

Robbin Gregory
6060 Briarcliff Road
COS, CO 80918
805.689.1256

Carli Hiben
Planning Department
City Council Members

July 24th, 2024

Good afternoon,

My name is Robbin Gregory, and my husband is Kevin Gregory. We are the owners of 6060 Briarcliff Rd. 80918. I have had my short-term permit consecutively each year and without incident since 2019. I have achieved Super-host status 26 times, with over 327 5-star reviews. I am the founding Airbnb Community Leader of El Paso, Teller, and Fremont counties appointed by Airbnb. I moderate a Facebook group of over 700 Airbnb hosts administered by Airbnb. I started the Good Neighbor Group two years ago, I am the Director of Operations for a 30 plus short term vacation property management company, and plan 4-6 community Airbnb host events throughout El Paso County. I am entrenched in Short -term rental operations.

On May 31st, I held a fundraiser involving 12 different local real estate companies, mortgage lenders, and Airbnb to raise over \$10,000 in luggage for Foster Care Kids. The luggage was donated to Hope and Home. In May 2024, I was recognized as being in the top 1% of all Airbnb properties not only in Colorado Springs but worldwide (this is out of 7.7 million homes).

I obtained my STR permit in June 2019. At that time, all of my neighbors were aware of my short-term rental business, except for the Kinezes who are our next-door neighbors to the west of us. The reason being is when we moved into the neighborhood in March 2019, 50% of our neighbors who live on our private street with a row of 15 houses came to introduce themselves one by one. The welcoming was wonderful. We then had several social gatherings, and it was mentioned to me that the Kineze's were not very sociable and kept to themselves. Despite this, I made the effort to introduce myself to the Kineze's. I went to their front door in April 2019, and Randy Kineze answered the door by peaking his head out. He was cordial but curt, making it very clear he was not interested in talking to me. It has been this way ever since. We would see them in the driveway and wave over and over, no response. Their kids would never look at us, if we walked by in the driveway their daughter would turn and run into the house. It appeared as if they were told to not talk to us. We found it to be not only strange, but disheartening.

It was only recently, in 2023, when I received the appeal letter, that I learned the name of his wife. However, I do not know the names of their children in contrast to knowing most of my neighbors' birthdays, their grandchildren's names, and what they all do or have done for a living. We are a proud, close-knit community, with the exception of the Kinezes.

In 2022, Kevin came in and mentioned he had some niceties with Randy. While shoveling the driveway together, at which point I high-fived him for making a break-through. Natasha has spoken to my husband as of last year to ask for his help with the driveway as Randy had heart issues. Kevin agreed and when it snowed, we both went out and shoveled the driveway together including his walkway into the house and his entire property in front of his garage. No mention of trespassing was ever mentioned. I have never had any correspondence with Natasha Kinze until approximately a month ago when she got out of her car in our driveway threatening to shut down my Airbnb. This incident was the first and only communication in five years. **See video (1)**

We received our first complaint from them in November 2023 regarding serving chocolate croissants to our guests, along with having no visible signage showing we have an Airbnb. We were not preparing food but rather serving pre-made chocolate croissants, nor are we required to put up outside Airbnb signs. Nonetheless, we stopped serving croissants and had signs made and placed outside. Shortly thereafter we noticed two cameras on their garage. They cannot see the driveway, our parking spots, or their parking spots from their front door. We thought it was strange but thought that was the end of it.

Another complaint came in April 2024, stating that our driveway had blind spots and was dangerous. This was surprising as we have had various construction companies, contractors, materials delivered, Amazon drivers, HVAC installers, postal workers, UPS, etc. parking and maneuvering in the driveway without issue. I'm unclear why the Kinzes haven't put a sign on the driveway themselves if it was such a concern as they have lived there for over 20 years. However, we made and paid for a double-sided outdoor poster sign and placed it at the top of the driveway.

Then came the next issue in May 2024, that our guests, along with us, were trespassing onto their property. We have always parked on our side of the property, as have our guests. However, for the last 5 years until May everyone, including the Kineze's, have used the entire driveway for their convenience off and on. We did not know it was an issue to cross over the property line to back into our parking space as we have done consistently since 2019.

During the same period, Natasha began having outbursts, one was directed at one of my guests, then my boss, then me. I did my best to diffuse the level of aggression with Natasha, but she had no interest in discussing or negotiating any solutions with me. I would like to point out Natasha mentions in the video she did not know we had an Airbnb until 2023. This would mean she did not know because there have been zero issues of any kind with our Airbnb. **Ellen Hannabass verification to be sent after August 1st (2)**

So, we then purchased construction cones to place on the property line and remove yet another complaint. We also changed our check-in details to reflect strict parking instructions and driveway protocol. We also have changed our parking spot, giving our guests our spot that we have parked in for the last 5 years in order for them to be able to maneuver in and out of the driveway more easily, and without going over the property line.

However, now Amazon drivers, and others find it necessary to back all the way up the driveway, so they don't pass over the property line. Even our local postman came to our door to ask if he could move the cones to because he could not turn around without running over the cones. After the three outbursts, we then sent a cease-and-desist letter to get them to stop harassing us, our guests, my boss, and our friends.

On July 29th, the local police visited us after a complaint was made from the Kineze's about our trespassing even after we put the new protocol in place. We informed the officer that we were trying our best to appease them, but they were becoming increasingly more hostile, looking to find more and more problems regardless of solutions implemented. The officer told us the Kinezes said a guest made a comment to their 12-year-old daughter "Hey you're cute." I find this highly suspect as our guests are predominantly romantic couples who keep to themselves.

Occasionally, we will have a guest who will bring a best friend or mom for a girlfriend weekend. We have had 4 engagements, several anniversaries, and birthdays for couples only. We can legally have up to 4 people, but we never allow more than two at any given time, and we never allow our guests to have friends stop by. Nor do we allow more than one car at any given time. Our rules are strict.

In addition, in the 5 years we have lived here, I have never seen their daughter outside by herself. The guests would need to shout across the driveway to make a comment to her. Again, this makes zero sense. When I reached out to the officer for a copy of his report, he said no report was made. Which means no evidence weighty enough to file a report or charge for trespassing. **See email (3)**

The Kineze's then went around to other neighbors trying to get a petition signed to remove our Airbnb. Several neighbors called me to let me know. The Kineze's were telling neighbors we were bringing crime into the neighborhood, and that guests could potentially have guns, and the Kinize's were scared for their 12-year-old daughter. They were unaware that two of the neighbors' homes they were asking signatures from were owner occupied Airbnb's. We have three active Airbnb's on our street. All are without incident, no crime, no police reports, no documented illegal guns.

Then we received the appeal of our STR permit.

Then on July 16th, 2024, at 10:30 pm, after realizing I left my purse in the car, I walked outside when I encountered the Kineze's dog. It has always been a highly aggressive dog. He was off leash again, running around our driveway as he does frequently. I stood still to diffuse the situation, but the dog ran up and bit me as Randy Kineze stood, watched and did nothing until the dog bit me. Then he walked over and according to their boundaries, trespassed on our property. I called the police and reported the incident. I received three small puncture wounds and bruising in the abdominal area. I went to the emergency room the next morning, received a tetanus shot and antibiotics; the hospital filed a complaint, and I followed up with animal control as directed by the police, and the hospital. **See video (4)**

This isn't the first time this dog has been off leash roaming loose in the neighborhood. The animal control officer came and told us there had been other complaints against this dog dating back to 2021. The complaints were not from us. In fact, the neighbors reached out asking for us to file a complaint about the incessant barking. I have text messages asking for their leniency, as I believed the puppy was for their daughter and believed the puppy would stop barking as it got older. I was wrong. The Kineze's now have a court date regarding their dog on August 20th, 2025. This incident highlights a recurring issue with their pet's behavior and the importance of responsible pet ownership and neighbor responsibility. **See text messages (5)**

And while these are an entirely separate issues from their appeal, it does serve as an example that the Kineze's are placing demands on us but are not being considerate in many ways when it comes to being a responsible, conscientious neighbor. Other neighbors have complained about issues such as about them parking illegally on the sidewalk, making it impossible for others to walk on the sidewalk whenever it snows rather than them easily parking on the street. They also have a mailbox illegally attached to a public streetlamp on Briarcliff.

(See Photo)

In conclusion, it is essential to note that our short-term rental operation has been conducted in compliance with regulations, with strict guidelines in place to ensure the safety and well-being of our guests and the neighborhood. The issues raised by the Kineze's seem to stem from a general opposition to having a short-term rental next to their property, which is simply not a valid reason to terminate a top 1%, 327 5-star reviewed Airbnb with zero incidents. We are owner-occupied and 100% compliant.

I urge you to review the video evidence, emails, and texts for a clearer understanding of this situation with neighbors who are being anything but fair or cooperative. I remain committed to solving any misunderstandings and maintaining a peaceful but very distant coexistence with The Kinize's.

Sincerely,

D. Robbin Gregory

Easement Document Attached (6)

Dog Bite Photo (7)

Property Map (8)

Illegal mailbox Photo (9)

Amazon Driver back up (10)

Local Electrician back up (11)

Guests Back-up (12)

From: Robbin Gregory <drobbinggregory@gmail.com>
Date: Thu, Jul 11, 2024 at 8:36 AM
Subject: Re: Case#2024-01070002
To: Radke, Alan C. <Alan.Radke@coloradosprings.gov>

Thank you for your help.

On Thu, Jul 11, 2024 at 8:09 AM Radke, Alan C. <Alan.Radke@coloradosprings.gov> wrote:

Good morning,

For this incident, no case report was pulled documenting my actions. However, there is a call for service with the initial details and my notes of actions taken. You can request a copy of this by going to the Colorado Springs Police Department's webpage and requesting a copy of the incident number using the number I provided you, 2024-01070002.

Please let me know if you have any further questions.

Officer Alan Radke

From: Robbin Gregory <drobbinggregory@gmail.com>
Sent: Tuesday, July 9, 2024 2:32 PM
To: Radke, Alan C. <Alan.Radke@coloradosprings.gov>
Subject: Case#2024-01070002

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Good afternoon Office Radke,

I hope this email finds you well. You spoke to my husband and I about a trespassing/property line dispute on Saturday June 29th, 2024 at 6060 Briarcliff Road. We are the owners of an Airbnb on our property. The Knize neighbors at 6070 called to complain. My question is "How do I get a copy of the report?"

Thanks in advance for your help,

Robbin and Kevin Gregory

 Our Neighbor Our Neighbor 7/13/21

...forward to our craft and wine get together. Did your Russian neighbors get a dog, there's been lots of **dog barking/yelping** all morning over there?

SN

 Our Neighbor Our Neighbor 8/5/21

I think eventually it'll stop as the puppy gets older. I think Victoria gets up and puts the puppy outside then leaves it alone so then puppy gets anxious and starts barking. I'm doing my best to have patience and tolerance. I do think it's sweet she has her first dog. Hopefully the parents will h

 Our Neighbor Our Neighbor 7/28/21

I feel your pain and it's miserable for all of us every morning to have to listen to this **dog barking & barking!!!** Yes hopefully it will outgrow it.

SN

Yes hopefully it will outgrow it.

SN

Thank you so much for saying something about the dog Sandy that was so sweet of you. Every morning at 7:30 that puppy starts barking but hopefully when it gets older it will stop. I know Sheryl went down and said something to them

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 Our Neighbor Our Neighbor 7/15/21

...yesterday and they do keep it tied up on a chain outside in the front yard. She spoke to her about the **dog barking**. This morning I heard the dog barking and then the little girl was screaming and the dog got aw

SN

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< **"Dog barking" in Messages**

 leaves the dog outside it's so cold out

 Our Neighbor Our Neighbor 9/8/21

...garbage with infinite disposal will be picked up tomorrow due to the holiday. How are you doing with the **dog barking** & the little girl screami

SN

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EASEMENT

HERITAGE TITLE THIS EASEMENT, made this 30th day of JANUARY, 1992, between John C. Ley and Vicki R. Ley, joint tenants, of the County of El Paso and State of Colorado, hereinafter known as First Parties, and owners of Lot 13 in Block 4 in Erindale Subdivision, Filing No. 6, El Paso County, Colorado, and James B. Wilde and Dawn J. Wilde, joint tenants, of the County of El Paso, State of Colorado, hereinafter known as Second Parties, and owners of Lot 14 in Block 4 in Erindale Subdivision, Filing No. 6, El Paso County, Colorado;

WITNESSETH, that the said First Parties and Second Parties for and in the consideration of the sum of one dollar and other good and valuable consideration, receipt of which is hereby acknowledged by the Parties, First Parties and Second Parties, do hereby grant, bargain, sell and convey, each to the other Parties herein an easement and right of use as follows:

A perpetual easement for a common driveway and for installation of underground utility lines, created over, under and through a strip of land varying in width from ten feet to sixteen feet wide running North from the joinder of each party's separate driveways along the common boundary line to the public street between Lot 13 and Lot 14 in Block 4 in Erindale Subdivision, Filing No. 6, El Paso County, Colorado.

This perpetual easement which shall run with each lot and title thereto, and be binding on the First and Second Parties, their heirs, personal representatives, transferees, assigns and any person who shall hereafter acquire title to subject properties.

The parties agree further, as part of the consideration of the conveyance, that the parties shall jointly construct and maintain the common driveway area in such a manner that neither party shall in any way hinder or prevent the proper and reasonable use and enjoyment of access on the driveway through which the easement is hereby granted. The parties agree that they shall share equally all costs of construction, maintenance and repair of the common driveway area. Those portions of the driveway which are designed for the sole use of either the First or Second Parties shall be constructed, maintained and repaired at the sole and exclusive expense of the party using that portion of the driveway. Each party shall pay their own respective costs for any repairs of the driveway caused by the installation, repair or maintenance of utility lines running under the driveway to their respective Lots. Each party shall pay any and all costs of repair and/or damages which may be caused to the other party by the construction, maintenance or repair of their respective utility lines. Such repairs shall be completed to the same or better condition of the driveway and utility lines as the same shall have existed prior to commencement of repairs. The Parties agree to equally share the costs of decorative improvements and

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