



**TOWN OF WINTER PARK  
BOARD OF ADJUSTMENT  
Tuesday, June 11, 2019 8:00 AM  
following the Planning Commission**

**A G E N D A**

- I. Meeting Call to Order
- II. Roll Call of BOA Members
- III. No minutes available for review.
- IV. Conflicts of Interest
- V. NEW BUSINESS:
  - A. Sign Variance Request– Grand Adventures/MAD Adventures

## MEMO

**TO** Board of Adjustment  
**FROM** Mara Owen, Planner  
**THRU** James Shockey, Community Development Director  
**DATE** June 11, 2019  
**RE** Grand Adventures/Mad Adventures Sign Variance Request

**Applicable Town Code:**

Section 6-2-7-7A – Commercial Signs

Maximum Sign Area: Each business location shall be allowed sign area of thirty (30) square feet for ALL SIGNS COMBINED (i.e., commercial signs, freestanding signs, individual business signs, hanging panels, permanent window signs, illuminated, neon, awning signs, marquee signs). Exempt, convenience, temporary, special event, primary and secondary multiple use facility identification signs and temporary window signs shall not be included in this limitation.

**Criteria to Grant Variance (Town Code Sections 6-2-9):**

- A. Intent of Variance Provision: Variance from the terms of this chapter shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this chapter deprives such property privileges enjoyed by other property in the vicinity, and under identical zoning classification and other restrictions.
  
- B. Authority of Board of Adjustment: The board of adjustment shall have the authority to grant variances from the strict application of the rules, regulations, and provisions of this chapter as follows:
  1. Jurisdiction: Before the board of adjustment shall have jurisdiction to grant a variance, the applicant must show that due to the peculiar shape, size, location or topography of the property, there are unusual conditions involved which would make the literal enforcement of the regulations of this chapter result in the practical difficulties which are unnecessary for the purpose of this chapter and which would deprive the subject property of privileges enjoyed by other properties in the vicinity in the same zoning district classification and under the same sign ordinance restriction.
  2. Limitations: Any variances which if granted, shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the provisions herein, and with the limitations on other properties in the vicinity in the same zoning district and under the same ordinance restrictions in which the subject property is located.
  3. Minimum Adjustment: In granting the variance under the provisions of this section, the amount of adjustment granted shall be the minimum necessary to equalize the property rights. Conditions and safeguards shall be prescribed in this chapter therewith as are necessary to protect the purpose and intent of this chapter, the master plan of the town, and the general welfare of the community.
  4. Public Welfare: The granting of any variance shall not be materially detrimental to the public welfare or injurious to the property improvements in the vicinity. The board of

adjustment shall ensure that the granting of a variance will be compatible with the purpose and intent of this chapter, and the master plan of the town, and will not be injurious to the public health, safety and general welfare.

Owner's Detailed Description of Variance Request: "Requesting to allow a total of 45.4 square feet of sign area on the property. The existing signs on the property total 58 square feet but are in very poor condition. The company would like to replace these with updated versions."

**Owner's Detailed Description of Variance Request:**

Please see attached letters.

**Staff Comments:**

The applicant is requesting to install two permanent window decal signs for that will exceed the permitted square footage per Section 6-2-7-7 of Town Code. There are two businesses being considered here (two separate business licenses) and the Code allows for up to 30sqft per business for all signage. The applicant's proposal is for one ~44sqft – logo window decal sticker above the door and two ~65sqft photo decal stickers on two sides of the glass that are directly related to advertising the business.

This is a new building and a new location for these two businesses, so no signage currently exists on the site.

The Board of Adjustment should consider if there are unusual conditions involved with this application which would make the literal enforcement of the regulations of this chapter result in the practical difficulties which are unnecessary for the purpose of this chapter. The Board should determine if the additional signage is necessary to allow patrons to identify the location of the structure and the entrance into the building.

A variance should be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this chapter deprives such property privileges enjoyed by other property in the vicinity, and under identical zoning classification and other restrictions.

Dear Town of Winter Park,

For the enclosed sign permit, it is our intention to utilize the glass window above both entrances to the commercial space, on both the east and west entrances to the building.

The sign will be a decal sticker residing directly onto the glass, which will not require any construction or anchoring to the building or ground.

Each window is 22 sq ft, and as we will be utilizing both sides of the building, those two windows will be a combined 44 sq ft. However, the sticker itself will not be a full sticker encompassing the entire window, so the actual square footage will be less than the full window.

Additionally, I will be submitting a Variance Request for additional sticker signage to be considered separately from this Sign Request.

Please let me know if you have any questions or concerns.

Thanks,



Ryan Barwick  
MAD Adventures  
Grand Adventures  
970-726-9247 (o)  
443-545-9501 (c)







Dear Town of Winter Park,

Thank you for your consideration of this Variance Request.

It is my belief that the commercial space in question, as a more modern design with 100% glass siding on 3 out of 4 sides of the space, is a unique and new design in the town, and warrants consideration of a variance to allow the tenant to utilize the structure in a positive way.

We have submitted a sign permit request, utilizing both MAD Adventures and Grand Adventures logo's in the glass above the entrance doors on the East and West entrances to the space. That request is not part of this Variance.

This submittal for a Variance Request is intended to display some fun activity graphics on the siding glass to display our activities offered. Please the attached graphic rendering. This rendering is our current working version and can certainly be altered per the outcome of this request as the Town sees fit.

As our companies offer distinctly different outdoor activities for families, we believe the 60 sq ft maximum signage do not allow us to communicate our business offerings in a practical manner, and that the unique glass enclosure of the building puts our offerings at a disadvantage compared to other business that could utilize the space. A rental or retail environment in this space would have the advantage of customers seeing retail items, rentals items, etc through the glass to help determine what type of business it is and what they offer. Without some display for the public to view, all they would see from us inside the glass is customer's standing around a check-in counter. We believe we can do a fun graphic that encapsulates our offerings while displaying the area's natural beauty and family nature of our activities.

The window stickers we propose to utilize are similar to what you might see today at Fireside Market and McDonalds. I would propose sticker graphics, like the enclosed example, on the West and North side of the building.

I appreciate your consideration and look forward to a fruitful conversation on how we can work together to utilize the space.

Kind Regards



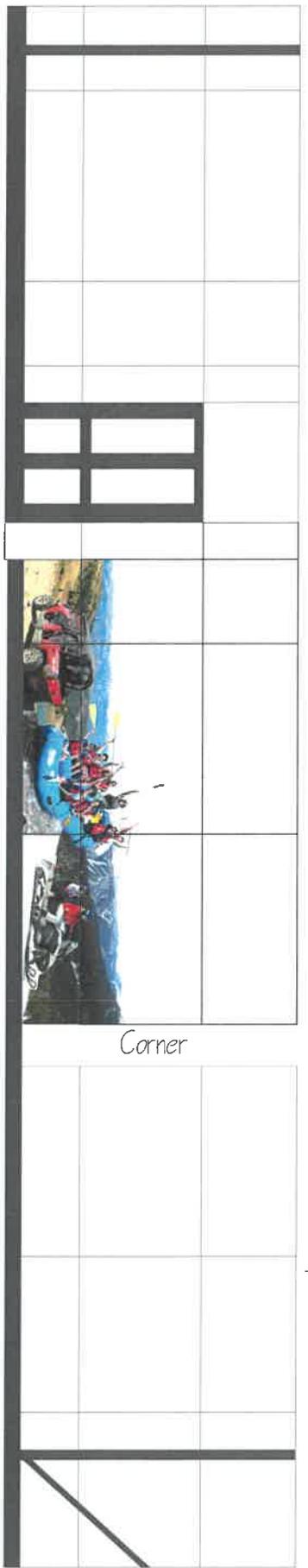
Ryan Barwick  
Grand Adventures  
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Grand Adventures Window Decal Schematic

Highway 40 Frontage

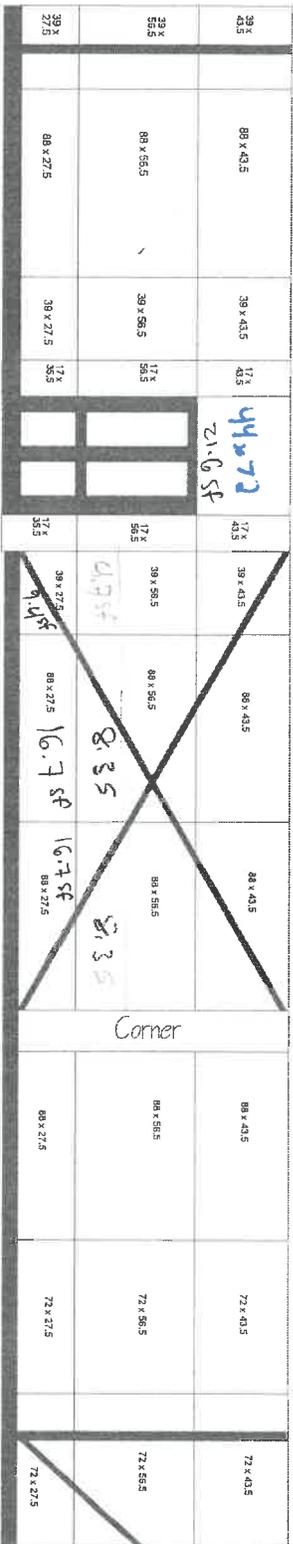
Strip & Tail



Grand Adventures Window Decal Schematic

Highway 40 Frontage

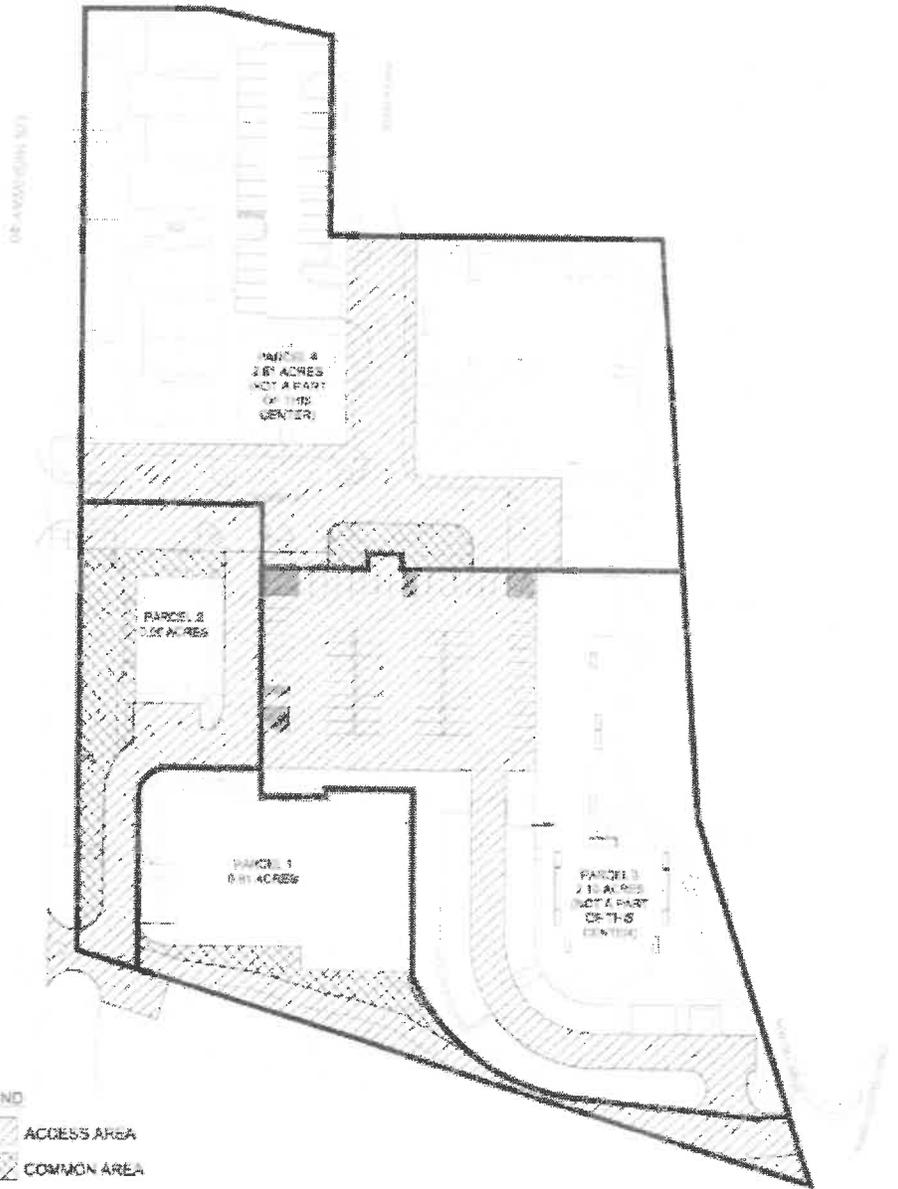
Strip & Tail



Dimensions in Inches

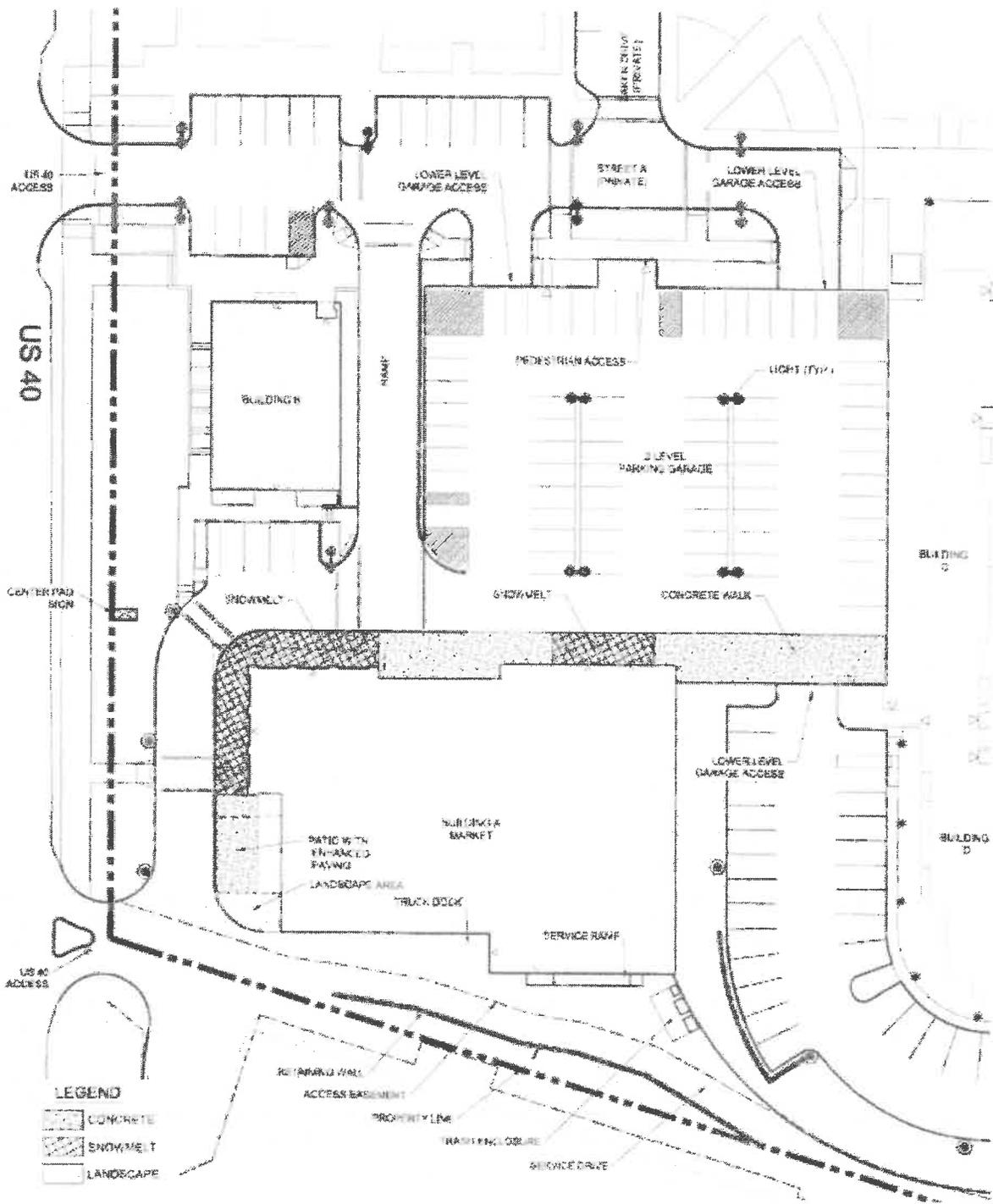
**EXHIBIT B**

**SITE PLAN**



**SITZMARK SOUTH  
PARCEL MAP - EXHIBIT**





**Sitzmark South**  
**Market Site Plan - Exhibit**



## LEASE AGREEMENT

### I. PARTIES AND RECITALS

THIS LEASE AGREEMENT (the "**Lease**"), made and entered into as of the 5th day of February, 2019 (the "**Effective Date**"), by and between WINTER PARK DEVELOPMENT CO LLC, a Colorado limited liability company (the "**Landlord**"), and Darou Ventures, LLC., a Colorado limited liability company (the "**Tenant**"). Landlord and Tenant are referred to herein as the Parties or, in the singular, a Party.

### WITNESSETH:

WHEREAS, Tenant desires to lease certain premises located in the Building (hereinafter defined), which Building is located in a commercial center legally described in **Exhibit A** and depicted on the Site Plan on **Exhibit B** attached hereto, as may be expanded from time to time (the "**Center**"); and

WHEREAS, the Parties desire to fully state the terms, conditions and the obligations of the respective Parties.

NOW, THEREFORE, for good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the Parties hereby agree as follows:

### II. PREMISES

1. Landlord does hereby lease unto Tenant the following described premises (the "**Premises**") located at 783~~21~~ U.S. Highway 40, Winter Park, Colorado, in the County of Grand, State of Colorado:

Commercial Units CU-101 and CU-102, Hideaway Station, as defined and described in that certain Master Condominium Declaration for Hideaway Station, recorded on December 18, 2018, at Reception No. 2018010090 (the "**Master Declaration**"), and as defined and described in the Commercial Condominium Declaration for Hideaway Station, recorded on December 18, 2018, at Reception No. 2018010093 (the "**Commercial Declaration**"), all in the Office of the Clerk and Recorder of the County of Grand, Colorado. The Premises contains approximately 3,000 square feet and is located in Building G in Commercial Units CU-101 and CU-102 (the "**Building**") on Parcel 4, as depicted on the Site Plan attached as **Exhibit B** attached hereto.

Legal  
Description