

**TOWN OF GRAND LAKE
PLANNING COMMISSION
RESOLUTION NO. 06-2022**

**A RESOLUTION RECOMMENDING APPROVAL FOR A NEW BOATSLIP LOCATED AT LOTS
6, SHADOW POINT SUBDIVISION, ALSO KNOWN AS 300 LAKESIDE DRIVE.**

WHEREAS, the Town of Grand Lake (the “Town”) received a Building Permit Application (the “Application”) From Linda and Marc Chapdelaine (the “Applicant”); and

WHEREAS, the Applicant is requesting to construct a boatslip at Lots 6, Shadow Point Subdivision (the “Property”); and

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

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

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

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

WHEREAS, the Planning Commission reviewed the Application at a Public Hearing on April 6th, 2022

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

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

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

1. That by reason of exceptional shape, size or topography of lot, or other exceptional situation or condition of the building or land, practical difficulty or unnecessary hardship would result to the owners of said property from a strict enforcement of these Regulations;
2. That literal interpretation of the provisions of these Regulations would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of these Regulations.
3. That the special conditions and circumstances do not result from the actions of the applicant;
4. That granting the variance request will not confer on the applicant any special privilege that is

denied by this ordinance to other lands, structures, or buildings in the same district;
5. That the granting of the variance does not pose a detriment to the public good and does not substantially impair the intent and purpose of the Zone Plan and these Regulations.

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

THAT, the proposed boatslip complies with all applicable provisions from section 12-2-29 (B) and 11-2-4 (D)(9) of the Town of Grand Lake Municipal Code; and,

THAT, the Commission hereby forwards a favorable recommendation onto the Board of Trustees for approval of the Application.

DULY MOVED, SECONDED AND ADOPTED BY THE PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO THIS 6th Day of April, 2022

(S E A L)

Votes Approving:
Votes Opposed:
Absent:
Abstained:

ATTEST:

TOWN OF GRAND LAKE

Jenn Thompson
Town Clerk

James Shockey
Planning Commission Chairman