



THE PLANNING & DEVELOPMENT DEPARTMENT APPEAL TO CITY PLANNING COMMISSION

Complete this form if you are appealing an **Administrative** decision to City Planning Commission.

APPELLANT CONTACT INFORMATION:

Appellants Name: Conor Andrie Telephone: 612-877-1103
Address: 949 Lismore Drive City Columbus
State: GA Zip Code: 31904 E-mail: conorandrie@gmail.com

PROJECT INFORMATION:

Project Name: 15 N. Corona St. Short Term Rental Permit
Site Address: 15 N. Corona St., Colorado Springs, CO 80903
Type of Application being appealed: Administrative Decision Rejecting Short Term Rental Renewal Application
Include all file numbers associated with application: STR - 1819 and STR - 1820
Project Planner's Name: Conor Andrie
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.

Submit **all** 3 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 and / or 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 please contact the Land Use Review office at 385-5905.

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.

Conor Andrie

Signature of Appellant

Mar 15, 2022

Date

THE APPEAL STATEMENT SHOULD INCLUDE THE FOLLOWING

- If you are appealing a decision made Administratively the following should be included in your appeal statement:
 1. Verbiage that includes 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.

CITY AUTHORIZATION:

Payment: \$ 176.00

Date Application Accepted: 3-15-22

Receipt No: 40849

Appeal Statement: ✓

Intake Staff: CBH

Completed Form: ✓

Assigned to: CBH






appeal_to_city_planning_commission (002)

Final Audit Report

2022-03-15

Created:	2022-03-15
By:	Sullivan Manion (smanion@kanthakagroup.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAq8A68sMG_Kox0z0uJ0t_ucVCPUeAP5kd

"appeal_to_city_planning_commission (002)" History

-  Document created by Sullivan Manion (smanion@kanthakagroup.com)
2022-03-15 - 7:10:52 PM GMT- IP address: 98.50.65.233
-  Document emailed to Conor Andrle (conorandrle@gmail.com) for signature
2022-03-15 - 7:11:37 PM GMT
-  Email viewed by Conor Andrle (conorandrle@gmail.com)
2022-03-15 - 7:25:07 PM GMT- IP address: 66.249.88.217
-  Document e-signed by Conor Andrle (conorandrle@gmail.com)
Signature Date: 2022-03-15 - 7:40:58 PM GMT - Time Source: server- IP address: 173.16.82.142
-  Agreement completed.
2022-03-15 - 7:40:58 PM GMT

Appeal of a City Planning and Development Department Decision Rejecting the Short-Term Rental Renewal Application for 15 N. Corona St. (STR - 1819, 1820) due to the property not being originally eligible under Section 7.5.1704.C for being within five hundred feet (500') of another Non-Owner-Occupied Short-Term Rental Unit.

Location: 15 N. Corona St., Colorado Springs, CO 80903, Units A and B. N 75 FT OF LOTS 25, 26 R A EDGERTONS SUB BLK 244 ADD 1 COLO SPGS.

Title: Appealed under City Code Section 7.5.1704.C, rejection for being within five hundred feet (500') of another non-owner-occupied short-term rental unit (STR).

Appellant: Conor Andrle, owner of 15 N. Corona St., Colorado Springs, CO 80903, Units A and B. intends to rent out, through Airbnb and other similar platforms, these units for short term use under approved permits STR – 1819 and STR – 1820.

Background: The owner, Conor Andrle, purchased this property after inquiring with the Department, if the property located at 15 N. Corona St., Colorado Springs, CO 80903 was eligible for a non-owner-occupied short-term rental. On December 28, 2020, employee for the Department, Mitch Hammes, Neighborhood Services Manager, stated that “15 N. Corona DOES qualify for a non-owner-occupied STR. 502 S. 11th DOES NOT qualify.” **Exhibit A.** Conor Andrle purchased the property, and made several improvements to the property, in reliance on this information. **Exhibit B.**

On March 1, 2021, Conor Andrle submitted STR Applications for 15 N. Corona St. stating that he intended to “owner occupy APT A and non-owner occupy APT B.” Subsequently, Ashley George, emailed Conor Andrle back stating, “Attached are STR permits 1819 and 1820 for posting.” **Exhibit C.**

On January 13, 2022, Conor Andrle emailed the Department stating that his permits were set to expire in March and that he would like to begin the application process. On January 21, 2022, Carli Hiben, Project Coordinator, emailed Conor Andrle back stating that they would be unable to renew the permits as non-owner-occupied short-term rentals because “The property would not have been eligible for a non-owner occupied STR at the time of issuance as it was/ is within 500’ of another rental that received their short-term rental permit prior to yours (426 E. Kiowa Street).” And that “When a property owner submits an application for an owner-occupied short-term rental unit for one unit, they are unable to receive a non-owner-occupied short-term rental permit for the other unit.” **Exhibit D.**

Conor Andrle, then retained counsel, Sullivan Manion of the Kanthaka Group to inquire as to how to potentially fix this issue. Counsel had a conference with City Attorney, Lisa Boyle and Project Coordinator Carli Hiben, who stated that the City was looking back in time to see if Mr. Andrle would have been eligible. They also stated that they would have “a meeting scheduled with internal staff to discuss the matter on February 24th, 2022”, and that any additional documentation that we could provide would be great. **Exhibit E.**

After providing Carli Hiben with all emails as well as financial statements on the issue, counsel and Mr. Andrle were notified in an email on March 1, 2022, which stated “Thank you for sending those documents over to us. Your client may submit their Short-Term Rental renewal applications by March 31, 2022, and a final decision will be provided in writing.” Mr. Andrle then submitted the renewal paperwork for the City’s review. **Exhibit F.**

On March 7, 2022, Carli Hiben notified both counsel and Mr. Andrle that the short-term rental renewal application for 15 N. Corona Street had been denied stating the reasons below:

“On December 26, 2019, a City Council adopted amendment to the STR ordinance went into effect establishing two types of short-term rental permits – owner occupied, and non-owner occupied. Non-owner occupied STR permit applications submitted after December 26, 2019, were not permitted to be established within five hundred feet (500') of another non-owner-occupied short-term rental unit.

Department records indicate that 15 N. Corona Street was issued an owner-occupied short-term rental permit for Unit A and a non-owner-occupied short-term rental permit for Unit B on March 5, 2021.

15 N. Corona Street would not have been eligible for a non-owner-occupied short-term rental permit at the time of issuance of said permits as the subject property was within 500' of a non-owner-occupied short-term rental that had been established since September 2019.

The STR renewal application for 15 N. Corona Street, Units A & B (STR-1819 & STR-1820) have been denied by staff as it does NOT meet the City Code review criteria, specifically Section 7.5.1704.C:

No non-owner-occupied short-term rental unit shall be located within five hundred feet (500') of another non-owner-occupied short-term rental unit. The five hundred feet (500') separation measurement shall be made in a straight line without regard to intervening structures or objects from the nearest property line of the proposed short term rental unit to the nearest property line of another short-term rental unit. Where an owner-occupied short-term rental unit is owned by an active-duty military service member whose permanent duty station is within El Paso County, the Manager shall waive this requirement for the owner for up to one (1) year if the service member receives orders to report to a temporary duty station outside of El Paso County.”

Exhibit G.

Appeal and Justification of City Code 7.5.906.A.4: The provision in dispute is the City Code review criteria, specifically Section 7.5.1704.C as stated immediately above. The administrative decision to deny the renewal of Mr. Andrle’s permits is incorrect because it is unreasonable.

The provision at hand limits a non-owner-occupied short-term rental (STR) from being within five hundred feet (500') of another non-owner-occupied short-term rental. The City has stated that the property located at 15 N. Corona St. was within 500' of another short-term rental, that being 426 E. Kiowa Street. There has been no determination as to how far away 15 N. Corona St. is from 426 E. Kiowa St. From Google maps it could be argued that there is five hundred feet

distance between the properties. **Exhibit H.** If not, it is very close to that threshold. The City has stated that 426 E. Kiowa St. had a non-owner-occupied short-term rental since September of 2019. That information should have and would have been known to the Department in December of 2020 when Mitch Hammes stated that “15 N. Corona DOES qualify for a non-owner-occupied STR. 502 S. 11th DOES NOT qualify.” This statement by Mitch Hammes clearly states that 15 N. Corona was eligible and supports the accuracy of that statement by providing information that another property did not qualify, demonstrating that the Department had a way of knowing which properties were and were not eligible at that time.

The City stated that the amendment limiting short term rentals from being established within 500’ went into effect on December 26, 2019. The statement from Mitch Hammes was sent on December 28, 2020, over a year after the amendment went into effect. Again, this information was readily available and should have been known by the Department when discussing the STR with Mr. Andrle.

Not only were statements made by the City that the property was eligible for an STR, STR permits were actually issued for both units A and B at 15 N. Corona St. In March of 2021, Ashely George sent as attachments, STR permits 1819 and 1820 to Mr. Andrle. Carli Hiben stated in a formal written opinion that “Department records indicate that 15 North Corona Street was issued an owner-occupied short-term rental permit for Unit A and a non-owner-occupied short-term rental permit for Unit B on March 5, 2021.” **Exhibit G.** Demonstrating that Mr. Andrle has a non-owner occupied STR for Unit B as of March 5, 2021.

Since March 5, 2021, there have been no relevant changes to the City Code, nor have circumstances changed for the property at 15 N. Corona St. The property has not moved into the five-hundred-foot zone over the last year. The denial of the renewal is based on the Department looking into the past and stating they should not have granted the permit in the first place; however, the fact of the matter is, they did, and Mr. Andrle relied on those permits.

City Code 7.5.1701 states “The purpose of the short-term rental unit permit is to facilitate the permitting of short-term rental units subject to appropriate restrictions and standards and to allow for varied accommodations and experiences for visitors while retaining the character of residential neighborhoods. (Ord. 18-112).” Mr. Andrle fulfills that purpose by facilitating visitors with those varied accommodations and experiences in the Colorado Springs area so that they may enjoy our city and state. The STR also retains the character of residential neighborhoods as the property exists in virtually the same state it did a year ago when it was granted the STR’s. Further, no complaints have been made that this property has ever violated the character of its neighborhood.

Therefore, the denial of Mr. Andrle’s STR renewal for STR-1819 and STR-1820 is unreasonable because the Department stated that 15 N. Corona was eligible, STR permits were actually issued, and because Mr. Andrle relied on the Departments statements and issuance of the STRs and he expended several thousand dollars in order to appropriately rent the units.

Benefits and Adverse Impacts:

There are major benefits that the community can reap with the allowance of these STRs. First, Mr. Andrle, by renting to short term occupants, allows for the City of Colorado Springs to continue its large tourist economy.

It is estimated that the Pikes Peak region welcomed 21.1 million visitors in 2020.ⁱ These visitors spend roughly \$2.2 billion in our region resulting in over \$100 million in local tax receipts annually.ⁱⁱ Additionally, tourism is the third largest employer in the Pikes Peak region providing more than 20,000 jobs.ⁱⁱⁱ Mr. Andrle provides a service where individuals can rent out his STR units for days or weeks at a time so they can spend a vacation in Colorado Springs. These individuals spend their money in Colorado Springs restaurants, shops, and parks. Without the lodging that Mr. Andrle provides, there would be less of those individuals visiting Colorado Springs, potentially opting to visit another area of Colorado such as Boulder. Mr. Andrle has been able to provide this service for the last year allowing many families and individuals to enjoy our city. The Colorado Springs Gazette published an article stating that the city is “seeing many more overnight visitors who are spending multiple nights in our region.”^{iv} That same article speaks about the economic impact those overnight visits have. “[O]vernight visitors spend four times as much as those making day trips — at hotels, restaurants, retailers, tourist attractions and other businesses. That in turn has fueled a surge in sales tax revenue for the city of Colorado Springs, which reported record collections in July (representing June sales) from its 2% general sales tax and from its special tax on hotel rooms and rental cars paid almost entirely by visitors.”^v

Conversely, without the STR permit, Mr. Andrle would not be able to provide this service. The units could only allow long term tenants, reducing the economic impact of tourism on our city.

The rejection of the STR’s will also cause a severe financial burden for Mr. Andrle. Mr. Andrle has expended around \$68,888.82 in establishing his units as attractive Airbnb locations. This includes renovations, decorating, supplies, furnishings, and other typical household appliances you would find in a nice home. **Exhibit B.** Those funds were expended based on the information and permits the Department issued. Without those permits, Mr. Andrle would have invested that money for nothing, as new long-term tenants would use their own decorations, furnishings, and other appliances.

The amount of money that is generated by short term renting versus long term tenants, also benefits both Mr. Andrle as well as the City. Mr. Andrle makes roughly \$50,000 to \$80,000 more a year by renting on Airbnb than he would by renting to long term tenants. These profits not only go to Mr. Andrle, but also to the city in the form of taxes. The city would make exponentially more money by allowing the STR’s to continue instead of denying them.

Therefore, the benefits to both Mr. Andrle and the Colorado Springs community significantly outweigh the burdens accrued by the community.

Sources

ⁱ <https://www.visitcos.com/partners/tourism-pays/>

ⁱⁱ <https://www.visitcos.com/partners/tourism-pays/>

ⁱⁱⁱ <https://www.visitcos.com/partners/tourism-pays/>

^{iv} https://gazette.com/business/colorado-springs-tourism-season-historic-despite-pandemic/article_c9e10216-09a9-11ec-b104-f38624721f66.html

^v https://gazette.com/business/colorado-springs-tourism-season-historic-despite-pandemic/article_c9e10216-09a9-11ec-b104-f38624721f66.html

From: Planning Dept Short Term Rentals - SMB <shorttermrentals@coloradosprings.gov>

Date: December 28, 2020 at 10:50:33 EST

To: Bryan Rodriguez <bryan@pcscolorado.com>

Subject: **RE: 15 N Corona & 502 S 11th Street**

15 N Corona DOES qualify for a non-owner occupied STR. 502 S 11th DOES NOT qualify

Thank You,

Mitch Hammes, Neighborhood Services Manager

Exhibit A

15 N Corona St

2145 Friendship Pl

At Home Store	32.44
Goodwill	33
Independent Records	111.92
Home Depot	130.91
Home Depot	12.06
Target	152.43
ATM Withdrawl	500
Target	62.1
TJ Maxxx	63.76
Home Depot	38.91
Jacobo Ace	1300
Home Depot	64.53
Home Depot	78.55
Home Depot	81.16
Jacobo Ace	800
PPRBD	97.25
Walmart	46.47
ATM Withdrawl	1700
Lowe's	5.93
ATM Withdrawl	880
Jacobo Ace	1000
Lowe's	38.93
ATM Withdrawl	1000
Jacobo Ace	2500
Walmart	29.05
Xfinity	34.99
Turnover	50.4
Lumber Liquidator	545.33
Budget Dumpster	310
Home Depot	25
Spa Palace	43.17
Lowe's	62.71
Lowe's	64.88
Home Depot	131.65
Home Depot	205.33
Home Depot	258.15
Budget Dumpster	310
First American	75
Jacobo Ace	2050
Ikea	192.62
Home Depot	16.66
SEI	74.89
Jacobo Ace	75
Lowe's	50.98
Lowe's	68.77

Exhibit B

APPEAL STATEMENT

Floor and Décor	254.88
Home Depot	143.86
Rampart	154.65
Rampart	41.86
Home Depot	493.48
Utilities	83.03
Utilities	96.33
Utilities	96.71
Home Depot	60.06
Target	184.03
Reliable Appliances	88
Lowe's	449.26
DBDT CD PURCH TX	542.8
Lowe's	28.93
Home Depot	97.15
Walmart	143.57
Budget Dumpster	19.2
Lowe's	113.92
Walmart	161.65
Utilities	59.51
Utilities	76.1
Utilities	114.51
Utilities	71.86
Utilities	97.32
Utilities	131.42
Budget Dumpster	19.8
Jacobo Ace	795
Home Depot	105.12
Turnbull	218.06
TOTAL	20347

Airbnb Establishment Cost

15 N Corona St	Cost	
Amex		\$23,682.09
USAA		\$20,347.00
Wells Fargo		\$24,859.73
Citi		\$0.00
Total		\$68,888.82

2145 Friendship Pl	Cost	
Amex		\$4,054.22
USAA		\$0.00
Wells Fargo		\$17,401.52
Citi		\$6,460.34
Total		\$27,916.08

15 N Corona St

Total: 0

2145 Friendship Pl

Robin Paisley	1526.97
Robin Paisley	2400.03
Robin Paisley	2533.34
Total:	6460.34

15 N Corona St

Waste MGMT	227.89
Beyond Pricing	283.86
Independent Records	66.03
Michaels	171.02
Clearwater Spas	5410
Home Depot/Lowes	3496.88
Edge Pest Control	150
Dons Garden	669.79
Turnover	8270.92
TJ Maxxx	375.35
Michaels	76.78
Walmart	564.3
Walmart	403.42
Amazon	272.62
Big Lots	322.52
TJ Maxxx	39.84
Target	86.56
Target	-149.32
Walmart	623.71
Target	576.67
Walmart	259.56
Walmart	512.36
Amazon	529.9
Target	-138.6
TJ Maxxx	207.56
Target	-32.46
Target	369.91
Walmart	-26.9
Walmart	624.98
Walmart	-100.37
Amazon	6.62
Amazon	538.87
Amazon	119.46
SOS Registration Fee	50
TOTAL	24859.73

2145 Friendship Pl

Xfinity Wifi	209.94
Waste MGMT	32.19
Top Choice Inspectors	450
Robin Paisley	7221.98
Robin Paisley	8506.07
Reliable Heating	229
Edge Pest Control	150
Walmart	602.34
TOTAL	17401.52

15 N Corona St	Cost
Turnoverx 37	1864.8
Turnbull	80
SuckitUp	110
TurfFactory	920.25
AirDna	399.7
Reliable Heating/Cool	89
First American	75
Michaels	126.71
TJ Maxxx	410.79
Lumber Liquidators	1,998.44
Covers and All	303.95
Bedrosians	762.09
Bedrosians	1103.54
Home Depot/ Lowes	6057.82
American Electrician	700
Walmart	277.44
Urban Outfitters	-127.67
Amazon	63.82
Amazon	172.02
Amazon	334.52
ETSY	11.2
ETSY	139.21
ETSY	62.69
Amazon	262.93
RugsUSA	305.96
Amazon	672.84
Amazon	86.43
Amazon	66.07
Wayfair	1095.19
Amazon	-81.22
Urban Outfitters	63.84
Urban Outfitters	127.67
Urban Outfitters	31.38
ETSY	5.77
ETSY	90.02
Walmart	210.99
Amazon	138.38
Amazon	108.19
Amazon	150.4
Turnbull	175
Walmart	338.1
Walmart	106.33
Walmart	303.31
Walmart	-53.65
Target	-75.74
Walmart	247.14
Walmart	928.71
Walmart	232.58
Target	531.21
Target	892.2
City Services	244.12
Top Choice Inspections	450
Waste MGMT	92.62
TOTAL	23682.09

2145 Friendship Pl	Cost
Robin Paisley	4054.22
TOTAL:	4054.22

APPEAL STATEMENT

George, Ashley N. <Ashley.George@coloradosprings.gov>
to me ▾

Hello

Attached are STR permits 1819 and 1820 for posting. Thank you for your patience.

Thank you,

Ashley George
Code Enforcement Technician
City of Colorado Springs
Neighborhood Services
719-444-7757
Ashley.George@coloradosprings.gov



Exhibit C

Fri, Jan 21, 11:13 AM (6 days ago) ☆ ↩

Planning Dept Short Term Rentals - SMB

to me

Hi Conor,

I will be unable to renew your permits as non-owner occupied short term rentals for the following reasons.

- The property would not have been eligible for a non-owner occupied STR at the time of issuance as it was/is within 500' of another rental that had received their short term rental permit prior to yours (426 E Klovva Street).
- When a property owner submits an application for an owner occupied short term rental for one unit, they are unable to receive a non-owner occupied short term rental permit for the other unit. Both applications submitted listed 15 N Corona Street as the primary address and the short term rental address.

Where an owner occupied short term rental unit is owned by an active duty military service member whose permanent duty station is within El Paso County the Manager shall waive this requirement for the owner for up to one (1) year if the service member receives orders to report to a temporary duty station outside of El Paso County

Thank you,



Carl Hiben
 Program Coordinator
 Phone: 719-385-5039
 Email: carl.hiben@colorado-springs.gov

Land Use Review Division
 City of Colorado Springs
 20 S Nevada Avenue, Suite 701
 Colorado Springs, CO 80902

Exhibit D

From: Hiben, Carli B <Carli.Hiben@coloradosprings.gov>
Sent: Thursday, February 17, 2022 10:49 AM
To: Sullivan Manion <sm.manion@kanthakagroup.com>
Cc: Rose Tamosaitis <rtamosaitis@kanthakagroup.com>
Subject: RE: 15 N Corona

Thank you, Sullivan. We have a meeting scheduled with internal staff to discuss this matter on February 24, 2022.

If you could send any additional documentation by then, that would be great.



Carli Hiben
Program Coordinator
Phone: 719.385.5089
Email: carli.hiben@coloradosprings.gov

Land Use Review Division
City of Colorado Springs
30 S Nevada Avenue, Suite
701
Colorado Springs, CO 80903

From: Sullivan Manion <sm.manion@kanthakagroup.com>
Sent: Wednesday, February 16, 2022 11:44 AM
To: Hiben, Carli B <Carli.Hiben@coloradosprings.gov>
Cc: Rose Tamosaitis <rtamosaitis@kanthakagroup.com>
Subject: 15 N Corona

CONFIDENTIAL - This email and any files transmitted with it are confidential and intended only for the individual named. If you have received this email by mistake, please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail if you have not. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail if you have not. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail if you have not.

Carli,

Attached are my client's proof of residency as well as emails between him and employees of Colorado Springs regarding the permits. My client will also be providing me financial statements relating to what work and materials were put into the home based on these statements. Please let me know if any other documentation is needed.

Sincerely,

Sullivan Manion

Exhibit E

APPEAL STATEMENT

From: [Sullivan Manion](#)
To: [Hiben, Carli B](#)
Cc: [Rose Tamosaitis](#)
Subject: RE: 15 N Corona
Date: Tuesday, March 1, 2022 10:16:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Carli,

Thank you. I will let him know to submit the application and await the decision.

Sincerely,



Sullivan Manion
Associate Attorney

Phone. 719.633.2222 Fax. 719.822.0095

Web. www.kanthakalaw.com

Address. 1465 N. Union Blvd., Suite 100
Colorado Springs, CO 80909



environment before printing this e-mail

CONFIDENTIALITY DISCLAIMER

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From: Hiben, Carli B <Carli.Hiben@coloradosprings.gov>
Sent: Tuesday, March 1, 2022 10:10 AM
To: Sullivan Manion <smanion@kanthakagroup.com>
Cc: Rose Tamosaitis <rtamosaitis@kanthakagroup.com>
Subject: RE: 15 N Corona

Hi Sullivan,

Thank you for sending those documents over to us. Your client may submit their Short Term Rental renewal applications by March 31, 2022 and a final decision will be provided in writing.

<https://coloradosprings.gov/planning-and-development/page/renew-short-term-rental-permit>

Exhibit F

APPEAL STATEMENT

From: [Planning Dept Short Term Rentals - SMB](#)
To: [Conor Andrie](#)
Cc: [Sullivan Manion](#); [OBoyle, Lisa A](#)
Subject: RE: 15 N Corona St Permits
Date: Monday, March 7, 2022 11:57:01 AM
Attachments: [image001.png](#)
[appeal to city planning commission.pdf](#)

Mr. Andrie,

Thank you for submitting your short term rental renewal applications. This email is to formally notify you that the Short Term Rental (STR) renewal applications for 15 North Corona Street have been denied. The justification for these denials is outlined below:

On December 26, 2019, a City Council adopted amendment to the STR ordinance went into effect establishing two types of short term rental permits – owner-occupied and non-owner occupied. Non-owner occupied STR permit applications submitted after December 26, 2019 were not permitted to be established within five hundred feet (500') of another non-owner occupied short term rental unit.

Department records indicate that 15 North Corona Street was issued an owner occupied short term rental permit for Unit A and a non-owner occupied Short Term Rental permit for Unit B on March 5, 2021.

15 North Corona Street would not have been eligible for a non-owner occupied Short Term Rental permit at the time of issuance of said permits as the subject property was within 500' of a non-owner occupied Short Term Rental that had been established since September 2019.

The STR renewal application for 15 North Corona Street, Units A & B (STR-1819 & STR-1820) have been denied by staff as it does NOT meet the City Code review criteria, specifically Section 7.5.1704.C:

No non-owner occupied short term rental unit shall be located within five hundred feet (500') of another non-owner occupied short term rental unit. The five hundred feet (500') separation measurement shall be made in a straight line without regard to intervening structures or objects from the nearest property line of the proposed short term rental unit to the nearest property line of another short term rental unit. Where an owner occupied short term rental unit is owned by an active duty military service member whose permanent duty station is within El Paso County, the Manager shall waive this requirement for the owner for up to one (1) year if the service member receives orders to report to a temporary duty station outside of El Paso County.

If you believe this administrative decision to deny your STR renewal applications was made in error, you may submit an appeal to the City Planning Commission. Pursuant to City Code Section 7.5.906 'Appeals', the complete appeal application and accompanying appeal fee is due to the Planning Department ten (10) days after the denial of the application(s) (March 17, 2022). Appeals of administrative decisions are heard at a public hearing before the City Planning Commission and the fee for the appeal request is \$176.00.

Sincerely,

Exhibit G

APPEAL STATEMENT



Carli Hiben
Program Coordinator
Phone: 719.385.5089
Email: carli.hiben@coloradosprings.gov

Land Use Review Division
City of Colorado Springs
30 S Nevada Avenue, Suite
701
Colorado Springs, CO 80903

From: Conor Andrle <conorandrle@gmail.com>
Sent: Tuesday, March 1, 2022 7:17 PM
To: Planning Dept Short Term Rentals - SMB <shorttermrentals@coloradosprings.gov>
Subject: 15 N Corona St Permits

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!

Hey,

Attached are the Non Owner Occupied permit renewals for 15 N Corona St APT A and B (STR-1819 and STR-1820). Please let me know if you need any additional information. Thanks for the help!

-Conor Andrle
612-877-1103

APPEAL STATEMENT



Measure distance
Total distance: 501.12 ft (152.74 m)

Exhibit H



**City of Colorado Springs
Planning Department
Fee Receipt**

[Return to Fee Calculator](#)

Application	Department	Amount	Applicant	AnnexDisc
Appeal of Administrative Decision	Land Use Review	\$176.00		
Total Fees		\$176.00		

Intake Staff:	
Date:	3/17/2022
Planner:	Carli Hiben CBH
Receipt Number:	40849
Check Number:	002301
Amount:	\$176.00
Received From:	Kanthaka Group STR Appeal (STR-1819 & STR-1820)