

**TOWN OF GRAND LAKE
PLANNING COMMISSION
RESOLUTION NO. 02 – 2025**

**A RESOLUTION RECOMMENDING APPROVAL OF A VARIANCE REQUEST TO
ALLOW THE ENCROACHMENT INTO THE SIDE AND REAR SETBACKS ON LOT 12,
BLOCK 12, GRAND LAKE SUBDIVISION, MORE COMMONLY REFERRED TO AS
825 LAKE AVENUE.**

WHEREAS, 7500 LLC (the “Owner”) is the owner of certain real property located within the Town of Grand Lake, more particularly described as follows:

Lot 12, Block 12, Grand Lake Subdivision, Grand Lake, Colorado, also known as: 825 Lake Avenue, Grand Lake, Colorado 80447 (the “Property”); and

WHEREAS, the Owner is interested in constructing a garage and enclosure structure on the property; and

WHEREAS, the Town received a zoning variance request application (the “Application”) from the Owner, requesting a variance to the side and rear setback requirements to allow the encroachment of the garage and enclosure structure into the required setbacks; and

WHEREAS, Grand Lake Municipal Code (the “Code”) Section 12-2-17(C) establishes the setback regulations within the Commercial Transitional zone district for the Town as follows:

12-2-17 – Regulations for Commercial Transitional District - CT.

(C) *Zoning Standards*. Except as provided in Section 12-2-27, the area regulations are as follows:

| Standard Type | Measurement | | |
|-----------------|-------------|---------|----------|
| Minimum Setback | Front 5’ | Side 5’ | Rear 20’ |

WHEREAS, on January 8, 2025, the Planning Commission reviewed the Owners’ variance request at a Public Hearing; and,

WHEREAS, the Planning Commission closed the Public Hearing on January 8, 2025, and continued their final review and deliberations to February 5, 2025, to request additional information from the applicant to aid in their review of the request(s); and,

WHEREAS, based on the Application, the representations of the Owner to the Planning Commission, and public comments, the Planning Commission has considered the following

factors set forth in the Grand Lake Municipal Code Section 12-2-27 (2)(B)(3):

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

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

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

1. The Planning Commission recommends that the Application be approved by the Board of Trustees 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 the Owner of all legal, engineering, and administrative fees incurred by the Town in connection with the review, processing, consideration, and action on the Application.
 - b. Compliance by the Owner with all representations made to the Planning Commission during all public hearings or meetings related to the Application.
 - c. The Owner 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 a precedent for any future requests.
 - e. This authorization shall run with the transfer of the Property from the Owner 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 5th DAY OF FEBRUARY 2025.

(S E A L)

ATTEST:

TOWN OF GRAND LAKE

Alayna Carrell
Town Clerk

James Shockey,
Planning Commission Chairman

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