

**TOWN OF GRAND LAKE
BOARD OF TRUSTEES
RESOLUTION NO. 38 – 2025**

**A RESOLUTION RECOMMENDING APPROVAL OF
A SHORELINE VARIANCE**

WHEREAS, Ryan Oliver (the “Applicant”) is the owner of certain real property located at 377 Lake Kove Dr., within the Town of Grand Lake, more particularly described as LAKE KOVE SUBDIVISION Lot: 5 LESS ROW, Town of Grand Lake, State of Colorado; and

WHEREAS, the Town received a shoreline variance request application (the “Application”) from the Applicant, requesting to place single unit boathouse within the thirty (30) foot water quality setback; and

WHEREAS, Section 12-2-29 (A) of the Grand Lake Municipal Code (the “Code”) establishes regulations for allowing activities within the thirty (30) foot water quality setback, also referred to in the Code as the stream and lake setback, including the following consideration factors:

1. The shape, size, topography, slope, soils, vegetation, and other physical characteristics of the property
2. The locations of all bodies of water on the property, including along property boundaries
3. The location and extent of the proposed setback intrusion
4. Whether alternative designs are possible which require less intrusion or no intrusion
5. Sensitivity of the body of water and affected critical habitats
6. Intensity of land use adjacent to the body of water proposed to intrusion
7. Impact on floodplains and stream functions (a variance shall not be approved when the reduction would result in the setback being narrower than the floodplain); and

WHEREAS, Section 12-2-29 (A) of the Code requires the Applicant to establish the activity conforms to one (1) or more of the exception set in Section 12-3-5-(A)(4);

and

WHEREAS, on August 25, 2025, the Board of Trustees reviewed the Application request at a public hearing; and

WHEREAS, the Board of Trustees found the Application to have satisfactorily addressed the consideration factors in Section 12-2-29 (A) of the Code; and

WHEREAS, the Board of Trustees found the Application conforms to exceptions ‘a’ through ‘e’ set in Section 12-3-5-(A)(4); and

WHEREAS, upon a thorough consideration of the Application, the testimony of those present, and applicable Code requirements, the Board of Trustees finds such factors weigh in favor of approval of the Application.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO,

1. The Application be approved by the Board of Trustees subject to the conditions set forth in Section 2., below.
2. The Planning Commission’s recommendation for approval is based on the following conditions:
 - a. Payment by the Applicant of all legal, engineering, and administrative fees incurred by the Town in connection with the review, processing, consideration, and action on the Application prior to issuance of a building permit related to the Application; and
 - b. Compliance by the Owner with all representations made to the Planning Commission during all public hearings or meetings related to the Application; and
 - c. The Applicant complies with all other federal, state, and local regulations; and
 - d. In granting this Request, the Commission is not obligated to grant similar requests in the future nor does granting this Request set a precedent for any future requests; and
 - e. This authorization shall run with the transfer of the Property from the Applicant to their successors, heirs, or grantees.

3. 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 Planning Commission 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.
4. 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 25th DAY OF AUGUST 2025.**

(S E A L)

ATTEST:

TOWN OF GRAND LAKE

Alayna Carrell
Town Clerk

Christina Bergquist
Mayor

Votes Approving:
Votes Opposed:
Absent:
Abstained: