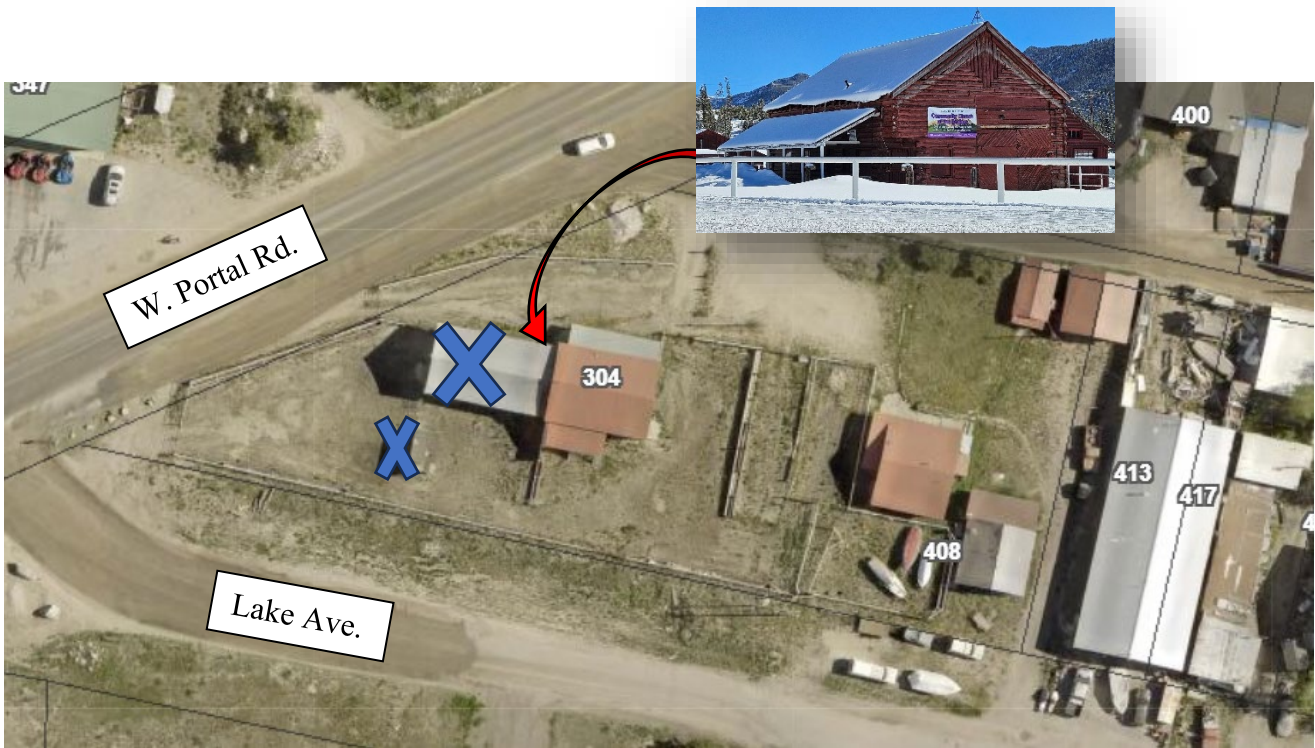




February 7<sup>th</sup>, 2024

To: Chairman Shockey and Planning Commissioners  
From: Kim White, Community Development Director  
RE: **PUBLIC HEARING** – Variance Request to the Sign Code by Community Church of the Rockies



**Purpose**

The Town staff has received a request for an exception to the Town of Grand Lake’s Sign Code to allow a 32sf temporary sign during construction, which is 12sf larger than the acceptable size (of 20sf for a temporary sign). The request was received from Community Church of the Rockies for the property more commonly referred to as 304 West Portal Road,

The full legal description of the property is:

Subdivision: Grand Lake Lot: 14 - 16 Block: 35 Part of Lot 14-16 S of Road Subdivision: GRAND LAKE Lot: 9 - 10 Block: 28 and a Tract 80FT X 150FT between Lots 9 & 16 of Vacated Perry St

**Background:**

The applicant came to Town Hall to drop off a sign permit for a temporary sign and was told that the code only allows for a sign to be up for 7 days. The applicant took the permit back and requested a variance to the 7-day rule. Upon further review of the code and conference with the Town attorney, the applicant was informed by staff that the demolition of the stables was an act of beginning



construction and a temporary sign could be erected for 6 months or until completion of the construction per 6-2-9 (K)(2) and no variance to 6-2-9(O) regarding the temporary sign display limiting to 7 consecutive days would be necessary. The applicant then placed the sign on the building and it was noted that the sign was not in compliance with the size restriction of temporary signage of 20 square feet. Staff let the applicant know that they would need a variance to the size code in order to keep the sign in place.

### **Municipal Code**

**(K)Temporary signs on construction sites.** In addition to any temporary signs allowed pursuant to this Code, temporary signs may be displayed on a parcel for the duration of any active construction of a new building that will contain a primary use and requiring a building permit and occurring on that parcel. Each sign placed in accordance with this subparagraph shall meet the following requirements:

- 1.The maximum size of any one sign shall be twenty (20) square feet.
- 2.Such signs may be erected ten (10) days prior to beginning construction and shall be removed after six months or completion of construction, whichever comes first, unless an extension is granted by the Administrator.
- 3.Signs under this subsection (1) may be attached to fences or trailers or may be freestanding.

**(O)Temporary signs not to exceed twenty (20) square feet** may be displayed for a period of time not to exceed fifty-two (52) days per year, cumulative, and for no more than seven (7) consecutive days. The information to be provided in an application for permits under this subsection (P) need only include the size, copy, material, location, and other information requested by the Administrator.

### **6-2-17 – Variances and Staff Comment.**

The Planning Commission may grant a variance from certain requirements of this title where the literal application of this title would create a particular hardship for the sign user and all the following criteria for a variance are met:

- (A)It is the policy of the Town to encourage aesthetically pleasing signs without substantial interference with the business to which the sign relates. *It does not appear to interfere.*
- (B)Projecting signs should not substantially obscure any part of another sign relating to another use. *It does not obscure other signage.*
- (C)Excessively large or tall signs should be avoided to prevent visual obstruction of the natural scenery within the Town. *It is excessively large for a temporary sign, but not for a permanent sign.*
- (D)Variances should not be granted which would allow any business use an unfair advertising advantage over any other business use. *It is not a business, and therefore does not have an advantage over any other businesses.*
- (E)Any variance granted shall be the minimum necessary to alleviate any hardship, in accordance with the standards and subject to the procedures of Section 6-2-15.
- (F)For the purpose of this title only, any person aggrieved by a decision of the Planning Commission may appeal the decision in writing to Grand Lake Board of Trustees. The Board of Trustees' review shall



be limited to the question of whether or not the Planning Commission has exceeded its authority or abused its discretion.

### **6-2-15 - Permit Process and Appeals Process.**

(A) Any person, firm, corporation or business entity desiring to construct, erect, remodel or otherwise change or affect any sign within the Town, except those signs specified in Section 6-2-16 and all signs listed as exempt, **is required to make application for a permit.** (this was completed)

No work shall be commenced on any sign until such permit is issued by the Town upon the applicant's compliance with this title; (the town did not issue a permit)

(B) Unless otherwise provided by this title, all new signs shall require permits and payment of fees. (Fee was paid)

(C) The information provided by the applicant shall include:

1. One complete scale drawing showing size, shape, design, materials, sign plan, including any required landscaping, specific sign location, elevation of sign on building, content, mounting method and lighting shall be submitted to the Town Manager or designee. (application was submitted and rejected due to temporary nature of sign and required variance)...

3. A nonrefundable fee shall accompany each application. (received)

**From the applicant:** "Gretchen Reynolds originally received the permit and ordered the sign believing the correct square footage was a maximum of 32 square feet. Later we were told that this temporary sign could only be up for 7 days or it could be a construction sign that could be up for six months, but construction signs can only be 20 square feet. Since we are in the initial process of designing a permanent sign for the church, we were hoping we could leave it up as is and not waste the approximate \$200 the church has invested in this temporary sign. Thanks for your consideration in this matter."

### **Commission Discussion**

The Planning Commission shall review the request and may grant a variance from certain requirements of this title where the literal application of this title would create a particular hardship for the sign user based on whether or not all the criteria of 6-2-17 from above are met.

### **Commission Suggested Motion**

- 1. I Move to Grant an Exception to Municipal Code 6-2-9 (K) to Allow the Existing, Over-Sized, Temporary Sign Located at 304 West Portal Rd. to Remain in Place until June, 2024**

Or

- 1. I Move to Deny the request.**