



1026 Park Ave · PO Box 99
Grand Lake, CO 80447
970-627-3435
www.townofgrandlake.com

REQUEST FOR VARIANCE FROM
STREAM AND LAKE SETBACK
ZONING REGULATIONS

PLEASE FILL OUT THE FOLLOWING INFORMATION.

Property Legal Description: Lot 6, Shadow Pointe

Property Street Address: 300 Lakeside Drive, Grand Lake, CO 80447

Property Owner: Linda and Mark Chapdelaine

Applicant's Name: Linda and Mark Chapdelaine Day Phone: 970-274-8042

Applicant's Mailing Address: PO Box 5134, Snowmass Village, CO 81615

Variance Requested:

We would like to request to build a boat slip.

At a minimum, a variance request shall include the following information:

I. Application Deposit and executed Agreement for Development Fees

II. Documentation of unusual hardship via answers to the criteria listed below (only need to prove ONE)

- a. By reason of exceptional shape, size or topography of lot, or other exceptional situation or condition of the building or land, practical difficulty or unnecessary hardship would result to the owners of said property from a strict enforcement of Municipal Code 12-2-29 [Shoreline and Surface Water Regulations]
- b. Literal interpretation of the provisions would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of Municipal Code 12-2-29
- c. The special conditions and circumstances do not result from the actions of the applicant
- d. Granting the variance request will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district
- e. The granting of the variance does not pose a detriment to the public good and does not substantially impair the intent and purpose of Municipal Code 12-2-29

III. A topographic survey that includes locations of all streams, wetlands, floodplain boundaries, slope, topography, and other natural features

IV. A detailed site plan that shows the locations of all existing and proposed activities/improvements, both inside and outside the setback.

- a. A calculation of the total area (square footage) of the proposed improvements shall be indicated
- b. The exact area of the 30' setback to be affected shall be accurately and clearly indicated.

V. At least one alternative plan, which does not include a setback intrusion, or an explanation of why such a plan is not possible

VI. An erosion and sedimentation control plan (i.e. temporary and permanent interventions such as retaining walls, straw wattles and silt fencing, french drains, or other practices)

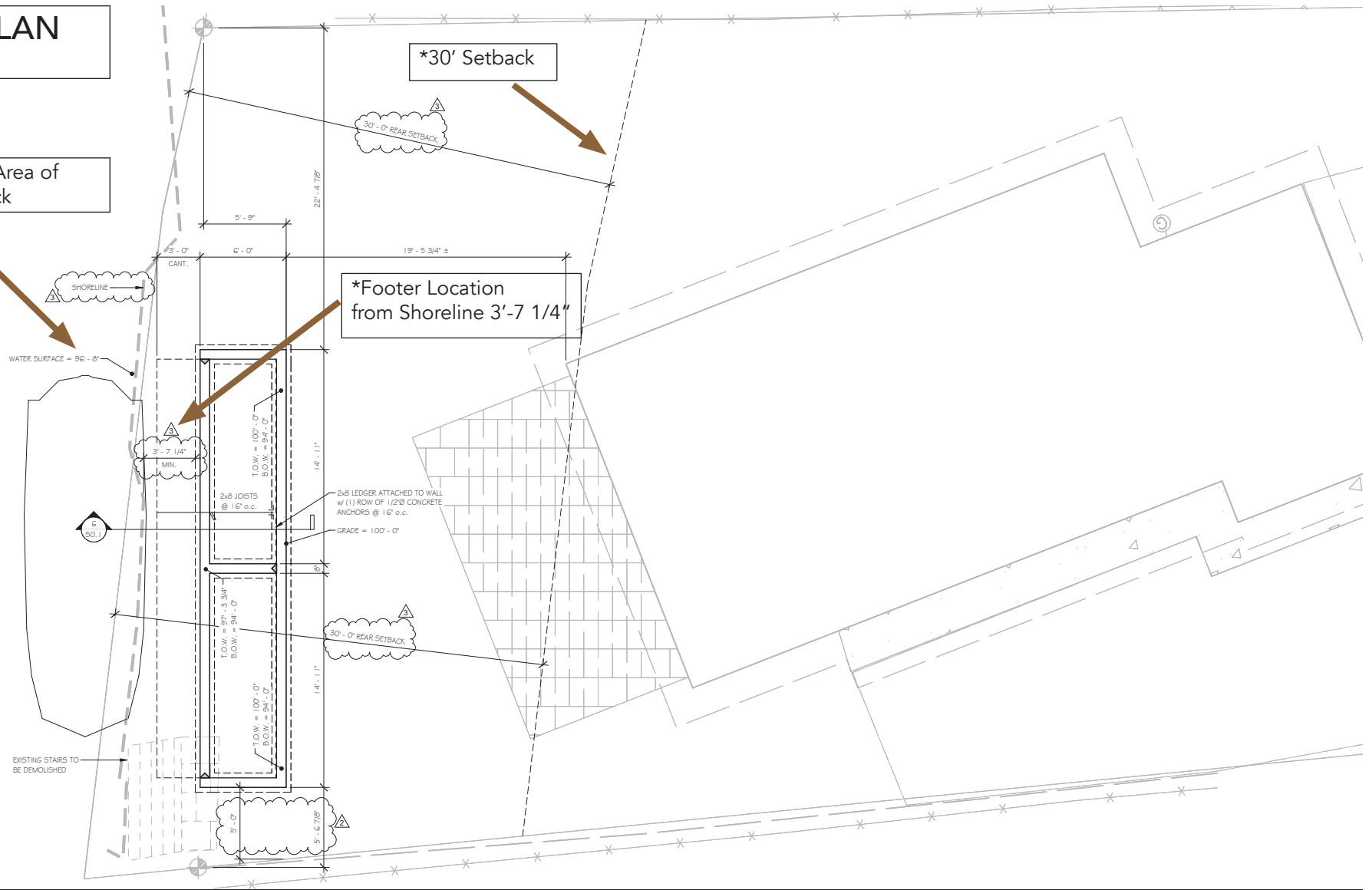
VII. A stormwater control plan, if applicable.

SITE PLAN

*Affected Area of 30' Setback

*30' Setback

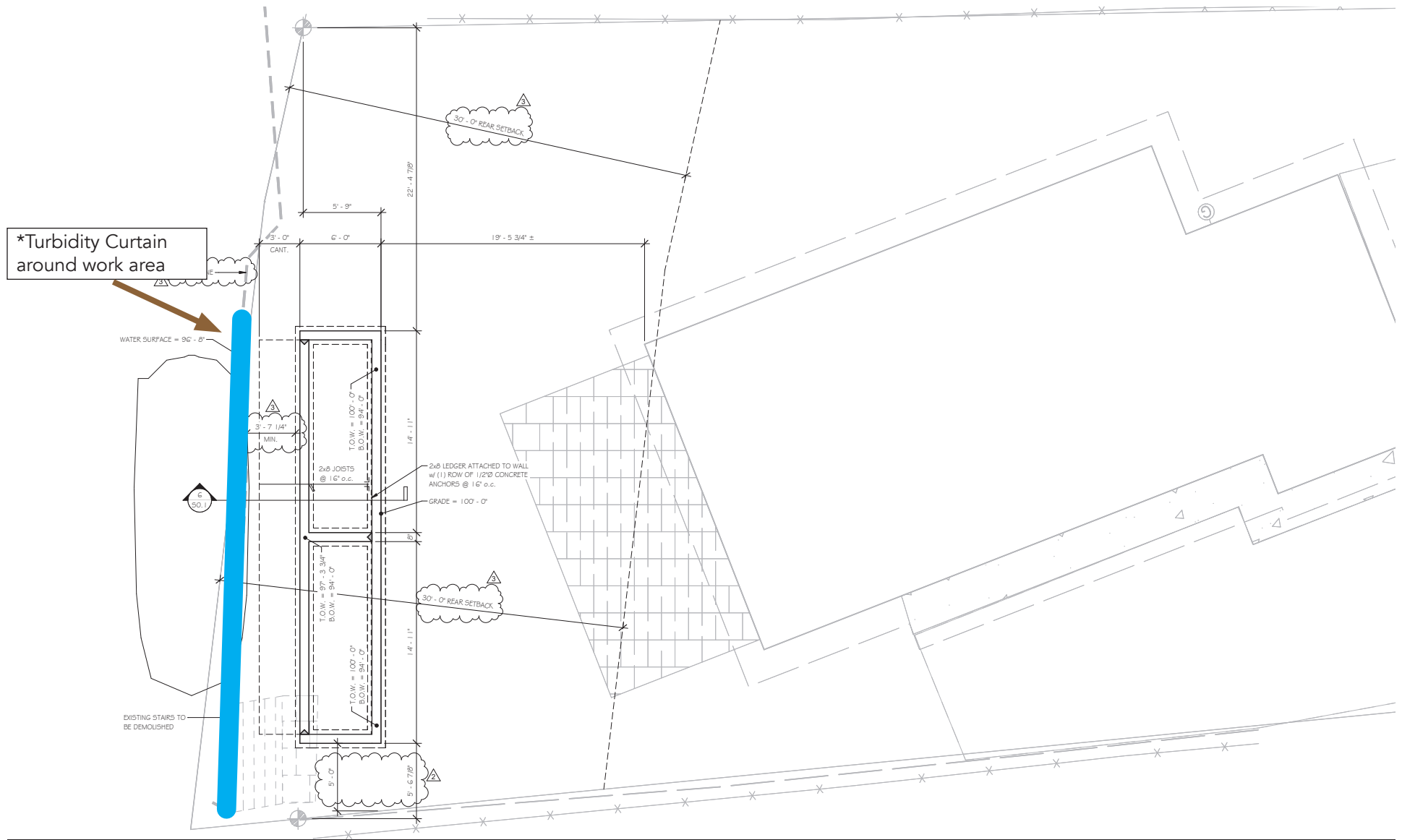
*Footer Location from Shoreline 3'-7 1/4"



SHORELINE VARIANCE REQUEST: CHAPDELAINE 300 LAKESIDE DRIVE, GRAND LAKE, CO

NOTES:

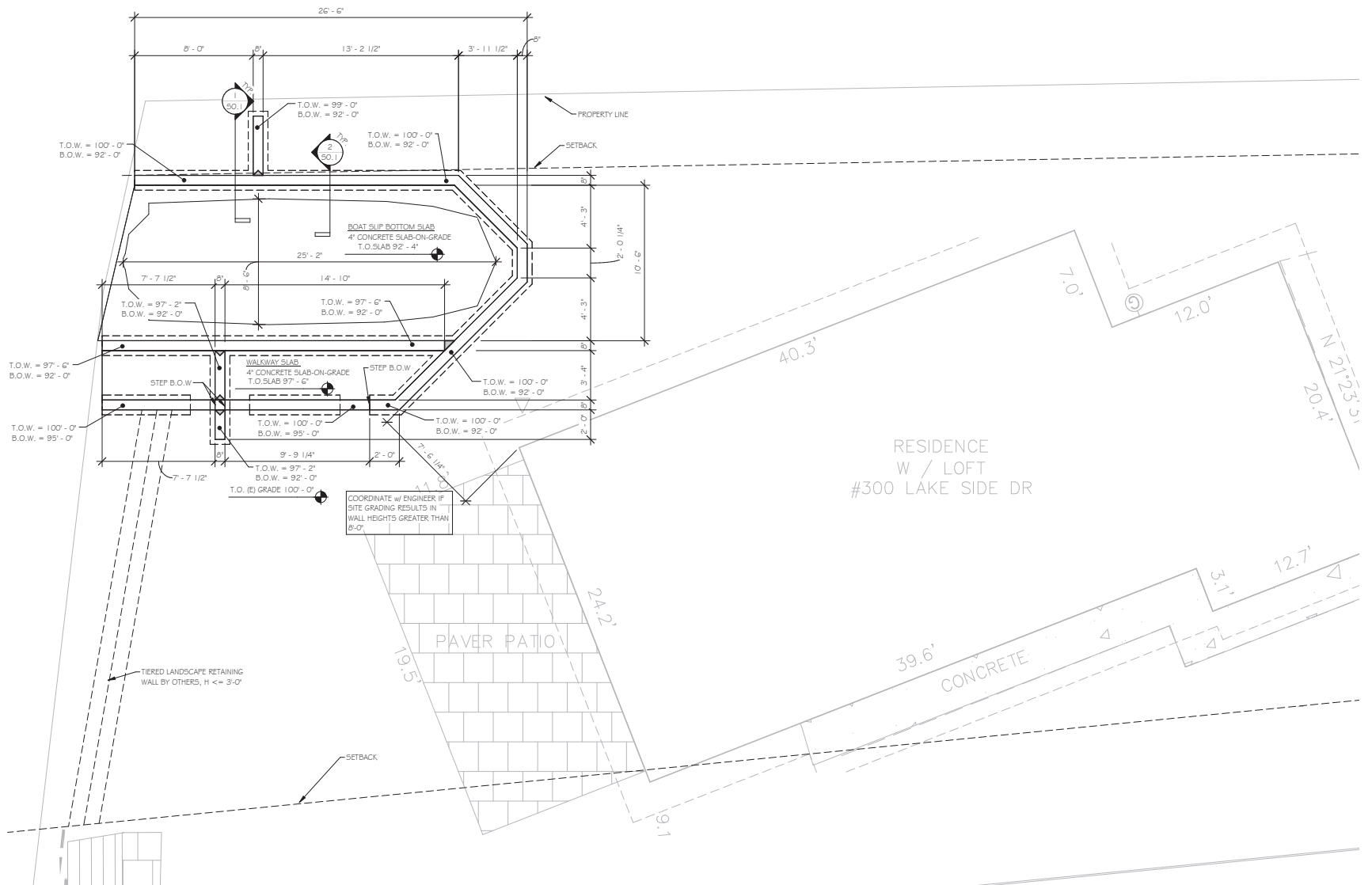
- 1) The size of the foundation for the cantilever dock and decking over water is 9' wide x 30' 6" long. The soils and vegetation are normal.
- 2) Total Area: 274.5 square feet.
- 3) There are no other options for an alternative plan that would not require a shoreline variance request.



SHORELINE VARIANCE REQUEST: CHAPDELAINE
300 LAKESIDE DRIVE, GRAND LAKE, CO

NOTES:

- 1) Erosion and sediment control plan. Installing a turbidity curtain/barrier.



SHORELINE VARIANCE REQUEST: CHAPDELAINE 300 LAKESIDE DRIVE, GRAND LAKE, CO

EXAMPLE OF PREVIOUS PLANS SUBMITTED FOR SHORELINE VARIANCE AND WHY THIS NEW DESIGN IS BEST:

- 1) Above is the design previously submitted for the shoreline variance. We are unable to use this design due to the shared northern property line.
- 2) The new cantilever dock design will be completely constructed on our property and in the section where our property touches the US Forest Service Outlot A.
- 3) Shoreline impact will be less invasive due to the foundation being constructed on our property.

SHORELINE VARIANCE REQUEST: CHAPDELAINE
300 LAKESIDE DRIVE, GRAND LAKE, CO

DOCUMENTATION OF UNUSUAL HARDSHIP:

A) Due to the properties proximity to the water and our love for boating we would like to request a shoreline variance for the purpose of constructing a boat dock on our property.

B) Zoning Regulations would deprive us of rights commonly enjoyed by other properties in the same district under the terms of Municipal Code Sections Section 12-2-8 to 12-2-24 and Section 12-2-29 (if applicable) Zoning Regulations. Boat slips and docks are commonly enjoyed by other properties along and the shoreline in Grand Lake. Most of our neighbors that have properties on the water have boat slips and can enjoy all that Grand Lake has to offer as a lakeside community.

C) No special conditions and/or circumstances have resulted from our actions.

D) Granting this variance does not confer any special privileges to us, the applicant, that is denied by this ordinance to other lands, structures, or buildings in the same district; and

E) Granting this variance does not pose a detriment to the public good and does not substantially impair the intent and purpose of Municipal Code Sections 12-2-8 to 12-2-24 and Section 12-2-29 (if applicable) Zoning Regulations.



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, ALBUQUERQUE DISTRICT
400 ROOD AVENUE, ROOM 224
GRAND JUNCTION, CO 81501-2520

January 3, 2022

Regulatory Division

SUBJECT: No Permit Required – Action No. SPK-2017-00127, Chapdelaine Boat Slip

Linda Chapdelaine
P.O. Box 5134
Snowmass Village, CO 81615
l_chapdelaine@hotmail.com

Dear Ms. Chapdelaine:

This letter responds to your request for a determination of Department of the Army (DA) permit requirements for the *Chapdelaine Boat Slip* project. The subject area is located along the entry channel to Shadow Mountain Estates Marina, at 300 Lakeside Drive, within the SW¼ NE¼ of Section 6, Township 3 North, Range 75 West, Latitude 40.2494725°, Longitude -105.8331203°, Grand County, Colorado. A no-permit-required letter was issued by Corps in 2017 (SPK-2017-00127), for a boat slip. However, the structural engineer has modified the boat slip plans in order to reinforce the excavation area and provide better retainage to protect an existing house foundation. We have assigned Action No. SPK-2017-00127 to this project. Please reference this number in all future correspondence concerning the project.

Based on the information provided, the project involves the excavation of fill material to construct a boat slip with excavated materials being placed directly onto a truck for off-site disposal in an upland location. After review, we have determined that a DA permit is not required because the project does not involve a discharge of materials (i.e., excavation only) into waters of the United States (WOTUS). This determination applies only to this project and any proposed modifications within WOTUS should be coordinated with our office prior to implementation.

Please note that a Corps permit decision does not constitute approval of project design features, nor does it imply that the construction is adequate for its intended purpose. Additionally, a Corps permit decision does not authorize any injury to property or invasion of rights or any infringement of federal, state, or local laws or regulations. The responsible party and/or any contractors acting on behalf of the responsible party must possess the authority and any other approvals required by law, including property rights, in order to undertake the proposed work.

We would appreciate your feedback on this permit action including your interaction with our staff and processes. For more information about our program or to complete our Regulatory Program national customer service survey, visit our website at <https://regulatory.ops.usace.army.mil/customer-service-survey/>. If you have any questions, please contact me at the Northwestern Colorado Branch, 400 Rood Avenue, Room 224, Grand Junction, Colorado 81501, by email at Tyler.R.Adams@usace.army.mil, or telephone at 970-243-1199, extension 1013.

Sincerely,

Tyler R. Adams
Project Manager
NW Colorado Branch

cc:

Kimberly White, Town of Grand Lake, kwhite@toglco.com
Steve Dahmer, Environmental Solutions, Inc., steve.dahmer@esinc.biz