



THE PLANNING & DEVELOPMENT DEPARTMENT APPEAL TO CITY PLANNING COMMISSION

Complete this form if you are appealing a **Notice and Order** for a zoning violation to City Planning Commission.

APPELLANT CONTACT INFORMATION:

Appellants Name: Richard Mohl Telephone: 719-642-1718
Address: 3973 Thundercloud Dr City C/S
State: CO Zip Code: 80920 E-mail: Mohl9@AOL.COM

SITE INFORMATION:

Site Address: 6473 Vincent Dr LLC (O Dublin Blvd)
Case Number: 1803062
Code Officer's Name: TOM WACINGER
Hearing Date: _____ Item Number on Agenda: _____

YOUR APPEAL SUBMITTAL SHOULD INCLUDE:

1. Completed Application
2. \$176 check payable to the City of Colorado Springs
3. Appeal Statement
 - See page 2 for appeal statement requirements.
4. A copy of the Notice and Order

Submit **all** 4 items above to the **Land Use Review office (30 S Nevada, Suite 105, Colorado Springs, CO 80903)**. Appeals are accepted for 10 days after a decision has been made. Submittals must be received **no later than 5pm on the due date of the appeal**. Incomplete submittals, submittals received after 5pm or outside of the 10 day window will not be accepted. If the due date for the submittal falls on a weekend or federal holiday, the deadline is extended to the following business day.

If you would like additional assistance with this application or would like to speak with the neighborhood development outreach specialist, contact Katie Sunderlin at sunderka@springsgov.com (719) 385-5773.

APPELLANT AUTHORIZATION:

The signature(s) below certifies that I (we) is(are) the authorized appellant and that the information provided on this form is in all respects true and accurate to the best of my (our) knowledge and belief. I(we) familiarized myself(ourselves) with the rules, regulations and procedures with respect to preparing and filing this petition. I agree that if this request is approved, it is issued on the representations made in this submittal, and any approval or subsequently issued building permit(s) or other type of permit(s) may be revoked without notice if there is a breach of representations or conditions of approval.

Signature of Appellant: [Signature] Date: 7/2/18

THE APPEAL STATEMENT SHOULD INCLUDE THE FOLLOWING

- If you are appealing a Notice and Order, you are stating that one or both of the following are true:
 - o You are not in violation of City Code and believe the official is in error, and/or
 - o The abatement period is unreasonable and should be lengthened.
- 1. Your appeal statement should include justification of City Code 7.5.906.A.4
 - i. Identify the explicit ordinance provisions which are in dispute.
 - ii. Show that the administrative decision is incorrect because of one or more of the following:
 - 1. It was against the express language of this zoning ordinance, or
 - 2. It was against the express intent of this zoning ordinance, or
 - 3. It is unreasonable, or
 - 4. It is erroneous, or
 - 5. It is clearly contrary to law.
 - iii. Identify the benefits and adverse impacts created by the decision, describe the distribution of the benefits and impacts between the community and the appellant, and show that the burdens placed on the appellant outweigh the benefits accrued by the community.

RECEIVED

JUL 9 2018

LAND USE REVIEW

CITY AUTHORIZATION:

Payment: \$ 176.00

Date Application Accepted: 7/9/18

Receipt No: 31541

Appeal Statement: ✓

Intake Staff: Page Saulsbury

Completed Form: ✓

Assigned to: Tom Wasinger

07/09/18

Appeal to the City of Colorado Springs

Case number 1803062

There are several reasons why this appeal is being made:

A) The address on this summons is not the correct current Legal address of said property. Vincent Drive does NOT extend south beyond Dublin Boulevard.

B) This summons says:

a. This land is zone A - agriculture

b. There is a semi - trailer parked on that land which is in violation of 7.5.502 B4.

i. PART 5 CONCEPT PLANS AND DEVELOPMENT PLANS

ii. 7.5.501: CONCEPT PLANS:

iii. 7.5.502: DEVELOPMENT PLANS:

1. B. Development Plan Required: A development plan shall be required prior to the issuance of a building permit or the commencement of a new use for the following instances unless specifically exempted per subsection C of this section or waived by the Manager for:

2. 1. All new construction;

3. 2. When no development plan exists, additions to an existing building that cumulatively, as of September 12, 1995, increases the gross floor area of the building by fifty percent (50%) or greater;one

4. 3. When required by the City Planning Commission or City Council, as a condition of record for the establishment of or change of zone district;

5. 4. The conversion of vacant land into a new use;

C) I try to keep this simple -

a. No development plans have not been considered at this time and none submitted to the city.

b. Is this code suggesting that if one has a piece of property that in this case according to the summons is zoned "A" one would have to get a permit or submit some kind of plan to park a trailer on said property?

c. This summons states that this property is zone A. When you look it up on the web site it is zone A, UV, and H. which my understanding is in addition to A it also is zone for variable use (UV).

d. More importantly this property is NOT zone A. It is zoned as a Temporary Holding Zone with a "A" designation per the city council when this property was annexed into the city.

e. Prior to that time located on said property was a cottage on the south end, a house on the north end and a warehouse that at one time contained more than 30,000 books.

f. This trailer that is being cited was located on said property before it was annexed into the city and contains materials that at where in the warehouse.

D) If this property is as stated in the summons is zoned A, (and UV) and has had a trailer parked on it prior to the annexation how can it be in violation of. "The conversion of vacant land into a new use"?.

Had I understood exactly what the reason was for the first code violation of about a year ago I would have appealed it then instead feeling intimidated and moving the trailer.

<p>CITY OF COLORADO SPRINGS, STATE OF COLORADO Manager – Neighborhood Services Division Address: 30 S. Nevada Ave. Suite 105, Mail Code 155 Colorado Springs, CO 80901</p>	<p>Tax Schedule Number: 6317200007</p>
<p>TO: 6473 VINCENT DRIVE LLC REGISTERED AGENT RICHARD MOHL PO BOX 825 COLORADO SPRINGS, CO 80901-0825 and OCCUPANTS OR OTHER PERSON WITH AN INTEREST IN THE PROPERTY KNOWN AS: 0 DUBLIN BLVD, COLORADO SPRINGS CO 80918 RESPONDENT</p>	<p>Legal Description: TRACT IN NW4NW4 SEC 17-13-66 AS FOLS, BEG AT NW COR OF SEC, TH ELY ON N SEC LN 303.06 FT FOR POB, CONT ELY 190.98 FT TO INTSEC WLY R/W LN OF AT + SF RR, TH ON A CUR TO R HAVING A C/A OF 01<30' A RAD OF 2714.29 FT AN ARC DIST OF 71.04 FT, RUN SWLY ALG SD R/W 556.2 FT, ANG R 50<33' SWLY 121.45 FT, TH ANG R 123<13' NELY 600.0 FT TO POB, EX RD, TOG W/THAT PT CONV BY REC #212713226 & PLAT #13226, EX THAT POR DESC BY REC #'S 213088314 & 213088317</p>
<p>Case # 1803062</p> <p align="center">NOTICE OF VIOLATION AND ORDER TO ABATE</p>	

WHEREAS, it has been made to appear to the Manager – Neighborhood Services Division, City of Colorado Springs, State of Colorado that 6473 VINCENT DRIVE LLC, REGISTERED AGENT RICHARD MOHL, PO BOX 825, COLORADO SPRINGS, CO 80901-0825 (“Respondent”), has violated the zoning code regulations of the Code of the City of Colorado Springs 2001, as amended (“City Code”) §7.5.502.B: DEVELOPMENT PLAN REQUIREMENTS in the following particulars:

- I. The property at the approximate location of 0 DUBLIN BLVD, COLORADO SPRINGS CO 80918, is zoned A (Agricultural) is located within the City of Colorado Springs.
- II. On June 14, 2018, Code Enforcement Supervisor, Tom Wasinger, conducted a site inspection of the property and observed (from the City of Colorado Springs right of way) the illegal use of the property. This conversion of a vacant land to a use of a storage lot for storing a semi-trailer is not permitted. Conversion of vacant land into a new use without approval through City Planning is not permitted.
- III. On June 27, 2018, Respondent illegally converted vacant land at the approximate location of 0 DUBLIN BLVD, COLORADO SPRINGS CO 80918, without an approved site or development Plan in violation of §7.5.502.B(4).

YOU ARE HEREBY ADVISED that abatement of this zoning violation is your responsibility.

NOW THEREFORE, you are hereby **ORDERED** to cease the illegal use of the property, remove from the property all stored items -the semi-trailer- and cease use of the property or receive approval through proper permits from the City Planning Department by **July 9, 2018**.

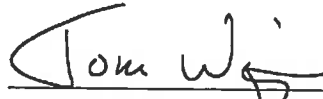
YOU ARE HEREBY ADVISED that failure to comply with this Notice of Violation and Order to Abate may result in the issuance of a criminal summons pursuant to City Code §§7.5.1008(A), (E). You are further advised that failure to comply with this Notice of Violation and Order to Abate my result in direct abatement by the Manager pursuant to City Code §7.5.1008(B) and that you may be assessed additional re-inspection fees pursuant to City Code §7.5.1008(C).

IF YOU WISH TO CONTEST this Notice of Violation and Order to Abate, you must file an appeal with the City of Colorado Springs Zoning Commission in accordance with §§7.5.1007 and 7.5.906 of the City Code, within 10 days of receipt of this Notice of Violation and Order to Abate.

If you have any questions regarding this NOTICE, please contact Tom Wasinger, Code Enforcement Supervisor at 444-7890 or via e-mail at twasinger@springsgov.com

DONE THIS this 27th day of June, 2018.

FOR THE MANAGER – NEIGHBORHOOD SERVICES DIVISION



Tom Wasinger
Code Enforcement Supervisor

P. M. ...
J.P.
Doh

CITY PLANNING COMMISSION

MEETING AGENDA

DATE: Thursday, May 19, 2016

TIME: 8:30 a.m.

PLACE: City Hall Council Chambers
107 North Nevada Avenue
Colorado Springs, CO 80903

SEE PAGE
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NOTE: ITEMS WILL NOT BE HEARD IN THE SEQUENCE LISTED BELOW. The hearing order will be finalized approximately five (5) business days prior to the hearing date and available online at: <https://coloradosprings.legistar.com/Calendar.aspx>
If you have questions, please contact the City of Colorado Springs Land Use Review Division at (719) 385-5905 and reference the file number listed below.

"In accordance with the Americans with Disabilities Act of 1990 ("ADA"), the City of Colorado Springs will not discriminate against qualified individuals with disabilities. Anyone requiring an auxiliary aid or service to participate in this program should make the request as soon as possible but no later than 48 hours before the scheduled event. Citizens who are deaf and hard of hearing may dial 711 or 1-800-659-3656 Relay Colorado (voice) or 1-800-659-2656 (TTY).

<p>FILE NO.S: CPC DP 15-00142 (Quasi-Judicial)</p> <p>PARCEL NO.: 6329318001</p> <p>PLANNER: Rachel Teixeira</p>	<p>A request by Land Patterns, Inc. on behalf of Challenger Homes for approval of the following application:</p> <p style="padding-left: 40px;">A Development Plan for the Magnolia Apartment Complex allowing a 54-unit student housing complex.</p> <p>The property is zoned R-5 (Multi-Family Residential), consists of 2.756 acres and located northwest of Westmoreland Road and N. Hancock Avenue.</p>
<p>FILE NO.S: CPC PUP 05-00139-A3MJ16 (Quasi-Judicial)</p> <p>CPC PUZ 16-00010 (Quasi-Judicial)</p> <p>CPC PUZ 16-00011 (Quasi-Judicial)</p>	<p>A request by NES, Inc. on behalf of Rivers Development for approval of the following applications:</p> <ol style="list-style-type: none"> 1. A major amendment to the Banning Lewis Ranch Master Plan changing 153 acres of Industrial use designation to Commercial and Residential – Medium/High. 2. Rezone 135.63 acres from PIP-2/SS/AO (Planned Industrial Park with Stream Side and Airport Overlays) to PUD/SS/AO (Planned Unit Development: Residential – 3.5 – 7.99 dwelling units per acre with a maximum building height of 36 feet with Streamside and Airport Overlays).

<p>CPC PUP 16-00013 (Quasi-Judicial)</p> <p>PARCEL NO.: 5300000628</p> <p>PLANNER: Meggan Herington</p>	<p>3. Rezone 17.7 acres from PIP-2/SS/AO (Planned Industrial Park with Stream Side and Airport Overlays) to PBC/AO (Planned Business Center with Airport Overlay).</p> <p>4. The Enclaves at Mountain Vista Concept Plan illustrating the development of 135.63 acres for residential uses and 17.7 acres of associated neighborhood commercial.</p> <p>The property is located at the southeast corner of Barnes Road and Marksheffel Road.</p>
<p>FILE NO.S: CPC CA 16-00008 (Legislative)</p> <p>PLANNER: Carl Schueler</p>	<p>An updated request for an Ordinance repealing and reordaining Section 906 (Appeals) of Part 9 (Notice, Hearings and Appeals) of Article 5 (Administration and Procedures) of Chapter 7 (Planning, Development and Building) of the code of the city of Colorado Springs 2001, as amended, pertaining to Appeals.</p>
<p>FILE NO.S: CPC A 16-00020 (Legislative)</p> <p>CPC ZC 16-00021 (Quasi-Judicial)</p> <p>PARCEL NO.: 6317200007</p> <p>PLANNER: Meggan Herington</p>	<p>A request by the City of Colorado Springs for the following applications:</p> <ol style="list-style-type: none"> 1. Annexation of a 1.26 acre property into the City of Colorado Springs municipal boundaries. 2. Establishment of the A (agricultural holding zone) for a 1.26 acre property known as the Mohl Hollow Annexation. <p>The property is located at the southeast corner of Vincent Drive and Dublin Boulevard.</p>
<p>FILE NO.S: CPC ZC 16-00022 (Quasi-Judicial)</p> <p>CPC DP 16-00023 (Quasi-Judicial)</p> <p>PARCEL NO.: 7324400043</p> <p>PLANNER: Hannah Van Nimwegen</p>	<p>A request by Kristin Albers of Ireland Dean on behalf of George Heidinger with PPA Landco, LLC for approval of the following applications:</p> <ol style="list-style-type: none"> 1. The Pikes Peak Athletics facility rezone of 2.95 acres from R/HS (Residential Estate with Hillside Overlay) to PBC/HS/CR (Planned Business Center with Hillside Overlay and Conditions of Record). 2. A development plan for the Pikes Peak Athletics facility illustrating a 2-story, 28,890 swim training facility. <p>The property is located north of the intersection of Chestnut Street and Elkton Drive.</p>
<p>FILE NO.S: CPC ZC 16-00053 (Quasi-Judicial)</p> <p>PARCEL NO.: 6423306005, 6423306017</p>	<p>A request by the City of Colorado Springs for a zone change from PBC/HR/AO (Planned Business Center with High Rise and Airport Overlays) to PF/AO (Public Facility with Airport Overlay) to accommodate the construction of the Sand Creek Police Substation.</p>

DISCLAIMER:

This information is for reference purposes and is deemed unofficial. It may not accurately reflect current zoning districts due to zone changes after the above effective date. For Official City Zoning information contact the City of Colorado Springs Planning department at 30 S. Nevada Ave. Suite 301. (719) 385-5905

City Zoning for Parcel #6317200007 is: A UV HS

CITY ZONING LEGEND

A - Agricultural	HR - High Rise	R - Single Family Residential (Estate)
APD - Airport Planned Development		R16 - Single Family Residential (6000 sqf)
AO - Airport Overlay	HS -Hillside	R19 - Single Family Residential (9000 sqf)
APZ1 - Airport Protection Zone 1	M1 -Light Industrial	R2 - Two Family Residential
APZ2 - Airport Protection Zone 2	M2 - Heavy Industrial	R4 - Eight Family Residential
C5 - Intermediate Business	OC - Office Complex	R5 - Multi Family Residential
C6 - General Business	OR - Office Residential	RPZ - Runway Protection Zone
CR - Condition of Record	P - Planned Provisional	SS - Stream Side
CU - Conditional Use	PBC - Planned Business Center	SU - Special Use
DF - Design Flexibility	PCR - Planned Cultural Resort	
FBZ-CEN - Form Based-Central	PF - Public Facility	TND - Traditional Neighborhood Development
FBZ-COR - Form Based-Corridor	PIP1 - Planned Industrial Park	UV - Use Variance
FBZ-T1 - Form Based-Transition Sector 1	PIP2 - Planned Industrial Park	
FBZ-T2B - Form Based-Transition Sector 2B	PK - Public Park	
FBZ-T2A - Form Based-Transition Sector 2A	PUD - Planned Unit Development	

Return to [El Paso County search page](#)
[City of Colorado Springs Home](#)



CITY OF COLORADO SPRINGS

City of Colorado Springs Planning Department Fee Receipt

[Return to Worksheet List](#)

Tom Wasinger

Application	Department	Amount	Applicant	AnnexDisc
Appeal of Planning Commission Decision	Land Use Review	\$176.00		
Total Fees		<u>\$176.00</u>		

Planner:	
Date:	7/9/2018
Intake Staff:	PIC
Receipt Number:	31541
Check Number:	5139
Amount:	\$176.00
Received From:	Richard Mohl

LAND USE REVIEW

JUL 9 2018

RECEIVED

LAND USE REVIEW

JUL 9 2018

RECEIVED