

REQUEST FOR VARIANCE FROM ZONING REGULATIONS

TOWN OF GRAND LAKE
P.O. BOX 99
GRAND LAKE, CO 80447

Phone: 970.627.3435

Fax: 970.627.9290

Email: glplanning@townofgrandlake.com

PLEASE FILL OUT THE FOLLOWING INFORMATION.

Property Legal Description: _____

Property Street Address: _____

Property Owner: _____

Applicant's Name: _____ Day Phone: _____

Applicant's Mailing Address: _____

Variance Requested:

Additional Information:

Required Attachments:

- a) Hardship Explanations (As identified in Municipal Code); and
- b) Plot Plan: Scale of 1/4" per foot is preferred; 1/8" per foot is acceptable; and
- c) Any additional documents you feel are necessary or helpful for a Board decision; and
- d) Application Deposit: By law we are required to notify all adjacent property owners by certified mail and make public notice of the meeting. To cover these costs and processing of your application, a \$250.00 deposit (payable to: Town of Grand Lake) must accompany this application. Funds not utilized will be remitted to the applicant; if the Town requires additional funding, additional deposits may be required.

Any additional questions may be addressed to the Town Planner at the above contact information.

The Public Hearing regarding your request will be held between 15 and 45 days after receipt of your request. You will be contacted to schedule a mutually convenient date.



- (a) the decision of any administrative officer based upon or made in the course of the administration or enforcement of the provisions of Municipal Code 12-2-8 to 12-2-24 and 12-2-29 (if applicable) Zoning Regulations as they relate to 12-3-5(A)3.
2. Appeals to the Board of Adjustment may be taken by any officer, board, or bureau of the Town affected by the granting or refusal of a Building Permit or by any other decision of an administrative officer or agency based on or made in the course of the administration or enforcement of the provisions of Municipal Code 12-2-8 to 12-2-24 and 12-2-29 (if applicable) Zoning Regulations as they relate to Sub-section (c) below.
 - (a) The concurring vote of four (4) members of the Board of Adjustment shall be necessary to reverse a decision made by an administrative officer or agency.
- 3. To authorize, upon appeal in specific cases, variances to the:**
 - (a) Minimum area of lot.
 - (b) Minimum lot frontage.
 - (c) Minimum front yard/setback.
 - (d) Minimum side yard/setback.
 - (e) Minimum rear yard/setback.
 - (f) Maximum height of buildings.
 - (g) Minimum floor area.
- 4. Variances may only be granted if all of the following conditions are found to exist:**
 - (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 12-2-8 to 12-2-24 and 12-2-29 (if applicable) Zoning Regulations; and
 - (b) literal interpretation of the provisions of Municipal Code 12-2-8 to 12-2-24 and 12-2-29 (if applicable) Zoning Regulations would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of Municipal Code 12-2-8 to 12-2-24 and 12-2-29 (if applicable) Zoning Regulations; and
 - (c) the special conditions and circumstances do not result from the actions of the applicant; and
 - (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; and
 - (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 12-2-8 to 12-2-24 and 12-2-29 (if applicable) Zoning Regulations.

TOWN OF GRAND LAKE

**AGREEMENT FOR PAYMENT OF FEES FOR
REVIEW AND PROCESSING OF SUBDIVISION PLATS, ZONING AND
REZONING REQUESTS, ANNEXATIONS, REQUESTS FOR ROAD
VACATIONS, AND OTHER LAND USE RELATED MATTERS**

THIS AGREEMENT (“the Agreement”) is entered into this ____ day of _____, 20__, by and between the Town of Grand Lake, Colorado, a Colorado municipal corporation, (“the Town”) and _____, (“the Owner”).

WHEREAS, the Owner owns certain property situated in the Grand County, Colorado described on Exhibit A, attached hereto and incorporated herein by reference, (the Property”);

WHEREAS, the review and processing includes review of all aspects of land use including, but not limited to, subdivision, zoning and rezoning, annexation, road vacations, change of land use, installation of public improvements, dedication of lands and the availability of and feasibility of providing utility services;

WHEREAS, the Owner requests a change in land use for the Property and has made application to the Town for approval, and

WHEREAS, the Parties recognize that the fees as specified by Resolution No. 11-2004 may not be adequate to fully cover the Town’s expenses incurred during the application process, including but not limited to, legal publications, notices, reproduction of materials, public hearing expenses, recording of documents, engineering fees, attorney fees, consultant fees, and fees for administrative time of Town staff, and

WHEREAS, the Parties hereto recognize that the Town will continue to incur expenses through the entire development review process until final completion of the development including but not limited to, legal publications, notices, reproduction of materials, public hearing expenses, recording of documents, engineer fees, surveyor fees, geologist fees, hydrologist fees, landscape architect fees, attorney fees, consultant fees, and fees for administrative time of Town staff, security, permits and easements;

NOW THEREFORE, for and in consideration of the foregoing premises and of the mutual promises and conditions hereinafter contained, it is agreed as follows:

1. The Town has collected or will collect certain land use fees from the Owner and the Town will apply those fees against the review and processing expenses incurred by the Town while processing the Owner’s land use review proposal. In the event the Town incurs review and processing expenses greater than the monies collected from the Owner, the Owner agrees to reimburse the Town for the additional expenses and fees upon submittal of an

invoice. Owner shall pay all invoices submitted by the Town within ten (10) days of the Town's delivery of such invoice. Failure by the Owner to pay any invoice within the specified time shall result in immediate suspension of the review process by the Town, including cancellation of any scheduled hearings. Nor shall any building permits, certificates of occupancy or other Town approvals be issued or granted and for the Town to exercise such rights and remedies as are otherwise available to it in law or equity or under the applicable provisions of the Town Code.

2. Except where the law or an agreement with the Town provides otherwise, the Owner may terminate its application at any time by giving written notice to the Town. The Town shall take all reasonable steps necessary to terminate the accrual of costs to the Owner and file such notices as are required by the Town's regulations. The Owner shall be liable for all costs incurred by the Town in terminating the processing of the application.
3. If the Owner fails to pay the fees and costs required herein when due, the Town may take those steps necessary and authorized by law to collect the fees and costs due, in addition to exercising those remedies set forth in Section 1, above. The Town shall be entitled to recover from Owner all court costs and attorney's fees incurred in collection of the balance due, including interest on the amount due from its due date at the rate of 18% per annum.
4. The Town will account for all funds expended and fees and expenses incurred by the Town as a result of the development review of the application throughout the development process. Statements of expenses incurred will be made available to the Owner by the Town. Expenses to be charged to the Owner's account shall include, but shall not be limited to, legal publications, notices, reproduction of materials, public hearing expenses, recording of documents, engineer fees, surveyor fees, geologist fees, hydrologist fees, landscape architect fees, attorney fees, consultant fees, and fees for administrative time of Town staff, security, permits and easements. Within sixty (60) days after the completion of the processing of the application by the Town, the Town will provide Owner with a statement of account and will refund to the Owner any funds paid by the Owner that were not expended by the Town, except where the Parties expressly agree to the contrary.
5. Owner's obligation to pay costs and expenses provided for in this Agreement shall exist and continue independent of whether the Owner's application, or any part thereof, is approved, approved with conditions, denied, withdrawn, or terminated by the Town or the Owner prior to a final decision in the process.

IN WITNESS WHEREOF, The Town and the Owner have caused this Agreement to be duly executed on the day and year first above written.

TOWN OF GRAND LAKE

By: _____
Joe Biller, Town Planner

Attest:

Ronda Kolinske, CMC, Town Clerk

OWNER: _____

By: _____

ATTACHMENT A
TOWN OF GRAND LAKE FEE AND DEPOSIT SCHEDULE
Effective January 10, 2012

TYPE OF FEE/DEPOSIT	AMOUNT	
Staff Time (unless otherwise indicated)	\$50.00/hour	Fee
Public Works Department		
Any Motorized Equipment	\$100.00/hour	Fee
Road Material (Road base/asphalt, etc.)	Cost/ton plus Equip & Staff	Fee
Other Materials (Acetylene, etc.)	Cost plus Equip & Staff	Fee
Land Use		
Subdivision	\$1,500.00	Deposit
Planned Development Request	\$1,500.00	Deposit
Minor Subdivision Request	\$750.00	Deposit
Plat or Plan Amendment Request	\$500.00	Deposit
Annexation Request	\$1,500.00	Deposit
Special Land Use Review	80% of original deposit	Deposit
Rezoning Request	\$500.00	Deposit
Right-of-Way Vacation application	\$500.00	Deposit
Encroachment License application	\$250.00	Deposit
Encroachment License	\$100.00	Fee
Encroachment Agreement	\$50.00	Fee
Right-of-Way permit	\$20.00	Fee
Off-street parking	\$10,000.00/space	Fee
Conditional Use (except Nightly Rental)	\$250.00	Deposit
Nightly Rental License (prorated 1 st year only & by month)	\$400.00	Fee
Nightly Rental Application fee	\$150.00	Fee
Special Event Permit	\$100.00	Deposit
Special Use Permit	\$250.00	Deposit
Boathouse Permit	\$250.00	Deposit
Boardwalk Merchandise Permit	\$25.00	Fee
Demolition Permit	\$5.00	Fee
Grading Permit – Engineered	\$75.00	Fee
Grading Permit – General	\$35.00	Fee
Variance Request – Zoning	\$250.00	Deposit
Variance Request – Design Standards	\$250.00	Deposit
Variance Request – Stream and Lake Setbacks	\$500.00	Deposit
Any Board or Planning action not specified	\$250.00	Deposit
Water Service Availability and Usage		
Plant Investment (Tap) – 3/4” service line	\$6,500.00	Fee
Plant Investment (Tap) – 1” service line	\$13,000.00	Fee
Plant Investment (Tap) – 1 1/4” service line	\$26,000.00	Fee
Plant Investment (Tap) – 1 1/2” service line	\$52,000.00	Fee
Plant Investment (Tap) – 2” service line	\$104,000.00	Fee
Water Service Availability Rate	Water Service Availability rate will increase 6% each year as per Resolution 8-2008 effective 6-23-2008	Fee

Water (stop/restart) service charge	\$25.00	Fee
Late Payment charges (Over 30 days late)	.5% unpaid balance/ month	Fee
Disconnect for non-payment (due before reconnect)	\$100.00	Deposit
Reconnect by Town personnel	\$100.00/hour 2 hr. min.	Fee
Reconnect by private contractor hired by Town	Actual cost plus \$200.00	Fee
Water Supply Protection Permit	\$300.00	Fee
Bulk Water		
One time Permit (up to 300 gallons)	\$25.00	Fee
Monthly Permit (up to 9000 gallons)	\$50.00	Fee
Monthly Permit (per 1000 gallons over 9000)	\$4.00	Fee
Monthly Permit – Additional truck permit	\$10.00 each	Fee
Business and Sales Tax		
Fixed business license	\$165.00	Fee
Non-fixed business license	\$55.00	Fee
Peddler’s business license	\$15.00	Fee
Fixed Business with Liquor License	\$187.00	Fee
Sales Tax License	\$5.00	Fee
Animal Drawn Vehicle License	\$50.00	Fee
Signs		
Sign Permit	\$10.00	Fee
TOPS sign permit	\$25.00/year	Fee
Town Structures and Facilities Rental		
Community House and Pitkin Annex - Key	\$25.00	Deposit
Community House and Pitkin Annex - Damage and Cleaning	\$200.00	Deposit
Community House and Pitkin Annex – Government/Non-Profit/Special Districts/Community Organizations	N/C	
Community House and Pitkin Annex – Private Function or Pecuniary Event/Community Organizations	\$50.00/hour with \$250 Max	Fee
Heckert Pavilion – Government/Non-Profits/Special Districts/Community Organizations	N/C	
Heckert Pavilion – Private Function or Pecuniary Event	\$20.00/hour	Fee
Heckert Pavilion Electricity Use	\$25.00	Fee
Lakefront Park (Upper and Lower) Pavilion Picnic Shelter	N/C	
Lakefront Park Lower Picnic Shelter Electricity Use	\$25.00	Fee
Point Park/Triangle Park/Pioneer Park/Lakefront Park	N/C	
Gazebo in Town Park/Gazebo at Lakefront Park	N/C	
Services at Town Hall		
Copying – letter size (black and white)	25¢ /page	Fee
Copying – ledger size or letter size (color)	\$1.00/page	Fee
24”x36” zoning map	\$15.00	Fee
Send Fax – local (Grand County)	N/C	
Send Fax – 1-2 pages (no international)	\$2.00	Fee
Send Fax – 3-5 pages (no international)	\$4.00	Fee
Send Fax – 6-10 pages (no international)	\$6.00	Fee
Send Fax – 11-20 pages (no international)	\$10.00	Fee
CD of Master Plan Zoning Code, Subdivision Code, or Zoning Map	\$1.00	Fee