

<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> <hr/> <p><b>TO:</b></p> <p><b>GALLAGHER ROBERT R  930 W NOLTE DR  COLORADO SPRINGS CO, 80916-2061</b></p> <p>and OCCUPANTS OR OTHER PERSON WITH AN  INTEREST IN THE PROPERTY KNOWN AS:</p> <p><b>930 W NOLTE DR  COLORADO SPRINGS CO, 80916-2061  RESPONDENT</b></p> <hr/> <p><b>Case # 2008874</b></p>	<hr/> <p>Tax Schedule Number  <b>6424210013</b></p>
<p><b>NOTICE OF VIOLATION AND ORDER TO ABATE</b></p>	

WHEREAS, it has been made to appear to the Manager – Land Use, Development and Planning, City of Colorado Springs, State of **GALLAGHER ROBERT R 930 W NOLTE DR COLORADO SPRINGS CO, 80916-2061 (“Respondent”)**, has violated the Additional Standard for Specific Uses Allowed in Residential Zones requirements of the Code of the City of Colorado Springs 2001, as amended (“City Code”) §7.3.105 (A) (1) (a) in the following particulars:

- I. The property at the approximate location **930 W NOLTE DR COLORADO SPRINGS CO, 80916-2061** is zoned **R1-6 Single-family residential**
- II. **R1-6 Single-family residential** zone allows for single-family residences and their accessory uses. All accessory structures are subject to residential zoning standards and the setback standards
- III. Prior to **September 30, 2020** Respondent constructed an accessory structure “carport” in the property’s 25 foot front yard setback area. Accessory structures are not permitted within this **25’** front yard setback regardless of size or height.
- IV. The carport is on the City of Colorado Springs Right of Way by about six feet.

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

**NOW THEREFORE**, you are hereby **ORDERED** to relocate the accessory structure by the deadline identified in this notice and order to abate. The property must be brought into compliance with the accessory structure standards for a residential zone by or before **November 9, 2020. The accessory structure must be removed, from front yard setback and from the Right of Way.**

Should you choose to explore a possible variance for the current **carport** location you must submit a site plan for review to the Colorado Springs Planning Department. Contacting the City of Colorado Springs Planning Department to schedule a pre-application meeting with a City Planner to discuss the possibility of a variance to allow the encroachment to remain in the current location. However, meeting justification for a variance is challenging. You must schedule a pre-application meeting on-line by going to [www.coloradosprings.gov/planning](http://www.coloradosprings.gov/planning). For general questions, contact City Planning at 719-385-5905.

**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 may 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 Kurt Arnoldussen, Senior Code Enforcement at 499-4989 or via e-mail at [Kurt.Arnoldussen@Coloradosprings.gov](mailto:Kurt.Arnoldussen@Coloradosprings.gov)

DONE THIS this **21st day of October 2020.**

FOR THE MANAGER – NEIGHBORHOOD SERVICES DIVISION



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Kurt Arnoldussen, IBM 6125  
Senior Code Enforcement Officer