

**TOWN OF GRAND LAKE
BOARD OF TRUSTEES
RESOLUTION NO. 42-2026**

**A RESOLUTION APPROVING A PRELIMINARY PLAT FOR A MAJOR
SUBDIVISION LOCATED AT 120 COUNTY ROAD 663, CREATING NINE
RESIDENTIAL LOTS**

WHEREAS, Michael P Ruger Living Trus (the “Owner”) is the owner of certain real property located at 120 County Road 663, within the Town of Grand Lake, State of Colorado; and

WHEREAS, the Owner has submitted for review and consideration of a Preliminary Plat for a Major Subdivision (“Application”); and

WHEREAS, the Owner is proposing to subdivide the property into nine residential lots; and

WHEREAS, Section 12-6-6 and Section 12-9-2 of the Code require that a Preliminary Plat be reviewed by the Planning Commission for a recommendation of approval, approval with conditions, or denial to the Town Board of Trustees; and

WHEREAS, the Planning Commission reviewed the Application at a public hearing on May 6, 2026, and found the Application to have satisfactorily addressed the consideration factors in Section 12-6-6 and Section 12-9-2 of the Code; and

WHEREAS, upon a thorough consideration of the Application and applicable Code requirements, the Planning Commission adopted Resolution 05-2026, a resolution recommending approval to the Board of Trustees of the Preliminary Plat with conditions; and

WHEREAS, the Board of Trustees reviewed the Application, the presentation by the Owner, the recommendation of the Planning Commission, and the public testimony presented at the regularly scheduled meeting on May 11, 2026; and

WHEREAS, based on these considerations, the Board of Trustees finds that the Application meets the applicable requirements of the Code and approves the Owner’s Preliminary Development Plan, with conditions.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE
TOWN OF GRAND LAKE, COLORADO,**

1. The Board of Trustees approves the Application. Unless specified otherwise, the Owner shall satisfy any outstanding items that may include:
 - 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 and Board of Trustees 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 Board 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. The approval of the Application is subject to compliance with the following conditions:
 - i. Conceptual building footprints on Lots One and Nine shall be adjusted to meet setback requirements and avoid encroachment into slopes of 40% or greater.
 - ii. The plat shall be revised to include all required dedications and certificates in accordance with Town Code.
 - iii. The plat title and notes shall be revised to address staff comments provided during Preliminary Plat review.
 - iv. The applicant shall provide written confirmation from all applicable utility providers verifying that water, gas, electric, and sewer services are available and have sufficient capacity to serve all proposed lots.
 - v. The applicant shall address all drainage concerns identified in the attached engineering comments, including any required drainage improvements or detention facilities.
 - vi. The applicant shall install a paved apron at the intersection of West Portal Road and County Road 663 to prevent damage to the existing pavement.
 - vii. A Development Improvements Agreement shall be prepared and ready for execution at the time of Final Plat approval.
 - viii. The plat shall be reviewed to ensure all lots are closeable.
 - ix. The application shall be referred to the Colorado Geological Survey as part of the referral process.
 - x. The plat shall identify all areas with slopes greater than 40 percent as non-buildable.

2. 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 Board of Trustees 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.
3. 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 BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO THIS 11TH DAY OF MAY 2026.

(S E A L)

ATTEST:

TOWN OF GRAND LAKE

Alayna Carrell
Town Clerk

Christina Bergquist,
Mayor

Votes Approving:
Votes Opposed:
Absent:
Abstained: