMES EDWARD FINDLATER

STATE OF _____)
COUNTY OF _____) SS

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____ BY JAMES EDWARD FINDLATER.

WITNESS MY HAND AND OFFICIAL SEAL.
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

IN WITNESS WHEREOF JANET JOY FINDLATER HAS CAUSED HER NAME TO BE HEREINTO SUBSCRIBED THIS _____ DAY OF _____, 20____.

JANET JOY FINDLATER

STATE OF _____)
COUNTY OF _____) SS

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____ BY JANET JOY FINDLATER.

WITNESS MY HAND AND OFFICIAL SEAL.
MY COMMISSION EXPIRES: _____

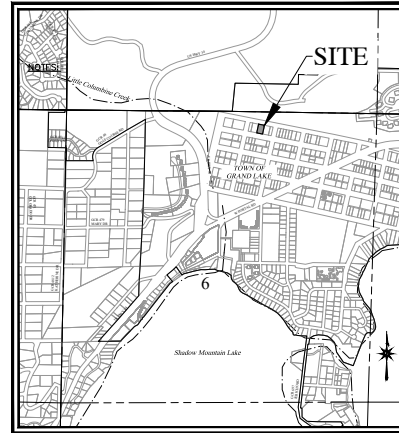
NOTARY PUBLIC

TOWN BOARD OF TRUSTEES, CERTIFICATE:

APPROVED THIS _____ DAY OF _____, A.D., 20____, BY THE BOARD OF TRUSTEES, GRAND LAKE, COLORADO. THIS APPROVAL DOES NOT GUARANTEE THAT THE SIZE OR SOIL OR FLOODING CONDITIONS OF ANY LOT SHOWN HEREON ARE SUCH THAT A BUILDING PERMIT SHALL BE ISSUED. THIS APPROVAL IS WITH THE UNDERSTANDING THAT ALL EXPENSES INVOLVING NECESSARY IMPROVEMENTS FOR ALL UTILITY SERVICES, STREET IMPROVEMENTS, PAVING, GRADING, LANDSCAPING, CURBS, GUTTERS, STREET LIGHTS, STREET SIGNS, AND SIDEWALKS SHALL BE FINANCED BY OTHERS AND NOT THE TOWN OF GRAND LAKE. ALSO, THAT THE TOWN OF GRAND LAKE DOES NOT ASSUME ANY RESPONSIBILITY FOR THE CORRECTNESS OR ACCURACY OF ANY INFORMATION DISCLOSED ON THIS PLAT NOR ANY REPRESENTATIONS OR INFORMATION PRESENTED TO THE TOWN WHICH INDUCED THE TOWN TO GIVE THIS CERTIFICATE.

ATTEST

TOWN CLERK _____ MAYOR _____



VICINITY MAP
SCALE: 1" = 1000'

PLANNING COMMISSION CERTIFICATE:

APPROVED THIS _____ DAY OF _____, A.D., 20____, TOWN PLANNING COMMISSION, GRAND LAKE, COLORADO.

CHAIRMAN

CLERK'S CERTIFICATE:

STATE OF COLORADO)
TOWN OF GRAND LAKE) SS

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK _____ (P/A)M., MONTH _____, DATE _____, 20____, A.D., AND IS DULY RECORDED.

TOWN CLERK

NOTES:

- THE FOLLOWING DOCUMENTS WERE UTILIZED IN THE PREPARATION OF THIS SURVEY:
A. GRAND COUNTY RECORDS, PLAT OF TOWN OF GRAND LAKE, RECEPTION 8966.
B. GRAND COUNTY RECORDS, MINOR SUBDIVISION/LOT CONSOLIDATION PLAT, AMENDED LOT 7, BLOCK 39, RECEPTION NO. 201900005.
- TIM SHENK LAND SURVEYING, INC. RELIED UPON TITLE POLICY NO. _____ DATED _____ ISSUED BY _____ AS AN AGENT FOR _____ FOR RECORD INFORMATION REGARDING EASEMENTS AND/OR RIGHTS OF WAY.
- FIELDWORK PERFORMED NOVEMBER 20, 2023 THRU DECEMBER 6, 2023 AS NECESSARY.
- THE SUBJECT PROPERTY IS CURRENTLY ZONED BY THE TOWN OF GRAND LAKE AS SINGLE FAMILY RESIDENTIAL - HIGH DENSITY AND IS INCLUDED IN THE THREE LAKES DESIGN REVIEW AREA. SETBACKS PER TOWN OF GRAND LAKE:
FRONT = 25'
SIDE = 10'
REAR = 10'
- BASIS OF BEARINGS IS N12-06-35-E ALONG THE WESTERLY LINE OF AMENDED LOT 5, BLOCK 39 AS EVIDENCED BY A FOUND SPIKE AT THE SOUTHWESTERLY CORNER AND NORTHWESTERLY CORNER THEREOF, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO. SAID BEARING IS DERIVED FROM THE MINOR SUBDIVISION LOT CONSOLIDATION PLAT OF AMENDED LOT 7, BLOCK 39, RECEPTION NO. 201900005.
- DISTANCES ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF.
- NOTICE: 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 BE 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 RESUBDIVISION/LOT CONSOLIDATION PLAT REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF. SAID PLAT IS PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND COMPLIES WITH THE REQUIREMENTS OF TITLE 38, ARTICLE 51, COLORADO REVISED STATUTES, 1973. THE MONUMENTS REQUIRED BY SAID STATUTE HAVE BEEN PLACED IN THE GROUND. IT IS NOT A GUARANTEE OR WARRANTY EITHER EXPRESSED OR IMPLIED.

DATED THIS _____ DAY OF _____, 20____.

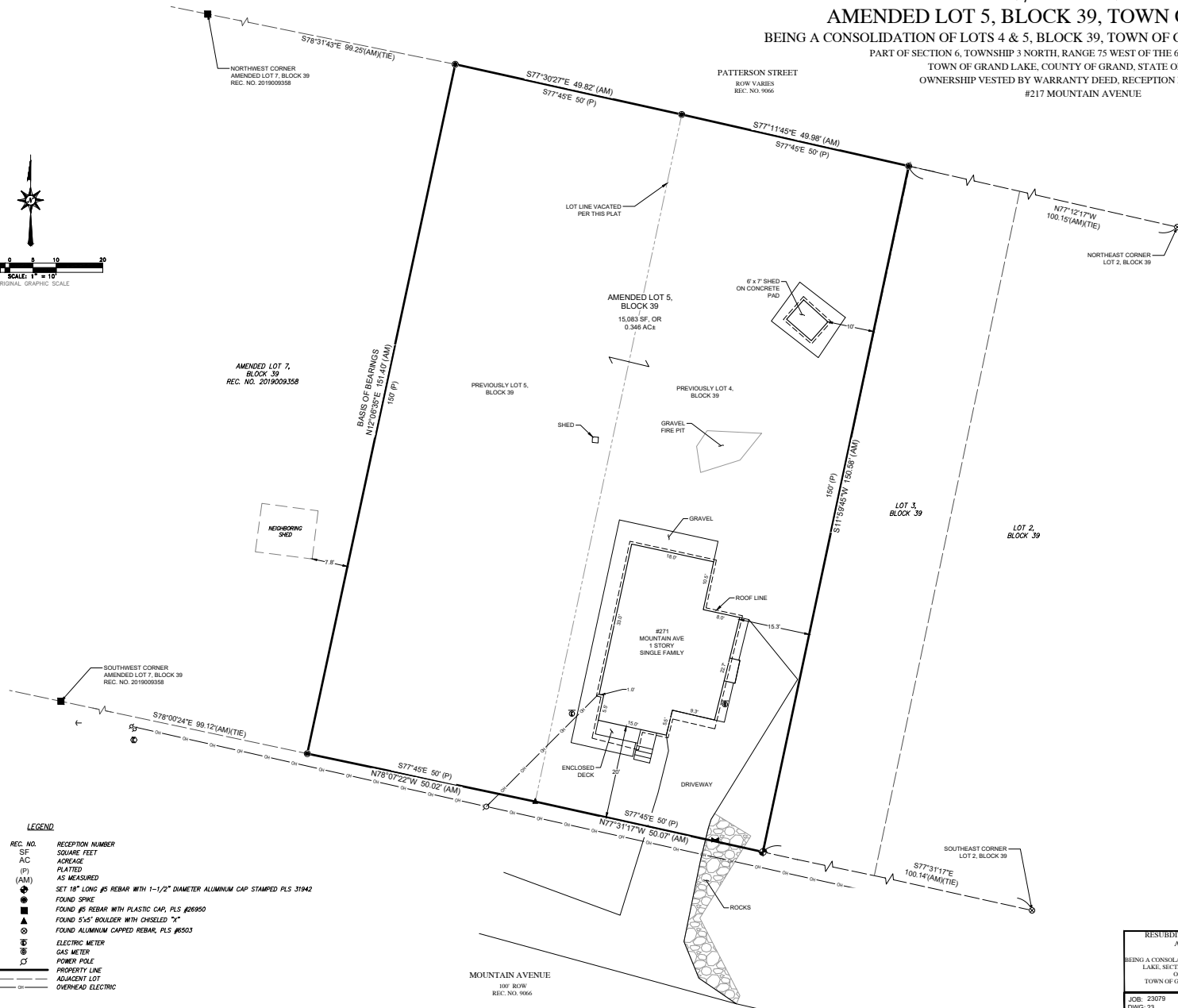
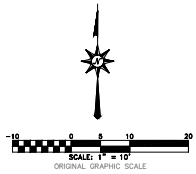
TIMOTHY R. SHENK, COLORADO P.L.S. 31942
PREPARED ON BEHALF OF TIM SHENK LAND SURVEYING, INC.

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

RESUBDIVISION/LOT CONSOLIDATION PLAT
AMENDED LOT 5, BLOCK 39,
TOWN OF GRAND LAKE
BEING A CONSOLIDATION OF LOTS 4 & 5, BLOCK 39, TOWN OF GRAND
LAKE, SECTION 6, TOWNSHIP 3 NORTH, RANGE 75 WEST
OF THE 6TH PRINCIPAL MERIDIAN,
TOWN OF GRAND LAKE, GRAND COUNTY, COLORADO
#217 MOUNTAIN AVENUE

JOB: 23079 SCALE: 1" = 20' DATE: 02/14/2023 DRAWN BY: JAN
DWG: 23 CRD: 23079_PLAT CHECKED: TRS SHEET: 1 OF 2

**RESUBDIVISION /LOT CONSOLIDATION PLAT,
AMENDED LOT 5, BLOCK 39, TOWN OF GRAND LAKE**
BEING A CONSOLIDATION OF LOTS 4 & 5, BLOCK 39, TOWN OF GRAND LAKE, RECEPTION NO. 9066
PART OF 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 BY WARRANTY DEED, RECEPTION NO. 2017005939
#217 MOUNTAIN AVENUE



LEGEND

- REC. NO. RECEPTION NUMBER
- SF SQUARE FEET
- AC ACREAGE
- (P) PLATTED
- (AM) AS MEASURED
- SET 18" LONG #5 REBAR WITH 1-1/2" DIAMETER ALUMINUM CAP STAMPED PLS 31942
- FOUND S/WNE
- FOUND #5 REBAR WITH PLASTIC CAP, PLS #06950
- FOUND 5'x5' BOULDER WITH CHESELED "X"
- FOUND ALUMINUM CAPPED REBAR, PLS #6503
- ELECTRIC METER
- GAS METER
- POWER POLE
- PROPERTY LINE
- ADJACENT LOT
- OVERHEAD ELECTRIC

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

RESUBDIVISION/LOT CONSOLIDATION PLAT
AMENDED LOT 5, BLOCK 39,
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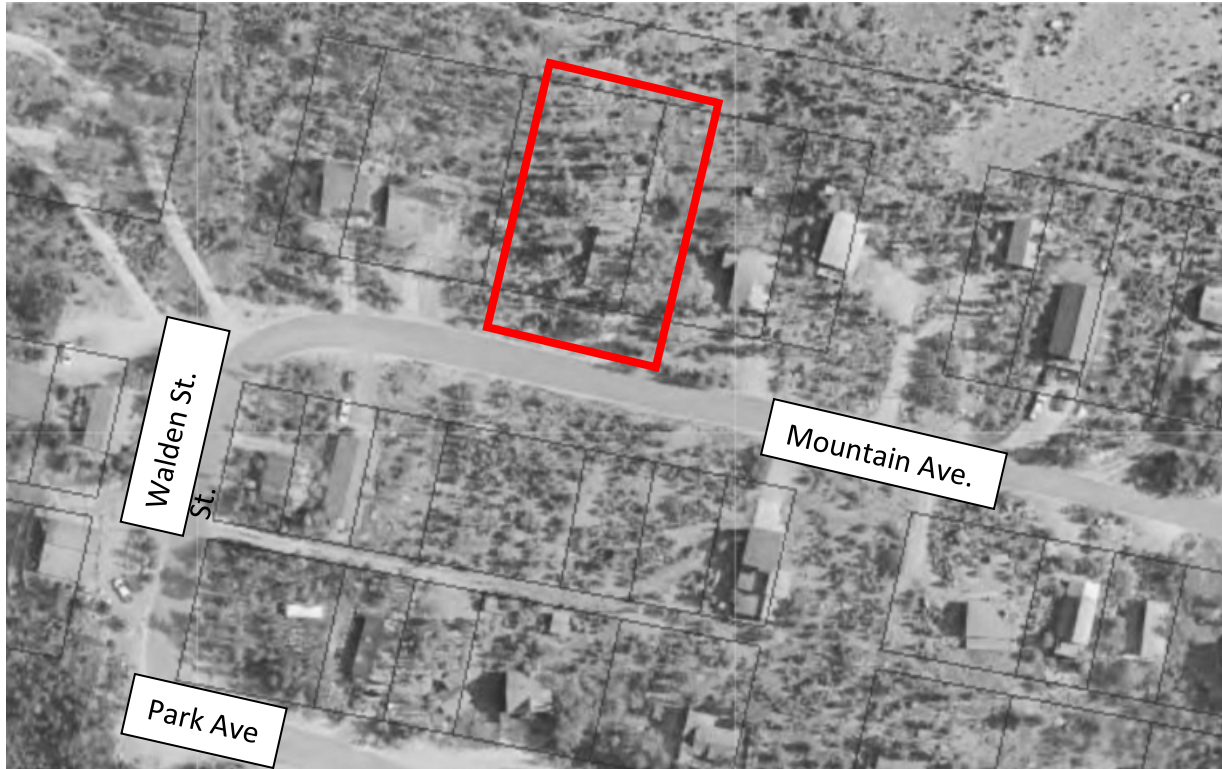
JOB: 23079	SCALE: 1" = 20'	DATE: 02/14/2023	DRAWN BY: JAN
DWG: 23	CRD: 23079_PLAT	CHECKED: TRS	SHEET: 2 OF 2

AMENDED LOT 5, BLOCK 39, TOWN OF GRAND LAKE, RESUBDIVISION/LOT CONSOLIDATION PLAT, RECEPTION NO. 9066



Date: 04/08/2024
To: Mayor Kudron and Board of Trustees
From: Kimberly White, Community Development Director

Re: **Quasi-Judicial** Resolution 25-2024; A Resolution for Lot Consolidation of Lots 4 & 5, Block 39, Town of Grand Lake, More Commonly Referred to as 217 Mountain Avenue



Purpose

The Town has received a lot consolidation request application from James Edward Findlater and Janet Joy Findlater to consolidate two (2) contiguous legal lots into one for real estate tax purposes described in Exhibit 1. This request requires Planning Commission recommendation and Board review.

Background

At the April 3rd Planning Commission meeting, the commissioners found that the consolidation meets the Town requirements and recommends (6:0 in favor) to the Board of Trustees to approve the lot consolidation of the lots described in the lot consolidation plat -Exhibit A .

Municipal Code

M.C. 12-6-8 (B) Lot Consolidations

P.O. BOX 99, GRAND LAKE, COLORADO 80447-0099
PH. 970/627-3435
FAX 970/627-9290
E-MAIL: town@townofgrandlake.com



Any property owner requesting to combine two or more contiguous legal lots in a previously recorded subdivision, planned development, or traditional residential development, which are owned by the same person or entity must apply for a Lot Consolidation to be submitted for review by the Planning Commission and approval by the Board of Trustees.

- 1. Lot Consolidations are defined as meeting all of the following criteria*
 - a. Affecting property that was previously subdivided into legally recognized lots or parcels*
 - b. Not relocating or reconfiguring previously established lot lines*
 - c. Not resulting in a new lot that had previously been separate lots divided by a public or private road*
 - d. Not creating or resulting in the creation of a lot or parcel of land that would violate or fail to conform to any applicable zoning or other standard or regulation including, but not limited to, lot area, minimum frontage, building height, setbacks, density, public or private road or private drive standards, parking, or access.*
 - e. Not altering public right-of-way or easements reserved for drainage or utilities of any kind located on the combined lots*
- 2. Submittal Requirements*
 - a. The applicant shall provide the following submission materials:*
 - 1. Application Form*
 - 2. Application fee or deposit*
 - 3. Proof of ownership in the form of a deed of title*
 - 4. Project description (narrative) including the following:*
 - a. Detailed description of lot and block numbers, new location of adjusted lot line with project coordinates, and resulting lot acreages*
 - b. Detailed description of type, size, and location of existing structures on all lots.*
 - 5. A list of and addresses for all owners of adjacent property and all owners of easements over, through, or across the property.*
 - 6. Lot Consolidation Plat (24" x 34") prepared by a registered land surveyor and drawn to a scale of no less than 1" = 50' (see 12-9-2 (E) and 12-9-11 (K) for specific items)*
- 3. Review Procedures*
 - a. The Town Planner will have fourteen (14) days from date of submission to determine completeness. Upon acceptance by the Town Planner for submission completeness, the Lot Consolidation request shall be reviewed by the Planning Commission at the next regularly scheduled public meeting. After receipt of recommendation by the Planning Commission, the Board of Trustees shall review the Lot Consolidation request at their next regularly scheduled public meeting.*
- 4. Review Criteria*

P.O. BOX 99, GRAND LAKE, COLORADO 80447-0099
 PH. 970/627-3435
 FAX 970/627-9290
 E-MAIL: town@townofgrandlake.com



a. The Planning Commission and Board of Trustees shall apply the following review criteria in considering an application. No application shall be approved unless the Board of Trustees determines that all criteria have been met:

- 1. The combined lot(s) are legal lots as defined in section 12-6-8(A)1*
- 2. The combined lot(s) would not subsequently create additional lots other than the resultant lot(s)*
- 3. The lot consolidation would not adversely affect existing access, drainage, utility easements, or rights-of-way*
- 4. *The lot consolidation would not adversely affect adjacent properties and the property owners' enjoyment of their property*
- 5. Any covenants, deed restrictions, or other conditions of approval that apply to the original lots must also apply to the resultant lot(s)*
 - * For regulations governing maximum permitted floor area of structures on properties with combined lots, see sections 12-2-10(C) to 12-2-18(C).*

5. Procedure Following Approval

a. Where the Board of Trustees has determined that a proposed Lot Consolidation complies with the requirements of these regulation, the Final Lot Consolidation Plat shall be endorsed by the Chair of the Planning Commission and the Mayor of the Town and thereafter the Town Clerk shall file the approved Plat with the Town and with the Grand County Clerk and Recorder.

6. In Perpetuity

a. Once a Lot Consolidation Plat has been approved, filed, and recorded, the resultant lot(s) are to be considered one (or more) new lot(s), in perpetuity, never to be sold separately or mortgaged separately. Only upon reapplication with the Town to re-subdivide the resultant lot(s) again can these lot(s) be sold or mortgaged separately.

Staff Comments

The applicant has provided all of the appropriate submission materials as part of the submission package, including an application fee payment, deed of title, a list of adjacent property owners and easements (none), and a proposed lot consolidation plat (exhibit A). The property complies with all of the requirements for lot consolidation.

Staff believes the applicant meets the criteria for approval by the Board of Trustees in the following ways:

- The combined lots as shown on the proposed plat meet all the attributes as defined under section 12-6-8(A)
- No other lots are created other than the one consolidated lot
- Since nothing is proposed to be built, the lot consolidation would not adversely affect existing access, drainage, utility easements, or rights-of-way

P.O. BOX 99, GRAND LAKE, COLORADO 80447-0099
 PH. 970/627-3435
 FAX 970/627-9290
 E-MAIL: town@townofgrandlake.com



- There is not any proposed development or access easements, so the lot consolidation would not adversely affect adjacent properties and the property owners’ enjoyment of their property.
- No deed restrictions or conditions are listed on the Applicant’s warranty. Staff is unaware of any other covenants or restrictions if they exist.

Suggested Motions For Lot Consolidation Request:

1. I move to adopt resolution 25-2024, as presented.

Or

2. I move to adopt resolution 25-2024, With the Following Modifications

_____.

Or

3. I Move To Deny The Request As Presented.

**TOWN OF GRAND LAKE
BOARD OF TRUSTEES
RESOLUTION NO. 25-2024**

A RESOLUTION APPROVING A LOT CONSOLIDATION OF LOTS 3 & 4, BLOCK 39, TOWN OF GRAND LAKE, MORE COMMONLY REFERRED TO AS 217 MOUNTAIN AVENUE

WHEREAS, James Edward Findlater and Janet Joy Findlater (the “Applicant”) are the owners of certain real property located within the Town of Grand Lake, more particularly described as follows:

Lot 3 & 4, Block 39, Town of Grand Lake, Grand Lake, Colorado, also known as: 217 Mountain Avenue, Grand Lake, Colorado 80447 (the “Property”); and

WHEREAS, the Applicant has submitted an application seeking approval of a lot consolidation (“the Application”), pursuant to Section 12-6-8(B) of the Town Code; and

WHEREAS, Section 12-6-8(B)(4) of the Town Code provides that the Planning Commission and the Board of Trustees are to apply the following criteria in considering an application to consolidate lots:

1. The combined lots are legal lots as defined in section 12-6-8(A)(1).
2. The combined lots would not subsequently create additional lots other than the resultant lots.
3. The consolidation would not adversely affect existing access, drainage, utility easements, or rights-of-way.
4. The lot consolidation would not adversely affect adjacent properties and the propertyowners’ enjoyment of their property.
5. Any covenants, deed restrictions, or other conditions of approval that apply to the original lots must also apply to the resultant lots.

WHEREAS, following proper notice, the Application was presented to and considered by the Planning Commission at its regular meeting on April 3rd, 2024; and

WHEREAS, Planning Commission has recommended approval of the Application; and

WHEREAS, based on the Application, the representations of the Applicant to the Planning Commission and the comments of the public, the Planning Commission finds:

1. The combined lots are legal lots as defined in section 12-6-8(A)(1).
2. The combined lots would not subsequently create additional lots other than the resultant lots.
3. The consolidation would not adversely affect existing access, drainage, utility easements, or rights-of-way.
4. The lot consolidation would not adversely affect adjacent properties and the propertyowners’ enjoyment of their property.
5. Any covenants, deed restrictions, or other conditions of approval that apply to the original lots must also apply to the resultant lots.

WHEREAS, the Board of Trustees (the “Board”) reviewed the Application request at a regularly scheduled meeting.

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

THAT, The Board of Trustees recommends that the Application be approved subject to the conditions set

forth below:

- 1. Payment by Applicant of all legal, engineering and administrative fees incurred by the Town in connection with review, processing, consideration and approval of the Application.
- 2. Compliance by the Applicant with all representations made to the Planning Commission during all public hearings or meetings related to the Application.
- 3. The resultant lot is to be considered one new lot in perpetuity, never to be sold or mortgaged separately without the reapplication and approval from the Town to re-subdivide. This limitation shall be noted on the face of the Lot Consolidation Plat prior to recording.

THAT, regarding severability: If any Article, Section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution. The Board of Trustees declares that it would have passed this Resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid; and

THAT, regarding repeal: Existing resolutions or parts of resolutions covering the same matters as embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed; and

THAT, the approved Plat shall be recorded with the Grand County Clerk and Recorder within six months of approval by the Board of Trustees.

DULY MOVED, SECONDED, AND APPROVED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO, THIS 8th DAY OF APRIL, 2024.

(S E A L)

Votes Approving:	0
Votes Opposed:	0
Absent:	0
Abstained:	0

ATTEST:

TOWN OF GRAND LAKE

Alayna Carrell
Town Clerk

Stephan Kudron
Mayor



1026 Park Ave · PO Box 99
Grand Lake, CO 80447
970-627-3435
www.townofgrandlake.com

Date: April 8th, 2024
To: Mayor Kudron and Board of Trustees
From: Kim White, Community Development
RE: Well Request for Lot: 39A, Block: 3 Hooper-Gibbs Minor Subdivision of Grand Lake



Figure 1- Property shown in red

Purpose:

The owner of Lot: 39A Block: 3 Hooper-Gibbs Minor Subdivision of Grand Lake is requesting a well permit from the Town of Grand Lake. The residence is currently vacant and would like to install a well to provide a year-round water supply.

Municipal Code:

In accordance with the Town’s Water Ordinance, Section 10-1-4(b) no person shall operate, own, manage, drill, dig, control, or possess a water well without first obtaining a water well permit from the Town of Grand Lake and the State of Colorado. No Town water well permits shall be issued if the Board of Trustees determines that the property owner can connect to the water system at a reasonable cost.

Staff Comment:

Water Superintendent, Dave Johnson has concluded that the distance to water supply system and topography of the land has made the property not suitable for connection to the Town’s water supply system. The terrain is too steep and rocky to install a line. Most of the other property owners to the East of the property and immediately adjacent properties in the area currently use wells for their water supply. Figure one shows the property depicted in red, and the location of the eastern terminus of the Town water is shown in light blue.



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970-627-3435
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Section 9, Item B.

A letter from the Water Superintendent is attached with his recommendation to allow a water well permit to be issued (Exhibit B). The well will not impact the Town's water system. A Well Agreement will need to be filed with the Town of Grand Lake between the property owners and the Town (Exhibit A).

Board Discussion:

If the Board of Trustees determines that the property owner cannot connect to the water system at a reasonable cost, they can motion to sign the letter to the State (Exhibit A) stating that the Town will allow the well to be dug.

Motion:

I motion to instruct Staff to sign the well permit application to allow the installation of the well at 1540 Grand Ave.

Or

I motion to deny the application.



TOWN OF GRAND LAKE
PRIVATE WELL PERMIT APPLICATION

Application Date: 3/29/24

Name of Owner: River Mountain, LLC and Andrew B. Robinson
Address: 260 Josephine St., Ste 600
City: Denver State: CO Zip Code: 80206
Legal Description (Subd. Bl, Lot): Lot 39A Block 3 Hooper-Gibbs Minor Subdivision

Provided copy of Plans? Yes _____ No x
Have water and sewer locates been done/scheduled? Yes _____ No x
Utility Locate Identification Number: na

Name of Driller: Licensed
Address: _____
Phone: _____

PLEASE READ THE FOLLOWING BEFORE SIGNING THIS PERMIT

Chapter 10, Article 1 Water Ordinance

(4) Rules and Operating Policies: Laws and regulations originating from the state or federal government pertaining to the water system shall be automatically incorporated. Rules and regulations originating from the Town shall be enacted by Resolution or Ordinance of the Board of Trustees.

(B)Private Wells Require Permit.

1.No person shall operate, own, manage, drill, dig, control, or possess a water well without first obtaining a water well permit from the Town of Grand Lake and the State of Colorado. No Town water well permits shall be issued if the Board of Trustees determines that the property owner can connect to the water system at a reasonable cost.

2.There shall be a fee assessed at the time of application for a water well permit request. Such fee shall be determined by the Board of Trustees and set forth on a separate fee schedule established by Resolution. (See Resolution #2-2009)

3.The Town of Grand Lake shall not issue this permit 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.

By applying for this permit, I hereby understand and agree that I am responsible for complying with all state, federal, and local laws, rules, and regulations. I agree to perform the work according to the plans, specifications and work schedule submitted, and agree that all modifications must be approved by the Town.

Applicant: *[Signature]* Date: 3/29/24
Buck Blessing, LLC Mgr, River Mountain, LLC

[Signature] 3/29/24
Andrew B Robinson

APPROVED BY: _____ DATE: _____
Planning Dept. Town of Grand Lake

REVIEWED BY: _____ DATE: _____
Town of Grand Lake Water Dept.

Permit fee rcv'd 4/3/2024 - check #1995 for \$250

From: [Dave Johnson](#)
To: [Kim White](#)
Subject: Re: well 1540 Grand
Date: Tuesday, March 26, 2024 10:28:31 AM
Attachments: [image001.png](#)

This lot is not served by year-around water.
Extending the existing main is not feasible.

David Johnson
Town Of Grand Lake
Water superintendent
Cell 9705313309
djohnson@toglco.com

From: Kim White <kwhite@toglco.com>
Sent: Wednesday, March 20, 2024 3:40:35 PM
To: Dave Johnson <djohnson@toglco.com>
Subject: well 1540 Grand

Hi Dave,

Can you just let me know, in writing, that you have reviewed the property location and have determined whether or not “the property owner can connect to the water system at a reasonable cost”.

Thank you,
Kim

Parcel No: 119305404001
Schedule No: R141605
Legal: *HOOPER-GIBBS MINOR SUB Lot: 39A Block: 3*
Owner Name: RIVER MOUNTAIN, LLC &
Address: **1540 GRAND AVE**



Kimberly G. White
Community Development Director
Town of Grand Lake - Planning Dept.
O 970-627-3435
C 970-673-3486
townofgrandlake.com





April 8th, 2024

To: Mayor Kudron and The Board of Trustees
From: Kim White, Community Development Director

RE: **PUBLIC HEARING- (QUASI-JUDICIAL)** Continued from January 22nd, 2024, and continued from March 25th, 2024, Consideration to Adopt Resolution 21-2024; Considering a Variance to the Stream and Lake Setback Requirements for Property Located at 210 Rapids Lane, with Conditions

Purpose

The Town has received a shoreline variance request for a newly constructed deck partially in the five foot (5') non-disturbance zone and fully within the thirty (30') shoreline setback area (Fig 1). Neither a variance to stream setbacks nor a building permit was obtained prior to construction of the deck.

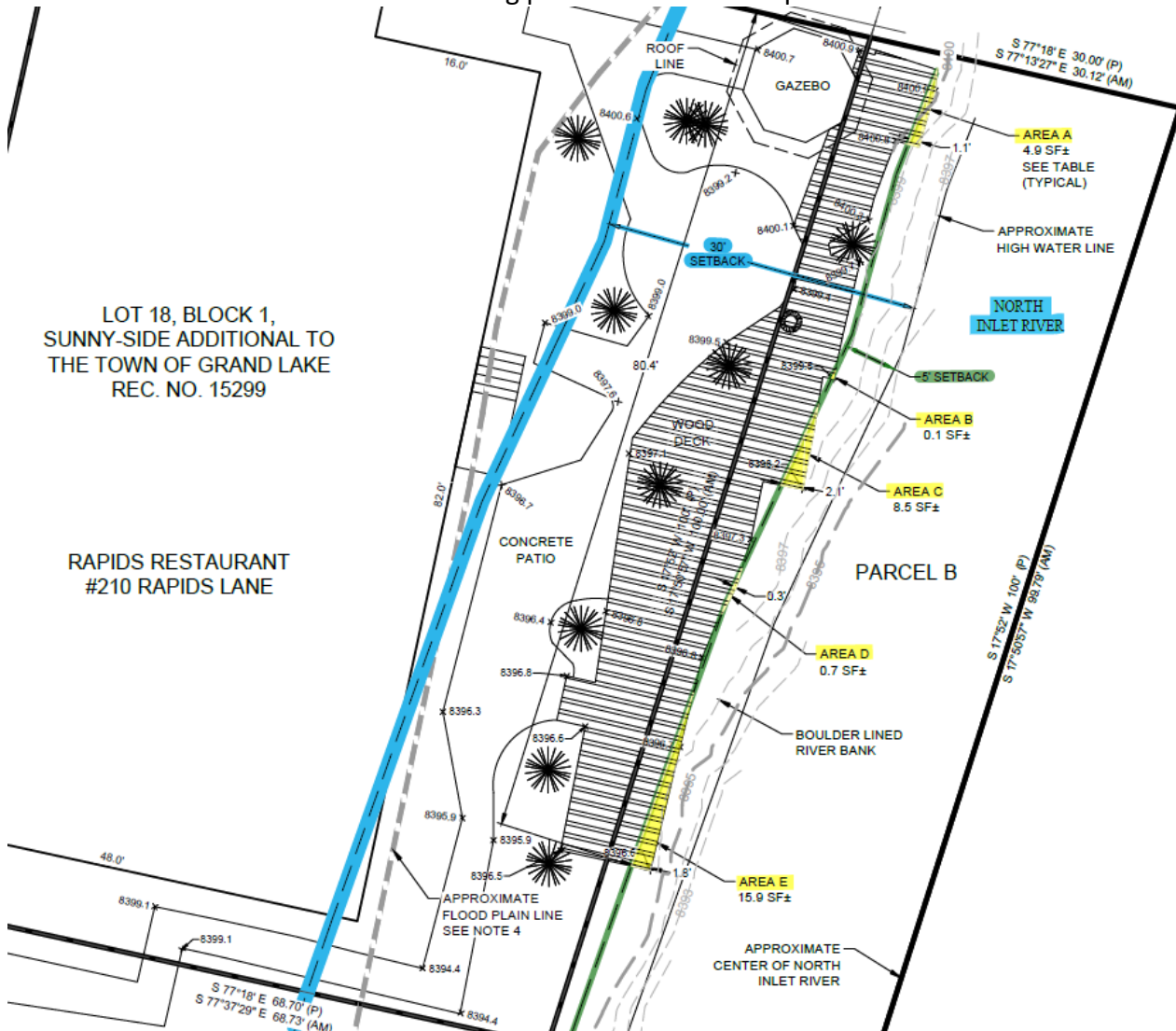


Figure 1- yellow highlighted area within the 5' non-disturbance zone



Background:

- The item was brought before the Planning Commission at a noticed Public Hearing on January 17th, 2024 where the commissioners voted unanimously to continue the hearing until February 21st, 2024, at which time they voted 6:0 in favor of the resolution with conditions (exhibit 5).
- The Board of Trustees motioned to continue the hearing from January 22nd, 2024 until March 25th, 2024 to accommodate the Planning Commission continuation.
- The item was reviewed by the Board at the Public Hearing on March 25th, 2024, and further continued until April 8th, 2024.

As a recap from the March 25th Hearing:

- An image of the newly built deck was seen on social media and reported to staff, who sent a letter to the owners (exhibit 1).
- The existing deck is a use by right in this Commercial Transitional zone as 12-2-10 (item 13) accessory use, but there is no evidence it complies with building code regulations pertaining to decks, as no construction documents have been submitted.
- Notices were mailed to the neighbors. Town received 2 written responses from these, 1 for and 1 against. (exhibit 2 and 3)
- The applicants initially indicated that the deck has been in place for decades.
- The County Building official stated that according to the International Building Code, commercial property open to the public, must have a building permit issued, and should be ADA compliant.
- Since the deck is not in the stream and is not dug into the shoreline, neither the Army Corp nor the CDPHE approval were required.
- Colorado Flood Plain rules require any development in the floodplain to have proper documentation filed with the Town or else risk the National Flood Plain Insurance program for the entire Town.
- The flood plain application was submitted and after review by a state official, stated that an encroachment analysis is required as well as documentation on how the structure is anchored to prevent it causing issues downstream in the event of flooding.
- The Owners have submitted the documents for the shoreline variance and the flood plain application but have not submitted:
 - o building permit application
 - o evidence of the deck as a pre-existing, non-conforming condition
 - o documentation showing anchoring to prevent floatation.
 - o documentation that it will not cause a rise of less than 1/2' from the Base Flood Elevation (BFE) usually done through an encroachment analysis by a CO licensed engineer.

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.** ...*
- 4. The first five (5) feet of this setback shall be a non-disturbance zone, except in the cases of bridges, irrigation structures, flood control devices, boathouses, commercial marinas, boat rentals, boat repair and maintenance facilities and walkways and stairways less than four (4) feet in width leading directly from the shoreline to the principal structure.*



Municipal Code Chapter 12 ARTICLE 5. - FLOOD DAMAGE PREVENTION

12-5-2 Development. Any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Staff Analysis

-Staff presented the item to the Board on 3/25/24 and stated that dirt compaction in 2011 from machinery used (fig 2) to reinforce the bank may have killed some of the trees, however the applicant stated that the trees were already dead and that compaction isn't an issue with tree death. Thus, staff's previous analysis that the new deck covering may offer protection from foot traffic compaction is inaccurate for this case.

-The applicant stated that the previous owner did not have dining on the shoreline and it was only recently added.

-The applicant stated that if the current decking, from around 2022, is removed or relocated, it will cause the restaurant to shut down.

-Town Staff has not received any construction documents, so it is unclear whether it is a floating deck, how the deck will stay in place if there is a sudden increase in water level, and if the deck was built to building code standards.

-When the Board asked the applicant if they could return to dining on the waterfront without the deck, the response was that it would not be insured.

-At the February 21st, Planning Commission hearing the applicant agreed to obtain the encroachment analysis. -

-At the March 25th Board meeting the applicant stated that the price for such an analysis was prohibitive.



Fig 2



Fig. 3 - 2020 shoreline condition



More about Floodplain:

Town Staff met with the Colorado Department of Natural Resources NFIP Community Assistance Program Coordinator and discussed the development on the property. The NFIP (National Flood Insurance Program), which is managed by FEMA, provides flood insurance to property owners, renters and businesses, and having this coverage helps them recover faster when floodwaters recede. The NFIP works with communities required to adopt and enforce floodplain management regulations that help mitigate flooding effects.

The Flood Plain Administrator reviewed the FEMA National Flood Hazard Layer (figure 4) and noted that the decking is on the shoreline and the shoreline is in Zone A. As a point of visual reference in Figure 4, 5, &6, the brown circle below the red arrow is the gazebo, which is half inside Zone A, but is pre-existing and not part of this hearing.

Any development in zone A (figure 4, 5) requires documentation to be filed with the Town in order for the Town to remain eligible for National Flood Plain Insurance Program. Part of the documentation for this development is the encroachment analysis. Per Colorado floodplain rules, specifically 2 CCR 408, and dually adopted in the Town municipal code 12-5-2, the definition of development is any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. • Per state rule 12.G, developments in zone A must demonstrate no more than a one-half foot (1/2') rise in BFE between existing and post-construction. Developments in floodways must show no-rise. This is a floodplain in Zone A.

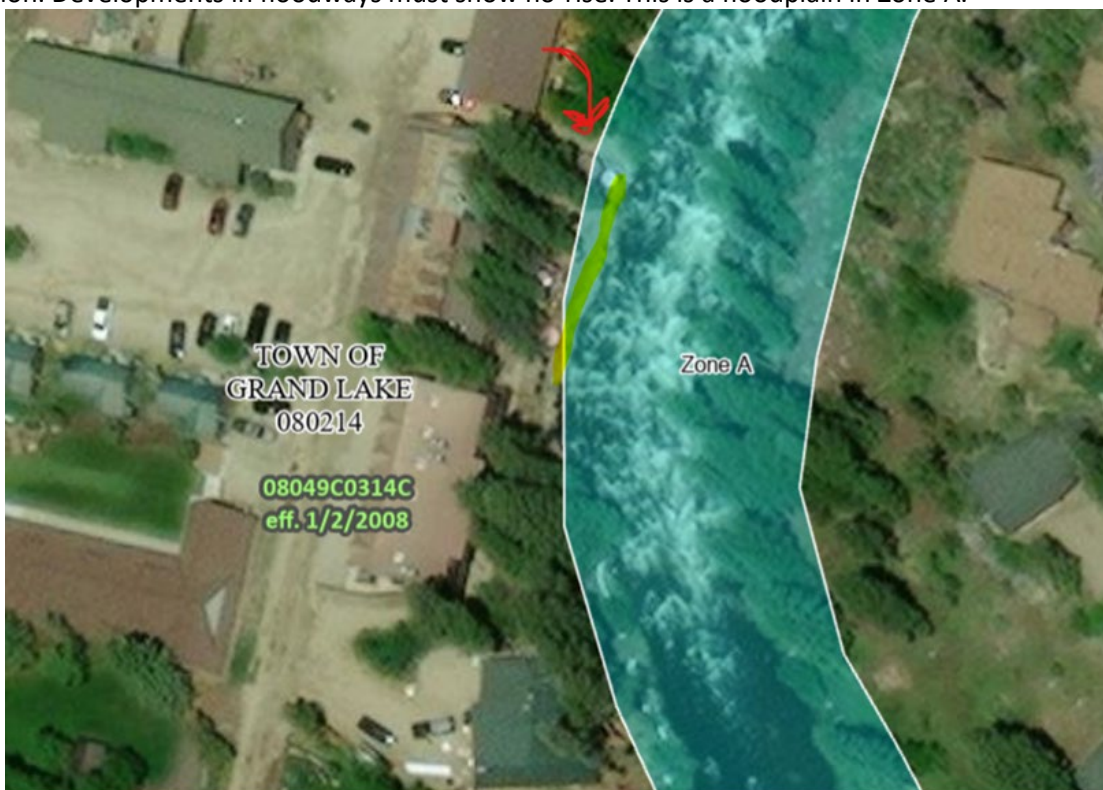


Figure 4: Location map: red arrow pointing to gazebo (brown circle) yellow line indicating shoreline area of deck <https://msc.fema.gov/portal/search?AddressQuery=210%20rapids%20lane%20grand%20lake%2C%20co>



Figure 5: Zoomed FEMA National Flood Hazard Layer- yellow line indicating decking location, red arrow indicating brown roof of gazebo

Staff reached out to the State NFIP coordinator to request if there were other options for the applicant to demonstrate that the decking will not cause a more than ½ foot (1/2') rise in the base flood elevation between existing and post-construction conditions, as the applicant has stated it is cost prohibitive. The State NFIP coordinator said that the Town can accept a report from a CO state licensed Engineer (not an architect) that states the deck does not impact the floodplain in any way, nor does it impact other adjacent, insurable structures. Also, there must be evidence, in the form of construction documents, that show the deck is anchored to prevent floatation. The current condition of having it built around boulders and trees, which can be uprooted and rolled, is not acceptable by the Town to prove it is not going float in the event of a flood. It cannot become part of the debris flow in the event of a flood.

If the applicant does not provide the required documentation, the Town can lose the ability to apply for any grant assistance or federal funds and can lose the NFIP. The time frame for compliance follows the municipal code of Grand Lake. If this is insufficient the state will send a letter to the community with a deadline for compliance.



At the March 25th, 2024 meeting the location of the deck in relation to Zone A was questioned by the applicant. According to the NFIP coordinator, if the flood plain manager determines an object to be in the floodplain (zone A), it is the owner's responsibility to refute the Town's claim. This is normally done with a survey.

The NFIP coordinator said the least expensive route for permitting the deck (floodplain permit), would be to accept that it is in the floodplain (to avoid a survey cost), then get an engineer to review the site and create a report as outlined above, provide construction drawings of how the deck was built and how it is anchored to prevent floatation, and obtain a building permit. Or apply for a building permit to construct a deck outside of the floodplain which could be on the back of the indoor dining area to continue to provide an outside dining experience.



Figure 6- 2022 plan view



Board Discussion

The Board should conduct the Public Hearing as follows:

1. Reopen the Continued Public Hearing
2. Allow Staff to present and update of the matter
3. Allow the Applicant to address the Board regarding the remaining issues
4. Open the meeting for public comment
5. Close the Public Hearing
6. Have a discussion among the Board, including any clarifying questions of staff or the applicant.
7. Adopt a resolution

Shoreline setback discussion:

Section 12-2-29(A)(4):

(4) The first five (5) feet of this setback shall be a non-disturbance zone, except in the cases of bridges, irrigation structures, flood control devices, boathouses, commercial marinas, boat rentals, boat repair and maintenance facilities and walkways and stairways less than four (4) feet in width leading directly from the shoreline to the principal structure. **(Figure 1- highlights areas that are within the 5' zone)**

It is required to have the Board find that the item meets the shoreline variance request based on the items (MC 12-2-29(A)(2)(b)).

The Board shall consider the following 7 factors:

Section 12-2-29(A)(2)(b): The following factors will be considered in determining whether to issue a variance from the 30' 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)

Then, using the above 7 items, determine if one of the items below (a-e) apply:

Section 12-2-29(A)(2):



...During the public hearing the burden on the Applicant shall include but not be limited to, establishing the activity conforms to one (1) or more of the exceptions set forth in Section 12-3-5(A)(4)(a) through (e) **(Applicant submitted exhibit 4 as proof of conformity to exceptions a-e)**

The exceptions in Section 12-3-5(A)(4)(a) through (e) are:

- (a) 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;
- (b) 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.
- (c) The special conditions and circumstances do not result from the actions of the applicant;
- (d) 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;
- (e) 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.

If the Board grants a variance to allow the deck, staff recommends that such approval be conditioned on

- (1) removing those portions of the deck in Areas A, C, and E that encroach into the 5-foot non-disturbance zone, as there is no avenue for a variance to this code provision,
- (2) submitting a building permit application including the building construction plans for review by the Town zoning and County building department and pay all applicable fees, (3) complying with all other provisions of the Grand Lake Municipal Code that relate to the deck, including but not limited to Section 12-2-29(A)(5),
- (3) refraining from further use of the deck until construction under the permit has been completed and approved by the building inspector, and
- (4) complete the floodplain application by obtaining an encroachment analysis (from an engineer or other professional) to demonstrate no more than a one-half foot (1/2') rise in base flood elevation between existing and post-construction conditions

Or

- (4) a report from a CO state licensed Engineer (not an architect) that states the deck does not impact the floodplain in any way, nor does it impact other adjacent, insurable structure, and
- (5) providing documentation on how the deck is anchored to demonstrate that in the event of a flood it will not pose a detriment to public good.
- (6) It is also suggested that a condition be added that the shoreline vegetation be maintained at current level (fig 7) and that riparian vegetation is allowed to become denser to limit shoreline erosion. The planning commission's intent is that the Owner does not actively remove or otherwise intentionally harm healthy, native, riparian vegetation.



Figure 7 - shoreline vegetation -images from 2023 online real estate marketing

Board Suggested Motion

- 1. I Move to Adopt Resolution 21-2024; Approval of the Variance to Shoreline and Surface Water Regulations with conditions, as presented.

Or

- 2. I Move to Adopt Resolution 21-2024; Approval of the Variance to Shoreline and Surface Water Regulations with the following additional conditions

_____.

Or

- 3. I Move deny the variance for the following reasons: _____



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www.townofgrandlake.com

Section 9, Item C.

6/28/2023
 Tomlynson, INC
 P.O. Box 1400
 Grand Lake, CO 80447-1400

Hello Tomlynson, INC.,

It has come to our attention that you have built a deck on the east side of your property abutting the Tonahutu Creek. This action requires a building permit based on the following municipal code 9-1-2 and international residential building code 105.2. This also requires a shoreline variance for building items within 30' of any water body per MC. 12-2-29. All contractors and subcontractors also are required to have current business licenses with the Town at the time of work and contractor licenses with the County (M.C. 6-4-3). You will need to apply for the building permit, the shoreline variance, and provide the business license numbers for the contractors that worked on this project. Please contact Town Hall with the proper paperwork to remedy this as soon as possible.

Thank you,

Code Compliance



Grand Lake To - Go is with The Historic Rapids Lodge and Restaurant in Grand Lake, CO.

2d · 🌐

In the heart of Grand Lake, Colorado, you'll find this hidden gem offers an unforgettable brunch experience that will leave you enchanted!

Indulge at Grand Lake's only creekside dining option. From delicious appetizers like baked brie to scrumptious sandwiches like the Pulled Duck Sandwich, the menu at [The Historic Rapids Lodge and Restaurant](#) boasts an array of mouthwatering options to satisfy every palate.

If you happen to find yourself in Grand Lake, Colorado this summer, make it a priority to visit the Historic Rapids Lodge. Whether you're seeking a leisurely lunch or a special occasion, this destination is not to be missed. Lunch is served from 11-3pm Wednesday through Sunday. Dinner starts at 4:45pm. Dinner reservations are strongly encouraged. Visit <https://gograndlake.com/.../the-historic-rapids-restaurant/> to reserve a table at the Rapids!

January 9, 2024

Town of Grand Lake
PO Box 99
Grand Lake, CO. 80445-0099

RE: 210 Rapids Lane Request for Exception

Grand Lake Planning Commission & Board of Trustees,

We are owners of unit #1 in the Rapids Condominiums, 220 Rapids Lane, located to the immediate south of the property requesting an Exception. We appreciate the opportunity to provide our input regarding the applicant's request.

We were fortunate to have scheduled a stay in our unit shortly after receiving your notice. We viewed the new decks from our landing just outside of our riverside exterior door, then walked the decks for a close-up inspection. To us, it was a vast improvement over the previous dirt surface.

Shortly after emailing pictures of the new decks to our fellow owners and passing on our observations, we received a copy of a letter to the planning commission signed by several owners voicing what seemed to be legitimate concerns.

We spoke with the owners of the Rapids Restaurant as well as to Kimberly White to better understand whether our fellow owner's concerns were one's that we should share. What we learned from these conversations satisfied us that the City, with its professional planning and building staff, will insure:

- The construction meets building codes and will be safe for diners.
- There will be no possibility of decks floating down stream onto our property.
- The decks will not be allowed to damage the shoreline.

Finally, Ms. White indicated this would not be the first Exception granted, so it would not be setting a precedent.

With those concerns satisfied, we fully support the allowance of an Exception. Please feel free to contact us at 303-908-6070 or greg@ggulley.com.

Sincerely,



Greg Gulley



Karen Gulley

Grand Lake Planning Commission,

Thank you for your notice regarding a deck project completed at 210 Rapids Ln. While we do not wish any harm or inconvenience to the owners of this property, we are writing to express our strong concern and opposition to this project. This letter is signed by three separate owners whose names and addresses are identified at the end of this letter.

Our objections to this deck project are for the following reasons:

- First, this project violates current laws for stream and lake setbacks, which we believe are helpful regulations both for public safety and not disturbing water shorelines. We hold there is *not* good reason(s) to give an exception to these laws in the case of this project (see below).
- Second, this deck was built without a permit. That is a significant oversight that gives us no confidence it was built properly or is certified to be safe.
- Next, we have concerns that a “floating” deck (which we assume means that it is not attached to a structure or the ground) located directly on the shoreline and in some spots over the river is unsafe. This concerns us both for those who will use the deck and concerns us as neighbors downstream from the deck. We all know river water levels are not consistent (e.g., after the recent fires we used sandbags to protect our property from rising river levels) and this is where current ordinances are important to maintain public safety. In addition, both for our property and 210 Rapids Ln. people come on to our properties to view and enjoy the river front that are not residents or customers at the restaurant. This floating deck creates a liability for unsupervised people.
- Finally, and most importantly, if this project is approved by the Planning Commission, it will invite a slippery slope scenario where other property owners with waterfront access (including us as owners) will be emboldened to follow suit and cite this exception as precedence.

We would strongly encourage you to protect our current ordinances and not allow this project to be maintained. For the owners of 210 Rapids Ln., while I’m sure it would be a disappointment, I believe moving the decking back toward their building and out the non-disturbance and shoreline protection zones would still provide excellent seating areas for their guests.

Thank you for considering our comments. If we can provide any additional input, please do not hesitate to contact us.

Sincerely,

Ryan and Laura Whitson, Owners
220 Rapids Ln. #3 - 303-335-7988

Tim and Janet Leyden, Owners
220 Rapids Ln. #6 - 832-722-3465

Steve & Linda Schell, Owners
220 Rapids #2 - 620-384-9605



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Section 9, Item C.

REQUEST FOR VARIANCE
STREAM AND LAKE SETBACK
ZONING REGULATIONS

PLEASE FILL OUT THE FOLLOWING INFORMATION.

Property Legal Description: Subd: Sunnyside addition Lot: 18 Block 1

Property Street Address: 210 Rapids Lane

Property Owner: Tomlynson, Inc

Applicant's Name: Max Ludwig Day Phone: [REDACTED]

Applicant's Mailing Address: [REDACTED]

Variance Requested:

825 sq/ft of patio at issue located on the east side. See exhibit A

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)

- a. 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]
- b. 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
- c. The special conditions and circumstances do not result from the actions of the applicant
- d. 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
- e. 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.

- a. A calculation of the total area (square footage) of the proposed improvements shall be indicated
- b. 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.

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity¹ named Tomlynson, Inc. and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.

2. The type of entity is a:
 trust
 nonprofit corporation
 limited liability company
 general partnership
 limited partnership
 registered limited liability partnership
 registered limited liability limited partnership
 limited partnership association
 government or governmental subdivision or agency
 corporation

3. The entity is formed under the laws of Colorado

4. The mailing address for the entity is P.O. 1400 Grand Lake, CO

5. The name position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is Maxwell G Ludwig

6.² The authority of the foregoing person (s) to bind the entity is not limited limited as follows: _____

7. Other matters concerning the manner in which the entity deals with interests in real property: variance request and any other permits required

Executed this 26th day of October, 2023

[Signature]
Signature
[Signature]
Signature

STATE OF COLORADO }
COUNTY OF Grand } SS:

The foregoing instrument was acknowledged before me this 26th day of October, 2023 by Maxwell Ludwig

Witness my hand and official seal. [Signature]
Notary Public

My commission expires: 12/26/2026

¹This form should not be used unless the entity is capable of holding title to real property.
²The absence of any limitation shall be prima facie evidence that no such limitation exists.
³The statement of authority must be recorded to obtain the benefits of the statute.



Attachment A

Request for Variance from Stream and Lake Setback Zoning Regulations

Town of Grand Lake Planning Commission

RE: 210 Rapid Lane

Grand Lake, CO 80447

1. Site Map: see attached survey.
2. The Rapids Lodge, completed in 1915, is located on Lot #18, Block #1, Sunny-Side Addition (Aka: 210 Rapids Lane) in the Town of Grand Lake., Colorado. Lot #18 covers 7315.89 SQ Ft (not including Parcel B which covers half of the river) and is situated on the bank of the Tonahutu River (North Inlet). It is a relatively flat property with mature trees and stable soils. At issue is the patio added below the gazebo and the original deck that pre-date the set-back ordinance. The patio at issue is between the building with its cement walkway and the river bank. The 10'x10' Gazebo sits at the North East corner of the lot. The west wide of the river-bank of the North inlet is reinforced with medium sized boulders that serve as flood control. The vegetation consists of ten mature lodgepole pine trees, aspen trees and wild rose bushes. The property is operated as a lodge and restaurant. The operation of the business and use of the property does involve the storage or handling of hazardous or toxic materials.
3. Site plan evidences that the patio was build around the trees and did not cause any disturbances. See attached survey.
4. Documentation of unusual hardship should the setback be maintained:
 - a. See Exhibit B;
 - b. As evidenced by the survey, enforcement of the setback would render the property, which is a lodge and restaurant almost unusable. The setback comes to the eastern wall of the building – a building that was built in 1915 that predates the setback ordinances. The enforcement of the setback would defacto make the owner, guests and residents prisoner's of the building.

5. An alternative plan that does not include a setback intrusion is not possible because there is other land on which the outdoor patio space that is essential to the business can be built. The building abuts the road on the west side of the building, the east the of the building is just thirty feet (or less) from the river. And not having the patio as depicted on the survey would put owners, staff and guests at risk of tripping and falling on the roots, rocks and uneven terrain. Also, as the only usable open space to the building, the area at issue is a high foot traffic area. Thus, the patio is also the best solution to protect the trees and ground from destruction and erosion from the heavy foot traffic. No plantings were removed or destroyed by the installation of the patio.

6. A calculation of the total areas and length of intrusion:

See attached survey.

7. An erosion and sedimentation control plan:

To prevent overflow, the west side riverbank has been built-up with medium sized boulders. Since the time of this improvement, the river has not run over the banks into the property. The patio offers protection from the high traffic area from erosion and protects the tree roots. Deep tree roots from the mature trees stabilizes the land.

8 NA

9 NA

Attachment B

Request for Variance from Stream and Lake Setback Zoning Regulations

Hardship

At the public hearing the applicant can prove that the activity conforms to all five of the hardship criteria. Per municipal code, documentation of unusual hardship via criteria listed only requires that ONE of the five criteria set in Section 12-3-5(A)(4)(a) through (e) be proven, here the applicant can establish that the activity conforms with all five of the exceptions:

- a. Practical difficulties or unnecessary hardship would result to the owners of said property from a strict enforcement of MC 12-2-29:
 - i. Strict enforcement of 12-2-29 would cause extreme financial hardship for The Rapids. The Rapids, like many other businesses in Grand Lake, conducts @80% of its business in the summer months. In the summer season the vast majority of the restaurant revenue come from customers dining on the patio outside along the riverbank;
 - ii. The exposed roots were being damaged without the protection of the patio;
 - iii. The liability from risk of fall and injury without a platform was significant. Customers and employees ran the risk of injury by tripping over the roots of the trees and uneven ground.

b. Literal interpretation of the provision would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of 12-2-29:

i. As the Rapids was built in 1915 long before the setback ordinance was adopted, enforcing the 30-foot setback now deprive the owners and guests their right to quiet enjoyment of the property as it would render the property without any meaningful outdoor space - the west side of the building abuts the road and the 30-foot setback would leave marginal outdoor space for owners and guests.

c. Special conditions and circumstances do not result from actions of the applicant:

i. The applicant did not build the Rapids lodge and restaurant or site it on the lot. It was built in 1915. As built, it partially encroaches in the later adopted 30-foot set back. Enforcing the 30-foot setback would render the property without any meaningful outdoor space that can safely be used by owners, guests and staff: the west side of the building abuts the road and enforcement of the 30-foot setback would deny the owners, guests and staff use of the outdoor space.

d. Granting the variance request will not confer an applicant any special privilege that is denied to the lands ,structures or buildings in the same district:

No special privilege would be conferred by this variance that is denied to the lands, structures or buildings in the same district. The patio at issue is core to the business and allows use and

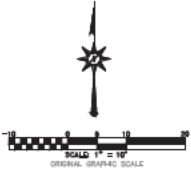
enjoyment of the waterfront. Docks, boat houses, and commercial marinas and businesses in the same district. The applicant should not be put at an unfair disadvantage and be deprived of similar water-front enjoyment. Furthermore, the assessed tax value is higher for water-front property, yet this set-back would deprive the applicant of the enjoyment and use of that water-front property for which it pays taxes.

e. Granting of variance does not pose a detriment to the public good and does not substantially impair the intent and purpose of MC 12-2-29:

The stated purpose of the 30 foot setback is to “help preserve the environmental quality of the water in Grand Lake”. The ordinance goes on the address that it is applicable to buildings, parking, snow storage, etc. Clearly, the oil and contamination from snow storage and parking is obvious. Whereas the patio at the Rapids does not pose such risk or contaminants. Furthermore, the patio protects the trees which are essential to help prevent erosion.

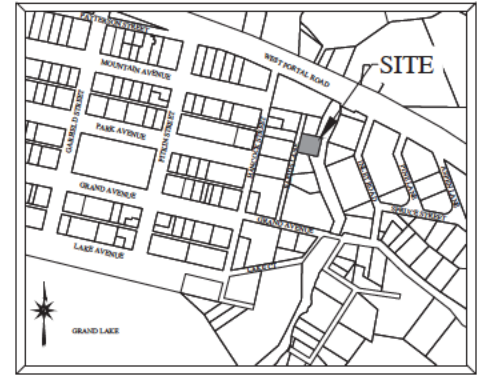
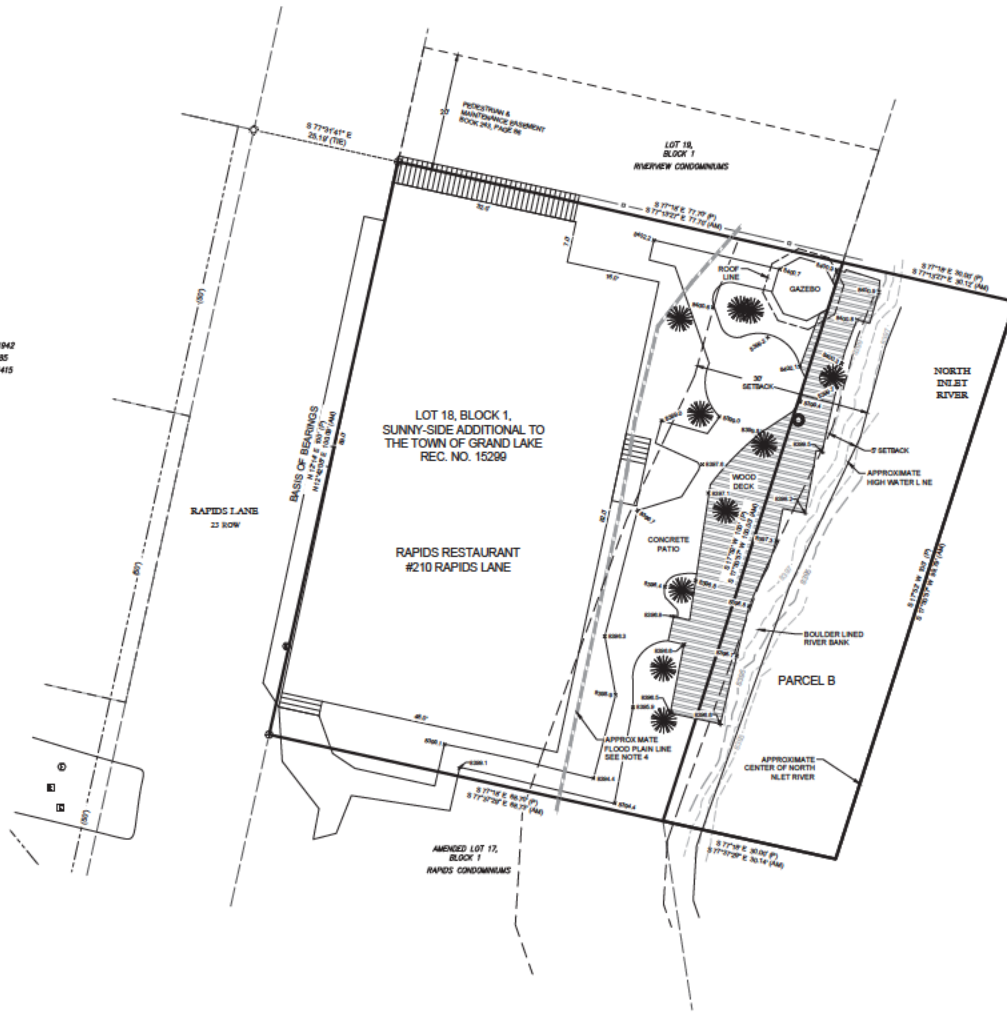
Most importantly, the patio affords the owners, guests and staff safety. Previously, the exposed tree roots and uneven terrain caused falls and posed a safety risk.

EXHIBIT
PATIO \ WOOD DECK, RAPIDS RESTAURANT
LOT 18, BLOCK 1, SUNNY-SIDE ADDITION TO THE TOWN OF GRAND LAKE, RECEPTION NO. 15299 AND
PARCEL B, AS DESCRIBED IN WARRANTY DEED RECEPTION NO. 98007171
SITUATED IN SECTION 5, TOWNSHIP 3 NORTH, RANGE 75 WEST OF THE 6TH PRINCIPAL MERIDIAN,
TOWN OF GRAND LAKE, GRAND COUNTY, COLORADO
#209 RAPIDS LANE



LEGEND

- REC. NO. RECEPTION NUMBER
- SP. SQUARE FEET
- AC. ACREAGE
- PLATED AS MEASURED
- (AM) FOUND ALUMINUM CAP, PLS #21942
- FOUND PLASTIC CAP, PLS #26685
- FOUND ALUMINUM CAP, PLS #11415
- ELECTRICAL PEDESTAL
- TREE STUMP
- MATURE TREE
- PROPERTY LINE
- ADJACENT LOT
- EASEMENT LINE



VICINITY MAP
SCALE: 1" = 300'

NOTES:

1. FOLLOWING IS A PARTIAL LIST OF SURVEY PLATS UTILIZED IN THE PREPARATION OF THIS SURVEY:
 A. GRAND COUNTY RECORDS, TOWN OF GRAND LAKE, RECEPTION NO. 9086.
 B. GRAND COUNTY RECORDS, SUNNY-SIDE ADDITION TO THE TOWN OF GRAND LAKE, RECEPTION NO. 15299.
2. BASIS OF BEAR NG IS N 12°42'00" E (ASSUMED) AS MEASURED FROM THE SOUTHWEST CORNER OF LOT 18, BLOCK 1 (ALUMINUM CAPPED REBAR, PLS #11415) TO THE NORTHWEST CORNER OF LOT 18, BLOCK 1 (ALUMINUM CAPPED REBAR, PLS #11415) WITH ALL BEAR NG'S SHOWN HEREIN BE NG RELATIVE THERETO.
3. THE BASIS OF ELEVATION IS 8441.34 (PER NAVD 83 DATUM) AS MEASURED FROM THE BUREAU OF RECLAMATION BRASS CAP "1.584" WHICH IS SITUATED ON THE BRIDGE OVER THE NORTH INLET RIVER ON THE WEST PORTAL ROAD WITH ALL ELEVATIONS SHOWN HERE IN RELATIVE THERETO.
4. THE FLOOD PLAN DEPICTED HERE IN IS REFERENCED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NUMBER 08040014C HAVING AN EFFECTIVE DATE OF JANUARY 2, 2009. SAND MAP CLASS F IS THE NORTH INLET RIVER AS "ZONE A" WHICH HAS "NO BASE FLOOD ELEVATIONS DETERMINED", CONSEQUENTLY, DEPICTED HEREIN IS AN APPROXIMATE LOCATION OF THE WETTEST LIMIT OF SAND ZONE A.
5. THIS EXHIBIT IS NOT A LAND SURVEY PLAT, IMPROVEMENT SURVEY PLAT OR FLOOD PLAN SURVEY. IT IS PREPARED TO GRAPHICALLY DEPICT THE HIGH WATER MARK OF NORTH INLET RIVER RELATIVE TO THE WOOD DECK AND CONCRETE PATIO AREA OF RAPIDS RESTAURANT.

LAND SURVEYOR'S CERTIFICATE

I, T MOTHY R. SHENK, A DAILY LICENSED LAND SURVEYOR, IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS EXHIBIT REPRESENTS THE RESULTS OF FIELD SURVEYING AND DRAFTING MADE BY ME OR UNDER MY DIRECT SUPERVISION, THIS IS NOT A LAND SURVEY PLAT, IMPROVEMENT SURVEY PLAT OR FLOOD PLAN SURVEY.



T MOTHY R. SHENK, COLORADO P.L.S. #81942
 PREPARED ON BEHALF OF TIM SHENK LAND SURVEY NG, INC.

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

EXHIBIT
 PATIO \ WOOD DECK, RAPIDS RESTAURANT
 LOT 18, BLOCK 1, SUNNY-SIDE ADDITION TO THE
 TOWN OF GRAND LAKE AND PARCEL B
 SECTION 5, TOWNSHIP 3 NORTH, RANGE 75 WEST OF THE 6TH PRINCIPAL MERIDIAN,
 TOWN OF GRAND LAKE, GRAND COUNTY, COLORADO

JOB: 01148 SCALE: 1" = 20' DATE: 10/09/2023 DRAWN BY: JAN
 DWG: 01148_PATIO EXH-B ORD: 01148 CHECKED: TRS SHEET: 1 OF 1

Fwd: Riverside safety

Tatyana Ludwig <rapids@rapidslodge.com>

Wed 9/27/2023 10:20 PM
[REDACTED]Get Outlook for Android

From: ROBERT BALINK [REDACTED]
Sent: Wednesday, September 27, 2023 6:08:58 PM
To: Tatyana Ludwig <rapids@rapidslodge.com>
Subject: Riverside safety

Dear Max and Tatiana,

We want to thank you for the improvements you have made to the Rapids outdoor dining experience.

There wasn't much, if anything, to improve with the meals and service guests regularly receive- but the outside dining in the past, on uneven ground, was somewhat difficult to maneuver...as desirable as most guests found outside dining at The Rapids was.

The new decks added in the last two years ensured not only an un-paralleled Grand Lake dining experience but they added greatly to the safety of your guests.

Sadly, during a walk along another waterway trail in Grand Lake this summer, a family member fell on uneven ground along a relatively flat trail and suffered a concussion after a face-plant into the ground.

Thank you for improving the safety measures at your outside dining tables...that was very thoughtful and much appreciated by your patrons.

Bob and Adele

Getsafetynow.com

Town of Grand Lake, Colorado
FLOODPLAIN DEVELOPMENT PERMIT

(See Terms and Conditions)
Grand Lake Planning Department
Phone: 970-627-3435
Email: kwhite@togleo.com

Permit# _____
Permit becomes void if there are changes to the effective Flood Insurance Rate Map.

Issue Date: _____
Expiration Date: _____

Owner: Maxwell Ludwig

Grand Lake City CO State
80447 Zip Code
Telephone# _____
Contact Name Maxwell Ludwig cell
Emergency Telephone # _____
E-mail _____

Contractor/Developer _____
Address _____
City _____ State _____
Zip Code _____
Telephone# _____ Fax# _____
Contact _____ Name _____
Emergency# _____
E-mail _____

Development Address 210 Rapids LN, Grand Lake, CO 80447 C
Legal Description: Lot #18 Block #1 Parcel B Latitude/Longitude # _____

Development Overview

Description of development: Wooden Flooring to protect flood plain soil and improve safety by River.

Estimated Cost of development: \$3000
If development is on, within or connected to an existing structure:
Valuation of existing structure: Source of valuation:
When was the existing structure built: 1915

* If the value of an addition, remodel or alteration to a structure equals or exceeds 50% of the value of the structure before the addition, remodel or alteration, the entire structure must be treated as a substantially improved structure and is required to comply with the relevant Floodplain Damage Prevention Ordinance. A relocated structure, including mobile homes, manufactured home, or cabins, must be treated as a new construction.

- | | | | |
|---|--|--|--|
| CHANNEL IMPROVEMENTS
<input type="checkbox"/> Bank Stabilization
<input type="checkbox"/> Grade Control
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/> Outfall
<input type="checkbox"/> Fill
<input type="checkbox"/> Other _____ | STRUCTURAL DEVELOPMENT
<input checked="" type="checkbox"/> New Construction
<input type="checkbox"/> Residential Building
<input type="checkbox"/> Permanent Drop Structure
<input type="checkbox"/> Rehabilitation
<input type="checkbox"/> Manufactured Home
<input type="checkbox"/> Rehabilitation (<50%)
<input type="checkbox"/> Substantial Improvement (≥50%)
<input type="checkbox"/> Other _____ | MISCELLANEOUS
<input type="checkbox"/> Bridge
<input type="checkbox"/> Culvert
<input type="checkbox"/> Non-Residential
<input type="checkbox"/>
<input type="checkbox"/> Fence
<input type="checkbox"/> Grading/ Parking Lot
<input type="checkbox"/> Other _____ | TYPE
<input type="checkbox"/> Temporary
<input type="checkbox"/>
<input type="checkbox"/> Demolition
<input type="checkbox"/>
<input type="checkbox"/> Emergency Repair
<input type="checkbox"/> Maintenance
<input checked="" type="checkbox"/> Other <u>Wood Floor</u> |
|---|--|--|--|

Flood Hazard Data

TO BE COMPLETED BY FLOODPLAIN ADMINISTRATOR

Watercourse Name: Effective FIRM Panel Number and Date: _____
Is the development in or impacts a floodplain? _____
Is the development in the floodway? If yes, a No-Rise Certification is required.
Special Flood Hazard Zone: Base Flood Elevation: _____
Method used to determine Base Flood Elevation: _____
Vertical Datum: Must be either NGVD 29 or NAVD 88 and the same vertical datum of the effective FIRM: _____
Elevation of lowest floor, including basement or crawlspace*: Elevation of lowest, habitable floor*: _____
Elevation of floodproofing (non-residential structures only)*: _____
*Source of Elevation and/or floodproofing Information: _____
Does the development require that a CLOMR be processed?: _____ Is a LOMR required?: _____

Issue Date:
Expiration Date:

Town of Grand Lake, Colorado
FLOODPLAIN DEVELOPMENT PERMIT
 (See Terms and Conditions)
 Grand Lake Planning Department
 Phone: 070-627-3435

Permit#	Section 9, Item C.
<i>*Permit becomes void if there are changes to the effective FIRM*</i>	

Floodplain Development Permit Checklist (THIS PAGE TO BE COMPLETED BY FLOODPLAIN ADMINISTRATOR)

The following documents may be required at the discretion of the approving community official:

- Tax assessor map
- Maps and/or plans showing the location, scope and extent of the development
- Floodproofing Certificate: Certificate and supporting documentation used to provide the certification
- Documentation showing compliance with the Endangered Species Act
- No-Rise Certificate: Certificate and supporting documentation used to provide the certification
- Elevation Certificate
 - Constructional Drawing
 - Building Under Construction
 - Finished Construction
- Grading plans
- Detailed hydraulic and hydrology model for development in a Zone A
- Conditional Letter of Map Revision (CLOMR)
- Structure valuation documentation
- Non-conversion agreement: Required for all structures that are constructed with an enclosure
- Wetland Permit from the U.S. Army Corps of Engineers
- Copies of all federal, local and state permits that may be required.
- Manufactured home anchoring certificate: Certificate and supporting documentation used to provide the certification
- Other documents deemed necessary by the Floodplain Administrator

Permit Action

 PERMIT APPROVED: The information submitted for the proposed development was reviewed and complies with approved floodplain management standards.

 PERMIT APPROVED WITH CONDITIONS: The information submitted for the proposed development was reviewed. For the proposed development to be approved, certain restrictions or conditions must be met. These restrictions or conditions are attached.

 PERMIT DENIED: The proposed development does not meet approved floodplain management standards (explanation on file).

 VARIANCE GRANTED: A variance was granted from the base (1%) flood elevations established by FEMA consistent with variance requirements of Title 44 of the Code of Federal Regulations part 60.6 (Variance action documentation is on file).

Signature of Community Official: _____ Date: _____

Print Name and Title of Community Official: _____

Issue Date:
Expiration Date:

Town of Grand Lake, Colorado
FLOODPLAIN DEVELOPMENT PERMIT
 (See Terms and Conditions)
Town of Grand Lake Planning
Department
 Phone: 970-627-3435
 Email: kwwhite@toglco.com

Permit#	Section 9, Item C.
<i>*Permit becomes void if there are changes to the effective Flood Insurance Rate Maps*</i>	

The Floodplain Development Permit is used to help our community evaluate all impacts of activities proposed within our regulated floodplains. All activities— work, projects, development, construction, modifications, or additions heretofore referred to as "development"— must comply with Article 5 of Chapter 12 of the Grand Lake Town Code, the Floodplain Damage Prevention Ordinance (FDPO), of the Town, as well as all applicable regional or state regulations. Compliance with the FDPO is required for eligibility in the National Flood Insurance Program (NFIP), which provides flood insurance to individuals at reduced premiums than could otherwise be purchased through private insurers, and makes certain federal funds available to communities. For citizens to be eligible for the national flood insurance policies, or for communities to receive certain kinds of federal funds, the community must agree to meet minimum floodplain standards such as the FDPO. This application is a tool to ensure that development in our community complies with those standards.

Any party undertaking development within a designated floodplain must obtain a Floodplain Development Permit prior to commencing development. FEMA defines development in Title 44 of the Code of Federal Regulations part 59.1 as: *Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.* Other human activities that are considered "development" include the following: alterations of a structure through additions, demolition and remodeling, fences, retaining walls, moving/placement of remanufactured or mobile homes, campgrounds, storage of equipment, vehicles, or materials (e.g., storage yards, salvage yards).

General Provision of the Floodplain Development Permit Terms (applicant to read and sign):

1. No development may start until a permit has been issued.
2. The permit may be revoked if:
 - a. Any false statements are made herein;
 - b. The effective Flood Insurance Rate Map has been revised;
 - c. The development is not done in accordance with the FDPO of the Town or other local, state and federal regulatory requirements.
 - d. The development is different than what is described and submitted to the Town as part of the Floodplain Development Permit application.
3. If revoked, all development must cease until a permit is reissued.
 - a. If the permit cannot be reissued, applicant acknowledges that they will be responsible to correct the issue, which may require removal of any development that may have occurred.
4. Development shall not be used or occupied until the development has received a final inspection, a final elevation and approval by the Town.
5. The permit will expire if the development has not been completed and approved by the Town by the expiration date noted on the permit.
6. Applicant is hereby informed that other permits may be required to fulfill local, state and federal regulatory requirements and acknowledges that it is their responsibility to ensure that all necessary permits are obtained.
 - a. This includes documentation showing compliance with the Endangered Species Act.
7. Applicant hereby gives consent to the local floodplain administrator or their representative (including state and federal agencies) to make reasonable inspections required to verify compliance.
8. Applicant acknowledges that the development will be designed to minimize any potential drainage onto surrounding properties and will be responsible for any drainage issues that may arise.
9. I, the applicant, certify that all statements herein and in attachments to this application are, to the best of my knowledge, true and accurate. Furthermore, I have read and understand the relevant FDPO for the Town of Grand Lake, and will adhere to the ordinance and will or have already obtained all necessary state, federal and local permits for the proposed development.

Applicant's Name:

Maxwell Ludwig (Dba The Rapids)

Applicant's Signature:



Date:

10/26/2023

**TOWN OF GRAND LAKE
PLANNING COMMISSION
RESOLUTION NO. 01-2024**

**A RESOLUTION RECOMMENDING APPROVAL OF A VARIANCE TO THE
STREAM AND LAKE SETBACK REQUIREMENTS FOR PROPERTY LOCATED AT
210 RAPIDS LANE, WITH CONDITIONS**

WHEREAS, Tomlynson, Inc., (the “Applicant”) is the owner of certain real property located at 210 Rapids Lane, more particularly described as follows:

Sunnyside Addition to Grand Lake Lot: 18 Block: 1 & A Tract East of Lot 18 to Center of North Inlet (the “Property”); and

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

- 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.*

WHEREAS, Municipal Code 12-2-29 further provides in subpart 4:

- 4. The first five (5) feet of this setback shall be a non-disturbance zone, except in the cases of bridges, irrigation structures, flood control devices, boathouses, commercial marinas, boat rentals, boat repair and maintenance facilities and walkways and stairways less than four (4) feet in width leading directly from the shoreline to the principal structure; and*

WHEREAS, there is no provision in the Municipal Code for variance of the five feet non-disturbance zone; and

WHEREAS, within the 30-foot setback zone, and to a much lesser extent within the 5-foot non-disturbance zone, the Applicant has constructed a deck along the shore of North Inlet adjacent to the Property (the “Deck”); and

WHEREAS, the Applicant did not obtain a building permit prior to constructing the Deck; and

WHEREAS, the Applicant has submitted a request for a setback variance to allow the Deck to remain, as shown on Exhibit A, attached; and

WHEREAS, following proper notice, the Planning Commission held a Public Hearing of the Application on January 17th, 2024; and

WHEREAS, the Planning Commission moved to continue the Public Hearing of the Application to February 21st, 2024; and

WHEREAS, Section 12-2-29(A)(2) requires that at the hearing it is the burden of the Applicant to establish that the proposed activity conforms to one or more of the following exceptions set forth in Section 12-3-5(A)4(a) through (e) of the Municipal Code:

- (a) 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;
- (b) 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.
- (c) The special conditions and circumstances do not result from the actions of the applicant;
- (d) 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;
- (e) 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.

WHEREAS, Section 12-2-29(A)(2)(b) requires that at the hearing the Planning Commission consider all of the following factors to determine whether to issue a variance to the 30-foot setback requirement:

- 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);

FINDINGS OF THE PLANNING COMMISSION

HAVING CONSIDERED THE MATTERS PRESENTED TO IT AND THE APPLICABLE STANDARDS AS WELL AS THE COMMERCIAL USE OF THE PROPERTY, THE PLANNING COMMISSION MAKES THE FOLLOWING FINDINGS:

- 1. The Planning Commission considered each of the factors required by Section 12-2-29((2)(b).
- 2. The Applicant established the following exception(s) under Section 12-3-5(a)(4(a) through (e):
 - 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;
 - 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 PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO,

1. The Planning Commission recommends to the Board of Trustees that the variance requested by the Applicant to reduce the 30-foot setback requirements provided for in Section 12-29-20(A)(1) of the Municipal Code be granted on the following terms and conditions:
 - a. That the portions of the Deck that encroach into the Non-Disturbance Zone as shown in Areas A, C, and E on Exhibit A be removed. Although Areas B and D encroach into the Non-Disturbance Zone, they are *de minimis* in size (0.1 square feet and 0.7 square feet, respectively), and are measured from an approximate high water line, and therefore need not be removed.
 - b. That the Applicant obtain a building permit for the remaining portions of the Deck, including the submission of construction drawings and other required documentation, and pay the requisite fees for such permit.
 - c. That the Applicant maintain or increase, but not remove, the natural riparian vegetation, in compliance with all rules and regulations, to prevent erosion of the shoreline in the areas between the Deck and the stream.
 - d. That the remaining portions of the Deck comply with all other provisions of the Grand Lake Municipal Code, including but not limited to Section 12-2-29(A)(5).
 - e. That the Applicant refrain from further use or occupancy of the Deck until the foregoing conditions have been fulfilled as certified by the Town Manager.
 - f. That the Applicant finalize flood plain application requirements, including providing documentation on deck anchoring system, and providing evidence in the form of a certified encroachment analysis to demonstrate no more than a one-half foot rise in base flood elevation between existing and post-construction.

DULY MOVED, SECONDED AND ADOPTED BY THE PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO THIS 21st DAY OF FEBRUARY, 2024

(S E A L)

Votes Approving:
 Votes Opposed:
 Absent:
 Abstained:

ATTEST:

TOWN OF GRAND LAKE

 Alayna Carrell
 Town Clerk

 James Shockey
 Planning Commission Chairman

**TOWN OF GRAND LAKE
BOARD OF TRUSTEES
RESOLUTION NO. 21-2024**

**A RESOLUTION APPROVING A VARIANCE TO THE STREAM AND LAKE
SETBACK REQUIREMENTS FOR PROPERTY LOCATED AT 210 RAPIDS LANE,
WITH CONDITIONS**

WHEREAS, Tomlynson, Inc., (the “Applicant”) is the owner of certain real property located at 210 Rapids Lane, more particularly described as follows:

Sunnyside Addition to Grand Lake Lot 18 Block: 1 & A Tract East of Lot 18 to Center of North Inlet, (the “Property”); and

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

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.*

WHEREAS, Municipal Code 12-2-29 further provides in subpart 4:

4. *The first five (5) feet of this setback shall be a non-disturbance zone, except in the cases of bridges, irrigation structures, flood control devices, boathouses, commercial marinas, boat rentals, boat repair and maintenance facilities and walkways and stairways less than four (4) feet in width leading directly from the shoreline to the principal structure; and*

WHEREAS, there is no provision in the Municipal Code for variance of the five feet non-disturbance zone; and

WHEREAS, within the 30-foot setback zone, and to a much lesser extent within the 5 foot non-disturbance zone, the Applicant has constructed a deck along the shore of North Inlet adjacent to the Property (the “Deck”); and

WHEREAS, the Applicant did not obtain a building permit prior to constructing the Deck; and

WHEREAS, the Applicant has submitted a request for a setback variance to allow the Deck to remain, as shown on Exhibit A, attached; and

WHEREAS, Section 12-2-29(A)(2) requires the Applicant to establish that the proposed activity conforms to one or more of the following exceptions set forth in Section 12-3-5(A)4(a) through (e) of the Municipal Code:

- (a) 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;
- (b) 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.
- (c) The special conditions and circumstances do not result from the actions of the applicant;
- (d) 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;
- (e) 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.

WHEREAS, Section 12-2-29(A)(2)(b) provides that in considering a variance request, the Planning Commission and, in turn, the Board of Trustees are to consider all of the following factors to determine whether to issue a variance to the 30-foot setback requirement:

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, subsequent to the filing of the Application, Town staff became aware of certain requirements of FEMA and the state flood insurance program, specifically requiring a complete flood plain permit application and an encroachment analysis demonstrating no more than a one-half foot rise in base flood elevation as a result of the development, as well as documentation showing how the development is anchored; and

WHEREAS, on February 21, 2024, following proper notice, the Planning Commission considered the variance application and found as follows, based, in part, on the commercial use of the property:

- (a) 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; and
- (e) 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; and

WHEREAS, based on its findings, the Planning Commission adopted Resolution 01-2024, recommending approval of the variance subject to the following conditions:

1. That the portions of the Deck that encroach into the 5-foot Non-Disturbance Zone as shown in Areas A, C, and E on Exhibit A be removed. Although Areas B and D encroach into the Non-Disturbance Zone, they are *de minimis* in size (0.1 square feet and 0.7 square feet, respectively), and are measured from an approximate high-water line, and therefore need not be removed.
2. That the Applicant obtain a building permit for the remaining portions of the Deck, including the submission of construction drawings and other required documentation, and pay the requisite fees for such permit.
3. That the Applicant maintain or increase, but not remove, the natural riparian vegetation, in compliance with all rules and regulations, to prevent erosion of the shoreline in the areas between the Deck and the stream.
4. That the remaining portions of the Deck comply with all other provisions of the Grand Lake Municipal Code, including but not limited to Section 12-2-29(A)(5).
5. That the Applicant refrain from further use or occupancy of the Deck until the foregoing conditions have been fulfilled as certified by the Town Manager.
6. That the Applicant finalize flood plain application requirements, including providing documentation on deck anchoring system, and providing evidence in the form of a certified encroachment analysis to demonstrate no more than a one-half foot rise in base flood elevation between existing and post-construction; and

WHEREAS, the Board of Trustees reviewed the Application, the presentation by the Applicant, the recommendation of the Planning Commission, and the public testimony presented at a regularly scheduled meeting on March 25th, 2024; and

WHEREAS, based on those considerations, the Board of Trustees makes the following findings:

FINDINGS OF THE BOARD OF TRUSTEES

1. The Board of Trustees considered each of the factors required by Section 12-2-29((2)(b)).
2. The Applicant established the following exception(s) under Section 12-3-5(a)(4(a) through (e): [Board of Trustees must find at least one, in order to satisfy this requirement. Select all that apply:]
 - (a) 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;

- (b) 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.
- (c) That the special conditions and circumstances do not result from the actions of the applicant;
- (d) 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;
- (e) 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:

1. The Board of Trustees grants the variance requested by the Applicant to reduce the 30-foot setback requirements provided for in Section 12-29-20(A)(1) of the Municipal Code subject to the following terms and conditions:
 - a. That the portions of the Deck that encroach into the Non-Disturbance Zone as shown in Areas A, C, and E on Exhibit A be removed. Although Areas B and D encroach into the Non-Disturbance Zone, they are *de minimis* in size (0.1 square feet and 0.7 square feet, respectively), and are measured from an approximate high-water line, and therefore need not be removed.
 - b. That the Applicant obtain a building permit for the remaining portions of the Deck, including the submission of construction drawings and other required documentation, and pay the requisite fees for such permit.
 - c. That the Applicant maintain or increase the riparian vegetation to prevent erosion of the shoreline in the areas between the Deck and the stream.
 - d. That the remaining portions of the Deck comply with all other provisions of the Grand Lake Municipal Code, including but not limited to Section 12-2-29(A)(5).
 - e. That the Applicant finalize flood plain application requirements, including providing documentation on deck anchoring system, and providing evidence in the form of a certified encroachment analysis to demonstrate no more than a one-half foot rise in base flood elevation between existing and post-construction or a certified report from a licensed engineer stating that the development will not impact the floodplain in any way and will not impact other adjacent, insured structures.
 - f. That the Applicant refrain from further use or occupancy of the Deck until the foregoing conditions have been fulfilled as certified by the Town Manager.

DULY MOVED, SECONDED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE

TOWN OF GRAND LAKE, COLORADO THIS 8th DAY OF APRIL, 2024

(S E A L)

Votes Approving:
Votes Opposed:
Absent:
Abstained:

**ATTEST:
COLORADO**

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

Alayna Carrell
Town Clerk

By: _____
Steve Kudron
Mayor



April 8, 2024

- Applicant:** Fire on the Mountain, Inc.
- Initiated by:** Stephanie Connors & Krystal Steward
- Presented By:** Alayna Carrell, Town Clerk

Introduction: An application for a Special Event Liquor Permit was received from Fire on the Mountain, with supporting documentation.

The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for their, “Troublesome Fest” event to be held September 7, 2024, from 6:00 a.m. to 11:30 p.m. at Lakefront Park, located at 1117 Grand Avenue. Fire on the Mountain, Inc. qualifies for a Special Events Liquor Permit as it is incorporated with the State of Colorado as a philanthropic institution and has not received more than 15 Special Events Liquor License Permits for 2024, this is their first request.

The Board must investigate the application and could deny the permit if its issuance would injure the public welfare by reason of the nature or location of the special event, or failure of the applicant to conduct past special events in compliance with applicable laws and regulations.

Neighborhood Boundaries: The town limits of Grand Lake are the neighborhood boundaries. The proposed location is at 1117 Lake Avenue, which is more than 500 feet from any educational institution; therefore, State Statute does not prohibit liquor from being sold from this location.

Financial Details: The respective license fee of \$100.00 has been collected.

Background Check: The application was turned over to the Grand County Sheriff’s Office, they found no adverse information that would affect the issuance of the license.

Legal Requirements:

Posting: Notice of Hearing was posted, March 26, 2024, at: 1117 Grand Avenue

Attachments: Application for a Special Events Permit & a Diagram of the Premises

Staff Recommendation

Staff recommends the Town Board approve Fire on the Mountain, Inc. Special Event Liquor Permit, for their “Troublesome Fest” event, on September 7, 2024, at Lakefront Park.

Town of Grand Lake
1026 Park Avenue
P.O. Box 99
Grand Lake, CO 80447

Application for a Special Events Permit

Departmental Use Only

Section 9, Item D.

In order to qualify for a Special Events Permit, You Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following (See back for details.)

- | | | |
|------------------------------------|---|---|
| <input type="checkbox"/> Social | <input type="checkbox"/> Athletic | <input checked="" type="checkbox"/> Philanthropic Institution |
| <input type="checkbox"/> Fraternal | <input type="checkbox"/> Chartered Branch, Lodge or Chapter | <input type="checkbox"/> Political Candidate |
| <input type="checkbox"/> Patriotic | <input type="checkbox"/> National Organization or Society | <input type="checkbox"/> Municipality Owned Arts Facilities |
| <input type="checkbox"/> Political | <input type="checkbox"/> Religious Institution | |

LIAB Type of Special Event Applicant is Applying for:	DO NOT WRITE IN THIS SPACE
2110 <input checked="" type="checkbox"/> Malt, Vinous And Spirituous Liquor \$25.00 Per Day	Liquor Permit Number
2170 <input type="checkbox"/> Fermented Malt Beverage \$10.00 Per Day	

1. Name of Applicant Organization or Political Candidate <p style="text-align: center;">Fire on the Mountain Incorporated</p>	State Sales Tax Number (Required) <p style="text-align: center;">95009199</p>
--	--

2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP) PO Box 1903 Grand Lake, CO 80447	3. Address of Place to Have Special Event (include street, city/town and ZIP) Lakefront Park Lave Ave. Grand Lake, CO 80447
--	--

4. Authorized Representative of Qualifying Organization or Political Candidate <p style="text-align: center;">Krystal Steward</p>	Date of Birth	Phone Number
--	---------------	--------------

Authorized Representative's Mailing Address (if different than address provided in Question 2.)

5. Event Manager <p style="text-align: center;">Stephanie Connors</p>	Date of Birth	Phone Number
Event Manager Home Address (Street, City, State, ZIP)		Email Address of Event Manager

6. Has Applicant Organization or Political Candidate been Issued a Special Event Permit this Calendar Year? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes How many days? _____	7. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes License Number _____
---	---

8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed? Yes No

List Below the Exact Date(s) for Which Application is Being Made for Permit

Date	Hours	From	To	Date	Hours	From	To	Date	Hours	From	To	Date	Hours	From	To
09/07/24		0600 A	2330 P												

Oath of Applicant

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature 	Title <p style="text-align: center;">Treasurer</p>	Date <p style="text-align: center;">02/28/24</p>
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Report and Approval of Local Licensing Authority (City or County)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.

THEREFORE, THIS APPLICATION IS APPROVED.

Local Licensing Authority (City or County)	<input type="checkbox"/> City <input type="checkbox"/> County	Telephone Number of City/County Clerk
Signature	Title	Date

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

Liability Information			
License Account Number	Liability Date	State	Total
		-750 (999)	\$

(Instructions on Reverse Side)





April 8, 2024

Applicant: Kevin’s Outreach for Local Emergencies

Initiated by: Melinda Nelson

Presented By: Alayna Carrell, Town Clerk

Introduction: An application for a Special Event Liquor Permit was received from Kevin’s Outreach for Local Emergencies, with supporting documentation.

The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for their, “Chili Cookoff” event to be held June 22, 2024, from 8:00 a.m. to 7:00 p.m. at Grand Lake Town Park, located at 1025 Grand Avenue. Kevin’s Outreach for Local Emergencies qualifies for a Special Events Liquor Permit as it is incorporated with the State of Colorado as a philanthropic institution and has not received more than 15 Special Events Liquor License Permits for 2024, this is their first request.

The Board must investigate the application and could deny the permit if its issuance would injure the public welfare by reason of the nature or location of the special event, or failure of the applicant to conduct past special events in compliance with applicable laws and regulations.

Neighborhood Boundaries: The town limits of Grand Lake are the neighborhood boundaries. The proposed location is at 1025 Grand Avenue, which is more than 500 feet from any educational institution; therefore, State Statute does not prohibit liquor from being sold from this location.

Financial Details: The respective license fee of \$100.00 has been collected.

Background Check: The application was turned over to the Grand County Sheriff’s Office, they found no adverse information that would affect the issuance of the license.

Legal Requirements:

Posting: Notice of Hearing was posted, March 26, 2024, at: 1025 Grand Avenue

Attachments: Application for a Special Events Permit & a Diagram of the Premises

Staff Recommendation

Staff recommends the Town Board approve Kevin’s Outreach for Local Emergencies Special Event Liquor Permit, for their “Chili Cookoff” event, on June 22, 2024, at the Grand Lake Town Park.

Town of Grand Lake
1026 Park Avenue
P.O. Box 99
Grand Lake, CO 80447

Departmental Use Only

Application for a Special Events Permit

Liquor Permit Number (Do Not Fill Out)

In order to qualify for a Special Events Permit, You **Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following (See back for details.)**

- Social Athletic Philanthropic Institution
- Fraternal Chartered Branch, Lodge or Chapter Political Candidate
- Patriotic National Organization or Society Municipality Owned Arts Facilities
- Political Religious Institution

LIAB Type of Special Event Applicant is Applying for:

- 2110 Malt, Vinous And Spirituous Liquor \$25.00 Per Day
- 2170 Fermented Malt Beverage \$10.00 Per Day

Name of Applicant Organization or Political Candidate

Kevin's Outreach for Local Emergencies

State Sales Tax Number (Required)

n/a

Mailing Address of Organization or Political Candidate

c/o Melinda Nelson PO Box 779

City

Grand Lake

State ZIP Code

CO 80447

Address of Place to Have Special Event

1025 Park Avenue

City

Grand Lake

State ZIP Code

CO 80447

Authorized Representative of Qualifying Organization or Political Candidate

Melinda Nelson

Date of Birth (MM/DD/YY)

Phone Number

Authorized Representative's Mailing Address (if different than address provided in Question 2.)

City

State ZIP Code

Event Manager

Melinda Nelson

Date of Birth (MM/DD/YY)

[Empty box for Date of Birth]

Phone Number

[Empty box for Phone Number]

Event Manager Home Address

[Empty box for Event Manager Home Address]

City

Grand Lake

State

CO

ZIP Code

80447

Email Address of Event Manager

[Empty box for Email Address of Event Manager]

1. Is the place to have the Special Event located on State-owned property?

Yes No

2. Has Applicant Organization or Political Candidate been issued a Special Event Permit this Calendar Year?

No Yes, How many days? [Empty box]

3. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes?

No Yes, License Number [Empty box]

4. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed?

Yes No

List Below the Exact Date(s) for Which Application is Being Made for Permit

Date

June 22, 2024

From:

8 am

To:

7 pm

Date

From:

To:

Date

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Oath of Applicant

Section 9, Item E.

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Title

Board Member

Signature

M. Nelson

Date (MM/DD/YY)

03/15/2024

Report and Approval of Local Licensing Authority (City or County)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.

Therefore, this Application is Approved.

Local Licensing Authority (City or County)

City County

Telephone Number of City/County Clerk

Title

Signature

Date (MM/DD/YY)

Do Not Write in this Space - For Department of Revenue Use Only

Liability Information

License Account Number

Liability Date

State

Total

-750 (999)

\$

.00





1026 Park Ave · PO Box 99
 Grand Lake, CO 80447
 970-627-3435
 www.townofgrandlake.com

April 8, 2024

To: Mayor Kudron and Board of Trustees
 From: Alayna Carrell, Town Clerk
 Re: Approving a New Special Event Permit and Consideration of Resolution 26-2024, Waiving the New Special Event Fee of \$250.00 for Kevin’s Outreach for Local Emergencies for Their “Chili Cookoff” on June 22, 2024

Purpose

The Town has received a request from Kevin’s Outreach for Local Emergencies for the use of the Heckert Pavilion and Town Park to hold their “Chili Cookoff” event on June 22, 2024.

Background

Kevin’s Outreach for Local Emergencies is a new organization continuing the annual tradition that’s become so special in our community. Although this is not a new event, this is a new organization overseeing it, which qualifies as a “significant change” and needs the Board’s approval. Staff did collect the \$250.00 “new event” fee, but the organization is requesting we waive that fee since the event has been a tradition for quite some time.

Board Action

The Board has several options to consider including:

1. Granting the new special event permit and Resolution 26-2024; or
2. Granting the request with modifications; or
3. Deny the request.

Suggested motions:

1. ***I move to APPROVE THE NEW SPECIAL EVENT PERMIT AND RESOLUTION 26-2024, WAIVING THE NEW SPECIAL EVENT FEE OF \$250.00 FOR KEVIN’S OUTREACH FOR LOCAL EMERGENCIES FOR THEIR “CHILI COOKOFF”.***

Or

2. ***I move to APPROVE THE NEW SPECIAL EVENT PERMIT AND RESOLUTION 26-2024, WAIVING THE NEW SPECIAL EVENT FEE OF \$250.00 FOR KEVIN’S OUTREACH FOR LOCAL EMERGENCIES FOR THEIR “CHILI COOKOFF”, as presented, with the following conditions***

Or

3. ***I move to DENY THE NEW SPECIAL EVENT PERMIT AND RESOLUTION 26-2024.***

**TOWN OF GRAND LAKE
BOARD OF TRUSTEES
RESOLUTION NO. 26-2024**

**A RESOLUTION WAIVING THE NEW SPECIAL EVENT FEE OF \$250.00 FOR KEVIN’S OUTREACH
FOR LOCAL EMERGENCIES FOR THEIR
“CHILI COOKOFF”**

WHEREAS, the Board of Trustees of the Town of Grand Lake, Colorado (the “Board”) pursuant to Colorado Statute is vested with the authority of administering the affairs of the Town of Grand Lake, Colorado (the “Town”); and

WHEREAS, Kevin’s Outreach for Local Emergencies (the “Applicant”) has applied for a new special event permit (the “Application”); and

WHEREAS, pursuant to the Town Code the fee for a new special event is \$250.00 (the “Special Event Fee”); and,

WHEREAS, the Board of Trustees has the authority pursuant to Colorado State Statute § 31-15-901 (1) (c) and Section 2-3-2 of the Municipal Code to adopt a resolution waiving the Town fee; and,

WHEREAS, upon consideration of staff comments and discussion amongst the Board members, the Board concluded that waiving the special event fee for the Applicant is in the best interests of the Town and its citizens; and

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

Section 1. The Board hereby waives the Special Event Fee for Kevin’s Outreach for Local Emergencies, “Chili Cookoff” event to be held June 22, 2024.

Section 2. Severability: If any section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution. The Board of Trustees declares that it would have passed this Resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. Repeal: Existing resolutions or parts of resolutions covering the same matters as embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.

DULY MOVED, SECONDED, AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE THIS 8TH DAY OF APRIL 2024.

(SEAL)

Votes Approving:
Votes Opposing:
Votes Abstaining:
Absent:

ATTEST:

Alayna Carrell, Town Clerk

Stephan Kudron, Town Mayor

2024 CHILI COOK OFF KOLE FUND & GL FIRE JUNE 22ND

Dumpster



er Library

Entrance

Town Square Park

Liquor Boundary

Liquor Boundary

Stage

Craft Vendors

Picnic Tables

FOOD (GL FIRE)

Liquor Boundary

Entrance

Chili Vendors

Liquor Boundary

Liquor Boundary



April 8, 2024

To: Mayor Kudron & Trustees

From: Alayna Carrell, Town Clerk

RE: Election Judges Compensation for the April 2, 2024, Town of Grand Lake Municipal Election

State statute does require at least three election judges for a municipal election and allows the governing body to delegate the authority and responsibility to appoint judges to the Town Clerk. The judges are sworn to "... studiously endeavor to prevent fraud, deceit, and abuse in conducting ..." the election. The qualification for a judge is to be a registered elector of at least 18 years of age. The requirement that judges live within the boundaries of the body holding the election no longer is in effect.

Election judges are to be compensated for their time and travel and request that election judges be paid \$225, which equates to \$15 per hour for a 15-hour day, which is typical of an election day, as well as, mileage reimbursement for their travel.

I hereby request that the Board take the following suggested motion:

I move to adopt Resolution 23-2024, a Resolution approving the compensation of appointed judges for the April 2, 2024, Town of Grand Lake Municipal Election.

**TOWN OF GRAND LAKE
RESOLUTION NO. 23-2024**

**A RESOLUTION REGARDING COMPENSATION OF APPOINTED JUDGES
FOR THE APRIL 2, 2024,
TOWN OF GRAND LAKE REGULAR MUNICIPAL ELECTION**

WHEREAS, the Town of Grand Lake held its regular municipal election on Tuesday, April 2, 2024; and

WHEREAS, Colorado Revised Statutes 31-10-401 et. seq. specify the number, and qualification of judges of election; and

WHEREAS, Colorado Revised Statute 31-10-401 allows the governing body to delegate to the clerk the authority and responsibility to appoint judges of election,

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

- 1. The judges of election shall be compensated two hundred twenty-five dollars for the day.

DULY MOVED, SECONDED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO THIS 8TH DAY APRIL 2024.

(SEAL)

Votes Approving: _____
Votes Opposed: _____
Absent: _____
Abstained: _____

ATTEST:

**TOWN OF GRAND LAKE
BOARD OF TRUSTEES**

Alayna Carrell, Town Clerk

BY: _____
Stephan Kudron, Mayor



1026 Park Ave · PO Box 99
Grand Lake, CO 80447
970-627-3435
www.townofgrandlake.com

To: Mayor Kudron and the Grand Lake Board of Trustees
From: John Crone, Town Manager
Re: Ordinance 4-2024, Amending Town Code 4-2-7
Date: April 8, 2024

Background

The Town Code 4-2-7 provides the framework for purchasing supplies and services on the open market. In most cases, the Town must go through a bid process on all purchases for supplies or services; however, there are situations where it is much more efficient to simply make those purchases on the open market. Section 4-2-7 provides the framework for when such purchases are allowed and how they must be made.

Staff has identified certain sections of 4-2-7 that need to be updated. First, staff recommends increasing the limit on allowed purchases from \$15,000 to \$20,000. This reflects increases in the costs of goods and services since the code was last updated. Any purchases over \$20,000 will still need Board approval even if the purchases were anticipated and budgeted.

Staff also recommends allowing more services to be purchased pursuant to 4-2-7. Much of the Town's equipment and vehicles contain warranties or proprietary components that limit the number of contractors who can work on the equipment. It may often be impractical or unwise to take the time to solicit bids for services that, in all practicality, can only be performed by a limited number of contractors (often there is only one contractor who can perform the services). The proposed changes to 4-2-7 will allow for the purchase of routine services or services that are limited based on the equipment being serviced.

Action

If the Board of Trustees wishes to approve the amended procurement policies, it may do so by adopting Ordinance 04-2024 with the following motion:

I move adopt Ordinance 04-2024, Amending Town Code Title 4, Article 2, Section 7..

**TOWN OF GRAND LAKE
BOARD OF TRUSTEES
ORDINANCE NO. 04-2024**

**AN ORDINANCE AMENDING GRAND LAKE MUNICIPAL CODE 4-2-7
REGARDING PURCHASING AND PROCUREMENT**

WHEREAS, the Board of Trustees of the Town of Grand Lake, Colorado, pursuant to Colorado statute and the provisions of the Grand Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Grand Lake, Colorado (“the Town”); and

WHEREAS, the Town of Grand Lake Municipal Code Title 4, Article 2, Section 7 was adopted to set forth the requirements for purchasing supplies and services on the open market; and

WHEREAS, the Town Code Municipal Code Title 4, Article 2, Section 7 needs to be updated to reflect changes in pricing; and

WHEREAS, the Town Code Municipal Code Title 4, Article 2, Section 7 needs to be updated allow for the timely completion of regular services; and

WHEREAS, the Board of Trustees of the Town of Grand Lake has determined that the Grand Lake Municipal Code must be updated to allow for the more efficient operation of government services.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO, THAT:

1. Section 4-2-7 of the Grand Lake Municipal Code is hereby amended with the addition of the **bold underlined** language and the deletion of the ~~strike through~~ language to read in its entirety as attached in exhibit A:
2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part hereof irrespective of the fact that any one part or parts are declared unconstitutional or otherwise invalid.
3. Repeal. Existing ordinances or parts of ordinances covering the same matters as

embraced in this Ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance. Except as specifically amended by this ordinance, all other provisions of the Grand Lake Town Code shall remain in full force and effect.

INTRODUCED, APPROVED AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE THIS 8TH DAY OF APRIL 2024.

Votes Approving: _____
Votes Opposed: _____
Absent: _____
Abstained: _____

ATTEST:

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

Alayna Carrell, Town Clerk

By: _____
Stephan Kudron, Mayor

Exhibit A

4-2-7 - Open Market.

(A) The Town Manager or his designee may purchase services or supplies without contract if the cost of the services or supplies does not exceed ~~fifteen~~ **twenty** thousand ~~(\$15,000.00)~~ **(\$20,000)** dollars, the purchase does not exceed the established budget, and the services or supplies are within one (1) of the following categories:

1. **Services or** Supplies of limited availability, to wit, **services or** supplies indispensable to the Town which are obtainable, for practical purposes, from only one single source.
2. Services or supplies which are required due to an emergency condition or situation. These services or supplies shall not have a monetary limitation due to the existence of an emergency condition or situation.
3. Supplies which are perishable, to wit, supplies which cannot be purchased by ordinary procedures by reason of imminent spoilage or decay.
4. **Services or** supplies required by reason of practicality, to wit, supplies required in respect to uniformity of equipment presently in operation, uniformity of decorative and semi-decorative fixtures and supplies, and in respect to preferences based on particular individual usage or professional advice.
5. Routine **services or** supplies, to wit, supplies such as road base, where due to the quantity necessitated, a large purchase is necessary, but routine in the normal operation of business **or services such as regularly scheduled maintenance on equipment.**

(B) All purchases of services or supplies under this Section shall be purchased at the best value for the lowest cost to the Town of Grand Lake.



1026 Park Ave · PO Box 99
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970-627-3435
www.townofgrandlake.com

To: Mayor Kudron and the Grand Lake Board of Trustees
From: John Crone, Town Manager
Re: Employee Pay Classifications
Date: April 8, 2024

Background

The Town policies require that employee pay be based upon a pay/salary grade schedule:

Pay/Salary Grades

Employee pay is determined per Town salary grades based on job classifications. Job classifications are used to objectively and accurately define and evaluate the duties, responsibilities, tasks and authority level of a job. – Grand Lake Personnel Manual

The reason to have a published pay schedule is primarily to promote transparency in government operations. The pay schedule also allows for ease of pay analysis and pay adjustment. The rates in the schedule do not reflect additional benefits that are provided by the Town. The schedule also provides comparative classifications for the Town's various jobs.

The Board approved the Town's pay schedule in January of this year. The proposed pay schedule only includes one change. It changes the position of Water Superintendent from an hourly position to a salaried, exempt position. This will save the Town money and will bring the position in line with all of the other positions in that pay grade. The current water superintendent approves of the change.

Action

If the Board of Trustees wishes to approve the proposed pay grades, it may do so by adopting Resolution 24-2024 with the following motion:

I move adopt Resolution 24-2024, Approving Town of Grand Lake Employee Pay Grades and Classifications.

TOWN OF GRAND LAKE

RESOLUTION 24-2024

APPROVING TOWN OF GRAND LAKE EMPLOYEE PAY GRADES AND JOB CLASSIFICATIONS

WHEREAS, the Town of Grand Lake employs many workers across a wide range of positions; and,

WHEREAS, the publication of pay grades and job classifications promotes government transparency in the community; and,

WHEREAS, the publication of pay grades and classifications encourages fair and non-discriminatory treatment of all employees; and,

WHEREAS, the publication of pay grades and classifications allows for more efficiency in the hiring of new employees and the promotion of current employees; and,

WHEREAS, it is important to the provision of good government that the Town of Grand Lake’s pay grades and classifications be easily accessible to all employees and citizens; and,

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

The Town of Grand Lake Employee Pay/Salary Grades and Job Classifications attached to this resolution are hereby adopted.

DULY MOVED, SECONDED, AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO, THIS 8th DAY OF APRIL 2024.

(SEAL)

Votes Approving:

Votes Opposed:

Absent:

Abstained:

ATTEST:

TOWN OF GRAND LAKE

Alayna Carrell
Town Clerk

Stephen Kudron
Town Mayor

Town of Grand Lake Pay/Salary Grades and Job Classifications – April 8, 2024

<u>Salary Grade</u>	<u>Job Title</u>	<u>Range Minimum</u>	<u>Range Maximum</u>
500	Town Manger (e)	\$102,823	\$171,840
		\$49.43	\$82.62
400	Treasurer (e)	\$74,693	\$134,800
		\$35.91	\$64.81
	Public Works Director (e)		
	Water Superintendent (e)		
	Community Development Director (e)		
	Clerk (e)		
350	Planner (e)	\$58,240	\$87,360
		\$28.00	\$42.00
	Asst. PW Director		
	Community Engagement Manager (e)		
300	Marina Director (e)*	\$41,100	\$72,800
		\$26.00	\$35.00
250	PW Operator I	\$45,760	\$76,960
		\$22.00	\$37.00
	PW Mechanic		
	Water Operator I		
	GLC Manager		
	Code Enforcement Officer		
	Bookkeeper		
200	PW Operator II	\$43,680	\$66,560
		\$21.00	\$32.00
	Water Operator II		
	Administrative Assistant		
	Parks Maintenance		
	Events Manager		
100	Seasonal Marina Employee	\$14.42	\$25.00



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Date: April 8, 2024
To: Mayor Kudron and the Board of Trustees
From: Matthew Reed, Director of Public Works
Re: Approval of Equipment Trade

Background

The Town of Grand Lake purchased our Case 2020 721G loader with an extended warranty. We have had several significant issues with this tractor. From bent boom pieces to now metal in the hydraulics that already destroyed one pump because it couldn't build enough pressure to release the brakes. The hydraulics are still having issues, Case has been here multiple times to adjust with no success. They cover some of these items but not all, we put around \$9,000.00 in repairs last year into this machine. Working with Mark, our John Deer Representative, we have come up with a plan.

Four Rivers would take the Case loader with the dirt bucket, as well as our 2009 710J backhoe loader with the dirt bucket in trade for a 624K. This machine would be coming from the Town of Silverthorne. It is equipped with new snow tires, dirt bucket, the same Ryland coupler we use and a large GJERSTAD blade with hydraulic wings. I have inspected this loader personally and feel it is in our best interest to proceed with the trade. This is a straight across trade no money will change hands.

Motion

If the Board of Trustees desires to accept the bid from Four Rivers Equipment:

I move to accept the bid from Four Rivers Equipment for the trade of our Case 721G and 710J for the 624K loader and blade.

