

**From:** Didi Dieterich <dvd Dieterich@hotmail.com>  
**Sent:** Friday, March 03, 2017 10:26 AM  
**To:** Thelen, Lonna  
**Subject:** 28 Polo Circle

Ms. Thelan;

I would like to go on record **AGAINST** subdividing the parcel at **28 Polo Circle** into two lots.

My husband and I specifically chose an older neighborhood with large lots when we moved here fifteen years ago. We had reasonable expectations that the neighborhood would stay essentially the same: older homes on large lots.

Mr. Fallhowe is responsible for tearing down another property at 1 Polo Drive and constructing a 9,236 s.f. home that is in congruent with the style and scale of surrounding homes. According to tax records, the home maximized lot coverage; if Mr. Fallhowe repeats this pattern, there will be two very large homes on these two lots.

I feel the consensus of the neighborhood is very much against allowing the subdivision of this property.

Thank you,

Didi Dieterich Assoc. AIA  
Residential Design  
21 Polo Circle  
Colorado Springs, CO 80906  
p: 719.359.6727  
[dvd Dieterich@hotmail.com](mailto:dvd Dieterich@hotmail.com)

**From:** Kristin Olsen <olsenkb@comcast.net>  
**Sent:** Thursday, March 02, 2017 8:28 PM  
**To:** Thelen, Lonna  
**Subject:** 28 Polo Drive

Dear Ms. Thelen,

Please do not allow a zoning variance for subdividing the lot at 28 Polo Drive. This lot is similar to other lots on either side of it. It does not have exceptional or extraordinary physical conditions necessitating subdivision. It does not need to be subdivided for reasonable use. The lot already has one house on it, which is reasonable use of the lot. The current house can be remodeled or a new house can be built on the current foundation. There will be adverse impacts on surrounding properties if the lot is subdivided. Digging two foundations will adversely impact the historical drainage and the underground water in the hillside. This may cause landslides and flooding which will damage the properties behind and downhill from 28 Polo Drive. This will decrease property values throughout the neighborhood. Allowing subdivision of lots in this neighborhood and building additional houses will destroy the character of the neighborhood and add too much traffic and congestion to the area. This neighborhood is already working with the city traffic department trying to reduce traffic volume in the area.

Thank you for working for the citizens of Colorado Springs. Please help us protect our neighborhood.

Sincerely,  
Kristin Olsen  
705 Bear Paw Ln N  
719-632-8449  
Jim Sceats  
705 Bear Paw Ln N  
Evelyn Olsen  
655 Bear Paw Ln N

## Thelen, Lonna

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**From:** Denny Weber <dweber@assuredptrco.com>  
**Sent:** Monday, March 06, 2017 1:31 PM  
**To:** Thelen, Lonna  
**Cc:** SANDRA WEBER - WEBER  
**Subject:** PROPOSED VARIANCE 28 POLO

Over the years we have had water problems, in some times resulting in our pumping hundreds of gallons into the street, since the city has refused to fix the problem this results in the winter frozen streets and ice and the summer pooling water for trash and disease. Any changes on Polo could increase this problem, without the city knowing what could occur and showing no interest in fixing, it best to not make any major changes in the landscape.

Dennis A. Weber, CPCU, Senior VP, Account Executive



 (719) 354-4300  (719) 354-4301

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## Thelen, Lonna

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**From:** lani gendron <gendron.lani@gmail.com>  
**Sent:** Monday, March 06, 2017 6:50 AM  
**To:** Thelen, Lonna  
**Subject:** zoning variance for Polo Drive

Dear Ms. Thelen,

Thank you for providing a forum for feedback on the proposed variance for 28 Polo Drive. As I will be unable to attend the upcoming meeting on 15 March, I would like to weigh in on this issue.

I am adamantly opposed to this variance due to the impact it will have on my home and my street for many reasons. The underground springs in this area already flow into Bear Paw Lane. The construction of new additional homes would certainly add to the problems we already see. The runoff from these natural springs causes freezing from below 28 Polo all the way to the entrance to Bear Paw Lane. The street freezes and stays frozen well after the initial freeze because this section of Bear Paw Lane is in the shade. Already the street and gutters are falling apart with the freeze/melt/freeze cycle. It is dangerous getting into and out of our home and other homes on this side of the neighborhood, affecting 20 homes. In addition, the run off from these springs often exceeds the capability of the stormwater flow, the already damaged gutters fill with water, debris piles up, and the potholes caused by this runoff grows from the gutters and now into the street. Disruption of the springs by added construction would add to these issues.

Additionally, the builder has already impacted the neighborhood in a home constructed at Polo Drive and 7th Street. The home is excessive for the lot, does not fit in with the character and design of the neighborhood, and is, in a word, ugly. The lack of concern for the historical beauty of this neighborhood makes me question any upcoming plans he would have for the lot at 28 Polo. This negligence, in designing a home that is so out of character, makes me question how the same builder could build 2 homes on one lot without a similar outcome.

I hope my concerns are taken into consideration, and that the variance is not approved.

Thank you.

Lani Gendron  
532 Bear Paw Lane South  
719-200-8091

## Thelen, Lonna

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**From:** Eric Scofield <ejscofield@me.com>  
**Sent:** Thursday, March 02, 2017 8:32 AM  
**To:** Thelen, Lonna  
**Cc:** Marni Scofield  
**Subject:** AR PFP 17-00122 (and 23 and 24)

Good Day Ms. Lonna,

We live at the other end of the street on Polo Cir.

I am concerned for a few reasons about this project.

This constituent did another project 7th/Polo that does not fit the motif of the neighborhood. I am concerned that this will also not fit the neighborhood. I know that two houses on paper can fit — but it will not look right.

I cannot make it to the meeting. I will be out of town. I am against this variance - it is a wonderful lot and home. It can be made to be beautiful.

I don't think jamming two homes on that lot is good for the lot, the neighbors, and the general feel of the current homes that surround it.

How might I go about being polite, and cordial, but, letting people know that we are concerned greatly about this variance?

Thank you,

Eric and Marni Scofield  
Polo Circle  
858-248-1133

## Thelen, Lonna

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**From:** James Hammond <HammondLand@hotmail.com>  
**Sent:** Tuesday, March 14, 2017 3:07 PM  
**To:** Thelen, Lonna  
**Subject:** Proposed variance

Dear Ms. Thelen,

I am writing in response to the proposed variance for 28 Polo Drive. I live below on Bear Paw Lane. I cannot tell you how adversely this will impact our neighborhood. We have a real drainage problem here presently. I can't imagine what the additional drainage problems will occur if this variance is granted. It took well into the summer if not the fall for all the water to drain from our gutters last year. To compound the problem by granting the variance for 2 homes to be placed on this one lot will be most damaging to the neighbors on the south side of Bear Paw Lane.

I understand the builder that is asking for this variance is the same builder that put that monstrosity on the corner of 7th Street and Polo Drive. I've seen a lot of strange building in the 40 plus years I've lived in this town but I don't think I've ever seen such a disproportional mess as this one. For the life of me I can't imagine why the City of Colorado Springs would have granted such a big house to be placed on this size of lot. It is an eyesore to everyone that lives in this area. I can't even fathom splitting the proposed lot into 2 and what these homes might look like. This builder does not have a good history here.

I am strongly against the city from approving this variance. Changing the beautiful character of this area would be a travesty.

Thank you,

Karen Hammond

## Thelen, Lonna

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**From:** jim.doherty01@comcast.net  
**Sent:** Friday, March 24, 2017 6:15 PM  
**To:** Thelen, Lonna  
**Cc:** jim.doherty01@comcast.net  
**Subject:** 28 polo pony subdivision into 2 lots per your flyer

Hello Lonna, I just got your flyer this afternoon in my mailbox, so my apology for 12th hour email.

1. There are no extraordinary circumstances (just builder greed in my opinion) + I would be concerned with construction causing rear landslide zone/drainage issues on Bear paw residences below
2. Current single residence compiles with R zoning code and should not be changed – affects our “old Broadmoor” character & property values
3. Changing single dwelling lot to allow 2 dwellings – affects our “old Broadmoor” character & property values.

PS: As a current Mass un-restricted constructor supervisor/contractor (CS) (and a Project PMP) for many years I am amazed the same builder (Bruce) who “has exceeded lot coverage zoning restriction's” (I assume violation was with #1 Polo Pony oversized house which I see blocking our east view every time I look out our front window). So he is trying it again to skirt zoning regulations with this lot – When I re-new my CS & PMP licenses I have to agree to strict ethics codes & avoid any violations, I would have thought the same ethics code would apply here to this builder.

Jim/Siobhan Doherty  
10 polo pony drive

## Thelen, Lonna

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**From:** Gunnar Heuberger <-unknown-@hmtrs.com>  
**Sent:** Friday, March 24, 2017 5:00 PM  
**To:** Thelen, Lonna  
**Subject:** 28 Polo Drive

Dear Ms. Thelen,

My name is Gunnar Heuberger. My wife {Sherri} and I live at 8 Polo Drive. We are two houses down [east from the proposed sub division] and venimityly oppose the request to subdivide the lot at 28 Polo Drive. The Broadmoor Flats as this area is call was developed with large lots and estate type houses constructed on the large lots. The Lot that 28 Polo Drive is on has an unusable back yard. The slope starts at the back of the existing house and has a very steep incline downward {north slope} toward Bear Creek sub development. In other words half of that lot is unusable land. If it were to be divided it would have very small yards in the front with no backyards to either house put on it. This doesn't fit the character of this neighborhood. Furthermore this is not a high density neighborhood. We have servere traffic issues on 7th street turning into Alsace Street. This would add more traffic to an area that is currently looking at ways to curb traffic in the area. Major considerations for traffic issues are happening now with the City of Colorado Springs and the neighborhood. This proposed sub division would also affect property values. It will lower them due to the lower square footage of the lots and houses to be built on them. This neighborhood was not valued this way when we bought here. The house that is currently on the lot is structurally sound. They Bruce and his wife bought it as a repossession and were going to rehab it to flip. The house is in poor shape inside needing electrical, plumbing, mechanical, and sheet rock. Along with a kitchen and bathroom remodel. It also needs a new roof. The price of the house reflected all the work needed. Several of us in the neiborhood looked at tit to do just that. Fix it and flip it. I don't have the time otherwise we would have purchased it to do so. We have an interest in keeping the neiborhood up. A new house would do that. But not two. The large separation between houses and large lot are curtail to the Broadmoor area, That is why it is expensive to buy here and stay here. Taxes are high as well. It is not crucial to the property to subdivide it and sell it. The current owners do just that. They build and sell propeties. There last house on Polo drive is what they did tearing down and rebuilding. They can still do that with this house and lot the way it is. They can also fix this house. But to divide this lot and build two is not congruent with the neighborhood.

On another note we just spent a year getting plans thru Regional Building for a service department and parts Warehouse at 665 Auto Hieghts drive. The major stumbling block was the hill side slope and trying to stabilize it to build within 40' of the slope. we spent 500K to stabilize it only to have it fail. We were required to have a 100' setback from the slope as they have determined it is an unstable hill side slope. That was a huge cost and compromise to change what we wanted to build there and what we could build there. So my question is does the slope on that property come into play with a new construction of one or two houses? This side of the city has had many Houses lost to ground failure. Does this area have issues? Will that be addressed with any construction on 28 Polo. If it isn't and new construction happens then fails it take a long time for remidys to take place. Leaving the neiborhood with a house in great disrepair and the stigmatism of ground failure for the neighborhood affecting everyone's value.

What about the additional Storm water run off created by an additional roof and drive way created. The lot slopes down from Polo and NO run off goes into the gutter on Polo. All water goes to bear Creek park. Down hill neighbor problems there.

## Thelen, Lonna

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**From:** dan warta <susanmarquez@q.com>  
**Sent:** Friday, March 24, 2017 4:55 PM  
**To:** Thelen, Lonna  
**Subject:** 28 Polo LLC

To: Lonna Thelan

From: Susan Marquez  
14 Polo Dr  
COS CO 80906

Thank you for holding the meeting on March 15, 2017.

I do NOT think this lot should be split up.

1. No extraordinary circumstances:

There are no extraordinary or exceptional characteristics of the existing lot that are inconsistent with the general character of the neighborhood. This lot is suited to a single residence within the "R" (Estate Residential) zone. The only possible extraordinary circumstance might be that the rear of the lot is in an unusable landslide zone. The landslide zone area should not be considered in the calculation of the lot size if it were to be divided in two.

2. Reasonable Use as Existing:

The existing use as a single residence is a reasonable use consistent with existing "R" zoning code and the character of the neighborhood.

3. Adverse Impacts:

Changing the lot to allow two separate homes does have adverse impacts on the neighborhood's unique character within the City with its large lots and its historic homes and turn of the century estates. There could also be adverse impacts on drainage to Bear Paw below and landslides issues, as this lot is in the landslide zone, It should be noted this same builder has exceeded lot coverage zoning restrictions in the past.

Additionally,

The lot split is not consistent with the original intent of the property.

Also, with all the landslide problems in this city past and present, this land should be disrupted as little as possible out of protection for residents now and future residents therefore one lot , one house.

## Thelen, Lonna

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**From:** Tad Heinz <tadrheinz@gmail.com>  
**Sent:** Friday, March 24, 2017 4:48 PM  
**To:** Thelen, Lonna  
**Subject:** AR PFP 17 00122

As a neighbor living close to the proposed site of subdivision, I wanted to add my comments.

The proposed lot and house size are quite small for the street and not in character.  
The lot size and width are both substandard The developer is not reliable

Thank you for your consideration

Tad Heinz  
160 Polo Pony Drive, 80906  
719-576-5051  
Sent from my iPad

## Thelen, Lonna

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**From:** jeanne iverson <iversonjeanne@yahoo.com>  
**Sent:** Friday, March 24, 2017 4:28 PM  
**To:** Thelen, Lonna  
**Subject:** 28 polo dr development

Good afternoon,

Two thoughts on our meeting:

Bruce announced several months ago that he planned to cut out the scrub oak behind the house to improve the view. I believe trees hold soil and water and would create more of an erosion problem for people below 28 polo. Also, scrub oak are a native tree, very slow growing, and improve property value. Many of the scrub oak on our ridge are 100+ years old and I believe should be saved. Does the city respect and value our natural resources?

Next, I am concerned about fire in the neighborhood with only 20 feet between houses at 28 polo. I believe the larger the house or the number of houses (2) makes fire more of a possibility for all of us.

Thank you

Jeanne

18 polo circle

Sent from my iPhone

## Thelen, Lonna

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**From:** ada ng <adapng@yahoo.com>  
**Sent:** Friday, March 24, 2017 2:29 PM  
**To:** Thelen, Lonna  
**Subject:** Fw: 28 Polo Drive...

Show original message

Dear Lonna,

We live in 727 Bear Paw Lane, directly downhill from the proposed 28 Polo Drive. We are very concerned with the potential problems that may arise from the new house build. The digging may cause foundation and surrounding land to shift. In addition, water flow in the area can be disrupted and cause flooding. Unwanted movements in the land may cause landslides which can endanger my home. 28 Polo is suited for single residence, there is no extraordinary circumstances. It should not be divided into two.

Thanks for your consideration and your time.  
Ada Ng and Jiro Kameoka

**Thelen, Lonna**

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**From:** J9havick@aol.com  
**Sent:** Friday, March 24, 2017 1:38 PM  
**To:** Thelen, Lonna  
**Subject:** Subdivision of 28 Polo Drive, C/S, CO 80906

**Dear Lonna,**

**There are no extraordinary or exceptional characteristics of the lot that are inconsistent with the general character of the neighborhood. It is suitable for a single residence within the "R" (Estate Residential) zone. If extraordinary circumstances exist, such as two new homes with garages that can be added onto that would effect the rear of the lot that is an unusable landslide zone. This are should absolutely should NOT be considered in the calculation of the lot size when it is divided into two.**

**The present use as a single residence is a reasonable use consistent with the existing "R" zoning code and the character of the neighborhood.**

**The adverse impacts are changing the lot to allow two separate homes. This does have adverse impacts of this neighborhood which has a unique character within the City with its large lots and its historic homes. There could also be adverse impacts on drainage to Bear Paw down below this lot and the landslide issues. This lot is in the landslide zone, particularly since this same builder has exceeded lot coverage zoning restrictions before !!!**

**Sincerely, Janine Havick**

## Thelen, Lonna

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**From:** JOSEPH L <JOECORRIGANCOS@msn.com>  
**Sent:** Friday, March 24, 2017 12:40 PM  
**To:** Thelen, Lonna  
**Subject:** 28 Polo Drive

Dear Lonna,

I have lived at 707 S. Bear Paw Ln. for the last 37 years. 28 Polo Drive abuts my lot in its northeast corner. This is a very steep part of both lots, making it unusable for building or developing. I worry about the possibility of landslides and /or water drainage issues if the terrain of this lot is changed. I have been here long enough to see water coming down the gullies into homes on Bear Paw during wet years.

The usable land on this lot is not as big as the maps make it look. Two homes on this unique property would be small and cramped and not in keeping with the neighborhood at all.

Thanks for your consideration.

Joseph L. Corrigan MD

Sent from [Mail](#) for Windows 10

## Thelen, Lonna

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**From:** Tom Perkins <TPerkins@perkinsmotors.com>  
**Sent:** Friday, March 24, 2017 10:03 AM  
**To:** Thelen, Lonna  
**Subject:** 28 Polo

I attended the March 15th meeting regarding the plat and variance request for the 28 Polo address. As far as I can tell from the meeting the request does not meet any of the requirements for the variances. To start subdividing large lots in the area is a terrible idea. This appears to be strictly motivated by financial gain, and would require variances to make it happen. The apparent opinion of the neighborhood is very negative, much of it based on the applicants previous endeavors in the area. I see no reason to grant the requests.

Thank you ,  
Tom Perkins  
645 Bear Paw Lane

Sent from my iPad

## Thelen, Lonna

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**From:** Eric Scofield <ejscofield@me.com>  
**Sent:** Friday, March 24, 2017 8:34 AM  
**To:** Thelen, Lonna  
**Subject:** 28 Polo Drive --

Lonna,

Thanks for all you are doing for our City. Having moved here from San Diego two plus years ago, we are enjoying the smaller setting. Today I am writing you regarding the zoning at 28 Polo Drive.

My wife and I, and she attended the meeting, are opposed to this variance.

Our reasoning is found in a number of thoughts:

- We love this neighborhood, it's why we invested a good amount of capital into 20 Polo Circle where we live. We enjoy the historic feel of the lots, the wide streets, and the neighbors who care about the city. We think that this lot, beautiful as it is, is perfect for a single residence. It does not need to be chopped into two — there is no good reasoning for this, except someone looking for financial gain.
- We don't know the true impact of allowing this — it opens the doors for other lots to use this variance as a doorway. We don't know the impact on the land, the water mitigation, etc.
- Currently, the lot is consistent with the "R" zoning.
- This particular builder has exceeded lot coverage before, and the home on 7th and Polo does not "fit" into the style of the neighborhood. Many of our out of town guests will say, "whats with that house we passed on Polo?"
- Also, I do not appreciate the lack of relational back and forth discussion with this builder. Other than dropping off some material, there has been no effort to reach out and discuss.
- We purchased the house we did because of very, very little traffic. We do not want two houses at the end of our street and navigating yet another driveway, and traffic. We would like it to remain the beautiful lot that it is today — and it is a good one! Someone can make a wonderful home on this very desirable lot.

Thank you for your time!

Stay warm, and inside today!

Eric and Marni Scofield  
20 Polo Circle

Eric Scofield  
Chief Development Officer, Young Life  
420 N Cascade Ave.  
Colorado Springs, CO 80903  
858-248-1133 (m)

## Thelen, Lonna

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**From:** Susie Cogswell <sb4runner@comcast.net>  
**Sent:** Friday, March 17, 2017 10:11 AM  
**To:** Thelen, Lonna  
**Subject:** Re: 28 Polo Drive

Hi Lonna-

My husband and I attended the meeting on Wednesday night regarding 28 Polo Drive. We would like to be on the e mail list regarding any future correspondence/decisions regarding this matter. We would also like to know exactly what the 3 criteria are that need to be met by the applicant. Sorry if you told us, but we both have hearing issues and found it very difficult to understand much of what was said! Once we have the criteria and possibly what grounds might be considered reasonable objections, we can then decide if we have any justifiable comments to make.

Thanks,

Susie and Bill Cogswell  
37 Polo Drive

Sent from my iPad

**Thelen, Lonna**

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**From:** mark o'donnell <modonnell82@me.com>  
**Sent:** Monday, March 20, 2017 8:26 PM  
**To:** Thelen, Lonna  
**Subject:** 28 polo drive

Lonna,

Thank you for conducting the public notice meeting regarding splitting the lot located at 28 polo drive. I am opposed to the plan of splitting the lot because of its non conforming and very small lot sizes and widths. Splitting the lot will adversely impact the aesthetics and feel of the neighborhood and ultimately negatively impact the value of surrounding homes.

--

Mark G. O'Donnell

Sent from my iPhone

3-15-2017

TIME 80906

### I am opposed to subdividing 28 Polo Drive

Name	Address
De Warka	11 Polo Dr 80906
Lerie Malone	1 Polo Dr 80906
Sherri + Gunnar Heuberg	8 Polo Dr 80906
Susan Cogswell	37 Polo Dr 80906
William H. Cogswell	37 Polo Dr 80906
John Haver	29 Polo Dr 80906
Juanita Harlick	29 Polo Dr 80906
187 Jansen 10/30/2016	11 Polo 80906
H/2 (Hedi Heine) 10/31/16	1102 Polo Bay Dr 80906
Jud H/2 (Ted Heine) "	1102 Polo Bay Dr 80906
Theresa Marie	1106 Polo Park 80906
Candace Negeard 11/2/16	41 Polo Dr
Susan Marquez 11/2/16	14 Polo Dr 80906
JOHNS GERDES 11/15/16	30 Polo DR 80906
Cindy's (Lason) 11/26/16	23 Polo Dr 80906
Gerald C. McLaughlin 2/21/17	27 Polo Dr 80906
Linda J. McLaughlin 2/21/17	27 Polo Dr 80906
Mark H. Srofeldt 3/15/17	20 Polo Cir. 80906
Rosemarie Morris 3/15/17	25 Penn Scotty Trl 80
Super. Cannon 3/15/17	49 Polo Dr 80906
Joe Cannon 3/15/17	49 Polo Dr 80906

FIGURE 5

**Thelen, Lonna**

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**From:** Gary McLaughlin <gmsprings@aol.com>  
**Sent:** Thursday, March 16, 2017 10:11 AM  
**To:** Thelen, Lonna  
**Subject:** Fwd: AR PFP 17-00122

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Sorry about that blank email.

Re: FILE NO.: AR PFP 17-00122

We certainly see this as a negative for the neighborhood.

1. He is asking for several variances that keep moving from the acceptable codes the city has in place. See AR NV 17-00123 and AR NV 17-00124. It is one thing to ask for variances for one lot, but this is 2 lots four variances! So he has now set a precedent that could be exploited again and again! We have building codes to protect against these violations.

2. There are no considerations given for the drainage problems that result down below towards Bear Paw. The city may be ultimately responsible for if he doesn't remedy.

3. He is doubling potential slide problems by going from one residence to two, which the city may ultimately be responsible for.

4. His history in the neighborhood based on his build at 1 Polo Drive is to keep adding beyond what is acceptable code conformity. If he is allowed to subdivide the lot it would result in two residences that have pushed beyond code as he did at 1 Polo Drive.

The neighborhood has been what it is for years. But he wants to subdivide to solve his financial problems and move on, leaving the neighbors with LESS. When he first started to suggest this he told us he wanted to build for he and his wife with a second home for his daughter and granddaughter! This was a written document we all received on our door. We know better now. Bruce can't be trusted. Even the people that bought his house at 1 Polo signed the petition opposing subdividing this lot. He will be tenacious in order to get his way.

Sent from my iPhone

Begin forwarded message:

**From:** Gary McLaughlin <gmsprings@aol.com>  
**Date:** March 16, 2017 at 10:08:05 AM MDT  
**To:** Lonna Thelen <lthelen@springsgov.com>  
**Subject:** Re: AR PFP 17-00122

Sent from my iPhone

## Thelen, Lonna

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**From:** Patricia Severn <pesevern@gmail.com>  
**Sent:** Saturday, March 18, 2017 4:40 PM  
**To:** Thelen, Lonna  
**Subject:** 28 Polo Street

Lonna,

Thanks for conducting a planning session with the neighbors of 28 Polo Drive. It was informative and showed your efforts to determine the effects of the requested two houses on the property relative to the slope and water runoff from the lot. I wish that there had been a discussion about the land slide potential on the lot. I have friends near the Safeway on Academy in a landslide area who spent \$150,000 on shoring up their lot and joined a suit with other neighbors on the builder of the subdivision.

I regret that the meeting took place so close to the time of decision and to the District 12 spring break which meant many neighbors left town for vacation without time to respond to your presentation.

I am concerned with the plans for 28 Polo Drive and whether the builder will abide by agreements. I realize that your group is strained by the lack of funding for city offices in a state constrained by the TABOR act. On the last project ran by Bruce, the house built covered 29.5% of the lot, an overage of 100% and that he may take advantage of the lack of time to monitor the progress of his building and expand the house size.

Bruce made an effort to highlight the smaller lots and houses in the neighborhood, but in truth most of the lots in the neighborhood are large. The houses just south of 28 Polo Drive sit on what was once a polo field and on lots of .46 acres and most of the houses to the east and west of 28 Polo Drive sit on larger lots, because they are not constrained by the bend in the street.

I am not sure that the use of the lot as a two house lot is economically viable. The cost to amend problems on the site may increase the sell prices above existing single houses on larger lots in the neighborhood which buyers may prefer. Also the West Old Broadmoor neighborhood, one mile away, has multiple owner/leaser duplexes which offer the advantages of schooling in District 12 with better proximity to shops without the requirement to buy a house, and the houses in that area are on flat lots.

Patricia E Severn

## Thelen, Lonna

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**From:** Claudette Mayer <cflmayer@msn.com>  
**Sent:** Thursday, March 02, 2017 1:24 PM  
**To:** Thelen, Lonna  
**Subject:** 28 Polo Drive & Proposed Subdivision

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Lonna,

I am opposed to the property at 28 Polo Drive being subdivided and building 2 houses for the following reasons:

- Traffic - already a problem in this area and more houses will just add to the traffic problems. City Traffic Engineering, Tim Roberts and Erin Purcell, are already working with neighborhood organizations in the Polo Drive, 7th Street & Alsace area on trying to accomplish some traffic calming in the neighborhood. Allowing subdividing just increases traffic further adding to the existing problems.
- Landslides - neighbors below have met with City Engineering regarding landslides and drainage issues. City Engineering stated that notification of concerns would be made to City Planning. Have you received this information from Engineering?
- Zoning - any change would break up the initial city planned zoning for this area. This area has consistency in the R zoning and it should continue that way. We purchased our home as a single family home in a residential neighborhood and oppose any change that promotes multiple homes on a single lot. Any change in zoning will break up the integrity of this beautiful residential neighborhood.
- Zoning - allowing a zoning change on this property signals a silent nod from the city to allow others to do the same. Once it is allowed on one property, what's to stop it from happening to others? I want this neighborhood to be protected from developers/buyers who want to make changes to the area and then move out of the neighborhood.
- The property is too small for the proposed subdivision. A variance on the size of the lot is required. The owners knew this prior to purchasing the house. Allowing this variance will reduce the property value of surrounding properties. Mixed zoning is a nightmare and forces a decrease in property values to neighbors.

I don't live on Polo Drive, but do live on an adjacent street. I walk this neighborhood daily and know that any increase in traffic will be a huge problem. Please help to maintain the integrity of our neighborhood.

Thank you,



## Thelen, Lonna

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**From:** Cindy Johnson <cindyc375@aol.com>  
**Sent:** Sunday, March 26, 2017 3:23 AM  
**To:** Thelen, Lonna  
**Cc:** CINDYC375@aol.com  
**Subject:** Re: 28 Polo Dr

Lonna -

Thank you very much for providing this information and allowing us to comment and incorporate our comments and input into your final decision making.

We are not in support of granting the variance exceptions to the request to build 2 homes on the lot at 28 Polo Drive. Our property at 23 Polo Drive would be greatly impacted by the proposed construction plans.

Specifically, under the Extraordinary or Exceptional Conditions criteria:

D- the properties proposed would impact the traffic and noise in the area. It would block views of Garden of the Gods and which we now enjoy from our home and which adds value to our property.

D - the home at 44 Polo Drive is a historical home built in 1925 and the proposed construction would not be in keeping with the historic nature of the street and the neighborhood.

Specifically, under the No Reasonable Use criteria;

B - a neighborhood standard already exists, in that there is no lot that has 2 homes built on a single lot; all lots have a single home built on the lot.

It was also mentioned in the neighborhood meeting that this plot is on the Landslide map and that there have been no sustainability tests performed. There also could be substantial drainage issues as well.

In summary, this proposed summary would not meet the 3 areas that are required to grant a variance and we appreciate your taking our concerns and comments into consideration in making your determination.

Please contact us at [cindyc375@aol.com](mailto:cindyc375@aol.com) if you need to contact us. Please contact us regarding the outcome of your decision.

Please confirm that you have received our comments.

Thank you,

Cindy & Aaron Johnson  
23 Polo Drive

Cindy Johnson  
Vice President of Human Resources  
The Broadmoor  
15 Lake Circle  
Colorado Springs, CO. 80906

Email: [cjohnson@broadmoor.com](mailto:cjohnson@broadmoor.com)  
Direct: 719-577-5846

Sent from my iPad

> On Mar 23, 2017, at 11:38 PM, Thelen, Lonna <[Lthelen@springsgov.com](mailto:Lthelen@springsgov.com)> wrote:

>

> Cindy,

> Sure, attached is the nonuse variance application form that contains the criteria for the nonuse variance. If you can have comment to me prior Monday morning I will be able to incorporate them into my review letter.

> Thanks,

> Lonna

>

> Lonna Thelen, AICP, LEED AP BD&C

> Principal Planner | South Team

> Phone: (719) 385-5383

> Email: [lthelen@springsgov.com](mailto:lthelen@springsgov.com)

>

> -----Original Message-----

> From: Cindy Johnson [<mailto:cindyc375@aol.com>]

> Sent: Wednesday, March 22, 2017 3:17 AM

> To: Thelen, Lonna

> Subject: 28 Polo Dr

>

> Ms. Thelen,

>

> Good morning. This is Aaron and Cindy Johnson and we live at 23 Polo Drive. We are presently out of town and won't return until the March 24 deadline expires for comment on the proposed development across the street from our home. Could you please send us the criteria that must be met for 'no reasonable use', 'no adverse impact' and 'extraordinary circumstances' and we will forward our comments and concerns before the deadline.

>

> Thank you very much.

>

> Aaron and Cindy Johnson

>

>

>

> Cindy Johnson

> Vice President of Human Resources

> The Broadmoor

> 15 Lake Circle

> Colorado Springs, CO. 80906

> Email: [cjohnson@broadmoor.com](mailto:cjohnson@broadmoor.com)

> Direct: 719-577-5846

>

>

> Sent from my iPad

> <Nonuse\_Variance-2017.pdf>

## Thelen, Lonna

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**From:** Colleen Sperber <cmsperber@icloud.com>  
**Sent:** Friday, March 24, 2017 9:54 AM  
**To:** Thelen, Lonna  
**Cc:** Brian Sperber  
**Subject:** 28 Polo

Ms. Thelen,

My husband and I live at 33 Sea Hero Terrace, approximately 2 blocks from the proposed 28 Polo subdivision variance. For many reasons, we feel this subdivision does not meet the justifications for the non-use variance. First, there are **no extraordinary or exceptional characteristics** of the lot that are inconsistent with the general character of the neighborhood. The lot is comparable to all other lots on Polo Drive which back to the Bear Paw area. It is suited to a single residence within the "R" (Estate Residential) zone. If any extraordinary circumstances exist, it is the unusable landslide zone at the rear of the lot which should not be taken into account when calculating lot size or lot coverage because it is essentially an unusable cliff. Secondly, the existing use as a single residence is a **reasonable use** consistent with existing "R" zoning code and the character of the neighborhood. All comparable lots in the neighborhood contain a single residence. Lastly, there are many **adverse impacts** if the subdivision is allowed to go through. It will open the door to additional attempts to subdivide the estate lots in the Broadmoor neighborhood and have a negative impact on the neighborhood's unique historical character within the City with its large lots and historic homes. The city should avoid the severing of these Broadmoor lots and the construction of cookie-cutter residences. There could also be adverse impacts on drainage and landslide issues to the Bear Paw lots below, as 28 Polo is in the landslide zone. There may be engineering and drainage reports that say nothing will change, however, this same builder has exceeded lot coverage zoning restrictions before and cannot be trusted to build what is approved by the City. He may build something larger, with additional lot coverage, than the plans that are approved by the City and that would create negative drainage and landslide issues for the neighbors on Bear Paw. Thank you for your time and consideration.

Colleen and Brian Sperber

Colleen M. Sperber  
Sparks Willson Borges Brandt & Johnson, P.C.

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**From:** Colleen Sperber  
**Sent:** Friday, March 24, 2017 4:35 AM  
**To:** [cmsperber@icloud.com](mailto:cmsperber@icloud.com)  
**Subject:**

**Colleen M. Sperber** | Attorney at Law  
**Sparks Willson Borges Brandt & Johnson, P.C.**  
24 South Weber Street, Suite 400 | Colorado Springs, CO 80903  
Tel: 719.634.5700 | Fax: 719.633.8477  
[cms@sparkswillson.com](mailto:cms@sparkswillson.com) | [www.sparkswillson.com](http://www.sparkswillson.com)

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<zoning.docx>

March 23, 2017

Ms. Lonna Thelen  
Principal Planner  
City of Colorado Springs  
30 South Nevada, Suite 155  
Colorado Springs, Colorado 80901

RE: 28 Polo Drive LLC, Colorado Springs, Colorado 80906

Dear Ms. Thelen:

We are writing in regards to a non-use variance and subdivision application by 28 Polo Drive. We would urge you to deny FILE NUMBERS: AR PFP 17-00122, AR NV 17-00123, and AR NV 17-00124 on the following grounds and criteria:

**No Reasonable Use: Part A.**

As the property exists today, it conforms with the applicable zoning ordinance regulations. The lot is similar in size to many of the other lots in the area. It does not have exceptional or extra ordinary physical conditions necessitating a sub division into two lots. The lot presently has one house which can be re modeled or a new house built. The applicant has stated that he will build one house if the variance and sub division requests are not approved, thus alleviating the need for a variance.

**No Reasonable Use: Part B.**

The property in question already has a reasonable use. There has been no demonstration of less reasonable use by comparison to similar properties in the same zoning district to allow the variance. Granting the variance would set a precedent for others to sub divide properties in the neighborhood, thus fundamentally changing the character of the area.

**No Reasonable Use: Part A.**

It is possible that there could be adverse impacts on the surrounding properties if the lot is sub divided. Digging two foundations has the capability of adversely impacting the historical drainage and the underground water on the hillside. This ridge is already designated as a "red zone", and the back of the lot drops off steeply towards Bear Paw. Therefore, the impact of digging two foundations could further weaken the sub surface ground, creating landslides or flooding which could damage the properties to the north and downhill from 28 Polo. This would, amount other things, decrease property values throughout the neighborhood.

**No Reasonable Use: Part E.**

The applicant purchased the property with the knowledge that it was a single family residence and should not be granted the sub division into two lots or the variance to allow 67' and 59' lot

widths of the rear of the property line. As discussed in the paragraph above, the back of the lot drops off steeply and is potentially unstable.

It is for these reasons we would strongly encourage you to deny the No Use Variance Application request for 28 Polo Drive that is currently before you.

Sincerely,

William and Susan Cogswell  
37 Polo Drive

**PAUL E. O'BRIEN**  
**26 Polo Drive**  
**Colorado Springs, CO 80906**

March 21, 2017

Ms. Lonna Thelen, AICP, LEED AP BC&C  
Principal Planner  
City of Colorado Springs  
30 S. Nevada Ave., Suite 155  
Colorado Springs, CO 80901

**SUBJ: 28 Polo Drive, Colorado Springs, CO 80906**

Dear Ms. Thelen,

I am writing in regards to 28 Polo Drive, Colorado Springs, CO 80906 and Bruce and Renee FallHowe's request for a 'Nonuse Variance Application.' I would urge you to deny the application on the following criteria,

**No Reasonable Use: Part A, (The demonstrated extraordinary or exceptional physical conditions of the property must directly relate to the inability to reasonably use the property in conformance with the applicable zoning ordinance regulations.)**

As the property exists today it has a reasonable use and is proper in conformance with the zoning ordinance regulations, thus there is no need or reason to grant the requested variance. Bruce and Renee have admitted that if the variance is not granted, they intended to move forward with a single home on the property, proving the point themselves that the variance is not necessary for the use of the property.

In addition, FallHowe's first communication with the neighborhood states that the lot is 36,700 square feet, presumably a county assessors derived number. Per their most recent survey they claim the lots size is 38,460 square feet. This 1,700+ square feet inconsistency is important in that it calls into question the true and actual size of the lot and the actual variance size needed. It is unclear to me how the application can move forward if that actual size of the variance needed is still very much in question.

**No Reasonable Use: Part B. (The concept of less reasonable use may be considered if a neighborhood standard exists and if it is demonstrated that the property in question has a less reasonable use by comparison with proximate and similar properties in the same zoning district.)**

Granting the variance would allow for a less reasonable use by comparison to similar properties by negatively impacting property values, which would in-turn negatively impact the neighborhood standard. In addition, granting the variance would set a precedent for others to subdivide properties in the neighborhood thus fundamentally changing the character of the neighborhood.

**No Adverse Impact: Part A.** *(The granting of a variance shall not be detrimental to public health, safety and welfare or injurious to surrounding properties.)*

Again, granting the variance would negatively impact the property values which would indeed be detrimental to the surrounding properties.

**No Adverse Impact: Part A.** *(The granting of a variance shall not be detrimental to the public health, safety and welfare or injurious to surrounding properties.)*

Setting both proposed new homes at the front of the property with limited driveways and guest parking which would be detrimental to public safety. The reality of the need for on street parking on a dangerous corner on Polo Drive would be unsafe and dangerous to surrounding properties and neighbor's safety.

It is for these reasons that I would strongly encourage you to deny the Nonuse Variance Application request on 28 Polo Drive that is currently before you.

Should you have any questions please feel free to contact me.

With Regards,

A handwritten signature in black ink, appearing to read 'P. O'Brien', with a long horizontal flourish extending to the right.

Paul O'Brien  
26 Polo Drive  
Colorado Springs, CO 80906