

**TOWN OF GRAND LAKE  
BOARD OF TRUSTEES  
RESOLUTION \_\_-2022**

**A RESOLUTION GRANTING APPROVAL THE FINAL DEVELOPMENT  
APPLICATION AND PLAT AS WELL AS A LOT CONSOLIDATION WITH  
CONDITIONS  
(450 BROADWAY STREET, GRAND LAKE, CO)**

**WHEREAS**, the Board of Trustees of the Town of Grand Lake, Colorado (the “Board of Trustees”), pursuant to Colorado Statute is vested with the authority of administering the affairs of the Town of Grand Lake, Colorado; and

**WHEREAS**, the Town of Grand Lake (the “Town”) received an application for a combined preliminary and final development with a lot Consolidation Application (the “Application”) from Rocky Mountain Repertory Properties, Inc. (the “Applicant”); and

**WHEREAS**, the Applicant is the owner of certain real property more particularly described as follows:

Lots 9, 10, and 11  
Block 19, Town of Grand Lake, Colorado

Also known as: 450 Broadway Street, Grand Lake, Colorado 80447 (the “Property”); and

**WHEREAS**, the Town Planner deemed the Application complete and presented the Application to the Planning Commission at a regular Planning Commission meeting and a properly noticed public hearing on June 15, 2022; and

**WHEREAS**, the Applicant is requesting to consolidate Lots 9, 10, and 11 into a single lot pursuant to Town of Grand Lake Town Code Section 12-6-8(B) more specifically described on the Final Plat, attached hereto as **Exhibit A**; and

**WHEREAS**, the Town of Grand Lake Municipal Code (the “Code”) 12-6-8 (B) permits lot consolidation requests to be submitted for review by the Planning Commission and approval by the Board of Trustees; and

**WHEREAS**, Code section 12-6-8 (B)(4) sets forth the review criteria for such a request as follows:

1. The combined lots are legal lots as defined in section 12-6-8(A)(1)
2. The combined lots would not subsequently create additional lots other than the resultant lots
3. The consolidation would not adversely affect existing access, drainage, utility easements, or rights-of-way
4. The lot consolidation would not adversely affect adjacent properties and the property owners’ enjoyment of their property
5. Any covenants, deed restrictions, or other conditions of approval that apply to the original lots must also apply to the resultant lot; and

**WHEREAS**, at its regular meeting on June 15, 2022, the Planning Commission found all applicable criteria of Code Section 12-6-8(B) were met; and

**WHEREAS**, the Planning Commission passed Resolution 07-2022, recommending the Board of Trustees approve the Application subject to the following conditions:

1. The Owner files and records the final approved Lot Consolidation Plat with the Clerk and Recorder's office of Grand County, Colorado.
2. Lots 9-11 are to be considered one new lot, in perpetuity, never to be sold separately or mortgaged separately.

**WHEREAS**, the Planning Commission passed Resolution 07-2022, recommending the Board of Trustees approve the Application with the following exemptions requested by the Applicant from the Town Code:

1. Buildings separation from 20' to 10' per 2015 IBC
2. Commercial units not required in the first 50' of the property
3. A reduction of the required number of parking spaces by 3.2 spaces
4. A waiver of the affordable housing requirements

**WHEREAS**, the Board of Trustees finds the proposed Lot Consolidation complies with all applicable provisions of Section 12-6-8(B) of the Code; and

**WHEREAS**, the Application further requested approval of the addition of certain improvements with the Property as further described in the Final Development application and plat; and

**WHEREAS**, the Board has reviewed the Application and considered the favorable recommendations from the Planning Commission and Town Staff; and

**WHEREAS**, the Board also reviewed the requested variances regarding building separation being reduced from 20' to 10', commercial use waiver for the Property, and the affordable housing requirement and find them to be .

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

1. The Board of Trustees hereby has determined the proposed Lot Consolidation complies with all applicable provisions of the Grand Lake Municipal Code, including but not limited to Section 12-6-8(B).
2. The Final Plat, attached hereto as **Exhibit A**, is approved subject to the following conditions:
  - a. Payment by Applicant of all legal, engineering and administrative fees incurred by the Town in connection with review, processing, consideration and approval of the Application.
  - b. Compliance by the Applicant with all representations made to the Planning Commission or the Board of Trustees during all public hearings or meetings related to the Application.
  - c. The resultant lot is to be considered one new lot in perpetuity, never to be sold or mortgaged separately without the reapplication and approval from the Town to re-subdivide. This limitation shall be noted on the face of the Lot Consolidation Plat prior to recording.
3. The Board of Trustees has reviewed the Applicant's request for the following exemptions which are contained in the Final Plat and approves the following:
  - a. Buildings separation from 20' to 10' per 2015 IBC
  - b. Commercial units not required in the first 50' of the property
  - c. A reduction of the number of required parking spaces by 3.2 spaces
  - d. A waiver of the affordable housing requirements

4. The Final Plat shall be endorsed by the Chair of the Planning Commission and the Mayor of the Town and thereafter the Town Clerk shall file the approved Final Plat with the Town and the Grand County Clerk and Recorder.

5. Severability: If any Article, 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.

6. 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, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any Resolution hereby repealed prior to the taking effect of this Resolution.

**DULY MOVED, SECONDED, AND ADOPTED BY THE BOARD OF TRUSTEES OF  
THE TOWN OF GRAND LAKE, COLORADO THIS \_\_<sup>TH</sup> DAY OF \_\_\_\_\_, 2022.**

**S E A L**

**BOARD OF TRUSTEES**

**Votes approving:** \_\_\_\_\_

**Votes opposed:** \_\_\_\_\_

**Absent:** \_\_\_\_\_

**Abstained:** \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
**Jenn Thompson, Town Clerk**

\_\_\_\_\_  
**Stephan Kudron, Mayor**