



Grand Lake Planning Commission

Wednesday, October 16, 2024 at 6:30 PM

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

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

AGENDA

1. Call to Order
2. Roll Call
3. Consideration to approve Meeting Minutes: [Minutes](#) 10-02-2024
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. Conflicts of Interest
6. Items of Business
 - A. QUASI JUDICIAL (PUBLIC HEARING)** – Resolution 12-2024 Consideration of Variance to Setbacks at Lots 2-3, Block 39, Town of Grand Lake, More Commonly Referred to as 225 Mountain Avenue.
 - B. QUASI JUDICIAL (PUBLIC HEARING)** – Resolution 13-2024 Consideration To Recommend Approval Of A Variance To Parking Standards At Lots 15, Block 26, Town Of Grand Lake, More Commonly Referred To As 525 Grand Avenue.
 - C. QUASI JUDICIAL (PUBLIC HEARING)** – Resolution 14-2024 Consideration to Recommend Approval of a Variance to Road Standards for Access to Lot: 8 Block: 24 & Adjacent Part of Vacated Mountain Avenue, Town of Grand Lake, Also Known As 501 Mountain Avenue
7. Items for Discussion
8. Future Agenda Items
9. Adjourn Meeting

For live streaming (listening only) scan the QR code.
You will not be able to actively participate via the web streaming.



<https://us06web.zoom.us/j/85942185849?pwd=Q0xDTHNlMVc4ejFlcmx3eGJ3bnpuZz09>

You can also dial in using your phone. 1 (346) 248-7799

Meeting ID: 859 4218 5849

Access Code: 496153



Grand Lake Planning Commission

Wednesday, October 02, 2024 at 6:30 PM

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

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

AGENDA

1. Call to Order: Commissioner Bishop called order at 6:34pm

2. Roll Call

PRESENT

Commissioner John Murray
Commissioner Judy Burke
Commissioner Heather Bishop
Commissioner Greg Finch
Board Liaison Mike Sobon

ABSENT

Chairman James Shockey

Motion made by Commissioner Murray to Excuse Chairman Shockey, Seconded by Commissioner Burke.

Voting Yea: Commissioner Murray, Commissioner Burke, Commissioner Bishop, Commissioner Finch, Board Liaison Sobon **Motion passed 5:0**

3. Consideration to approve Meeting Minutes: Minutes 07-03-2024

Motion made by Commissioner Burke to approve minutes, Seconded by Commissioner Murray.

Voting Yea: Commissioner Murray, Commissioner Burke, Commissioner Bishop, Commissioner Finch, Board Liaison Sobon **Motion passed 5:0**

4. Unscheduled Citizen Participation: NA

6. Conflicts of Interest: NA

7. Items of Business: NA

8. Items for Discussion

A. Community Development Update of Items in the 2020 Comprehensive Land Use Plan

Community Development Director White began by reviewing the items of action in the 2020 Comprehensive Plan. One of the first issues brought up was wanting to improve the the closed road section south of Grand Ave at Center Dr. by placing a sailboat, or snow plow with height/size-appropriate plantings. Also, to improve the shoulder on the south side of 34 from the west, leading into town down Portal/Grand

which may require CDOT approval. The commissioners discussed many other items which can be found in the recording.

9. Future Agenda Items

10. Adjourn Meeting: Motion to adjourn at **8:44PM** made by Commissioner Finch, Seconded by Commissioner Burke.

Voting Yea: Commissioner Murray, Commissioner Burke, Commissioner Bishop, Commissioner Finch, Board Liaison Sobon **Motion passed 5:0**

James Shockey, Chairman

ATTEST:

Alayna Carrell, Town Clerk



Date: October 16th, 2024
To: Chairman Shockey and Commissioners
From: Kimberly White, Community Development Director

RE: **QUASI JUDICIAL (PUBLIC HEARING)** – Resolution 12-2024 Consideration To Recommend Approval Of A Variance To Setback Standards At Lots 2, Block 39, Town Of Grand Lake, More Commonly Referred To As 225 Mountain Avenue.

Public Hearing Process

The public hearing should be conducted as follows:

- 1. Open the Public Hearing
- 2. Allow staff to present the matter
- 3. Allow the applicant to address the commission
- 4. Take all public comment
- 5. Close the Public Hearing
- 6. Have Commission discuss amongst themselves
- 7. Commission make a motion

Location Map



Purpose

The Town has received a zoning variance request application from Daniel Eppich to permit replacement and repair of deck and stairs within the required 10’ side setbacks, 25’ front setbacks of their property. This request requires Planning Commission review and Board Approval.



Context

The property is located at 225 Mountain and is approximately 0.2 acres and zoned Single Family Residential High Density. The property has three stairways that are located partially located in the front and side setbacks. See site plan detail. The decks and stairs need replaced due to their age and condition. The western entrance has a landing outside of the door with a small landing. The Applicant would like to increase the landing to 3' deep which would increase the encroachment into the 10' western setback from 4' to 5.5'. The replacement of the eastern stairway and deck reduces the encroachment from 2' to 1' in the side setback, also the stairs will be moved 90 degrees to reduce the stairs from 6' to 1' encroachment. The south facing deck will be replaced as it is and it will remain approximately 2.5' into the front 25' setback.

Municipal Code:

Municipal Code 12-2-12(C) – [Zoning Standards]

Minimum Setback Front 25' Side 10' Rear 10' Shoreline 30'

Municipal Code 12-2-27 Supplemental Regulations for Setback, Height and Area.

(B) Variance Request Procedure. Applicants must submit the Request for Variance from Zoning Regulations, with the required attachments and applicable fees, to Town Staff. 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 newspaper of general circulation advertising the time, date, location of the Public Hearing, as well as the variance request. In addition, certified letters are to 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.

- 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.*



Staff Comments

Staff sent out public notice of this meeting to Middle Park Times, as well as letters to all 9 property owners surrounding the subject property within 200'. Staff has received 6 confirmations of receipt, and 1 response to date. See attachment for neighbor support email.

The applicants letter for the explanation of their variance request is attached.

Commission Discussion

The Commissioners should discuss the request amongst themselves, with consideration of staff, public comments, and the findings of fact from the code, in order to make a decision/recommendation. Commission must review and find that each item a-e of municipal code 12-2-27(B) exists in order to approve said variance.

Suggested Commission Motion

Motion to recommend resolution 12-2024 Consideration of Variance to Setbacks at Lots 2, Block 39, Town of Grand Lake, More Commonly Referred to as 225 Mountain Avenue.

OR

Motion to recommend resolution 12-2024 Consideration of Variance to Setbacks at Lots 2, Block 39, Town of Grand Lake, More Commonly Referred to as 225 Mountain Avenue, with the following conditions: _____

OR

Motion to Deny the Request for Variance.



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: 225 Mountain Avenue
 Legal Description: Lot 2 Block 39 Subdivision Grand Lake

PROPERTY OWNER INFORMATION:
 Name: Daniel Eppich Email: eppichs@gmail.com
 Mailing Address: 1229 E. Jamison Ave Phone: 303-807-2457
 City: Centennial State: CO Zip: 80122 Fax: _____

APPLICANT INFORMATION: Is the Applicant the Property Owner? YES NO
 Name: Same as above Email: _____
 Mailing Address: _____ Phone: _____
 City: _____ State: _____ Zip: _____ Fax: _____

CONTACT INFORMATION: Is the Contact Person the Applicant? YES NO
 Contact Person (if not Applicant): Same as above Email: _____
 Mailing Address: _____ Phone: _____
 City: _____ State: _____ Zip: _____ Fax: _____

VARIANCE REQUEST (Brief Description):
See attached

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 Variance Request to be revoked immediately without notice or hearing.

Print Name: Daniel Eppich
 Signature: Dan Eppich Date: 8/29/2024

STAFF USE ONLY

Application Received By: 8/30/24 Date & Time: 9/10/24
 File Name: _____ Deposits: YES NO Amount: \$ 375 Fee
 Agreement for Services Form Signed? YES NO check 1951



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

THIS AGREEMENT (“the Agreement” is entered into this 29th day of August, 2024, by and between the Town of Grand Lake, Colorado, a Colorado municipal corporation, (“the Town”) and Dan Eppich, a Homeowner (homeowner, type of corporation, LLC, etc. if applicable), (collectively, “the Applicant”).

WHEREAS, the Applicant owns, or has rights to the possession and use of, certain property situated in Grand County, Colorado described on Exhibit A, attached hereto and incorporated herein by reference, (“the Property”);

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

WHEREAS, the Applicant desires to develop or conduct a conditional use on the Property and has made application to the Town for approval of subdivision, annexation, conditional use, and/or zoning of the Property, and

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

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

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

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

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

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

PRINTED APPLICANT'S NAME: Dan Eppich

APPLICANT'S SIGNATURE: *Dan Eppich*
Signature

TOWN OF GRAND LAKE

By: *[Signature]*
Kim White, Community Development Director

SEAL

Attest: *[Signature]*
Alayna Carrell, Town Clerk

Variance Request

Address: 225 Mountain Avenue

Owner: Daniel and Melissa Eppich

Variance Request description:

This property has three entry stairways that have reached the end of their useful life and need to be replaced. All three of these stairways are partially located in the setbacks. Please see the Site Plan Detail for a visual representation. The setbacks for this property are 25 ft in the front and 10 ft on each side.

We would like to replace these stairways with minimal changes to make them safe to use and keep the property in good working order. We are requesting a variance for the new stairways to encroach into the setbacks as detailed below:

Specifically, the front (south-facing) stairway and landing is to be replaced with the same dimensions. This maintains an encroachment into the front setback of approximately 2-1/2 ft.

The left (west-facing) stairway is to be replaced with a new stairway and 3 ft deep landing. The addition of the landing will make the existing encroachment into the side setback increase from 4 ft to 5-1/2 ft.

The right (east-facing) stairway and deck is to be replaced with a slightly narrower deck. The existing deck is 5 ft wide; the new deck will only be 4 ft wide. This reduces the encroachment of the deck into the side setback from 2 ft to 1 ft. The existing stairway which extends east towards the property line and encroaches into the setback by 6 ft will be removed and relocated in line with the new deck. This will reduce the encroachment from 6 ft to 1 ft where the new deck will end.

Explanation of Hardship:

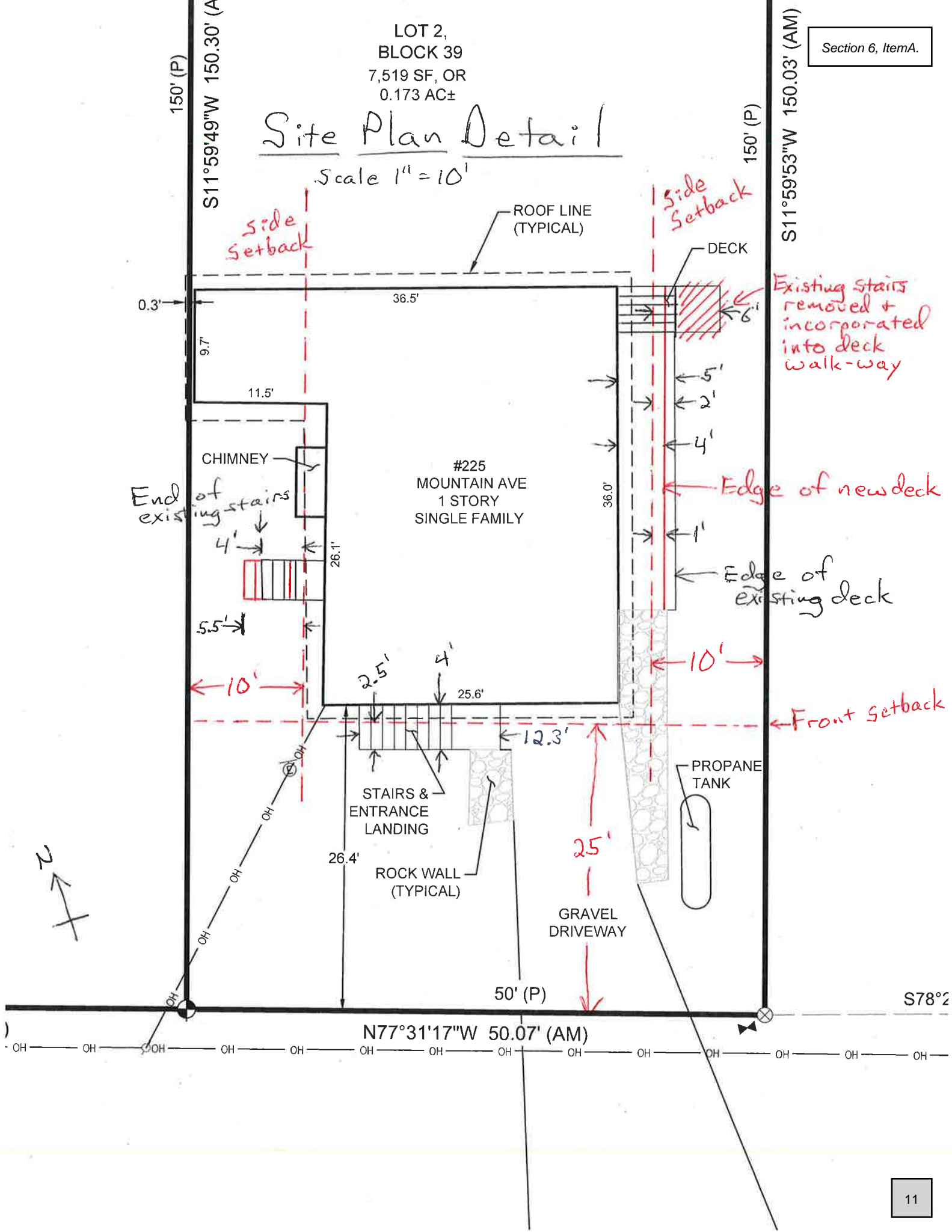
Due to the location of the entry doors into the house, there are no other locations for the stairways that would encroach less into the setbacks. While repair of the existing structures would not necessitate this variance request, the current, poor condition of the framing and supports is such that replacement of these structures is the only reasonable solution to making them safe and durable. The footers for these structures are currently concrete blocks sitting on the ground, not footers that extend below frostline as required by code.

The new landing on the left (west-facing) stairway is needed to comply with current building code. It is also necessary for the stairway and landing to be straight (without a turn in the stairway like the other two) to allow reasonable movement of large furniture and appliances into or out of the house.

LOT 2,
BLOCK 39
7,519 SF, OR
0.173 AC±

Site Plan Detail

Scale 1" = 10'



OFFICIAL AD PROOF

This is the proof of your ad scheduled to run in **Sky-Hi News and Middle Park Times** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(970) 887-3334**.

Notice ID: HcWVsTzvHyq6Nn7ImibK | **Proof Updated: Sep. 13, 2024 at 05:01pm MDT**
 Notice Name: 225 Mountain- setback deck replacement varnce | Publisher ID: 337877

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER	FILING FOR
K White	Sky-Hi News and Middle Park
kwhite@toglco.com	Times
(970) 627-3435	

Columns Wide:	1	Ad Class: Legals
Total Column Inches:	1.75	
Number of Lines:	21	

09/18/2024: Other Notice	10.63
Affidavit Fee	10.00

Subtotal	\$20.63
Tax	\$0.00
Processing Fee	\$2.06
Total	\$22.69

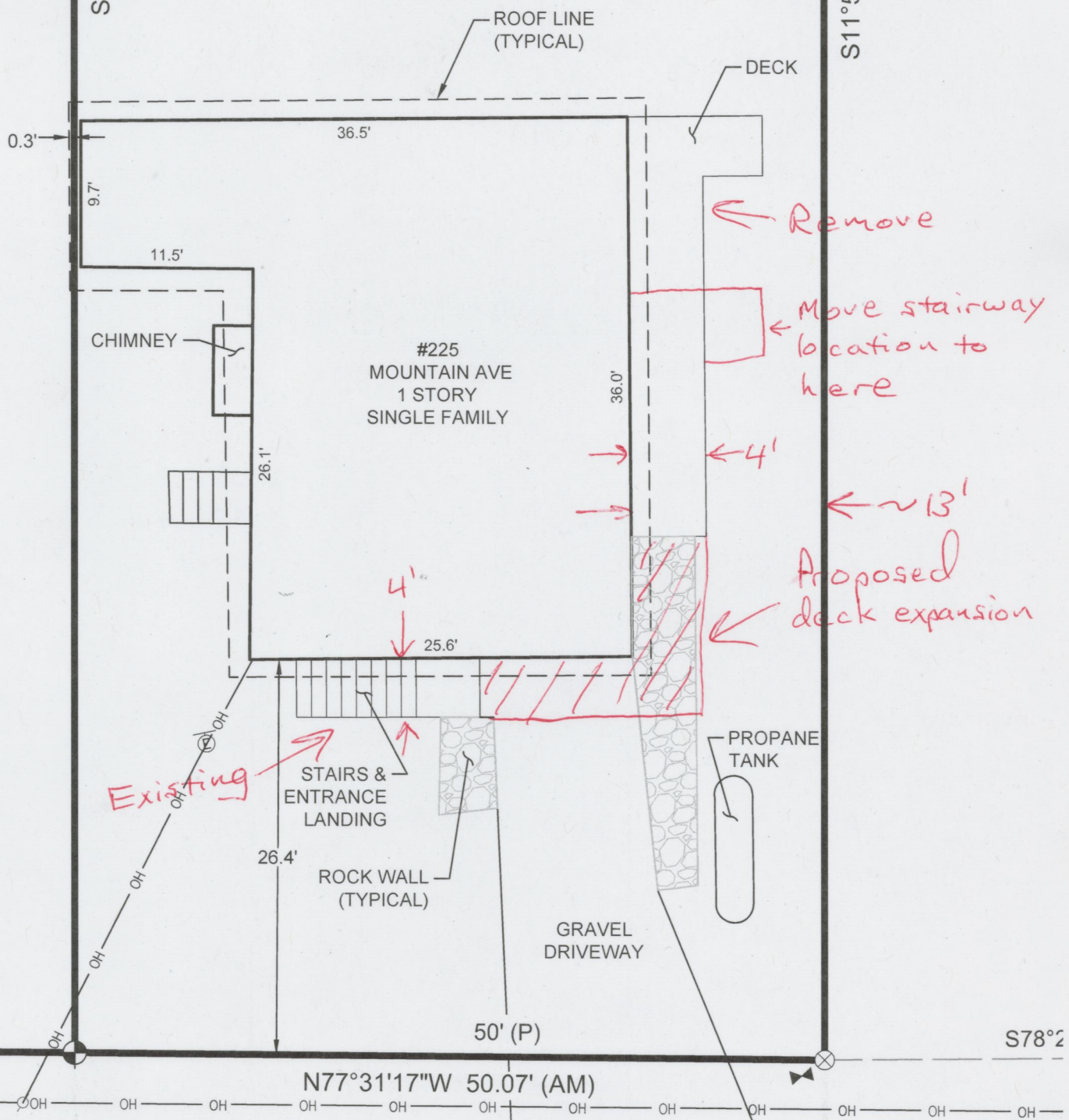
NOTICE is hereby given that the Grand Lake Planning Commission will hold a Public Hearing on Wednesday, October 16, 2024 at 6:30 PM at Town Hall, 1026 Park Ave. Grand Lake, CO, to review a zoning setback variance request (M.C. 12-2) to permit the replacement of a pre-existing, non-conforming for property located at Lot 2-3, Block 39, Town of Grand Lake, more commonly referred to as 225 Mountain Avenue. Additional information is available for public inspection at Town Hall during normal business hours. Public comments and participation are both encouraged and welcome, either in person at the public meeting, in writing to the Town of Grand Lake, P.O. Box 99, Grand Lake, CO 80447 or by e-mail to planner@toglco.com. To be published in the Middle Park Times.

PUBLISHED IN THE SKY-HI NEWS AND MIDDLE PARK TIMES ON WEDNESDAY, SEPTEMBER 18, 2024.

LOT 2,
BLOCK 39
7,519 SF, OR
0.173 AC±

150' (P)
S11°59'49"W 150.30' (A)

150' (P)
S11°59'53"W 150.03' (AM)



Mountain Ave
↓

**TOWN OF GRAND LAKE
PLANNING COMMISSION
RESOLUTION NO. 12 – 2024**

A RESOLUTION RECOMMENDING APPROVAL OF A VARIANCE TO SETBACK STANDARDS AT LOT 2, BLOCK 39, TOWN OF GRAND LAKE, MORE COMMONLY REFERRED TO AS 225 MOUNTAIN AVENUE.

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

Lot 2, Block 38, Town of Grand Lake Subdivision, Grand Lake, Colorado, also known as: 225 Mountain Avenue, Grand Lake, Colorado 80447 (the “Property”); and

WHEREAS, Municipal Code section 12-2-12(C) [Regulations for Single Family Residential – High Density –RSH] Area Regulations establishes the required setbacks for the Property as follows:

- (4.) Minimum Front Yard
Measured from the front property line there shall be a front yard of not less than Twenty-Five Feet (25') for all structures.
- (5.) Minimum Rear Yard
Measured from the rear property line every principal or accessory building shall have a rear yard of not less than Ten Feet (10').
- (6.) Minimum Side Yard
Measured from the side property lines there shall be side yards of not less than Ten Feet (10') on each side of the lot.; and,

WHEREAS, the Town received a zoning variance request application (the “Application”) from the Applicants on August 30th, 2024, requesting a variance to the front and side yard setback as provided in Section 12-2-27 to allow the encroachment of a deck within the front and side setbacks; and

WHEREAS, the proposed encroachment will be one (1) feet into the into the 10 ft west side yard setback.

WHEREAS, the proposed encroachment will be one (1) feet into the into the 10 ft east side yard setback.

WHEREAS, the proposed encroachment will reduce the non-conformance and will be one (1) feet into the 10 ft side yard setback.

WHEREAS, Municipal Code Section 12-2-27 – [Supplemental Regulations for Setback, Height and Area] states in pertinent part as follows:

(A) The following are supplemental regulations for setbacks, height and area. These regulations

will apply to all applicable projects and applications, in all applicable zoning districts no matter the land use action taken.

2. Additional Area Regulations - The following additional area regulations shall apply to all zone districts as set forth in this Article.

(d) A structure presently encroaching into a setback shall not be allowed to make additions onto the structure within the boundary line measured from the lot line to the edge of the existing encroachment without seeking a variance from the Board of Trustees.; and,

4. Variances for these supplemental regulations to supplemental setback, area and height regulations may be granted by the Town Board of Trustees with recommendation from the Planning Commission unless otherwise stated.

WHEREAS, on October 16, 2024, the Planning Commission reviewed the Applicants’ zoning variance request at a Public Hearing; and,

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

1. The compatibility of the proposed action with the surrounding area; and
2. Whether the proposed action is in harmony with the character of the neighborhood; and
3. The need for the proposed action; and
4. The effect of the proposed action upon future development in the area; and
5. The size, shape, topography, slope, soils, vegetation, and other physical characteristics; and
6. Whether alternative designs are possible; and
7. 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 subject to the conditions set forth in Section 2., below.
2. The Planning Commission’s recommendation for approval is based on the Applicant satisfying the following conditions. Unless specified otherwise, such conditions should be satisfied before the matter is considered by the Board of Trustees:
 - a. Payment by Applicant of all legal, engineering and administrative fees incurred by the Town in connection with review, processing, consideration and approval of the Application.
 - b. Compliance by the Applicant with all representations made to the Planning Commission during all public hearings or meetings related to the Application.
 - c. The Applicant complies with all other federal, state, and local regulations, including but not limited to, obtaining building permits, business regulations, and right of way permits; and,

- d. In granting this Request the Commission is not obligated to grant similar requests in the future nor does granting this Request set precedent for any future requests.
 - 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 16th DAY OF OCTOBER.

(S E A L)

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

ATTEST:

TOWN OF GRAND LAKE

 Alayna Carrell
 Town Clerk

 James Shockey,
 Planning Commission Chairman



Date: October 16th, 2024
To: Chairman Shockey and Commissioners
From: Kimberly White, Community Development Director

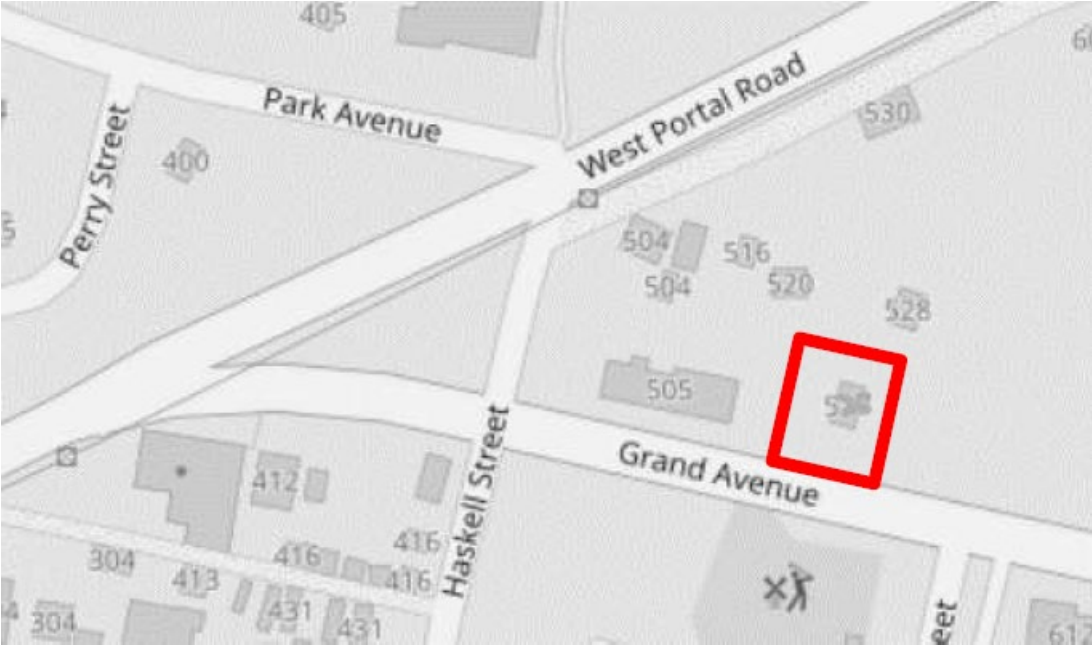
RE: **QUASI JUDICIAL (PUBLIC HEARING)** – Resolution 13-2024 Consideration To Recommend Approval Of A Variance To Parking Standards At Lots 15, Block 26, Town Of Grand Lake, More Commonly Referred To As 525 Grand Avenue.

Public Hearing Process

The public hearing should be conducted as follows:

- 1. Open the Public Hearing
- 2. Allow staff to present the matter
- 3. Allow the applicant to address the commission
- 4. Take all public comment
- 5. Close the Public Hearing
- 6. Have Commission discuss amongst themselves
- 7. Commission make a motion

Location Map



Purpose

The Town has received a zoning variance request application from Verts regarding loading zone, ADA parking location, and linear foot calculation for on street parking requirement. This request requires Planning Commission review and Board Approval.



Context

The property is located at 525 Grand Ave and was most recently used in conjunction with the commercial lot located to the east. The code for on street parking credit only allows for frontage of over 80' to be used to calculate onstreet parking allowance. The glacial moraine located on the north side of the lot in the alley, prevents the rear loading zone from being developed. The Town requires that businesses have a boardwalk and greenway constructed but does not allow access to the property through the boardwalk for safety reasons, thus the ADA parking cannot be located on the property. The property is zoned commercial and has a 50 linear foot frontage.

The applicant would like to be allowed to calculate the on street parking using the 50 linear feet, thus allowing the business 4 on street parking spaces. The applicant would also ask that the loading zone be to not be required in the alley, and that the ADA parking be located on the street adjacent to the future ADA ramp to the store.

**Municipal Code:
12-2-28 Parking Regulations and Design Standards.**

(B) *Parking Regulations.* No building shall be ... changed in Use as defined in this Article...unless there is either an approved parking plan in place or a parking fee in lieu is paid to the Town if allowed, or there is provided on the lot, space for parking and space for the loading and unloading of automobiles or trucks in accordance with the following standards and requirements...

- 2. *Parking Spaces Required.* The method used to calculate the required number of parking spaces shall be as follows:
 - (a) The total number of required parking spaces shall be calculated based on the table from Part 1...
 - 2. After allowing for the on-street parking credit, if eligible, Group IV, Group V, and Group VI structures shall be required to satisfy seventy-five (75%) percent of the resulting number of required-parking spaces off-street, unless a variance is obtained by the Town.
- 3. *On-Street Parking Credits.* In determining the number of off-street parking spaces required, credit will be given for the available on-street parking adjacent and contiguous to any property subject to the provisions of this Section which adjoins a public right-of-way of eighty (80') feet or more in...Commercial...Districts.
- 6. *Accessible Parking.* One (1) designated accessible (handicapped) parking space shall be required as a part of the overall off-street parking requirements mandated under this Section for each twenty-five (25) off-street parking or fraction thereof. In all cases the accessible space shall be located in a manner close and convenient to the principal building main pedestrian ingress/egress.
- 7. *Loading/Unloading Areas.*
 - (a) Loading/Unloading Areas may be a shared loading zone, located in the alleyway, for multiple-unit complexes provided it will adequately handle the commodities anticipated.
 - 2. Changes in Use shall necessitate alley-access loading/unloading areas.
 - (b) Loading areas are to be designed to adequately accommodate both goods and people unloading at all residential and commercial buildings; the minimum loading area is fourteen feet (14') wide by twenty feet (20') long by sixteen feet (16') high.

11-2-6 Private Drives, Emergency Access Requirements, and Criteria.

(A) *Criteria for Access Onto Town of Grand Lake Roadways.*

- 1. *General.*



(E) *Acceptance of Parking Areas.*

1. Before a Certificate of Occupancy (C.O.) is issued on any structure(s), all parking areas are, as a minimum, to be graveled. A temporary waiver may be granted for a set period of time, should weather conditions necessitate. All improvements bonds, escrow funds, etc., are to be held by the Town until paving is complete. See Chapter 9: Building Regulations, Section 9-1-7 Appeals.

12-2-28 Parking Regulations and Design Standards.

- (b) *Review by the Planning Commission.* The Planning Commission shall review variance applications at a Public Hearing as defined by Section 12-2-27(B). The Commission shall make a recommendation to the Board based on the criteria in Section 12-2-28(D)1.

12-2-27 (B) *Variance Request Procedure.*

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.

Staff Comments

Staff sent out public notice of this meeting to Middle Park Times, as well as letters to all 12 property owners surrounding the subject property within 200'. Staff has received 8 confirmations of receipt to date.

The applicants letter for the explanation of their variance request is attached.

Commission Discussion

The Commissioners should discuss the request amongst themselves, with consideration of staff, public comments, and the findings of fact from the code, in order to make a decision/recommendation. Commission must review and find that each item exists in order to approve said variance.

Suggested Commission Motion

Motion to recommend resolution 13-2024; Consideration To Recommend Approval Of A Variance To Parking Standards At Lots 15, Block 26, Town Of Grand Lake, More Commonly Referred To As 525 Grand Avenue.

OR

Motion to recommend resolution 13-2024; Consideration To Recommend Approval Of A Variance To Parking Standards At Lots 15, Block 26, Town Of Grand Lake, More Commonly Referred To As 525 Grand Avenue, with the following conditions: _____

OR

Motion to Deny the Request for Variance.



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
glplanning@townofgrandlake.com • www.townofgrandlake.com

PARKING VARIANCE REQUEST APPLICATION

PROPERTY LOCATION:
 Street Address: 525 Grand Ave. Grand Lake, CO 80447
 Legal Description: Lot 15 Block 26 Subdivision _____

PROPERTY OWNER INFORMATION:
 Name: JesseTheDog LLC Email: jessethedogllc@gmail.com
 Mailing Address: 1898 S. Jasmine St. Phone: 785-320-3301
 City: Denver State: CO Zip: 80224 Fax: _____

APPLICANT INFORMATION: Is the Applicant the Property Owner? YES NO
 Name: Verts Grand Lake LLC Email: drowland.am@gmail.com
 Mailing Address: 11922 W. 27th Drive Phone: 303-579-7573
 City: Lakewood State: CO Zip: 80215 Fax: _____

VARIANCE REQUEST (Brief Description):
Three-part request addressing variances for ADA accessible parking, street parking, and loading zone.
Accessible parking must be off-street; lot does not allow for parking in front (cannot drive over the boardwalk);
lot does not allow access to the rear; request to have a space dedicated on the road.
Request for three additional spaces on street (1 space/350sf of general retail; 920 sf of retail/350 = 2.68.
Request to allow loading in front; alley behind the building is not accessible (does not support parking nor loading).

REQUIRED INFORMATION CHECKLIST:

- Application Deposit (See Fee and Deposit schedule for amount)
- Agreement for Services Form
- Site Plan (showing dimensions to existing and proposed features, parking, ingress and egress points, 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
- 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 Variance Request to be revoked immediately without notice or hearing.
 Print Name: Daniel Rowland
 Signature: Daniel W. Rowland Date: 08-16-2024
Incomplete applications will not be reviewed.

STAFF USE ONLY

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

Variance Requests – Explanation of Hardships

Verts Grand Lake LLC

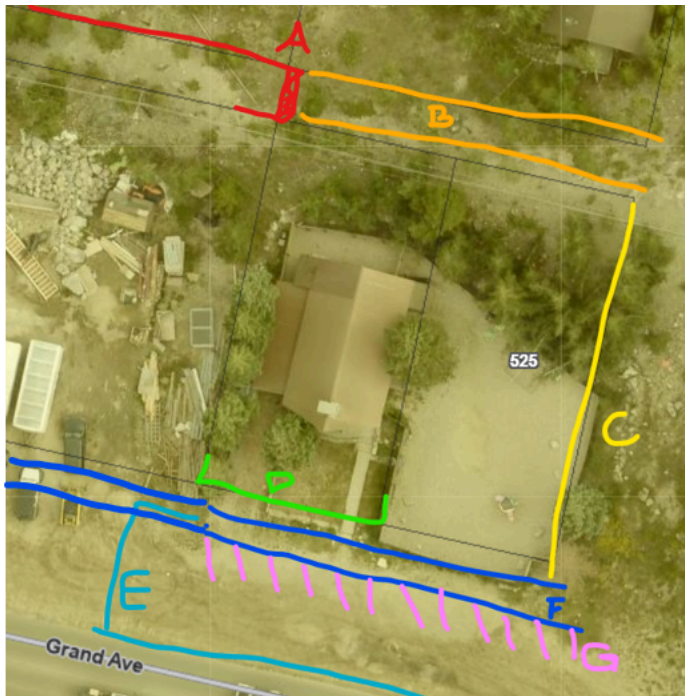
Verts Grand Lake LLC (Verts) respectfully requests the three following variances from the Town of Grand Lake municipal code (GLMC) to complete its retail marijuana store development and to adhere to the terms of its Conditional Use Permit (CUP).

Per *GLMC 12-2-28(B)(2) – Parking Spaces Required*, Verts must provide three parking spaces according to the Town’s formula of 1 space/350 sq. ft. of general retail. Verts has 920 sq. ft. of retail ($920/350 = 2.63$), so three spaces are required.

1. Per *GLMC 12-2-28(B)(3) – On-Street Parking Credits*, the property must have at least 80 feet of right of way (ROW) frontage for credit to be given for available on-street parking. Because the property only has 50 feet of public ROW on the frontage, technically none of the parking spaces count toward the parking credit. Therefore, Verts requests a variance to count the 4.25 on-street parking spaces (three standard spaces plus one larger dedicated accessible space).
2. Per *GLMC 12-2-28(B)(6) – Accessible Parking*, Verts must provide off-street accessible parking. Verts requests a variance because vehicles may not drive over the CUP-required boardwalk for parking and the building does not support rear-access parking (see item No. 3 below). Verts requests locating one dedicated accessible parking space on the street.
3. Per *GLMC 12-2-28(B)(7) – Loading/Unloading Areas*, changes in use require alley-access un/loading areas. Since this is not possible at this location, Verts requests a variance to allow un/loading in front of the building.

Per the diagram below:

- The alley behind the building (B) is a massive rock hill (toe of the glacial moraine)
- The alley (A) ends at a retaining wall (thick red line)
- Thus, there is no alley access, so alley-access un/loading and rear parking are not possible in this location.



- (A) alley (retaining wall)
- (B) large glacial hill in alley ROW
- (C) unimproved Jefferson St ROW
- (D) 50' frontage for proposed shop
- (E) Shoulder on Grand ROW, not improved
- (F) future boardwalk
- (G) future diagonal parking by owners

Variance Requests – Explanation of Hardships Verts Grand Lake LLC

Verts requests these variances so that it may adhere to its CUP for developing the property. Per GLMC 12-2-27(B)(3), the parking plan proposed herein:

- (a) is compatible with the surrounding area and will accommodate construction and use of the CUP-mandated boardwalk;
- (b) is in harmony with the character of the neighborhood and will link and enhance pedestrian access among neighboring properties;
- (c) is needed to improve the property and adhere to the CUP; the plan also improves existing parking conditions, as it will clearly identify four public parking spaces (one of which will be a dedicated accessible space) and Verts' CUP also requires the business to improve the on-street parking surface, which will be supported by approval of this plan;
- (d) will positively effect neighboring properties, which are both being redeveloped, promoting and facilitating pedestrian access and safety, and creating safer and better connections to other businesses along Grand Avenue.
- (e) will adhere to the Town's requirements for the design, construction, landscaping and materials used for the CUP-mandated boardwalk and greenway, per GLMC 11-4-6, and parking surface improvements.
- (f) considered alternatives and put forth the most efficient and effective design, considering the physical characteristics and limitations of the property described above, while positively effecting neighboring developments, and the public good to link community uses and improve parking conditions in the Town;
- (g) considered the Town's Comprehensive Plan, especially its guidance on enhancing community connections in general, and along Grand Avenue in particular, and on improving mobility.

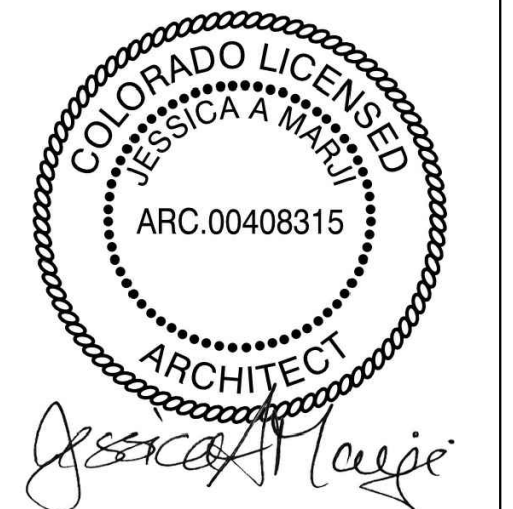
VERTS NEIGHBORHOOD DISPENSARY

525 GRAND AVE, GRAND LAKE, CO

PERMIT DRAWINGS



ARCHITECT:
JESSICA ANN MARJI
RA, NCARB



EXPIRATION: 10/21/25

PROJECT:
VERTS Neighborhood
Dispensary

LOCATION:
525 GRAND AVE
GRAND LAKE, CO

CLIENT:
JesseTheDog LLC
Matthew Ingles
JesseTheDogllc@gmail

Alexander Close
alexander.m.close@gmail.com
Daniel Rowland
drowland.am@gmail.com

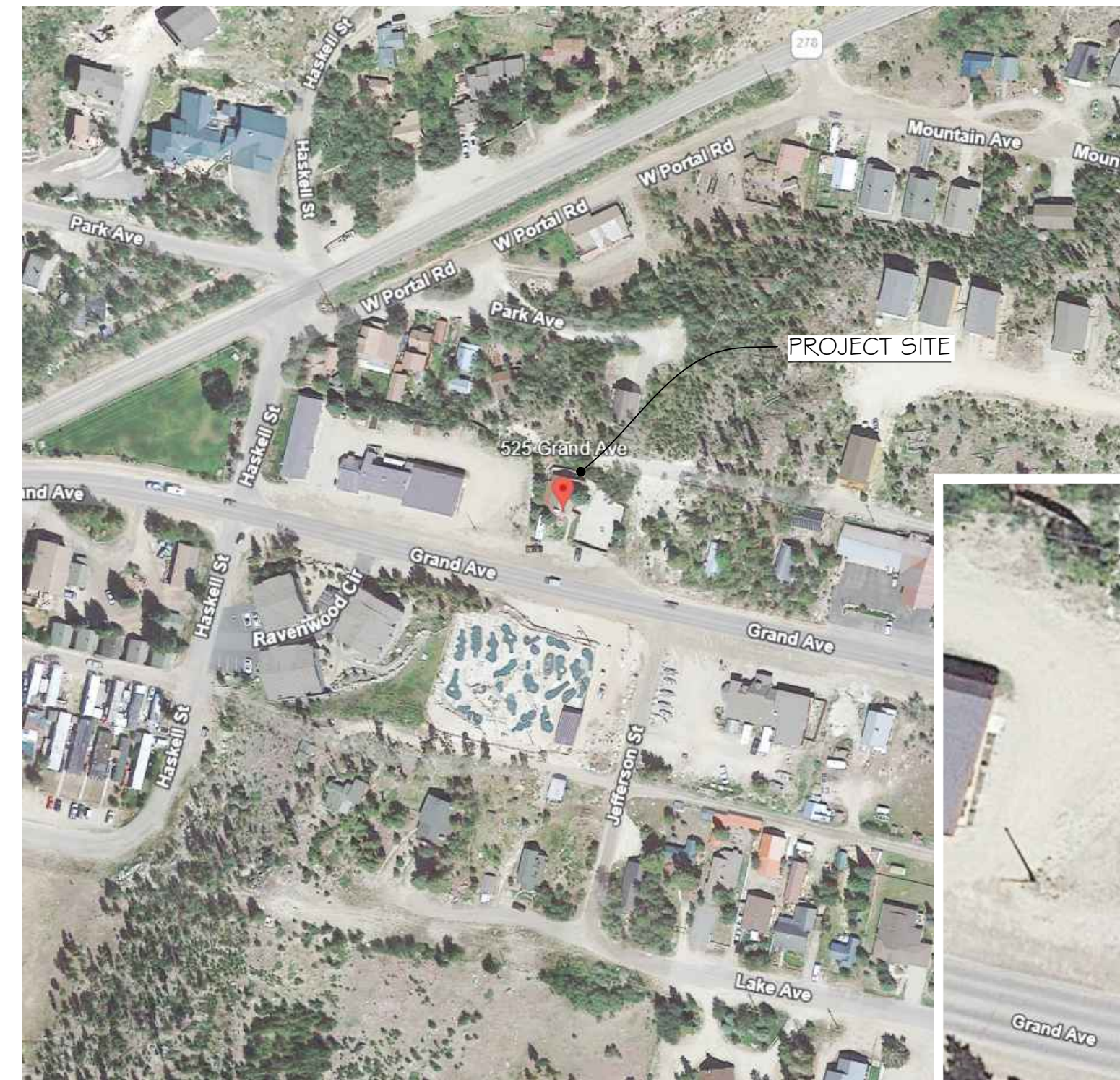
SHEET TITLE:
Cover Sheet & Project
Information

ISSUED:
• 08.09.2024 PERMITS

DO NOT SCALE PRINTS USE
FIGURED DIMENSIONS ONLY

PROJECT NO.
24009

SHEET NO.
A.100



SITE LOCATION
NO SCALE



SITE AERIAL
NO SCALE

PROJECT INFORMATION

PROJECT: MINOR INTERIOR REMODEL TO EXISTING TENANT SPACE
CHANGE OF USE: B (BUSINESS) TO M (MERCANTILE)

CODE INFORMATION

APPLICABLE CODES:
COLORADO EXISTING BUILDING CODE 2015 (IEBC 2015 with amendments)
per <https://www.co.grand.co.us/1117/Codes-Amendments>

WORK METHOD: ALTERATION - LEVEL 2

SCOPE OF WORK:
- CHANGE OF USE & OCCUPANCY
- EXPANSION OF TOILET ROOM TO MEET BARRIER-FREE REQUIREMENTS

PREVIOUS USE: B - BUSINESS (dog grooming & day care)

PROPOSED USE: M - MERCANTILE (marijuana dispensary)

EXISTING CONSTRUCTION TYPE : V-B

EXISTING WOOD FRAME BUILDING
1 STORY + STORAGE LOFT

BUILDING AREA: 1,340 GROSS SQUARE FEET

MAIN FLOOR = 920 SF
STORAGE LOFT = 420 SF
+ BASEMENT UTILITY (UNOCCUPIED)

INDEX OF DRAWINGS

GENERAL
G.100 COVER SHEET & PROJECT INFORMATION
G.101 BARRIER-FREE STANDARDS
ARCHITECTURAL
AS.100 ARCHITECTURAL SITE PLAN & INFORMATION
AD.101 EXISTING / DEMOLITION FLOOR PLANS
A.101 PROPOSED FLOOR PLANS
A.102 EGRESS / LIFE SAFETY FLOOR PLANS
A.201 TOILET ROOM ENLARGED PLANS & ELEVATIONS

DEFERRED / FUTURE SUBMITTALS

- SEPARATE FUTURE PERMITS BY OTHERS
EXTERIOR BUILDING SIGNAGE
SITE WORK
UTILITY WORK

OCCUPANCY (PER CBC TABLE 1004.1.2)

INTERIOR BUILD-OUT IN EXISTING COMMERCIAL BUILDING				
BUILDING CONSTRUCTION TYPE	TYPE V-B (EXISTING)			
INTERIOR CONSTRUCTION TYPE	TYPE V-B (NON-SPRINKLED)			
BUILDING USE GROUP	M (MERCANTILE)			
TOTAL BUILDING AREA:	2,008 GROSS SQUARE FEET			
TOTAL USABLE AREA:	1,606 NET SQUARE FEET (80%)			
USE/SPACE NAME	AREA	OCCUPANCY	SF / OCC.	# OCC.
RETAIL SALES AREA	440 SF	MERCANTILE	60 GROSS	7
STORAGE	548 SF	STORAGE	300 GROSS	2
TOTAL MAXIMUM CALCULATED OCCUPANTS:				9

PLUMBING FIXTURE REQUIREMENTS

TOTAL MAXIMUM OCCUPANCY : 9 PEOPLE MAX.
REQUIRED FIXTURE COUNT: WATER CLOSET = 1 M/F PER 500 OCC
LAVATORY = 1 M/F PER 750 OCC
LESS THAN 15 PEOPLE: NO DRINKING FOUNTAIN OR SERVICE SINK REQUIRED
PROVIDED FIXTURES: 1 B.F. TOILET + 1 B.F. VANITY

ACCESSIBILITY FOR EXISTING BUILDINGS

410.4.2 Complete Change of Occupancy
Where an entire building undergoes a change of occupancy, it shall comply with Section 410.4.1 and shall have all of the following accessible features:
1. At least one accessible building entrance.
2. At least one accessible route from an accessible building entrance to primary function areas.
3. Signage complying with Section 1111 of the International Building Code.
4. Accessible parking, where parking is being provided.
5. At least one accessible passenger loading zone, when loading zones are provided.
6. At least one accessible route connecting accessible parking and accessible passenger loading zones to an accessible entrance.

Where it is technically infeasible to comply with the new construction standards for any of these requirements for a change of group or occupancy, the above items shall conform to the requirements to the maximum extent technically feasible.

GENERAL NOTES

- THE FOLLOWING ITEMS ARE THE RESPONSIBILITY OF THE LANDLORD TO SELECT, PROVIDE, AND INSTALL. THEY ARE INCLUDED IN THIS DRAWING FOR COORDINATION PURPOSES ONLY AND ARE NOT PART OF THE SCOPE OF THIS WORK:
- ANY AND ALL MECHANICAL, ELECTRICAL, AND PLUMBING UTILITY WORK.
 - ANY INTERIOR FINISHES, FURNISHINGS AND FIXTURES.
- THE CONSTRUCTION CONTRACTOR IS SOLELY RESPONSIBLE FOR COMPLIANCE WITH ALL FEDERAL, STATE AND LOCAL APPLICABLE REGULATIONS FOR JOB SITE SAFETY TO PROTECT ALL PEOPLE AND PROPERTY FROM INJURY AND DAMAGE AS A RESULT OF THE WORK UNDER CONTRACT.
 - THE WORK SHALL CONFORM TO THE APPLICABLE BUILDING CODE, AND OTHER ORDINANCES, CODES AND REGULATIONS LISTED IN THE SPECIFICATIONS OR ON THE DRAWINGS, AND REQUIRED BY LOCAL BUILDING AUTHORITIES. THE GOVERNING CODES, RULES AND REGULATIONS ARE COLLECTIVELY REFERRED TO AS "THE CODE". THE CONTRACTOR SHALL REPORT ANY INCONSISTENCIES, CONFLICTS OR OMISSIONS HE MAY DISCOVER TO THE ARCHITECT FOR INTERPRETATION PRIOR TO PERFORMING THE WORK.
 - THE CONSTRUCTION CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR AND HAS CONTROL OVER CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES FOR COORDINATING ALL PORTIONS OF THE WORK UNDER CONTRACT.
 - THE CONSTRUCTION CONTRACTOR WILL, TO THE FULLEST EXTENT PERMITTED BY LAW, INDEMNIFY AND HOLD HARMLESS THE LANDLORD, THE ARCHITECT AND THE ARCHITECT'S CONSULTANTS FROM AND AGAINST ANY AND ALL DAMAGES, LIABILITIES OR COSTS, INCLUDING REASONABLE ATTORNEY'S FEES AND DEFENSE COSTS, ARISING OUT OF WORK PERFORMED DIRECTLY OR INDIRECTLY BY THE CONSTRUCTION CONTRACTOR OR CONSTRUCTION SUBCONTRACTORS. THE CONSTRUCTION CONTRACTOR FURTHER AGREES TO INDEMNIFY THE LANDLORD, THE ARCHITECT AND THE ARCHITECT'S CONSULTANTS FROM ANY CLAIMS BY EMPLOYEES OF THE CONSTRUCTION CONTRACTORS REGARDLESS OF WHETHER OR NOT SUCH CLAIMS, DAMAGE, LOSS OR EXPENSE IS CAUSED, IN PART, BY A PARTY INDEMNIFIED HEREUNDER.

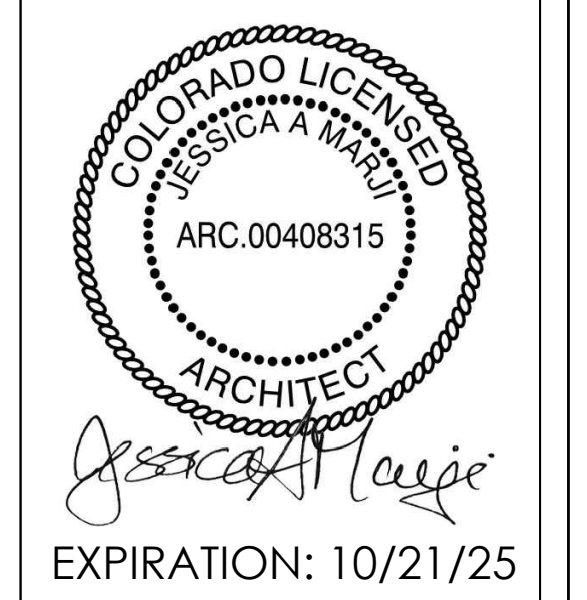
- THE CONSTRUCTION CONTRACTOR SHALL HAVE ITS GENERAL LIABILITY INSURANCE POLICY ENDORSED TO NAME THE OWNER, THE ARCHITECT AND THE ARCHITECT'S CONSULTANTS AS ADDITIONAL INSURED ON THE POLICY, AND FURNISH COPIES TO THE LANDLORD AND THE ARCHITECT.
- IF ANY INCONSISTENCY, OR CONFLICT SHALL BE DISCOVERED IN EITHER SPECIFICATIONS OR DRAWINGS, OR IF IN ANY PLACE THE MEANING OF EITHER OR BOTH SHALL BE UNCERTAIN OR IN DISPUTE, THE ARCHITECT SHALL DECIDE AS TO THE TRUE INTENT OF THE DOCUMENTS. THE CONSTRUCTION CONTRACTOR AND EACH SUBCONTRACTOR IS DEEMED TO HAVE INCLUDED THE MORE EXPENSIVE WAY OF DOING THE WORK, UNLESS HE SHALL HAVE ASKED FOR AND RECEIVED IN WRITING FROM THE ARCHITECT A DECISION BEFORE SUBMISSION OF THE PROPOSAL.
- DO NOT SCALE DRAWINGS. USE FIGURED DIMENSIONS ONLY.
- CONSTRUCTION CONTRACTOR SHALL VERIFY ALL DIMENSIONS PRIOR TO ANY WORK.
- PROVIDE ALL FIRE/DRAFTSTOPPING IN STRICT ACCORDANCE WITH THE APPLICABLE MICHIGAN AND FIRE CODES.
- ALL WORK SHALL CONFORM TO ALL GOVERNING CODES AND REGULATIONS.
- GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE ASSIGNMENT, INTERFACING AND COORDINATION OF THE WORK OF ALL TRADES.

GENERAL FINISH NOTES:

- INSULATION SHALL HAVE A FLAME SPREAD INDEX OF NOT MORE THAN 25 AND A SMOKE-DEVELOPED INDEX OF NOT MORE THAN 450 PER CBC SECTION 720.2.
- INTERIOR FINISHES SHALL BE PROVIDED IN ACCORDANCE WITH CBC CHAPTER 8, TABLE 803.1.3.



ARCHITECT:
JESSICA ANN MARJI
RA, NCARB



PROJECT:
VERTS Neighborhood
Dispensary

LOCATION:
525 GRAND AVE
GRAND LAKE, CO

CLIENT:
JesseTheDog LLC
Matthew Ingles
JesseTheDogllc@gmail

Alexander Close
alexander.m.close@gmail.com

Daniel Rowland
drowland.am@gmail.com

SHEET TITLE:
Barrier-free Standards

ISSUED:
• 08.09.2024 PERMITS

DO NOT SCALE PRINTS USE
FIGURED DIMENSIONS ONLY

PROJECT NO.
24009

SHEET NO.
G.101

TACTILE SIGNS - ICC/ANSI A117.1

HEIGHT ABOVE FINISH FLOOR OR GROUND:
TACTILE CHARACTERS ON SIGNS SHALL BE LOCATED 48 INCHES (1219 MM) MINIMUM ABOVE THE FINISH FLOOR OR GROUND SURFACE, MEASURED FROM THE BASELINE OF THE LOWEST BRAILLE CELLS AND 60 INCHES (1524 MM) MAXIMUM ABOVE THE FINISH FLOOR OR GROUND SURFACE, MEASURED FROM THE BASELINE OF THE HIGHEST LINE OF RAISED CHARACTERS.

TACTILE EXIT SIGNS ARE REQUIRED AT THE EXIT DISCHARGE DOORS PER SECTION 101.1.4. A TACTILE SIGN STATING EXIT AND COMPLYING WITH ICC A117.1 SHALL BE PROVIDED ADJACENT TO EACH DOOR TO AN AREA OF REFUGE, AN EXTERIOR AREA FOR ASSISTED RESCUE, AN EXIT STAIRWAY, AN EXIT RAMP, AN EXIT PASSAGEWAY AND THE EXIT DISCHARGE.

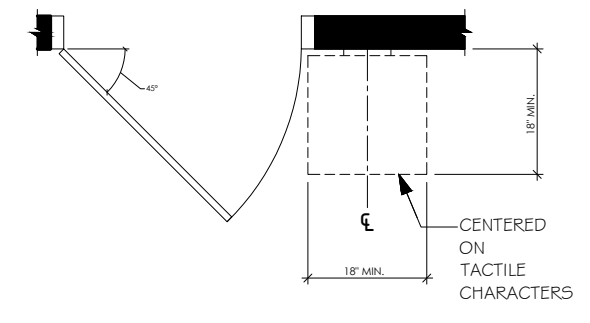


FIGURE 703.3.1.1
LOCATION OF TACTILE SIGNS AT DOORS

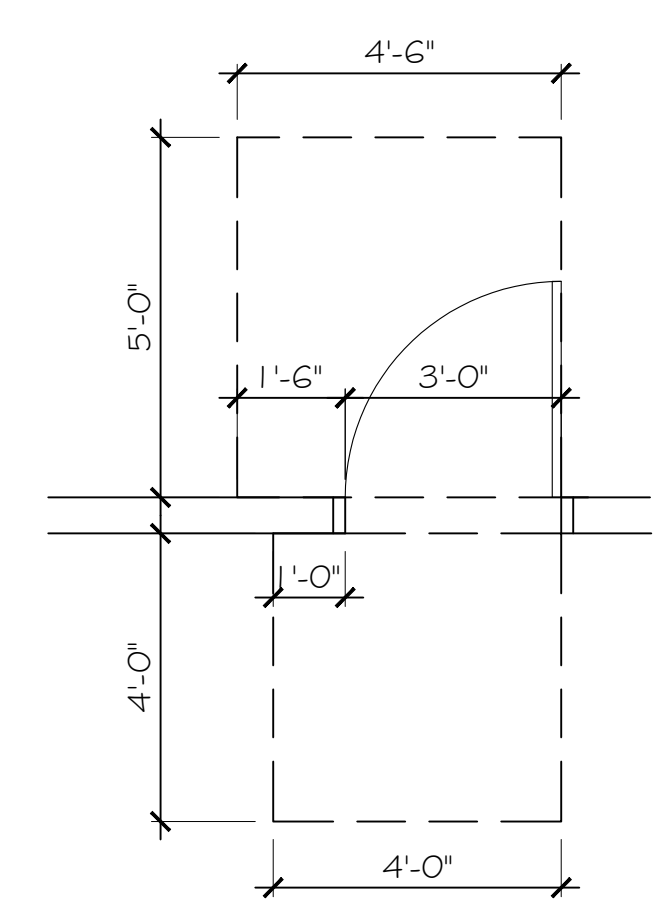
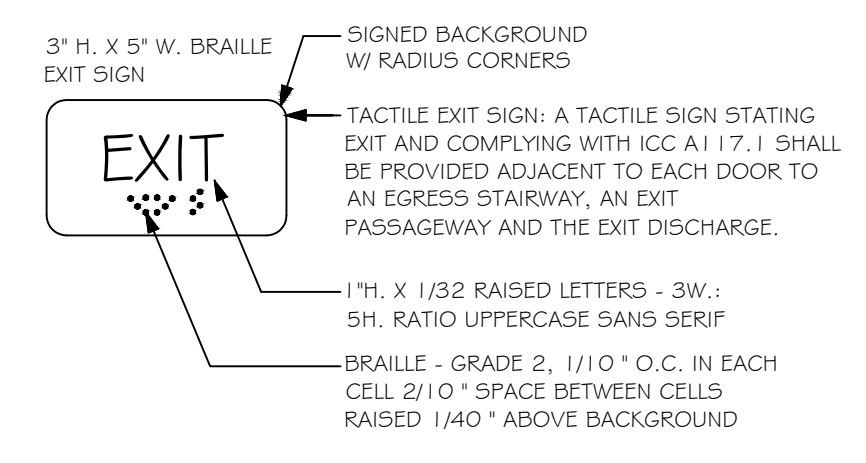
WALL MOUNTED ADA
ACCESSIBILITY SIGNAGE

GENERAL NOTES:
MOUNTING LOCATION & HEIGHT
WHERE PERMANENT IDENTIFICATION IS PROVIDED FOR ROOMS AND SPACES, SIGNS

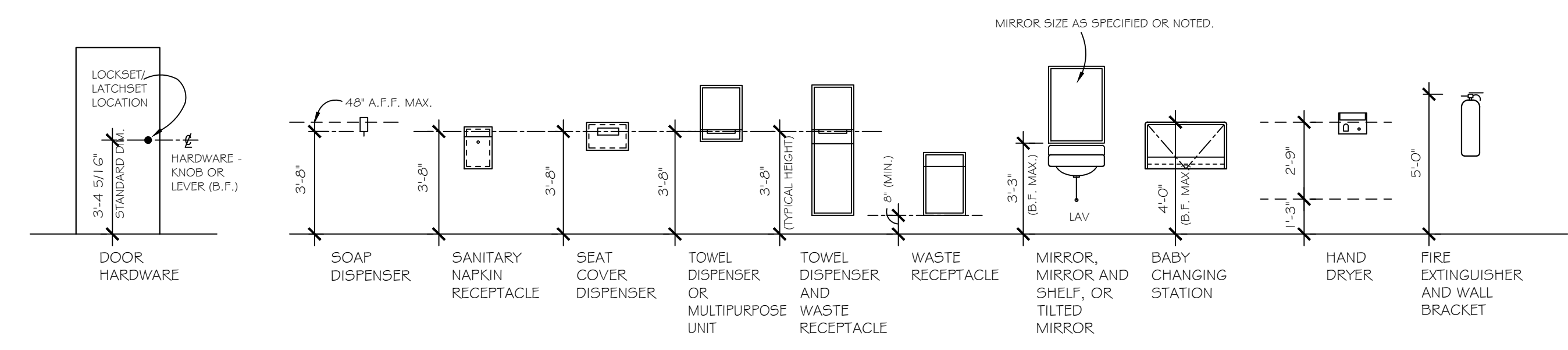
THERE IS NO WALL SPACE TO THE LATCH SIDE OF THE DOOR, INCLUDING AT DOUBLE LEAF DOORS. SIGNS SHALL BE PLACED ON THE NEAREST ADJACENT WALL. MOUNTING LOCATION FOR SUCH SIGNAGE SHALL BE SO THAT A PERSON MAY APPROACH WITHIN 3' OF SIGNAGE WITHOUT ENCOUNTERING PROTRUDING OBJECTS FOR STANDING WITHIN THE SWING OF A DOOR.

FINISH AND CONTRAST
THE CHARACTERS AND BACKGROUND SHALL BE NON-GLARE FINISH. THE CHARACTERS AND SYMBOLS SHALL CONTRAST WITH THEIR BACKGROUND.

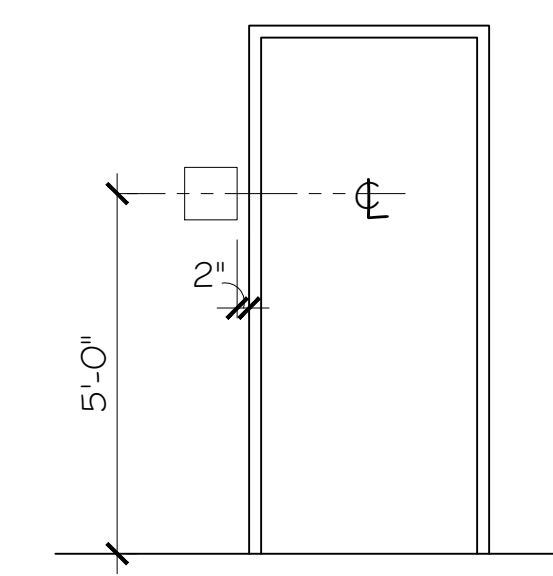
SYMBOLS OF ACCESSIBILITY
FACILITIES AND ELEMENTS REQUIRED TO BE IDENTIFIED AS ACCESSIBLE SHALL USE THE ISA.



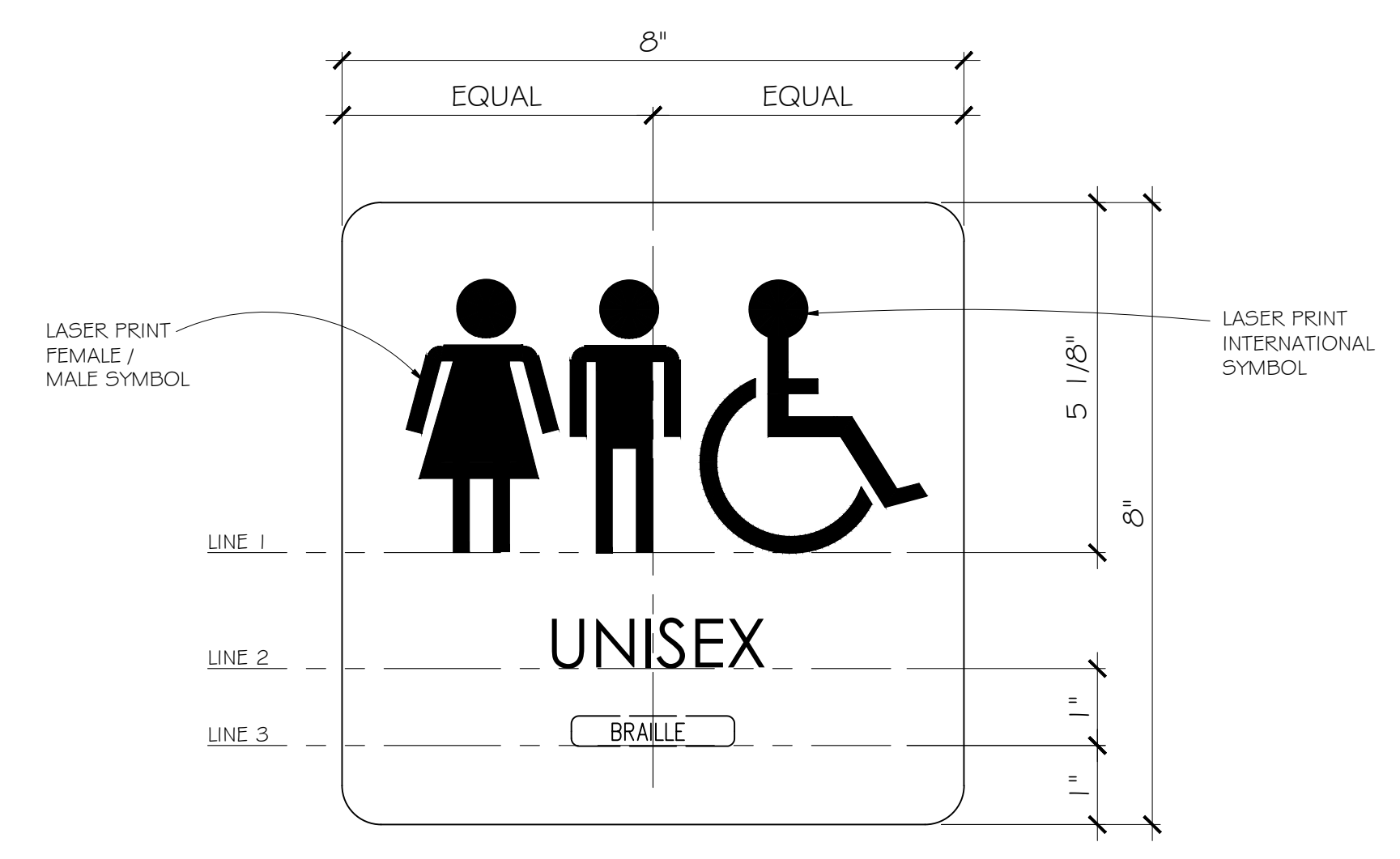
TYP. DOOR CLEARANCE



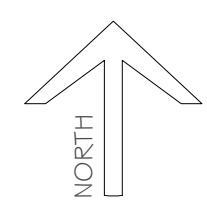
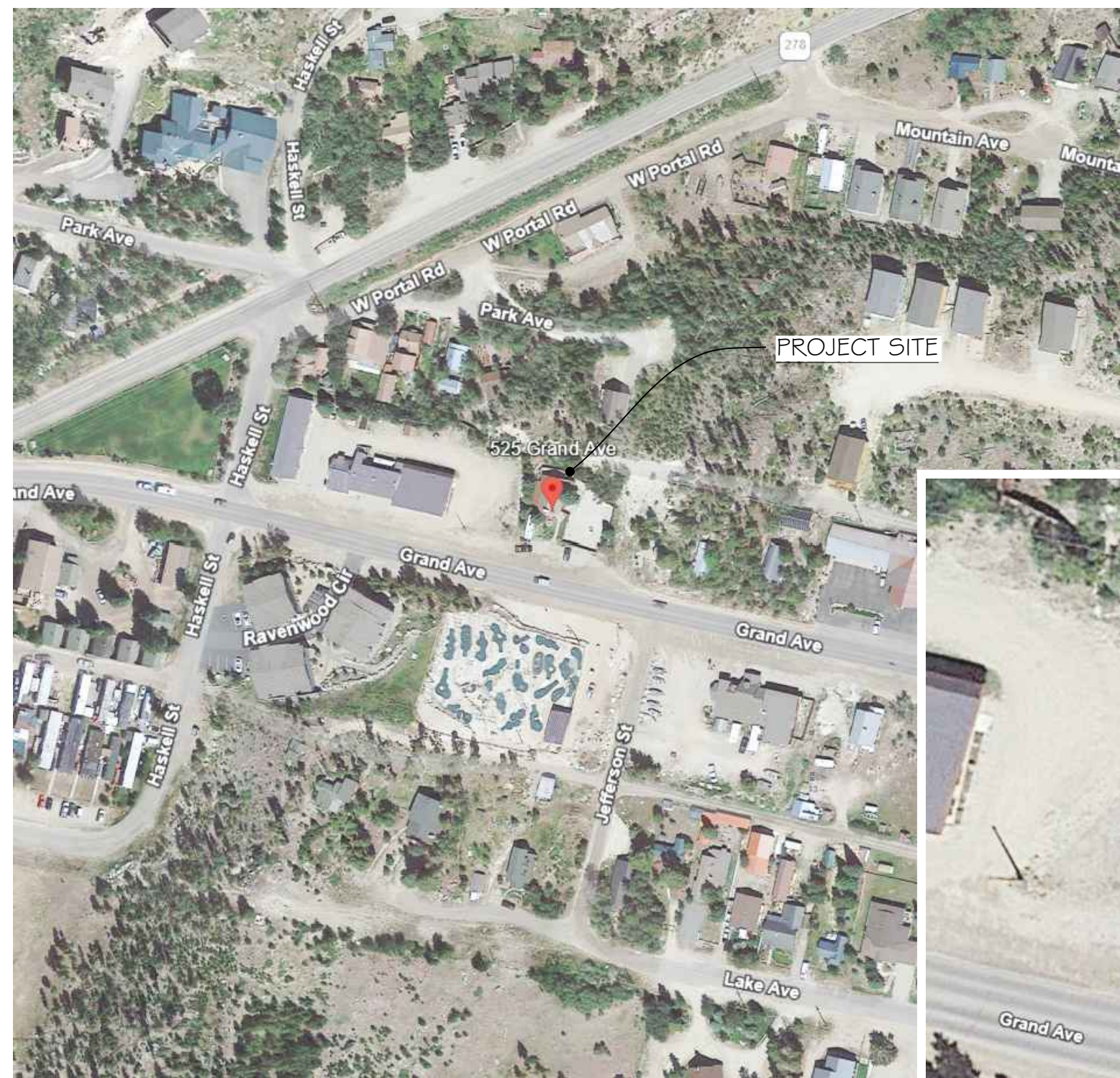
TYP. BARRIER-FREE MOUNTING HEIGHTS



SIGNAGE MOUNTING HEIGHT



BARRIER-FREE TOILET ROOM SIGNAGE



SITE LOCATION
NO SCALE



SITE AERIAL
NO SCALE

EXTERIOR NOTES:

- EXTERIOR BUILDING ELEMENTS AND FINISHES TO REMAIN
- PATCH/REPAIR AS NECESSARY
- REPLACE EXISTING MONUMENT SIGN (UNDER SEPARATE FUTURE PERMIT)
- SITE ELEMENTS ARE EXISTING TO REMAIN UNLESS NOTED OTHERWISE



EXISTING BUILDING PHOTO

CODE INFORMATION

APPLICABLE CODES:
COLORADO EXISTING BUILDING CODE 2015
per <https://www.co.grand.co.us/1117/Codes-Amendments>

WORK METHOD: ALTERATION - LEVEL 2
PREVIOUS USE: B - BUSINESS (dog grooming & day care)

PROPOSED USE: M - MERCANTILE (marijuana dispensary)
- CHANGE OF USE & OCCUPANCY

EXISTING CONSTRUCTION TYPE : V-B

PARKING

PER TOWN OF GRAND LAKE ZONING ORDINANCE
12-2-28 - Parking Regulations and Design Standards:

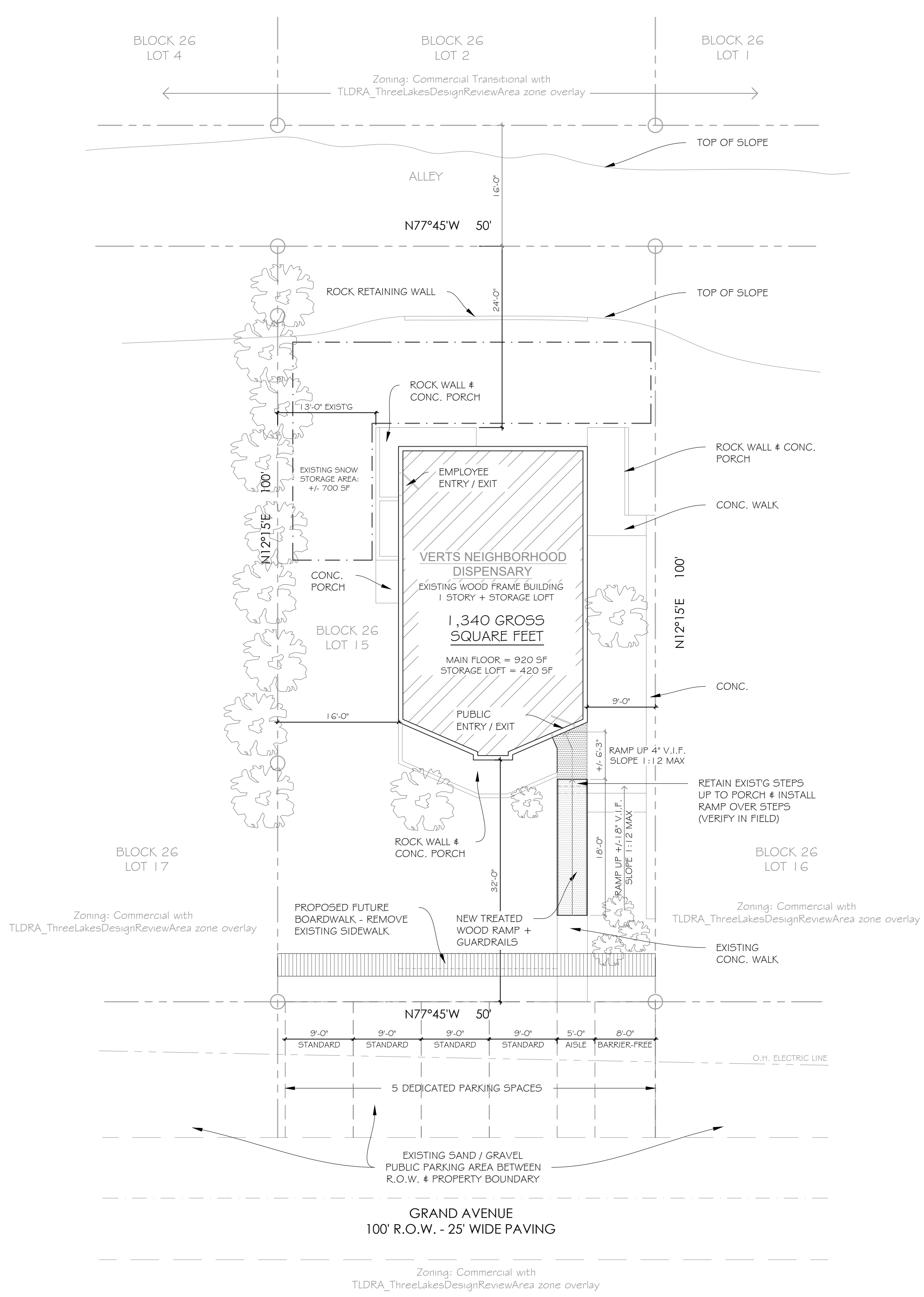
Required Parking:
General Retail : 1 Space/350 S.F. Total Floor Area

Total Gross SF: 1,340 SF
1340 / 350 = 4 REQUIRED SPACES

Provided Spaces:
5 ADJACENT PUBLIC SPACES (IN R.O.W.)
(INCLUDES 1 BARRIER-FREE)

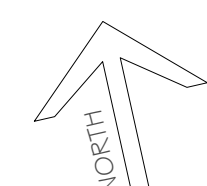
- OWNER INTENDS TO RETAIN THE ON-SITE EMPLOYEE PARKING AREA AS INDICATED ON THE SITE PLAN. THE EXISTING AVAILABLE SPACE ON THE PROPERTY OUTSIDE OF THE R.O.W DOES NOT ALLOW FOR THE CONSTRUCTION OF A PAVED LOT WITH THE REQUIRED PARKING OF 4 SPACES AND APPROPRIATE INGRESS.

SNOW STORAGE AREAS SHALL BE PROVIDED FOR PARKING AREAS EQUIVALENT TO ONE-THIRD (1/3) OF THE TOTAL DRIVE AND PARKING AREAS
2 X (9X20) = 360 SF / 3 = 120 SF
- EXISTING SNOW STORAGE IS BEING RETAINED, WHICH EXCEEDS THE REQUIRED AMOUNT.



PARCEL INFORMATION

Parcel No: 119306114022
Schedule No: R313157
Legal: GRAND LAKE Lot: 15 Block: 26
Address: 525 GRAND AVE
WITHIN TOWN OF GRAND LAKE
Commercial with TLDRA - Three Lakes
Design Review Area zone overlay



ARCHITECTURAL SITE PLAN

SCALE: 1" = 20'-0"
NOTES:
• THIS PLAN IS FOR REFERENCE ONLY - IT IS INTENDED FOR DEPICTING EGRESS POINTS AND PARKING IN RELATION TO THE BUILDING.
• SITE ELEMENTS ARE EXISTING TO REMAIN UNLESS NOTED OTHERWISE. PATCH/REPAIR AS REQUIRED.



ARCHITECT:
JESSICA ANN MARJI
RA, NCARB



EXPIRATION: 10/21/25

PROJECT:
VERTS Neighborhood
Dispensary

LOCATION:
525 GRAND AVE
GRAND LAKE, CO

CLIENT:
JesseTheDog LLC
Matthew Ingles
JesseTheDogllc@gmail

Alexander Close
alexander.m.close@gmail.com

Daniel Rowland
drowland.am@gmail.com

SHEET TITLE:
Architectural Site Plan
& Information

ISSUED:
• 08.09.2024 PERMITS

DO NOT SCALE PRINTS USE
FIGURED DIMENSIONS ONLY

PROJECT NO.
24009

SHEET NO.
AS.100



ARCHITECT:
JESSICA ANN MARJI
RA, NCARB



EXPIRATION: 10/21/25

PROJECT:
VERTS Neighborhood
Dispensary

LOCATION:
525 GRAND AVE
GRAND LAKE, CO

CLIENT:
JesseTheDog LLC
Matthew Ingles
JesseTheDogllc@gmail

Alexander Close
alexander.m.close@gmail.com

Daniel Rowland
drowland.am@gmail.com

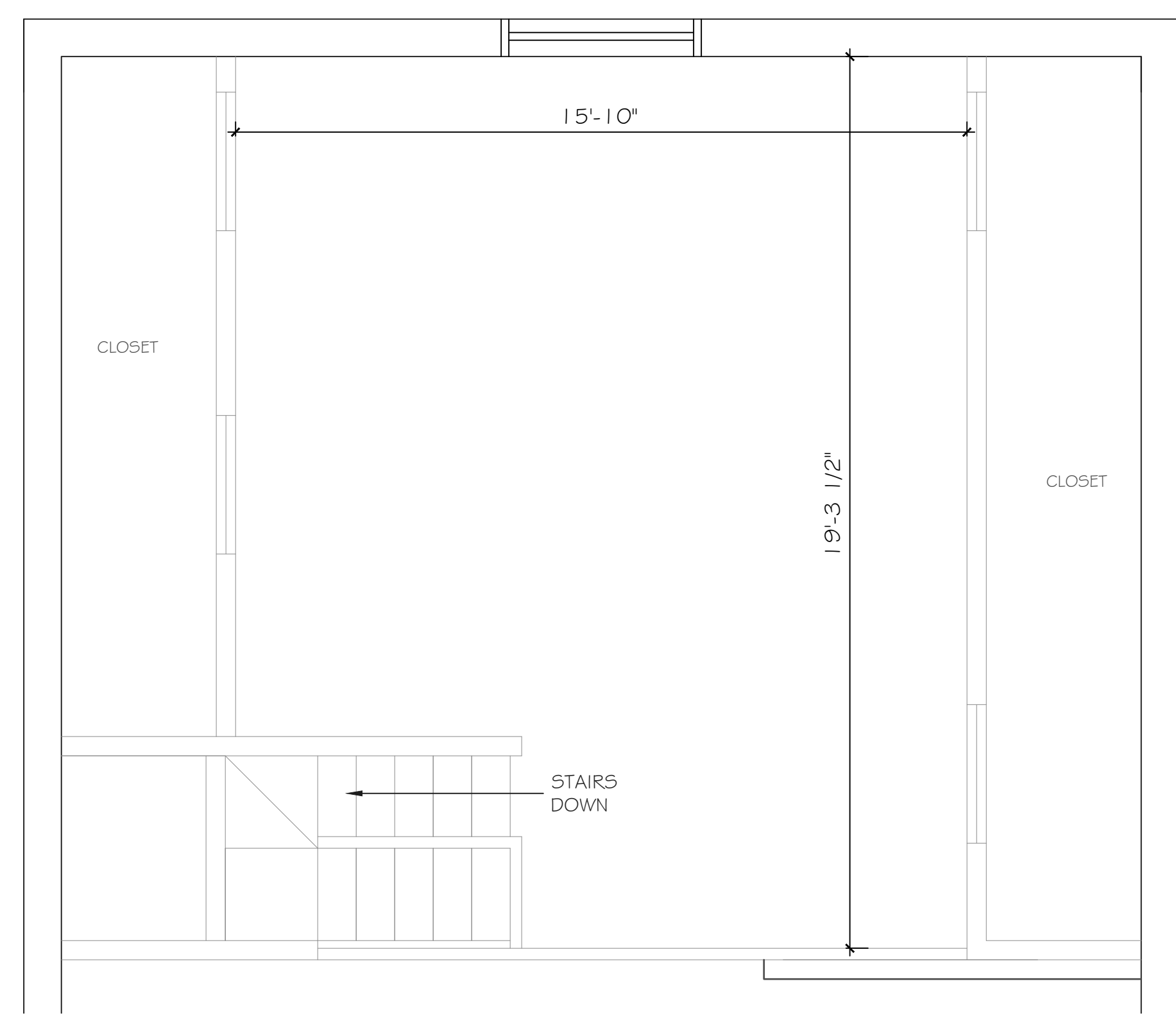
SHEET TITLE:
Existing / Demolition
Floor Plans

ISSUED:
• 08.09.2024 PERMITS

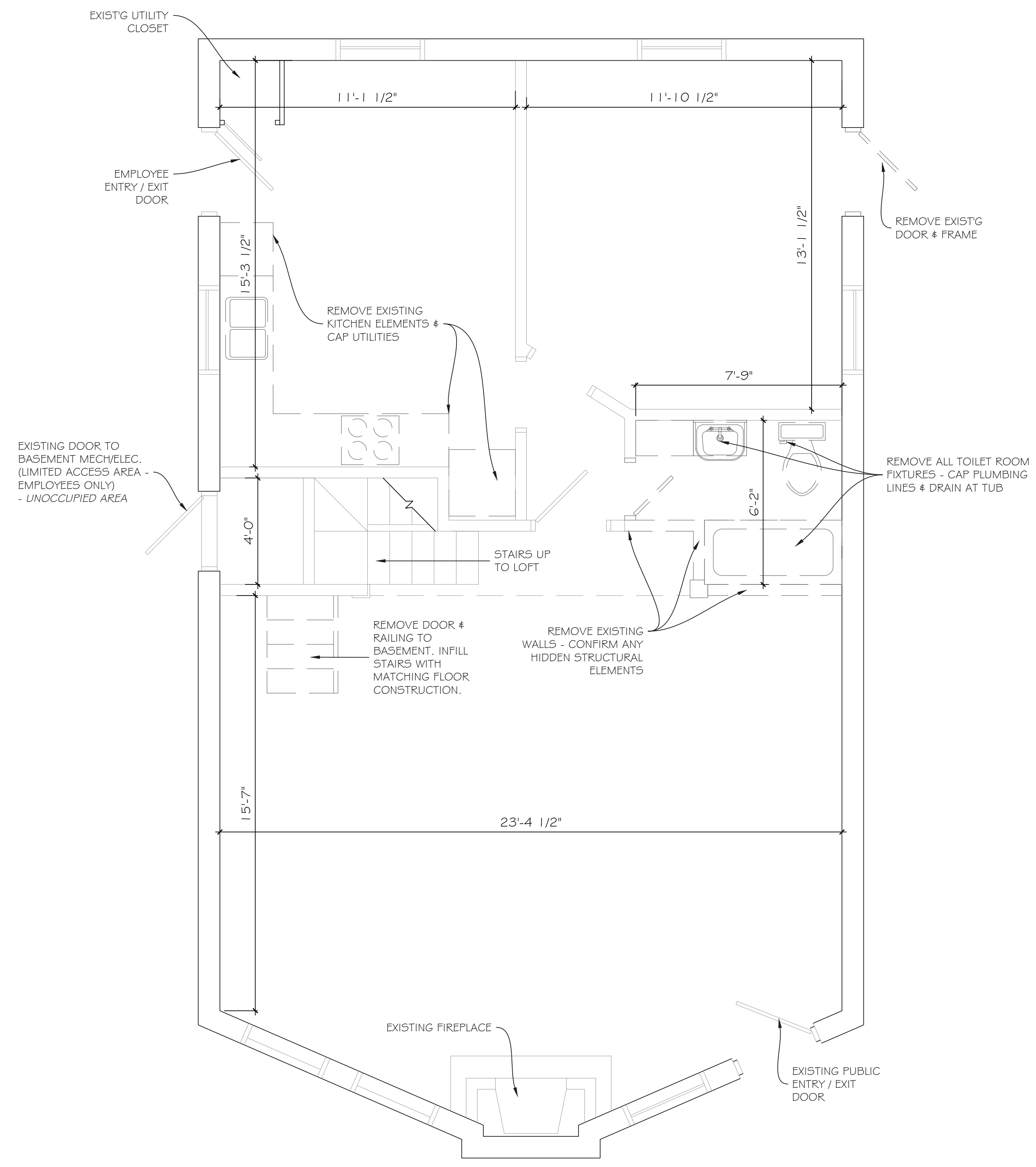
DO NOT SCALE PRINTS USE
FIGURED DIMENSIONS ONLY

PROJECT NO.
24009

SHEET NO.
AD.101



EXISTING
FLOOR PLAN - LOFT
SCALE: 1/4" = 1'-0" 420 G5F



DEMOLITION
FLOOR PLAN - MAIN LEVEL
SCALE: 1/4" = 1'-0" 920 G5F

GENERAL DEMOLITION NOTES

1. COORDINATE WITH OWNER FOR ANY PROJECT PHASING REQUIREMENTS.
2. PROTECT ALL ADJACENT AREAS AND MATERIALS FROM DAMAGE.
3. CLEAN, PATCH AND REFINISH WALLS, FLOORS, CEILINGS, ETC. TO MATCH SURROUNDING FINISHES AT ALL LOCATIONS WHERE NEW ITEMS AFFECT EXISTING ELEMENTS.
4. ITEMS AND MATERIALS NOT INDICATED AS NEW ARE TO BE CONSIDERED EXISTING TO REMAIN.
5. PATCH ANY HOLES IN WALLS AFTER ROUGH-INS - PAINT ALL EXPOSED GYPSUM WALL BOARD WITH WHITE PRIMER. FINAL COLOR/FINISH TO BE SELECTED BY OWNER.
6. MAJOR HVAC, ELECTRICAL AND PLUMBING ELEMENTS ARE EXISTING TO REMAIN UNLESS NOTED OTHERWISE. CONTRACTOR IS TO VERIFY CONDITION AND/OR CAPACITY OF EXISTING ELEMENTS.
7. VERIFY ALL EXISTING CONDITIONS PRIOR TO WORK. NOTIFY THE ARCHITECT IMMEDIATELY SHOULD ANY DISCREPANCIES OR ISSUES ARISE DURING DEMOLITION. STOP WORK UNTIL THE ISSUE HAS BEEN RESOLVED AND DOCUMENTED IN WRITING.



ARCHITECT:
JESSICA ANN MARJI
RA, NCARB



EXPIRATION: 10/21/25

PROJECT:
VERTS Neighborhood
Dispensary

LOCATION:
525 GRAND AVE
GRAND LAKE, CO

CLIENT:
JesseTheDog LLC
Matthew Ingles
JesseTheDogllc@gmail

Alexander Close
alexander.m.close@gmail.com

Daniel Rowland
drowland.am@gmail.com

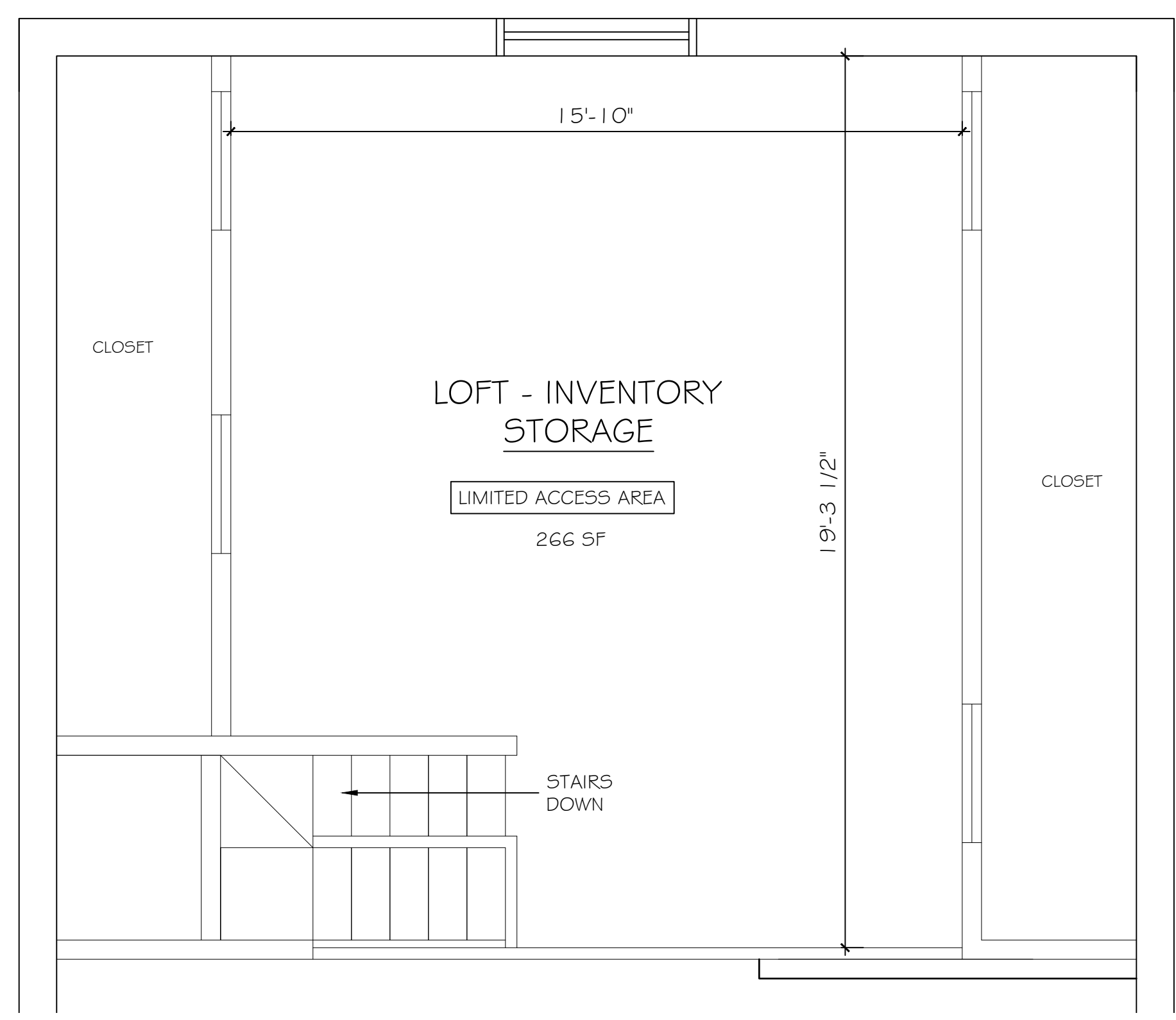
SHEET TITLE:
Proposed Floor Plans

ISSUED:
• 08.09.2024 PERMITS

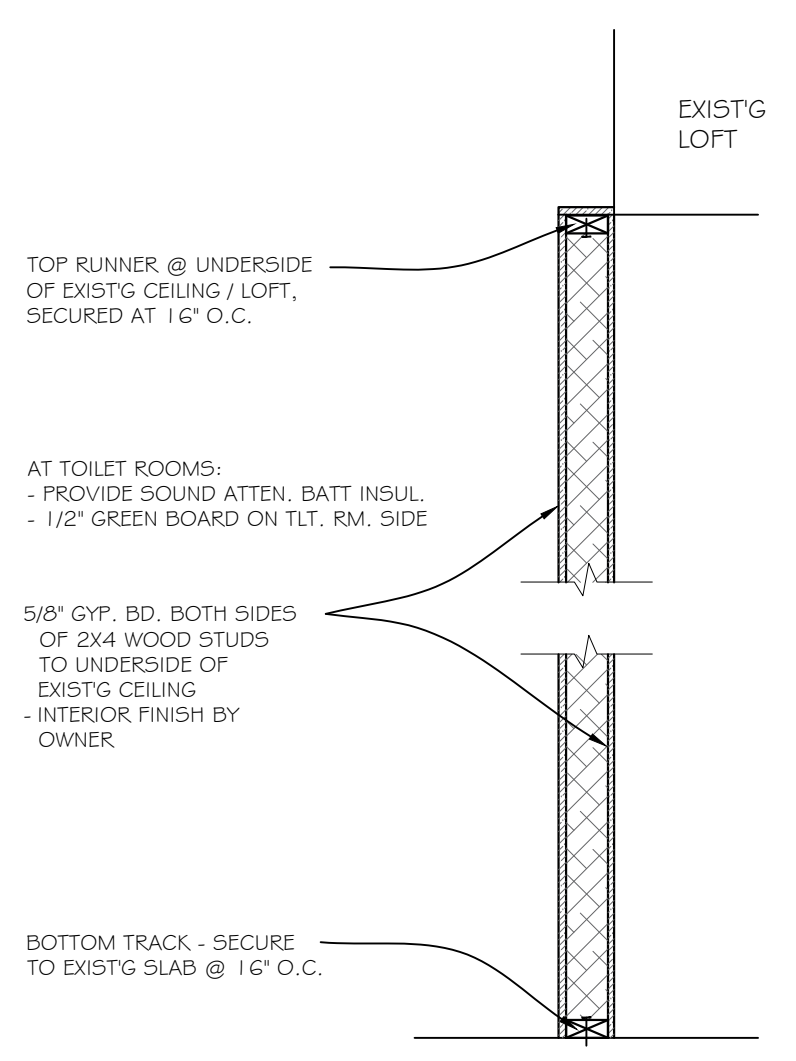
DO NOT SCALE PRINTS USE
FIGURED DIMENSIONS ONLY

PROJECT NO.
24009

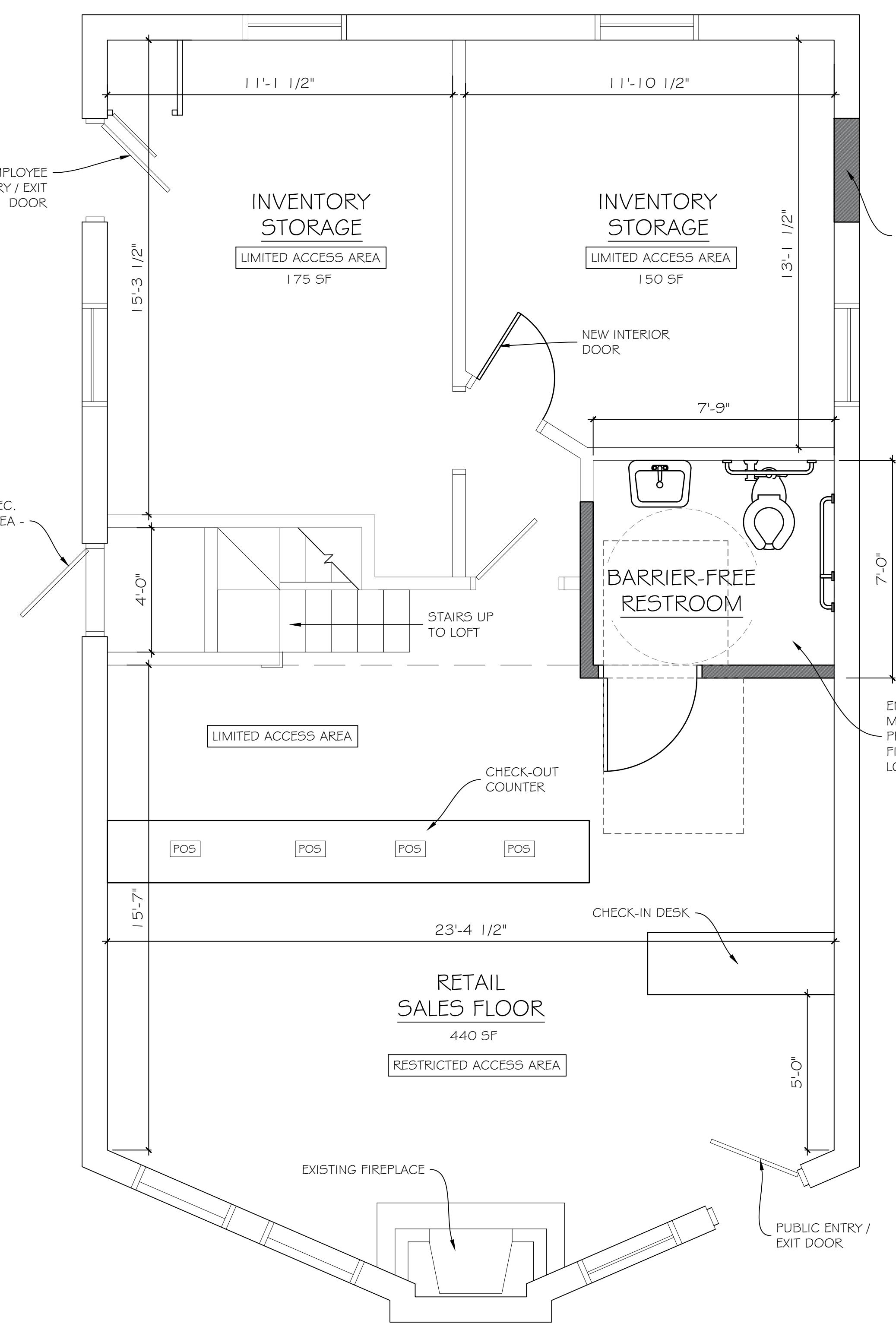
SHEET NO.
A.101



FLOOR PLAN - LOFT
SCALE: 1/4" = 1'-0" 420 G5F



INTERIOR WALL PARTITION
SCALE: 1/4" = 1'-0"



FLOOR PLAN - MAIN LEVEL
SCALE: 1/4" = 1'-0" 920 G5F

NEW WORK NOTES

- CLEAN, PATCH AND REFINISH WALLS, FLOORS, CEILINGS, ETC. TO MATCH SURROUNDING FINISHES AT ALL LOCATIONS WHERE NEW ITEMS AFFECT EXISTING ELEMENTS.
- ITEMS AND MATERIALS NOT INDICATED AS NEW ARE TO BE CONSIDERED EXISTING TO REMAIN.
- ALL FINISHES AND FIXTURES ARE TO BE SELECTED BY OWNER AND MAY BE INDICATED IN THESE DRAWINGS FOR COORDINATION PURPOSES ONLY.
- PATCH ANY HOLES IN WALLS AFTER ROUGH-INS - PAINT ALL EXPOSED GYPSUM WALL BOARD WITH WHITE PRIMER. FINAL COLOR/FINISH TO BE SELECTED BY OWNER.
- PROVIDE ADEQUATE BLOCKING IN WALLS FOR CABINETRY, SHELVING, OR WALL MOUNTED EQUIPMENT TO ACCOMMODATE MAXIMUM LOADS. COORDINATE LOCATIONS WITH ELECTRICAL/PLUMBING.
- THE BUILDING SHALL BE EQUIPPED WITH AN ACTIVATED CARBON FILTRATION SYSTEM FOR ODOR CONTROL TO ENSURE THAT AIR LEAVING THE BUILDING THROUGH AN EXHAUST VENT FIRST PASSES THROUGH AN ACTIVATED CARBON FILTER.



ACTIVATED CARBON SYSTEM (ODOR CONTROL)
NO SCALE

OCCUPANCY (PER CBC TABLE 1004.1.2)

INTERIOR BUILD-OUT IN EXISTING COMMERCIAL BUILDING

BUILDING CONSTRUCTION TYPE	TYPE V-B (EXISTING)
INTERIOR CONSTRUCTION TYPE	TYPE V-B (NON-SPRINKLED)
BUILDING USE GROUP	M (MERCANTILE)
TOTAL BUILDING AREA:	2,008 GROSS SQUARE FEET
TOTAL USABLE AREA:	1,606 NET SQUARE FEET (80%)

USE/SPACE NAME	AREA	OCCUPANCY	SF / OCC	# OCC.
RETAIL SALES AREA	440 SF	MERCANTILE	60 GROSS	7
STORAGE	591 SF	STORAGE	300 GROSS	2
TOTAL MAXIMUM CALCULATED OCCUPANTS:				9

FINISH NOTES

- INSULATION SHALL HAVE A FLAME SPREAD INDEX OF NOT MORE THAN 25 AND A SMOKE-DEVELOPED INDEX OF NOT MORE THAN 450 PER CBC SECTION 720.2.
- INTERIOR FINISHES IN ROOMS / ENCLOSED SPACES SHALL BE CLASS 'C' IN ACCORDANCE WITH CBC CHAPTER 8, TABLE 803.1.1.

GENERAL NOTES

ANY MECHANICAL, ELECTRICAL, PLUMBING CONTRACTOR TO VERIFY EXISTING CONDITIONS IN FIELD AND REPORT ANY ISSUES OWNER & ARCHITECT. REPAIRS/REPLACEMENTS TO BE PERFORMED AS REQUIRED TO COMPLY WITH LOCAL & STATE BUILDING CODES - ANY FIELD CONDITIONS OR CHANGES ARE TO BE REPORTED IN WRITING AND ACCOUNTED FOR IN THE CONTRACTOR'S BID WHEN POSSIBLE.

REPAIR / REPLACE EXISTING EXIT SIGNS AS NECESSARY BASED ON FIELD VERIFICATION.



ARCHITECT:
JESSICA ANN MARJI
RA, NCARB



EXPIRATION: 10/21/25

PROJECT:
VERTS Neighborhood
Dispensary

LOCATION:
525 GRAND AVE
GRAND LAKE, CO

CLIENT:
JesseTheDog LLC
Matthew Ingles
JesseTheDogllc@gmail

Alexander Close
alexander.m.close@gmail.com

Daniel Rowland
drowland.am@gmail.com

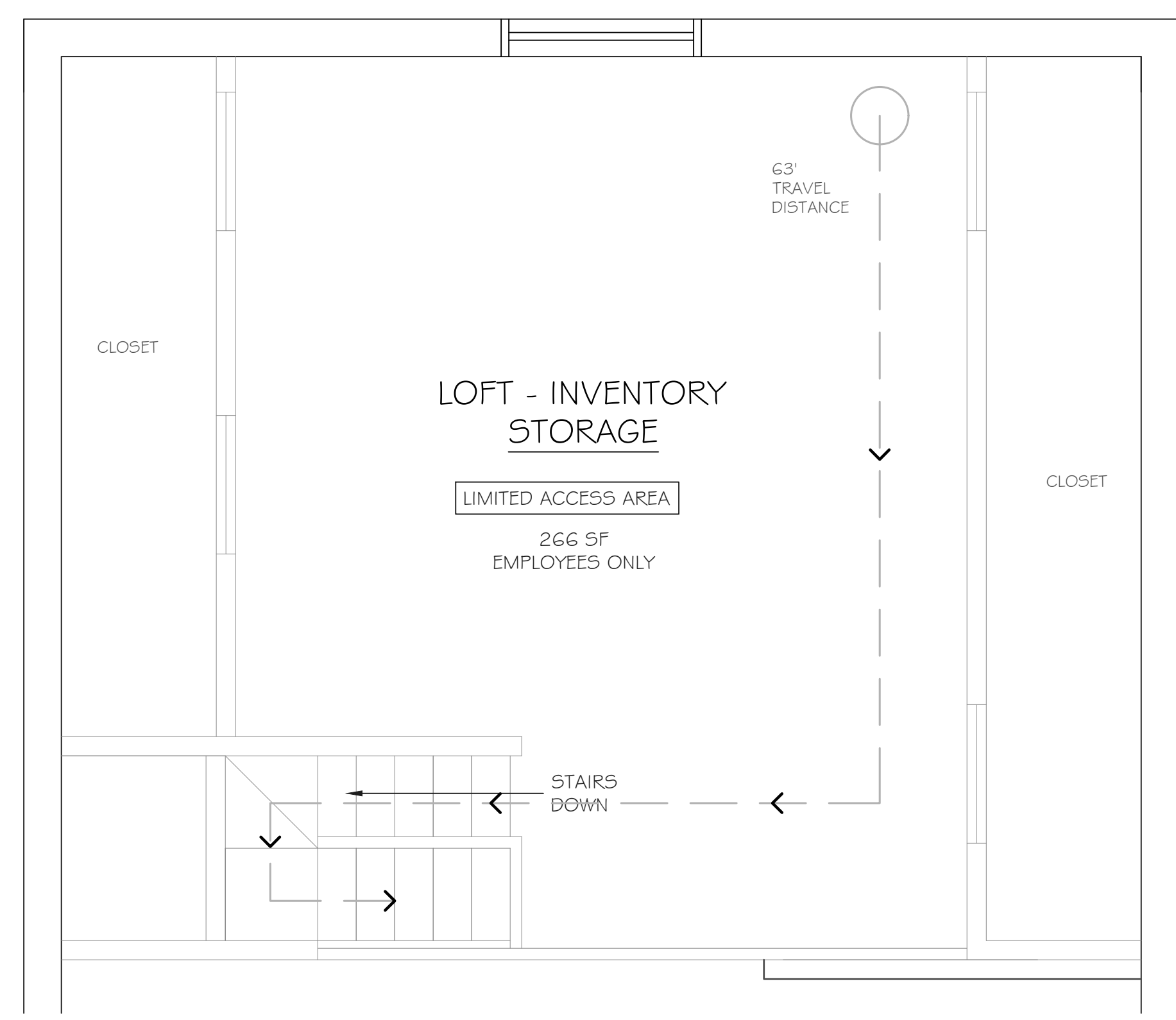
SHEET TITLE:
Egress / Life Safety
Floor Plans

ISSUED:
• 08.09.2024 PERMITS

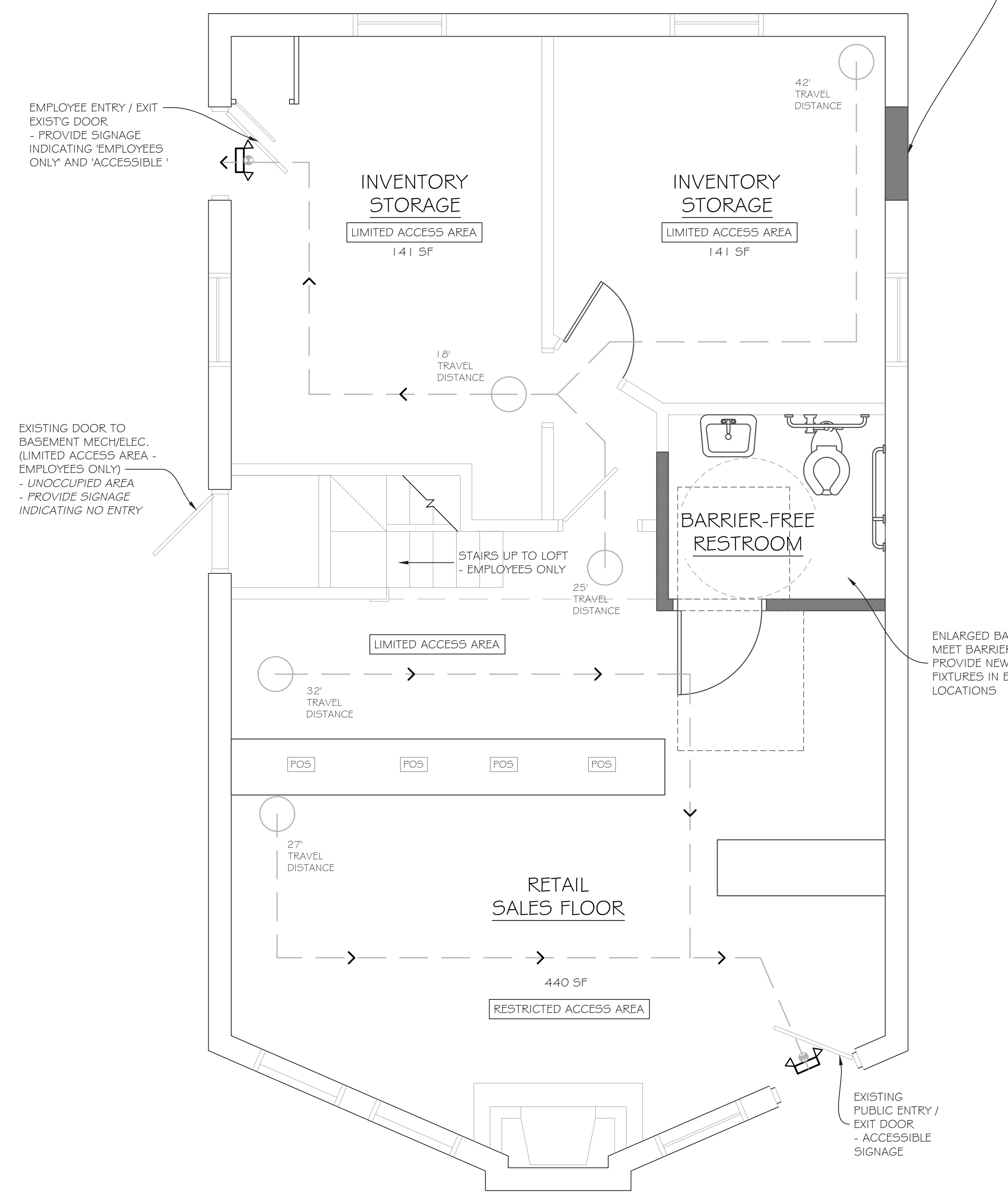
DO NOT SCALE PRINTS USE
FIGURED DIMENSIONS ONLY

PROJECT NO.
24009

SHEET NO.
A.102



FLOOR PLAN - LOFT
SCALE: 1/4" = 1'-0" 420 G5F



FLOOR PLAN - MAIN LEVEL
SCALE: 1/4" = 1'-0" 920 G5F

EGRESS PLAN LEGEND

- >->- TRAVEL ROUTE FROM SPACE TO EXIT
- EXIT DOOR WITH PANIC HARDWARE, TACTILE SIGNAGE & ILLUMINATED EXIT SIGN (MOUNTED ABOVE DOOR) W/ EMERGENCY LIGHTING UNIT

EGRESS NOTES

G.C. TO FURNISH & INSTALL NEW FIRE EXTINGUISHERS AS REQ'D BY LOCAL CODES. WHEN MOUNTING ADJACENT TO DOOR OPENING, MAINTAIN 12" CLEAR TO DOOR OPENING FOR ADA COMPLIANCE. FINAL LOCATION, MOUNTING HEIGHT, & QUANTITY BY FIRE INSPECTOR. G.C. TO VERIFY FIRE MARSHALL REQUIREMENTS FOR INSPECTION & TAGGING.

EGRESS / EXIT ACCESS

- MAX. ALLOWED EXIT ACCESS TRAVEL DISTANCE:
200 FEET (WITHOUT SPRINKLER SYSTEM)
- MAX. PROVIDED EXIT ACCESS TRAVEL DISTANCE: 63'

MEANS OF EGRESS

- BUILDING EXITS: 1 ACCESSIBLE ENTRY/EXIT (EXISTING)
- 2 PRIVATE / EMPLOYEE ENTRY/EXIT (EXISTING)
- 3 SINGLE DOORS AT 34" CLEAR : 34" X 3 = 102' PROVIDED
- TOTAL PROVIDED = 102"

OCCUPANCY (PER CBC TABLE 1004.1.2)

INTERIOR BUILD-OUT IN EXISTING COMMERCIAL BUILDING

BUILDING CONSTRUCTION TYPE	TYPE V-B (EXISTING)			
INTERIOR CONSTRUCTION TYPE	TYPE V-B (NON-SPRINKLED)			
BUILDING USE GROUP	M (MERCANTILE)			
TOTAL BUILDING AREA:	2,008 GROSS SQUARE FEET			
TOTAL USABLE AREA:	1,606 NET SQUARE FEET (80%)			
USE/SPACE NAME	AREA	OCCUPANCY	SF / OCC.	# OCC.
RETAIL SALES AREA	440 SF	MERCANTILE	60 GROSS	7
STORAGE	548 SF	STORAGE	300 GROSS	2
TOTAL MAXIMUM CALCULATED OCCUPANTS:				9

ACCESSIBILITY FOR EXISTING BUILDINGS

- 410.4.2 Complete Change of Occupancy
Where an entire building undergoes a change of occupancy, it shall comply with Section 410.4.1 and shall have all of the following accessible features:
- At least one accessible building entrance.
 - At least one accessible route from an accessible building entrance to primary function areas.
 - Signage complying with Section 1111 of the International Building Code.
 - Accessible parking, where parking is being provided.
 - At least one accessible passenger loading zone, when loading zones are provided.
 - At least one accessible route connecting accessible parking and accessible passenger loading zones to an accessible entrance.

Where it is technically infeasible to comply with the new construction standards for any of these requirements for a change of group or occupancy, the above items shall conform to the requirements to the maximum extent technically feasible.

WALL INFILL AT REMOVED DOOR EXTERIOR MATERIAL & FINISH TO MATCH EXIST'G OVER WEATHER BARRIER ON 5/8" EXT. PLYWOOD SHEATHING ON 2X6 TREATED WD. STUDS - VERIFY EXIST'G CONSTR. & MATCH IF DIFFERENT FROM INDICATED

EMPLOYEE ENTRY / EXIT EXIST'G DOOR - PROVIDE SIGNAGE INDICATING 'EMPLOYEES ONLY AND ACCESSIBLE'

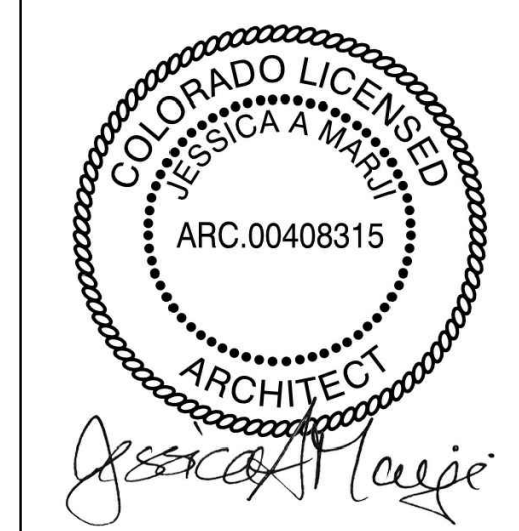
EXISTING DOOR TO BASEMENT MECH/ELEC. (LIMITED ACCESS AREA - EMPLOYEES ONLY) - UNOCCUPIED AREA - PROVIDE SIGNAGE INDICATING NO ENTRY

ENLARGED BATHROOM TO MEET BARRIER-FREE. PROVIDE NEW COMPLIANT FIXTURES IN EXISTING LOCATIONS

EXISTING PUBLIC ENTRY / EXIT DOOR - ACCESSIBLE SIGNAGE



ARCHITECT:
JESSICA ANN MARJI
RA, NCARB



PROJECT:
VERTS Neighborhood
Dispensary

LOCATION:
525 GRAND AVE
GRAND LAKE, CO

CLIENT:
JesseTheDog LLC
Matthew Ingles
JesseTheDogllc@gmail

Alexander Close
alexander.m.close@gmail.com

Daniel Rowland
drowland.am@gmail.com

SHEET TITLE:
Toilet Room Enlarged
Plans & Elevations

ISSUED:
• 08.09.2024 PERMITS

DO NOT SCALE PRINTS USE
FIGURED DIMENSIONS ONLY

PROJECT NO.
24009

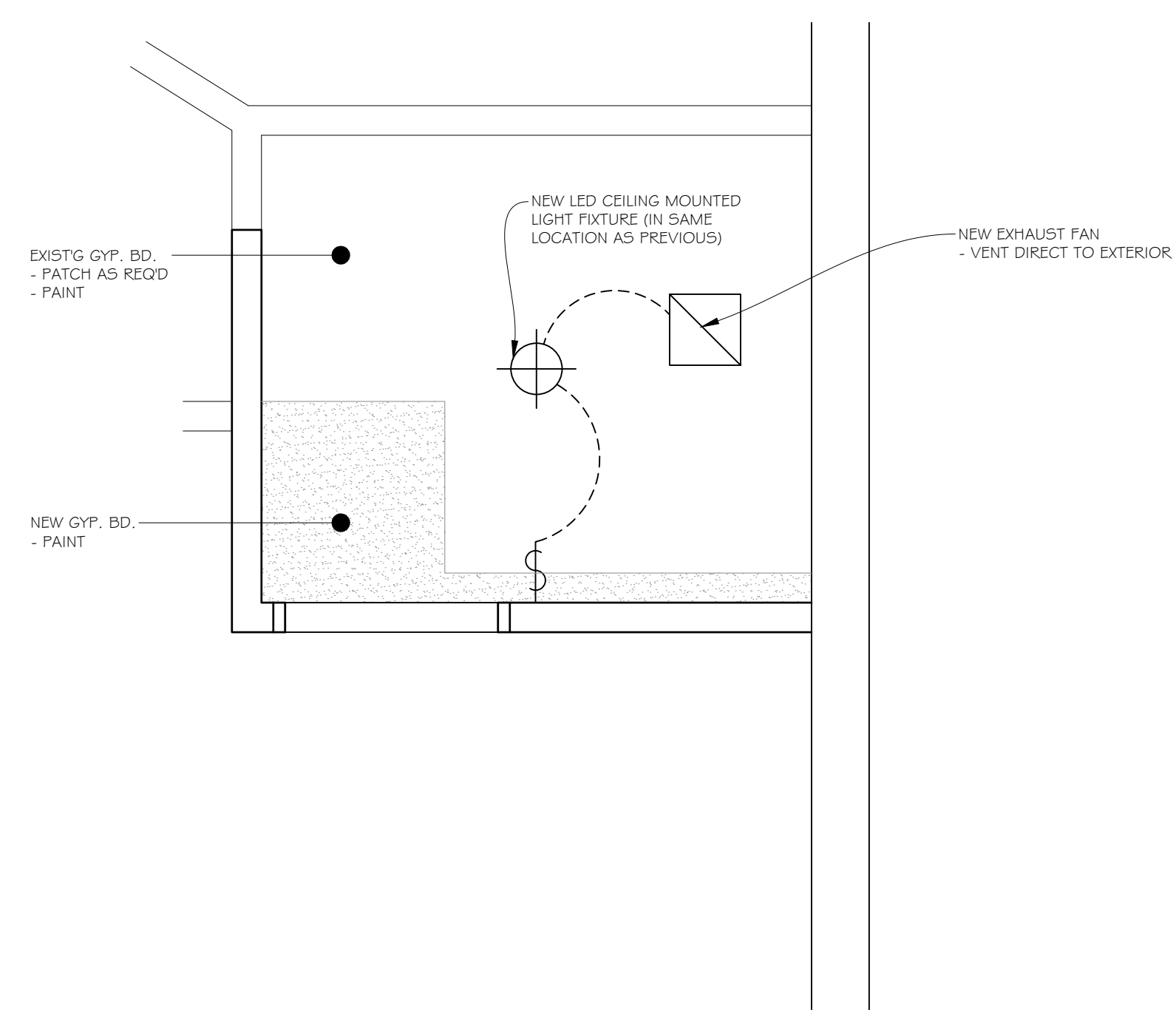
SHEET NO.
A.201

GENERAL NOTES

1. ALL FINISHES AND FIXTURES ARE TO BE SELECTED BY OWNER AND MAY BE INDICATED IN THESE DRAWINGS FOR COORDINATION PURPOSES ONLY.
2. PATCH ANY HOLES IN WALLS AFTER ROUGH-INS - PAINT ALL EXPOSED GYPSUM WALL BOARD WITH WHITE PRIMER. FINAL COLOR/FINISH TO BE SELECTED BY OWNER.
3. PROVIDE ADEQUATE BLOCKING IN WALLS FOR CABINETS, SHELVING, OR WALL MOUNTED EQUIPMENT TO ACCOMMODATE MAXIMUM LOADS. COORDINATE LOCATIONS WITH ELECTRICAL/PLUMBING.

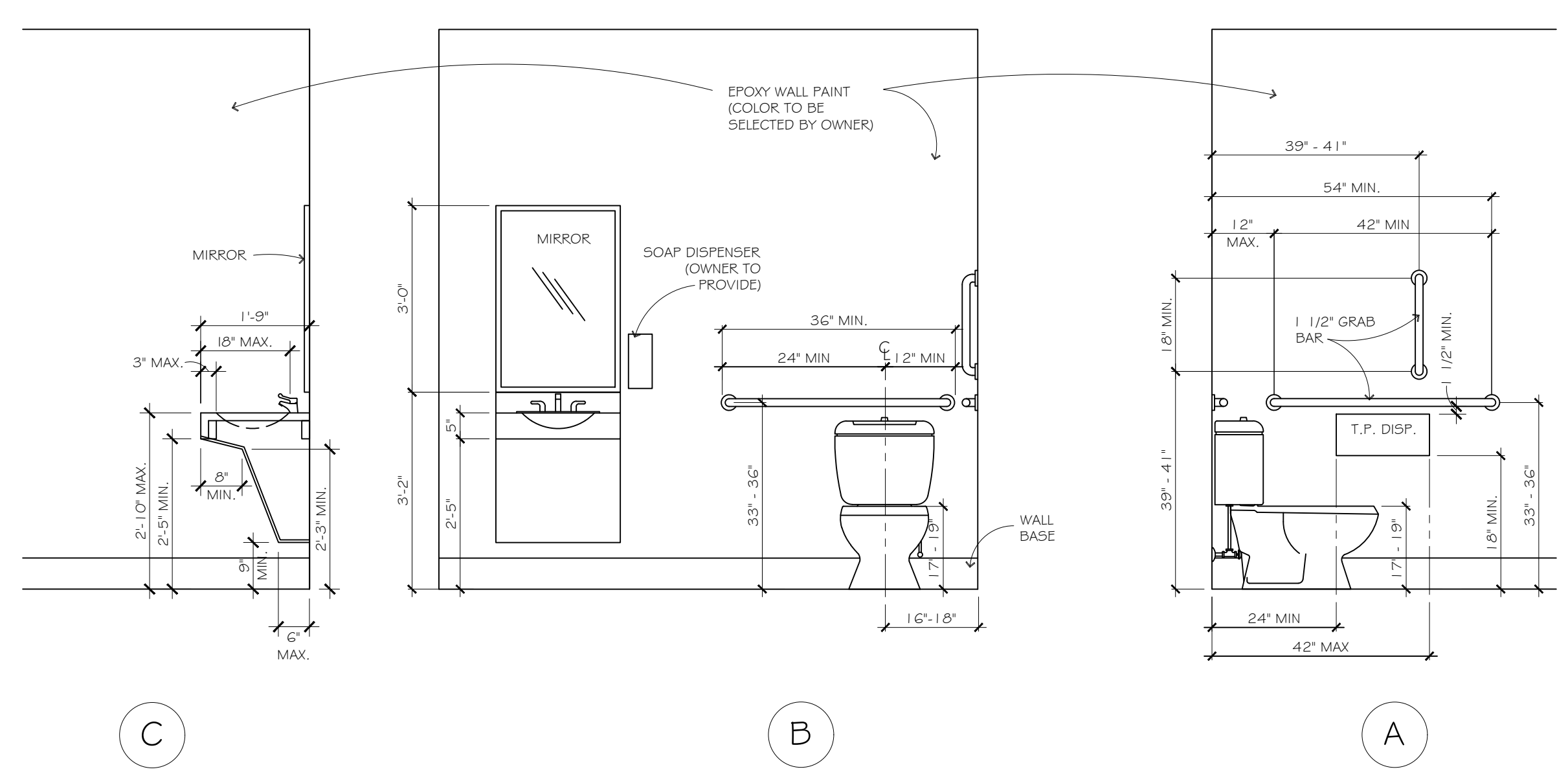
FINISH NOTES

1. INSULATION SHALL HAVE A FLAME SPREAD INDEX OF NOT MORE THAN 25 AND A SMOKE-DEVELOPED INDEX OF NOT MORE THAN 450 PER CBC SECTION 720.2.
2. INTERIOR FINISHES IN ROOMS / ENCLOSED SPACES SHALL BE CLASS 'C' IN ACCORDANCE WITH CBC CHAPTER 8, TABLE 803.1.1.



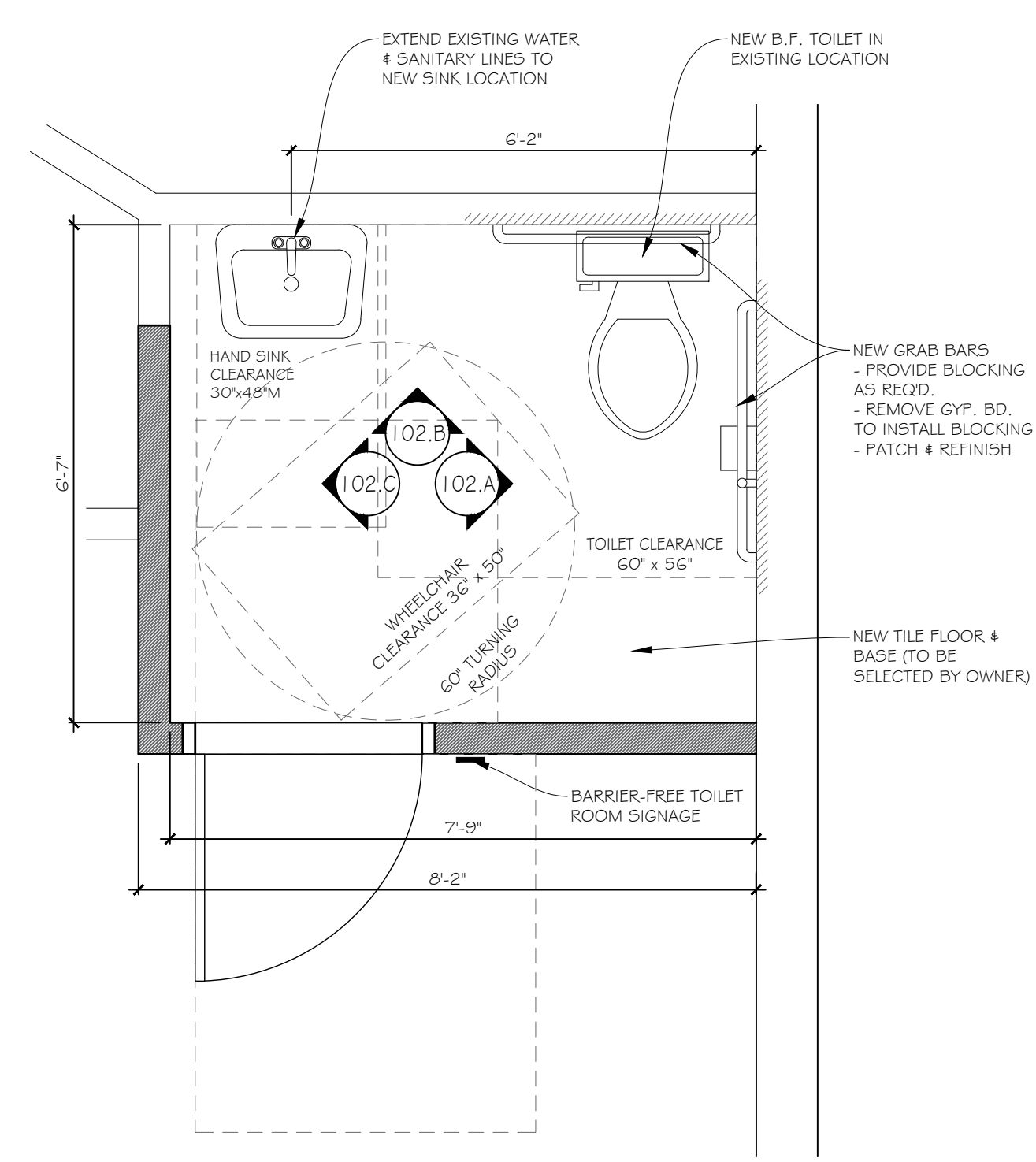
**BARRIER-FREE TOILET ROOM
REFLECTED CEILING PLAN**

SCALE: 1/2" = 1'-0"



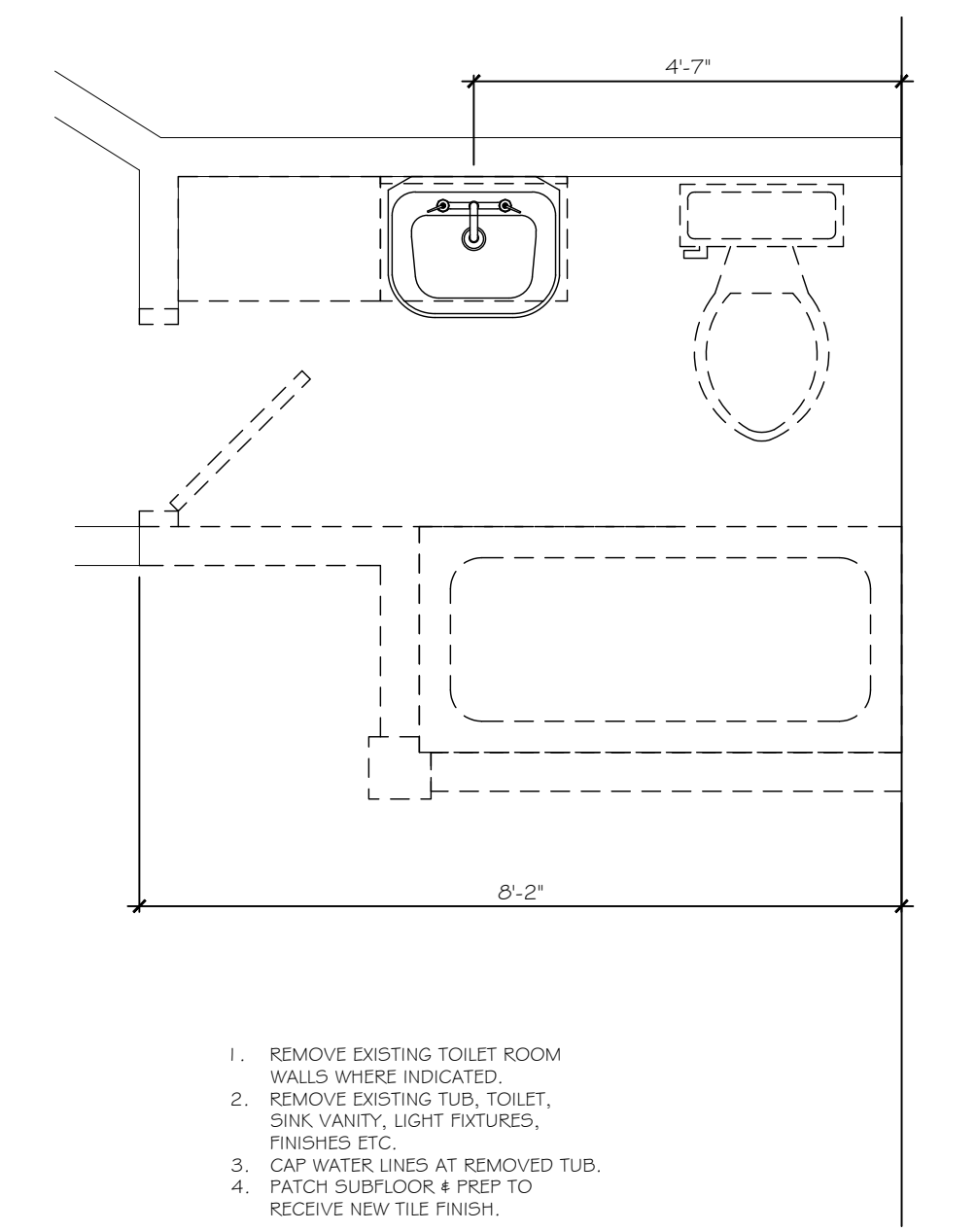
**BARRIER-FREE TOILET ROOM
INTERIOR ELEVATIONS**

SCALE: 1/2" = 1'-0"



**BARRIER-FREE TOILET ROOM
ENLARGED FLOOR PLAN**

SCALE: 1/2" = 1'-0"



**BARRIER-FREE TOILET ROOM
DEMOLITION FLOOR PLAN**

SCALE: 1/2" = 1'-0"

OFFICIAL AD PROOF

This is the proof of your ad scheduled to run in **Sky-Hi News and Middle Park Times** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(970) 887-3334**.

Notice ID: K2SGGSjt9DDdcYnXJ9Eo | **Proof Updated: Sep. 13, 2024 at 05:00pm MDT**
 Notice Name: Verts- variance to parking standards | Publisher ID: 337876

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER	FILING FOR
K White	Sky-Hi News and Middle Park
kwhite@toglco.com	Times
(970) 627-3435	

Columns Wide:	1	Ad Class: Legals
Total Column Inches:	1.83	
Number of Lines:	22	

09/18/2024: Other Notice	11.13
Affidavit Fee	10.00

Subtotal	\$21.13
Tax	\$0.00
Processing Fee	\$2.11
Total	\$23.24

NOTICE is hereby given that the Grand Lake Planning Commission will hold a Public hearing on Wednesday, October 16th, 2024, at Town Hall, 1026 Park Ave., at 6:30pm to formulate recommendations to the Board of Trustees concerning the Municipal code 12-2-28: *Variances to Parking Regulations and Design Standards*, at Subd: Grand Lake Lot:15, Block 26, more commonly referred to as 525 Grand Ave.

Additional information is available for public inspection at Town Hall during normal business hours. Meeting link will be available on www.townofgrandlake.com under agenda and minutes 48 hours prior to the meeting. Public comments and participation are both encouraged and welcome, either online at the public meeting, in writing to the Town of Grand Lake, P.O. Box 99, Grand Lake, CO 80447 or by e-mail to planner@toglco.com.

PUBLISHED IN THE SKY-HI NEWS AND MIDDLE PARK TIMES ON WEDNESDAY, SEPTEMBER 18, 2024.

**TOWN OF GRAND LAKE
PLANNING COMMISSION
RESOLUTION NO. 13 – 2024**

**A RESOLUTION RECOMMENDING APPROVAL OF A VARIANCE TO PARKING
STANDARDS AT LOT 15, BLOCK 26, TOWN OF GRAND LAKE, MORE
COMMONLY REFERRED TO AS 525 GRAND AVENUE.**

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

Lot 15, Block 26, Town of Grand Lake Subdivision, Grand Lake, Colorado, also known as: 525 Grand Avenue, Grand Lake, Colorado 80447 (the “Property”); and

WHEREAS, the Owner leases the Property to Verts Grand Lake, LLC (the “Applicant”) who is in the process of preparing the Property for retail sale of goods; and

WHEREAS, Grand Lake Municipal Code (the “Code”) Section 12-2-28 sets forth the parking regulations and design standards throughout the Town; and

WHEREAS, the Town received a zoning variance request application (the “Application”) from the Applicant on August 16th, 2024, requesting a variance to the parking standards including (1) a variance permitting ADA parking off street, (2) calculation of on street parking spot credits, and (3) loading and unloading area; and

WHEREAS, Code Section 12-2-28 states in relevant part as follows:

12-2-28 Parking Regulations and Design Standards.

(B) *Parking Regulations.* No building shall be ... changed in Use as defined in this Article...unless there is either an approved parking plan in place or a parking fee in lieu is paid to the Town if allowed, or there is provided on the lot, space for parking and space for the loading and unloading of automobiles or trucks in accordance with the following standards and requirements...

- 2. *Parking Spaces Required.* The method used to calculate the required number of parking spaces shall be as follows:
 - (a) The total number of required parking spaces shall be calculated based on the table from Part 1...
 - 2. After allowing for the on-street parking credit, if eligible, Group IV, Group V, and Group VI structures shall be required to satisfy seventy-five (75%) percent of the resulting number of required-parking spaces off-street, unless a variance is obtained by the Town.
- 3. *On-Street Parking Credits.* In determining the number of off-street parking spaces required, credit will be given for the available on-street parking adjacent and contiguous to any property subject to the provisions of this Section which adjoins a public right-of-way of eighty (80') feet or more in...Commercial...Districts.
- 6. *Accessible Parking.* One (1) designated accessible (handicapped) parking space shall be

required as a part of the overall off-street parking requirements mandated under this Section for each twenty-five (25) off-street parking or fraction thereof. In all cases the accessible space shall be located in a manner close and convenient to the principal building main pedestrian ingress/egress.

7. *Loading/Unloading Areas.*

(a) Loading/Unloading Areas may be a shared loading zone, located in the alleyway, for multiple-unit complexes provided it will adequately handle the commodities anticipated.

2. Changes in Use shall necessitate alley-access loading/unloading areas.

(b) Loading areas are to be designed to adequately accommodate both goods and people unloading at all residential and commercial buildings; the minimum loading area is fourteen feet (14') wide by twenty feet (20') long by sixteen feet (16') high.

WHEREAS, on October 16, 2024, the Planning Commission reviewed the Applicants' variance request at a Public Hearing; and,

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

1. The compatibility of the proposed action with the surrounding area; and
2. Whether the proposed action is in harmony with the character of the neighborhood; and
3. The need for the proposed action; and
4. The effect of the proposed action upon future development in the area; and
5. The size, shape, topography, slope, soils, vegetation, and other physical characteristics; and
6. Whether alternative designs are possible; and
7. 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 subject to the conditions set forth in Section 2., below.
2. The Planning Commission's recommendation for approval is based on the Applicant satisfying the following conditions. Unless specified otherwise, such conditions should be satisfied before the matter is considered by the Board of Trustees:
 - a. Payment by Applicant of all legal, engineering and administrative fees incurred by the Town in connection with review, processing, consideration and approval of the Application.
 - b. Compliance by the Applicant with all representations made to the Planning Commission during all public hearings or meetings related to the Application.

- c. The Applicant complies with all other federal, state, and local regulations, including but not limited to, obtaining building permits, business regulations, and right of way permits; and,
- d. In granting this Request the Commission is not obligated to grant similar requests in the future nor does granting this Request set precedent for any future requests.
- e. This authorization shall run with the transfer of the Property from the Applicant to their successors, heirs, or grantees.
- f. ANY ADDITIONAL CONDITIONS, IF APPLICABLE

- 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 16th DAY OF OCTOBER.

(S E A L)

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

ATTEST:

TOWN OF GRAND LAKE

 Alayna Carrell
 Town Clerk

 James Shockey,
 Planning Commission Chairman



Date: October 16th, 2024
To: Chairman Shockey and Commissioners
From: Kim White, Community Development Director
RE: **QUASI JUDICIAL (PUBLIC HEARING)** – Resolution 14-2024 Consideration To Recommend Approval Of A Variance To Roadway Standards At Lot 8, Block 24, Town Of Grand Lake, More Commonly Referred To As 501 Mountain.

Public Hearing Process

The public hearing should be conducted as follows:

- 1. Open the Public Hearing
- 2. Allow staff to present the matter
- 3. Allow the applicant to address the commission
- 4. Take all public comment
- 5. Close the Public Hearing
- 6. Have Commission discuss amongst themselves
- 7. Commission make a motion

Location Map





Purpose

The Town has received a zoning variance request application from Nicholas Rosenbaum to reduce the required public improvements to access property located at 501 Mountain. The Haskell Street right of way must be improved to allow safe access to the new development. The degree to which the road must be improved is the purpose of this variance hearing Per roadway variance code 11-2-1, this request requires Planning Commission review and Board Approval.

Context

The property is located at 501 Mountain and is approximately 0.2 acres and zoned Single Family Residential High Density. The property is not currently developed and is located at the north end of Haskell Street at the vacated Mountain Avenue intersection in Lenada HOA. The code (11-2-9) (B)(4) requires that new developments improve access to their property to the town standards listed in the town code (M.C. 11-2-3). The improved drive path will be considered a driveway/private street over to the point at which it meets the Haskell Street R.O.W., from there it is no longer considered a driveway/private street and is considered a local street.

Municipal Code:

11-2-3 Roadway Design and Technical Criteria.

- (A) *General.*
 1. *Streets shall be designed to bear a logical relationship to the topography and shall be paved with asphalt or concrete.*
 2. *All streets (does not include driveways) shall be designed by a Licensed Colorado Professional Engineer.*
 3. *Unless modified herein, all designs shall comply with the CDOT Design Guide, latest edition. Other manuals recommended for reference include A Policy on Geometric Design of Highways and Streets, latest edition and Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT<400). Deviation from the requirements of these criteria must be approved by Town Staff.*

11-2-4 - Roadway Specifications.

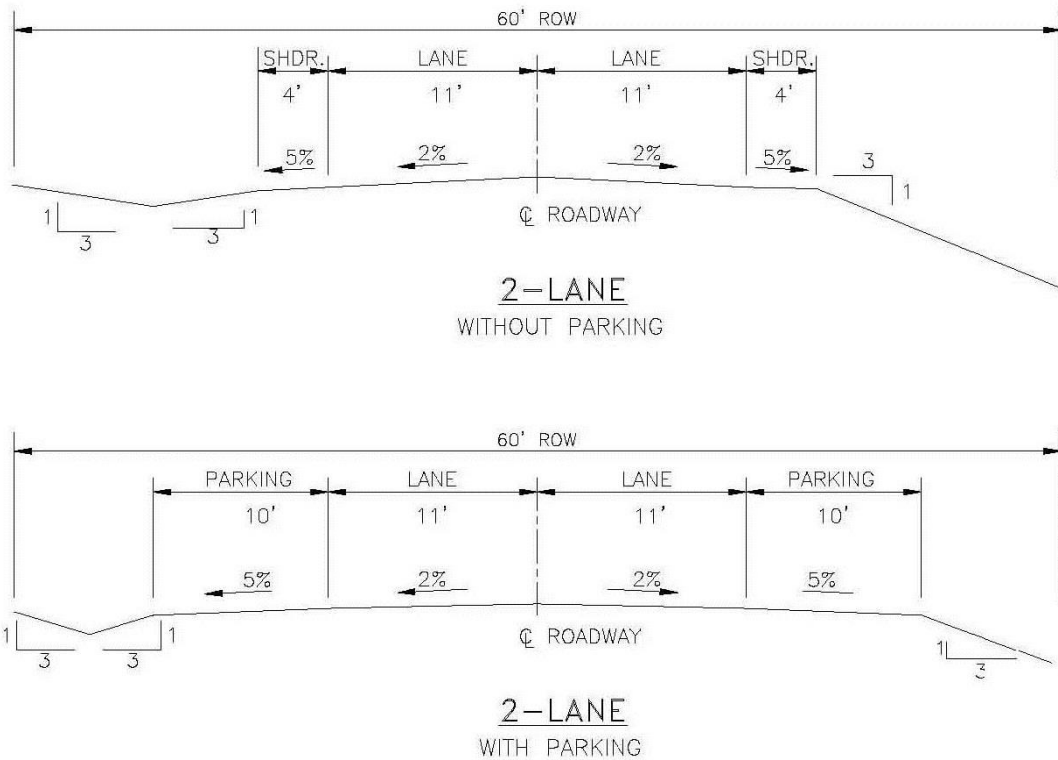
- (B) *Additional Guidelines for Private Streets.*
 4. *Private streets shall afford abutting properties reasonably adequate access for entry by private and emergency vehicles and should be designed to standards at least equal to public streets.*

11-2-6 Private Drives, Emergency Access Requirements, and Criteria.

- (A) *Criteria for Access Onto Town of Grand Lake Roadways.*
 1. *General.*
 - (a) *The term driveway or access are interchangeable terms and refer to the specific locations granted to properties adjacent to Town ROW for the purpose of accessing the property.*



Figure 3: Road Templates—Local Street



11-2-9 Acceptance Procedures and Requirements.

(A) This Section sets forth the procedures related to acceptance of road improvements in the Town of Grand Lake. It is intended to maintain a uniform road development policy throughout the Town and to provide a clear statement of procedures for road acceptance.

(B) General Policies.

4. Where a new development impacts an existing road or drainage facility by accessing onto the road or increasing storm runoff onto or along the road, the developer(s) will be responsible for upgrading the roadway to the minimum standards required by these Street Standards. The construction of new roadways for the purpose of providing access to a development is the responsibility of the developer(s).

11-2-11 Variance Request and Procedure.

If an applicant responsible to the Town for public improvements desires to design and construct such improvements in variance to criteria in these standards, each variance shall be identified in the initial submittal.

(B) Planning Commission Review. Variances from the Street Development Policies, Standards, and Specifications shall be reviewed by the Planning Commission at a Public Hearing and make a recommendation to the Board of Trustees.

1. Fifteen (15) days prior to the scheduled Public Hearing date, legal notice shall be placed in the local newspaper of general circulation advertising the time, date, and location of the Public Hearing.

2. In addition, certified letters are to 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.

(D) Hardships for Consideration. Variance requests will only be granted if the applicant can demonstrate all of the following:



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

Staff Comments

Staff sent out public notice of this meeting to Middle Park Times, as well as letters to all 11 property owners surrounding the subject property within 200'. Staff has received 5 confirmations of receipt as of 10-13-2024.

Staff finds the drainage data has been submitted by the engineer to satisfy the drainage requirement of the code.

The applicants letter for the explanation of their variance request is attached in the variance application file.

The fire department response is contained within the attached variance application file.

Commission Discussion

The Commissioners should discuss the request amongst themselves, with consideration of staff, public comments, and the findings of fact from the code, in order to make a decision/recommendation. Commission must review and find that each item above in M.C. 11-2-11 (D)(1-5) exists in order to approve said variance.

Suggested Commission Motion

Motion to recommend Resolution 14-2024 Consideration to Recommend Approval of a Variance to Roadway Standards at Lot 8, Block 24, Town of Grand Lake, More Commonly Referred to as 501 Mountain.

OR

Motion to recommend Resolution 14-2024 Consideration to Recommend Approval of a Variance to Roadway Standards at Lot 8, Block 24, Town of Grand Lake, More Commonly Referred to as 501 Mountain, with the following conditions: _____

OR

Motion to Deny the Request for Variance.



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: 501 Mountain Ave, Grand Lake, CO 80447
 Legal Description: Lot 8 Block 24 Subdivision Lenada

PROPERTY OWNER INFORMATION:
 Name: Nicholas and Kathryn Rosenbeck Email: nrosenbeck@gmail.com
 Mailing Address: 3344 W 11th Avenue Dr Phone: 512-913-6137
 City: Broomfield State: CO Zip: 80020 Fax: _____

APPLICANT INFORMATION: Is the Applicant the Property Owner? YES NO
 Name: Nicholas Rosenbeck Email: nrosenbeck@gmail.com
 Mailing Address: 3344 W 11th Avenue Dr Phone: 512-913-6137
 City: Broomfield State: CO Zip: 80020 Fax: _____

CONTACT INFORMATION: Is the Contact Person the Applicant? YES NO
 Contact Person (if not Applicant): Cooper Karsch, P.E., CFM Email: ckarsh@jvajva.com
 Mailing Address: 47 Cooper Creek Way, Suite 328 Phone: 970-402-0644
 City: Winter Park State: CO Zip: 80482 Fax: _____

VARIANCE REQUEST (Brief Description):
 Please refer to attached Memo from JVA Civil Engineering requesting a variance from regulation 11-2-9-(B) (4) and Explanation of Hardship Considerations 11-2-11-(D)

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 **N/A** (If applicable. Required for representatives of entities and property owners.)
- Property Survey
- Agreement for Services Form
- Application Deposit **\$350.00** (See Fee and Deposit schedule for amount)
- Additional Information (If applicable. Staff may require other helpful information for review.)

Grand Lake Fire Variance and JVA Drainage Memo

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 Variance Request to be revoked immediately without notice or hearing.

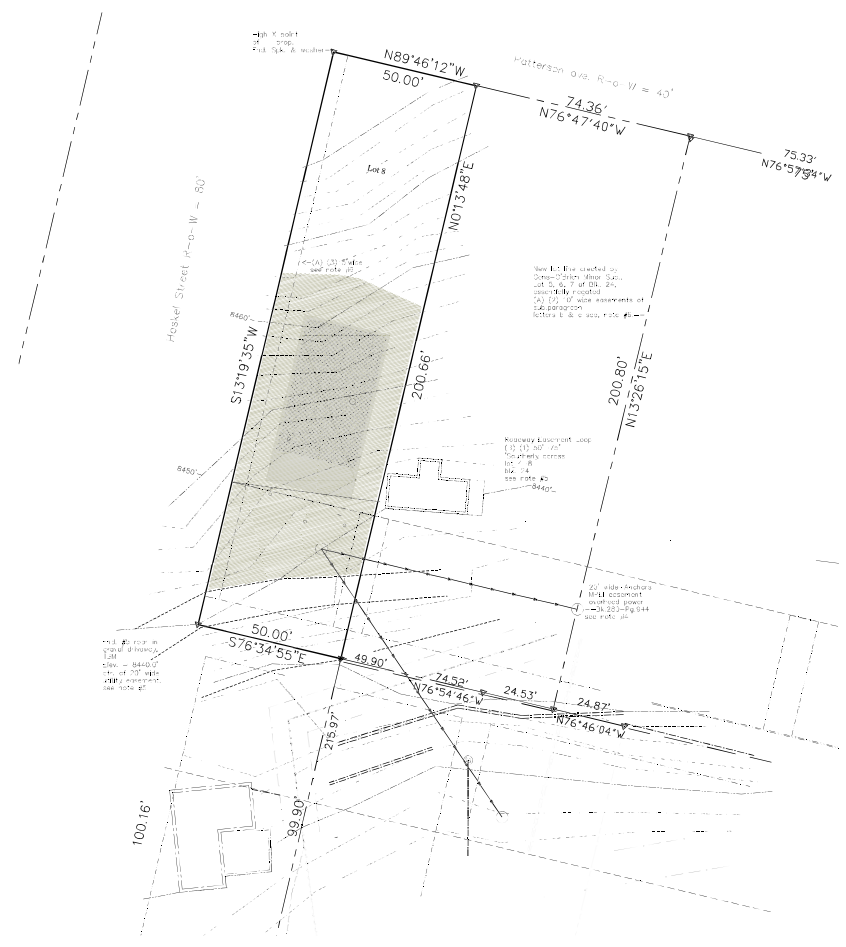
Print Name: **Nicholas Rosenbeck**

Signature: Nicholas Rosenbeck Date: **8/26/2024**

Digitally signed by Nicholas Rosenbeck
 DN: C=US, E=nrosenbeck@gmail.com,
 CN=Nicholas Rosenbeck
 Reason: I agree to the terms defined by the
 placement of my signature on this document
 Date: 2024.08.26 22:03:29-06'00"

STAFF USE ONLY

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





47 Cooper Creek Way
Suite 328
Winter Park, CO 80482
970.722.7677
info@jvajva.com

www.jvajva.com

August 23, 2024

Kim White
Community Development Director
Grand Lake, CO 80447

RE: 501 Mountain Avenue Single Family Residence: Road Improvement Variance Request

Dear Kim:

We are providing this Variance Request regarding the proposed construction of a single family residence at 501 Mountain Avenue. Please reach out with any questions regarding this request, or the overall application.

Regulation for Requested Variance: 11-2-9 (B.4) Where a new development impacts an existing road or drainage facility by accessing onto the road or increasing storm runoff onto or along the road, the developer(s) will be responsible for upgrading the roadway to the minimum standards required by these Street Standards. The construction of new roadways for the purpose of providing access to a development is the responsibility of the developer(s).

Hardships for Consideration:

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

- The property at 501 Mountain Ave has been previously platted with anticipated construction of a Single Family Residence. No additional use, change of approved use, or subdivision of the property is being proposed. While strict enforcement of the regulations would consider this a ‘development’ that is responsible for improving the accessed roadway to the minimum published standards (which includes a 30’ roadbed, curb and gutter, and an 8’ sidewalk), this is not typically required of single-family home construction and would provide several difficulties as listed here.
- The existing topography and adjacent improvements suggest that improving the road to these standards would require significant retaining walls, utility relocations, and may not even be feasible to reconnect existing driveways.
- The topography of the remaining Rights-of-Way of both Haskell Street and Mountain Avenue prevent future connections to other road systems in Town. With no other properties or roads requiring access off of Haskell Avenue, this road will not see any additional generated traffic in the future and does not necessitate improving to the published standards.
- The applicant has agreed to widen a significant portion of the current drive as requested by Grand Lake Fire to accommodate emergency vehicle access to the property. While these improvements will not meet current standards for a road, they will significantly improve the existing access and drainage along the drive for all properties accessed off of Haskell Street.



2. *That literal interpretation of the provisions of these Regulations would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of these Regulations.*

- Several properties across Grand Lake have drive accesses off of Town Right-of-Ways with roads far less than the published standards. Disallowing construction of a single family residence would prevent this property from falling under the same condition of these other homes.

3. *That the special conditions and circumstances do not result from the actions of the applicant;*

- The owner purchased the lot under these existing conditions.

4. *That granting the variance request will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district;*

- As mentioned above, granting this variance will put this property on par with other properties within the Town rather than a conferring any special privileges.

5. *That the granting of the variance does not pose a detriment to the public good and does not substantially impair the intent and purpose of the Zone Plan and these Regulations.*

- The applicant has agreed to widen a significant portion of the existing access drive to meet the request of Grand Lake Fire. Granting of this variance, and hence allowing the proposed project, will only provide benefit to the public good considering the direct neighbors.

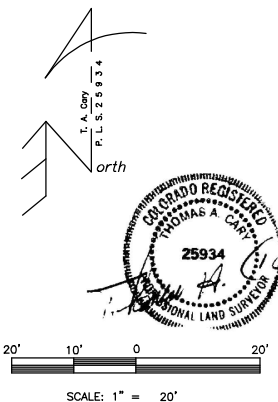
Sincerely,
JVA, INCORPORATED

By: _____
Cooper Karsh, P.E., CFM
Senior Engineer

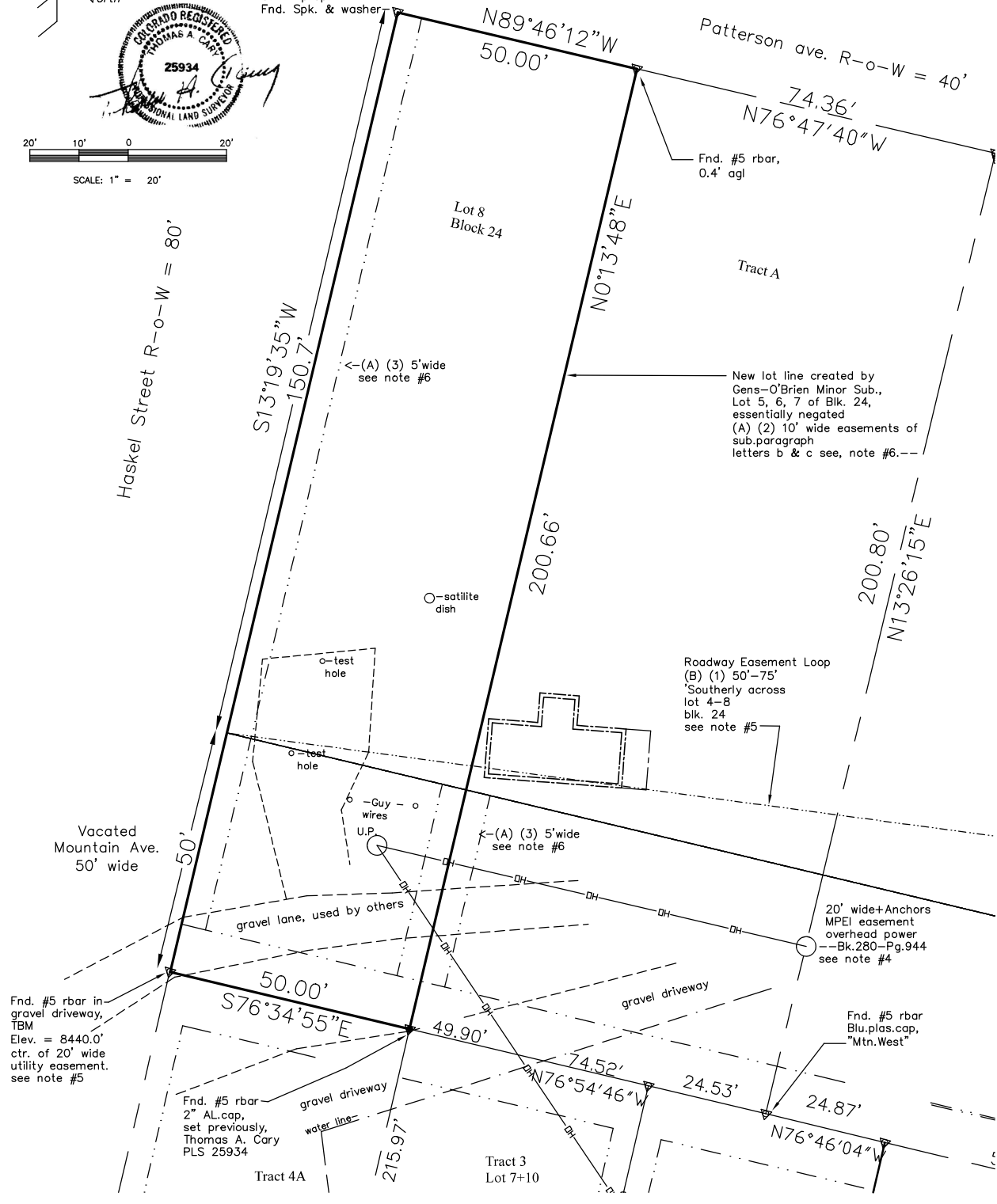


CC:
Nicholas Rosenbeck – Owner

Boundary / Topographic
2' contours Survey Lot 8
Block 24, Grand Lake
NE4 Section 6, T3N, R75W, 6th P.M.



High X point of prop. Fnd. Spk. & washer

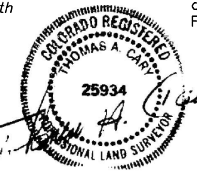
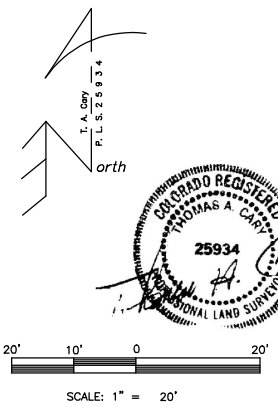


- PLAT NOTES**
- 1) Basis of Bearing - Northern R-o-W of Portal Road bears N 64°30'10"E
 - 2) Title Commitment - This survey performed without the benefit of a Title Commitment
 - 3) Ordinance No.4 series 1980 (4-80) Vacating Mountain Ave lying between Blocks 24 & 25, and that portion of the alley in block 25 lying westerly of Tunnel road (a.k.a. Portal Road) section 1.(a) & (b).
 - 4) A 20' wide easement through Lots 1-8 Blk. 24, Lot 7 & 8 Blk. 23 et.al. MPEI.
 - 5) Utility Easement reserved - Section 2, Bk.276_Pg.735, 20' in width (10' either side of said Mountain ave. centerline). And reiterated Bk 276 at Pg. 739, sec.A(1).
 - 6) Utility Easement - Exhibit A Bk.276-Pg.739, Para. A, (2), (e)-(g), A 10' wide easement. 5' on either side of lot line' from centerline running Northerly along said lot line a distance of fifty (50).
 - 7) Notice: According to Colorado law, you MUST commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any legal action based upon any defect in this survey be commenced more than "Ten Years After" the date of certification shown heron.

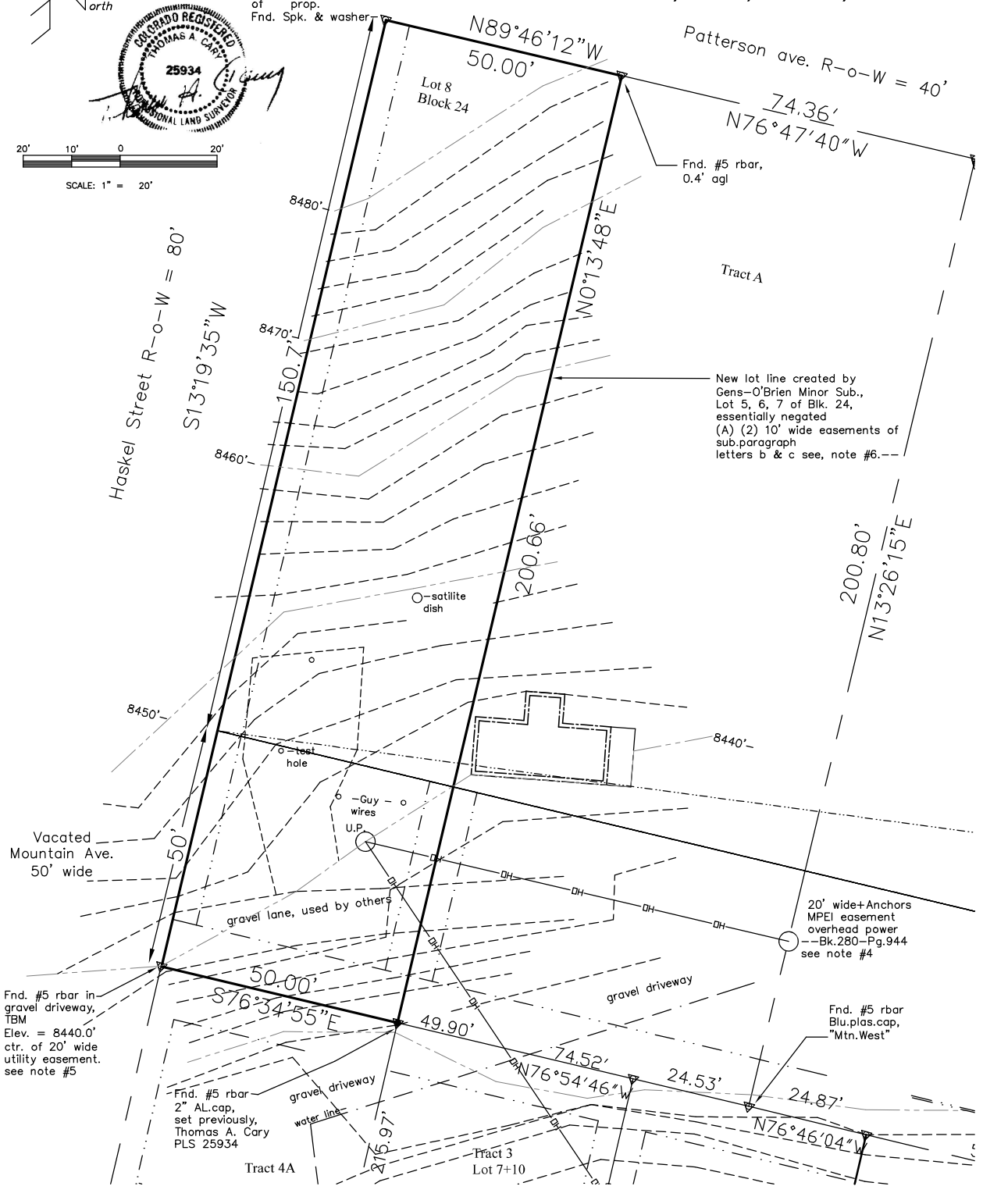
Cary Enterprise-D Thomas A. Cary 305 OCR 1933 PO Box 122 Kremmling, Colorado 80459 1.970.724.2912 / 970.509.0185	Field Work: 12 Sept. 2023 Drawing: 25 March 2024 Rev: MSCAD 2022 Sheet 1 of 2 PLS 25934 Scale 1" = 20' Loosehorse56@gmail.com
---	--

**Boundary / Topographic
2' contours Survey Lot 8
Block 24, Grand Lake
NE4 Section 6, T3N, R75W, 6th P.M.**

Section 6, Item C.



High X point of prop. Fnd. Spk. & washer



New lot line created by Gens-O'Brien Minor Sub., Lot 5, 6, 7 of Blk. 24, essentially negated (A) (2) 10' wide easements of sub.paragraph letters b & c see, note #6.--

Vacated Mountain Ave. 50' wide

Fnd. #5 rbar in gravel driveway, TBM Elev. = 8440.0' ctr. of 20' wide utility easement. see note #5

Fnd. #5 rbar 2" AL.cap, set previously, Thomas A. Cary PLS 25934

Fnd. #5 rbar Blu.plas.cap, "Mtn. West"

PLAT NOTES

- 1) Basis of Bearing -Northern R-o-W of Portal Road bears N 64°30'10"E
- 2) Title Commitment - This survey performed without the benefit of a Title Commitment
- 3) Ordinance No.4 series 1980 (4-80) Vacating Mountain Ave lying between Blocks 24 & 25, and that portion of the alley in block 25 lying westerly of Tunnel road (a.k.a. Portal Road) section 1.(a) & (b).
- 4) A 20' wide easement through Lots 1-8 Blk. 24, Lot 7 & 8 Blk. 23 et.al. MPEI.
- 5) Utility Easement reserved - Section 2_Bk.276_Pg735, 20' in width (10' either side of said Mountain ave. centerline). And reiterated Bk 276 at Pg. 739, sec.A(1).
- 6) Utility Easement - Exhibit A Bk.276-Pg.739, Para. A, (2), (e)-(g), A 10' wide easement. 5' on either side of lot line' from centerline running Northerly along said lot line a distance of fifty (50).
- 7) Notice: According to Colorado law, you MUST commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any legal action based upon any defect in this survey be commenced more than "Ten Years After" the date of certification shown heron.

Cary Enterprise-D
Thomas A. Cary
305 OCR 1933
PO Box 122
Kremmling, Colorado 80459
1.970.724.2912 / 970.509.0185

Field Work: 12 Sept. 2023
Drawing: 25 March 2024
Rev:
MSCAD 2022 Sheet 2 of 2
PLS 25934 Scale 1" = 20'
Loosehorse56@gmail.com



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

THIS AGREEMENT (“the Agreement” is entered into this 26TH day of AUGUST, 2024, by and between the Town of Grand Lake, Colorado, a Colorado municipal corporation, (“the Town”) and NICHOLAS AND KATHRYN ROSENBECK, a HOMEOWNER (homeowner, type of corporation, LLC, etc. if applicable), (collectively, “the Applicant”).

WHEREAS, the Applicant owns, or has rights to the possession and use of, certain property situated in Grand County, Colorado described on Exhibit A, attached hereto and incorporated herein by reference, (“the Property”);

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

WHEREAS, the Applicant desires to develop or conduct a conditional use on the Property and has made application to the Town for approval of subdivision, annexation, conditional use, and/or zoning of the Property, and

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

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

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

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

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

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

PRINTED APPLICANT'S NAME: NICHOLAS ROSENBECK

APPLICANT'S SIGNATURE: NICHOLAS ROSENBECK
Signature

TOWN OF GRAND LAKE

By: 
Kim White, Community Development Director

SEAL

Attest:

Alayna Carrell, Town Clerk



GRAND LAKE FIRE PROTECTION DISTRICT

Section 6, Item C.



DATE: August 19th, 2024

TO: Nicholas Rosenbeck – Others whom it may concern

RE: Fire Authority Variance to “Fire Apparatus Access Road” for property 501 Mountain Ave Grand Lake Co 80447

FROM: Fire Chief Seth St. Germain

The attached plans have been reviewed by the AHJ (Fire Authority Having Jurisdiction), being Grand Lake Fire Protection Districts Fire Chief, using the International Fire –

Code Appendix D – Fire Apparatus Access Roads and Section 503 Fire Apparatus Access Roads

- Section D103 Fire Apparatus Access Roads Minimum Specification
 - D103.3 Turning Radius
 - D103.4 Dead Ends
- 503.2.4 Turning Radius
- 503.2.5 Dead Ends

This letter therefore grants two variances, for the listed property, specific to the listed improvements to be made shown on the attached plans.

Variance 1 for 501 Mountain Ave – initial driveway access width.

- Road improvement will consist of widening the road to 20’, however the initial driveway improvement area will begin at approximately 15’ wide and “taper” to 20’ wide within 15 feet.

Variance 2 for 501 Mountain Ave – Fire Apparatus Turnaround

- Per Fire Code, the length of the driveway does meet the requirements for an established fire apparatus turnaround. However, with the listed driveway widening improvements and the provisional “open space” to the east of the property, a fire apparatus turnaround is not required.

If there are any questions regarding these variances, please feel free to contact me. My contact information is as follows:

- Email – [sstgermain @grandlakefire.org](mailto:ssstgermain@grandlakefire.org)
- Phone # - 970-627-8428
- Cell # - 970-553-9347




GRAND LAKE FIRE PROTECTION DISTRICT

Section 6, Item C.



Respectfully,


FIRE CHIEF

501 MOUNTAIN AVE - FIRE APPARATUS ACCESS ROAD VARIANCE

501 MOUNTAIN AVE PROPERTY IMPROVEMENTS

COMPLETE WIDENING AT PROPERTY CORNER

HASKELL ST ROADWAY WIDENING (20' MIN ROADWAY WIDTH)

VACATED MOUNTAIN AVE (LOOP ROAD)

VACATED MOUNTAIN AVE (LOOP ROAD)

START WIDENING AT THIS POINT

HASKELL ST

TRIM BACK TREES AND BRUSH ALONG EXISTING HASKELL STREET AS NECESSARY TO MAINTAIN EXISTING DRIVEWAY CLEARANCES

Per Fire Code Appendix D - Fire Apparatus Access Road D103.4 Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provision.

- 1) VARIANCE PROVIDED FOR 20' ROADWAY WIDTH, EXCEPT FOR PORTION OF ROADWAY AT CURVE AS IDENTIFIED IN HIGHLIGHTED AREAS ON THIS PLAN
- 2) VARIANCE PROVIDED FOR TURNAROUND





www.jvajva.com

<input type="checkbox"/> Boulder 1319 Spruce Street Boulder, CO 80302 303.444.1951	<input type="checkbox"/> Fort Collins 213 Linden Street Suite 200 Fort Collins, CO 80524 970.225.9099	<input checked="" type="checkbox"/> Winter Park PO Box 1860 47 Cooper Creek Way Suite 328 Winter Park, CO 80482 970.722.7677	<input type="checkbox"/> Glenwood Springs 817 Colorado Avenue Suite 301 Glenwood Springs, CO 81601 970.404.3100	<input type="checkbox"/> Section 6, Item C. 1675 #550 Denver, CO 80202 303.444.1951
--	--	--	---	--

D R A I N A G E M E M O

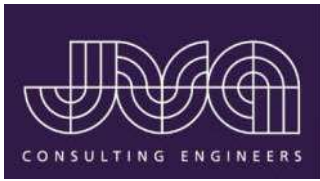
TO:	<u>Kim White</u>	DATE:	<u>August 23, 2024</u>
	<u>Grand Lake Community Development Director</u>	JOB NO.:	<u></u>
ADDRESS:	<u>1026 Park Ave</u>	PROJECT:	<u>501 Mountain Ave – Single Family</u>
	<u>Grand Lake</u>	SUBJECT:	<u>Drainage Analysis</u>

Dear Kim,

JVA, Inc. has been requested to perform a drainage analysis regarding the construction of a single-family home at 501 Mountain Avenue in Grand Lake. We analyzed to impact to the overall drainage basin of the proposed construction and determined that allowing this project to move forward will have a negligible impact on the anticipated stormwater that will flow to the Town rights-of-way of Haskell Street and W Portal Road. Furthermore, it is our understanding that the applicant for this property is being requested to widen a portion of the drive access (through right-of-way and private easement) to satisfy the need for fire protection vehicles to access the property. These required improvements will include drainage design that will control flows from the property and convey them into a roadside ditch. As such, it is our belief that approval of this project will not be of detriment to neighboring properties, or Town rights-of-way and road systems.



Figure 1. Property Location Within Drainage Basin



As noted in Figure 1 and the attached calculations, the existing site and proposed project have the following properties and results from our analysis.

EXISTING PROJECT DATA

Address: 501 Mountain Ave
Lot Size: 0.23 Acres
Drainage Basin Size: 7.61 Acres
Existing Imperviousness: 22.6%
Historic 100-Year Storm Flow Rate: 20.21 cfs

PROPOSED PROJECT DATA

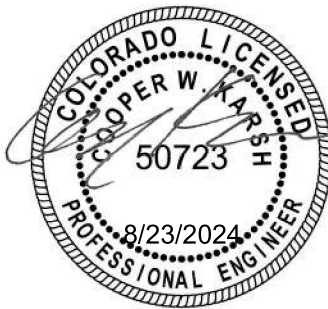
Drainage Basin Size: 7.61 Acres
Proposed Imperviousness: 23.1%
Proposed 100-Year Storm Flow Rate: 20.31 cfs
Increase in 100-Year Storm Flow Rate: 0.49%

This minimal increase in anticipated flows for the drainage basin that the subject property lies within is negligible to the degree that we believe stormwater detention should not be required for the construction of a single-family home on the platted lot of the subject property. As mentioned above, we do not believe that this minimal increase in flows will have any negative impacts to the surrounding properties or Town rights-of-way.

If you have any questions regarding the data presented or the methodology of our analysis, please feel free to contact us to discuss further.

Signed: Cooper Karsh, P.E., CF

JVA



Copies to:

Nicholas Rosenbeck (Owner)

Attachments:

- Site Plan (by BDC Design)
- NOAA Precipitation Data
- Historic Basin Data
- Proposed Basin Data
- Proposed Stormwater Runoff Calculations



NOAA Atlas 14, Volume 8, Version 2
Location name: Grand Lake, Colorado, USA*
Latitude: 40.255°, Longitude: -105.827°
Elevation: 8439 ft**
 * source: ESRI Maps
 ** source: USGS



Section 6, Item C.

POINT PRECIPITATION FREQUENCY ESTIMATES

Sanja Perica, Deborah Martin, Sandra Pavlovic, Ishani Roy, Michael St. Laurent, Carl Trypaluk, Dale Unruh, Michael Yekta, Geoffrey Bonnin

NOAA, National Weather Service, Silver Spring, Maryland

[PF tabular](#) | [PF graphical](#) | [Maps & aerals](#)

PF tabular

1-Hour Point Rainfalls

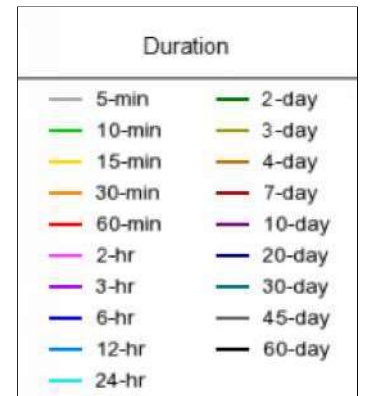
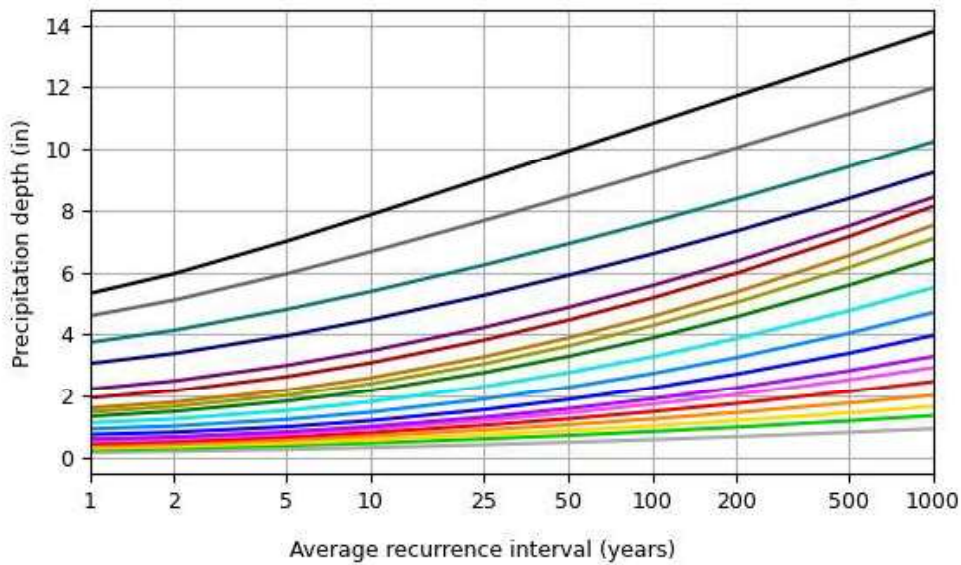
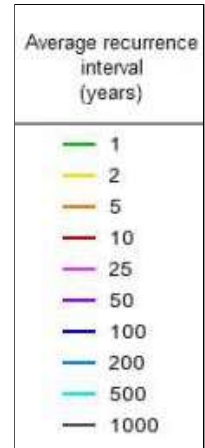
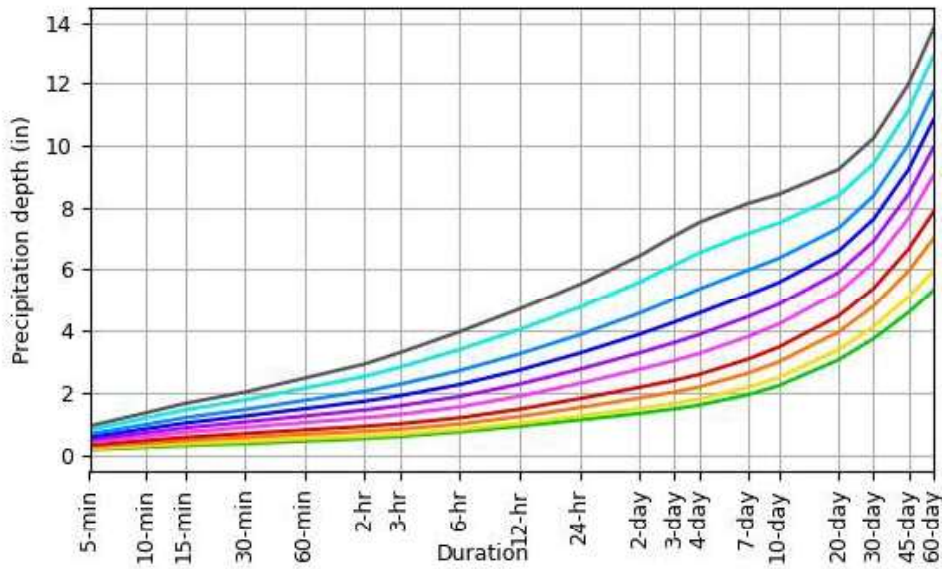
PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches)¹										
Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	0.166 (0.131-0.215)	0.197 (0.155-0.256)	0.257 (0.201-0.335)	0.314 (0.245-0.412)	0.405 (0.310-0.570)	0.484 (0.359-0.689)	0.572 (0.408-0.838)	0.668 (0.457-1.01)	0.809 (0.530-1.27)	0.926 (0.586-1.46)
10-min	0.243 (0.191-0.315)	0.289 (0.227-0.375)	0.376 (0.295-0.490)	0.460 (0.358-0.603)	0.593 (0.454-0.834)	0.709 (0.526-1.01)	0.837 (0.598-1.23)	0.979 (0.669-1.48)	1.18 (0.776-1.85)	1.36 (0.858-2.14)
15-min	0.296 (0.233-0.384)	0.352 (0.277-0.458)	0.459 (0.359-0.598)	0.561 (0.437-0.736)	0.723 (0.553-1.02)	0.865 (0.641-1.23)	1.02 (0.729-1.50)	1.19 (0.816-1.81)	1.44 (0.947-2.26)	1.65 (1.05-2.60)
30-min	0.359 (0.283-0.466)	0.428 (0.336-0.556)	0.558 (0.438-0.728)	0.684 (0.533-0.897)	0.882 (0.675-1.24)	1.06 (0.782-1.50)	1.24 (0.889-1.89)	1.46 (0.995-2.21)	1.76 (1.16-2.76)	2.02 (1.28-3.18)
60-min	0.439 (0.346-0.570)	0.511 (0.402-0.664)	0.656 (0.514-0.855)	0.800 (0.624-1.05)	1.04 (0.797-1.47)	1.25 (0.928-1.78)	1.48 (1.06-2.19)	1.75 (1.20-2.66)	2.14 (1.41-3.36)	2.47 (1.56-3.89)
2-hr	0.519 (0.414-0.667)	0.595 (0.474-0.764)	0.753 (0.597-0.971)	0.917 (0.723-1.19)	1.19 (0.930-1.68)	1.44 (1.09-2.05)	1.72 (1.25-2.52)	2.05 (1.42-3.09)	2.52 (1.68-3.93)	2.92 (1.87-4.56)
3-hr	0.590 (0.474-0.753)	0.662 (0.531-0.846)	0.823 (0.658-1.06)	0.998 (0.792-1.29)	1.30 (1.02-1.83)	1.58 (1.20-2.24)	1.90 (1.39-2.77)	2.27 (1.58-3.41)	2.82 (1.89-4.37)	3.29 (2.12-5.10)
6-hr	0.739 (0.600-0.932)	0.813 (0.660-1.03)	0.990 (0.801-1.25)	1.19 (0.956-1.52)	1.54 (1.24-2.15)	1.88 (1.45-2.64)	2.26 (1.68-3.27)	2.71 (1.92-4.04)	3.39 (2.30-5.21)	3.97 (2.58-6.09)
12-hr	0.921 (0.758-1.15)	1.01 (0.834-1.27)	1.23 (1.01-1.54)	1.47 (1.20-1.85)	1.88 (1.52-2.59)	2.28 (1.78-3.16)	2.73 (2.04-3.90)	3.25 (2.32-4.79)	4.04 (2.76-6.14)	4.71 (3.09-7.15)
24-hr	1.12 (0.936-1.38)	1.25 (1.04-1.54)	1.52 (1.26-1.88)	1.81 (1.49-2.25)	2.30 (1.88-3.11)	2.76 (2.17-3.76)	3.28 (2.48-4.61)	3.87 (2.79-5.63)	4.76 (3.29-7.14)	5.51 (3.66-8.29)
2-day	1.33 (1.13-1.62)	1.49 (1.26-1.82)	1.83 (1.53-2.24)	2.17 (1.81-2.68)	2.75 (2.27-3.67)	3.28 (2.61-4.42)	3.88 (2.97-5.39)	4.57 (3.33-6.56)	5.58 (3.89-8.28)	6.44 (4.32-9.58)
3-day	1.48 (1.26-1.79)	1.65 (1.40-2.00)	2.02 (1.71-2.45)	2.40 (2.02-2.93)	3.04 (2.52-4.02)	3.62 (2.90-4.84)	4.28 (3.30-5.90)	5.03 (3.70-7.18)	6.15 (4.32-9.06)	7.09 (4.79-10.5)
4-day	1.60 (1.37-1.93)	1.79 (1.53-2.16)	2.18 (1.86-2.64)	2.59 (2.19-3.15)	3.27 (2.72-4.30)	3.88 (3.12-5.16)	4.58 (3.54-6.28)	5.37 (3.96-7.61)	6.54 (4.61-9.58)	7.52 (5.10-11.1)
7-day	1.93 (1.67-2.30)	2.17 (1.87-2.59)	2.63 (2.26-3.15)	3.08 (2.63-3.71)	3.81 (3.19-4.92)	4.45 (3.61-5.83)	5.17 (4.03-6.99)	5.98 (4.44-8.36)	7.15 (5.08-10.4)	8.13 (5.56-11.9)
10-day	2.22 (1.94-2.64)	2.49 (2.17-2.96)	2.99 (2.59-3.56)	3.47 (2.98-4.16)	4.22 (3.54-5.38)	4.86 (3.96-6.30)	5.57 (4.36-7.46)	6.36 (4.74-8.82)	7.49 (5.34-10.8)	8.43 (5.80-12.2)
20-day	3.06 (2.70-3.58)	3.38 (2.98-3.96)	3.96 (3.48-4.66)	4.48 (3.90-5.30)	5.25 (4.44-6.55)	5.90 (4.85-7.49)	6.59 (5.20-8.65)	7.33 (5.52-9.99)	8.38 (6.03-11.8)	9.23 (6.42-13.3)
30-day	3.74 (3.33-4.35)	4.13 (3.67-4.81)	4.80 (4.25-5.61)	5.38 (4.73-6.33)	6.23 (5.29-7.66)	6.91 (5.71-8.68)	7.62 (6.05-9.90)	8.38 (6.34-11.3)	9.42 (6.81-13.2)	10.2 (7.17-14.6)
45-day	4.60 (4.12-5.30)	5.11 (4.57-5.90)	5.95 (5.31-6.90)	6.66 (5.90-7.78)	7.66 (6.53-9.32)	8.44 (7.01-10.5)	9.23 (7.37-11.9)	10.0 (7.64-13.4)	11.1 (8.10-15.4)	12.0 (8.44-17.0)
60-day	5.32 (4.80-6.11)	5.96 (5.37-6.85)	7.00 (6.28-8.07)	7.86 (7.00-9.12)	9.03 (7.73-10.9)	9.93 (8.28-12.2)	10.8 (8.67-13.8)	11.7 (8.95-15.5)	12.9 (9.42-17.8)	13.8 (9.77-19.5)

¹ Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS). Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values. Please refer to NOAA Atlas 14 document for more information.

[Back to Top](#)

PF graphical

PDS-based depth-duration-frequency (DDF) curves
 Latitude: 40.2550°, Longitude: -105.8270°

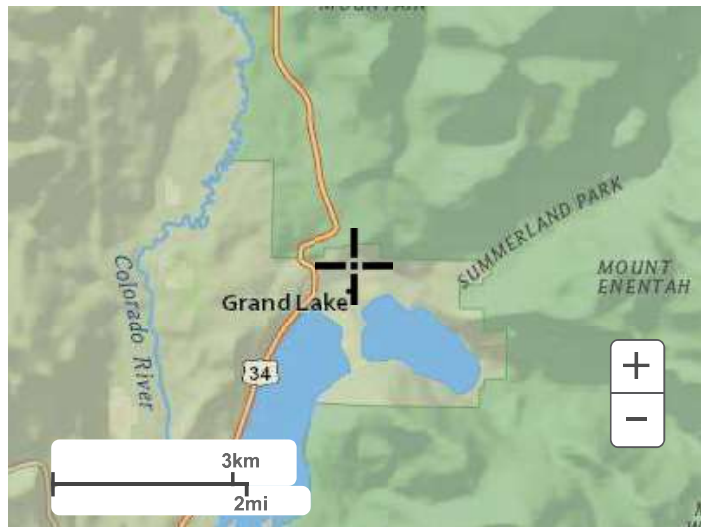


[Back to Top](#)

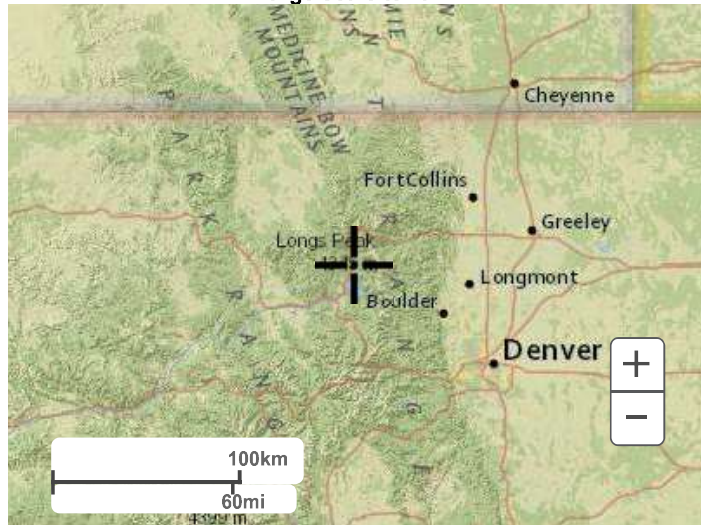
Maps & aerials

Small scale terrain

Section 6, Item C.



Large scale terrain

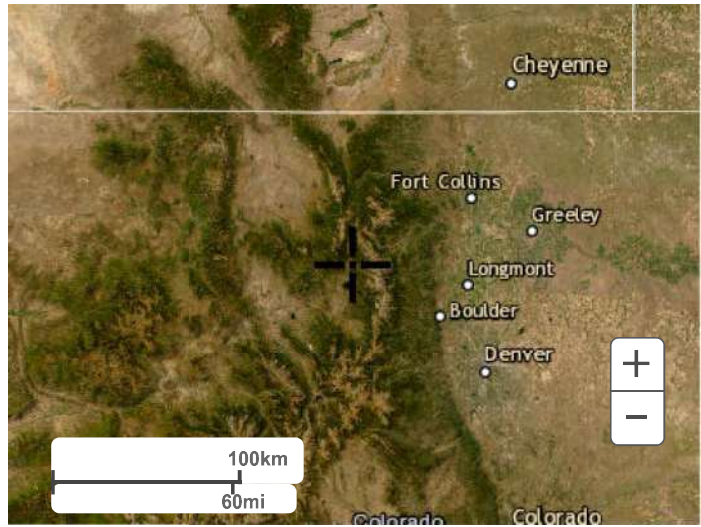


Large scale map



Large scale aerial

Section 6, Item C.



[Back to Top](#)

[US Department of Commerce](#)
[National Oceanic and Atmospheric Administration](#)
[National Weather Service](#)
[National Water Center](#)
1325 East West Highway
Silver Spring, MD 20910
Questions?: HDSC.Questions@noaa.gov

[Disclaimer](#)



JVA Incorporated Job Name: 501 Mountain Ave
 PO Box 1860 Job Number: xxx
 47 Cooper Creek Way, S 328 Date: 8/23/24
 Winter Park, CO 80482 By: CWK
 Ph: (970) 722 7677
 Municipality: MHFD

501 Mountain Ave

Historic Runoff Coefficient & Time of Concentration Calculations

Municipality: Grand Lake
 Impervious Values: MHFD
 Runoff Coefficients: MHFD Formulae
 Major Design Storm: 100
 Minor Design Storm: 10

Basin Design Data																											
Basin Name	Soil Type	Design Point	I (%) =				Runoff Coefficients (MHFD Formulae Table 6-5)				Initial Overland Time (t _i) MHFD Eq 6-3			Channelized Travel Time (t _c) MHFD Eq 6-4					t _c Comp	Regional Check (t _r regional) MHFD Eq 6-5			t _c Final				
			80%	95%	90%	20%	Imp (%)	C2	C5	C10	C100	Length (ft)	Slope (%)	t _i (min)	Length (ft)	Slope (%)	Type of Land Surface	K		Velocity (fps)	t _c (min)	Time of Conc t _i + t _c = t _c		Channelized Length (ft)	Channelized Slope (ft/ft)	t _r regional	t _c or t _r regional
A	C/D	1	5,553	0	7,610	318,329	331,492	7.61	22.6%	0.16	0.22	0.30	0.58	158	45.0%	5.7	448	13.3%	Paved areas & shallow paved swales	20	7.3	1.0	6.7	448	0.133	23.8	6.7
							0	0.00											Paved areas & shallow paved swales	20	0.0	0.0		0	0.000	N/A	
							0	0.00											Paved areas & shallow paved swales	20	0.0	0.0		0	0.000	N/A	
							0	0.00											Paved areas & shallow paved swales	20	0.0	0.0		0	0.000	N/A	
							0	0.00											Paved areas & shallow paved swales	20	0.0	0.0		0	0.000	N/A	
TOTAL SITE			5,553	0	7,610	318,329	331,492	7.61	22.6%	0.16	0.22	0.30	0.58														

$I = (28.5 P_1) / ((10 + TC) 0.786)$

Point Hour Rainfall (P ₁):	0.51	0.66	0.80	1.46
--	------	------	------	------

Basin Name	Design Point	Time of Conc (tc)	Runoff Coeff's				Rainfall Intensities (in/hr)				Area		Flow Rates (cfs)			
			C2	C5	C10	C100	2	5	10	100	A _{Total} (sf)	A _{Total} (ac)	Q2	Q5	Q10	Q100
A	1	6.7	0.16	0.22	0.30	0.58	1.59	2.04	2.49	4.61	331,492	7.61	1.90	3.41	5.65	20.21
											0	0.00				
											0	0.00				
											0	0.00				
TOTAL SITE											331,492	7.61	1.90	3.41	5.65	20.21

Historic 100-Year Storm Flow Rate



JVA Incorporated
 PO Box 1860
 47 Cooper Creek Way, S 328
 Winter Park, CO 80482
 Ph: (970) 722 7677
 Municipality: MHFD

Job Name: 501 Mountain Ave
 Job Number: xxx
 Date: 8/23/24
 By: CWK

501 Mountain Ave
Time of Concentration Calculations

Municipality: MHFD
 Impervious Values: MHFD
 Runoff Coefficients: MHFD Formulae

Sub-Basin Data				Initial Overland Time (t _i) MHFD Eq 6-3			Channelized Travel Time (t _c) MHFD Eq 6-4						t _c Comp	Regional Check (t _{regional}) MHFD Eq 6-5			t _c Final
Basin Name	Design Point	A _{Total} (ac)	C5	Length (ft)	Slope (%)	t _i (min)	Length (ft)	Slope (%)	Type of Land Surface	C _v	Velocity (fps)	t _c (min)	Time of Conc t _i + t _c = t _c	Channelized Length (ft)	Channelized Slope (ft/ft)	t _{regional}	t _c or t _{regional}
A	1	7.61	0.22	158	45.0%	5.7	448	13.3%	Paved areas & shallow paved swales	20	7.3	1.0	6.7	448	0.133	23.7	6.7
									Paved areas & shallow paved swales	20				0	0.000	N/A	
									Paved areas & shallow paved swales	20				0	0.000	N/A	
									Paved areas & shallow paved swales	20				0	0.000	N/A	
									Paved areas & shallow paved swales	20				0	0.000	N/A	
									Paved areas & shallow paved swales	20				0	0.000	N/A	
									Paved areas & shallow paved swales	20				0	0.000	N/A	
									Paved areas & shallow paved swales	20				0	0.000	N/A	
									Paved areas & shallow paved swales	20				0	0.000	N/A	
									Paved areas & shallow paved swales	20				0	0.000	N/A	
									Paved areas & shallow paved swales	20				0	0.000	N/A	

OFFICIAL AD PROOF

This is the proof of your ad scheduled to run in **Sky-Hi News and Middle Park Times** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(970) 887-3334**.

Notice ID: eYpwZgv6frqcq8HRwRhXO | **Proof Updated: Sep. 13, 2024 at 05:02pm MDT**
 Notice Name: 501 Mountain - road standards variance

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER	FILING FOR
K White	Sky-Hi News and Middle Park
kwhite@toglco.com	Times
(970) 627-3435	

Columns Wide:	1	Ad Class: Legals
Total Column Inches:	1.75	
Number of Lines:	21	

09/18/2024: Other Notice	10.63
Affidavit Fee	10.00

Subtotal	\$20.63
Tax	\$0.00
Processing Fee	\$2.06
Total	\$22.69

NOTICE is hereby given that the Grand Lake Planning Commission will hold a Public Hearing on Wednesday, October 16, 2024 at 6:30 PM at Town Hall, 1026 Park Ave. Grand Lake, CO, to review a request for variance from the Street Development Policies, Standards, and Specifications (M.C. 11-2) for access to property located at Lot: 8 Block: 24, Town of Grand Lake, more commonly referred to as 501 Mountain Avenue. Additional information is available for public inspection at Town Hall during normal business hours. Public comments and participation are both encouraged and welcome, either in person at the public meeting, in writing to the Town of Grand Lake, P.O. Box 99, Grand Lake, CO 80447 or by e-mail to planner@toglco.com. To be published in the Middle Park Times.

PUBLISHED IN THE SKY-HI NEWS AND MIDDLE PARK TIMES ON WEDNESDAY, SEPTEMBER 18, 2024.

**TOWN OF GRAND LAKE
PLANNING COMMISSION
RESOLUTION NO. 14 – 2024**

A RESOLUTION RECOMMENDING APPROVAL OF A VARIANCE TO STREET STANDARDS TO ACCESS LOT 8, BLOCK 14, TOWN OF GRAND LAKE, MORE COMMONLY REFERRED TO AS 501 MOUNTAIN AVENUE.

WHEREAS, Nicholas and Kathryn Rosenbeck (collectively the “Owners”) are the owners of certain real property located within the Town of Grand Lake, more particularly described as follows:

Lot 8, Block 14, Town of Grand Lake Subdivision, Grand Lake, Colorado, also known as: 501 Mountain Avenue, Grand Lake, Colorado 80447 (the “Property”); and

WHEREAS, Grand Lake Municipal Code (the “Code”) Article 2 of Chapter 11 sets forth the street and roadway standards of the Town; and

WHEREAS, the Town received a zoning variance request application (the “Application”) from the Owners on August 26th, 2024, requesting a variance to the requirements set forth in Section 11-2-9(B)(4) of the Code as well as an explanation of the hardships required to grant such a variance found in Section 11-2-11(D) of the Code as presented by the Owner’s engineer, JVA Civil Engineering; and

WHEREAS, the Property is currently unimproved and several criteria found in Article 2 of Chapter 11 of the Code regulate access and the standards by which a party may construct vehicular access to their property, including, but not limited to 11-2-3, 11-2-4, 11-2-6 and 11-2-9; and

WHEREAS, the Owner, through their engineer, has proposed access to the Property via a private road; and

WHEREAS, Code Section 11-2-9, in relevant part, states as follows:

11-2-9 Acceptance Procedures and Requirements.

(A) *This Section sets forth the procedures related to acceptance of road improvements in the Town of Grand Lake. It is intended to maintain a uniform road development policy throughout the Town and to provide a clear statement of procedures for road acceptance.*

(B) *General Policies.*

4. *Where a new development impacts an existing road or drainage facility by accessing onto the road or increasing storm runoff onto or along the road, the developer(s) will be responsible for upgrading the roadway to the minimum standards required by these Street Standards. The construction of new roadways for the purpose of providing access to a development is the responsibility of the developer(s).*

WHEREAS, Code Section 11-2-11 sets forth the variance procedure and requests as follows (emphasis added):

11-2-11 Variance Request and Procedure.

If an applicant responsible to the Town for public improvements desires to design and construct such improvements in variance to criteria in these standards, each variance shall be identified in the initial submittal.

(B) Planning Commission Review. Variances from the Street Development Policies, Standards, and Specifications shall be reviewed by the Planning Commission at a Public Hearing and make a recommendation to the Board of Trustees.

1. Fifteen (15) days prior to the scheduled Public Hearing date, legal notice shall be placed in the local newspaper of general circulation advertising the time, date, and location of the Public Hearing.

2. In addition, certified letters are to 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.

(D) Hardships for Consideration. Variance requests will only be granted if the applicant can demonstrate all of the following:

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

2. That literal interpretation of the provisions of these Regulations would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of these Regulations.

3. That the special conditions and circumstances do not result from the actions of the applicant;

4. That granting the variance request will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district;

5. That the granting of the variance does not pose a detriment to the public good and does not substantially impair the intent and purpose of the Zone Plan and these Regulations.

WHEREAS, on October 16, 2024, the Planning Commission reviewed the Owners’ variance request at a Public Hearing; and,

WHEREAS, the Planning Commission must find all of the elements contained in Code Section 11-2-11(D)(1-5) to grant the variance; and

WHEREAS, upon a thorough consideration of the elements of Section 11-2-11(D)(1-5) of the Grand Lake Municipal Code, the Planning Commission finds the Owners have met each and every element and recommend approval of the Application subject to the conditions set forth below.

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 subject to the conditions set forth in Section 2., below.

- 2. The Planning Commission’s recommendation for approval is based on the Applicant satisfying the following conditions. Unless specified otherwise, such conditions should be satisfied before the matter is considered by the Board of Trustees:
 - a. Payment by Applicant of all legal, engineering and administrative fees incurred by the Town in connection with review, processing, consideration and approval of the Application.
 - b. Compliance by the Applicant with all representations made to the Planning Commission during all public hearings or meetings related to the Application.
 - c. The Applicant complies with all other federal, state, and local regulations, including but not limited to, obtaining building permits, business regulations, and right of way permits; and,
 - d. In granting this Request the Commission is not obligated to grant similar requests in the future nor does granting this Request set precedent for any future requests.
 - e. This authorization shall run with the transfer of the Property from the Applicant to their successors, heirs, or grantees.
 - f. ANY ADDITIONAL CONDITIONS IF APPLICABLE.

- 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 16th DAY OF OCTOBER.

(S E A L)

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

ATTEST:

TOWN OF GRAND LAKE

Alayna Carrell
Town Clerk

James Shockey,
Planning Commission Chairman