



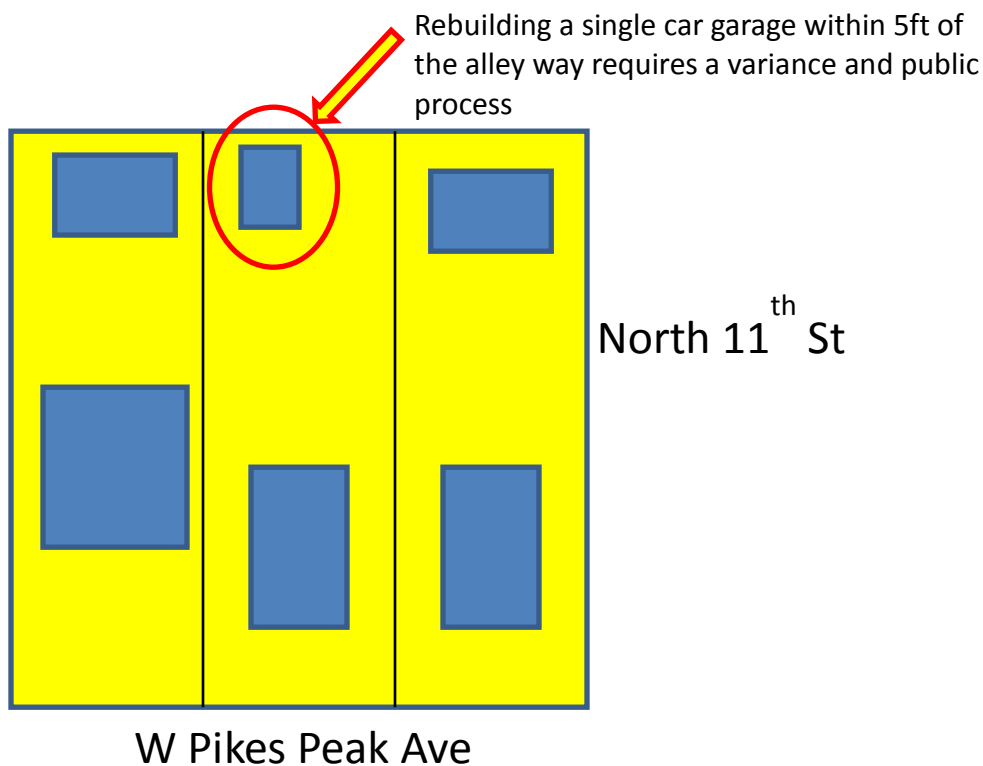
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29 August 2016

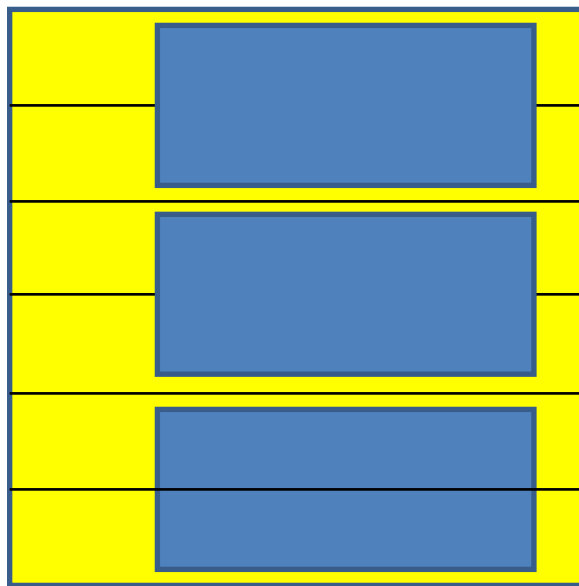
**RE: Lack of public process loophole when properties are replatted**

CONO Executive Board:

The Organization of Westside Neighbors (OWN) has discovered a loophole in City of Colorado Springs planning ordinances with regard to public process. While minor setback variances require notification of the surrounding neighborhood and a public process, OWN has been informed by City planning staff that major replatting and construction across property lines do NOT require a public process. Below are two examples illustrating this issue:



**Figure 6 - OWN Letter**



North 11<sup>th</sup> St

W Pikes Peak Ave

Replatting 3 legal sized R2 lots into 6 non-conforming substandard sized R2 lots with duplexes straddling the property line does not require a public process

The Westside is starting to experience developers trying to sub-divide lots into smaller, non-conforming lot sizes and build structures across the property lines without having to go through a public process. Every R2 zoned area in the city is vulnerable to this type of infill, redevelopment with no requirement for a public process. This is a citywide issue.

**OWN recommendation to address this public process loophole:**

- **Immediate temporary fix:** That CONO request that the city planning department staff (even though not required by code) conduct a full and open public process for any type of replatting in established neighborhoods until City Council can address and codify this issue. Especially if on slopes or in hillside overlay areas. **OWN requests that this action/direction take place immediately.**
- **Formal fix:** The City Council of Colorado Springs address and insert ordinance language that requires a full and open public process similar to that required of residents when replacing a structure that does not meet easement/standoff distances.

On behalf of our neighborhood organization and Westside residents, we appreciate your immediate action with regard to this citywide issue.

By Direction of the Board

Sincerely,

Well

**Welling Clark**

Welling Clark, OWN President

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**Figure 6 - OWN Letter**