



# 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: Jesse Glenn Telephone: 818-425-0812  
Address: 255 E Delaware Ave APT # City Southern Pines  
State: NC Zip Code: 28387 E-mail: JMGMAIL@ME.COM.

### PROJECT INFORMATION:

Project Name: STR Appeal (STR-1115)  
Site Address: 214 N 20th St, Colorado Springs, CO 80904  
Type of Application being appealed: NOA-owner occupied short term rental permit  
Include all file numbers associated with application: previous permit # STR 1115  
Project Planner's Name: Carli Hiben  
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.

Signature of Appellant

Date

21 MAR 2022

**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.

<b><u>CITY AUTHORIZATION:</u></b>	
Payment: \$ <u>176.00</u>	Date Application Accepted: <u>3/22/2022</u>
Receipt No: <u>40870</u>	Appeal Statement: <u>yes</u>
Intake Staff: <u>CBH</u>	Completed Form: <u>yes</u>
Assigned to: <u>CBH</u>	

Jesse Glenn – 214 N 20<sup>th</sup> St. Colorado Springs CO – STR Appeal Justification

Land Use Review Office,

This is the justification for the appeal to re instate the Short Term Rental (STR) non-owner occupied permit for 214 N 20<sup>th</sup> St. I will be addressing the City Code section 7.5.1702.C (Ordinance NO. 19-101 – Non- owner occupied regulations) as the reason behind the permit denial.

The administrative denial decision was based on the 500' rule for non-owner occupied STRs as seen in Ordinance No. 19-101. However, I understand the intent of the ordinance is to protect the community from over commercialization of the area and disruption of residents, not cancel a beneficial service to the community that has low visibility and disruption but high benefit. I also understand the intent as to allow the retention of permits held as long as they are renewed annually by responsible home owners.

I have held a grandfathered permit through the previous years, received no complaints from the city or neighbors in the area, and have upheld all regulations. However, this year, I missed the renewal date for the STR non-owner occupied permit because the management company I was working with had some staffing changes and forgot/failed to submit the paperwork. I was attending some very intensive military training in preparation for a coming deployment and I did not have regular access to my cell phone or computer, and had no communication with the management company. Out of foresight, I verbally confirmed with this company months before the expiration date of the permit to ensure the documents would be submitted. When I returned, I confirmed that the documents never were submitted which was an unfortunate event out of my personal control. I am now appealing to the city to see if I can renew this permit as an exception in observance of the intent of the ordinance, the benefit that

**APPEAL STATEMENT**

would be lost to the city, and the burden the city has put on the home owner that outweighs any risks to the city itself.

I understand that over commercialization from STRs can definitely be an issue, but it's usually not from individual home owners that have a good reputation in the community and work to ensure the community is not burdened by the STR. This is simply my second home that is a significant portion of my income and helps me save for grad school despite the increasing prices in the springs. I do not have neighbors across the street, and I have plenty of parking spaces for any tenants. Additionally there have been no previous issues with the neighbors.

Below are the justification points on the benefit vs impact of this STR.

Benefits of allowing an STR:

- a. This STR Builds the springs desirability and economy indirectly through word of mouth due to the experience I offer. It is a personalized service through a restored 100 year old historic landmark/home that I've put my heart into.
- b. This STR contributes to the growth of the positive growth of the springs without disrupting the community – positive growth is good for the community as long as it is not too commercialized and disruptive. This is possible through the rules we set and the limitations set on tenants.
- c. I often have personal connections with the renters and use this property to provide living for Olympic training center athletes, military personnel on temporary training duty, and other people that positively contribute to the community in the springs. This inherent vetting allows for the flow of good people into the springs that contribute to it's positive growth.

- d. Personal benefit – allowing this permit alleviates financial strain and hardship brought on by the city that affects the community perception of the local government. I am currently working to rebuild the basement where I had to spend tens of thousands of dollars to repair flood damage that the city refuses to take responsibility for even though insurance and lawyers all claim that it is the cities responsibility. A lawsuit would cost too much so I am stuck with the bill, despite others with similar issues urging me to take the story to the news. Solving the permitting issue would go a long way in the community to benefit the faith being lost in the city by many other residents in similar situations. This word of mouth is essential to bolster rather than detract from the work that the city is doing to benefit the community.

**Adverse impacts of denying STR:**

- e. City loses an avenue to provide personalized experience to city attractions – although its only a small monetary impact, it does a lot for the reputation of the city and local businesses through word of mouth because I provide a desirable service in the area and recommendations for the area.
- f. Introduces additional financial burden on the appellant on top of tens of thousands of dollars from the sewage already caused by the city.
- g. All of these impacts significantly outweigh the risks the community such as risk for disruptive tenants or parking infringements. These risks have never been issues in the past. I have no neighbors across the street, so the only neighbors

(to each side) that could be impacted have never had a problem and can personally contact me immediately to rectify any future issues.

In conclusion, I understand that strict deadlines are necessary, and everyone is working for the people of Colorado Springs, but I also believe that denying this permit will take away an increasingly unique and personalized service that benefits the city and local businesses. On the other hand, allowing this permit provides little risk to the city and its residents as proven through past performance.

According to the Colorado Springs zoning commission "Failure to renew your short term rental application prior to the date of expiration **may** result in...**the potential forfeiture** of your established permit." I'm appealing this decision in the hope that this language allows for some leeway, especially due the unfortunate circumstances and due to the intent of the ordinance.

Very Respectfully,

Jesse Glenn

214 N 20<sup>th</sup> ST,

Colorado Springs,

CO 80904

**APPEAL STATEMENT**



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

[Return to Fee Calculator](#)

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

<b>Intake Staff:</b>	
<b>Date:</b>	3/22/2022
<b>Planner:</b>	Carli Hiben
<b>Receipt Number:</b>	40870
<b>Check Number:</b>	01719I
<b>Amount:</b>	\$176.00
<b>Received From:</b>	Jesse M Glenn STR Appeal

**APPEAL STATEMENT**