



Date: 10/09/2023

To: Mayor Kudron and the Board of Trustees
From: Kimberly White, Community Development Department

Re: Consideration of a Request for a Fence Over the Allowable Eight Foot Height at Cokers Corner Minor Sub also known as 1680 Sunnyside Dr.



Purpose:

Applicant is requesting to build a stone gate and fence section over the allowed six-foot height, which requires Planning Commission approval per design standards of the municipal code 12-7-4 (E) (4). The height of the stone wall will be seven (7) feet, the columns on the east and west end will be eight (8) feet, the stone archway will be nine (9) feet to accommodate the seven (~7) foot doorway, and the columns flanking the archway will be (eleven) 11 feet (figure 1)

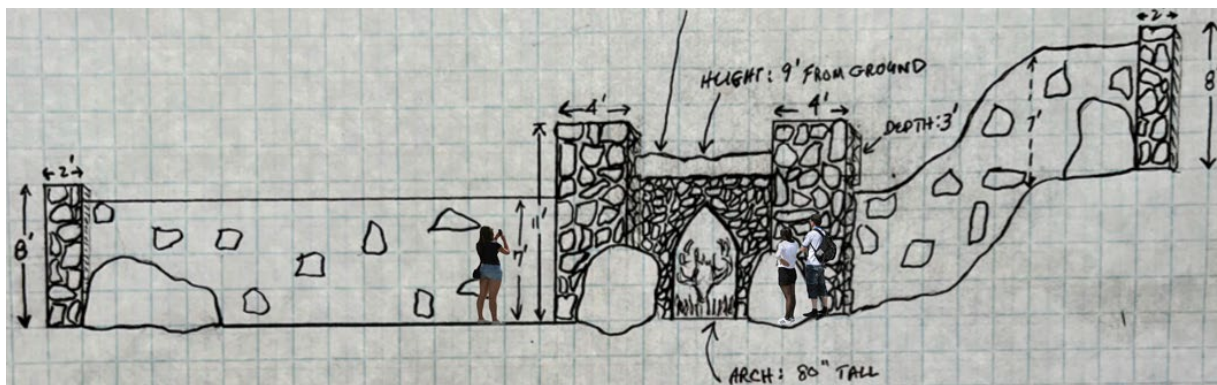


Figure 1



Background:

The owner submitted multiple designs for a stone wall with multiple turrets (figure 2). Staff reviewed the illustrations and determined *that it resembled a castle and did not meet the design code section 12-7-4 (E)* as it was not in harmony “with the adjacent building architecture and the surrounding natural environment”.

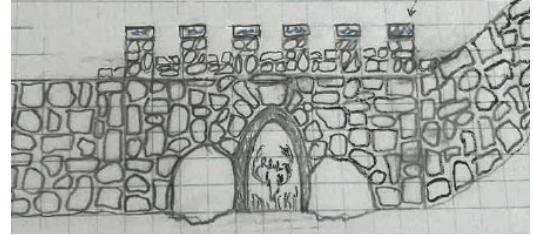


Figure 2

The applicant revised the drawings and resubmitted them without the turrets (figure 3) basing the design on a nearby fireplace relic (figure 4) and stone wall that is on the adjacent property (figure 5). On September 20th, the Planning Commission reviewed the application for the 10’ walls with 14’ columns and recommended 4:0 to the Board to allow the proposal but at a height not greater than 8’ including the columns, and required a building permit per Residential Building Code. The application was heard by the Board of Trustees on September 25th, 2023. It was denied at the 10’ and 14’ height, but suggested that the applicant take a new application with shorter walls to the Planning Commission for review.

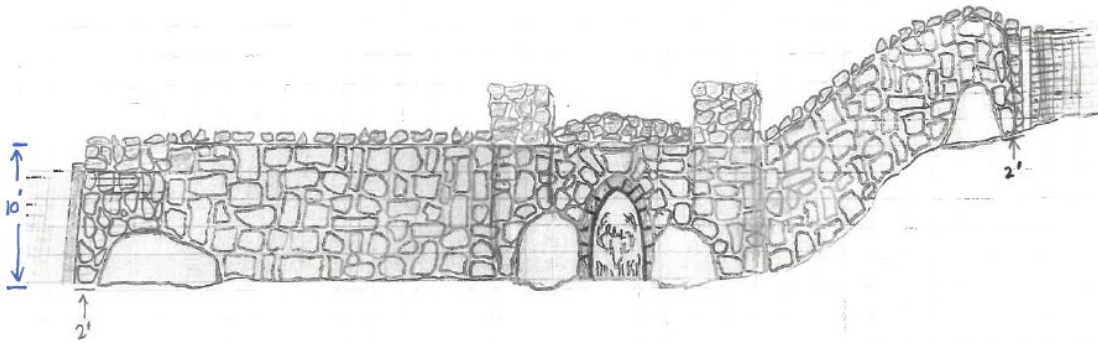


Figure 3

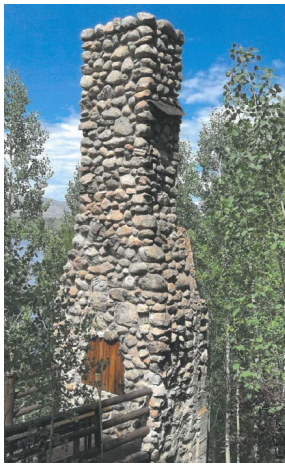


Figure 4



Figure 5



At the October 4th, 2023 Planning Commission, the commission discussed the new application with the gate section above the allowable 8' height, at a height of 9' – 11' high (figure 6)

- PC stated that the fence is already 3 feet above the roadway on that corner
- PC stated that the height of the fence is overwhelming and should not be above the eight foot height.
- PC stated that this style does not fit in with the Town of Grand Lake design code and is not in harmony with the character of Grand Lake.
- PC stated that at that height the wall would likely become a climbing wall for curious youth.
- PC voted to deny the application 2:2, which carries as a recommendation to Deny the application.

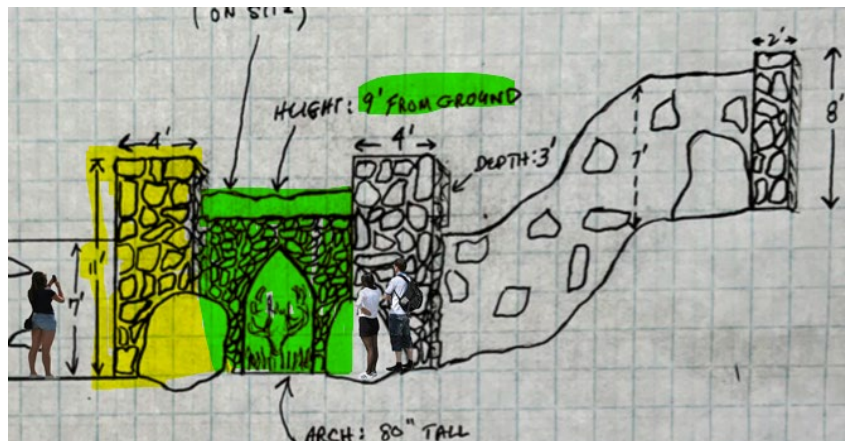


Figure 6

Staff Notes:

On May 10th, 2021 The Board of Trustees approved Resolution 13-2021, a variance to allow the garden gazebo to be built on the vacant lot at 1680 Sunnyside Dr. without a primary structure being in place. An 8' gaming fence permit was issued as the fence was made of allowable materials and was not over the allowable 8' height.

The stone fence and gate is currently under construction due to the impending winter season and will not be built above the six-foot mark until/unless a building permit is issued. Additionally, it will not be built above the eight-foot mark unless the Board allows the fence height exception.

The Board shall take into consideration Planning Commission recommendation to deny and MC 12-7-4 and 12-7-8 when determining if the fence/gate should be allowed.

Municipal Code: 12-7-4-(E)4. Fences shall be constructed of wood, native or imitation stone in a style and color harmonious with the adjacent building architecture and the surrounding natural environment.



... (a) no chainlink....

(b) Fences over eight (8') feet in height shall be reviewed by the Planning Commission for approval or denial.

Per international residential building code (R105.2), which is adopted by Town code 9-1-2, if a fence is over six feet, it must have a building permit.

12-7-3 Definitions

Human Scale: A reasonable size and shape for an average person to use. is the proportion of space in relation to human dimension. It is an important unit of measure for different parts of the building, while keeping in mind who will use each space. Define spaces according to human measurements. Elements should be scaled to human physical capabilities. Avoid monumental scale, oversized spaces, and extremely large distances.

12-7-8 Design Review Procedures and Submission Requirements.

- (B) Design review approval will be based on how the proposal integrates with the local and immediate context. Review of proposed plans, materials, and colors will consider both the positive and negative impacts on the surrounding buildings and adjacent spaces and natural environment. Consideration factors shall include:
1. The proposal's consideration to the local and immediate context of the existing buildings, the natural environment, historical aspects and the local community culture. Determination will be based on the design elements listed herein as well as:
 - (a) The proposal's overall harmony with adjacent buildings, open and public spaces.
 - (b) Any graphic design that might interfere with public safety or does not add to or enhance the aesthetic value of the Town of Grand Lake will be denied.
 2. The elemental design tools of composition, proportion, scale, and rhythm are important elements for achieving a balance between unity and complexity in design. These tools may be used to improve the limitations of architectural style and to achieve buildings with more timeless visual assets. Each of these design tools will be applied to the materials, surfaces, massing and street wall (if applicable) of buildings to better indicate use, visual interest, and creation of a more appropriate balance with human scale. Design Elements include:
 - (a) Scale- the proportion used to determine the relationships and harmony between different elements (existing surroundings including buildings and natural elements, to better define heights and widths and depth).
 - (b) Composition- the organization of parts (including non-built spaces) of a project to achieve a unified whole.
 - (c) Proportion- the relationship of one (1) part to another or to the whole.
 - (d) Rhythm- the relative variation of regular and repetitive elements (how surface materials begin and end and how a switch form one (1) material to another occurs).



Recommended Motions:

The Board has the following options:

1. Board motions to instruct staff to draft a resolution to approve the request to allow the fence gate and wall at the height of 9' to 11' height.

or

2. Board motions to instruct staff to draft a resolution to allow the request with the following conditions _____.

or

3. Motion to Deny

Below are exhibits submitted by the applicant for consideration of this request.

Exhibit A: Reduced height of fence and wall by 3'.

Exhibit B: Adjacent property as seen from public ROW

Exhibit C: Images of relics of foundation walls and stone theme that are used for architectural reference.

Exhibit D: Materials that will be used for the wall.