



Grand Lake Planning Commission

Wednesday, August 20, 2025 at 6:30 PM

Online via Goto Meeting

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

AGENDA

1. Call to Order
2. Roll Call
3. Conflicts of Interest
4. Unscheduled Citizen Participation
This time is reserved for members of the public to make a presentation to the Commission on items or issues that are not scheduled on the agenda. The Commission will not make any decisions on items presented during this time.
5. Items for Discussion
 - A. QUASI JUDICIAL (PUBLIC HEARING) – Resolution 08-2025 – Preliminary Development Application for a 3-story mixed-use building located at 900 Grand Avenue. The proposal consists of ground floor commercial and two residential units.
 - B. QUASI JUDICIAL (PUBLIC HEARING) – Resolution 09-2025 - Consideration of a Zoning Regulation Variance for 1001 and 1005 Lake Avenue as part of a proposed development project located at 1016 Grand Avenue and 1001, 1005, and 1007 Lake Avenue.
 - C. QUASI JUDICIAL (PUBLIC MEETING) – Resolution 10-2025 - Consideration of a Rezoning Amendment Request to the Official Zoning Map for the Town of Grand Lake for Town-owned Property Located on Lots 1 through 4, Block 3 Town of Grand Lake, more commonly known as 1128 Park Avenue.
 - D. QUASI JUDICIAL (PUBLIC HEARING) – Resolution 11-2025 - Consideration of a Design Review for a boat house at: Legal: LAKE KOVE SUBDIVISION Lot: 5 LESS ROW, Town of Grand Lake, more commonly known as 377 Lake Kove Dr.
6. Future Agenda Items
7. Adjourn Meeting

You will not be able to actively participate via the web streaming.

<https://us06web.zoom.us/j/86924374923?pwd=WBB55CCx0XraL66V76U36dbQUxUGnW.1>

You can also dial in using your phone. 719-359-4580

Meeting ID: 869 2437 4923

Access Code: 410239



PLANNING COMMISSION STAFF MEMORANDUM

DATE: August 20, 2025
TO: Chairman Shockey and Planning Commissioners
FROM: Emily Weber, Contract Staff - Planning Department
SUBJECT: **QUASI JUDICIAL (PUBLIC HEARING)** – Resolution 08-2025 – Preliminary Development Application for a 3-story mixed-use building located at 900 Grand Avenue. The proposal consists of ground floor commercial and two residential units.

Overview

- **Property Owner and Applicant:** 900 THOUSAND LLC
- **Applicant Representatives:** Kaylee and Will Wallseen
- **Project Location:** 900 Grand Avenue



- **Project Zoning:** Commercial Zone District (C)
- **Attachments:**
 - Preliminary Plan Set

The applicant is proposing to redevelop the project site with a new multistory mixed-used development that includes 1,970 SF of ground floor commercial space and two 2,229 SF residential units on the second and third floors. The project lot is approximately 5,000 SF and is located in the community’s core downtown area. The commercial space is intended to be a taphouse with a 1,967 SF outdoor patio with gas fire pits and overhead heating elements.



Staff Analysis

Public notices were completed following Municipal Code requirements for Preliminary Development Applications. Notices included both the Planning Commission and Board of Trustees meeting details. The following staff analysis is based off the requirements outlined in Town Code Section 12-2-18 – Regulations for Commercial District, Section 12-2-26 – Regulations for Mixed Use Developments, Section 12-2-28 – Parking Regulations and Design Standards, and Section 12-7-4 – Design Standards for Structures.

Town Code Section 12-2-18 – Regulations for Commercial District

The proposal meets all setback and height requirements and the proposed commercial and residential units are uses permitted by right in the Commercial District. However, mixed-use developments in the Commercial District with greater than 50% of the total square footage of the building being used for residential purposes shall obtain a conditional use permit. The applicant is proposing 3,937 SF of commercial space (including the taphouse and outdoor patio) and 4,458 SF of residential space. Staff recommends that the applicant apply for a conditional use permit prior to or concurrently with the Final Development Application or modify the plans so that 50% of the building is used for commercial.

Town Code Section 12-2-26 – Regulations for Mixed Use Developments

Multiple family dwellings may be constructed above commercial uses provided that they meet all requirements outlined in section 12-2-26. This includes that trash and service areas shall be screened from view from the dwelling units. The trash enclosure is proposed to be constructed with wood, meeting the screening requirements.

The minimum open space land area required is 35%. The applicant is meeting this requirement with the proposed patio in front of the building.

Town Code Section 12-2-28 – Parking Regulations and Design Standards

The proposed residential units each contain 3 bedrooms, requiring 2 parking spaces each. The proposal include 4 parking spaces on-site, meeting the residential parking requirements. The commercial unit requires 8 parking spaces, however, these spaces may be provided in the public right-of-way adjacent to the site. There are 9 regular parking spaces and 1 accessible parking space directly adjacent to the site, meeting the commercial parking requirements.

The applicant is required to provide snow storage for the site, which may be located within on-site parking spaces. The application is meeting the snow storage requirements.

Town Code Section 12-7-4 – Design Standards for structures

Staff recommends that the Planning Commission discuss the following:

- The primary building material is proposed as “wood grain metal shiplap siding.” This is not listed as an acceptable primary exterior material.
- The Town Code states that, “Although commercial projects should generally be built to the property lines at the sides and along the street frontage, it is possible on Grand Avenue to also soften this edge by the creative uses of intermittent pocket parks, landscaped seating areas, terraces for pedestrian use, open spaces and other safe areas for pedestrian comfort and visual interest, and



functional pedestrian walkways which form the transition between the street and adjacent buildings. It is also appropriate to open up the street wall for a portion of the frontage to create areas of public open space, identify entrances, and make better pedestrian connections.” The proposed building is setback approximately 36 feet from Grand Avenue right-of-way. However, the proposal includes an all-season patio space for pedestrian use.

- Town Code states that after the first two stories, “each additional story shall step back from the street wall a minimum of 12 feet to preserve the viewshed.” While the building is setback 36 feet, creating a viewshed, the third story does not step back.
- Town Code states that “when working within a specified lot line and height restriction, every effort should be made to vary the simple cube shape” and “both additive and subtractive massing approaches are encouraged to reduce the visual impact of large building masses.” The proposed building uses patios and a front gable element to add architectural interest; however, the overall building mass and bulk does not reduce the visual impact of the structure or relate to the pedestrian scale as is encouraged in the Town Code.

Staff recommends that the applicant make changes to the proposed building to meet all requirements outlined in Town Code Section 12-7-4 and to address the massing and bulk of the building.

Staff Recommendation

Staff finds that the application complies with Chapter 12, Article 2 and Article 7 of the Grand Lake Town Code with the following conditions.

1. The applicant shall obtain a conditional use permit or revise the proposed plans to ensure that at least 50% of the total square footage is designated for commercial use.
2. The applicant shall modify the proposed plans so that the building meets all requirements outlined in Town Code Section 12-7-4 and addresses the massing and bulk of the building.

Planning Commission Discussion and Determination

The Planning Commission should discuss the request amongst themselves, with consideration of staff analysis, public comments, and the findings of fact from the code, in order to make a decision/recommendation.

Sample Planning Commission Motions

Approval with or without conditions

I move to approve Planning Commission Resolution 08-2025, a resolution recommending approval of a Preliminary Development Application for a 3-story mixed-use building located at 900 Grand Avenue.

... with the following conditions:

-

Denial (Using the evaluation factors of the Municipal Code for findings of fact)

I move to deny Planning Commission Resolution 08-2025, a resolution recommending denial of a Preliminary Development Application for a 3-story mixed-use building located at 900 Grand Avenue.

GENERAL NOTES - 2015 IRC

- GENERAL CONTRACTOR AND SUBCONTRACTORS SHALL VERIFY ALL DIMENSIONS AND JOINT CONDITIONS AND JOINTS SUFFICIENTLY IN ADVANCE OF WORK TO BE PERFORMED TO ASSURE THE CORRECT PROGRESS OF THE WORK.
- CODES HAVING JURISDICTION SHALL BE OBSERVED STRICTLY IN THE CONSTRUCTION OF THE PROJECT. ALL APPLICABLE STATE, COUNTY, AND CITY REQUIREMENTS REGARDING BUILDING, ZONING, ELECTRICAL, MECHANICAL, FIRE, AND FIRE CODES SHALL BE VERIFIED BY THE GENERAL CONTRACTOR AND SUBCONTRACTORS BEFORE COMMENCEMENT OF CONSTRUCTION. ANY DISCREPANCIES BETWEEN CODE REQUIREMENTS AND THE CONSTRUCTION DOCUMENTS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER.
- SELECT ELECTRICAL INSTALLATION SHALL CONFORM TO THE LATEST REQUIREMENTS OF THE NATIONAL ELECTRICAL CODE AND THE LOCAL BUILDING AUTHORITY.
- MECHANICAL WORK SHALL BE EXCISED AND INSPECTED IN ACCORDANCE WITH PUBLIC UTILITIES REGULATIONS AND LOCAL APPLICABLE CODES.
- DISCREPANCIES WHICH MAY OCCUR IN THE CONSTRUCTION DOCUMENTS SHALL BE BROUGHT TO THE ATTENTION OF THE CONSTRUCTION SUPERINTENDENT AND WRITTEN INSTRUCTIONS SHALL BE OBTAINED BEFORE PROCEEDING WITH THE WORK. THE SUBCONTRACTOR SHALL BE RESPONSIBLE FOR THE RESULTS OF ANY ERRORS, DISCREPANCIES, OR OMISSIONS OF WHICH THE SUBCONTRACTOR FAILED TO NOTIFY THE CONSTRUCTION SUPERINTENDENT BEFORE CONSTRUCTION AND/OR FABRICATION OF THE WORK.
- SUBMIT ALL MANUFACTURERS AND PRODUCT SPECIFICATIONS AND OUT SHEETS TO THIS OFFICE AND THE OFFICE OF THE ENGINEER FOR REVIEW AND APPROVAL.
- ANY CONFLICTS WHICH MAY OCCUR DURING THE CONSTRUCTION PHASE BETWEEN THE CONSTRUCTION DOCUMENTS, APPLICABLE CODES, HAVING JURISDICTION AND MANUFACTURER SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE CONSTRUCTION SUPERINTENDENT AND THE OFFICE FOR FINAL CLARIFICATION.
- IN AREAS WHERE THE CONSTRUCTION DOCUMENTS DO NOT ADDRESS EXISTENT METHODS OR MATERIALS, THE CONSTRUCTION SUPERINTENDENT SHALL BE REQUIRED TO COORDINATE WITH THIS OFFICE AND RECEIVE FINAL INSTRUCTION AND APPROVAL PRIOR TO FABRICATION.
- PERFORM ALL FOUNDATION AND SITE WORK IN ACCORDANCE WITH RECOMMENDATIONS ESTABLISHED WITHIN THE ENGINEERS FINAL SOILS REPORT AND CRITERIA AS COORDINATED BY THE STRUCTURAL ENGINEER.
- THIS OFFICE AND THE OFFICE OF THE ENGINEER SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION PROCEDURES, TECHNIQUES OR THE FAILURE OF THE GENERAL CONTRACTOR AND SUBCONTRACTORS TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONSTRUCTION DOCUMENTS, MANUFACTURER SPECIFICATIONS OR REQUIRED CODES.
- SUBCONTRACTORS SHALL MAINTAIN THE PREMISES CLEAN AND FREE OF ALL TRASH, DEBRIS AND SHALL PROTECT ALL ADJACENT WORK FROM DAMAGE. SOILS, PAINT, OVER BRAYS, ETC. ALL FEATURES, EQUIPMENT, GLAZING, FLOORS, ETC. SHALL BE LEFT CLEAN AND READY FOR OCCUPANCY UPON COMPLETION OF THE PROJECT.
- FIELD MODIFICATIONS OR STRUCTURAL CHANGES SHALL BE PROHIBITED. UNTIL THE CONSTRUCTION SUPERINTENDENT HAS BEEN NOTIFIED IN ADVANCE AND INSTRUCTIONS, CORRECTIONS, MODIFICATIONS WITHOUT OWNER AUTHORITY SHALL BECOME THE RESPONSIBILITY OF THE SUBCONTRACTOR.
- THE GENERAL CONTRACTOR AND SUBCONTRACTOR SHALL BE FOUNDATION STRICT COMPLIANCE WITH MANUFACTURER'S DETAILS, SPECIFICATIONS AND RECOMMENDATIONS, AS WELL AS THE MOST CURRENT INDUSTRY STANDARDS INCLUDING, BUT NOT LIMITED TO, THE INSTALLATION OF CONCRETE, MASONRY, GYPSUM, BRICK, VENEER, FINISH BRICK, FULL STONE AND STONE VENEER, MORTAR, STUCCO, ALL TYPES SPRING JOINT TYPES, TILE, MASONRY BLOCKS, STONEWORK, REINFORCING, FLASHINGS, ALL TYPES ROOFING SYSTEMS, DOWNSPUTS, WATERPROOFING, MEMBRANES, FIBER GLASS JOINT, TYPES, ROOFING FELLS, MECHANICAL, PLUMBING, ELECTRICAL, INSTALLATIONS, GABLES AND TERRAPAZING, VAPOR AND MOISTURE BARRIERS, INSULATION, ALL TYPES USUALLY EQUIPMENT, APPLIANCES AND REFRIGERATION, REFRIGERATION COMPRESSORS, ALL TERMINATING TRANSFORMERS, WIRES AND CABLES SHALL BE SEALED, FLANGED, COUNTERFLASHED AND GASKETED PER HIGH SPECIFICATION AND INDUSTRY STANDARDS.
- DO NOT SCALE DRAWINGS - WRITE DIMENSIONS TAKE PRECEDENCE. NOTES SHALL BE UNDERSTOOD TO MEAN "NOT TO SCALE".
- EXTERIOR DIMENSIONS SHALL BE FROM THE OUTSIDE FACE OF STUDS OR OUTSIDE FACE OF FOUNDATION WALLS. (SEE PLAN)
- ALL STUD WALLS ARE DIMENSIONED 1 1/2" OR 3/4" MINUS, ROUGH STUD HOLE TO ROUGH STUD FACE UNLESS OTHERWISE NOTED.
- FIELD HEADINGS SHALL BE VERIFIED FOR PROPER FIT AND ATTACHMENT FOR ALL WINDOWS, DOORS, CABINETS, TRUSSES, APPLIANCES, HARDWARE, FIXTURES AND PREWALLED EQUIPMENT TRIMS SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS.
- ALL WINDOWS AND EXTERIOR DOOR HEADER SIZES ARE TO BE PER STRUCTURAL PLANS.
- INTERIOR PARTITIONS 2" X 4" AT 16" O.C. FOR ALL WALLS WITH IN LAYERS OF GYPSUM BOARD EACH SIDE UNLESS OTHERWISE NOTED.
- ALL WINDOWS AND GLASS DOORS SHALL BE DOUBLE GLAZED W/ LOW-E. ALL EXTERIOR DOORS AND DOORS LEADING TO UNHEATED AREAS SHALL BE INSTALLED WITH HIGH SPECIES AND BE PROVIDED WITH HIGH RECOMMENDED MEAT INSULATING SEALANT AND FLASHING TO PROVIDE PROPER CONTINUATION OF REQUIRED DRAINAGE PLANE.
- ALL GLASS WITH 48" OR ANY FLOOR LINE SHALL BE TIPPED SAFETY GLASS AS PER INTERIOR FINISH SCHEDULE CODE BOOK.
- ALL EXCESS WINDOWS FROM SLEEPING ROOMS SHALL HAVE MINIMUM NET CLEAR OPENING OF 20 SQ FT, AND THE WINDOW SILL SHALL BE A MAXIMUM OF 47" ABOVE THE FINISH FLOOR.
- PROVIDE ATTIC VENTILATION AS REQUIRED FOR SECTION 706.0 - 1008 IBC.
- DRAIN SPENTS TO DISCHARGE INTO A DRAINAGE DRAINAGE OR CONC. SLOUGH BLOCK. PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING PER SCS'S REPORT, CONTACT FURNISHING DRAINS AND ALL AREA DRAINS, TO SUMP PITS.
- ALL INSULATION CONDITIONS SHALL MEET THESE MINIMUM PRESCRIPTIVE REQUIREMENTS AS FOLLOWS: A RESISTANCE CERTIFICATE MAY BE REQUIRED BY CERTAIN JURISDICTIONS.

BUILDING ENVELOPE REQUIREMENTS PER TABLE R602.1

R-30 MAX 1" GLAZING - DOUBLE PANE W/ LOW-E
R-30 BATT INSULATED BATT AT ALL BASEMENT WALLS
R-40 BATT 2" X 8 EXTERIOR FRAME WALLS
R-40 BATT OR BLOWN AT ATTIC AREAS
R-30 BATT OR BLOWN AT HABITABLE FLOOR AREAS OVER UNHEATED AREAS
EXCEPTION PROVIDE ENOUGH INSULATION TO FILL FINISHING CAVITY. R-40 MIN.

SCOPE OF WORK

NEW RESIDENCE BUILDING

BUILDING AND SITE

OWNER: [REDACTED]
 ADDRESS: [REDACTED]
 PROJECT NO: [REDACTED]
 DATE: [REDACTED]

FINISHED AREA 1ST FLOOR - COMMERCIAL 1975 SF
 FINISHED AREA 2ND FLOOR - RESIDENTIAL 2075 SF
 TOTAL 3950 SF

CODE INFORMATION - IRC

THE FOLLOWING CODES ARE CURRENTLY IN EFFECT WITH THE COUNTY OF BENTONVILLE, ARKANSAS. THESE CODES WILL BE APPLIED TO THIS PROJECT UNLESS OTHERWISE SPECIFIED IN THE CONSTRUCTION DOCUMENTS.

DESIGN CRITERIA

ROOF SNOW LOAD: 20 PSF (SEE PLAN AND NEW SPECIAL INSURANCE 1904)
 FLOOR LIVE LOAD: 40 PSF (SEE PLAN)
 WIND SPEED: 140 MPH (SEE PLAN)
 SEISMIC CATEGORY: II
 RISK LEVEL: MEDIUM
 AS PER: 1909.1.1

DRAWING LIST

A.0.0	COVER
A.0.1	W/FR PLAN
A.0.2	LANDSCAPE
S.1	FOUNDATION
A.1.1	FLOOR PLANS
A.1.2	FLOOR PLANS
A.1.3	FLOOR PLANS
A.2.0	ROOF PLAN
A.3.0	ELEVATIONS
A.3.1	ELEVATIONS
A.4.0	WALL SECTIONS
S.2	STRUCTURAL - 1st LEVEL FRAMING
S.3	STRUCTURAL - 2nd LEVEL FRAMING
S.4	STRUCTURAL - ROOF FRAMING
S.5	STRUCTURAL - DETAILS
S.6	STRUCTURAL - DETAILS



REVISION TABLE	NUMBER	DATE	REVISION	DESCRIPTION

COVER

FIRE SIDE CORNER
 100 GRAND AVE
 GRAND LAKE, CO

DRAWINGS PROVIDED BY:
BUILT HOUSE

DATE:
 6/29/2025

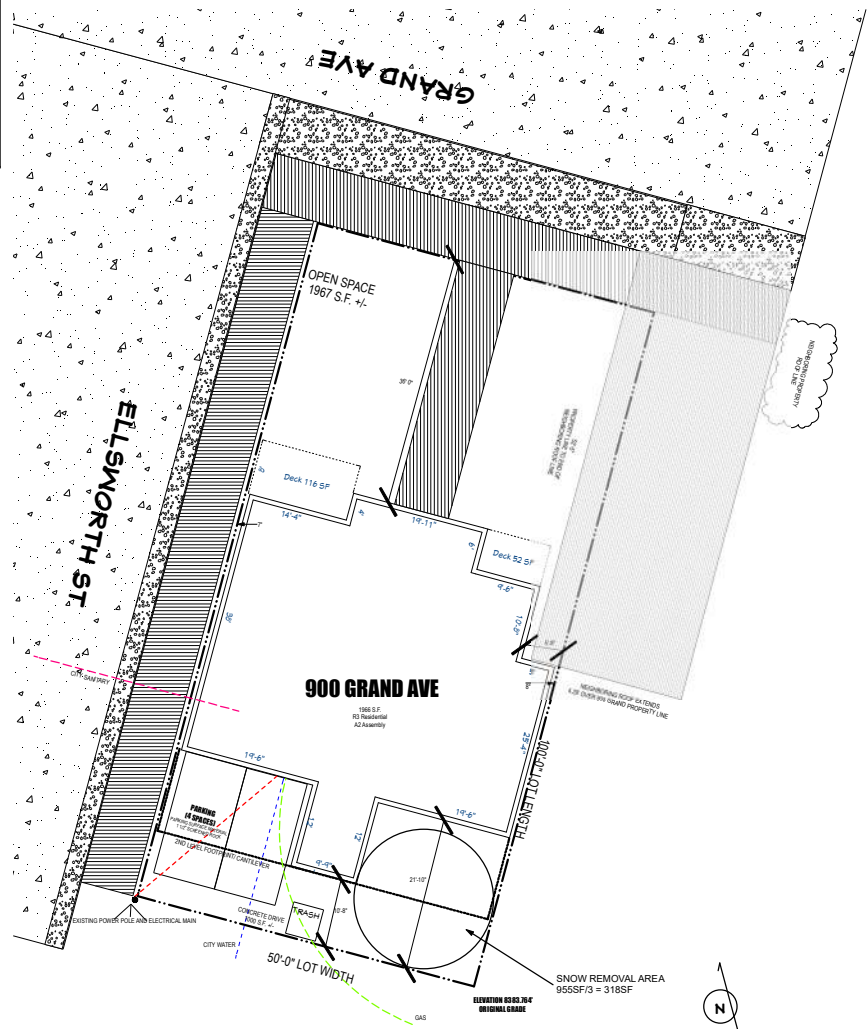
SCALE:

SHEET:
 A.0.0

PARKING:
CREDIT CALCULATION PER 12-2-28/B13
 ELLSWORTH (100') FRONTAGE + GRAND (50' FRONTAGE)
 X 0.085 = 12.75 PARKING SPACES

REQUIRED CALCULATION PER 12-2-28/B11
 2 PER RESIDENTIAL/3BR UNIT = 4
 1 PER 250 SF COMMERCIAL = 9
 NET TOTAL REQUIRED = 1

OPEN SPACE CALCULATIONS - 12-2-28(A)3
 GROUP III - 25-50% COMMERCIAL
 50-75% RESIDENTIAL
 35% REQUIRED OPEN SPACE



PLOT PLAN VIEW
 1 IN = 8 FT

REVISION TABLE	NUMBER	DATE	REVISED BY	DESCRIPTION

SITE PLAN

FIRESIDE CORNER
 800 GRAND AVE
 GRAND AVE, CO









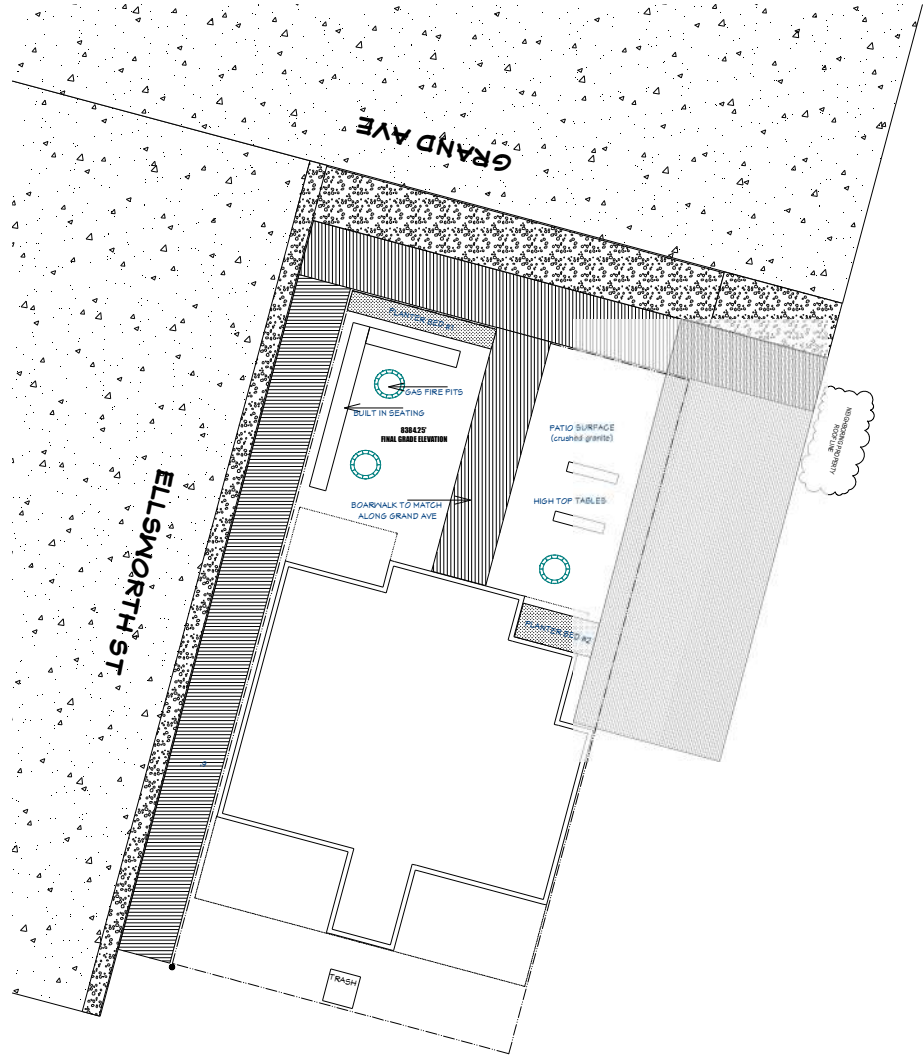
DRAWINGS PROVIDED BY:

DATE:
6/28/2025

SCALE:

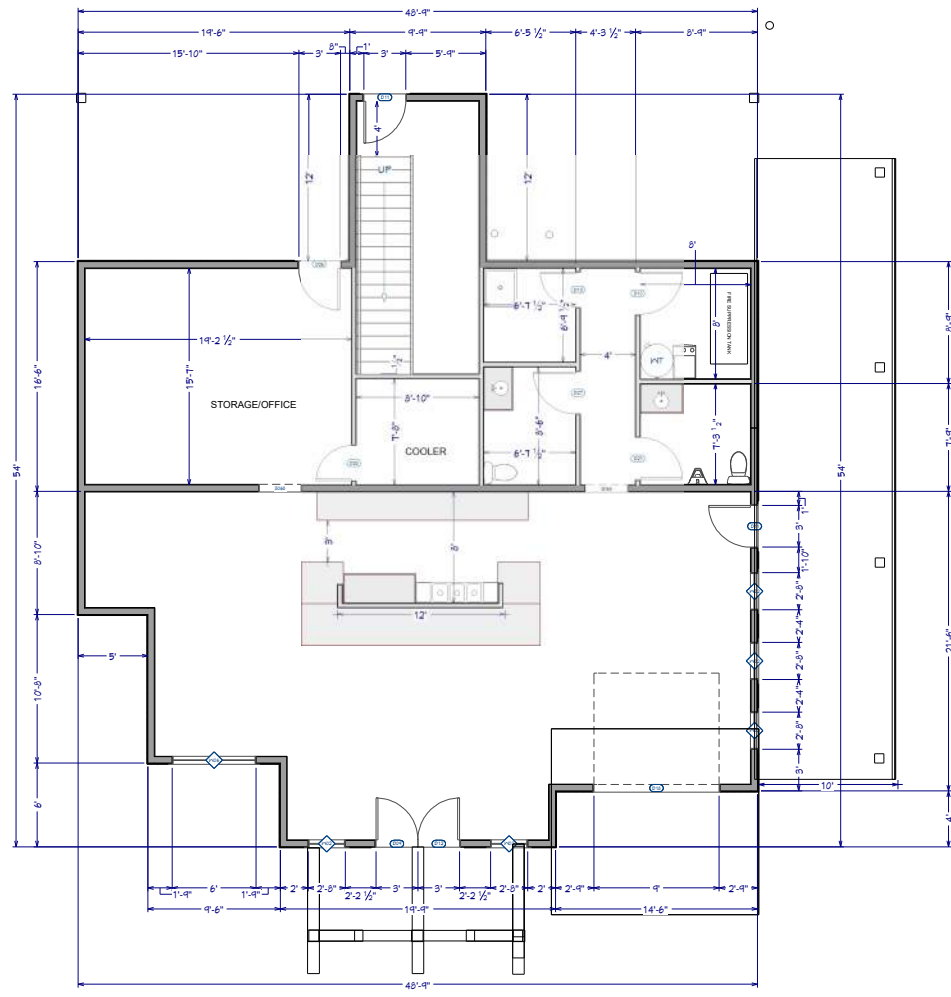
SHEET:
A0.1

OPEN SPACE: 1967 +/-	
<p>LOCATION: BED 1</p> <p>1. DELPHINIUM (DELPHINIUM SPP.)</p> <ul style="list-style-type: none"> DESCRIPTION: TALL, STRIKING PERENNIALS KNOWN FOR THEIR SPIKED CLUSTERS OF VIBRANT FLOWERS. IDEAL FOR THE BACK OF FLOWER BEDS DUE TO THEIR HEIGHT AND VERTICAL INTEREST. ATTRACT HUMMINGBIRDS AND BUTTERFLIES. SIZE: <ul style="list-style-type: none"> HEIGHT: 2 TO 4 FEET SPREAD: 1 TO 2 FEET <p>2. WHITE YARROW (ACHILLEA MILLEFOLIUM 'WHITE')</p> <ul style="list-style-type: none"> DESCRIPTION: HARDY, DROUGHT-TOLERANT PERENNIAL WITH FLAT-TOPPED CLUSTERS OF SMALL WHITE FLOWERS AND FEATHERY, AROMATIC FOLIAGE. PERFORMS WELL IN POOR SOIL AND HOT, DRY CONDITIONS. EXCELLENT FOR POLLINATOR-FRIENDLY AND LOW-MAINTENANCE GARDENS. SIZE: <ul style="list-style-type: none"> HEIGHT: 1.5 TO 2.5 FEET SPREAD: 1.5 TO 2 FEET <p>3. COREOPSIS (COREOPSIS SPP.)</p> <ul style="list-style-type: none"> DESCRIPTION: A LONG-BLOOMING, DROUGHT-TOLERANT PERENNIAL WITH DAISY-LIKE FLOWERS. THRIVES IN FULL SUN AND POOR SOIL, MAKING IT AN EXCELLENT CHOICE FOR LOW-WATER LANDSCAPES AND BUTTERFLY GARDENS. SIZE: <ul style="list-style-type: none"> HEIGHT: 1.5 TO 2 FEET SPREAD: 1 TO 1.5 FEET <p>4. FEATHER REED GRASS (CALAMAGROSTIS • ACUTIFLORA KARL FOERSTER)</p> <ul style="list-style-type: none"> DESCRIPTION: AN UPRIGHT, CLUMP-FORMING ORNAMENTAL GRASS WITH FEATHERY FLOWER PLUMES. HIGHLY DROUGHT-TOLERANT ONCE ESTABLISHED, IT ADDS HEIGHT, TEXTURE, AND YEAR-ROUND STRUCTURE WITH MINIMAL CARE. SIZE: <ul style="list-style-type: none"> HEIGHT: 2 TO 4 FEET (INCLUDING FLOWER PLUMES) SPREAD: 1 TO 3 FEET 	   
<p>LOCATION: BED 2</p> <p>1. HOSTA (PLANTAIN LILY) (HOSTA SPP.)</p> <ul style="list-style-type: none"> DESCRIPTION: SHADE-LOVING PERENNIALS GROWN FOR THEIR LUSH, DECORATIVE FOLIAGE IN A RANGE OF COLORS AND PATTERNS. A GREAT OPTION FOR GROUND COVERING IF MULTIPLES ARE PLANTED TOGETHER. SIZE: <ul style="list-style-type: none"> HEIGHT: 1 TO 2.5 FEET (DEPENDING ON VARIETY) SPREAD: 2 TO 4 FEET 	
<p>TRASH/DUMPSTER ENCLOSURE</p> <ul style="list-style-type: none"> 6' TALL WOOD TO MATCH BUILDING FACADE 	



PLOT PLAN VIEW
1 IN = 8 FT

	REVISION TABLE		
NUMBER	DATE	REVISED BY	DESCRIPTION
LANDSCAPING PLAN			
FIRESIDE CORNER 800 GRAND AVE GRAND LAFAYETTE, CO			
DRAWINGS PROVIDED BY: BUILT HOUSE LANDSCAPE ARCHITECTS			
DATE: 6/28/2025			
SCALE:			
SHEET:			
A0.2			



FLOOR PLAN VIEW DIMENSIONED
1/4 IN = 1 FT

REVISION TABLE	NUMBER	DATE	REVISOR	DESCRIPTION

**FIRST FLOOR PLAN
UNIT 100**

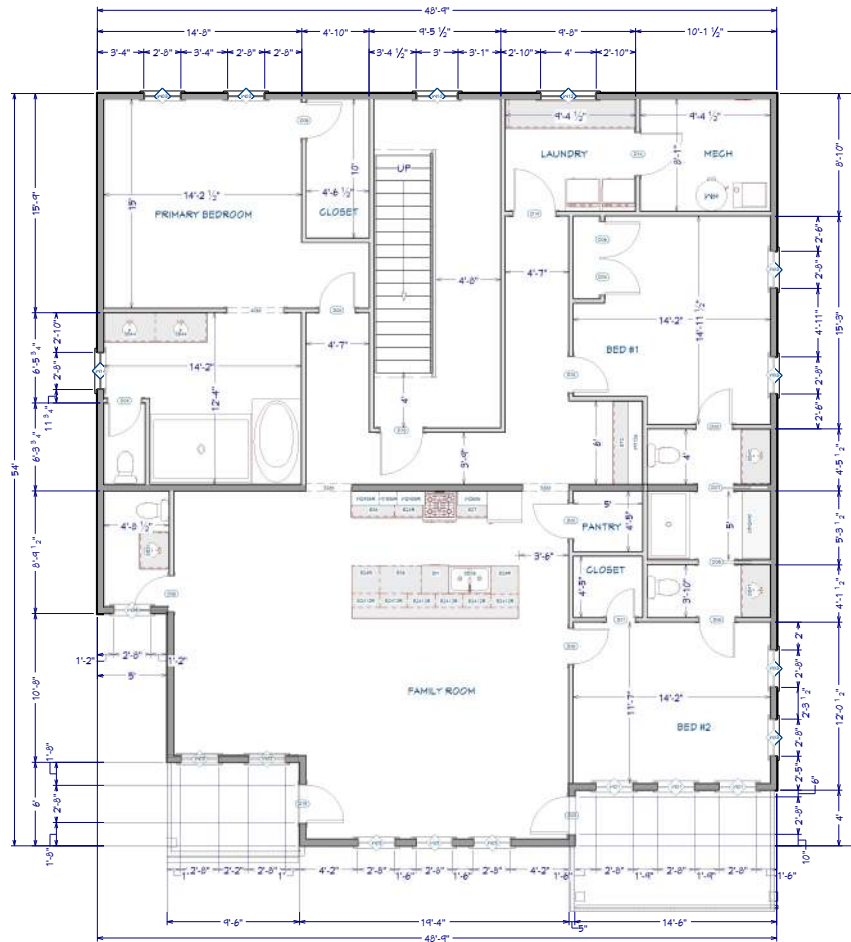
FIRESIDE CORNER
 1000 W. MAIN ST.
 GRAND LANE, CO



DATE:
6/29/2025

SCALE:

SHEET:
A1.1



○ 2ND FLOOR
1/4 IN = 1 FT

REVISION TABLE	
NUMBER	DATE

**2ND FLOOR PLAN
UNIT 200**

FIRESIDE CORNER
800 GRAND AVENUE
GRAND BLAINE, CO



DRAWINGS PROVIDED BY:

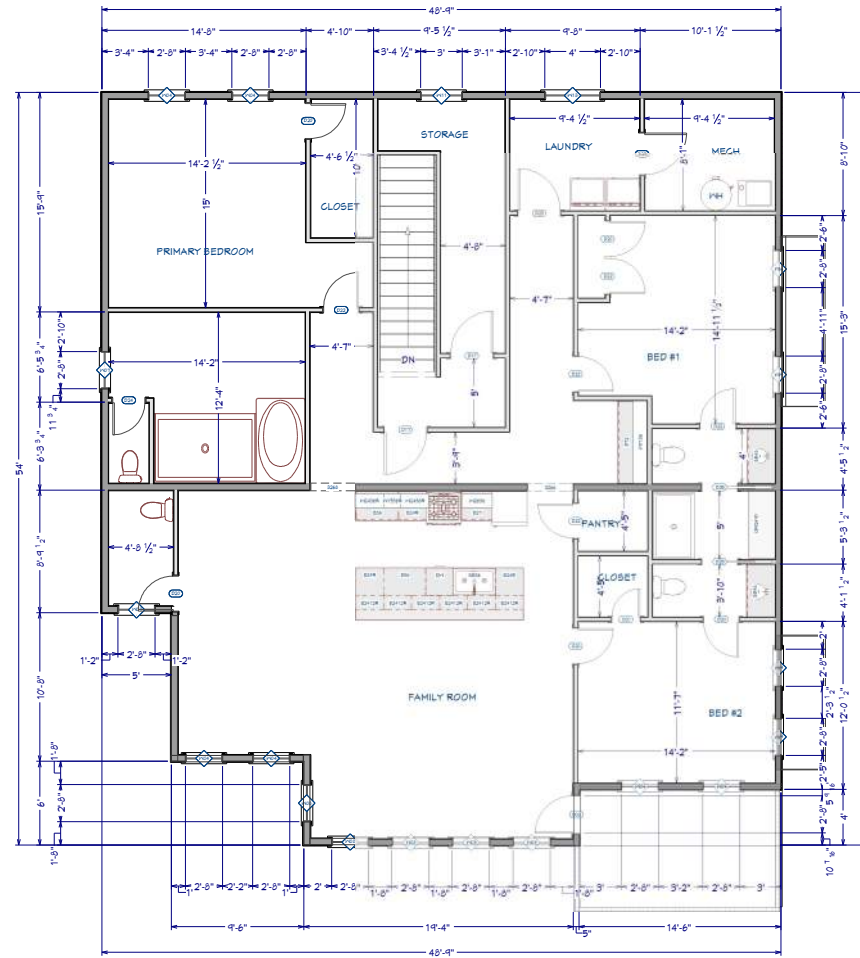
DATE:

6/29/2025

SCALE:

SHEET:

A 1.2



3RD FLOOR
1/4 IN = 1 FT

REVISION TABLE	REVISION NUMBER	DATE	REVISION DESCRIPTION

**3RD FLOOR PLAN
UNIT 300**

FIRESIDE CORNER
800 GRAND AVENUE
GRAND LAFAYETTE, CO



DRAWINGS PROVIDED BY:

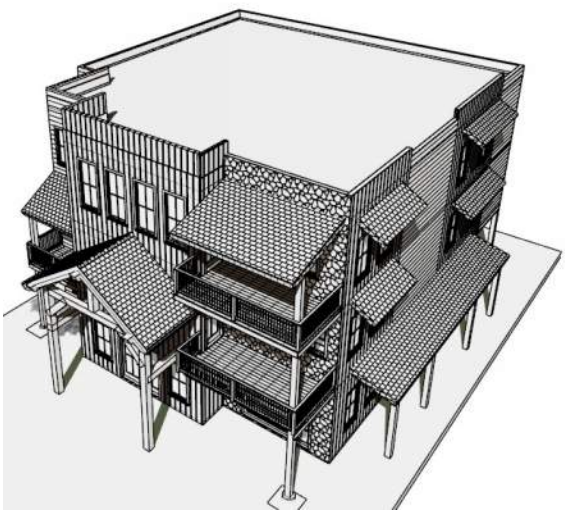
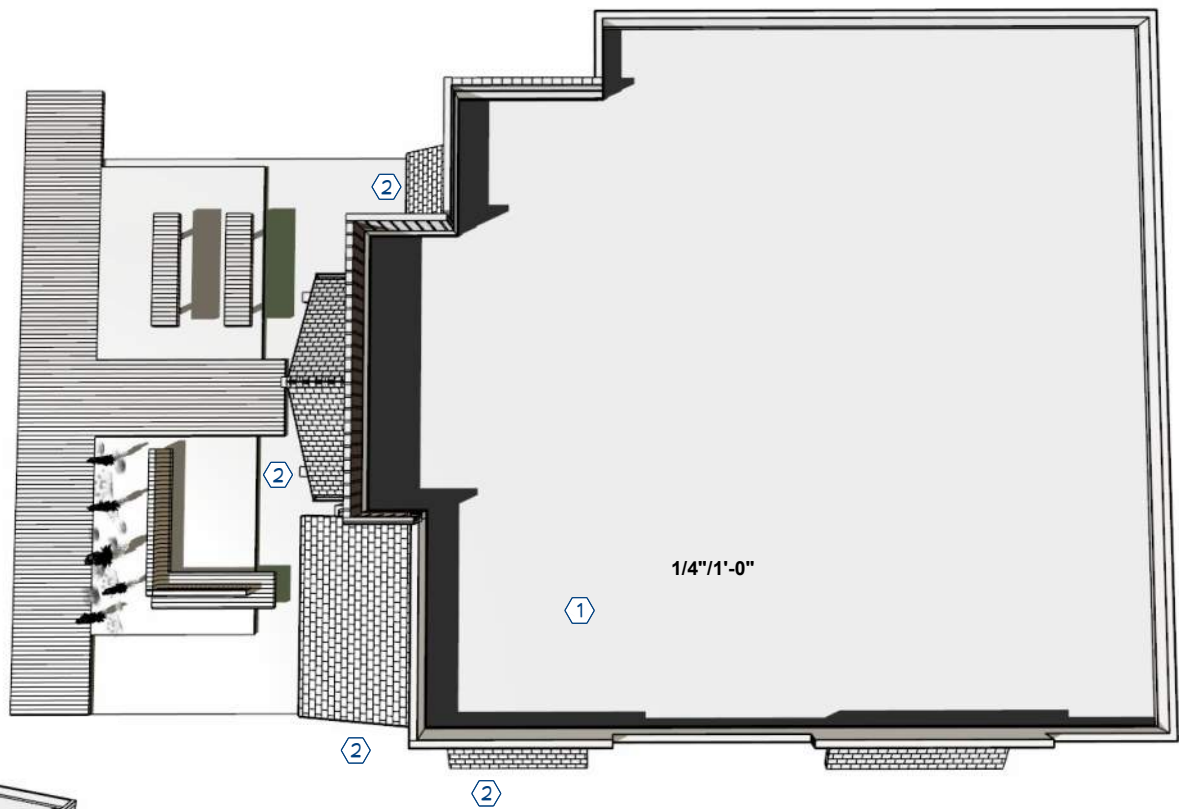
DATE:
6/29/2025

SCALE:

SHEET:

A1.3

TYPICAL EXT. FINISHES	
①	EPDM ROOFING
②	ASPHALT SHINGLES



REVISION TABLE			
NUMBER	DATE	REVISED BY	DESCRIPTION



ROOF PLAN

FIRESIDE CORNER
 800 GRAND AVE
 GRAND LAKE, CO



DRAWINGS PROVIDED BY:
 DATE:
 6/8/2025
 SCALE:
 SHEET:

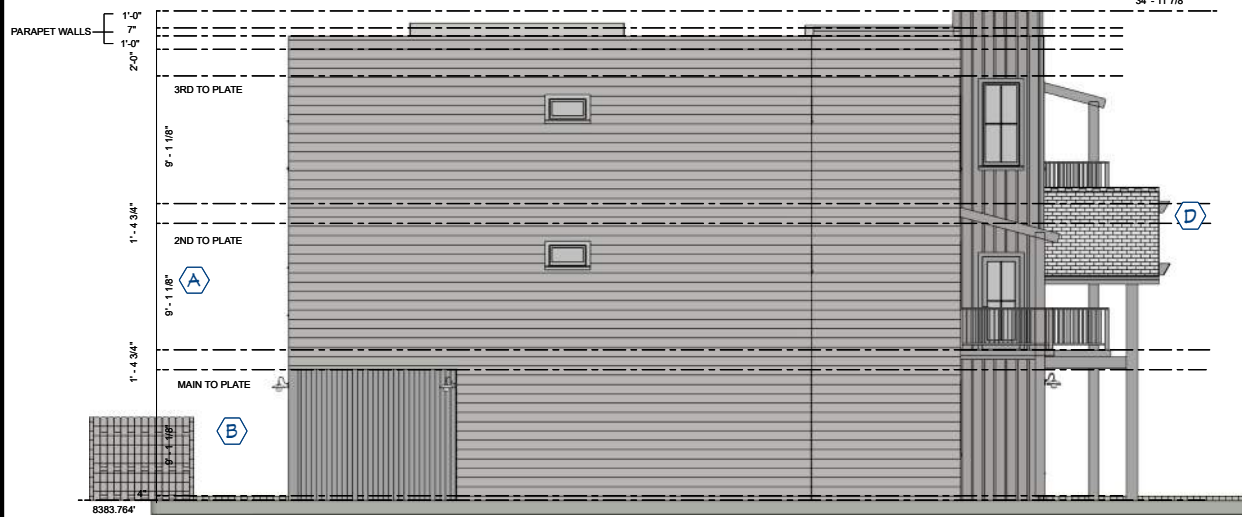
A2.0

TYPICAL EXT. FINISHES		
Wood grain metal shiplap siding in "chestnut"	A	
Corrugated metal siding in "dark bronze"	B	
Rustable standing seam metal siding	C	
Owens Corning Duration asphalt shingles in "teak"	D	
Telluride Stone Gold Collection in "Desert Tortoise Random"	E	
Typical Dark Sky Compliant Exterior Lighting	F	

SCONCE



E3 ELEVATION 3
1/4 IN = 1 FT



E4 ELEVATION 4
1/4 IN = 1 FT

REVISION TABLE	
NUMBER	DATE

ELEVATIONS

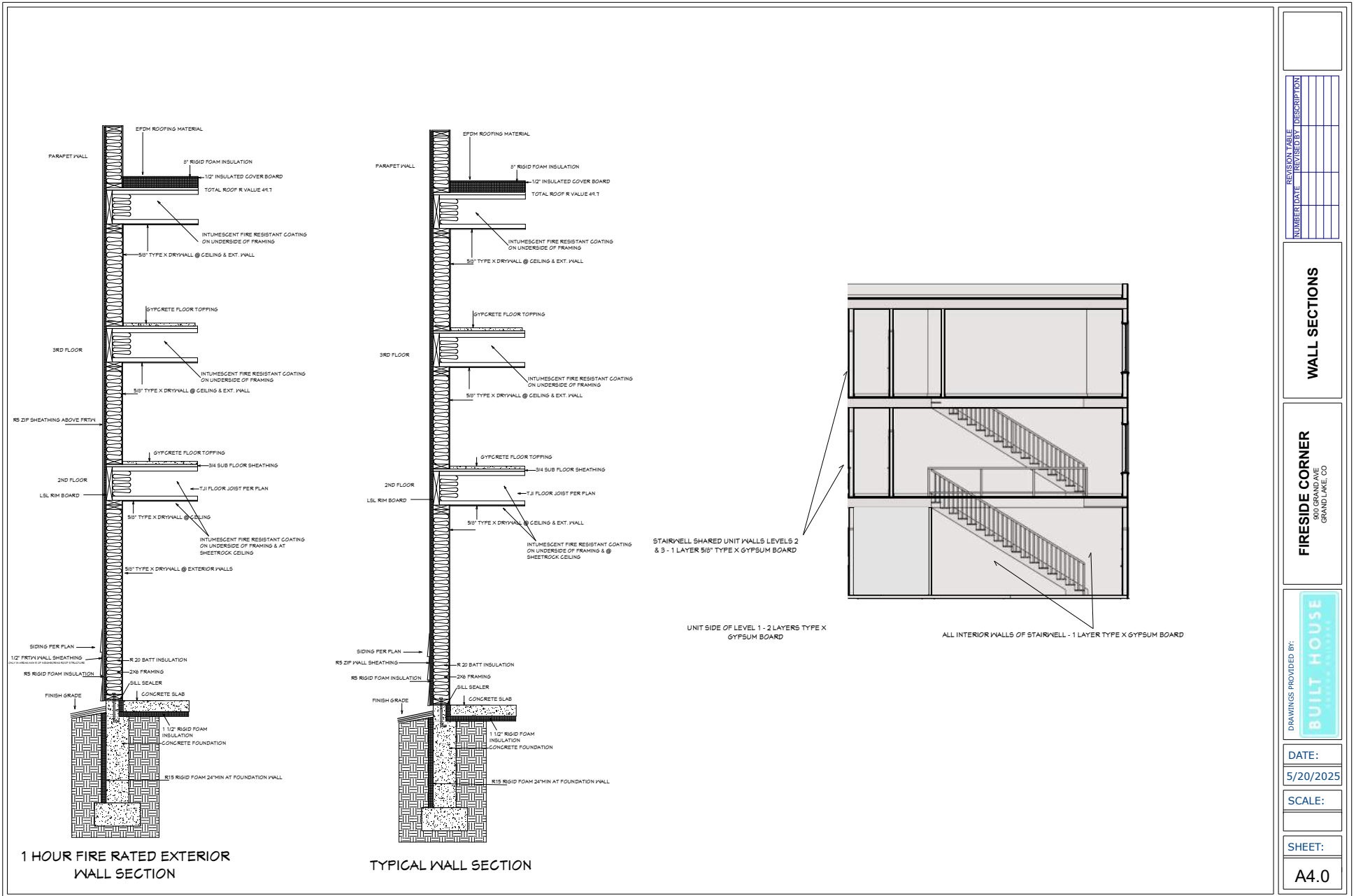
FIRESIDE CORNER
800 GRAND AVE
GRAND LAFAYETTE, CO

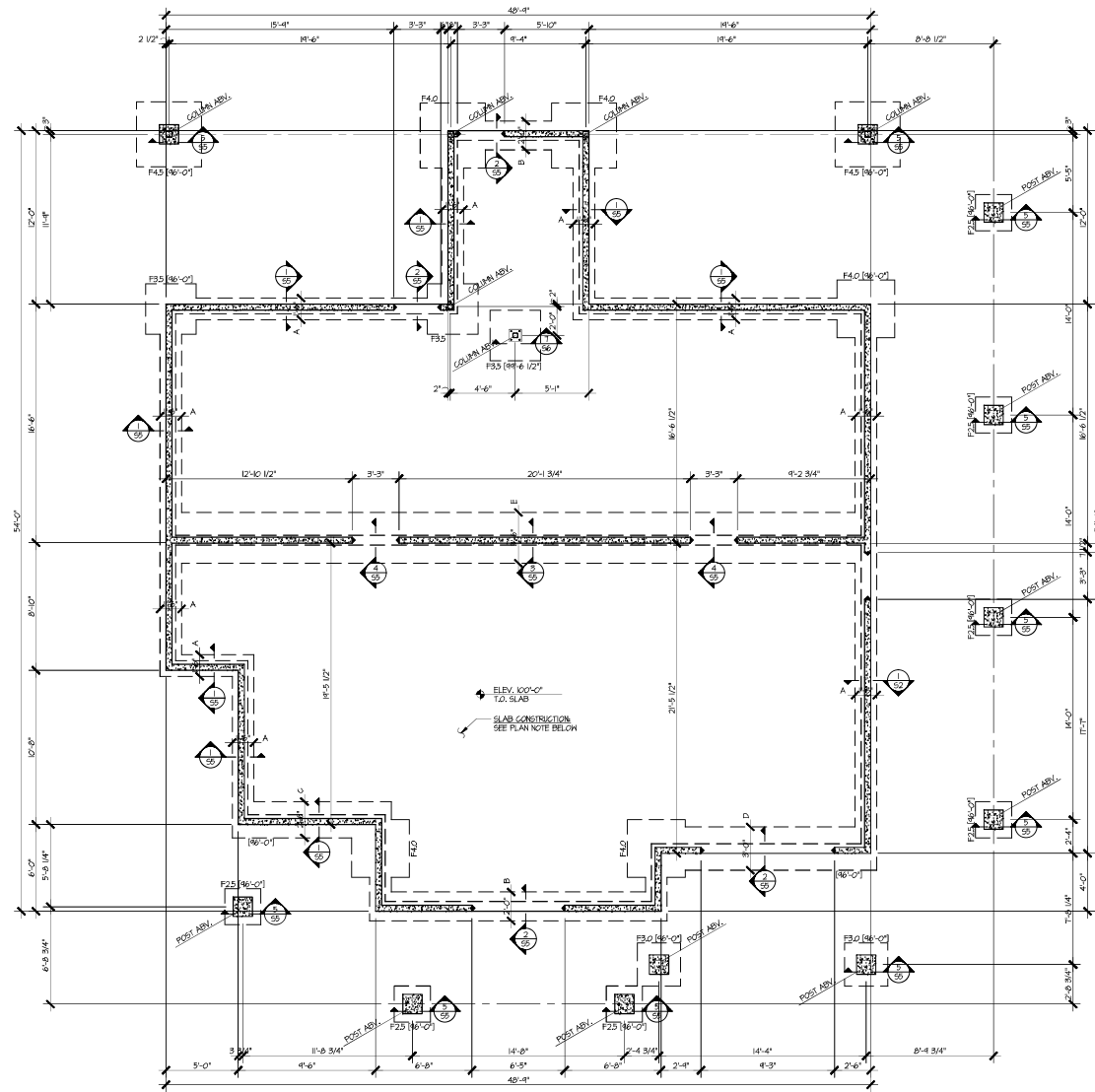


DRAWINGS PROVIDED BY:

DATE:
6/29/2025
SCALE:
SHEET:

A3.1





FOUNDATION PLAN

1/4" = 1'-0" NORTH

- SLAB NOTES
- SEE SHEET GENERAL NOTES ON SHEET 55.
 - SLAB CONSTRUCTION: 4" THICK CONCRETE SLAB-ON-GRADE REINFORCED WITH #4 @ 24" O.C. PLACED AT MID-DEPTH OF SLAB THROUGHOUT ON 1 1/2" RIGID INSULATION ON UNDISTURBED NATIVE SOIL OR COMPACTED STRUCTURAL FILL. FOLLOW ALL RECOMMENDATIONS FROM GEOTECHNICAL ENGINEER. PROVIDE 1" DEEP CONTROL JOINTS AT 10'-0" O.C. EACH WAY MINIMUM.
 - TOP OF FOUNDATION WALL ELEVATIONS SHALL BE 100'-0" UNLESS NOTED OTHERWISE ON PLAN THIS: T.O.W. + ELEVATION
 - TOP OF FOUNDATION LEASE ELEVATIONS SHALL BE 99'-6" UNLESS NOTED OTHERWISE ON PLAN THIS: T.O.L. + ELEVATION
 - TOP OF FOOTING ELEVATIONS SHALL BE 98'-0" UNLESS NOTED OTHERWISE ON PLAN THIS: [ELEVATION]
 - SEE ARCH. DRAWINGS FOR ADDITIONAL DIMENSIONS.

SPREAD FOOTING SCHEDULE					
TYPE	FOOTING SIZE			REINFORCING STEEL	
	WIDTH	LENGTH	THICK.	LONGITUDINAL	TRANSVERSE
A	1'-8"	CONF.	10"	(1) #5% CONF. BOT.	#5 x 1'-4" @ 48" O.C. BOT.
B	2'-0"	CONF.	10"	(2) #5% CONF. BOT.	#5 x 1'-8" @ 48" O.C. BOT.
C	2'-4"	CONF.	10"	(3) #5% CONF. BOT.	#5 x 2'-2" @ 36" O.C. BOT.
D	3'-0"	CONF.	10"	(3) #5% CONF. BOT.	#5 x 2'-8" @ 36" O.C. BOT.
E	3'-6"	CONF.	10"	(3) #5% CONF. BOT.	#5 x 3'-2" @ 24" O.C. BOT.
F25	2'-4"	12"	(3) #5% x 2'-2" BOT.	(2) #5% x 2'-2" BOT.	
F30	3'-0"	12"	(3) #5% x 2'-8" BOT.	(2) #5% x 2'-8" BOT.	
F35	3'-6"	12"	(4) #5% x 3'-2" BOT.	(4) #5% x 3'-2" BOT.	
F40	4'-0"	12"	(4) #5% x 3'-8" BOT.	(4) #5% x 3'-8" BOT.	
F45	4'-4"	12"	(5) #5% x 4'-2" BOT.	(5) #5% x 4'-2" BOT.	



Digitally signed by Michael S. Ziehler
 Date: 2023.06.27
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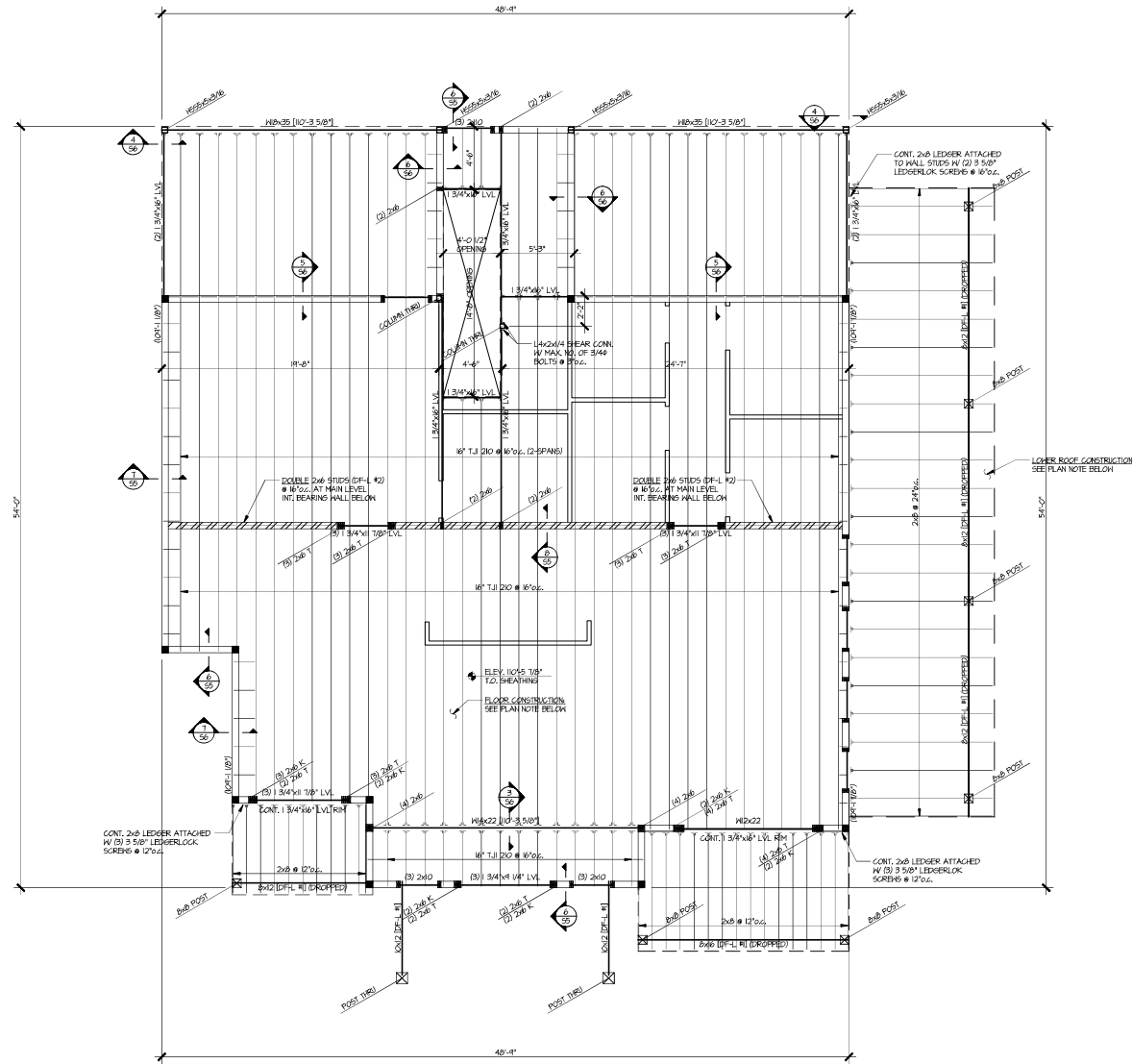
FIRESIDE CORNER
 900 GRAND AVENUE
 GRAND LAKE, COLORADO 80447

NO.	DATE	DESCRIPTION

JOB NO.: 28005
 DATE: 6/26/23
 DRAWN: HSC
 CHECKED: HSC

SHEET TITLE
 STRUCTURAL PLANS

SHEET NUMBER
S1



2nd LEVEL FRAMING PLAN



- PLAN NOTES**
- SEE SHEET GENERAL NOTES ON SHEET 55.
 - LOWER ROOF CONSTRUCTION: 1/2\"/>
 - AT PANEL EDGES AND 24\"/>
 - 2ND LEVEL FLOOR CONSTRUCTION: 1\"/>
 - STUDS-FLOOR SHEATHING: 2x6 @ 12\"/>
 - EXTERIOR WALL CONSTRUCTION: 2x6 STUDS @ 16\"/>
 - 7/8\"/>
 - ALL MAIN LEVEL FLOOR FRAMING MEMBERS SHALL BE FRAMED FULL, TYPICALLY, UNLESS NOTED OTHERWISE THIS (CROPPED)
 - ALL POSTS AND COLUMNS ARE SHOWN BELOW UNLESS NOTED OTHERWISE.
 - ALL EXTERIOR DOOR AND WINDOW HEADERS SHALL BE (2) 2x6, DROPPED, WITH (1) 2x6 TRIM STUD AND (1) 2x6 KING STUD EDGE SIDE OF OPENING, TYPICALLY, UNLESS NOTED OTHERWISE.
 - AT BEAM BEARING LOCATIONS IN STUD WALLS, PROVIDE MULTIPLE STUDS TO EQUAL OR EXCEED WIDTH OF MEMBER UNLESS NOTED OTHERWISE.
 - WITHIN FLOOR JOIST SPACES BENEATH SOLID OR BUILT-UP COLUMNS, BLOCKING OF AREA EQUIVALENT TO POST ABOVE SHALL BE PROVIDED FOR PROPER LOAD TRANSFER.
 - TOP OF WALL PLATE ELEVATIONS SHALL BE NOTED ON PLAN THIS: (ELEVATION)
 - TOP OF WOOD/STEEL BEAM ELEVATIONS SHALL BE NOTED ON PLAN THIS: (ELEVATION)
 - SEE ARCH. DRAWINGS FOR ADDITIONAL OVERSIGHT.

HANGER SCHEDULE*

MEMBER	TYPE
W/ T.J. 210	1752206/6
1 3/4"x6" LVL	1114
2x6	LS228
2x6	LS228

*UNLESS NOTED OTHERWISE ON PLAN



Michael S. Ziehler
 Digitally signed by Michael S. Ziehler
 Date: 2023.06.27 01:07:27 -0600

FIRESIDE CORNER
 900 GRAND AVENUE
 GRAND LAKE, COLORADO 80447

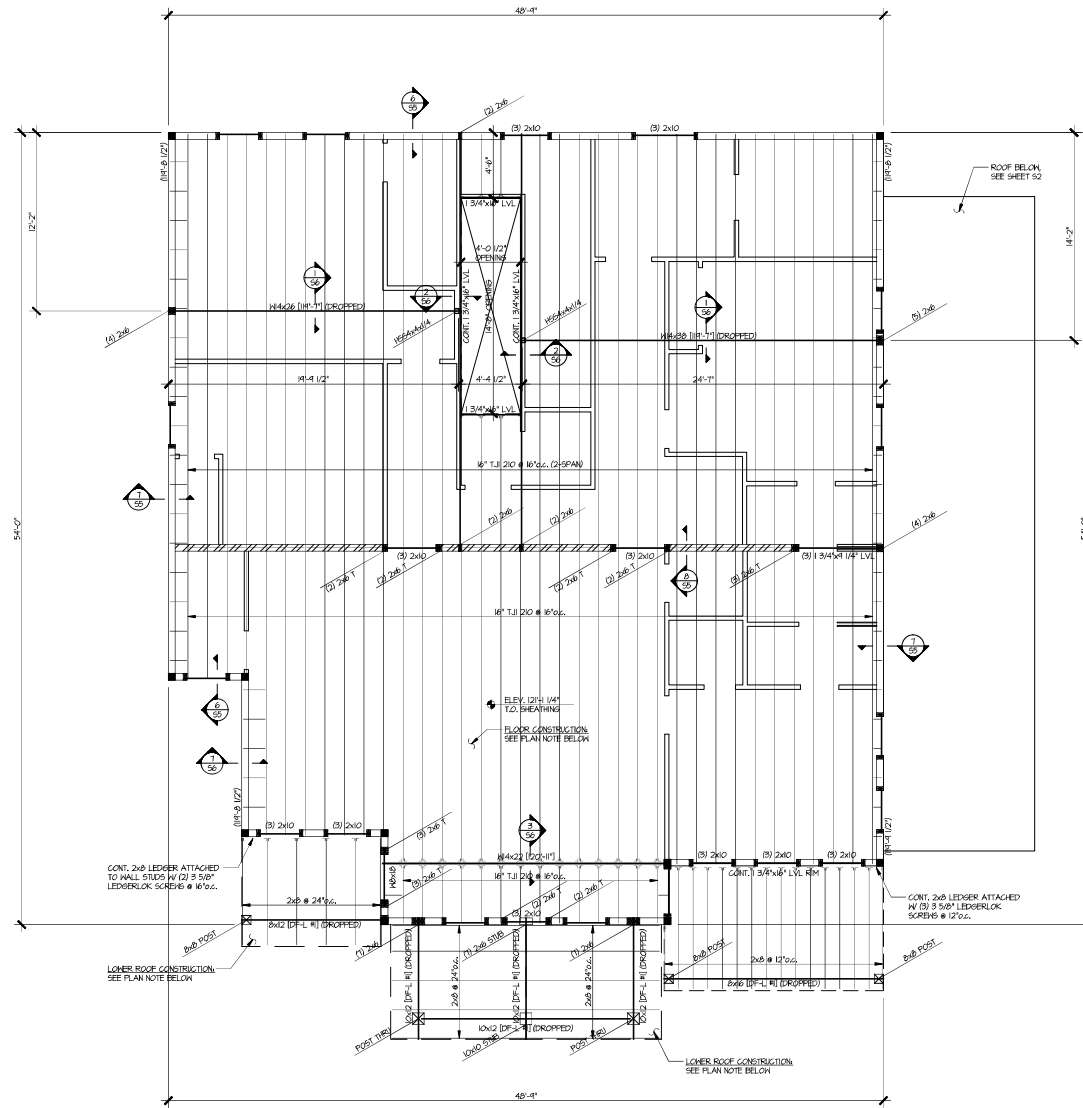
REVISIONS

NO.	DATE	DESCRIPTION

JOB NO.: 26005
 DATE: 6/26/23
 DRAWN: HSC
 CHECKED: HSC

SHEET TITLE
STRUCTURAL PLANS

SHEET NUMBER
S2



3rd LEVEL FRAMING PLAN

- 1/4" = 1'-0" NORTH
- PLAN NOTES**
- SEE SHEET GENERAL NOTES ON SHEET 55.
 - LOWER ROOF CONSTRUCTION: 1/2" APA RATED SHEATHING, 40/20, EXPOSURE 1, NAIL TO SUPPORTS WITH 8d @ 6" O.C. AT PANEL EDGES AND 2d @ 12" O.C. AT INTERMEDIATE SUPPORTS. SEE ARCH'L DRAWINGS FOR ROOF SLOPE.
 - 2ND LEVEL FLOOR CONSTRUCTION: 1/2" LIGHTWEIGHT CONCRETE TOPPING (OR EQUIVALENT) OVER 25/37 APA RATED STUD-FLOOR SHEATHING, 25/30, EXPOSURE 1, 1/4" GULF AND NAIL TO SUPPORTS WITH 8d @ 6" O.C. AT PANEL EDGES AND 2d @ 12" O.C. AT INTERMEDIATE SUPPORTS.
 - EXTERIOR WALL CONSTRUCTION: 2x6 STUDS @ 16" O.C. TYPICALLY, (UNLESS NOTED OTHERWISE ON PLAN, PROVIDE 7/8" APA RATED SHEATHING, 24/8, EXPOSURE 1 ATTACHED TO EXTERIOR FACE OF STUDS W/ 8d NAILS @ 6" O.C. AT PANEL EDGES AND 12" O.C. AT INTERMEDIATE SUPPORTS. BLOCK ALL PANEL EDGES. PROVIDE 1/2" MIN. GUTTER WALLBOARD ATTACHED TO INTERIOR FACE OF STUDS W/ NO. 6 x 1 1/4" SCREWS @ 6" O.C. AT PANEL EDGES AND 12" O.C. AT INTERMEDIATE SUPPORTS.
 - ALL MAIN LEVEL FLOOR FRAMING MEMBERS SHALL BE FRAMED FLUSH TYPICALLY, (UNLESS NOTED OTHERWISE THIS IS CROPPED)
 - ALL POSTS AND COLUMNS ARE SHOWN BELOW UNLESS NOTED OTHERWISE.
 - ALL EXTERIOR DOOR AND WINDOW HEADERS SHALL BE (2) 2x10, CROPPED, WITH (1) 2x6 TRIM STUD AND (1) 2x6 KING STUD EDGE SIDE OF OPENING. TYPICALLY, (UNLESS NOTED OTHERWISE).
 - AT BEAM BEARING LOCATIONS IN STUD WALLS, PROVIDE MULTIPLE STUDS TO EQUAL OR EXCEED WIDTH OF MEMBER UNLESS NOTED OTHERWISE.
 - WITHIN FLOOR JOIST SPACES BENEATH SOLID OR BUILT-UP COLUMNS, BLOCKING OF AREA EQUIVALENT TO POST ABOVE SHALL BE PROVIDED FOR PROPER LOAD TRANSFER.
 - TOP OF WALL PLATE ELEVATIONS SHALL BE NOTED ON PLAN THIS: (ELEVATION)
 - TOP OF WOOD/STEEL BEAM ELEVATIONS SHALL BE NOTED ON PLAN THIS: (ELEVATION)
 - SEE ARCH'L DRAWINGS FOR ADDITIONAL OPENINGS.

HANGER SCHEDULE*

MEMBER	TYPE
16" TJI 210	175226/N6
1 3/4"x6" LVL	1114
2x6	LS228
2x8	LS228

*UNLESS NOTED OTHERWISE ON PLAN



Digitally signed by Michael S. Ziehler
 Date: 2023.06.27
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FIRESIDE CORNER
 900 GRAND AVENUE
 GRAND LAKE, COLORADO 80447

REVISIONS

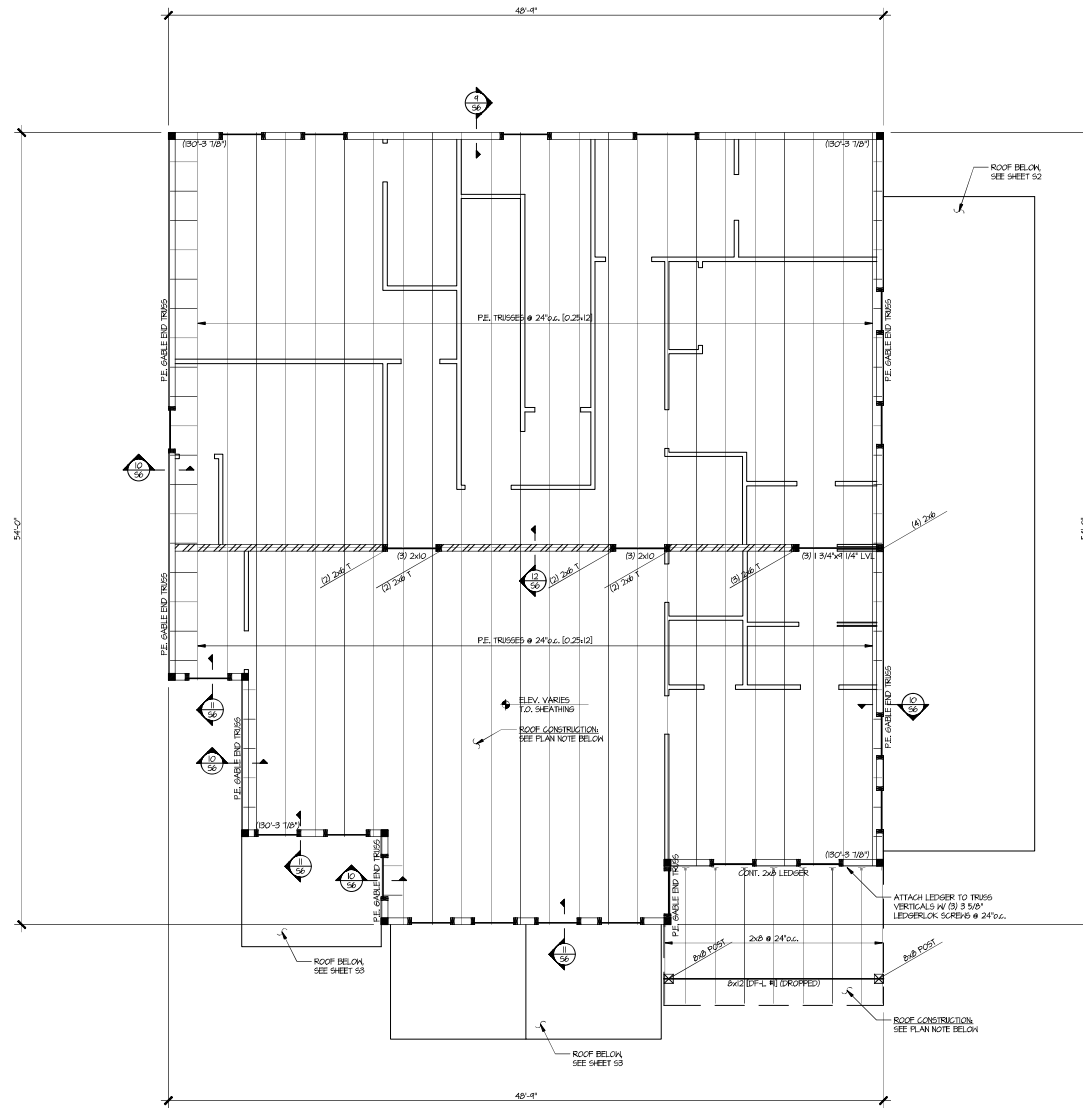
NO.	DATE	DESCRIPTION

JOB NO.: 28005
 DATE: 6/26/23
 DRAWN: HSC
 CHECKED: HSC

SHEET TITLE
STRUCTURAL PLANS

SHEET NUMBER
S3

Section 5, Item A.



ROOF FRAMING PLAN



- PLAN NOTES**
- SEE SHEET GENERAL NOTES ON SHEET 55.
 - ROOF CONSTRUCTION: 100% APA RATED SHEATHING, 4020 EXPOSURE 1 NAIL TO SUPPORTS WITH 6d @ 6" O.C. AT PANEL EDGES AND 8d @ 12" O.C. AT INTERMEDIATE SUPPORTS. SEE ARCH'L DRAWINGS FOR ROOF SLOPE.
 - EXTERIOR WALL CONSTRUCTION: 2x6 STUDS @ 16" O.C. TYPICALLY, UNLESS NOTED OTHERWISE ON PLAN. PROVIDE 100% APA RATED SHEATHING, 2x4g EXPOSURE 1 ATTACHED TO EXTERIOR FACE OF STUDS W/ 6d NAILS @ 4" O.C. AT PANEL EDGES AND 12" O.C. AT INTERMEDIATE SUPPORTS. BLOCK ALL PANEL EDGES. PROVIDE 1/2" MIN. GYPSUM HALLBOARD ATTACHED TO INTERIOR FACE OF STUDS W/ NO. 6 @ 16" SPACING @ 8" O.C. AT PANEL EDGES AND 12" O.C. AT INTERMEDIATE SUPPORTS.
 - ALL ROOF LEVEL FLOOR FRAMING MEMBERS SHALL BE FRAMED FLUSH TYPICALLY, UNLESS NOTED OTHERWISE THIS (DROPPED)
 - ALL POSTS AND COLLARS ARE SHOWN BELOW UNLESS NOTED OTHERWISE.
 - ALL EXTERIOR DOOR AND WINDOW HEADERS SHALL BE (1) 2x6 TRIM STUD AND (1) 2x6 KING STUD EACH SIDE OF OPENING TYPICALLY, UNLESS NOTED OTHERWISE.
 - AT BEAM BEARING LOCATIONS IN STUD WALLS PROVIDE MULTIPLE STUDS TO EQUAL OR EXCEED WIDTH OF MEMBER UNLESS NOTED OTHERWISE.
 - WITHIN FLOOR JOIST SPACES BENEATH SOLID OR BUILT-UP COLUMNS, BLOCKING OF AREA EQUIVALENT TO POST ABOVE SHALL BE PROVIDED FOR PROPER LOAD TRANSFER.
 - TOP OF WALL PLATE ELEVATIONS SHALL BE NOTED ON PLAN THIS (ELEVATION)
 - TOP OF WOOD/STEEL BEAM ELEVATIONS SHALL BE NOTED ON PLAN THIS (ELEVATION)
 - SEE ARCH'L DRAWINGS FOR ADDITIONAL DIMENSIONS.

HANGER SCHEDULE*	
MEMBER	TYPE
2x6	LRS2B

*UNLESS NOTED OTHERWISE ON PLAN



Michael S. Ziehler
 Digitally signed by Michael S. Ziehler
 Date: 2023.06.27 01:05:42 -0600

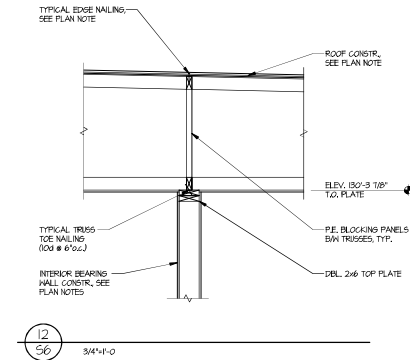
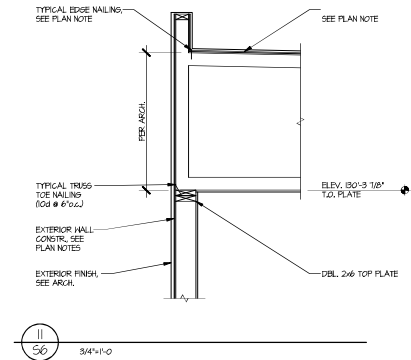
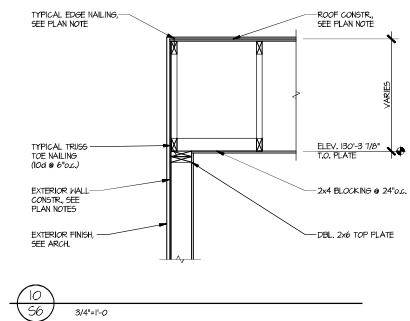
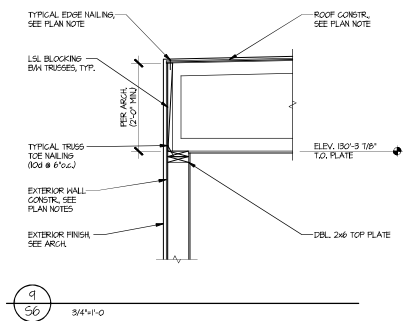
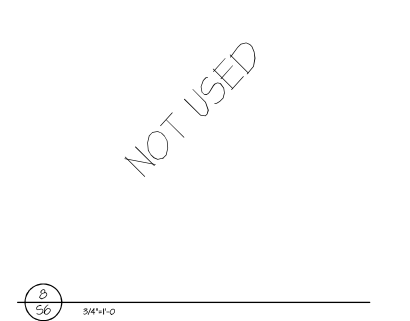
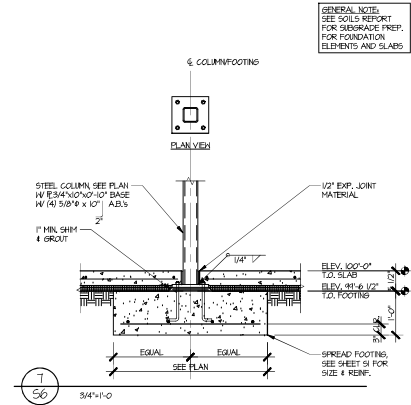
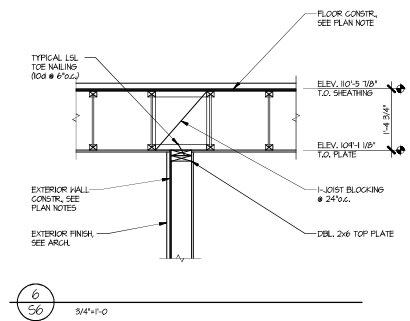
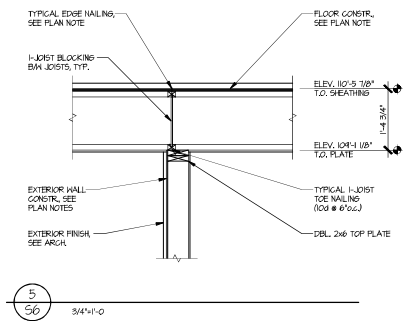
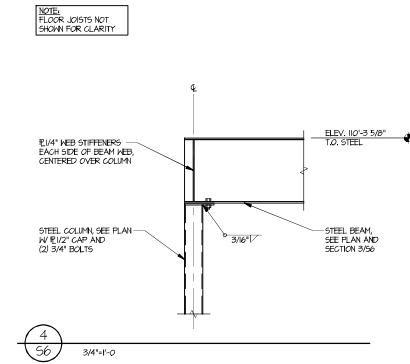
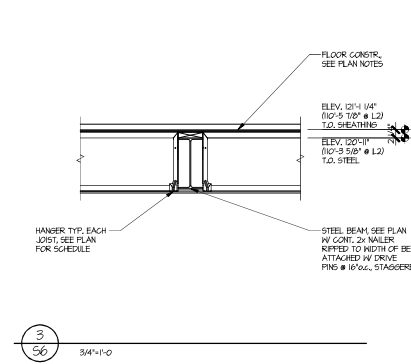
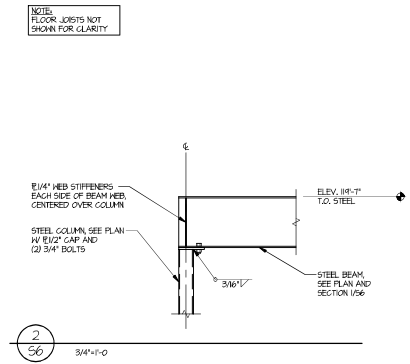
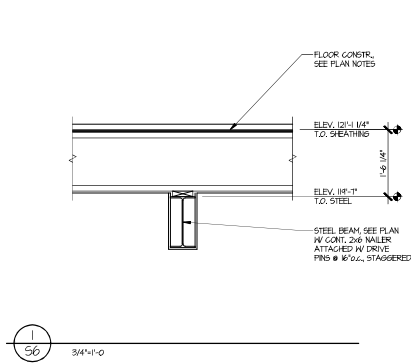
FIRESIDE CORNER
 900 GRAND AVENUE
 GRAND LAKE, COLORADO 80447

NO.	DATE	REVISIONS / DESCRIPTION

JOB NO.:	28005
DATE:	6/26/23
DRAWN:	MSZ
CHECKED:	MSZ

SHEET TITLE
STRUCTURAL PLANS

SHEET NUMBER
S4



Michael S. Ziehler
 Digitally signed by Michael S. Ziehler
 Date: 2025.06.27 01:05:52 -0800'

FIRESIDE CORNER
 900 GRAND AVENUE
 GRAND LAKE, COLORADO 80447

NO.	DATE	DESCRIPTION

JOB NO.: 28005
 DATE: 6/26/25
 DRAWN: HSC
 CHECKED: HSC

SHEET TITLE
STRUCTURAL DETAILS

SHEET NUMBER
S6

**TOWN OF GRAND LAKE
PLANNING COMMISSION
RESOLUTION NO. 08-2025**

**A RESOLUTION APPROVING A PRELIMINARY DEVELOPMENT
APPLICATION FOR 900 GRAND AVE**

WHEREAS, 900 THOUSAND LLC (the “Owner”) is the owner of certain real property located at 900 Grand Avenue, within the Town of Grand Lake, more particularly described as Lot 8, Block 11, Town of Grand Lake, State of Colorado; and

WHEREAS, the Owner has authorized Kaylee and Will Wallseen (the “Applicant”) to apply for a Preliminary Development Application (“Application”); and

WHEREAS, Section 12-9-4 of the Grand Lake Municipal Code (the “Code”) establishes procedures for Minor Developments; and

WHEREAS, Section 12-9-2 of the Code requires that a Preliminary Development Plan shall be reviewed by the Planning Commission for a recommendation of approval, approval with conditions, or denial to the Town Board; and

WHEREAS, on August 20, 2025, the Planning Commission reviewed the Application request at a public meeting; and

WHEREAS, the Planning Commission found the Application to have satisfactorily addressed the consideration factors in Section 12-9-2 of the Code; and

WHEREAS, upon a thorough consideration of the Application and applicable Code requirements, the Planning Commission finds such factors weigh in favor of approval of the Application.

**NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF
THE TOWN OF GRAND LAKE, COLORADO,**

1. The Application be recommended for approval to the Town of Grand Lake staff subject to the modifications and conditions set forth in Section 2., below.

2. The Planning Commission’s recommendation for approval is based on the following conditions:
 - a. The applicant shall obtain a conditional use permit or revise the proposed plans to ensure that at least 50% of the total square footage is designated for commercial use.
 - b. The applicant shall modify the proposed plans so that the building meets all requirements outlined in Town Code Section 12-7-4 and addresses the massing and bulk of the building.

3. 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 Planning Commission 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.

4. 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 PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO THIS 20TH DAY OF AUGUST 2025.

(S E A L)

ATTEST:

TOWN OF GRAND LAKE

Alayna Carrell
Town Clerk

James Shockey,
Planning Commission Chairman

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

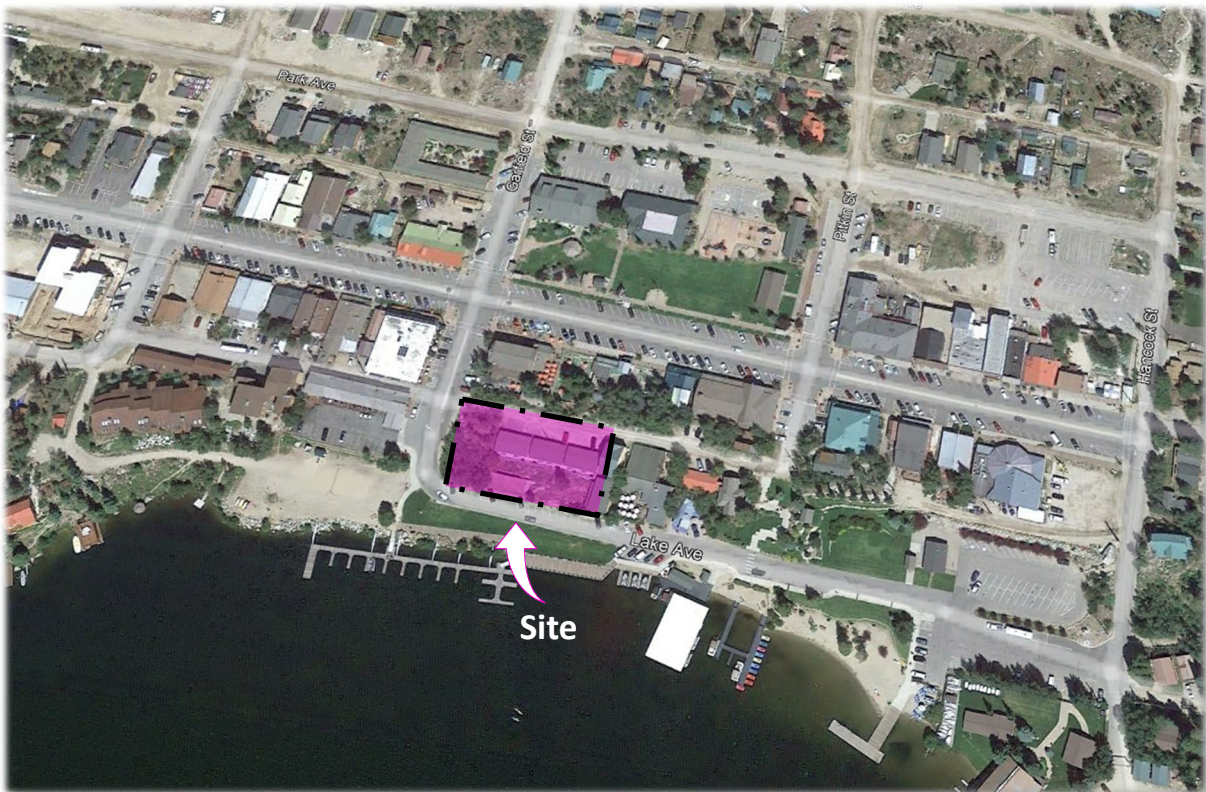


PLANNING COMMISSION STAFF MEMORANDUM

DATE: August 20, 2025
TO: Chairman Shockey and Planning Commissioners
FROM: Josh Olhava, AICP, Contract Staff - Planning Department
SUBJECT: **QUASI JUDICIAL (PUBLIC HEARING)** – Resolution 09-2025 - Consideration of a Zoning Regulation Variance for 1001 and 1005 Lake Avenue as part of a proposed development project located at 1016 Grand Avenue and 1001, 1005, and 1007 Lake Avenue.

Overview

- **Property Owner and Applicant:** Spirit Lake Condos, LLC
- **Applicant's Representative:** Jim Kreutzer
- **Consultant:** Gabe Bellow, MA Studios
- **Location:** 1001 and 1005 Lake Avenue
- **Zoning:** Commercial Zone District (C)
- **Attachments:**
 - Variance Request Application, Narrative, and Statement of Authority
 - Preliminary Project Drawings (supporting documentation)





The applicant is working through the preliminary major development process; therefore, project specific details related to that effort cannot be discussed to preserve the Quasi-Judicial nature of that application with the Town. However, it is important for the Commission to understand the general context of this specific zoning variance request as it is associated with the preliminary major development application under review by staff.

The applicant is requesting a zoning variance to allow the front 50 feet of on the first-story of a mixed-use project within the Commercial Zone District to be residential. The Town’s adopted Land Use Regulations states the following requirement.

Section 12-2-18 - (A) Uses Permit by Right.

10. Residential units, herein defines as: Multi-family attached rental units, condominiums, townhouses, and condo/hotels with the following restrictions:

- (a) The first story area measured from the frontages to fifty (50) feet into the lot shall be dedicated to commercial space.*

Staff Analysis

Public notices were completed following Municipal Code requirements for Variance applications. Notices included both the Planning Commission and Board of Trustees meeting details. The requested variance does not have a direct alignment or misalignment with the Comprehensive Plan Goals and Strategies. Indirectly, the variance request ties into the Goals and Strategies related to supporting the local economy and availability of diverse housing units.

The applicant’s requested variance to allow the first-story area of the mixed-use building on present day 1001 and 1005 Lake Avenue to be residential is a result of prior discussions and comments during Planning Commission and Town Board of Trustee meetings with the applicant in attendance. These meetings occurred during the following times.

- Summer 2024 – Town Board and Planning Commission concept plan review
- December 4, 2024 – Planning Commission sketch plan review
- January 8, 2025, and February 2, 2025 – Planning Commission recommendation on other variance requests for the site.
- February 10, 2025 – Town Board action on other variance requests for the site.

During previous conversations with the applicant and the general sentiment of the Commission and Board, the applicant is requesting this variance request to help the overall development proposal’s numbers to work out. An important consideration is the site characteristics and context today and, in the future, if the major development plan is approved by the Town. The location at 1001 and 1005 Lake Avenue fronts the lake and boardwalk creating seasonal variations and challenges for commercial uses. The additional residential square footage in the downtown will continue to support current and future businesses. Lastly, the applicant is incorporating approximately 25 percent of the total constructed square footage to commercial uses focused along Grand Avenue and Garfield Street.



Staff Recommendation

Based on discussions and feedback received at prior Commission and Board meetings, the applicant’s written variance request, and context of the pending preliminary major development plan, staff recommends approval of the variance request as presented.

Planning Commission Discussion and Determination

The Planning Commission should discuss the request amongst themselves, with consideration of staff analysis, public comments, and the findings of fact from the code, to make a recommendation.

Under Municipal Code Section 12-2-27(B)3., the following factors should be considered by the Planning Commission and Town Board of Trustees in determining whether to issue a variance.

- (a) The compatibility of the proposed action with the surrounding area; and
- (b) Whether the proposed action is in harmony with the character of the neighborhood; and
- (c) The need for the proposed action; and
- (d) The effect of the proposed action upon future development in the area; and
- (e) The shape, size, topography, slope, soils, vegetation, and other physical characteristics; and
- (f) Whether alternative designs are possible; and
- (g) With due consideration for the Town's Comprehensive Plan.

Sample Planning Commission Motions

Approval with or without conditions

I move to approve Planning Commission Resolution 09-2025, a resolution recommending approval of a zoning variance request for 1001 and 1005 Lake Avenue as part of a proposed development project located at 1016 Grand Avenue and 1001, 1005, and 1007 Lake Avenue.

OR... with the following conditions:

-
-

Denial (Using the evaluation factors of Sec. 12-2-27(B)3. of the Municipal Code for findings of fact)

I move to approve Planning Commission Resolution 09-2025, a resolution recommending denial of a zoning variance request for 1001 and 1005 Lake Avenue as part of a proposed development project located at 1016 Grand Avenue and 1001, 1005, and 1007 Lake Avenue, based on the following findings of fact:

-
-



Town of Grand Lake

Planning Department

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

ZONING VARIANCE REQUEST APPLICATION

PROPERTY LOCATION:
 Street Address: 1016 Grand Ave, 1001 - 1007 Lake Ave, (825 Lake Ave, Lot 12, Blk 12)
 Legal Description: Lot 4-6, 9-14 Block 5 Subdivision Grand Lake

PROPERTY OWNER INFORMATION:
 Name: Spirit Lake Condos, LLC Email: glservicesllc@yahoo.com
 Mailing Address: PO Box 11 Phone: 720-546-7390
 City: Grand Lake State: CO Zip: 80446 Fax: N/A

APPLICANT INFORMATION: Is the Applicant the Property Owner? YES NO
 Name: Spirit Lake Condos, LLC Email: glservicesllc@yahoo.com
 Mailing Address: PO Box 11 Phone: 720-546-7390
 City: Grand Lake State: CO Zip: 80447 Fax: _____

CONTACT INFORMATION: Is the Contact Person the Applicant? YES NO
 Contact Person (if not Applicant): Gabe Bellowe, Architect Email: gabe@maarchitectural.com
 Mailing Address: 315 East Agate Avenue Phone: 970-887-9366 ext. 209
 City: Granby State: CO Zip: 80446 Fax: N/A

VARIANCE REQUEST (Brief Description):
See attached (next page) for variance & hardship description

REQUIRED INFORMATION CHECKLIST:

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

AFFIDAVIT:
 BY MY SIGNATURE, I attest that the information contained or attached to this application is true and correct to the best of my knowledge. I further understand that submission of false or misleading information shall be sufficient cause for the Special Use Permit to be revoked immediately without notice or hearing.
 Print Name: Patricia Kreutzer, Manager
 Signature: Patricia Kreutzer, manager Date: 8-15-24

STAFF USE ONLY
 Application Received By: _____ Date & Time: _____
 File Name: _____ Deposit: YES NO Amount: \$ _____
 Agreement for Services Form Signed? YES NO

Spirit Lake Condos, LLC
 PO Box 11
 Grand Lake, CO 80447
 720-546-7390
 glservicesllc@yahoo.com
 June 26th, 2025

Section 5, Item B.



Images above: Diagrams from the "Town of Grand Lake Municipal Lands Master Plan" Adopted 8.26.2024 as Resolution 52-2024.

These plans show an analysis of Lake Avenue aligned with the town's comprehensive plan to address traffic & pedestrian circulation issues on the lakefront. Recommendations from the report illustrate that Lake Avenue has a unique opportunity to be a premier waterfront feature & draw for the town. Through the re-organizing of vehicular circulation and developing the parking lot on the eastern end of Lake Ave, the park can be greatly enhanced w/ improved pedestrian circulation, park space & programming.

- Past planning documents recommend a pedestrian oriented waterfront park:
- plazas, parks and promenades, improved crosswalks on Lake Avenue
- limited surface parking along Lake Avenue & one-way traffic
- ability to close Lake Avenue for special events or peak season, i.e., removable bollards
- parking structure at the existing Lakeside Parking Lot
- relocated Marina & expanded green space west of Garfield Street
- event and performance spaces, expanded beach & swim area

On the following page we will further explain our variance request and hardship in detail.

12-2-27-B: Variance Request Procedure: The Planning Commission will hold a Public Hearing within forty-five (45) days from Town receipt of the application. Fifteen (15) days prior to the scheduled date, legal notice shall be placed in the local news circulation advertising the time, date, location of the Public Hearing, as well as the variance request. In addition, notices shall be mailed at least fifteen (15) days prior to the Public Hearing to all property owners within two hundred (200') feet of any portion of the property. The Planning Commission shall forward a recommendation to the Town Board of Trustees.

Section 5, Item B.

1. Town staff shall schedule the Public Hearing for the next available Planning Commission meeting, dependent on the availability on the Planning Commission's agenda.

2. The Town Board of Trustees shall hear the variance application, with Planning Commission recommendation, at their next regularly scheduled meeting. The Board of Trustees may elect to hold a Public Hearing regarding the variance application. The Board of Trustees shall grant or deny the variance within forty-five (45) days of receipt from the Planning Commission.

3. The following factors should be considered by the Planning Commission and Town Board of Trustees in determining whether to issue a variance:

- (a) The compatibility of the proposed action with the surrounding area; and
- (b) Whether the proposed action is in harmony with the character of the neighborhood; and
- (c) The need for the proposed action; and
- (d) The effect of the proposed action upon future development in the area; and
- (e) The shape, size, topography, slope, soils, vegetation, and other physical characteristics; and
- (f) Whether alternative designs are possible; and
- (g) With due consideration for the Town's Comprehensive Plan.

Leatherwood Grand Lake - Variance Request

Variance Requested: We kindly request a variance to sub-item "A" in Grand Lake's Municipal Code, section: 12-2-17-A-15 "The first story area measured from the frontage to fifty feet (50') into the lot shall be dedicated to commercial space". The variance we are requesting is **only** for the proposed "Building #1", and aligns with the approved variance #3 in Resolution 03-2025, where the planning commission voted to approve the allowance of a residential use on the ground floor of the building known as the "lakehouse" within the Leatherwood master plan. Our request is a variance to allow residential area on the ground floor of Building #1. This variance would apply to the (3) ground-level units on Lake Avenue that do not have frontage on Garfield Street - hardship and explanation outlined below per section 12-2-27-B in the Municipal Code:

Explanation of Hardship: Lake Avenue, both in its existing condition and in the context of Grand Lake's comprehensive plan, creates hardship for the economic feasibility of commercial spaces for multiple reasons. Commercial space is supported by vehicular traffic - not just for exposure & curb appeal, but for practicality - if people are not driving by or parking near a commercial space, they are less likely to be aware of it. If we designated the spaces on the ground floor of Building #1 (spaces that do not have frontage on Garfield Street) to commercial use, they would add to the already-present vacant commercial spaces along Grand Lake's pedestrian thoroughfares.

(a) The compatibility of the proposed action with the surrounding area;

Lake Avenue is intended to be a pedestrian-activated community amenity. We are proposing commercial space on the ground level of our entire project, except the residential units that only have street frontage along Lake Avenue. Commercial spaces are proposed along Grand Ave, Garfield Street, and in the 'event center' building adjacent to the snack bar on Lake Avenue. By activating the corners of our Lake Avenue frontage with commercial space, we are creating the opportunity for viable commercial tenants/amenities to the community - by providing residential spaces on Lake Avenue, we are not adding to the traffic/loading/delivery/parking problems along the existing one-way drive aisle of Lake Ave.

(b) Whether the proposed action is in harmony with the character of the neighborhood;

See item (a) above.

(c) The need for the proposed action;

Lack of vehicular access and traffic means dysfunctional loading & delivery operations, trash pickup & maintenance, and a general disadvantage when it comes to creating financially viable retail/restaurant/business space. Lake Avenue's lack of parking & loose pedestrian circulation (no boardwalks, crosswalks, parking, etc) create an environment along the right-of-way that is not conducive to successful commercial operations.

(d) The effect of the proposed action upon future development in the area;

See item (g) below - keeping our proposed development in line with the comprehensive town plan sets precedent into the future for considerate and intentional development & design.

(e) The shape, size, topography, slope, soils, vegetation, and other physical characteristics;

The physical characteristics of the site are an excellent & unique lake-facing opportunity for a special residential use - raised from the street level to separate private space from the public & pedestrian thoroughfare of Lake Avenue.

(f) Whether alternative designs are possible;

Due to the town's direction to reduce and remove parking along Lake Avenue, access and visibility to the commercial spaces along Lake Avenue is drastically diminished.

(g) With due consideration for the Town's Comprehensive Plan.

Within the Town's Comprehensive Plan from 2020, and the Master Plan Analysis/Report in 2024, we believe Lake Avenue's future as a one-way, seasonally closed vehicular route creates major hardship for operating year-round commercial businesses in our ground floor units that do not have frontage on Garfield Street. Within the comprehensive plan is the notion that Lake Avenue is a special pedestrian-activated 'lakefront plaza', and we agree that Lake Avenue is a unique condition in Grand Lake's fabric as a potential pedestrian lakefront event space & community amenity. Because of this unique condition, Lake Avenue has evolved over the years - parking has been slowly re-oriented and removed, and multiple times per year the street is entirely closed to vehicular traffic for special events. Without consistent vehicular traffic, commercial space is not viable.

Section 5, Item B.

STATEMENT OF AUTHORITY

- 1. This STATEMENT OF AUTHORITY relates to entity named
SPIRIT LAKE CONDOS, LLC, A COLORADO LIMITED LIABILITY COMPANY
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 : **Limited Liability Company**
- 3. The entity is formed under the laws of the state of **Colorado**
- 4. The mailing address of the entity is:
PO BOX 11
Grand Lake, CO 80447
- 5. The name and position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is/are:
Patricia L. Kreutzer, Manager
- 6. The authority of each of the foregoing person(s) to bind the entity is
 not limited (check one)
 limited as follows:

- 7. Other matters concerning the manner in which the entity deals with interests in the property:

Spirit Lake Condos, LLC, a Colorado limited liability company
By: *Patricia L. Kreutzer*, manager
Patricia L. Kreutzer, Manager

State of Colorado
County of GRAND

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 09 day of JANUARY, 2024, by Patricia L. Kreutzer, Manager of Spirit Lake Condos, LLC, a Colorado limited liability company

My Commission expires: 09/24/2027

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

STEPHANIE LAUREN HURD CARLBERG
Notary Public
State of Colorado
Notary ID # 20194036609
My Commission Expires 09-24-2027



1120006
January 3, 2024
11:04 AM

**TOWN OF GRAND LAKE
PLANNING COMMISSION
RESOLUTION NO. 09 – 2025**

**A RESOLUTION RECOMMENDING APPROVAL OF A ZONING REGULATION
VARIANCE REQUEST TO ALLOW RESIDENTIAL USES WITHIN THE FIRST FIFTY
FEET OF THE LOT ON THE FIRST STORY LOCATED AT 1001 AND 1005 LAKE
AVENUE.**

WHEREAS, Spirit Lake Condos, LLC (the “Owner”) is the owner of certain real property located within the Town of Grand Lake, more particularly described as follows:

1001 and 1005 Lake Avenue, Grand Lake, Colorado 80447 (the “Property”); and

WHEREAS, the Owner is proposing to redevelop the properties as part of a larger redevelopment effort that is subject to the Major Development Plan requirements and processes of the Code; and

WHEREAS, the Town received a zoning variance request application (the “Application”) from the Owner, requesting a variance to allow residential uses within the first fifty feet of the lot on the first story within the Commercial zone district; and

WHEREAS, Grand Lake Municipal Code (the “Code”) Section 12-2-18(A) establishes the allowances for residential uses within the Commercial zone district for the Town as follows:

12-2-18 – Regulations for Commercial District - C.

(A) *Uses Permit by Right.*

10. *Residential units, herein defines as: Multi-family attached rental units, condominiums, townhouses, and condo/hotels with the following restrictions:*

(a) *The first story area measured from the frontages to fifty (50) feet into the lot shall be dedicated to commercial space.*

WHEREAS, on August 20, 2025, the Planning Commission reviewed the Owners’ variance request at a Public Hearing; and,

WHEREAS, based on the Application, the representations of the Owner to the Planning Commission, and public comments, the Planning Commission has considered the following factors set forth in the Grand Lake Municipal Code Section 12-2-27 (2)(B)(3):

- (a) The compatibility of the proposed action with the surrounding area; and
- (b) Whether the proposed action is in harmony with the character of the neighborhood; and
- (c) The need for the proposed action; and

- (d) The effect of the proposed action upon future development in the area; and
- (e) The size, shape, topography, slope, soils, vegetation, and other physical characteristics; and
- (f) Whether alternative designs are possible; and
- (g) With due consideration for the Town’s Comprehensive Plan.

WHEREAS, upon a thorough consideration of the factors of Section 12-2-27 (2)(B)(3) of the Grand Lake Municipal Code, the Planning Commission finds such factors weigh in favor of approval of the Application.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO,

1. The Planning Commission recommends that the Application be approved by the Board of Trustees as presented.
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 Planning Commission 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.
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 PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO THIS 20th DAY OF AUGUST 2025.

(S E A L)

ATTEST:

TOWN OF GRAND LAKE

Alayna Carrell
Town Clerk

James Shockey,
Planning Commission Chairman

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

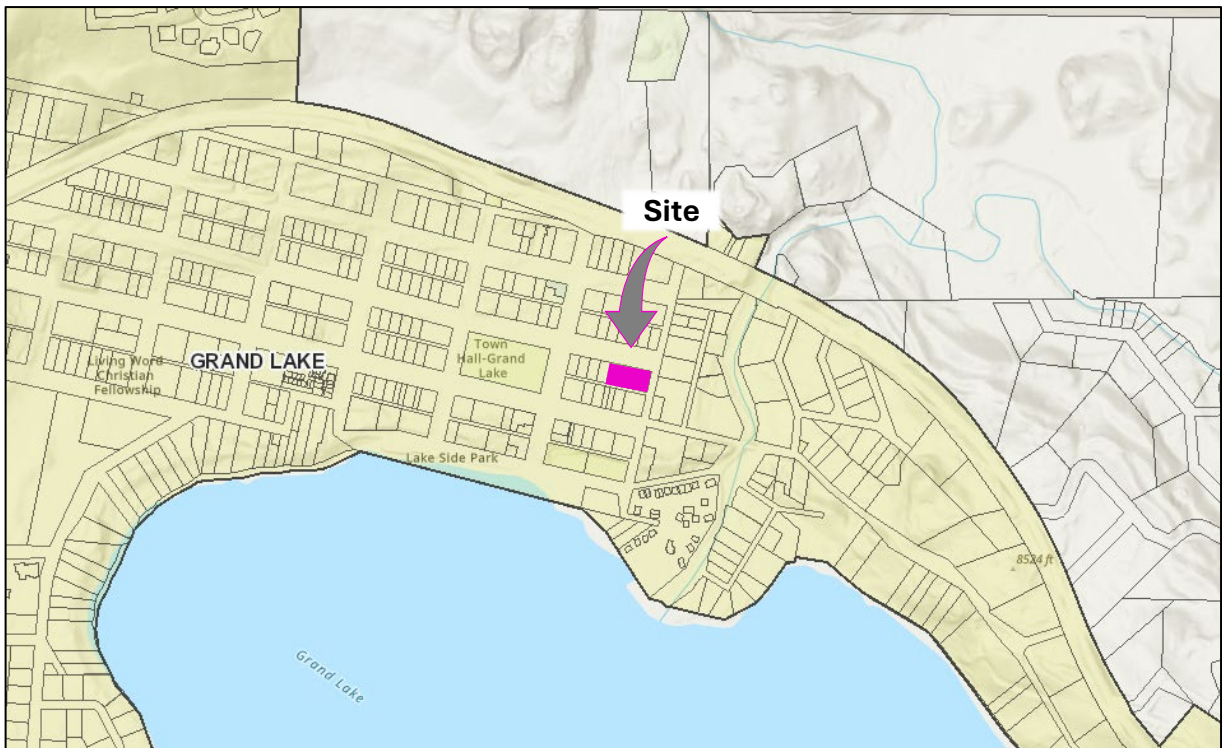


PLANNING COMMISSION STAFF MEMORANDUM

DATE: August 20, 2025
TO: Chairman Shockey and Planning Commissioners
FROM: Josh Olhava, AICP, Contract Staff - Planning Department
SUBJECT: **QUASI JUDICIAL (PUBLIC HEARING)** – Resolution 10-2025 - Consideration of a Rezoning Amendment Request to the Official Zoning Map for the Town of Grand Lake for Town-owned Property Located on Lots 1 through 4, Block 3 Town of Grand Lake, more commonly known as 1128 Park Avenue.

Overview

- **Property Owner and Applicant:** Town of Grand Lake
- **Applicant’s Representative:** Town Manager Kudron
- **Consultant:** Town of Grand Lake Staff
- **Location:** 1128 Park Avenue
- **Current Zoning:** Public (PUB)
- **Proposed Zoning:** Commercial (C)
- **Attachments:**
 - Rezoning petition and map





On July 14, 2025, the Board of Trustees for the Town of Grand Lake initiated a rezoning request for Town-owned property located at 1128 Park Avenue, specifically Lots 1, 2, 3, and 4, Block 3, Town of Grand Lake. The total area of the subject property is approximately 0.463 acres or 20,184.08 square feet, based on the latest survey.

The purpose of this rezoning is to accommodate the proposed Space to Create project. The request is to rezone the property from Public (PUB) to Commercial (C). The surrounding zoning context, as shown in the graphic below, includes Commercial Transition (CT) zoning to the north (across Park Avenue) and to the east (across Hancock Street), and Commercial (C) zoning to the west and south (across the public alleyway). The property is also included within the Central Business District Design Area.



Staff Analysis

The proposed rezoning is necessary to support the Space to Create development project, which aligns with the Town’s goals for economic development, creative industry support, and adaptive reuse of underutilized public property. Under the current zoning of Public (PUB), the Space to Create project would require a Conditional Use Grant and Variances from the Municipal Code to construct the proposed facilities. Rezoning the property will allow future development to align more closely with adjacent properties and maintain consistency in site design, form, and overall layout as seen within the Central Business District Design Area.

Rezoning shall only be allowed if the applicant (Town) demonstrates by clear and convincing evidence that rezoning is necessary because of one (1) or more of the following reasons (Sec. 12-2-34(A)):

1. *The land to be rezoned was zoned in error and as presently zoned is inconsistent with the policies and goals of the Town's Comprehensive Plan.*
2. *The area for which rezoning is requested has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or new approach to development.*



3. *The proposed rezoning is necessary to provide land for a community-related use, which was not anticipated at the time of the adoption of the Town's Comprehensive Plan and that such rezoning will be consistent with the policies and goals of the Comprehensive Plan. This Declaration of Standards for Rezoning shall not control a rezoning which occurs incidental to a comprehensive revision of the Town's Zoning Map.*

Staff Recommendation

Staff recommends the Planning Commission forward a recommendation of approval to the Board of Trustees for the rezoning request for Lots 1 through 4, Block 3 Town of Grand Lake, more commonly known as 1128 Park Avenue as presented.

Planning Commission Discussion and Determination

The Planning Commission should discuss the request amongst themselves, with consideration of staff analysis, public comments, and the reasons specified in code as restated here.

Under Municipal Code Section 12-2-34(A), one or more of the following reasons should be grounds for rezoning.

1. *The land to be rezoned was zoned in error and as presently zoned is inconsistent with the policies and goals of the Town's Comprehensive Plan.*
2. *The area for which rezoning is requested has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or new approach to development.*
3. *The proposed rezoning is necessary to provide land for a community-related use, which was not anticipated at the time of the adoption of the Town's Comprehensive Plan and that such rezoning will be consistent with the policies and goals of the Comprehensive Plan. This Declaration of Standards for Rezoning shall not control a rezoning which occurs incidental to a comprehensive revision of the Town's Zoning Map.*

Sample Planning Commission Motions

Approval with or without conditions

I move to approve Planning Commission Resolution 10-2025, a resolution recommending approval of a rezoning amendment to the official zoning map for the Town of Grand Lake for Town-owned property located on Lots 1 through 4, Block 3 Town of Grand Lake, more commonly known as 1128 Park Avenue.

OR... with the following conditions:

-
-

Denial (Using the evaluation factors of Sec. 12-2-34(A). of the Municipal Code)

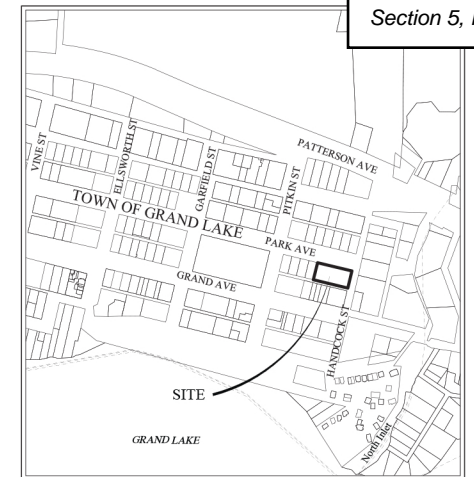
I move to approve Planning Commission Resolution 10-2025, a resolution recommending denial of a rezoning amendment to the official zoning map for the Town of Grand Lake for Town-owned property located on Lots 1 through 4, Block 3 Town of Grand Lake, more commonly known as 1128 Park Avenue, based on the following:

-
-

REZONING PLAT MAP

LOTS 1, 2, 3, AND 4, BLOCK 3, TOWN OF GRAND LAKE

ACCORDING TO THE PLAT RECORDED AT RECEPTION 9066
SITUATED IN SECTION 5, TOWNSHIP 3 NORTH, RANGE 75 WEST OF THE 6TH PRINCIPAL MERIDIAN,
TOWN OF GRAND LAKE, COUNTY OF GRAND, STATE OF COLORADO

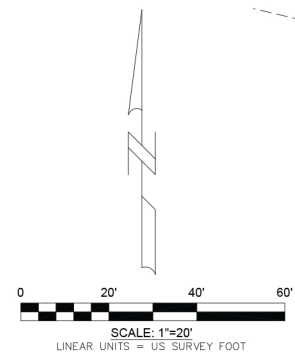


VICINITY MAP
SCALE: 1" = 500'

PROPERTY DESCRIPTION: (PER WARRANTY DEED AT BOOK 410 PAGE 407)

LOTS 1, 2, 3, AND 4, BLOCK 3, TOWN OF GRAND LAKE.

Rezoning Narrative: Properties rezoned from Public to Commercial





TOWN OF GRAND LAKE REZONING PETITION

Petitioner:

Steve Kudron, Town Manager *(on behalf of the Town of Grand Lake)*

Name and Entity

1026 Park Avenue, Grand Lake, CO, 80447

Address (Street, City, State, Zipcode)

Owner:

Steve Kudron, Town Manager *(on behalf of the Town of Grand Lake)*

Name and Entity

1026 Park Avenue, Grand Lake, CO, 80447

Address (Street, City, State, Zipcode)

Petition Request

To the Board of Trustees of the Town of Grand Lake, Colorado.

I (We), the undersigned, do hereby respectfully petition and request that the Board of Trustees amend the zoning ordinance of the Town of Grand Lake by changing the zoning of the hereinafter described parcel, containing 0.463 acres more or less, from Public zoning district to Commercial zoning district:

LEGAL DESCRIPTION: Lots 1, 2, 3, and 4, of Block 3, Town of Grand Lake

Reason for Request:

This rezoning request is intended to facilitate the development of the Space to Create initiative, a project envisioned to bring creative industry and mixed-use opportunities to the heart of Grand Lake. The subject property, Town-owned Lots 1 through 4, Block 3, located at 1128 Park Avenue, is currently zoned Public. The proposed amendment would reclassify the site to Commercial to better align with the intended use.

The site is situated within the Central Business District Design Area and is surrounded by a mix of zoning districts: Commercial Transition to the north and to the east, and Commercial to the west and south. The proposed zoning change would create consistency with adjacent land uses and support the Town's goals for downtown revitalization and economic development.

**TOWN OF GRAND LAKE
PLANNING COMMISSION
RESOLUTION NO. 10 – 2025**

A RESOLUTION RECOMMENDING APPROVAL OF A REZONING AMENDMENT TO THE OFFICIAL MAP FOR THE TOWN OF GRAND LAKE FOR TOWN-OWNED PROPERTY LOCATED ON LOTS 1 THROUGH 4, BLOCK 3 TOWN OF GRAND LAKE, MORE COMMONLY KNOWN AS 1128 PARK AVENUE.

WHEREAS, The Town of Grand Lake (the “Owner”) is the owner of certain real property located within the Town of Grand Lake, more particularly described as follows:

Lots 1 through 4, Block 3, Town of Grand Lake, more commonly known as 1128 Park Avenue, Grand Lake, Colorado 80447 (the “Property”); and

WHEREAS, the Owner is requesting to rezone the property from Public (PUB) to Commercial (C) as part of a development project; and

WHEREAS, Grand Lake Municipal Code (the “Code”) Section 12-2-34(A) establishes the procedures and review criteria for an amendment to the Town’s official zoning map.

WHEREAS, on August 20, 2025, the Planning Commission reviewed the Owners’ rezoning amendment request at a Public Hearing; and,

WHEREAS, upon a thorough consideration of the Application, the testimony of those present, and applicable Code requirements, the Planning Commission determined that rezoning the Property from Public (PUB) to Commercial (C) is in substantial conformance with the Grand Lake Comprehensive Plan, surrounding characteristics, and is a public benefit to the Town, and is in harmony with the zoning and land uses of adjacent property and property in the immediate area.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO,

1. The Planning Commission recommends the Property be rezoning from Public (PUB) to Commercial (C) as presented.

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 Planning Commission 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.

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 PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO THIS 20th DAY OF AUGUST 2025.

(S E A L)

ATTEST:

TOWN OF GRAND LAKE

Alayna Carrell
Town Clerk

James Shockey,
Planning Commission Chairman

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



MEMORANDUM

TO: Board of Trustees

FROM: Brian Kracke/Code Enforcement Officer & Permit Technician, Administration

DATE: 08/20/2025

SUBJECT: Request for Review and Approval – Proposed New Boathouse on Shadow Mtn. Reservoir at 377 Lake Kove Dr., Grand Lake, Colorado

Purpose:

This memo is submitted for the Grand Lake Planning Commission's review and consideration for construction of a proposed new private boathouse intended for the storage and maintenance of one watercraft on the property located at **377 Lake Kove Drive, Grand Lake, CO owned by Ryan Oliver, of Centennial Colorado**. The property is situated along the Shadow Mountain Reservoir shoreline.

Project Description:

The proposed boathouse will be a single-story structure designed for the storage of a single personal watercraft and recreational equipment, similar in size and dimension to other boathouses on Shadow Mountain Reservoir.

- Proposed Dimensions:
 - Length: 31'6"
 - Width: 18'
 - Height: 16' from waterline
 - Total Building Footprint: 567 sq.ft.
- Materials: The boathouse will be constructed with materials chosen to match the residence.

Zoning Compliance and Considerations

The proposed boathouse has been designed to comply with the relevant sections of the Grand Lake Municipal Code and the 3 Lakes Design District guidelines, specifically those pertaining to accessory structures and shoreline development including: Setbacks (35' from shoreline), Height Restrictions (16' from the water surface), Surface Area Coverage (< 600 sq.ft.), Water Quality/Environmental Protection. In addition, the owner also holds a permit from the U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE and has delivered an Indemnification letter for the Town of Grand Lake.

Justification and Benefits

The construction of this boathouse will provide secure and protected storage for watercraft, extending their lifespan and reducing wear from exposure to the elements. It will also help maintain a tidy shoreline by providing a dedicated space for equipment. The design is in keeping with the character of lakefront properties and represents a responsible development of the property.

Request and Conclusion

We respectfully request the Grand Lake Planning Commission's review and approval of the proposed new boathouse at **377 Lake Kove Dr**. We believe this project is consistent with the town's vision for lakefront development, adheres to applicable zoning regulations, and will be an aesthetically pleasing and functional addition to the property.



We are available to answer any questions the Commission may have and look forward to discussing this proposal further.

VIII. Attachments

1. Site Plan
2. Architectural Drawings/Renderings
3. Photo of residence with Materials & Finishes Legend
4. Permit from the U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE
5. Indemnification letter



Recommendations for Board Action:

- That a motion be introduced and adopted to approve in their entirety all variance requests as submitted by Yarmony Music in relation to the Colorado Headwaters Festival.
- That a motion be introduced and adopted to approve the variance requests submitted by Yarmony Music in relation to the Colorado Headwaters Festival, contingent upon the fulfillment of the conditions as determined by the Board.

INDEMNIFICATION AGREEMENT

This Indemnification Agreement ("Agreement") is made and entered into this 28th day of July, 2025, by and between:

GRAND LAKE VILLA, LLC, a Colorado Limited Liability company with an address at 17726 E JAMISON AVE CENTENNIAL , CO 80016-1815 ("Indemnitor"),

AND

THE TOWN OF GRAND LAKE, COLORADO, a Colorado municipal corporation, with an address at 1026 Park Avenue, Grand Lake, Colorado 80447 ("Indemnitee").

RECITALS:

WHEREAS, Indemnitor owns, leases, operates, or otherwise controls a boathouse structure (the "Boathouse") located at 377 Lake Kove Dr., Parcel No: **119306308006**, Schedule No: **R149030** Legal: *LAKE KOVE SUBDIVISION Lot: 5 LESS ROW*, within the Town of Grand Lake, Grand Lake, CO on Shadow Mountain Reservoir (the "Reservoir")

WHEREAS, the Boathouse is situated within the jurisdictional boundaries of the Town of Grand Lake, or its operation impacts property, infrastructure, or services within the Town's jurisdiction; and

WHEREAS, Indemnitor desires to indemnify and hold harmless the Indemnitee from and against any and all claims, liabilities, losses, damages, and expenses arising from or related to the Boathouse; and

WHEREAS, the Indemnitee requires this Agreement as a condition for construction of the Boathouse.

AGREEMENT:

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants contained herein, the parties agree as follows:

1. **Indemnification:** Indemnitor shall indemnify, defend, and hold harmless the Indemnitee, its officers, officials, employees, agents, and volunteers from and against any and all claims, demands, losses, liabilities, damages, costs, expenses, and causes of action of any kind or character, including, without limitation, attorneys' fees and litigation costs (collectively, "Claims"), arising out of, relating to, or in connection with: a. The ownership, construction, maintenance, repair, operation, use, removal, or presence of the Boathouse; b. Any act or omission of Indemnitor, its agents, employees, contractors, or invitees, related to the Boathouse or its activities on or near the Reservoir; c. Any actual or alleged violation of any federal, state, or local law, ordinance, rule, or regulation related to the Boathouse or its activities; d. Any injury to or death of any person, or damage to or loss of any property, caused by, arising out of, or in any way connected with the Boathouse or activities conducted by or on behalf of Indemnitor.
2. **Scope of Indemnification:** The indemnification obligations set forth in Section 1 shall apply regardless of whether such Claims are caused in whole or in part by the negligence of the Indemnitee, provided that such Claims are not caused by the sole gross negligence or willful misconduct of the Indemnitee.

- 3. **Defense:** Indemnitor shall, at its sole cost and expense, defend the Indemnitee against any Claims covered by this Agreement, using counsel reasonably acceptable to the Indemnitee. Indemnitee shall promptly notify Indemnitor in writing of any Claim for which indemnification is sought. Indemnitee shall cooperate fully with Indemnitor in the defense of any such Claim.
- 4. **Insurance:** Indemnitor shall, at its sole cost and expense, procure and maintain, throughout the period of ownership, lease, or operation of the Boathouse, and for a period of 3 years thereafter, commercial general liability insurance with limits of not less than One Million Dollars (\$1,000,000.00) per occurrence and Two Million Dollars (\$2,000,000.00) in the aggregate, naming the Town of Grand Lake as an additional insured. Indemnitor shall provide Indemnitee with a certificate of insurance evidencing such coverage prior to [e.g., initial operation/permit issuance] and annually thereafter.
- 5. **No Waiver:** Nothing in this Agreement shall be construed as a waiver of any governmental immunity or other defense available to the Indemnitee under Colorado law, including, but not limited to the Colorado Governmental Immunity Act, .C.R.S. §§ 24-10-101, *et. seq.*
- 6. **Governing Law:** This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado, without regard to its conflict of laws principles.
- 7. **Severability:** If any provision of this Agreement is found to be invalid or unenforceable, the remaining provisions shall remain in full force and effect.
- 8. **Entire Agreement:** This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior and contemporaneous understandings, agreements, representations, and warranties, both written and oral.
- 9. **Amendments:** This Agreement may not be amended or modified except by a written instrument executed by both parties.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

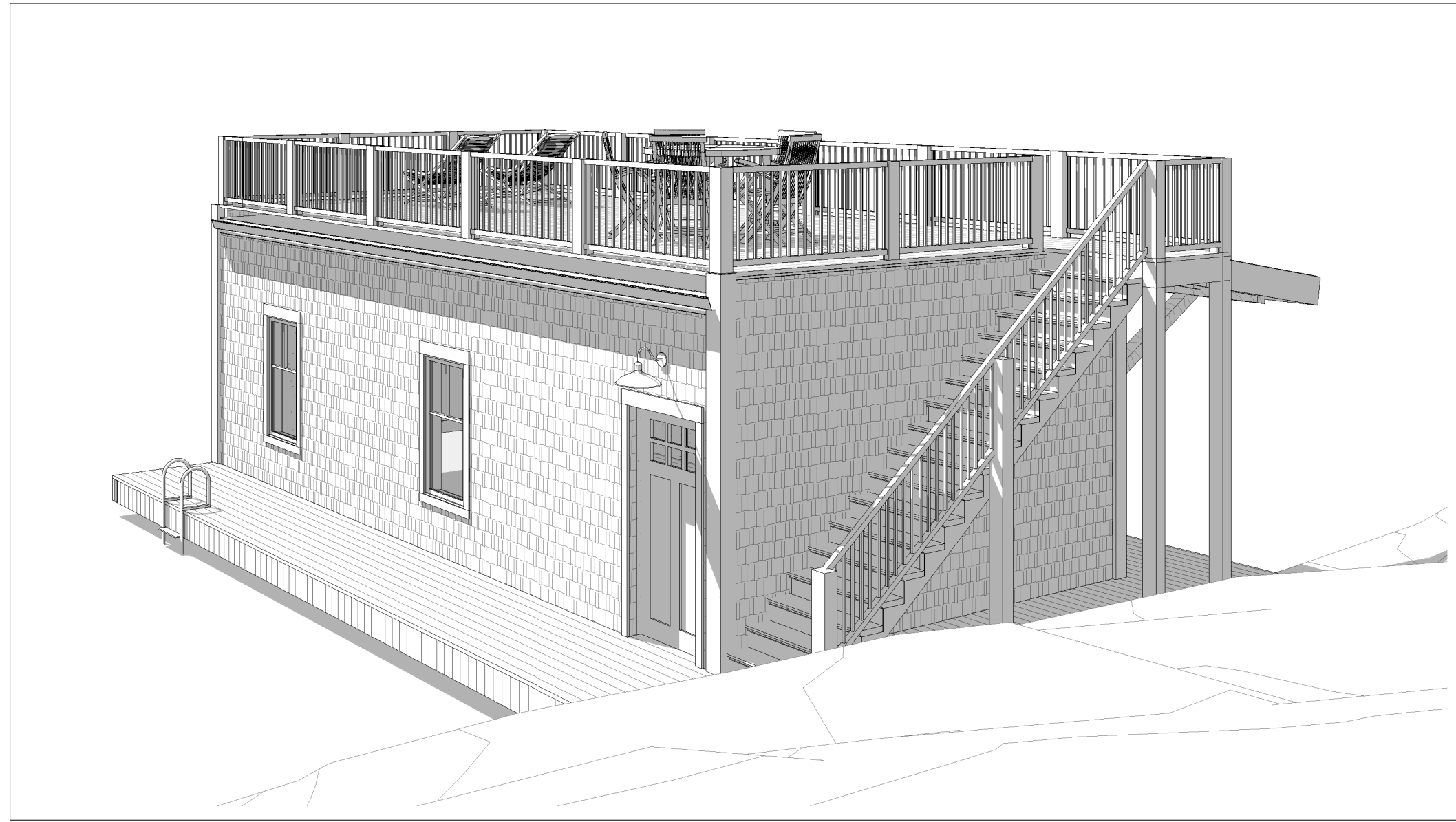
INDEMNITOR:

GRAND LAKE VILLA, LLC,

By:  Name: Christopher Oliver

THE TOWN OF GRAND LAKE, COLORADO:

By: _____ Name: Steve Kudron, Town Manager



GENERAL NOTES

- COPYRIGHT:**
ALL PLANS, DESIGNS AND CONCEPTS SHOWN IN THESE DRAWINGS ARE THE EXCLUSIVE PROPERTY OF MUNN ARCHITECTURE, AIA, LLC AND SHALL NOT BE USED, DISCLOSED, OR REPRODUCED FOR ANY PURPOSE WHATSOEVER WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.
- CODES:**
THIS PROJECT IS GOVERNED BY THE LOCALLY ENFORCED BUILDING CODES AS ADOPTED BY THE AUTHORITY HAVING JURISDICTION (AHJ). CODE COMPLIANCE IS MANDATORY. THE DRAWINGS AND SPECIFICATIONS SHALL NOT PERMIT WORK THAT DOES NOT CONFORM TO THESE CODES, UNLESS NOTED OTHERWISE. THE GENERAL CONTRACTOR AND THE SUBCONTRACTORS SHALL BE RESPONSIBLE FOR SATISFYING ALL APPLICABLE CODES AND OBTAINING ALL PERMITS AND REQUIRED APPROVALS. BUILDING AREAS ARE SHOWN FOR CODE PURPOSES ONLY AND SHALL BE RECALCULATED FOR ANY OTHER PURPOSES.
- FIELD VERIFICATION:**
VERIFY ALL DIMENSIONS, CONDITIONS, AND UTILITY LOCATIONS ON THE JOB SITE PRIOR TO BEGINNING ANY WORK OR ORDERING ANY MATERIALS. NOTIFY ARCHITECT OF ANY CONFLICTS OR DISCREPANCIES IN THE DRAWINGS IMMEDIATELY.
- DIMENSIONS:**
WRITTEN DIMENSIONS ALWAYS TAKE PRECEDENCE OVER SCALED DIMENSIONS. DO NOT SCALE DRAWINGS. VERIFY ALL DIMENSIONS SHOWN PRIOR TO BEGINNING ANY WORK AND NOTIFY ARCHITECT OF ANY CONFLICTS OR DISCREPANCIES FOR INTERPRETATION OR CLARIFICATION. PLAN DIMENSIONS ARE TO THE FACE OF THE FRAMING MEMBERS, FACE OF WOOD FURNISHING OR FACE OF CONCRETE WALLS UNLESS OTHERWISE NOTED. SECTION OR ELEVATION DIMENSIONS ARE TO TOP OF CONCRETE, TOP OF PLYWOOD, OR TOP OF WALL PLATES OR BEAMS UNLESS OTHERWISE NOTED
- DISCREPANCIES:**
THE OWNER HAS REQUESTED THE ARCHITECT TO PROVIDE LIMITED ARCHITECTURAL AND ENGINEERING SERVICES. IN THE EVENT THAT ADDITIONAL DETAILS OR GUIDANCE ARE NEEDED BY THE CONTRACTOR FOR THE CONSTRUCTION OF ANY ASPECT OF THIS PROJECT, HE OR SHE SHALL IMMEDIATELY NOTIFY THE ARCHITECT. FAILURE TO GIVE SIMPLE NOTICE SHALL RELIEVE THE ARCHITECT OF RESPONSIBILITY. DO NOT PROCEED IN AREAS OF DISCREPANCY UNTIL ALL SUCH DISCREPANCIES HAVE BEEN FULLY RESOLVED WITH WRITTEN DIRECTIONS FROM THE ARCHITECT.
- DUTY OF COOPERATION:**
RELEASE OF THESE PLANS CONTEMPLATES FURTHER COOPERATION BETWEEN THE OWNER AND/OR OWNER'S REPRESENTATIVE, HIS OR HER CONTRACTOR, AND THE ARCHITECT. DESIGN AND CONSTRUCTION ARE COMPLEX, ALTHOUGH THE ARCHITECT AND HIS CONSULTANTS HAVE PERFORMED THEIR SERVICES WITH DUE CARE AND DILIGENCE, THEY CANNOT GUARANTEE PERFECTION. COMMUNICATION IS IMPERFECT, AND EVERY CONTINGENCY CANNOT BE ANTICIPATED. ANY AMBIGUITY OR DISCREPANCY DISCOVERED BY THE USE OF THESE PLANS SHALL BE REPORTED IMMEDIATELY TO THE ARCHITECT. FAILURE TO NOTIFY THE ARCHITECT COMPOUNDS MISUNDERSTANDING AND INCREASES CONSTRUCTION COSTS. A FAILURE TO COOPERATE BY A SIMPLE NOTICE TO THE ARCHITECT SHALL RELIEVE THE ARCHITECT FROM RESPONSIBILITY FOR ALL CONSEQUENCES.
- CHANGES TO WORK:**
ANY ITEMS DESCRIBED HEREIN THAT IMPACT PROJECT BUDGET OR TIME SHALL BE REQUESTED FROM THE CONTRACTOR VIA A WRITTEN CHANGE ORDER REQUEST PRIOR TO SUCH WORK. PERFORMANCE OF SUCH WORK WITHOUT APPROVAL BY CHANGE ORDER INDICATES THE GENERAL CONTRACTOR'S ACKNOWLEDGMENT OF NO INCREASE IN CONTRACT SUM OR TIME. CHANGES FROM THE PLANS OR SPECIFICATIONS MADE WITHOUT THE CONSENT OF THE ARCHITECT ARE UNAUTHORIZED AND SHALL RELIEVE THE ARCHITECT OF RESPONSIBILITY FOR ANY AND ALL CONSEQUENCES RESULTING FROM SUCH CHANGES.
- WORKMANSHIP:**
IT IS THE INTENT AND MEANING OF THESE DRAWINGS THAT THE CONTRACTOR AND EACH SUBCONTRACTOR PROVIDE ALL LABOR, MATERIALS, TRANSPORTATION, SUPPLIES, EQUIPMENT, ETC. TO OBTAIN A COMPLETE JOB WITHIN THE RECOGNIZED STANDARDS OF THE INDUSTRY.
- SUBSTITUTIONS:**
SUBSTITUTION OF "EQUAL" PRODUCTS WILL BE ACCEPTABLE WITH THE ARCHITECT'S WRITTEN APPROVAL.
- CONSTRUCTION SAFETY:**
THESE DRAWINGS DO NOT INCLUDE THE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. THE GENERAL CONTRACTOR SHALL PROVIDE FOR THE SAFETY, CARE OF UTILITIES AND ADJACENT PROPERTIES DURING CONSTRUCTION AND SHALL COMPLY WITH STATE AND FEDERAL SAFETY REGULATIONS.
- EXCAVATION PROCEDURES:**
UPON COMPLETION OF ANY EXCAVATION, THE OWNER SHALL RETAIN A SOILS ENGINEER TO INSPECT THE SUBSURFACE CONDITIONS IN ORDER TO DETERMINE THE ADEQUACY OF FOUNDATION DESIGN. CONTRACTOR SHALL NOT POUR ANY CONCRETE UNTIL APPROVAL IS OBTAINED FROM SOILS ENGINEER.
- FIELD CUTTING OF STRUCTURAL MEMBERS:**
THE GENERAL CONTRACTOR AND THE SUBCONTRACTORS SHALL FIELD COORDINATE AND OBTAIN APPROVAL FROM ENGINEER BEFORE ANY CUTTING, NOTCHING OR DRILLING OF ANY CAST-IN-PLACE CONCRETE, STEEL FRAMING OR ANY OTHER STRUCTURAL ELEMENTS WHICH MAY AFFECT THE STRUCTURAL INTEGRITY OF THE BUILDING. REFER TO 2009 I.R.C., MANUFACTURER'S OR SUPPLIER'S INSTRUCTIONS, AND STRUCTURAL DRAWINGS FOR ADDITIONAL REQUIREMENTS.
- WEATHER CONDITIONS:**
THE OWNER HAS BEEN ADVISED THAT DUE TO HARSH WINTER CONDITIONS, ROOF AND DECK SURFACE MUST BE MAINTAINED REASONABLY FREE OF ICE AND SNOW TO ENSURE MINIMAL PROBLEMS WITH THESE SURFACES. ALL ROOFING, ROOFING MEMBRANE AND WATERPROOFING SHALL BE APPROVED IN WRITING BY PRODUCT MANUFACTURER (W.R. GRACE FOR BITUTHENE, ETC.) PRIOR TO PROCEEDING WITH ANY WORK. FAILURE TO PROVIDE THESE WRITTEN APPROVALS REMOVES ALL RESPONSIBILITY FOR THE WORK FROM THE ARCHITECT.
- BUILDING AREA:**
BUILDING AREAS ARE SHOWN FOR CODE PURPOSES ONLY AND SHALL BE RECALCULATED FOR ANY OTHER USE.

- PROJECT STAKING:**
THE GENERAL CONTRACTOR SHALL VERIFY ALL EXISTING GRADES AND STAKE ALL BUILDING CORNERS AND DRIVEWAY LOCATION FOR OWNER/ARCHITECT AND DESIGN REVIEW BOARD APPROVAL PRIOR TO BEGINNING ANY SITE CLEARING.
- SITE DISTURBANCE:**
IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PROTECT THE EXISTING TREES TO REMAIN AND ADJACENT PROPERTIES FROM DAMAGE DURING CONSTRUCTION. PROVIDE PROTECTIVE FENCING THROUGHOUT CONSTRUCTION.
- PROJECT GRADES:**
THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL GRADES INCLUDING PAVED AREAS SLOPES PRIOR TO POURING ANY FOUNDATION. SURVEY WORK SHOULD BE VERIFIED IN DETAIL.

SUSTAINABLE CONSTRUCTION PRACTICES

- ENVIRONMENTAL HEALTH**
IT IS THE ARCHITECT'S INTENT THAT THE CLIENT RECEIVE A PRODUCT THAT IS BOTH FUNCTIONAL AND DESIGNED WITH THE HEALTH AND WELL-BEING OF THE CLIENT IN MIND. TO THIS END, IT IS ASSUMED THAT MATERIALS SPECIFIED WILL BE, WHENEVER AND WHEREVER POSSIBLE, OF THE HIGHEST QUALITY AND OF AN ENVIRONMENTALLY SOUND NATURE. THIS INCLUDES, BUT IS NOT LIMITED TO, PAINTS AND CARPETS WITH NO TO LOW VOLATILE ORGANIC COMPOUND EMISSIONS.
- RECYCLED MATERIALS & PRODUCTS**
FULLY OR PARTIALLY RECYCLED MATERIALS & PRODUCTS ARE TO BE USED AS ALTERNATIVES TO ORIGINAL-USE PRODUCTS WHENEVER APPROPRIATE (e.g. LUMBER, FLOORING, ETC.). IT IS FURTHER EXPECTED THAT THE CONTRACTOR WILL PURCHASE MATERIALS THAT ARE MANUFACTURED AS PHYSICALLY CLOSE TO THE LOCATION OF THE PROJECT AS CAN BE REASONABLY EXPECTED, WITH THE CONSIDERATION OF CARBON EMISSIONS IN MIND.
- INSULATIONS**
WHERE CELLULOSE INSULATION IS USED AS AN ALTERNATIVE TO FIBERGLASS BATT OR FOAM, CONTRACTOR IS TO ADHERE STRICTLY TO MANUFACTURER'S GUIDELINES FOR INSTALLATION AND MOISTURE CONTROL. R-VALUES MUST EQUAL OR EXCEED SPECIFIED R-VALUES ON PLANS.
- GLUES AND ADHESIVES**
LOW V.O.C. GLUES AND ADHESIVES ARE TO BE USED WHEN THEY MEET PROJECT TOLERANCES. EXAMPLES INCLUDE: DAP® 20308 Heavy-Duty Projects VOC-Compliant Construction Adhesive & PL 4008 Low VOC Heavy Duty Construction Adhesive.
- PAINTS AND SOLVENTS**
USE LOW- OR ZERO-V.O.C. PAINTS SUCH AS KELLY-MOORE 'ENVIRO-COTE' OR DEVCO 'WONDERPURE' TYPE PAINTS. EXTERIOR OIL-BASED PAINTS ARE TO BE THINNED OR CLEANED WITH TURPENTINE, OR OTHER NATURAL SOLVENTS. USE NATURAL PAINTS WHERE POSSIBLE, AS THE CLIENT REQUIRES.
- RESOURCES**
USE THE LEED ONLINE GUIDELINES FOR SUSTAINABLE OPTIONS. ADDITIONAL RESOURCES CAN BE FOUND AT:
<http://www.green-buildings.com/products-certification>
THE NAHB GREEN ICC 700 NATIONAL GREEN BUILDING STANDARD CAN ALSO BE USED TO INFORM THE SUSTAINABLE BUILDING PRACTICES PLAN OUTLINED BELOW.
<http://www.NAHBGREEN.ORG>
- THE CONTRACTOR IS TO PRESENT A SUSTAINABLE BUILDING PRACTICES PLAN TO THE ARCHITECT & CLIENT DETAILING THE PROPOSED SUSTAINABLE ALTERNATIVES HE OR SHE INTENDS TO IMPLEMENT.**

SITE NOTES

- ELECTRICAL, CABLE T.V. AND TELEPHONE TO BE UNDERGROUND IN COMMON TRENCH.
- VERIFY ALL UTILITY LOCATIONS PRIOR TO ANY WORK. COORDINATE UTILITY ROUTING WITH APPLICABLE UTILITY COMPANY. ALL UTILITIES TO BE UNDERGROUND.
- PROVIDE POSITIVE DRAINAGE AT BUILDING PERIMETER. (SLOPE AWAY FROM BUILDING AT 1:12 MIN.)
- REFER TO FOUNDATION PLAN FOR FOUNDATION DRAIN LOCATION AND SLOPE. DRAINS TO BE CONNECTED TO STORM SEWER AT STREET
- PROVIDE 6" DIA. STONE RIP RAP OVER WEED BARRIER FABRIC AT EAVES AND VALLEY DRIP LOCATIONS.
- STAKE HOUSE LOCATION FOR OWNER, ARCHITECT, AND ARCHITECTURAL REVIEW BOARD PRIOR TO ANY WORK.
- GENERAL CONTRACTOR TO REVIEW & COMPLY WITH ALL SUBDIVISION CONDITIONS. COPIES OF CONDITIONS ARE AVAILABLE FROM ARCHITECT.

MINIMUM DESIGN CRITERIA

FOR CLIMATE ZONES 7 & 8:

- | | | |
|--------------------------|-------|----------------------|
| 1. DESIGN SNOW LOAD: | _____ | 91 PSF (ROOF) |
| 2. WIND LOAD (ULTIMATE): | _____ | 115 MPH |
| 3. SEISMIC DESIGN: | _____ | CATEGORY B |

APPLICABLE CODES AND STANDARDS

JURISDICTION
THE TOWN OF GRAND LAKE
GRAND COUNTY BUILDING DEPARTMENT
THREE LAKES WATER AND SANITATION DISTRICT
GRAND LAKE FIRE PROTECTION DISTRICT
COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

APPLICABLE CODES
2015 IRC - INTERNATIONAL RESIDENTIAL CODE
2015 IECC - INTERNATIONAL ENERGY CONSERVATION CODE
2015 IFC - INTERNATIONAL FIRE CODE
2015 IFGC - INTERNATIONAL FUEL GAS CODE
2015 IMC - INTERNATIONAL MECHANICAL CODE
2015 IPC - INTERNATIONAL PLUMBING CODE
2017 NEC - NATIONAL ELECTRIC CODE
THE TOWN OF GRAND LAKE MUNICIPAL CODE

ENERGY CODE REQUIREMENTS

- AIR LEAKAGE**
THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING A SEALED, WEATHER TIGHT BUILDING THERMAL ENVELOPE AS REQUIRED PER IECC 402.4 WITH CAULKING, GASKETS, WEATHERSTRIPPING OR OTHERWISE SEALED WITH AN AIR BARRIER MATERIAL, SUITABLE FILM OR SOLID MATERIAL AT THE FOLLOWING LOCATIONS:
 - ALL JOINTS, SEAMS AND PENETRATIONS.
 - SITE-BUILT WINDOWS, DOORS AND SKYLIGHTS.
 - OPENINGS BETWEEN WINDOW AND DOOR ASSEMBLIES AND THEIR RESPECTIVE JAMBS AND FRAMING.
 - UTILITY PENETRATIONS.
 - DROPPED CEILINGS OR CHASES ADJACENT TO THE THERMAL ENVELOPE
 - KNEE WALLS
 - WALLS AND CEILINGS SEPARATING A GARAGE FROM CONDITIONED SPACES
 - BEHIND TUBS AND SHOWERS ON EXTERIOR WALLS
 - COMMON WALLS BETWEEN UNITS
 - OTHER SOURCES OF INFILTRATION

STRUCTURAL NOTES

CONCRETE REINFORCEMENT SHALL CONFORM TO ASTM A61504A, GRADE 60, EXCEPT TIES OR BARS SHOWN TO BE FIELD-BENT, WHICH SHALL BE GRADE 40. REINFORCEMENT PROTECTION SHALL BE 3".

STRUCTURAL STEEL SHALL BE BUILT ACCORDING TO AISC 360-05, AISC 303-05, ASTM A36-04 STANDARDS.

WOOD DESIGN CONFORMS TO ANSI/AF&PA NDS-2005 AND ANSI/AF&PA SDPWS-2005. LUMBER SHALL BE SOUTHERN YELLOW PINE, 19% MAX MOISTURE CONTENT. TREATED WOOD FASTENERS SHALL COMPLY WITH IRC R317.3. LIGHT FRAMING SHALL COMPLY WITH IRC R502, R602, R802. BOLTS, SCREWS, NAILS, AND SPIKES SHALL COMPLY WITH ANSI/ASME B18.2.1, ASTM SAE J429 GRADE 1, ASTM F1667, ANSI/ASME B18.6.1.

BUILDING NOTES

EXISTING DOCK AREA: 479 SQFT
NEW BUILDING FOOTPRINT AREA: 994 SQFT
NEW BUILDING HEIGHT: 16' - 0"

CONTACT INFO:

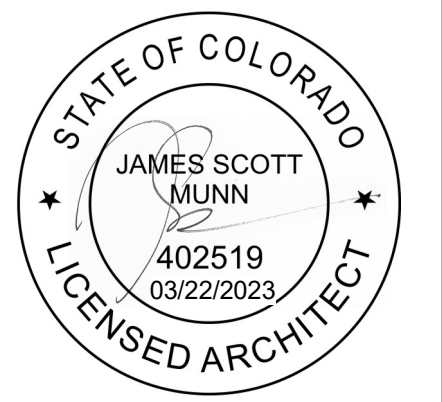
ARCHITECT: MUNN ARCHITECTURE, LLC SCOTT MUNN, AIA 315 E. AGATE AVENUE GRANBY, CO 80446 PH: 970-887-9366	SURVEYOR: AZIMUTH SURVEY COMPANY WARREN D. WARD P.O. BOX 653 FRASER, CO 80442 PH: 970-531-1120	ENVIRONMENTAL ENGINEER: ENVIRONMENTAL SOLUTIONS, INC. STEVE DAHMER 600 COUNTY ROAD 216 RIFLE, CO 81650 PH: 970-618-6841
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SHEET INDEX LEGEND:	
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<input type="checkbox"/> NOT ISSUED	<input checked="" type="checkbox"/> REMOVED FROM DRAWING SET

SHEET INDEX		2023-0316 - PERMIT
SHEET #	SHEET TITLE	

GENERAL	
GO.00	COVER SHEET
CIVIL	
N/A	TOPOGRAPHIC SURVEY PLAN
ARCHITECTURAL	
A0.20	DOOR, WINDOW, FINISH SCHEDULES, & ASSEMBLY TYPES
A1.00	PROJECT SITE PLAN
A3.01	MAIN DECK FRAMING & FOUNDATION PLAN
A3.02	OVERALL FLOOR PLANS
A5.01	OVERALL EXTERIOR ELEVATIONS
A6.10	BUILDING SECTIONS
A6.21	EXTERIOR PERSPECTIVES

ISSUANCE : DATE :
PERMIT 2023-0322



SHEET TITLE :
COVER SHEET

SHEET NUMBER :
GO.00



MATERIALS & FINISHES LEGEND

COMPOSITE DECKING (EXTERIOR FLOORING)

CDG-1 **MFR:** THERMORY
PRODUCT: 1x6" ASH DECKING W/ GROOVED EDGE AND CONCEALED FASTENERS
FINISH: TO MATCH (E) RESIDENCE

EPDM SINGLE PLY MEMBRANE ROOFING SYSTEM

EPDM-1 **MFR:** FIRESTONE
PRODUCT: RUBBERGARD EPDM
FINISH: BLACK

PAINTING

PT-1 **MFR:** SHERWIN-WILLIAMS
FINISH: SIMPLE WHITE (SW7021), (TYP INTERIORS, UON)

(FINAL COLOR SELECTION AND ACCENT WALLS TO BE FIELD VERIFIED WITH OWNER AND ARCHITECT PRIOR TO BEGINNING WORK)

SIDING (EXTERIOR)

SDG-1 **MFR:** TBD
PRODUCT: WOOD SHAKE SIDING TO MATCH (E) RESIDENCE
FINISH: TO MATCH (E) RESIDENCE

METAL (EXTERIOR)

MP-1 **MFR:** TBD
PRODUCT: 1" STANDING SEAM PROFILE PAEN STSTEM " WIDE TYPICAL)
FINISH: 24 GA TO MATCH (E) RESIDENCE

WOOD TRIM & TIMBER ACCENTS (EXTERIOR)

WTR-1 **MFR:** TBD
PRODUCT: 2x EXTERIOR-GRADE CORNER TRIM
FINISH: LIFETIME WOOD TREATMENT / STAIN TO MATCH (E) RESIDENCE

WTR-2 **MFR:** TBD
PRODUCT: 6x6 EXTERIOR GRADE TIMBER COLUMN
FINISH: LIFETIME WOOD TREATMENT / STAIN TO MATCH (E) RESIDENCE

WTR-3 **MFR:** TBD
PRODUCT: EXTERIOR GRADE WOOD CORBEL TO MATCH (E) RESIDENCE
FINISH: LIFETIME WOOD TREATMENT / STAIN TO MATCH (E) RESIDENCE

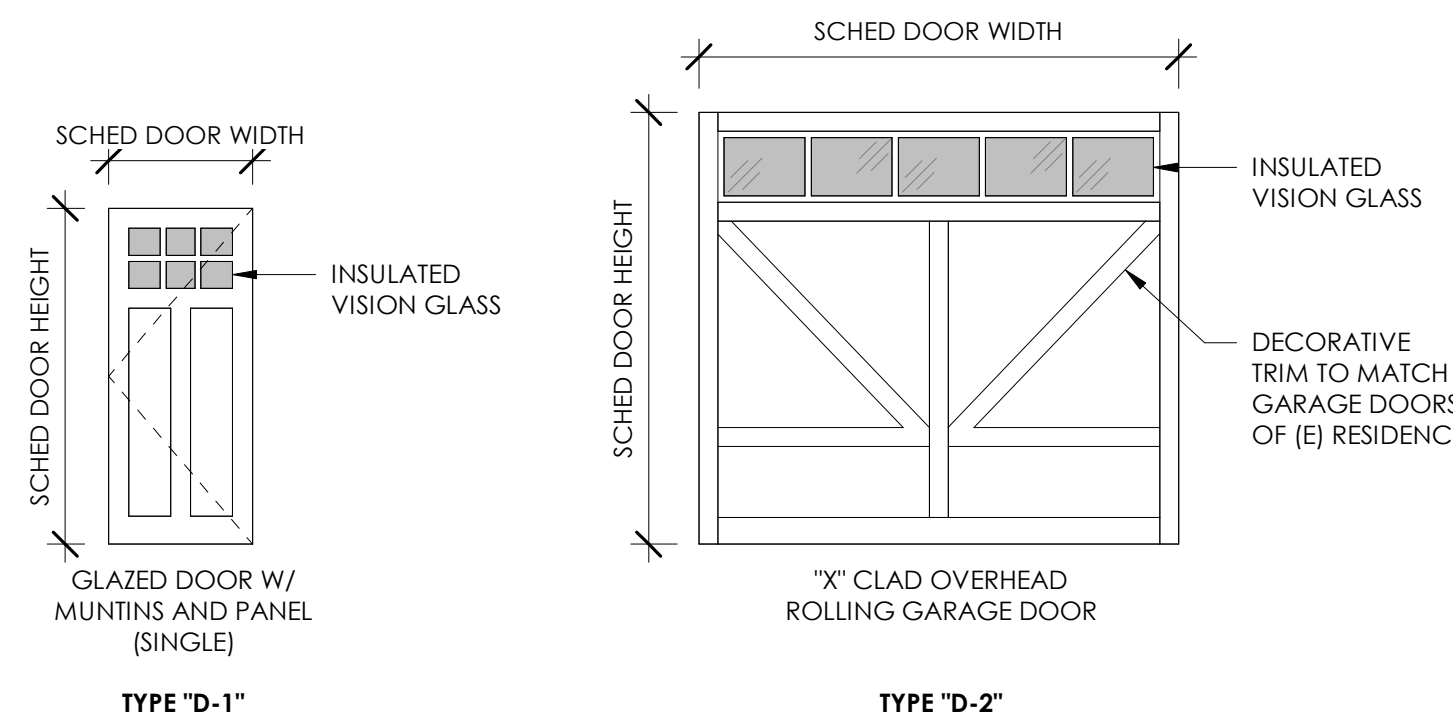
HR-1 **MFR:** TBD
PRODUCT: HANDRAIL TO MATCH (E) RESIDENCE
FINISH: TRANSPARENT LIFETIME WOOD TREATMENT / STAIN TO MATCH (E) RESIDENCE

TR-1/TR-2 **MFR:** TBD
PRODUCT: EXTERIOR GRADE WINDOW AND DOOR TRIM
FINISH: TRANSPARENT LIFETIME WOOD TREATMENT / STAIN TO MATCH (E) RESIDENCE

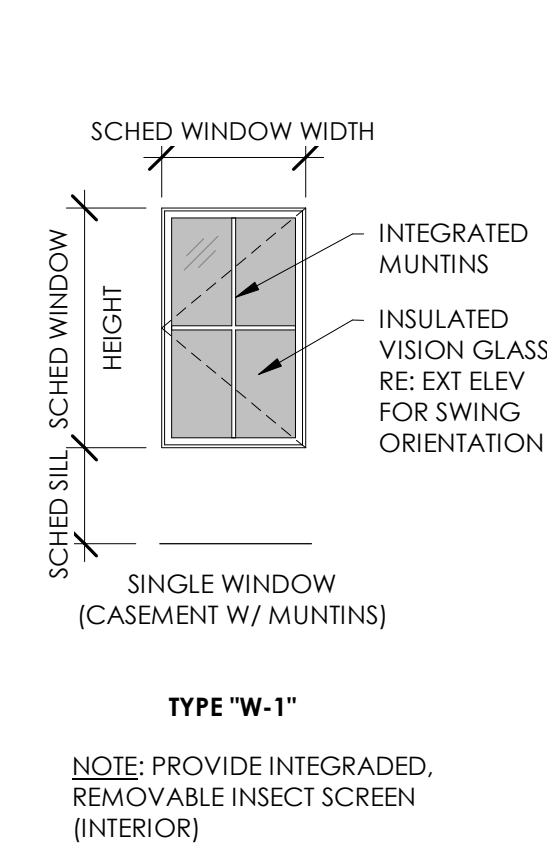
DOOR SCHEDULE															
DOOR NUMBER	DOOR TYPE	DOOR							FRAME / TRIM						COMMENTS
		WIDTH	HEIGHT	THICKNESS	MATERIAL	FINISH	UNDER CUT	FIRE RATING	TYPE	MATERIAL	FINISH	JAMB DETAIL	SILL DETAIL	HEAD DETAIL	
T.O. LOWER DECK															
100A	D-1	3' - 0"	7' - 0"	0' - 1 1/2"	WD	STAIN (TBD)	-	-	TR-1	WD	STAIN (TBD)	-	-	-	1, 2, 3, 4
100B	D-1	3' - 0"	7' - 0"	0' - 1 1/2"	WD	STAIN (TBD)	-	-	TR-1	WD	STAIN (TBD)	-	-	-	1, 2, 3, 4
100C	D-2	10' - 0"	9' - 0"		WD	STAIN (TBD)	-	-	TR-1	WD	STAIN (TBD)	-	-	-	5

WINDOW SCHEDULE															
WINDOW NUMBER	WINDOW TYPE	WINDOW						TRIM						COMMENTS	
		WIDTH	HEIGHT	SILL HEIGHT	HEAD HEIGHT	FRAME MATERIAL	HARDWARE SET	TYPE	MATERIAL	FINISH	TYPE	MATERIAL	FINISH		
T.O. LOWER DECK															
100A	W-1	2' - 6"	5' - 0"	2' - 0"	7' - 0"	WD	-	TR-2	WD	STAIN (TBD)	TR-2	WD	STAIN (TBD)		
100B	W-1	2' - 6"	5' - 0"	2' - 0"	7' - 0"	WD	-	TR-2	WD	STAIN (TBD)	TR-2	WD	STAIN (TBD)		
100C	W-1	2' - 6"	5' - 0"	2' - 0"	7' - 0"	WD	-	TR-2	WD	STAIN (TBD)	TR-2	WD	STAIN (TBD)		
100D	W-1	2' - 6"	5' - 0"	2' - 0"	7' - 0"	WD	-	TR-2	WD	STAIN (TBD)	TR-2	WD	STAIN (TBD)		

DOOR TYPES LEGEND



WINDOW TYPES LEGEND



DOOR SCHEDULE COMMENTS LEGEND:

- KEYED ENTRY LOCK SET W/ THUMB TURN AT INTERIOR (EXTERIOR GRADE), FINISH TBD
- SINGLE CYLINDER DEADBOLT LOCK SET W/ THUMB TURN AT INTERIOR (BUMP KEY RESISTANT), FINISH TBD
- BASEBOARD-MOUNTED DOOR STOP (SOLID WITH RUBBER TIP - NO SPRINGS), FINISH TO MATCH DOOR HARDWARE
- ALUM THRESHOLD / DOOR TRANSITION (ADA COMPLIANT) W/ BLACK ANODIZED FINISH IN CONTIN BED OF SEALANT
- ELECTRONIC GARAGE DOOR OPERATOR SYSTEM W/ MULTIPLE REMOTES

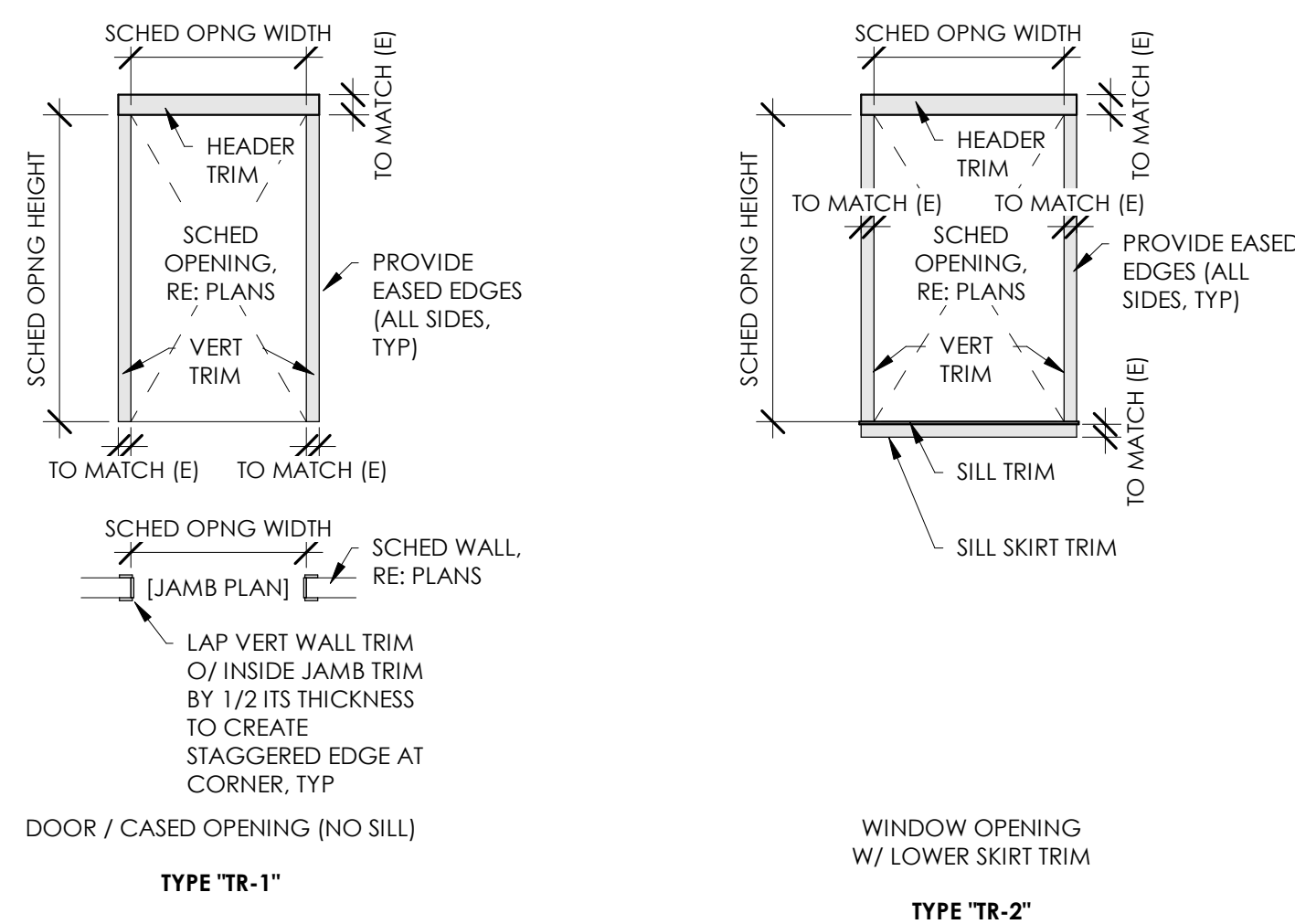
DOOR NOTES:

- ALL EXTERIOR DOORS SHALL BE WEATHER STRIPPED PER DOOR MFR.
- ALL ROUGH OPENINGS TO BE PROVIDED BY DOOR MFR AND FIELD VERIFIED BY THE CONTRACTOR.
- DOOR MANUFACTURER SHALL PROVIDE TEMPERED GLASS WHERE REQUIRED BY CODE.
- CONTRACTOR SHALL VERIFY DOOR ACCESSORIES AND FINISHES WITH OWNER PRIOR TO ORDERING.
- CONTRACTOR SHALL VERIFY DOOR MODEL NUMBERS / SIZES / QUANTITIES WITH MANUFACTURER PRIOR TO STARTING CONSTRUCTION AND INSTALL PER MFR'S WRITTEN INSTRUCTIONS.
- CONTRACTOR SHALL PROVIDE DOOR SHOP DRAWINGS FOR ARCHITECT REVIEW PRIOR TO CONSTRUCTION.
- DOOR MANUFACTURER SHALL PROVIDE A BLACK ANODIZED SPACER AT ALL INSULATED GLASS ASSEMBLIES WHERE SCHEDULED WITH A WOOD DOOR FINISH, TYP UON. FOR ALL OTHER FRAME FINISHES, PROVIDE CLEAR ANODIZED SPACERS.
- WHERE SCHED DOOR COLOR / STAIN FINISH IS TBD, CONTRACTOR SHALL PROVIDE SAMPLES TO OWNER AND ARCHITECT FOR APPROVAL PRIOR TO ORDERING.

WINDOW NOTES:

- ALL EXTERIOR WINDOWS SHALL BE WEATHER STRIPPED PER WINDOW MFR.
- ALL ROUGH OPENINGS TO BE PROVIDED BY WINDOW MFR AND FIELD VERIFIED BY THE CONTRACTOR.
- CONTRACTOR SHALL VERIFY LOCAL CODE EGRESS WINDOW REQUIREMENTS PRIOR TO CONSTRUCTION.
- WINDOW MANUFACTURER SHALL PROVIDE TEMPERED GLASS WHERE REQUIRED BY CODE.
- WINDOW MANUFACTURER SHALL CONFIRM WINDOW SWING / ORIENTATION PER ARCHITECTURAL EXTERIOR ELEVATIONS.
- CONTRACTOR SHALL VERIFY WINDOW MODEL NUMBERS / SIZES / QUANTITIES WITH MANUFACTURER BEFORE STARTING CONSTRUCTION AND INSTALL PER MFR'S WRITTEN INSTRUCTIONS.
- CONTRACTOR SHALL PROVIDE WINDOW SHOP DRAWINGS FOR ARCHITECT REVIEW PRIOR TO CONSTRUCTION.
- WINDOW MANUFACTURER SHALL PROVIDE A BLACK ANODIZED SPACER AT ALL INSULATED GLASS ASSEMBLIES WHERE SCHEDULED FOR BRONZE WINDOW FRAMES, TYP UON. FOR ALL OTHER FRAME FINISHES, PROVIDE CLEAR ANODIZED SPACERS.
- WHERE SCHED WINDOW FRAME COLOR / STAIN FINISH IS TBD, CONTRACTOR SHALL PROVIDE SAMPLES TO OWNER AND ARCHITECT FOR APPROVAL PRIOR TO ORDERING.
- CONTRACTOR SHALL FIELD VERIFY DIMS FOR ALL EXISTING WINDOWS SCHEDULED FOR REPLACEMENT PRIOR TO ORDERING.

TRIM TYPES LEGEND

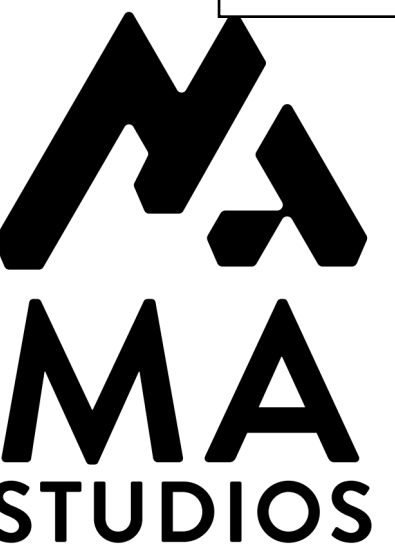


NOTE: WALL TRIM MAY VARY ON EACH SIDE OF OPENING, RE: DOOR / WINDOW SCHEDULE

FLOOR ASSEMBLIES		
FLOOR TYPE	SECTION	DESCRIPTION
F-01		1x6 DECKING 2x FRAMING (2x8 MAIN DECK, 2x12 UPPER DECK)

ROOF ASSEMBLIES		
ROOF TYPE	SECTION	DESCRIPTION
R-01		EPDM ROOFING SYSTEM (EPDM-1) INSTALLED PER MANUFACTURER'S SPECS 5/8" EXTERIOR PLYWOOD SHEATHING ROOF FRAMING 1/2" GYP WALL BOARD (TAPED, TEXTURED, & PAINTED)

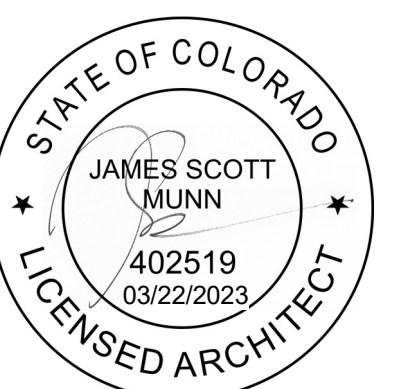
EXTERIOR WALL ASSEMBLIES		
WALL TYPE	SECTION	DESCRIPTION
EWA-01		SCHED WD SIDING, RE: EXT ELEV FOR TYPE AND ORIENTATION PT 7/16" CDX PLYWOOD OR OSB SHEATHING 2x6 WD STUD FRAMING 1/2" GYP WALL BOARD (TAPED, TEXTURED, & PAINTED) OVER VAPOR BARRIER (WARM-SIDE OF WALL)



315 EAST AGATE AVENUE
GRANBY, CO 80446
970-887-9366
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OLIVER BOATHOUSE
RYAN OLIVER
377 LAKE KOVE DRIVE
GRAND LAKE, CO 80447
PROJECT #: 2145

ISSUANCE : DATE :
PERMIT 2023-0322



SHEET TITLE :
DOOR, WINDOW, FINISH SCHEDULES, & ASSEMBLY TYPES

SHEET NUMBER :
A0.20

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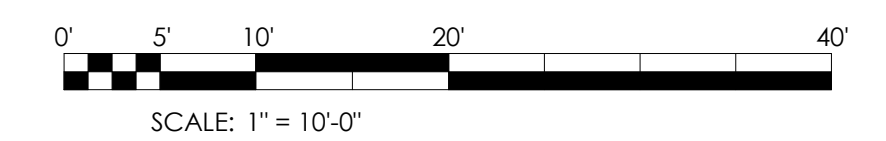
PROJECT ZONING SUMMARY

LEGAL DESCRIPTION: SUBD: LAKE KOVE SUBDIVISION LOT: 5 LESS ROW
 SUPER NEIGHBORHOOD: 1402 - RES SHADOW MTN LAKEFRONT
 SITUS ADDRESS: 000377 LAKE KOVE DRIVE
 GRAND LAKE, CO 80447
 CONSTRUCTION TYPE: VB - WOOD FRAMED (NON-FIRE RATED)
 ZONING CLASSIFICATION: SFR_HD - SINGLE FAMILY RES_HIGH DENSITY
 FRONT YARD SETBACK: 25' - 0"
 SIDE YARD SETBACK: 10' - 0"
 REAR YARD SETBACK: 10' - 0"
 WATER QUALITY SETBACK: 30' - 0"
 MAX BUILDING HEIGHT: 16' - 0" (MEASURED FROM THE WATER LINE TO THE HIGHEST POINT OF THE STRUCTURE)
 HEIGHT (STORIES): 1
 GROSS SITE AREA: 0.426 ACRES @ PROPERTY LINE
 EXTENSION BEYOND SHORELINE: CANNOT EXTEND MORE THAN 35' - 0" BEYOND THE NATURAL SHORELINE
 WIDTH: CANNOT EXCEED 30' - 0" IN WIDTH (DOESNT INCLUDE ANY UNCOVERED DOCK OR DECKING WITH A PHYSICAL CONNECTION TO THE STRUCTURE)
 LIGHTING (EXTERIOR): LIGHTING SHALL BE CONSISTENT WITH THE 'DARK-SKY CONCEPT' THROUGH THE UTILIZATION OF APPROVED NIGHTSCAPING FIXTURES, WHICH PREVENT ADVERSE EFFECTS OF ARTIFICIAL NIGHT LIGHTING. THIS SHALL INCLUDE COMPONENTS TO REDUCE: SKY GLOW, GLARE, LIGHT TRESPASSING AND CLUTTER, DECREASED NIGHT VISIBILITY, AND ENERGY WASTE. (TOGL ARTICLE 7: DESIGN REVIEW STANDARDS 12-7-6)
 EXTERIOR MATERIAL REQUIREMENTS: ALL PAINT COLORS SHALL BE APPROVED BY TOWN STAFF PRIOR TO PAINTING. (TOGL ARTICLE 1: BUILDING REGULATIONS 12-7-4(A))

SITE PLAN LEGEND:



PROJECT SITE PLAN
 SCALE: 1" = 10'-0"
 BACK REF:



Section 5, Item D.

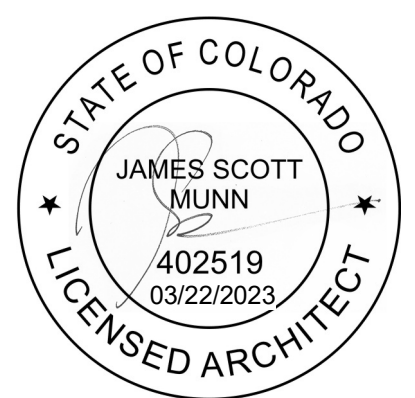


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OLIVER BOATHOUSE

RYAN OLIVER
 377 LAKE KOVE DRIVE
 GRAND LAKE, CO 80447
 PROJECT #: 2145

ISSUANCE: PERMIT
 DATE: 2023-0322



SHEET TITLE:
 PROJECT SITE PLAN

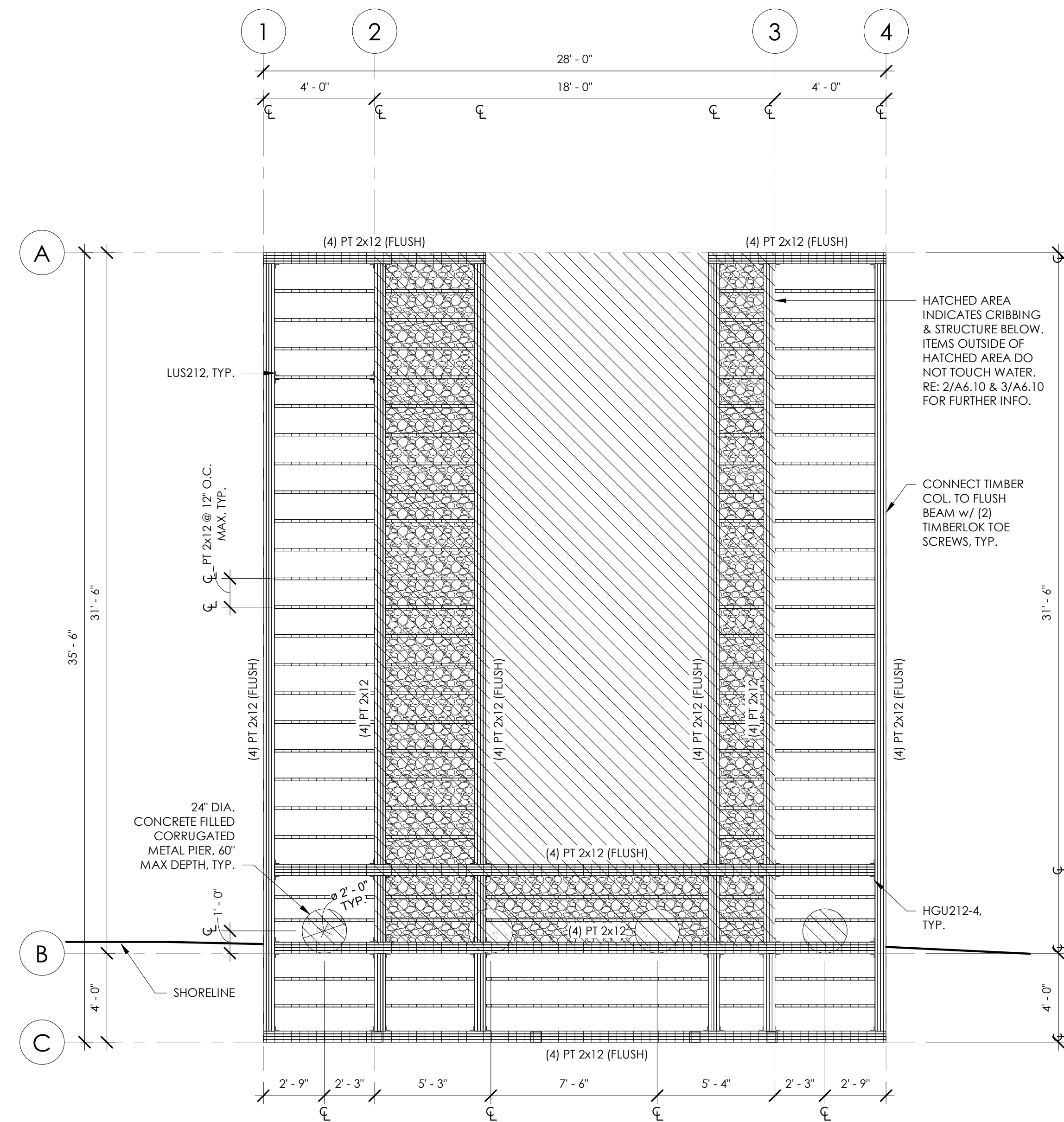
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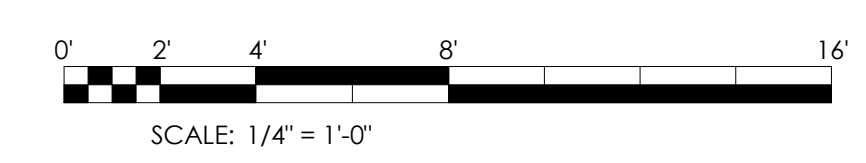
BUILDING AREA:

MAX ALLOWABLE AREA PER USFS REQUIREMENTS: 600sf

PROPOSED BUILDING AREA: 566.30sf
*INCLUDES ALL BUILDING ELEMENTS THAT CONTACT WATER.



1 OVERALL FLOOR PLAN - MAIN DECK FRAMING
SCALE: 1/4" = 1'-0" BACK REF:



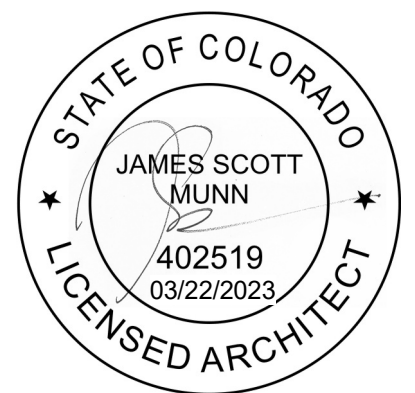
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OLIVER BOATHOUSE
RYAN OLIVER
377 LAKE KOVE DRIVE
GRAND LAKE, CO 80447
PROJECT #: 2145

ISSUANCE : DATE :
PERMIT 2023-0322



SHEET TITLE :
MAIN DECK
FRAMING &
FOUNDATION PLAN

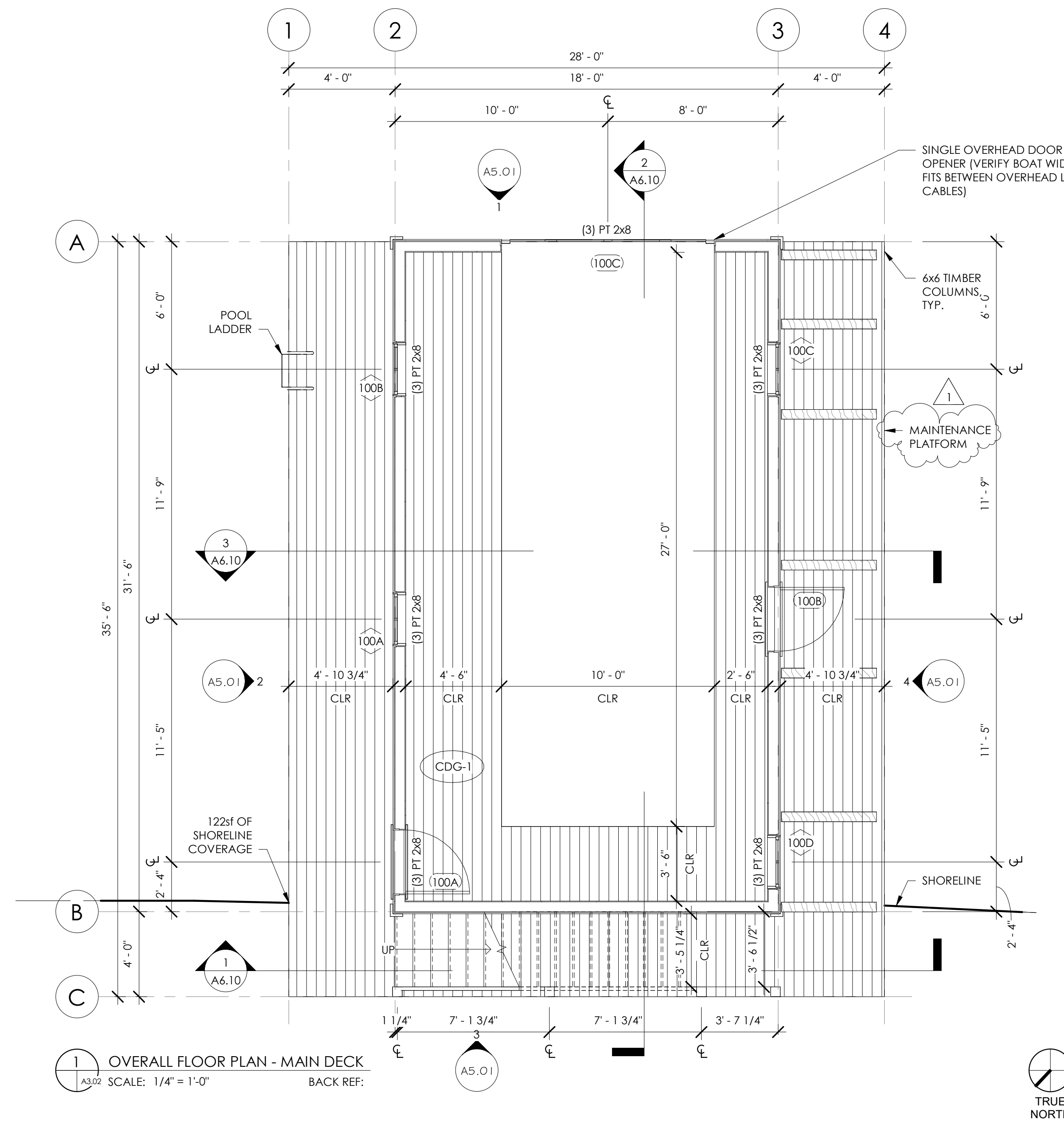
SHEET NUMBER :
A3.01

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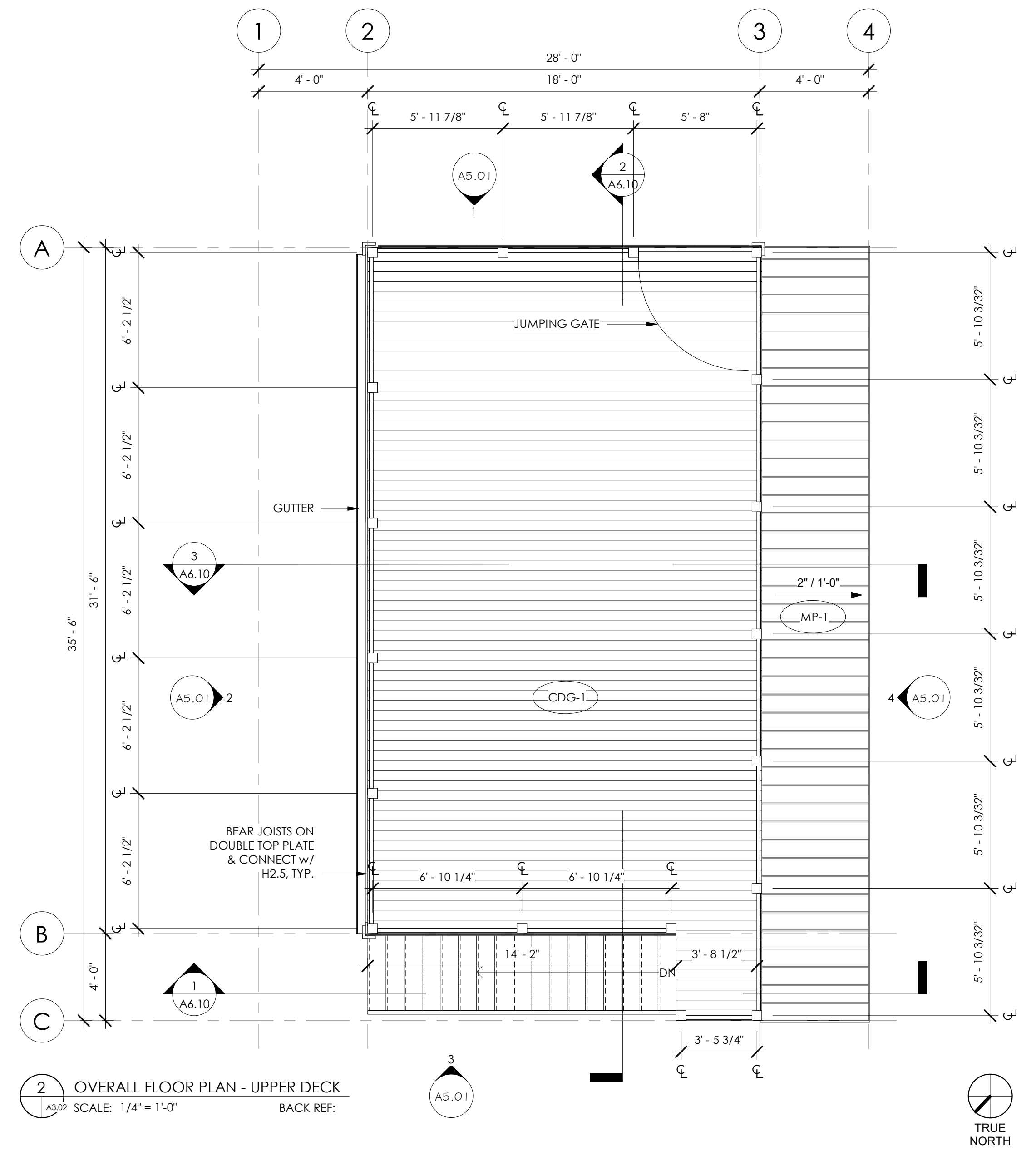
BUILDING AREA:

MAX ALLOWABLE AREA PER USFS REQUIREMENTS: 600sf

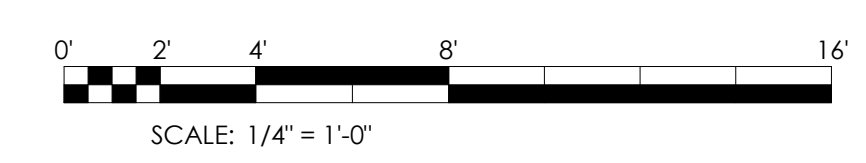
PROPOSED BUILDING AREA: 566.30sf
 *INCLUDES ALL BUILDING ELEMENTS THAT CONTACT WATER.



1 OVERALL FLOOR PLAN - MAIN DECK
 AS102 SCALE: 1/4" = 1'-0" BACK REF:



2 OVERALL FLOOR PLAN - UPPER DECK
 AS102 SCALE: 1/4" = 1'-0" BACK REF:



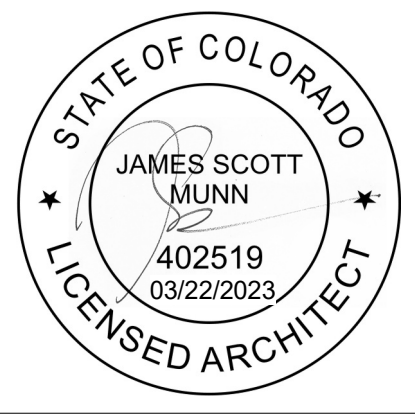
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315 EAST AGATE AVENUE
 GRANBY, CO 80446
 970-887-9366
 MAARCHITECTURAL.COM

OLIVER BOATHOUSE
 RYAN OLIVER
 377 LAKE KOVE DRIVE
 GRAND LAKE, CO 80447
 PROJECT #: 2145

ISSUANCE: DATE:
 PERMIT: 2023-0322
 USFS REVISIONS: 2024-0509

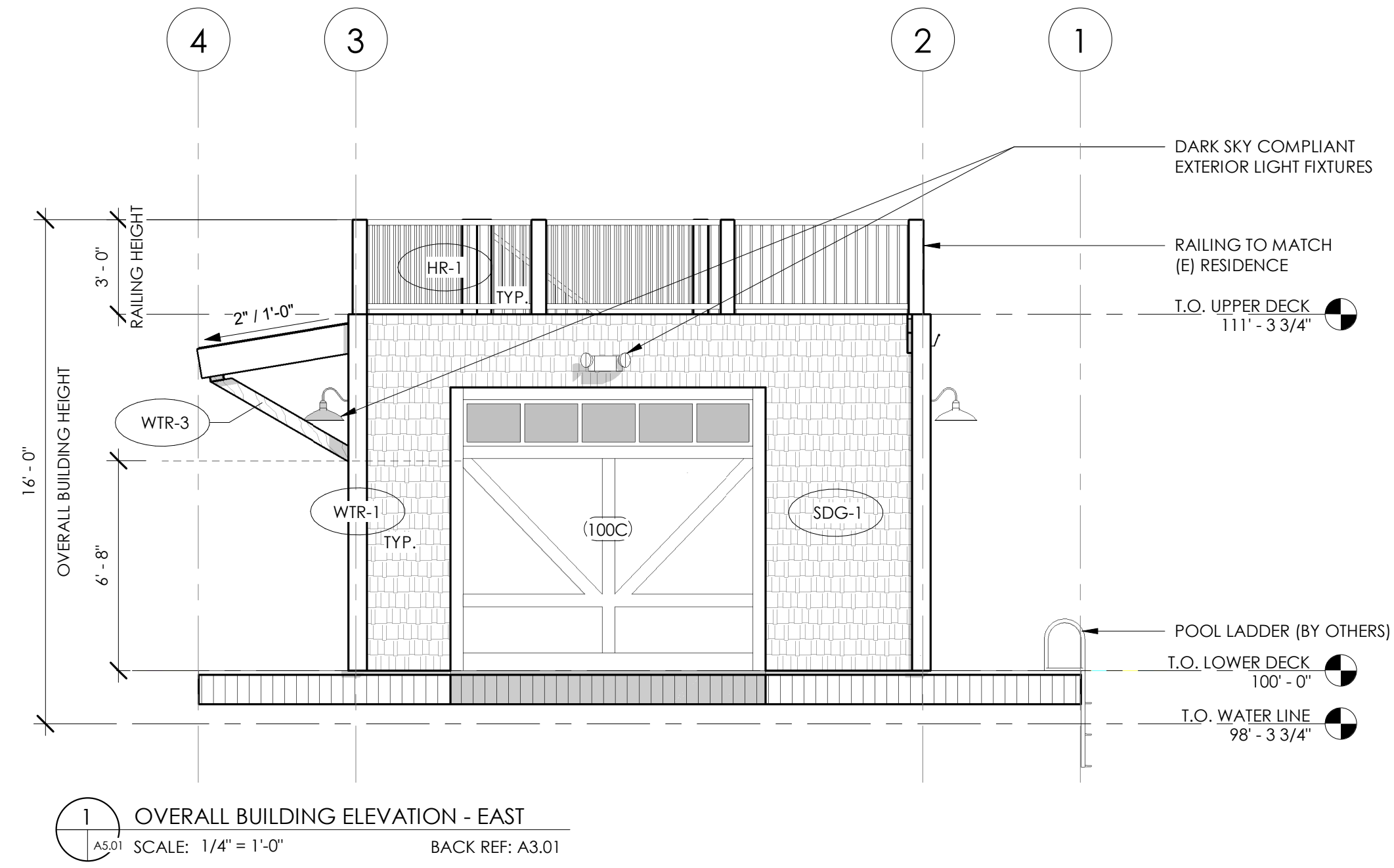


SHEET TITLE:
 OVERALL FLOOR PLANS

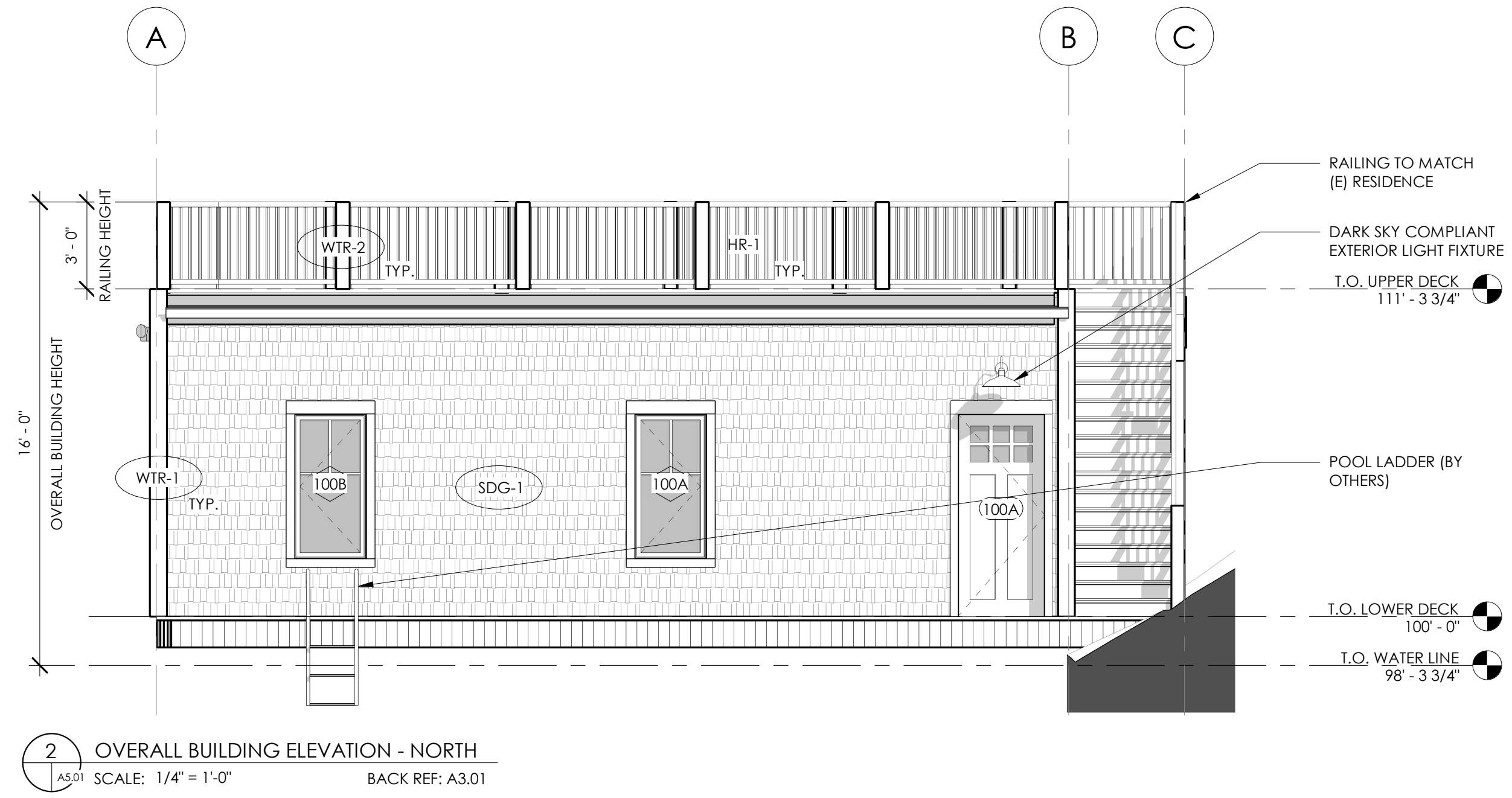
SHEET NUMBER:
A3.02

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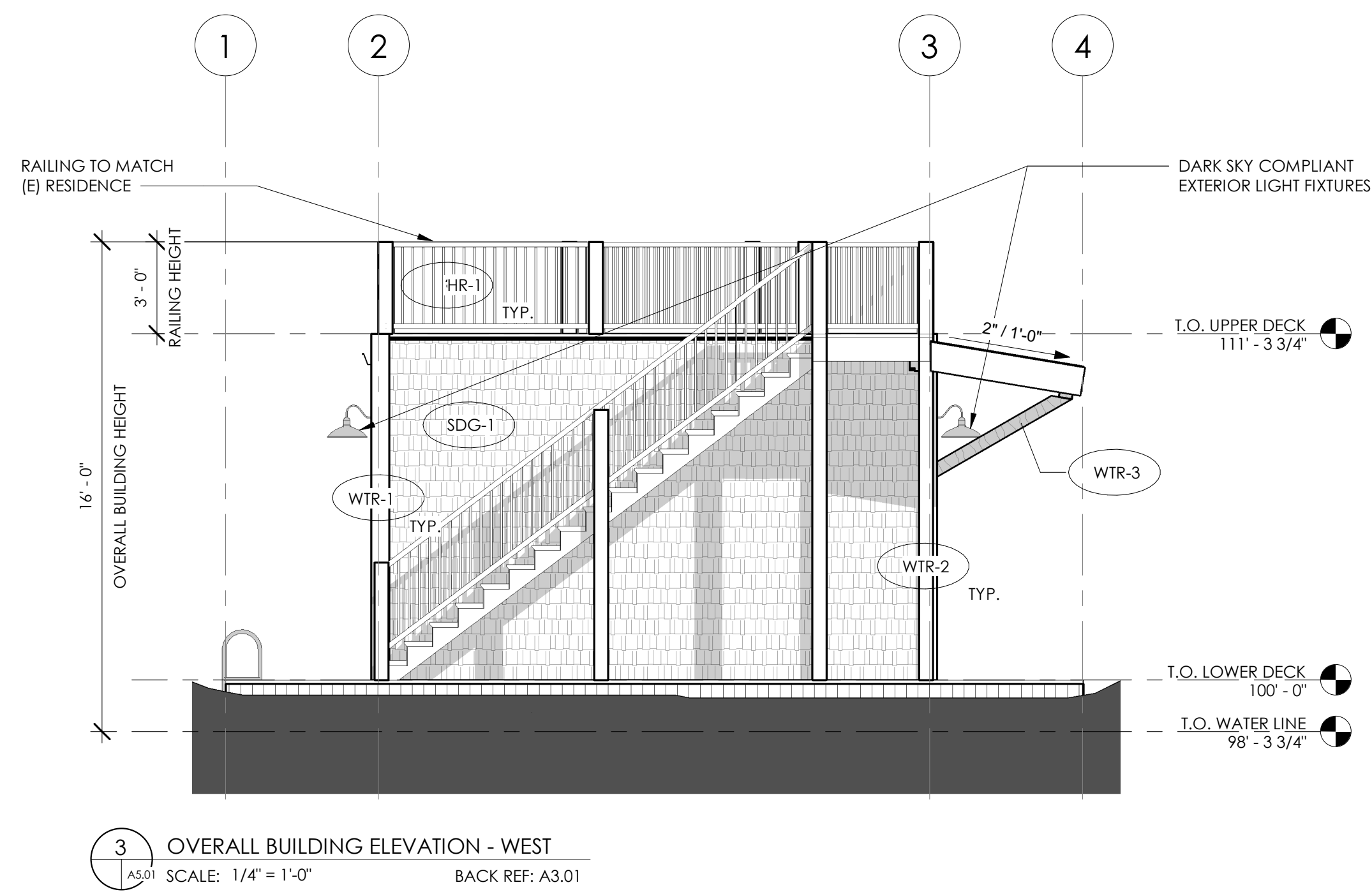
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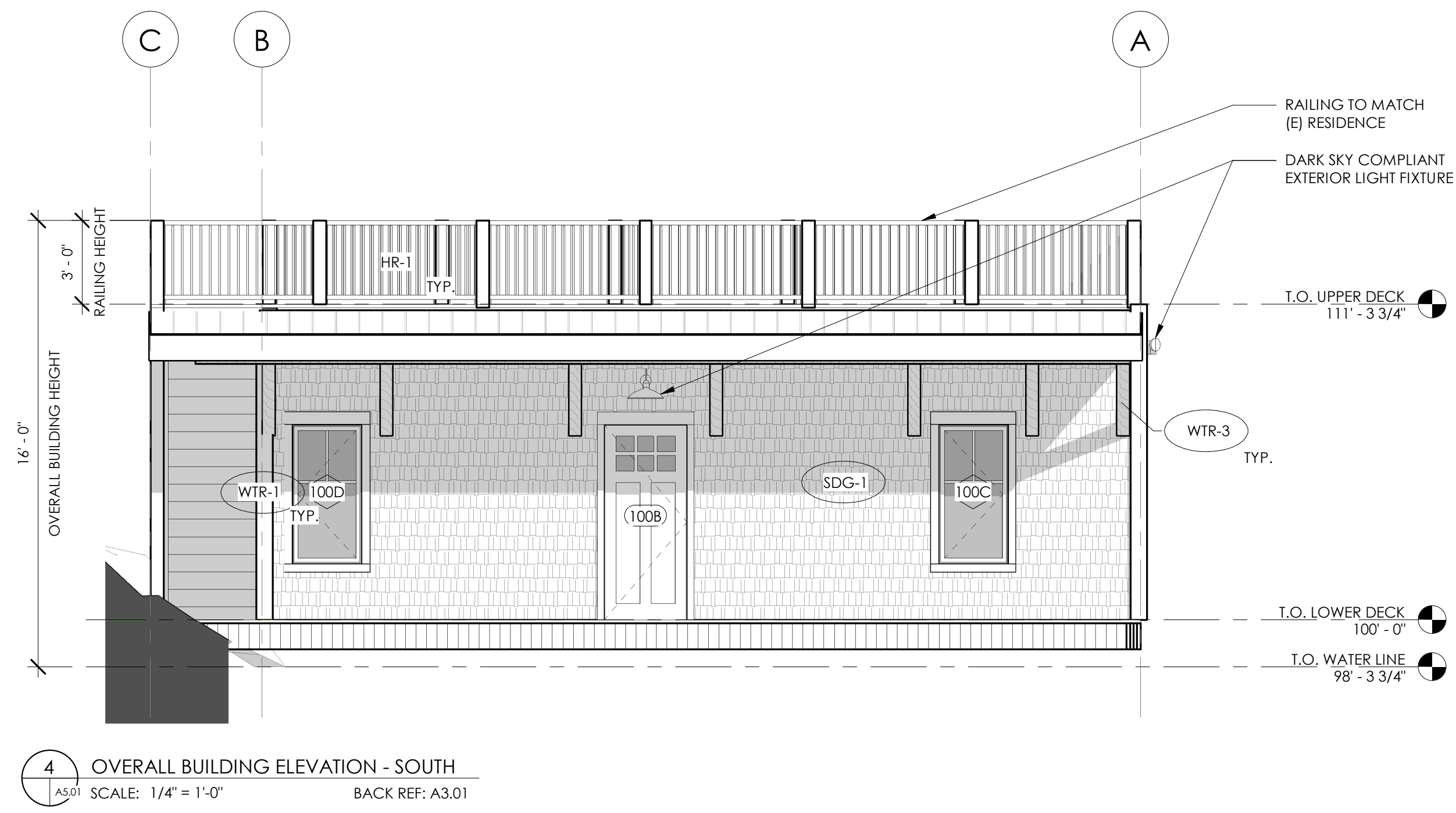
1 OVERALL BUILDING ELEVATION - EAST
 AS01 SCALE: 1/4" = 1'-0" BACK REF: A3.01



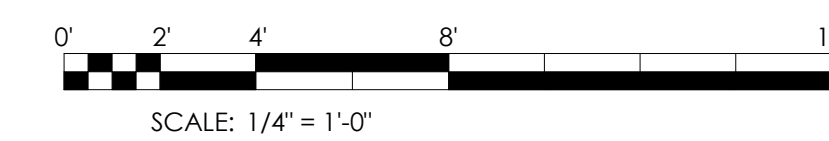
2 OVERALL BUILDING ELEVATION - NORTH
 AS01 SCALE: 1/4" = 1'-0" BACK REF: A3.01



3 OVERALL BUILDING ELEVATION - WEST
 AS01 SCALE: 1/4" = 1'-0" BACK REF: A3.01



4 OVERALL BUILDING ELEVATION - SOUTH
 AS01 SCALE: 1/4" = 1'-0" BACK REF: A3.01

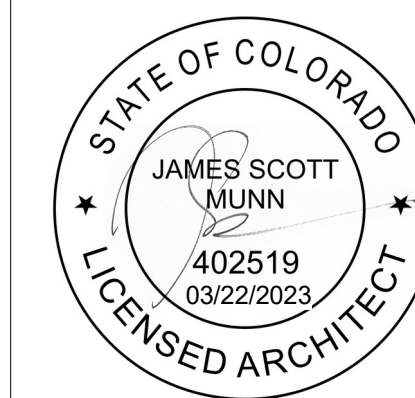


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OLIVER BOATHOUSE

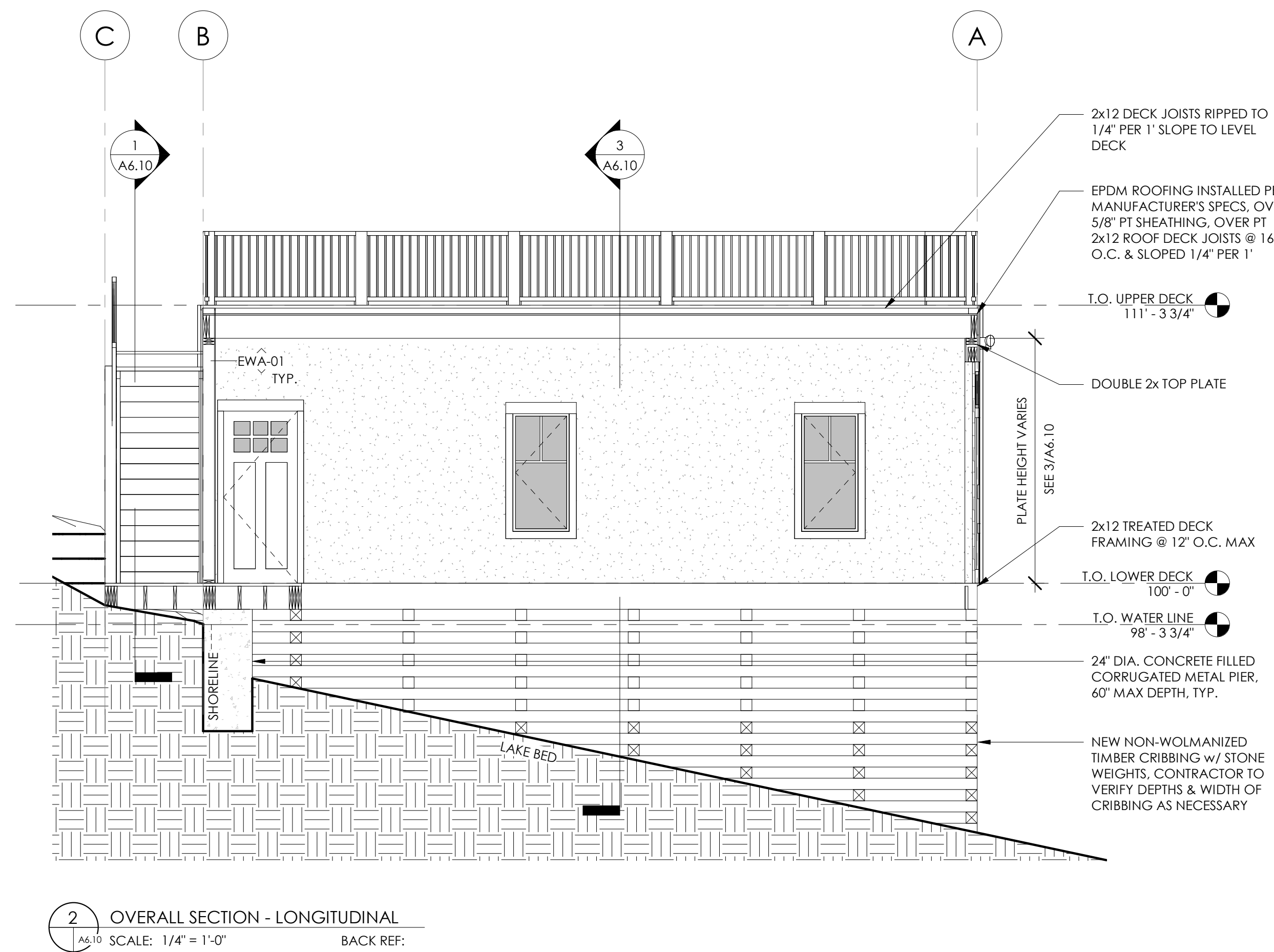
RYAN OLIVER
 377 LAKE KOVE DRIVE
 GRAND LAKE, CO 80447
 PROJECT #: 2145

ISSUANCE : DATE :
 PERMIT 2023-0322

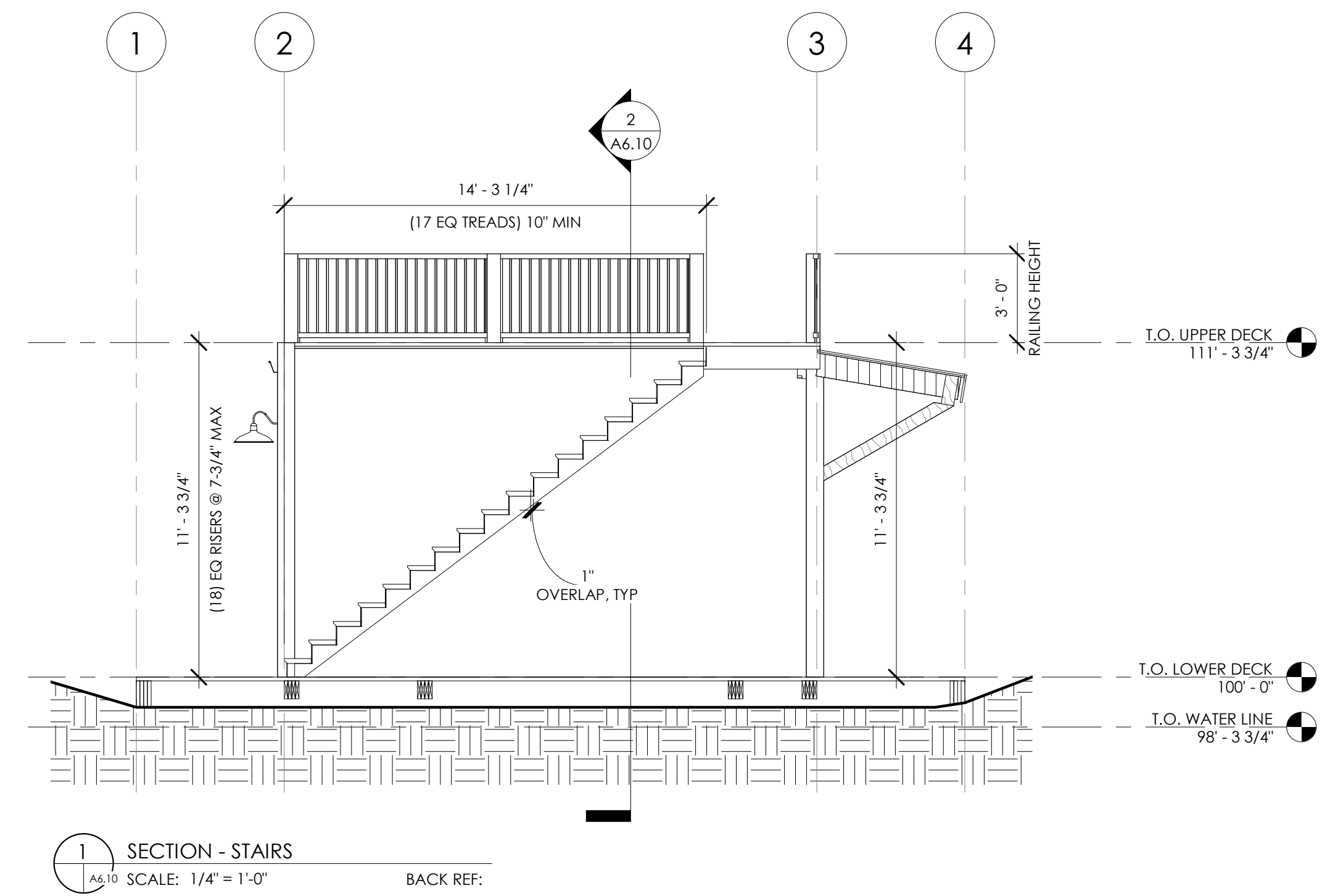


SHEET TITLE :
 OVERALL EXTERIOR
 ELEVATIONS

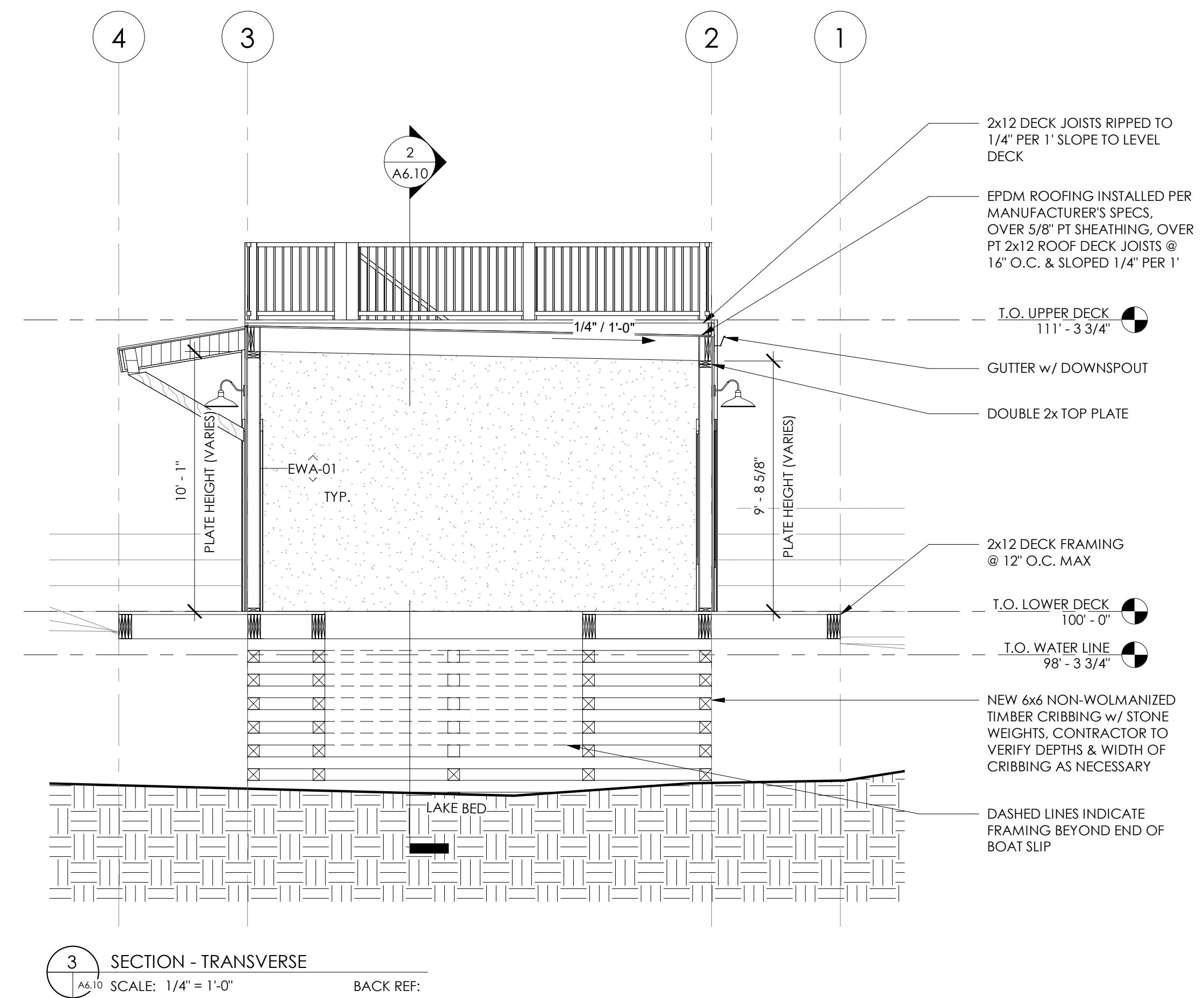
SHEET NUMBER :
A5.01



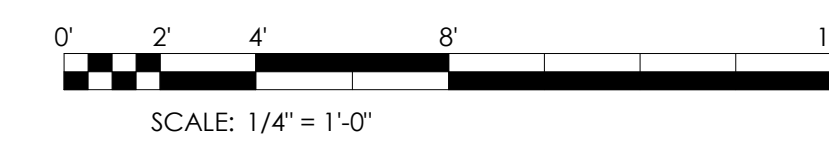
2 OVERALL SECTION - LONGITUDINAL
 SCALE: 1/4" = 1'-0" BACK REF:



1 SECTION - STAIRS
 SCALE: 1/4" = 1'-0" BACK REF:



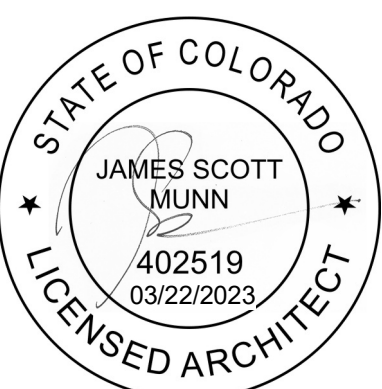
3 SECTION - TRANSVERSE
 SCALE: 1/4" = 1'-0" BACK REF:



OLIVER BOATHOUSE

RYAN OLIVER
 377 LAKE KOVE DRIVE
 GRAND LAKE, CO 80447
 PROJECT #: 2145

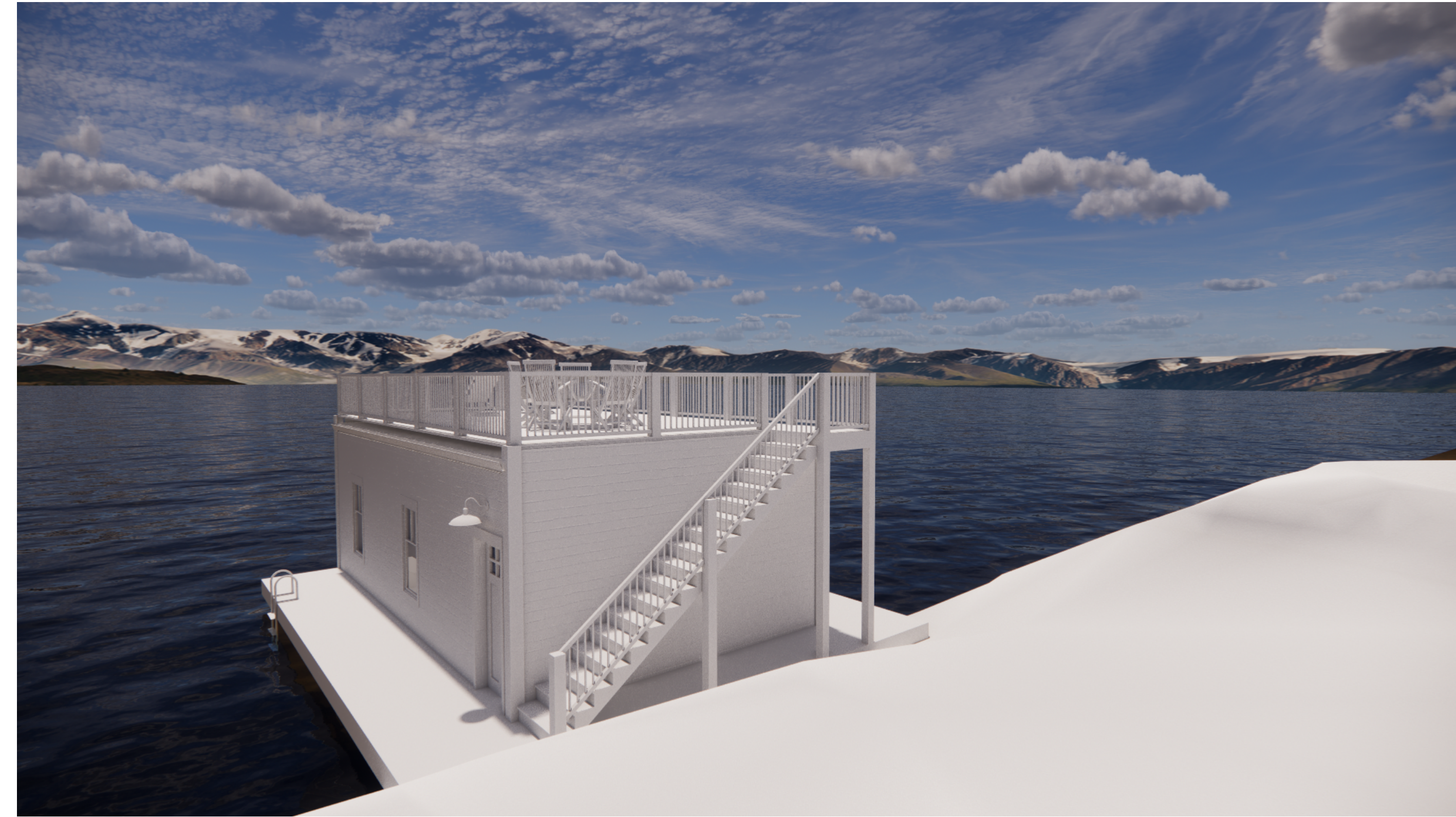
ISSUANCE: PERMIT DATE: 2023-0322



SHEET TITLE:
 BUILDING SECTIONS

SHEET NUMBER:
A6.10

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NOTE: EXTERIOR MATERIALS, FINISHES, COLORS, ETC. TO MATCH (E) RESIDENCE

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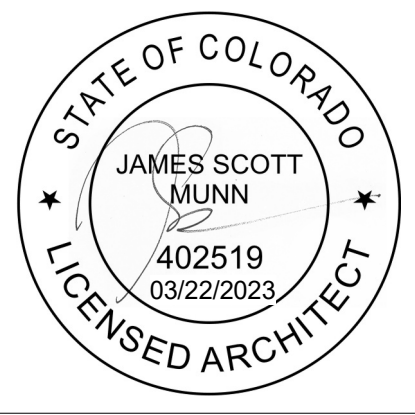


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OLIVER BOATHOUSE

RYAN OLIVER
377 LAKE KOVE DRIVE
GRAND LAKE, CO 80447
PROJECT #: 2145

ISSUANCE : DATE :
PERMIT 2023-0322



SHEET TITLE :
EXTERIOR
PERSPECTIVES

SHEET NUMBER :
A6.21

Authorization ID: SUL946
Contact Name: CHRISTOPHER RYAN OLIVER
Expiration Date: 12/31/2033
Use Code: 111

FS-2
OMB 0550-0002
Section 5, Item D.

U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
SPECIAL USE PERMIT
Authority: ORGANIC ADMINISTRATION ACT June 4, 1897

CHRISTOPHER RYAN OLIVER of 17726 E JAMISON AVE CENTENNIAL CO 80016 (hereinafter "the holder") is authorized to use or occupy National Forest System lands in the ARAPAHO-ROOSEVELT NATIONAL FORESTS or unit of the National Forest System, subject to the terms of this special use permit (the permit).

This permit covers .02 acres or 0 miles in the Sec. 6, T. 3 N., R. 75 W., 6TH PRINCIPAL MERIDIAN, ("the permit area"), as shown on the map attached as Appendix A. This and any other appendices to this permit are hereby incorporated into this permit.

This permit issued for the purpose of: Construction and maintenance of a private boat house on Shadow Mt. Reservoir with occupancy of no more than 600 square feet of reservoir surface. The following is made a part of the permit: site and location maps, the Overall Management Plan for individual docks, and a copy of the property deed. The Arapaho National Recreation Area Private Dock Standards (Appendix B) are attached to and made a part of this permit.

Physical Address:
377 Lake Kove Drive
Grand Lake, CO 80447

I. GENERAL TERMS

A. AUTHORITY. This permit is issued pursuant to the ORGANIC ADMINISTRATION ACT June 4, 1897 and 36 CFR Part 251, Subpart B, as amended, and is subject to their provisions.

B. AUTHORIZED OFFICER. The authorized officer is the Forest or Grassland Supervisor, a District Ranger, or the Station, Institute, or Area Director with delegated authority pursuant to Forest Service Manual 2700.

C. TERM. This permit shall expire at midnight on 12/31/2033. Expiration of this permit shall not require notice, a decision document, or any environmental analysis or other documentation from the date of issuance.

D. CONTINUATION OF USE AND OCCUPANCY. This permit is not renewable. Prior to expiration of this permit, the holder may apply for a new permit for the use and occupancy authorized by this permit. Applications for a new permit must be submitted at least 6 months prior to expiration of this permit. Issuance of a new permit is at the sole discretion of the authorized officer. At a minimum, before issuing a new permit, the authorized officer shall ensure that (1) the use and occupancy to be authorized by the new permit is consistent with the standards and guidelines in the applicable land management plan; (2) the type of use and occupancy to be authorized by the new permit is the same as the type of use and occupancy authorized by this permit; and (3) the holder is in compliance with all the terms of this permit. The authorized officer may prescribe new terms when a new permit is issued.

E. AMENDMENT. This permit may be amended in whole or in part by the Forest Service when, at the discretion of the authorized officer, such action is deemed necessary or desirable to incorporate new terms that may be required by law,

regulation, directive, the applicable forest land and resource management plan, or projects and activities imp
land management plan pursuant to 36 CFR Part 218.

F. COMPLIANCE WITH LAWS, REGULATIONS, AND OTHER LEGAL REQUIREMENTS. In exercising the rights and privileges granted by this permit, the holder shall comply with all present and future federal laws and regulations and all present and future state, county, and municipal laws, regulations, and other legal requirements that apply to the permit area, to the extent they do not conflict with federal law, regulation, or policy. The Forest Service assumes no responsibility for enforcing laws, regulations, and other legal requirements that fall under the jurisdiction of other governmental entities.

G. NON-EXCLUSIVE USE. The use or occupancy authorized by this permit is not exclusive. The Forest Service reserves the right of access to the permit area, including a continuing right of physical entry to the permit area and the authorized facilities and improvements for inspection, monitoring, or any other purpose consistent with any right or obligation of the United States under any law or regulation. The Forest Service reserves the right to allow others to use the permit area in any way that is not inconsistent with the holder's rights and privileges under this permit, after consultation with all parties involved. Except for any restrictions that the holder and the authorized officer agree are necessary to protect the installation and operation of authorized temporary improvements, the lands and waters covered by this permit shall remain open to the public for all lawful purposes.

H. ASSIGNABILITY. This permit is not assignable or transferable.

I. TRANSFER OF TITLE TO THE IMPROVEMENTS.

1. Notification of Transfer. The holder shall notify the authorized officer when a transfer of title to all or part of the authorized improvements is planned.

2. Transfer of Title. Any transfer of title to the improvements covered by this permit shall result in termination of the permit. The party who acquires title to the improvements must submit an application for a permit. The Forest Service is not obligated to issue a new permit to the party who acquires title to the improvements. The authorized officer shall determine that the applicant meets requirements under applicable federal regulations.

II. IMPROVEMENTS

A. LIMITATIONS ON USE. Nothing in this permit gives or implies permission to build or maintain any structure or facility or to conduct any activity, unless specifically authorized by this permit. Any use not specifically authorized by this permit must be proposed in accordance with 36 CFR 251.54 or 251.61. Approval of such a proposed use through issuance of a new permit or permit amendment is at the sole discretion of the authorized officer.

B. DRAWINGS. All drawings for development, layout, construction, reconstruction, or alteration of improvements in the permit area, as well as revisions to those drawings, must be prepared by a professional engineer, architect, landscape architect, or other qualified professional acceptable to the authorized officer. These drawings and drawing revisions must have written approval from the authorized officer before they are implemented. The authorized officer may require the holder to furnish as-built drawings, maps, or surveys upon completion of the work.

C. CONSTRUCTION. Any construction authorized by this permit shall commence by 12/31/2025 and shall be completed by 12/31/2025.

III. OPERATIONS.

A. PERIOD OF USE. Use or occupancy of the permit area shall be exercised at least 90 days each year.

B. **CONDITION OF OPERATIONS.** The holder shall maintain the authorized improvements and permit area to satisfactory condition of repair, orderliness, neatness, sanitation, and safety acceptable to the authorized officer and consistent with other provisions of this permit. Standards are subject to periodic change by the authorized officer when deemed necessary to meet statutory, regulatory, or policy requirements or to protect national forest resources.

C. **USE OF NATIONAL FOREST SYSTEM ROADS AND NATIONAL FOREST SYSTEM TRAILS.** The holder's use of National Forest System roads and National Forest System trails shall comply with applicable requirements in 36 CFR Part 212, Subpart A; 36 CFR Part 261, Subpart A; and orders issued under 36 CFR Part 261, Subpart B. Motor vehicle use shall be consistent with designations made under 36 CFR Part 212, Subpart B, unless specifically provided otherwise in the operating plan. Over-snow vehicle use shall be consistent with designations made under 36 CFR Part 212, Subpart C, unless specifically provided otherwise in the operating plan.

E. **MONITORING BY THE FOREST SERVICE.** The Forest Service shall monitor the holder's operations and reserves the right to inspect the permit area and authorized facilities and improvements at any time for compliance with the terms of this permit. The holder shall comply with inspection requirements deemed appropriate by the authorized officer. The holder's obligations under this permit are not contingent upon any duty of the Forest Service to inspect the permit area or authorized facilities or improvements. A failure by the Forest Service or other governmental officials to inspect is not a justification for noncompliance with any of the terms of this permit.

F. **CUTTING, DISPOSAL, AND PLANTING OF VEGETATION.** This permit does not authorize the cutting of trees, brush, shrubs, and other plants ("vegetation"). Vegetation may be cut, destroyed, or trimmed only after the authorized officer or the authorized officer's designated representative has approved in writing and marked or otherwise identified what may be cut, destroyed, or trimmed. The holder shall notify the authorized officer when approved cutting, destruction, or trimming of vegetation has been completed. The Forest Service shall determine in advance of felling the method of disposal of trees felled in the permit area that meet utilization standards. Disposal may be by sale or without charge per 36 CFR Part 223, as may be most advantageous to the United States. Debris from felling that does not meet utilization standards shall also be disposed of according to methods determined by the Forest Service. Planting of vegetation in the permit area must have prior written approval from the authorized officer.

IV. RIGHTS AND LIABILITIES

A. **LEGAL EFFECT OF THE PERMIT.** This permit, which is revocable and terminable, is not a contract or a lease, but rather a federal license. The benefits and requirements conferred by this authorization are reviewable solely under the procedures set forth in 36 CFR 214 and 5 U.S.C. 704. This permit does not constitute a contract for purposes of the Contract Disputes Act, 41 U.S.C. 601. The permit is not real property, does not convey any interest in real property, and may not be used as collateral for a loan.

B. **VALID EXISTING RIGHTS.** This permit is subject to all valid existing rights. Valid existing rights include those derived under mining and mineral leasing laws of the United States. The United States is not liable to the holder for the exercise of any such right.

C. **ABSENCE OF THIRD-PARTY BENEFICIARY RIGHTS.** The parties to this permit do not intend to confer any rights on any third party as a beneficiary under this permit.

D. **NO WARRANTY OF ACCESS, SITE SUITABILITY, OR SERVICES.** This permit authorizes the use and occupancy of National Forest System lands by the holder for the purposes identified in this permit. The Forest Service does not make any express or implied warranty of access to the permit area, of the suitability of the permit area for the authorized uses, or for the furnishing of road or trail maintenance, water, fire protection services, search and rescue services, or any other services by a government agency, utility, association, or individual.

E. RISK OF LOSS. The holder assumes all risk of loss to the authorized improvements and all risk of loss of use of the permit area, in whole or in part, due to public health and safety or environmental hazards. Loss to the authorized improvements and of use and occupancy of the permit area may result from but is not limited to theft, vandalism, fire and any fire-fighting activities (including prescribed burns), environmental contamination, avalanches, rising waters, winds, falling limbs or trees, and other forces of nature. If any authorized improvements are destroyed or substantially damaged, the authorized officer shall conduct an analysis to determine whether the improvements can be safely occupied in the future and whether rebuilding should be allowed. If rebuilding is not allowed, this permit shall terminate. If the authorized officer determines that the permit area cannot be safely occupied due to a public health or safety or environmental hazard, this permit shall terminate. Termination under this clause shall not give rise to any claim for damages, including lost profits and the value of the improvements, by the holder against the Forest Service.

F. DAMAGE TO UNITED STATES PROPERTY. The holder has an affirmative duty to protect from damage the land, property, and other interests of the United States that are associated with the use and occupancy authorized by this permit. Damage includes but is not limited to destruction of or damage to National Forest System lands, fire suppression costs, and destruction of or damage to federally owned improvements.

1. The holder shall be liable for all injury, loss, or damage, including fire suppression costs, prevention and control of the spread of invasive species, and the costs of rehabilitation or restoration of natural resources, resulting from the holder's use and occupancy of the permit area. Compensation shall include but not be limited to the value of resources damaged or destroyed, the costs of restoration, cleanup, or other mitigation, fire suppression or other types of abatement costs, and all administrative, legal (including attorney's fees), and other costs. Such costs may be deducted from a performance bond required under clause IV.J.

2. The holder shall be liable for damage to all roads and trails of the United States caused by use of the holder or the holder's heirs, assignees, agents, employees, or contractors to the same extent as provided under clause IV.F.1, except that liability shall not include reasonable and ordinary wear and tear.

G. HEALTH AND SAFETY. The holder shall take all measures necessary to protect the health and safety of all persons affected by the use and occupancy authorized by this permit. The holder shall promptly abate as completely as possible and in compliance with all applicable laws and regulations any physical or mechanical procedure, activity, event, or condition existing or occurring in connection with the authorized use and occupancy during the term of this permit that causes or threatens to cause a hazard to the health or safety of the public or the holder's employees, agents, or contractors. The holder shall as soon as practicable notify the authorized officer of all serious accidents that occur in connection with these procedures, activities, events, or conditions. The Forest Service has no duty under the terms of this permit to inspect the permit area or operations of the holder for hazardous conditions or compliance with health and safety standards.

H. ENVIRONMENTAL PROTECTION.

1. Compliance with Environmental Laws. The holder shall in connection with the use and occupancy authorized by this permit comply with all applicable federal, state, and local environmental laws and regulations, including but not limited to those established pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, 42 U.S.C. 9601 et seq., the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901 et seq., the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq., the Oil Pollution Act, as amended, 33 U.S.C. 2701 et seq., the Clean Air Act, as amended, 42 U.S.C. 7401 et seq., the Toxic Substances Control Act, as amended, 15 U.S.C. 2601 et seq., the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, 7 U.S.C. 136 et seq., and the Safe Drinking Water Act, as amended, 42 U.S.C. 300f et seq.

2. Definition of Hazardous Material. For purposes of clause IV.H and section V, "hazardous material" shall mean (a) any hazardous substance under section 101(14) of CERCLA, 42 U.S.C. 9601(14); (b) any pollutant or contaminant under section 101(33) of CERCLA, 42 U.S.C. 9601(33); (c) any petroleum product or its derivative, including fuel oil, and waste oils; and (d) any hazardous substance, extremely hazardous substance, toxic substance, hazardous waste, ignitable, reactive or corrosive

materials, pollutant, contaminant, element, compound, mixture, solution or substance that may pose a present or potential hazard to human health or the environment under any applicable environmental laws.

3. Oil Discharges and Release of Hazardous Materials. The holder shall immediately notify all appropriate response authorities, including the National Response Center and the authorized officer or the authorized officer's designated representative, of any oil discharge or of the release of a hazardous material in the permit area in an amount greater than or equal to its reportable quantity, in accordance with 33 CFR Part 153 and 40 CFR Part 302. For the purposes of this requirement, "oil" is as defined by section 311(a)(1) of the Clean Water Act, 33 U.S.C. 1321(a)(1). The holder shall immediately notify the authorized officer or the authorized officer's designated representative of any release or threatened release of any hazardous material in or near the permit area which may be harmful to public health or welfare or which may adversely affect natural resources on federal lands.

4. Remediation of Release of Hazardous Materials. The holder shall remediate any release, threat of release, or discharge of hazardous materials that occurs in connection with the holder's activities in the permit area, including activities conducted by the holder's agents, employees, or contractors and regardless of whether those activities are authorized under this permit. The holder shall perform remediation in accordance with applicable law immediately upon discovery of the release, threat of release, or discharge of hazardous materials. The holder shall perform the remediation to the satisfaction of the authorized officer and at no expense to the United States. Upon revocation or termination of this permit, the holder shall deliver the site to the Forest Service in compliance with all applicable laws and regulations and free and clear of contamination.

I. INDEMNIFICATION OF THE UNITED STATES. The holder shall indemnify, defend, and hold harmless the United States for any costs, damages, claims, liabilities, and judgments arising from past, present, and future acts or omissions of the holder in connection with the use or occupancy authorized by this permit. This indemnification provision includes but is not limited to acts and omissions of the holder or the holder's heirs, assigns, agents, employees, or contractors in connection with the use or occupancy authorized by this permit which result in (1) violations of any laws and regulations which are now or which may in the future become applicable; (2) judgments, claims, demands, penalties, or fees assessed against the United States; (3) costs, expenses, and damages incurred by the United States; or (4) the release or threatened release of any solid waste, hazardous waste, hazardous materials, pollutant, contaminant, oil in any form, or petroleum product into the environment. The authorized officer may prescribe terms that allow the holder to replace, repair, restore, or otherwise undertake necessary curative actions to mitigate damages in combination with or as an alternative to monetary indemnification.

J. BONDING. The authorized officer may require the holder to furnish a surety bond or other security for any of the obligations imposed by the terms of this permit or any applicable law, regulation, or order.

V. RESOURCE PROTECTION

A. WATER POLLUTION. No waste or by-product shall be discharged into water in connection with the use and occupancy authorized by this permit except in full compliance with all applicable federal, state, and local environmental and other laws. Storage facilities for materials capable of causing water pollution, if accidentally discharged, shall be located so as to prevent any spillage into waters or channels leading into water except in full compliance with all applicable federal, state, and local environmental and other laws.

B. SCENIC VALUES. The holder shall protect the scenic values of the permit area and the adjacent land to the greatest extent possible during construction, operation, and maintenance of the authorized improvements.

C. VANDALISM. The holder shall take reasonable measures to prevent and discourage vandalism and disorderly conduct and when necessary shall contact the appropriate law enforcement officer.

D. PESTICIDE USE.

1. Authorized Officer Concurrence. Pesticides may not be used outside of buildings in the permit area to control including undesirable woody and herbaceous vegetation (including aquatic plants), insects, birds, rodents, or other wildlife without the written concurrence of the authorized officer. Only those products registered or otherwise authorized by the U.S. Environmental Protection Agency and appropriate State authority for the specific purpose planned shall be authorized for use within areas on National Forest System lands.

2. Pesticide-Use Proposal. Requests for concurrence of any planned uses of pesticides shall be provided in advance using the Pesticide-Use Proposal (form FS-2100-2). Annually the holder shall, on the due date established by the authorized officer, submit requests for any new, or continued, pesticide usage. The Pesticide-Use Proposal shall cover a 12-month period of planned use. The Pesticide-Use Proposal shall be submitted at least 60 days in advance of pesticide application. Information essential for review shall be provided in the form specified. Exceptions to this schedule may be allowed, subject to emergency request and approval, only when unexpected outbreaks of pests require control measures which were not anticipated at the time a Pesticide-Use Proposal was submitted.

3. Safety Plan. Before applying pesticides in the permit area, the holder shall submit to the authorized officer a safety plan that includes, at a minimum, a precise statement of the treatment objectives; a description of the equipment, materials, and supplies to be used, including pesticide formulation, quantities, and application methods; a description of the lines of responsibility for project planning, project monitoring, and after-action review; a description of any necessary interagency coordination; a copy of the current Pesticide-Use Proposal for the permit; a description of the process by which treatment effectiveness will be determined; and a spill plan, communications plan, security plan, and when required by applicable local requirements, a provision for prior notification to sensitive individuals.

4. Reporting. By September 30th annually, the holder shall submit to the authorized officer a written report of each pesticide application project completed during the previous 12-month period. The report shall contain information pertaining to the pesticide application projects as requested by the authorized officer.

5. Labeling, Laws, and Regulations. Label instructions and all applicable laws and regulations shall be strictly followed in the application of pesticides and disposal of excess materials and containers. No pesticide waste, excess materials, or containers shall be disposed of in any area administered by the Forest Service.

E. ARCHAEOLOGICAL AND PALEONTOLOGICAL DISCOVERIES. The holder shall immediately notify the authorized officer of all antiquities or other objects of historic or scientific interest, including but not limited to historic or prehistoric ruins, fossils, or artifacts discovered in connection with the use and occupancy authorized by this permit. The holder shall leave these discoveries intact and in place until otherwise directed by the authorized officer.

F. NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT (NAGPRA). In accordance with 25 U.S.C. 3002(d) and 43 CFR 10.4, if the holder inadvertently discovers human remains, funerary objects, sacred objects, or objects of cultural patrimony on National Forest System lands, the holder shall immediately cease work in the area of the discovery and shall leave the discoveries intact and in place. The holder shall follow the applicable NAGPRA protocols for the undertaking provided in the NAGPRA plan of action or the NAGPRA comprehensive agreement; if there are no such agreed-upon protocols, the holder shall as soon as practicable notify the authorized officer of the discovery and shall follow up with written confirmation of the discovery. The activity that resulted in the inadvertent discovery may not resume until 30 days after the authorized officer certifies receipt of the written confirmation, if resumption of the activity is otherwise lawful, or at any time if a NAGPRA plan of action has been executed by the Forest Service following tribal consultation and any preconditions have been met.

G. PROTECTION OF THREATENED AND ENDANGERED SPECIES, SENSITIVE SPECIES, AND SPECIES OF CONSERVATION CONCERN AND THEIR HABITAT.

1. Threatened and Endangered Species and Their Habitat. The location of sites within the permit area needing special measures for protection of plants or animals listed as threatened or endangered under the Endangered Species Act (ESA) of

1973, 16 U.S.C. 1531 et seq., as amended, or within designated critical habitat shall be shown on a map in an appendix to this permit and may be shown on the ground. The holder shall take any protective and mitigation measures specified by the authorized officer as necessary and appropriate to avoid or reduce effects on listed species or designated critical habitat affected by the authorized use and occupancy. Discovery by the holder or the Forest Service of other sites within the permit area containing threatened or endangered species or designated critical habitat not shown on the map in the appendix shall be promptly reported to the other party and shall be added to the map.

2. Sensitive Species and Species of Conservation Concern and Their Habitat. The location of sites within the permit area needing special measures for protection of plants or animals designated by the Regional Forester as sensitive species or as species of conservation concern pursuant to FSM 2670 shall be shown on a map in an appendix to this permit and may be shown on the ground. The holder shall take any protective and mitigation measures specified by the authorized officer as necessary and appropriate to avoid or reduce effects on sensitive species or species of conservation concern or their habitat affected by the authorized use and occupancy. Discovery by the holder or the Forest Service of other sites within the permit area containing sensitive species or species of conservation concern or their habitat not shown on the map in the appendix shall be promptly reported to the other party and shall be added to the map.

H. CONSENT TO STORE HAZARDOUS MATERIALS. The holder shall not store any hazardous materials at the site without prior written approval from the authorized officer. This approval shall not be unreasonably withheld. If the authorized officer provides approval, this permit shall include, or in the case of approval provided after this permit is issued, shall be amended to include specific terms addressing the storage of hazardous materials, including the specific type of materials to be stored, the volume, the type of storage, and a spill or release prevention and control plan. Such terms shall be proposed by the holder and are subject to approval by the authorized officer.

VI. LAND USE FEE AND DEBT COLLECTION

A. LAND USE FEES. The holder shall pay in advance an annual land use fee of \$546.05. The annual land use fee shall be adjusted annually using the Federal Deflator Rate Indexing Factor

B. MODIFICATION OF THE LAND USE FEE. The land use fee may be revised whenever necessary to reflect the market value of the authorized use or occupancy or when the fee system used to calculate the land use fee is modified or replaced.

C. LAND USE FEE PAYMENTS.

1. Crediting of Payments. Payments shall be credited on the date received by the deposit facility, except that if a payment is received on a non-workday, the payment shall not be credited until the next workday.

2. Disputed Land Use Fees. Land use fees are due and payable by the due date. Disputed land use fees, other than land use fees recalculated pursuant to an audit, must be paid in full. Adjustments will be made if dictated by an administrative appeal decision, a court decision, or settlement terms.

3. Late Payments

(a) Interest. Pursuant to 31 U.S.C. 3717 et seq., interest shall be charged on any land use fee amount not paid within 30 days from the date it became due. The rate of interest assessed shall be the higher of the Prompt Payment Act rate or the rate of the current value of funds to the United States Treasury (i.e., the Treasury tax and loan account rate), as prescribed and published annually or quarterly by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletins. Interest on the principal shall accrue from the date the land use fee is due.

(b) Administrative Costs. If the account becomes delinquent, administrative costs to cover processing and handling the delinquency shall be assessed.

(c) Penalties. A penalty of 6% per annum shall be assessed on the total amount that is more than 90 days delinquent from the same date on which interest charges begin to accrue.

(d) Termination for Nonpayment. This permit shall terminate if the holder fails to pay any land use fee, interest, or any other charges within 90 calendar days of the due date. The holder shall remain responsible for the delinquent charges.

4. Administrative Offset and Credit Reporting. Delinquent land use fees and other charges associated with this permit shall be subject to all rights and remedies afforded the United States pursuant to 31 U.S.C. 3711 et seq. and common law. Delinquencies are subject to any or all of the following:

(a) Administrative offset of payments due the holder from the Forest Service.

(b) If in excess of 90 days, referral to the United States Department of the Treasury for appropriate collection action as provided by 31 U.S.C. 3711(g)(1).

(c) Offset by the Secretary of the Treasury of any amount due the holder, as provided by 31 U.S.C. 3720 et seq.

(d) Disclosure to consumer or commercial credit reporting agencies.

VII. REVOCATION, SUSPENSION, AND TERMINATION

A. REVOCATION AND SUSPENSION.

1. The authorized officer may not revoke or suspend this permit without the concurrence of the holder.

2. The authorized officer may revoke this permit at the request of the holder. Revocation at the request of the holder must be agreed to in writing by the authorized officer. As a condition of revocation of this permit at the request of the holder, the authorized officer has discretion to impose any terms deemed appropriate as provided for in this permit.

C. APPEALS AND REMEDIES. Written decisions by the authorized officer relating to administration of this permit are subject to administrative appeal pursuant to 36 CFR Part 214, as amended. Revocation or suspension of this permit shall not give rise to any claim for damages by the holder against the Forest Service.

D. TERMINATION. This permit shall terminate when by its terms a fixed or agreed upon condition, event, or time occurs without any action by the authorized officer. Examples include but are not limited to expiration of the permit by its terms on a specified date and, in the case of a permit issued to a business entity, termination upon change of control of the business entity. Termination of this permit shall not require notice, a decision document, or any environmental analysis or other documentation. Termination of this permit is not subject to administrative appeal and shall not give rise to any claim for damages by the holder against the Forest Service.

E. RIGHTS AND RESPONSIBILITIES UPON REVOCATION OR TERMINATION WITHOUT ISSUANCE OF A NEW PERMIT. Upon revocation or termination of this permit without issuance of a new permit, the holder shall remove all structures and improvements, except those owned by the United States, within a reasonable period prescribed by the authorized officer and shall restore the site to the satisfaction of the authorized officer. If the holder fails to remove all structures and improvements within the prescribed period, they shall become the property of the United States and may be sold, destroyed, or otherwise disposed of without any liability to the United States. However, the holder shall remain liable for all costs associated with their removal, including costs of sale and impoundment, cleanup, and restoration of the site.

F. CONTINUATION OF OBLIGATIONS AND LIABILITIES BEYOND TERMINATION OR REVOCATION. Notwithstanding the termination or revocation of this permit, its terms shall remain in effect and shall be binding on the holder and the holder's

personal representative, successors, and assignees until all the holder's obligations and liabilities accruing before termination or revocation of this permit have been satisfied.

VIII. MISCELLANEOUS PROVISIONS

A. MEMBERS OF CONGRESS. No member of or delegate to Congress or resident commissioner shall benefit from this permit either directly or indirectly, except to the extent the authorized use provides a general benefit to a corporation.

B. CURRENT ADDRESSES. The holder and the Forest Service shall keep each other informed of current mailing addresses, including those necessary for billing and payment of land use fees.

C. SUPERSEDED AUTHORIZATION. This permit supersedes a special use authorization designated N/A

D. SUPERIOR CLAUSES. If there is a conflict between any of the preceding printed clauses and any of the following clauses, the preceding printed clauses shall control.

E. Aquatic Nuisance Species (ANS) Prevention of Introduction, Transport and Spread (R2-D-110).

1. The holder shall be responsible for preventing transport and spread of Aquatic Nuisance Species (ANS) of concern on the area authorized by this authorization. ANS of concern are those species listed in the Rocky Mountain Region Invasive Species Management Strategy, dated June 09, 2009 or subsequent policy.

2. When determined to be necessary by the authorized officer, the holder shall develop a site-specific/activity specific plan that addresses the prevention of introduction, transport and spread of ANS. Such plan shall be subject to Forest Service approval. Upon Forest Service approval, the prevention of transport and spread of ANS control plan shall become a part of this authorization, and its provisions shall be enforceable under the terms of this authorization.

F. Surveys, Land Corners (D-4).

The holder shall protect, in place, all public land survey monuments, private property corners, and Forest boundary markers. In the event that any such land markers or monuments are destroyed in the exercise of the privileges permitted by this authorization, depending on the type of monument destroyed, the holder shall see that they are reestablished or referenced in accordance with (1) the procedures outlined in the "Manual of Instructions for the Survey of the Public Land of the United States," (2) the specifications of the county surveyor, or (3) the specifications of the Forest Service.

Further, the holder shall cause such official survey records as are affected to be amended as provided by law. Nothing in this clause shall relieve the holder's liability for the willful destruction or modification of any Government survey marker as provided at 18 U.S.C. 1858.

G. Ground Surface Protection and Restoration (D-9).

The holder shall prevent and control soil erosion and gulying on National Forest System lands in and adjacent to the permit area resulting from construction, operation, maintenance, and termination of the authorized use. The holder shall construct authorized improvements so as to avoid accumulation of excessive amounts of water in the permit area and encroachment on streams. The holder shall revegetate or otherwise stabilize (for example, by constructing a retaining wall) all ground where the soil has been exposed as a result of the holder's construction, maintenance, operation, or termination of the authorized use.

H. Approval to Initiate Work (X-88).

Before actively initiating work under this authorization, the holder's or holder's representative shall advise the Authorized Officer of the date upon which active field work will be initiated. Approval for the work shall be issued in writing by the Authorized Officer. The approval shall list local restrictions pertaining to fire hazard, off-road vehicles, camp locations, and so forth.

I. Disputes (X-96). Appeal of any provisions of this authorization or any requirements thereof shall be subject to the appeal regulations at 36 CFR 214, as amended or revisions thereto.

J. Herbicide and Pesticide Use (D-18).

Herbicides and pesticides may not be used outside of buildings to control undesirable woody and herbaceous vegetation, aquatic plants, insects, rodents, or fish without the prior written approval of the Authorized Officer. A request for approval of planned uses of pesticides shall be submitted annually by the holder on the due date established by the Authorized Officer. The report shall cover a 12-month period of planned use beginning 3 months after the reporting date. Information essential for review shall be provided in the form specified. Exceptions to this schedule may be allowed, subject to emergency request and approval, only when unexpected outbreaks of pests require control measures which were not anticipated at the time an annual report was submitted. Only those materials registered by the U.S. Environmental Protection Agency for the specific purpose planned shall be authorized for use on National Forest System lands. Label instructions and all applicable laws and regulations shall be strictly followed in the application of pesticides and disposal of excess materials and containers.

THIS PERMIT IS ACCEPTED SUBJECT TO ALL ITS TERMS.

BEFORE THIS PERMIT IS ISSUED TO AN ENTITY, DOCUMENTATION MUST BE PROVIDED TO THE AUTHORIZED OFFICER OF THE AUTHORITY OF THE SIGNATORY FOR THE ENTITY TO BIND IT TO THE TERMS OF THIS PERMIT.

ACCEPTED:

6/6/23

CHRISTOPHER RYAN OLIVER

SIGNATURE

DATE

APPROVED:

JASON SIEG

Digitally signed by JASON SIEG
Date: 2024.08.16 13:23:33 -06'00'

JASON M. SIEG

DATE

Acting Forest Supervisor
Arapaho-Roosevelt National Forest
USDA Forest Service

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond, to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. Response to this collection of information is mandatory. The authority to collect the information is the Organic Administration Act, 16 U.S.C. 551. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [http://www.usda.gov/programdisc](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in Section 5, Item D. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.



May 1, 2023

Section 5, Item D.

Regulatory Division

SUBJECT: Nationwide Permit Verification (SPA-2023-00220)

Grand Lake Villa, LLC
Attn: Ryan Oliver
9210 W 11th Avenue
Lakewood, CO 80215
ryan@inselfstorage.com

Dear Mr. Oliver:

We are responding to your preconstruction notification (PCN), dated April 20, 2023, submitted to us for verification of authorization under Nationwide Permit (NWP) 42 for the Oliver Boathouse project. The project site is located on Shallow Mountain Lake, approximately 0.7 mile southwest of the Town of Grand Lake at 337 Lake Kove Drive, centered at latitude 40.24827, longitude -105.83777, Grand County, Colorado.

Based on the information provided, we have determined that the Oliver Boathouse project involves the discharge of dredged or fill material into waters of the United States, subject to Section 404 of the Clean Water Act. The specific activities that require Corps authorization are the placement of 62 cubic yards of timber and native rock material into Shadow Mountain Lake to construct a 511-square-foot cribbing structure and the placement of 2.3 cubic yards of reinforced concrete into Shadow Mountain Lake to construct a bulkhead. The cribbing and bulkhead will facilitate a new 868-square-foot boathouse with a deck. The project will permanently impact approximately 0.02 acre of open water substrate and will be conducted as described in the referenced PCN.

We have determined that activities associated with the project are authorized by 2021 NWP 42 – Recreational Facilities. A summary of this NWP and the 2021 Colorado Regional Conditions are available on our website at www.spa.usace.army.mil/reg/nwp. Failure to comply with all terms and conditions of this NWP may result in the suspension or revocation of this authorization. As required by General Condition 30, you shall sign the enclosed Compliance Certification (Enclosure 1) and return it to this office within 30 days after completion of the authorized work. For specific information regarding compliance with water quality certification (WQC) requirements, please refer to our website at www.spa.usace.army.mil/reg/wqc.

Our review of this project also addressed its effects on threatened and endangered species and historic properties in accordance with General Conditions 18 and 20. Based on the information provided, we have determined that this project will have no effect on federally listed species or their critical habitat. Additionally, the project has no potential to cause effects on historic properties. However, these determinations may be invalidated if the project is not completed as authorized or you did not provide accurate information in your PCN.

This permit verification is valid until March 14, 2026, unless the NWP is modified, suspended, reissued, or revoked prior to that date. Continued confirmation that an activity complies with the

terms and conditions, and any changes to the NWP, is the responsibility of the permittee. Activities that have commenced, or are under contract to commence, in reliance on an NWP will remain authorized provided the activity is completed within 12 months of the date of the NWP's expiration, modification, or revocation.

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

The landowner must allow Corps representatives to inspect the authorized activity at any time deemed necessary to ensure that it is being, or has been, accomplished in accordance with the terms and conditions of the permit.

We would appreciate your feedback on this permit action including your interaction with our staff or suggestions for improving our program. For more information about our program or to complete our Regulatory Program national customer service survey, visit our website at <https://www.spa.usace.army.mil/Missions/Regulatory-Program-and-Permits/>.

Please refer to identification number SPA-2023-00220 in any correspondence concerning this project. If you have any questions, please contact Robert Frank by email at robert.w.frank@usace.army.mil, or telephone at 970-243-1199 Extension 1017.

Sincerely,

Benjamin Wilson
Senior Project Manager
NW Colorado Branch

Enclosure

cc:

Steve Dahmer, Environmental Solutions, steve.dahmer@esinc.biz
Robert Davis, Grand County, rdavis@co.grand.co.us

COMPLIANCE CERTIFICATION

Section 5, Item D.

Action Number: SPA-2023-00220

Name of Permittee: Grand Lake Villa, LLC; Attn: Ryan Oliver

Nationwide Permit: NWP 42

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

U.S. Army Corps of Engineers, Albuquerque District
400 Rood Avenue, Room 224
Grand Junction, Colorado 81501
SPA-RD-CO@usace.army.mil

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.

Please enclose photographs showing the completed project (if available).

I hereby certify that the work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.

Date Work Started _____

Date Work Completed _____

Signature of Permittee

Date

Encl 1

**TOWN OF GRAND LAKE
PLANNING COMMISSION
RESOLUTION NO. 11 – 2025**

**A RESOLUTION RECOMMENDING APPROVAL OF
A SHORELINE VARIANCE**

WHEREAS, Ryan Oliver (the “Applicant”) is the owner of certain real property located at 377 Lake Kove Dr., within the Town of Grand Lake, more particularly described as LAKE KOVE SUBDIVISION Lot: 5 LESS ROW, Town of Grand Lake, State of Colorado; and

WHEREAS, the Town received a shoreline variance request application (the “Application”) from the Applicant, requesting to place single unit boathouse within the thirty (30) foot water quality setback; and

WHEREAS, Section 12-2-29 (A) of the Grand Lake Municipal Code (the “Code”) establishes regulations for allowing activities within the thirty (30) foot water quality setback, also referred to in the Code as the stream and lake setback, including the following consideration factors:

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, Section 12-2-29 (A) of the Code requires the Applicant to establish the activity conforms to one (1) or more of the exception set in Section 12-3-5-(A)(4);

and

WHEREAS, on April, 2025, the Planning Commission reviewed the Application request at a public hearing; and

WHEREAS, the Planning Commission found the Application to have satisfactorily addressed the consideration factors in Section 12-2-29 (A) of the Code; and

WHEREAS, the Planning Commission found the Application conforms to exceptions ‘a’ through ‘e’ set in Section 12-3-5-(A)(4); and

WHEREAS, upon a thorough consideration of the Application, the testimony of those present, and applicable Code requirements, the Planning Commission finds such factors weigh in favor of approval of the Application.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO,

1. The Application be recommended for approval to the Board of Trustees subject to the conditions set forth in Section 2., below.

2. The Planning Commission’s recommendation for approval is based on the following conditions:
 - a. Payment by the Applicant of all legal, engineering, and administrative fees incurred by the Town in connection with the review, processing, consideration, and action on the Application prior to issuance of a building permit related to the Application; and
 - b. Compliance by the Owner with all representations made to the Planning Commission during all public hearings or meetings related to the Application; and
 - c. The Applicant complies with all other federal, state, and local regulations; and
 - d. In granting this Request, the Commission is not obligated to grant similar requests in the future nor does granting this Request set a precedent for any future requests; and
 - e. This authorization shall run with the transfer of the Property from the Applicant to their successors, heirs, or grantees.

- 3. 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 Planning Commission 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.

- 4. 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 PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO THIS 20th DAY OF AUGUST 2025.

(S E A L)

ATTEST:

TOWN OF GRAND LAKE

Alayna Carrell
Town Clerk

James Shockey,
Planning Commission Chairman

Votes Approving:
Votes Opposed:
Absent:
Abstained: