

CITY OF COLORADO SPRINGS

INTEROFFICE MEMORANDUM

DATE: November 30, 2020

TO: Peter Wysocki, Director of Planning

FROM: Sarah Johnson, City Clerk

SUBJECT: Notice of Appeal

ITEM NO. 6.F.: CPC CP 20-00147

An appeal has been filed by Colette Cook and Dennis Gayton regarding the Planning Commission's action of November 19, 2020.

I am scheduling the public hearing on this appeal for the City Council meeting of January 12, 2021. Please provide me a vicinity map.

CC: Kurt Arnoldussen
Elena Lobato

Colette Cook
Dennis Gayton
4975 Nolte Dr North
Colorado Springs, CO 80916

November 27, 2020

CITY CLERK'S OFFICE
2020 NOV 30 P 2:47

City Council

Planning Commission

In regards to City Code: 7.5.906.A.4 and 7.5.1007:

We are appealing the decision to deny our appeal for keeping our carport at 4975 Nolte Drive N. Colorado Springs, CO 80916. This denial is unreasonable as it is only targeting 3 property owners in this neighborhood at this time. There are more than 60 carports in this neighborhood and thousands across the City.

There are no benefits for denying the initial appeal.

The adverse impacts are as follows:

1. We will not be able to safely get my disabled daughter into my home in adverse weather.
2. We will lose the protection the car port provides to my vehicles when they cannot be garaged.
3. We will lose the discount from my home owners insurance.
4. We will lose the \$3800.00 we paid to purchase the carport and gutters.
5. We will lose the extra space for hosting outdoor gatherings. ie. Weddings, graduations, etc.(COVID RESTRICTIONS)
6. The cost to remove the carport will far exceed the cost to repair weather damaged vehicles as well as any medical expenses incurred due to my wifes' daughter slipping and/or falling in inclement weather.
7. The 25' front yard setback is unreasonable as we will not be able to do anything to improve the curb appeal to our front yard/driveway.

There are no adverse effects to the community as our carport is well maintained and adds value to our property as well as neighboring homes. There is no obstruction for backing into the street, nor does it create any blind spots for other cars traveling on the street.

Regards,



Dennis A. Gayton/Colette C. Cook

SITE PLAN

4975 Nolte Dr. N.

Colorado Springs CO. 80916

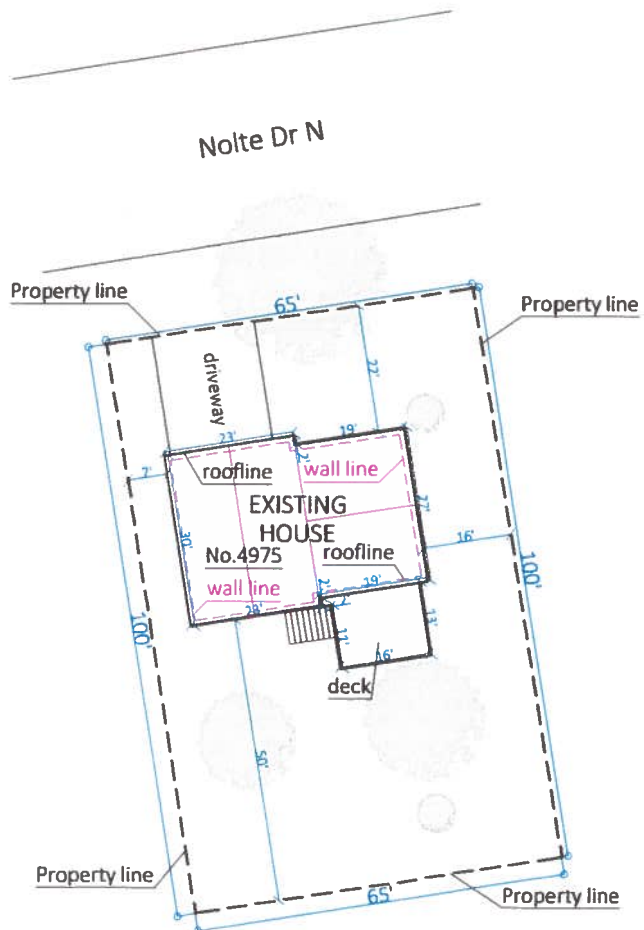
Parcel ID:64242-09-007

Lot area: 0.15 Acres

Plot Size: 11"x17"



scale 1"=20'



Created by:





PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

Appeal of City Planning Commission's Decision to City Council

Project Name: _____

Site Address: 4975 Nolte Drive N.

Tax Schedule Number: 6424209007

Type of Application being appealed: City Planning Commission Decision

Include all file numbers associated with application: E6

Project Planner's Name: N/A

City Planning Commission Hearing Date: 11/19/2020

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SUBMITTAL REQUIREMENTS: Submit an application for an appeal to City Council to the City Clerk's office (300 S Nevada, Suite 101, Colorado Springs, CO 80903) with the following items included:

- Appeal Statement:
 - If the appeal is an appeal of a decision that was made administratively and then appealed to City Planning Commission, the appeal must include justification of City Code 7.5.906.A.4:
 - Criteria For Review Of An Appeal Of An Administrative Decision: In the written notice, the appellant must substantiate the following:
 - Identify the explicit ordinance provisions which are in dispute.
 - Show that the administrative decision is incorrect because of one or more of the following:
 - It was against the express language of this zoning ordinance, or
 - It was against the express intent of this zoning ordinance, or
 - It is unreasonable, or
 - It is erroneous, or
 - It is clearly contrary to law.
 - 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.
 - If the appeal is an appeal of a City Planning Commission decision that was not made administratively initially, the appeal must identify the explicit ordinance provision(s) which are in dispute and provide justification to indicate how these sections were not met. For example if this is an appeal of a development plan, the development plan review criteria must be reviewed.
- A check for \$176 payable to the City of Colorado Springs.

CONTACT INFORMATION:

Appellant's name: Dennis a. Gayton / Coletta C. Cook Telephone (719) 648-1066

Address: 4975 Nolte Drive N. City Colorado Springs

State: CO Zip Code: 80916 e-mail: cook.colette@ymail.com

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.

Dennis A. Gayton / Coletta C. Cook
Signature of Appellant

11/30/2020
Date

** If you would like additional assistance with this application or would like to speak with the neighborhood outreach specialist, contact Katie Sunderlin at sunderka@springsgov.com (719) 726-1118

City Authorization:

Payment \$ _____

Date Application Accepted _____

Receipt No: _____

Appeal Statement _____

Intake Staff: _____

Completed Form _____

Copy of Notice and Order (if applicable): _____

Assigned to: _____



CITY OF COLORADO SPRINGS

OFFICE OF THE CITY CLERK
30 S. NEVADA AVE., SUITE 101
COLORADO SPRINGS, CO 80903
719-385-5901

RECEIPT

DATE: 11/30/2020

Receipt #: 38138

License Type: PER SUB TYPE

Payment Type: Personal Check

Reference #: 4270

LICENSE NO: 10FDD-00000-#0001

Post Date: 11/30/2020

Receipt Total: \$176.00

PAYEE:
DENNIS & COLETTE COOK



For the Licensed Premises at:

Comments:

PAYMENT DETAILS:

Description	Quantity	Amount
Planning Appeal Fee	1	\$176.00