



Town of Green Mountain Falls

Board of Trustees Regular Meeting Agenda

10615 Green Mountain Falls Road

Green Mountain Falls, CO 80819

Tuesday, July 5, 2022, at 7:00 p

Public Work Session prior to meeting at 6:00 p.m.

In-person* or via Zoom**:

<https://us02web.zoom.us/j/81992053714?pwd=D0OOFpz7y7ge4l44ASmHgKcldN9Yg.1>

Meeting ID: 819 9205 3714; Passcode: 765225; Dial-in: 346-248-7799

REGULAR MEETING:

TIME:		ITEM	DESIRED OUTCOME
6:00pm		Board of Trustees Work Session	
7:00pm	1.	CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE	
	2.	ADDITIONS, DELETIONS, OR CORRECTION TO THE AGENDA	BOT Action Desired
	3.	PERSONS PRESENT NOT ON THE AGENDA: 3 MINUTES PER SPEAKER	Public Comment
	4.	CONSENT AGENDA: a. Minutes from June 28, 2022, Board of Trustees Meeting	BOT Action Desired
	5.	Public Hearing for Variance: Land Use Application 20220608 – 11115 Midland Ave.	Public Comment
	6.	Consideration of Variance: Land Use Application 20220608 – 11115 Midland Ave.	BOT Action Desired
	7.	Short Term Rental License Appeal: 10971 Iona Ave.	BOT Action Desired
	8.	Discussion – Vendor Invoice Acknowledgment Reports	BOT Action Desired
	9.	REPORTS a. Trustee Reports b. Staff Reports	Information Only
	10.	CORRESPONDENCE	Information Only
	11.	ADJOURN	

*The Town shall provide reasonable accommodation for those with disabilities on a case-by-case basis. Please send accommodation requests to clerk@gmfcu.us by 4pm on the date of the meeting.

**Zoom meeting will start when the regular meeting is called to order. Public Comment for Zoom participants is restricted to live comment during Item #3 only. Commenters should be prepared to use the “raise hand” function to be called upon. Chat comments will not be managed or responded to.

TOWN OF GREEN MOUNTAIN FALLS
Board of Trustees Regular Meeting
Town Hall – 10615 Green Mountain Falls Road
In-Person or Zoom
Tuesday, June 28, 2022 – 7:00 P.M.

MEETING MINUTES

Board Members Present

Mayor Todd Dixon
Mayor Pro Tem Sunde King
Trustee Nick Donzello (Zoom)
Trustee Katharine Guthrie

Board Members Absent

Trustee Sean Ives

Town Attorney

Not present

Town Manager

Becky Frank

Public Works Department

Not present

Town Clerk/Treasurer/Planner

Nate Scott

Marshal's Department

Not present

Administrative Assistant

Vacant Position

Planning Department

Vacant Position

1. Call to Order/Roll Call/Pledge of Allegiance

Mayor Dixon called the meeting to order at 7:01 p.m.

2. Additions, Deletions, or Correction to the Agenda

Trustee Guthrie motions to approve the regular agenda. Trustee Donzello seconds. Motion passes unanimously.

3. Persons Present not on the Agenda: 3 minutes per speaker

Mike Frey – comment on Item 8 – short term rental discussion. Hoping the Board doesn't use a sledgehammer to swat a fly. Solutions should solve a specific problem but not add hardship to STR operators. He has never had a problem with their STR properties.

4. Consent Agenda:

- a. Non-auto-pay vendor invoices paid from June 4, 2022, to June 27, 2022

Trustee King questions what the description means. TCTP Scott advises that it means "non-auto-pay vendor invoices" paid in the time frame presented and that this is the same information that the Board has received for the last year-plus. Just renamed according to Trustee King's advisement last meeting. Discussion about what the report represents vs. what is wanted and what is the process for entering and are they transparent to the public. Trustee King states that she has been requesting a change for months. TCTP Scott advises that the auto-pay transactions are minimal but time consuming to enter for the accounts payable contract employee. Trustee King states that this is a "pick and choose" report from staff and it should be a standard report from the software. TCTP Scott responds that he does run a standard report from the software that identifies all outgoing checks. Board agrees that all outgoing expenses should be represented on this report and that it is fine to call it an "acknowledgment" of payments instead of presented as an "approval". Discussion about what it would take to get all these transactions entered into the accounting software. TM Frank advises that a different software may help with this process.

Trustee Donzello motions to table item 4a for discussion in the next Board meeting. Trustee King seconds. Motion passes unanimously.

- b. Minutes from June 7, 2022, Board of Trustees Meeting

- c. Minutes from June 16, 2022, Board of Trustees Meeting
Trustee King has a correction on Item 6 – Gazebo Music Series. Trustees King and Guthrie abstained from the vote. It says it passes unanimously.

Trustee Guthrie moves to approve items 4b and 4c with the change mentioned above. Trustee Donzello seconds. Motion passes unanimously.

5. Public Hearing for Special Event Liquor License: Chamber of Commerce for Bronc Day Barn Dance @ the Farm Stand

Public Hearing opens at 7:20.

No public comment from the room or Zoom.

Trustee King clarifies that this should technically be called a “Special Event Permit for Liquor” not a “Special Event Liquor License”. Town Manager Frank agrees.

Public Hearing Closed at 7:22

6. Special Event Liquor License: Bronc Day Barn Dance at The Farm Stand

Trustee Donzello moves to approve the liquor license for the special event. Mayor Dixon seconds. Motion passes unanimously, with Trustee Guthrie abstaining.

7. Parks, Recreation, and Trail Advisory Committee: Crosswalk Request

Town Manager Frank gives a summary of this request. With the new hiking trail and Skyspace, the existing crosswalk near the bus station needs to be refreshed and another needs to be added for the crossing into the Joyland parking lot. TM Frank advises that the method of payment has not been identified yet but that the Town should have some supplies on hand to help accomplish this.

Discussion about the need for the new crosswalk, due to people using the walking path on the opposite side of the street of Joyland/Pool Park. Discussion about adding crosswalk signs, which can be produced in house, to accompany the crosswalks.

Trustee Donzello moves to approve the request from the PRTAC to add and refresh the crosswalks, to also include the necessary signs. Trustee King seconds. Motion passes unanimously.

8. Short Term Rental Discussion

TM Frank gives a summary of the issues at hand and brief history of the Town’s STR management policy. Advises that it is inappropriate for us to change any process for applications in progress, and there will be suggestions from staff to improve the policies and refine the process. Town is still awaiting feedback from legal about our current policies and suggested best practices.

Discussion about the timeframe for the public meeting and that the assumption is that any new code changes would come into effect for next year’s renewal period. Mayor Dixon says that he received a report from TCTP Scott indicating \$90k-ish revenue from STR fees in 2021. Discussion about some examples of policy ideas that have been presented in previous meetings, like Boulder County policies, and some ideas from the board for new policies.

Next step is scheduling the public meeting. Just waiting for legal. TM Frank updates the board on the process to change policies and suggests a timeline. Trustee Donzello asks what some of the ideas were that were sent to legal. TCTP Scott summarizes a list of ideas which were sent to legal. Mayor Dixon mentions a webinar he attended about another possible software solution that could help with management. Resident Mike Frey asks for staff to explain some of the complaints/issues that are being reported. TM Frank and TCTP Scott list some of the complaints received: lights in windows, marijuana use, parking conflicts, need for more clarity (ie. Objective enforceable rules)

for approvals/revocations. Discussion about general evolution of the Town's current policy. Tuesday, July 26 is identified as the date for the public "town hall" meeting. TM Frank will put together information to guide discussion.

No board action.

9. Reports

a) Trustee Reports

- i. Trustee Guthrie comments about Colorado Municipal League conference – she found it very valuable to network with other town officials.
- ii. Mayor Dixon also comments on the value of the CML conference and would like other trustees to attend next year.

b) Committee Reports – none received

c) Staff Reports

- i. TCTP Scott summarizes the included report. Comments specifically on the method of grid work utilized by the Mile High Youth Corps work. Update that the new version of the municipal code adopted last winter is now on the website – minus the land use code until a new version adopted. Mayor Dixon asks about Planning Commission vacancy process – discussion about whether executive session should be used or how should the interview process go.
- ii. TM Frank summarizes the included report. Goes into detail about funding method for the Stilling Basin project budget overage. The pool work has encountered setbacks, so the opening will be delayed another week, to July 8. Thanks CIRSA and CML for the scholarships that allowed Mayor Dixon and Trustee Guthrie to attend.

10. Correspondence

None received. Mayor Dixon asks what should be presented as correspondence to the board. TM Frank says any communication addressed to the entire board should be included in this section.

11. Adjourn

Meeting adjourned at 8:24 p.m.

Nathan Scott, Town Clerk/Treasurer

Todd Dixon, Mayor



To: Planning Commission
From: Nate Scott, Town Clerk/Treasurer/Planner

Date: June 22, 2022

Re: 20220608 – Architectural/Zoning Application and Variance Request for 11115 Midland Ave.

Background

The applicant Eulis Rayburn of Rayburn Construction and Design, on behalf of owner David Shapiro, is requesting the Planning Commission's consideration for an application for new deck construction (partially covered) with a variance from the Town in order to accommodate the design. The application for the Architectural and Zoning Review was received on June 8 and the Zoning Variance application was received on June 9, 2022. The applicant has acquired a town business license, has paid all the fees, and has submitted the plans to Pikes Peak Regional Building Department.

The deck is essentially a replacement with the same footprint, including the orientation of the staircase. Despite being a replacement with a similar footprint, Town code and PPRBD policies both treat this as new construction, which therefor should be treated as such with respect to complying with existing Zoning and Building regulations.

The site plan for the deck footprint shows a front setback of only seven (7) feet. Therefor a variance from the required 15-foot setback of the R-1 5,000 Single-Family Zoning District is required in order to complete this project.

Planning Commission Recommended Actions:

- Review proposed variance for compliance with Green Mountain Falls Zoning and Land Use Code.
- Review proposed Architectural and Zoning Application for compliance with Green Mountain Falls Zoning and Land Use Code.

Project Summary

Per the applicant: this project entails replacement of existing 668 sq ft. deck with entry stairs and a 140 sq ft deck off the bedroom over the garage. All within the original footprints and setbacks of the original decks. Also to include a 130 sq ft enclosed patio on the existing concrete block foundation with a roof covering over the patio and 50% of the main deck. This structure will add excellent value to the home and be aesthetically pleasing to the neighboring community. This will also provide a warm, safer welcoming entry into the home.

Materials:

- Decking: Natural Brazilian Hardwood Decking with 50–70-year life expectancy.
- Handrails: Fortress Black Sand Steel Handrails and Mid-Post.
- Windows & Doors: JELD-WEN vinyl exterior to match the existing windows.
- Soffit & Fascia: Smart Side composite. Color (white) to match the existing.
- Siding: Smart Side Composite Painted to Match the existing light blue home color.
- Roof: 30-year dimensional shingles Class 3. Color light gray/black. To match existing.

Discussion

1 - Architectural and Zoning Application:

The electronic file maintained by Town Hall, *Official Town Zoning Map 2019*, shows the Zone District as R-1 and the El Paso County Assessor's Office show parcel ID 8308211002 with an area of 7,014 sq. feet. Therefore, zoning is:

16-305: R-1 5,000 Single-Family Residential.

Setback requirements:

- a. front, fifteen (15) feet;*
- b. side, five (5) feet; and*
- c. rear, ten (10) feet.*

Sec. 16-705. - Building permits; architectural review

The Zoning Code §16-705(d)(2) – at a minimum, the following specific criteria shall be considered by the Planning Commission:

- a. Architectural compatibility;*
- b. Bulk of the proposed building or structure in relation to surrounding buildings and land;*
- c. Vehicular access and parking;*
- d. Pedestrian access; and*
- e. Relation to existing and future open space.*

The language for architectural review is couched as policy recommendation with vague standards: nevertheless, it does state the advisory body *shall restrict its consideration in each case to the effect of the proposed construction on the health, safety, morals, and general welfare of the Town.*

Sec. 16-712. - Development plan requirements (w/ notes specific to this project).

- (1) The location, height, and dimensions of each existing and proposed structure in the development area and the uses to be contained therein. **(see site plan)**
 - (2) The proper building setbacks and building area with reference to property lines, highways, or street rights-of-way; **(in site plan)**
 - (3) The location and surfaces of all parking areas and the exact number of parking spaces; **N/A**
 - (4) The location of watercourses and other natural historic features; **N/A**
 - (5) The location of all pedestrian walks, malls, recreation, and other open spaces; **N/A**
 - (6) The location, number, height, and square footage of freestanding identification signs; **N/A**
 - (7) The location, height, size, and orientation of any required light standards; **N/A**
 - (8) The location of all permanent accesses from publicly dedicated streets, roads, or highways; **(see site plan)**
 - (9) The location, overlain on contours for the area, of all roadways, walkways, bridges, culverts, drainage easements, existing or contemplated, and green belts; **N/A**
 - (10) The location of all footpaths, traffic islands, traffic devices and driveways, indicating the pedestrian and vehicular movement and control; **N/A**
 - (11) The stages, if appropriate, in which the project will be developed; **N/A** and
 - (12) A vicinity map to locate the development in relation to the community. **(see attached site overview map)**
- (Ord. 97-01)

2 – Granting of Variance:

Sec. 16-709. Variances. (Staff comments in bold.)

(a) No variance in the strict application of the provisions of this Land Use Code, including building requirements, signs, and fences, shall be recommended by the Planning Commission or approved by the Board of Trustees unless it finds that the following requirements and standards are satisfied. It is the intent of this Article that the variance be used only to overcome some exceptional physical condition of a parcel of land located within the neighborhood which poses practical difficulty to its development and prevents its owner from using the property as intended by this Land Use Code. Any variation granted shall be the minimum adjustment necessary for the reasonable use of the land.

(b) The applicant must prove that the variance will not be contrary to the public interest and that practical difficulty and unnecessary hardship will result if it is not granted. In particular, the applicant shall establish and substantiate that the appeal for the variance conforms to the requirements and standards listed below:

(1) The granting of the variance shall be in harmony with the general purpose and intent of the regulations imposed by this Land Use Code on the district in which it is located and shall not be injurious to the neighborhood or otherwise detrimental to the public. **This project is beneficial to public safety, property value, and neighborhood aesthetics.**

(2) The granting of the variance will not permit the establishment of any use which is not permitted in the district. **This requirement is met.**

(3) There must be proof of unique circumstances. There must exist special circumstances or conditions, fully described in the findings, applicable to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or buildings in the neighborhood and which circumstances, or conditions are such that the strict application of the provisions of this Land Use Code would deprive the applicant of the reasonable use of such land or building. **The unique circumstance in this case is a narrow parcel configuration with limited buildable space due to slope behind the house. The owners wish to improve the property by replacing the decks within the same footprint as the old ones.**

(4) There must be proof of unnecessary hardship. It is not sufficient proof of hardship to show that greater profit would result if the variance were granted. Furthermore, the hardship complained of cannot be self-created; nor can it be established on this basis by one who purchases with or without knowledge of the restrictions; it must be suffered directly by the property in question; and evidence of variances granted under similar circumstances shall not be considered. **The unique circumstance listed above dictates a limited area to build, creating a hardship for improvement on this lot.**

(5) The granting of the variance is necessary for the reasonable use of the land or building and the variance as granted by the Board of Trustees is the minimum variance that will accomplish this purpose. The report of the Planning Commission shall fully set forth the circumstances by which this Land Use Code would deprive the applicant of any reasonable use of his or her land. Mere reasonable loss in value shall not justify a variation; there must be a deprivation of beneficial use of land. **This proposed use is reasonable for the R-1 zoning district.**

(6) The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood. **This requirement is met.**

(7) The granting of the variance requested will not confer on the applicant any special privilege that is denied by this Land Use Code to other lands, structures, or buildings in the same district. **This requirement is met.**

(c) The Board of Trustees may prescribe any safeguard that it deems necessary to substantially secure the objectives of the regulations or provisions to which the variance applies.

(d) Upon application, the Planning Commission, after giving notice as required by law, shall schedule a public hearing of the proposed variance. The Planning Commission shall consider and decide all proposed variations, taking into account the standards enumerated above.

(e) Procedure. Procedures for variance hearings shall be the same as those for zoning and rezoning, with the exception of the publication requirement contained in Paragraph 16-711(f)(2) below, which shall not be required. (Ord. 97-01)

Conclusion and Recommendation

Staff recommends approval of this project, including the variance. The new structures are being built within the same or very similar footprint as the previous decks, which in effect is not expanding on a nonconforming use. This project is beneficial to public safety, home value, and neighborhood aesthetics.

Notice of Public Hearing

RE: Variance Request 20220608: Front Setback Variance @ 11115 Midland Ave

LEGAL DESCRIPTION OF THE PROPERTY: El Paso County Tax Schedule # 8308211002;
NLY 70 FT OF LOTS 2, 3 BLK 24 GREEN MOUNTAIN FALLS ADD 3

To Whom It May Concern:

The owners of the above property are requesting approval of a variance to the Town's 15-foot front setback development requirement for the 5,000 R-1 Zone District. The variance, if approved, will allow the project to satisfy the zoning requirements of the Town of Green Mountain Falls. The variances being requested are:

-Allowing of deck/structure construction within the defined 15-foot front setback of the [5,000 R-1 Single-Family Residential Zone District](#). The proposed structures would be seven (7) feet away from the front property line.

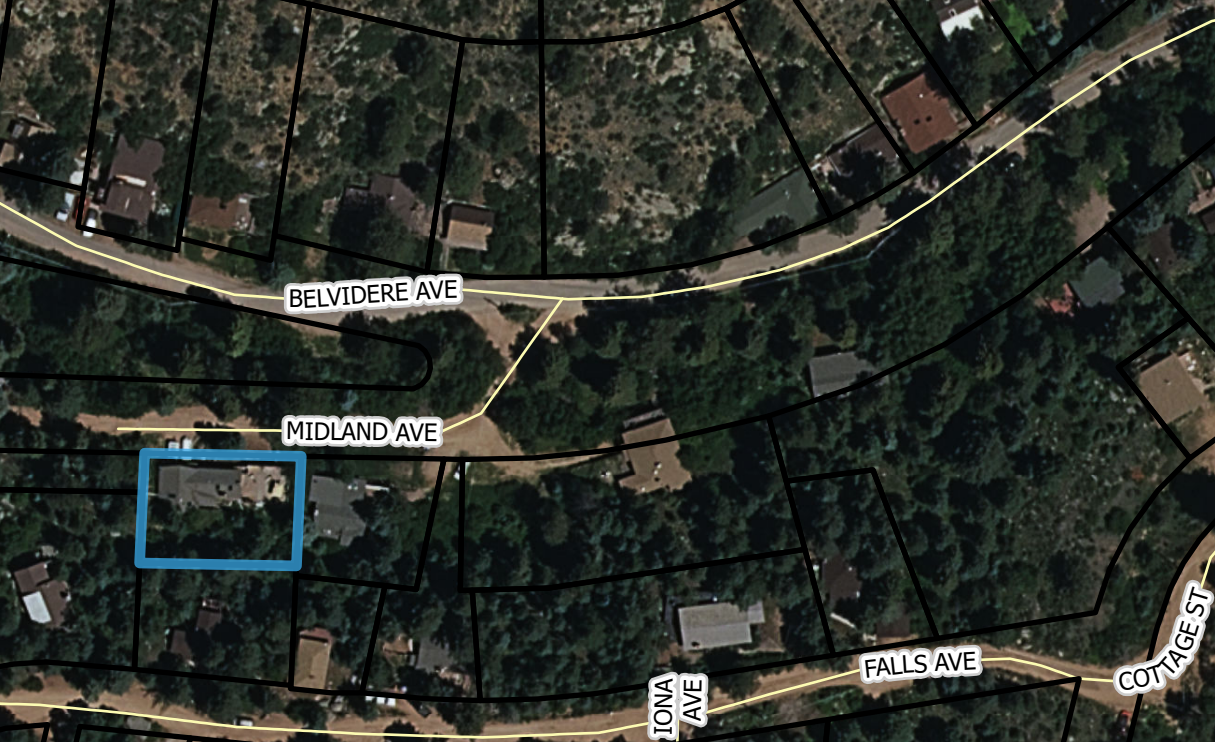
The Town of Green Mountain Falls requires all zoning variance requests be subject to a public hearing in both Planning Commission and Board of Trustees meetings. The first of these Public Hearings will be held at the June 28, 2022, Planning Commission meeting at 6:30 p.m. The second will be held at the July 5, 2022, Board of Trustees meeting at 7:00 p.m. Both meetings will be in Town Hall, located at 10615 Green Mountain Falls Road, Green Mountain Falls, CO 80819.

If you wish to make a comment regarding the application under review, and are unable to attend the Public Hearing, you may submit a written statement by the date listed above to the Town Clerk at clerk@gmfco.us. A copy of the full application may be obtained from the Town Clerk, should you need more information than what has been included with this letter. Emailed comments are preferred; however, physical submissions will also be accepted at the front desk of Town Hall (10615 Green Mountain Rd.). Public Comment will not be included as part of the Staff review of the request after 5pm on the day before the Public Hearing.

You may contact the Town Clerk if you have any questions or comments regarding this application at the email address above or by phone at 719-684-9414 x1.



Nate Scott
Town Clerk/Treasurer



An aerial photograph of a residential neighborhood with black property line overlays and yellow street lines. A blue rectangle highlights a specific property. The map shows several streets: Belvidere Ave at the top, Midland Ave in the middle, Falls Ave at the bottom, and Cottage St on the right. A vertical street on the left is labeled Iona Ave. The area is densely wooded with some houses visible.

BELVIDERE AVE

MIDLAND AVE

FALLS AVE

COTTAGE ST

IONA
AVE



**Town of Green Mountain Falls
Land Use Approval Application
Architectural Plan Review**

General Information

- This checklist serves as a guideline for submitting a Zoning & Architectural Plan Review Land Use Approval application and is not a substitute for the provisions in GMF Municipal Code or any other rules that may apply.
- Applicants are responsible for reviewing and understanding the Code.
- Complete applications are subject to staff review time of **two weeks (14 days)**.

Applicant

Applicant:	EULIS RAYBURN/RAYBURN CONSTRUCTION AND DESIGN, LLC
Address:	10492 CAPITAL PEAK WAY, PEYTON CO 80831
E-Mail:	ERAYBURNCD@GMAIL.COM
Phone:	719-728-9025
Owner:	DAVID S. SHAPIRO
Address:	11115 MIDLAND AVE. GREEN MOUNTAIN FALLS, CO
E-mail:	davmar11@earthlink.net
Phone:	719-964-3586

Property

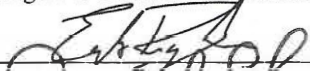
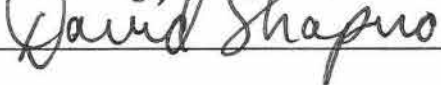
Physical Property Address:	11115 MIDLAND AVE. GREEN MOUNTAIN FALLS, CO		
Type of Plan Review:	DECK REPLACEMENT/ZONING	Lot Size/Zoning:	7014 SQ FT R1 SINGLE FAM. RESIDENTIAL
Hillside Overlay zone?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Land Survey/ILC Included:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Certification & Signature

APPLICANT'S STATEMENT: I understand the procedures and requirements (pages 1 and 2 of this application) that apply to my request and acknowledge an incomplete application will not be scheduled for public hearing. GMF Staff's acceptance of the application, payment of fees, and submittal of accompanying materials does not constitute completeness. I further agree to reimburse the city for technical and professional consulting expenses that may be incurred during the review of my request. Failure to reimburse the Town for invoiced expenses constitutes an incomplete application.

Certification: The undersigned applicant certifies under oath and under penalties of perjury that the information found in the application is true and accurate to the best of their knowledge.

By checking this box, I agree to the certification statement and am typing my full name as an electronic signature.

Applicant Signature  Date 06/08/2022
Owner Signature  Date 6/8/22
Owner Signature _____ Date _____

This document can be signed electronically using [Adobe Reader DC](#) for free.



Town of Green Mountain Falls Land Use Approval Application Zoning Variance

General Information

- A zoning variance is a request to deviate from the requirements in the Green Mountain Falls Land Use and Zoning Code, as established in §16-709.
- This checklist is a guide to submitting a complete application and is not a substitute for all provisions in GMF Municipal Code. Applicants are responsible for reviewing and understanding the Code.
- Complete applications are subject to **four weeks (28 days)** GMF Staff review before appearing on Planning Commission and Board of Trustees agendas.

Applicant

Applicant:	EULIS RAYBURN/RAYBURN CONSTRUCTION AND DESIGN, LLC
Address:	10492 CAPITAL PEAL WAY, PEYTON CO 80831
E-Mail:	ERAYBURNCD@GMAIL.COM
Phone:	719-728-9025
Owner:	DAVID SHAPIRO
Address:	11115 MIDLAND AVE. GREEN MOUNTAIN FALLS, CO
E-mail:	davmar11@earthlink.net
Phone:	719-964-3586



Property

Address: 11115 MIDLAND AVE. GREEN MOUNTAIN FALLS, CO	
Zoning Designation: R1 SINGLE FAM. RESIDENTIAL	Lot Size: 7014 SQ FT
Hillside Overlay zone? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Land Survey Included: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Certification & Signature

APPLICANT'S STATEMENT: I understand the procedures that apply to my request and acknowledge an incomplete application will not be processed or scheduled for public hearing until such time it is complete. GMF Town Staff's acceptance of the application, the payment of fees, and submittal of accompanying materials does not constitute completeness. I further agree to reimburse the city for technical and professional consulting expenses that may be incurred during the review of my request. Failure to reimburse the Town for invoiced expenses constitutes an incomplete application.

Certification: The undersigned applicant certifies under oath and under penalties of perjury that the information found in the application is true and accurate to the best of their knowledge.

Applicant Signature  Date 06/09/2022
Owner Signature  Date 6/9/22
Owner Signature _____ Date _____

This document can be signed electronically using [Adobe Reader DC for free](#).

Printed: 06/21/2022 14:06:35 MDT

TRANSACTION SUMMARY

TRANSACTION TYPE: SALE

PAYMENT ITEM	REFERENCE NUMBER	AMOUNT
MunicipiPAY*Service Fee - Town of Green Mountain Falls CO		\$16.56
Permit Fees	20220608 Arch Review and Variance	\$625.00
Total:		\$641.56

Transaction Number: 22172579060470053
Date Processed: 06/21/2022 14:06:29 MDT
Transaction Type: CREDIT CARD
Card Type: VISA
Card Number: *****8551
Cardholder Name: Eulis Rayburn

Town of Green Mountain Falls CO - General Fund
10615 Green Mountain Falls Road
Green Mountain Falls, CO 80819
719-684-9414

Authorization: 021368
Reference Number: ED73C8722D

Permit Fees \$625.00
Total: \$625.00

I agree to pay above total amount according to the card issuer agreement.

Signature: _____

MunicipiPAY*Service Fee - Town of Green Mountain Fa
511 Congress Street
Suite 503
Portland, ME 04101
877 590-5097

Authorization: 021948
Reference Number: ED73C8732D

MunicipiPAY*Service Fee - Town of Green Mountain Falls CO \$16.56
Total: \$16.56

I agree to pay above total amount according to the card issuer agreement & understand this non-refundable service fee will be charged to allow my payment via credit card.

Signature: _____

06.22.2022



Green Mountain Falls Variance Request

Project Location: 11115 Midland Ave. Green Mountain Falls, CO

Applicant: Eulis Rayburn/ Rayburn Construction and Design, LLC

Resident Owner: David Shapiro

Per the applicant: this project entails replacement of existing 668 sq ft. deck with entry stairs and a 140 sq ft deck off the bedroom over the garage. All within the original footprints and setbacks of the original decks. Also to include a 130 sq ft enclosed patio on the existing concrete block foundation with a roof covering over the patio and 50% of the main deck.

This structure will add excellent value to the home and be aesthetically pleasing to the neighboring community. This will also provide a warm, safer welcoming entry into the home.

Materials:

Decking: Natural Brazilian Hardwood Decking with 50–70-year life expectancy.

Handrails: Fortress Black Sand Steel Handrails and Mid-Post.

Windows & Doors: JELD-WEN vinyl exterior to match the existing windows.

Soffit & Fascia: Smart Side composite. Color (white) to match the existing.

Siding: Smart Side Composite Painted to Match the existing light blue home color.

Roof: 30-year dimensional shingles Class 3. Color light gray/black. To match existing.

Thank you for your consideration.

Respectfully,

Eulis Rayburn



NEW ELEVATION



EXISTING



EXISTING

DRAWINGS & SPECIFICATIONS:

IT IS THE INTENT OF THE DRAWINGS AND SPECIFICATIONS TO BE GUIDELINES FOR CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING ANY QUESTIONS AND MEANINGS IN THE WORKING DRAWINGS AND SPECIFICATIONS; AND THE CONTRACTOR SHALL NOTIFY THE DESIGNER IN WRITING OF ANY ERRORS, OMISSIONS OR UNSUITABLE DETAILING WHICH MAY CAUSE CONSTRUCTION PROBLEMS.

THE DESIGNER'S LIABILITY REGARDING ERRORS AND/OR OMISSIONS WILL BE LIMITED TO THE CORRECTION OF THE ORIGINAL DRAWINGS; CONSULTANTS' LIABILITY IS THE SAME.

CODES AND LAWS:

ALL WORK MUST MEET THE STANDARDS OF ALL CODES INCLUDING THE 2015 INTERNATIONAL RESIDENTIAL CODE, AND ALL CITY (2017 PPRBC), STATE AND NATIONAL CODES WHICH APPLY; AND THE LAW OF THE PLACE OF BUILDING SHALL GOVERN THE CONSTRUCTION OF THE CONTRACT BUILDING. CONSTRUCTION SHALL MEET OR EXCEED H.U.D. MINIMUM PROPERTY STANDARDS. THE CONTRACTOR IS RESPONSIBLE FOR FOLLOWING ANY SUBDIVISION REGULATIONS SET FORTH BY THE LOCAL ARCHITECTURAL REVIEW COMMITTEE OR SIMILAR GROUP.

MATERIALS AND LABOR:

ALL MATERIALS SHALL BE NEW, SHALL CONFORM TO THE CURRENT APPLICABLE INDUSTRY STANDARDS AND CODES, LATEST EDITIONS, AND SHALL MEET GOOD BUILDING STANDARDS AND PRACTICES. ALL MATERIALS SHALL BE INSPECTED BY THE CONTRACTOR PRIOR TO CONSTRUCTION, AND ALL DEFECTIVE MATERIALS SHALL BE RETURNED. ALL WORK SHALL BE DONE IN A WORKMANSHIP MANNER IN ACCORDANCE WITH THE STANDARDS OF THE PARTICULAR TRADE OR PROFESSION. WORK INCLUDES THE FURNISHING OF ALL MATERIALS, LABOR AND EQUIPMENT FOR THE INSTALLATION OF EACH ITEM AS CALLED FOR ON THE DRAWINGS HEREIN SPECIFIED, OR BOTH. THIS SCOPE APPLIES TO ALL SECTIONS OF THE SPECIFICATIONS. INSTALL ALL MATERIALS IN STRICT ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS. ANY CONFLICT BETWEEN THE SPECIFICATIONS AND THE MANUFACTURER'S RECOMMENDATIONS, THE MANUFACTURER'S RECOMMENDATIONS SHALL GOVERN.

MATERIAL OR PRODUCT SUBSTITUTION:

PRODUCTS OR BRAND NAMES GIVEN IN THE SPECIFICATIONS ARE INTENDED AS AN INDICATION OF QUALITY; AND IT IS ASSUMED THE WORDS "OR EQUAL" AS APPROVED BY THE DESIGNER ARE IMPLIED. STRUCTURAL MATERIALS MAY ONLY BE SUBSTITUTED IF ACCOMPANIED BY A REGISTERED ENGINEER'S STAMPED DRAWING AND/OR LETTER.

CONTRACTOR'S ACCEPTANCE:

THE BEGINNING OF WORK BY THE CONTRACTOR SHALL CONSTITUTE COMPLETE ACCEPTANCE OF THE SITE CONDITIONS AND THE CONTRACT DOCUMENTS. PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY THE DESIGNER IN WRITING OF ANY SITE PROBLEMS OR OF ANY ERRORS, OMISSIONS OR UNSUITABLE DETAILING WHICH MAY CAUSE CONSTRUCTION PROBLEMS.

INTENTION OF PROJECT:

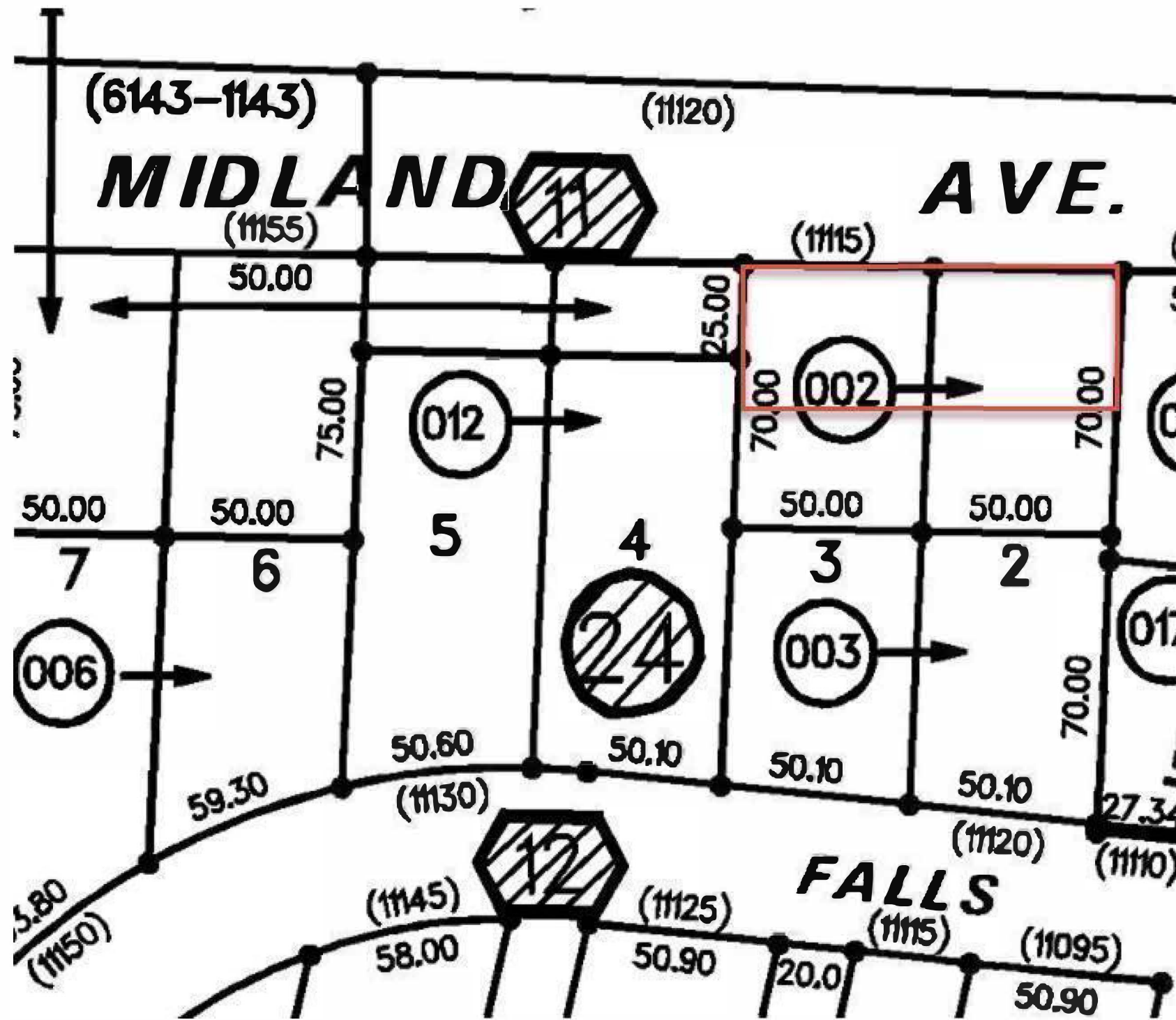
1. Add sunroom and rebuild existing deck

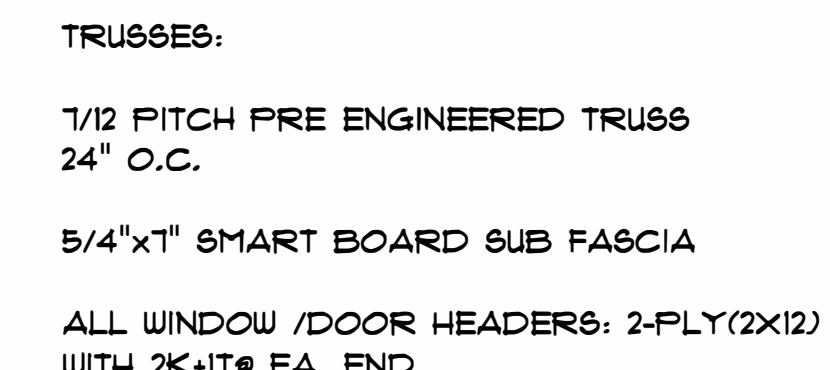
DEMOLITION:

1. REMOVE EXISTING REAR ROOM BLOCK WALL STRUCTURE

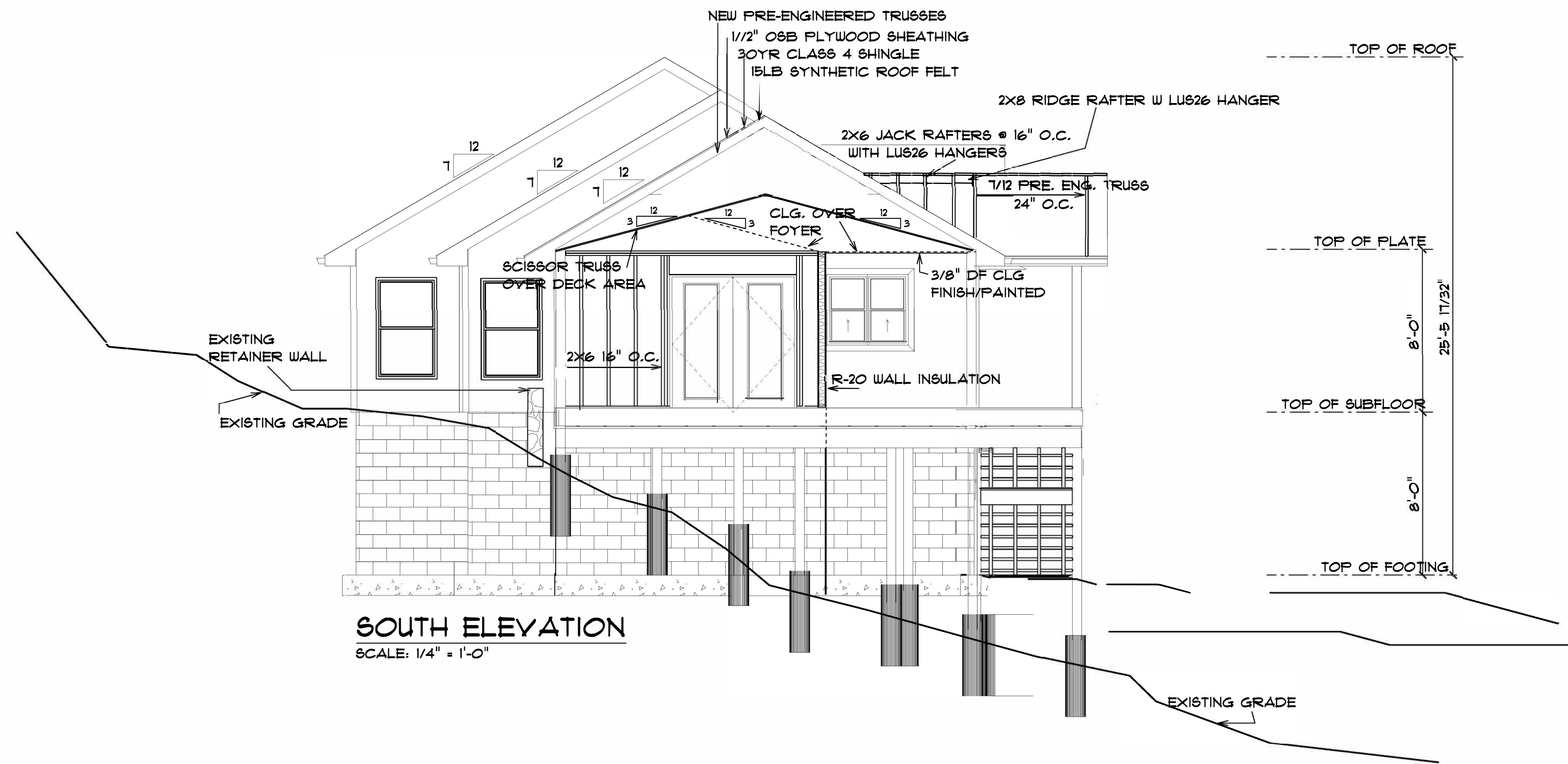
MISCELLANEOUS NOTES:

1. ALL MATERIALS TO BE SELECTED BY OWNER, INSTALLED BY CONTRACTOR.
2. ALL PHASES OF CONSTRUCTION TO COMPLY WITH ALL LOCAL BUILDING CODES.
3. CONTRACTOR TO INTERPRET ANY QUESTIONS WHICH MAY ARISE ON THE SITE, AND ON THE DRAWINGS.

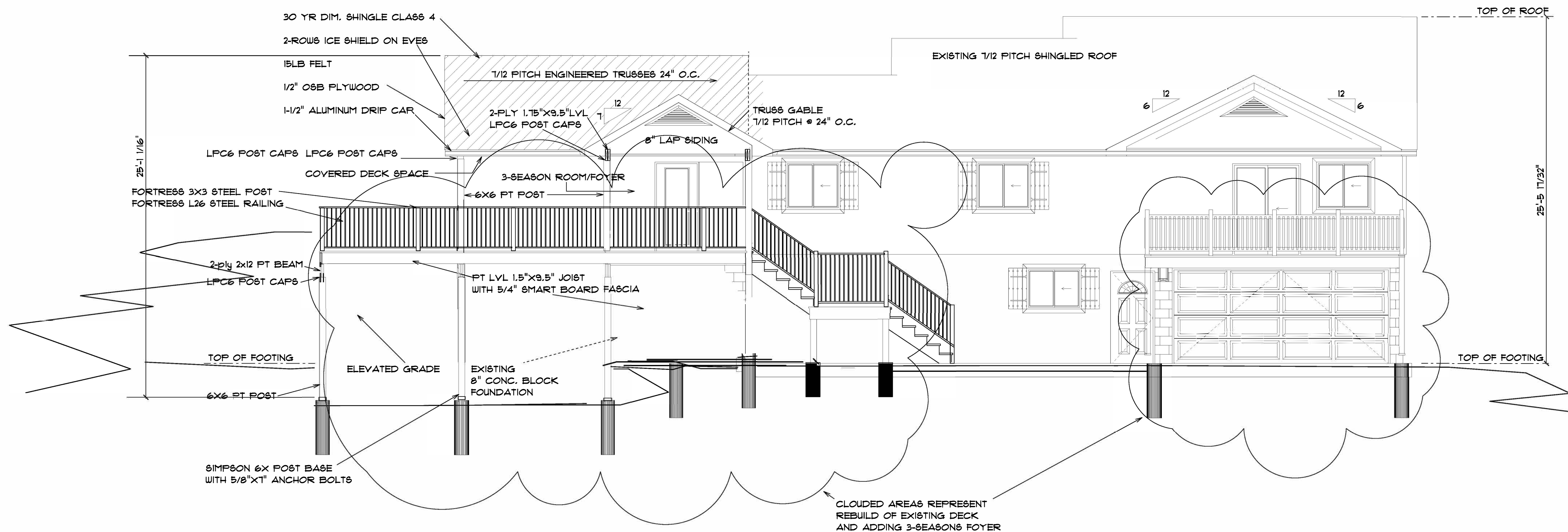




ROOF
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



FRONT ELEVATION

EAST ELEVATION
SCALE: 1/4" = 1'-0"

HATCH REPRESENT NEW ROOF STRUCTURE

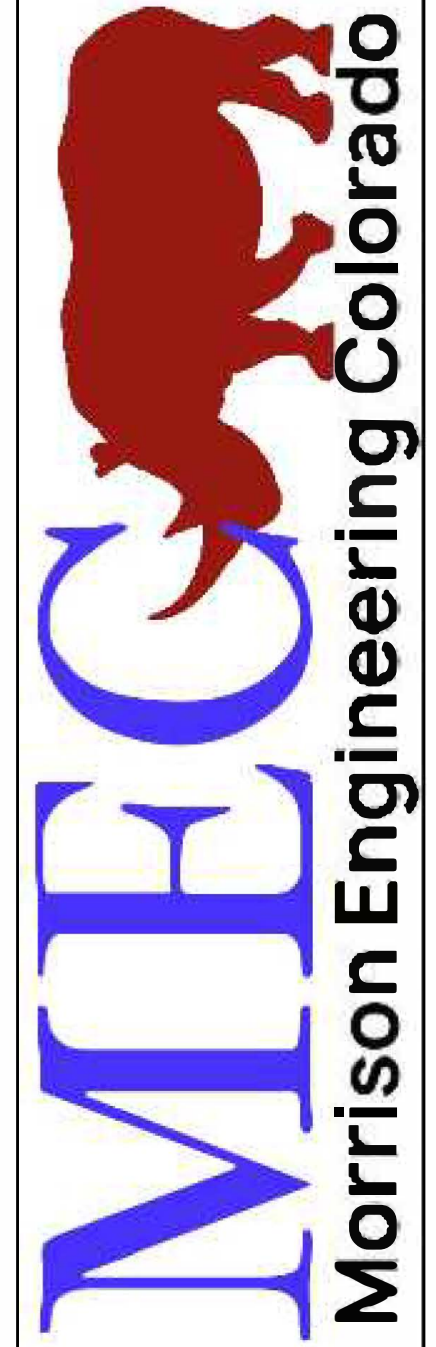
1. THE STRUCTURAL DRAWINGS IN THIS SET ARE INTENDED TO BE USED WITH THE ASSOCIATED ARCHITECTURAL, MECHANICAL, AND ELECTRICAL DRAWINGS PROVIDED BY OTHERS.
2. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR DISTRIBUTING THE PLANS AND ANY CHANGES THEREOF TO THE SUBCONTRACTORS WORKING THE PROJECT.
3. ALL DIMENSIONS, CODE REQUIREMENTS, AND SITE CONDITIONS ARE TO BE FIELD VERIFIED PRIOR TO STARTING WORK.
4. FOUNDATION DETAILS AND PLANS ARE TO BE VERIFIED WITH THE ARCHITECTURAL FLOOR PLAN PRIOR TO STARTING WORK.
5. IF ANY DEVIATION FROM THIS DESIGN OR THESE DRAWINGS IS TO BE MADE, THE ENGINEER SHALL BE CONTACTED AND NOTIFIED OF THE CHANGES.
6. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING ALL LOCAL AND FEDERAL SAFETY CODES ARE FOLLOWED WHILE CONDUCTING WORK ASSOCIATED WITH THESE PLANS.
7. THIS DESIGN AND ALL CONSTRUCTION SHALL CONFORM TO THE FOLLOWING CODES:
 - 7.1. INTERNATIONAL RESIDENTIAL CODE (IRC): 2015 EDITION
 - 7.2. INTERNATIONAL BUILDING CODE (IBC): 2015 EDITION
 - 7.3. MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES (ASCE 7) 2010 EDITION
 - 7.4. BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE (ACI 318) 2014 EDITION

1. ALL CONCRETE SHALL BE MIXED, PLACED, AND CURED IN ACCORDANCE WITH ACI 301-10, OR THE LATEST EDITION.
2. ALL CONCRETE SHALL ATTAIN A MINIMUM OF 3,000 PSI COMPRESSIVE STRENGTH OVER A 28 DAY SET, UNO.
3. REINFORCING SHOULD BE CONTINUOUS AROUND THE BUILDING, AS SHOWN. MINIMUM LAP OF REINFORCING SHOULD BE 30 BAR DIAMETERS.
4. ALL FOUNDATION PADS, FOOTINGS, AND PIERS MUST BE FORMED TO THE PROPER DIMENSIONS.
5. FLOOR SLABS MUST BE SEPARATED FROM ALL STRUCTURAL PORTIONS OF THE BUILDING WITH AN EXPANSION JOINT AT A MINIMUM OF 1/2" THICK OR WITH 4# F, UNO. ALL NON-BEARING PARTITIONS ABOVE FLOOR SLABS MUST BE CONSTRUCTED WITH A MINIMUM 1-1/2" GAP AT THE BOTTOM TO PERMIT VERTICAL MOVEMENT OF FLOOR SLABS.
6. SAWN OR FORMED CONTROL JOINTS IN SLABS ON-GRADE SHALL BE MADE AS SOON AS POSSIBLE WITHOUT DAMAGE TO THE SURFACE, BUT NO LONGER THAN 6 HOURS. DEPTH OF JOINT SHALL BE A MINIMUM OF 25% OF THE SLAB THICKNESS.
7. STAIRWAYS SHOULD NOT BE CONSTRUCTED AS RIGID CONNECTIONS BETWEEN FLOORS BUT SHOULD ALLOW FOR VERTICAL MOVEMENT OF SLABS.
8. DOOR JAMBS SHOULD NOT BE BUILT TIGHT TO SLABS ON-GRADE.
9. ALL BACKFILL SHALL BE COMPACTED TO A 95% MODIFIED PROCTOR DENSITY PER ASTM D-1557.
10. WALLS HAVING BACKFILL ON BOTH THE INTERIOR AND EXTERIOR FACES SHOULD HAVE THE BACKFILL ON EITHER SIDE BROUGHT UP APPROXIMATELY TOGETHER. OTHERWISE, WHERE POSSIBLE, FLOOR SLAB OR FLOOR JOISTS SHALL BE IN PLACE, OR SOME OTHER MEANS OF BRACING, BEFORE APPLYING BACKFILL.
11. FOUNDATION FORMS SHOULD REMAIN IN PLACE A MINIMUM OF 3 DAYS.
12. BACKFILL SHALL BE SLOPED AWAY FROM THE BUILDING BY 12" FOR THE FIRST 10'. ROOF DRAINS SHALL DISCHARGE WELL AWAY FROM FOUNDATION WALLS AND CLEAR OF ANY PLACED BACKFILL. CAUTION SHALL BE TAKEN TO PREVENT STANDING WATER IN BACKFILL.
13. THIS DESIGN HAS BEEN COMPLETED IN ACCORDANCE WITH PERTINENT STANDARDS, RECOMMENDED SOIL PARAMETERS, AND ACCEPTED ENGINEERING DESIGN PROCEDURES, AND IS BASED ON THE BEST INFORMATION AVAILABLE AT THE TIME OF COMPLETION. THE DESIGN IS INTENDED TO MINIMIZE DIFFERENTIAL MOVEMENT AS A RESULT OF EXPANSIVE SOIL INDUCED MOISTURE CHANGES.
14. ALL REINFORCING BARS ARE TO CONSIST OF #4, GRADE 60 STEEL UNO. #5, GRADE 40 REINFORCING BARS MAY BE USED IN PLACE OF #4, GRADE 60 REINFORCING BARS, IF DESIRED.
15. REINFORCING SHALL REMAIN CONTINUOUS ABOVE ALL WINDOWS, DOORS, AND OPENINGS IN THE FOUNDATION WALL PER DETAILS IN THIS DRAWING.
16. ALL STRUCTURAL STEEL AND REINFORCING DESIGN, FABRICATION, AND ERECTION SHALL CONFORM TO CURRENT AISC STANDARDS.
17. COLUMN BASE PLATES SHALL BE SET USING 1" NON-SHRINK GROUT WITH A MINIMUM OF 2 3/4" DIAMETER X 1'-0" + 4" ANCHOR BOLTS, UNO.
18. WELDED WIRE FABRIC SHALL CONFORM TO ASTM A185.

1. FOUNDATION ELEMENTS SHALL REST ON UNDISTURBED SOIL OR STRUCTURAL FILL MATERIAL.
2. BACKFILL AGAINST FOUNDATION ELEMENTS SHALL BE PLACED IN 8" MAXIMUM UNIFORM LIFTS, ON EACH SIDE OF THE ELEMENTS UNTIL FINAL GRADE ELEVATION IS OBTAINED.
3. A SUB-SURFACE FOUNDATION DRAIN OR EQUIVALENT PROTECTION MEASURE IS RECOMMENDED TO DIRECT GROUNDWATER AWAY FROM THE FOUNDATION SYSTEM. THE SOILS REPORT SHALL BE REFERENCED FOR FOUNDATION DRAIN REQUIREMENTS AND SPECIFICATIONS.
4. THE FOUNDATION WAS DESIGNED USING A MINIMUM SOIL BEARING CAPACITY OF 2,000 PSF BASED ON THE USGS WEB SOIL SURVEY.
5. ALL DETAILS OF THIS DRAWING MUST BE FOLLOWED TO MITIGATE ANY DAMAGE TO THE STRUCTURE FROM THE SHIFTING OF SOIL.
6. FOUNDATION DESIGN BY LICENSED COLORADO ENGINEER OR ARCHITECT SHALL BE ON HAND AT TIME OF FIRST INSPECTION.



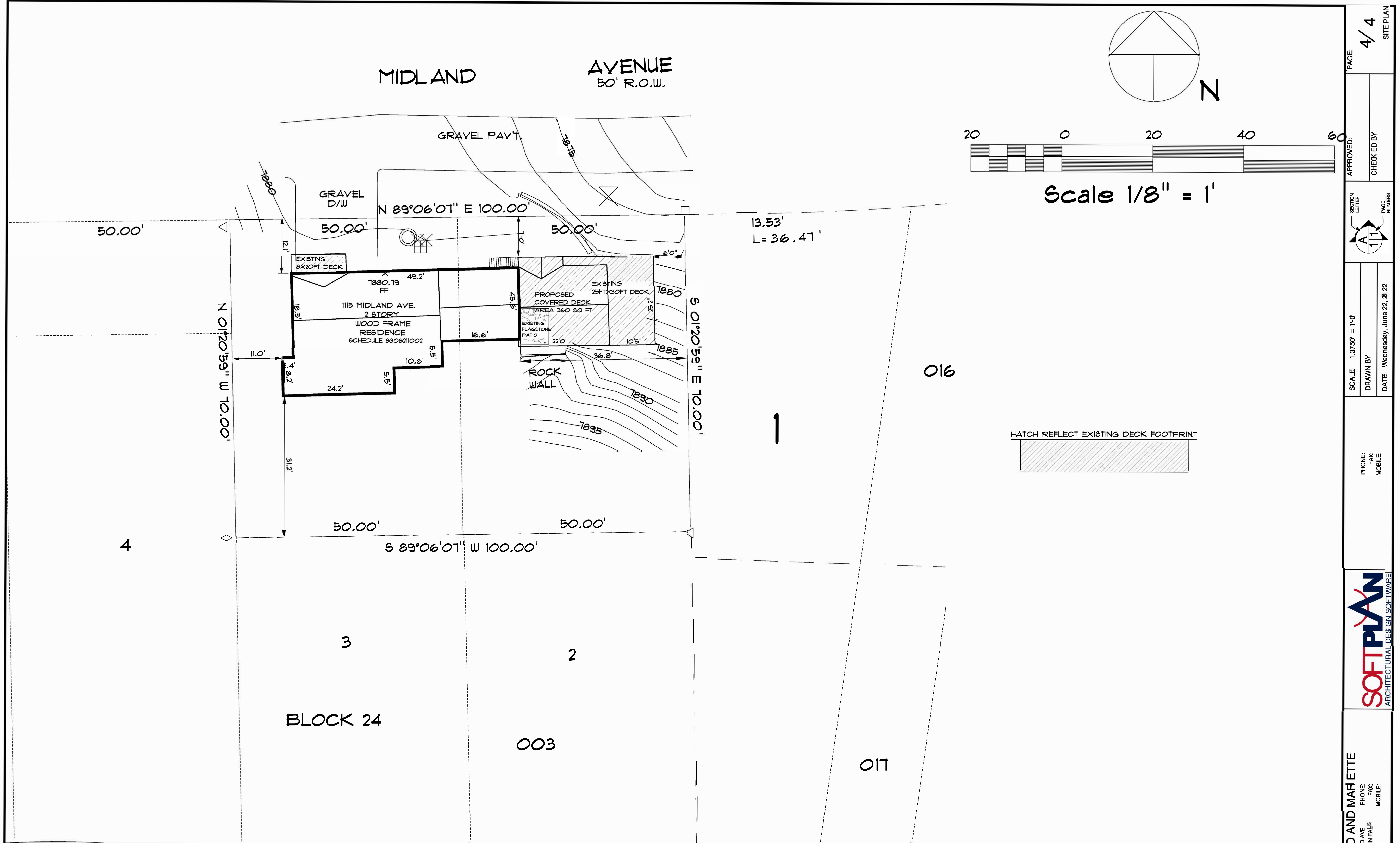
DESIGN CRITERIA	
FLOOR DEAD LOAD	10 psf
ROOF DEAD LOAD	15 psf
FLOOR LIVE LOAD	40 psf
ROOF LIVE LOAD	15 psf
WALL DEAD LOAD	16 psf
GROUND SNOW LOAD (P_g)	40 psf
GROUND EXPOSURE FACTOR (C_e)	1
THERMAL FACTOR (C_t)	1
IMPORTANCE FACTOR (I)	1
WIND SPEED (V_{ult})	130 mph
WIND EXPOSURE CATEGORY	C



NEW DECK
FOUNDATION PLAN
11115 MIDLAND AVE
GREEN MOUNTAIN FALLS, CO 80819

Morrison Engineering Colorado
905 Columbine Ave
Colorado Springs, CO 80904

S1
REV
0



DRAWN BY: O.E. WATTS		OLIVER E. WATTS	1115 MIDWAY AVE.	SHT. NAME	SHT.
DATE: 5-16-22		CONSULTING ENGINEER	N70' L'S 243 BLOCK 24	SITE PLAN	1
DWG. NO.: 22-5799-02		COLORADO SPRINGS	GREEN MOUNTAIN FALLS ADD. NO. 3		1
SURVEYED BY: ESU, OEW V 5-16-22			WOODLAND PARK		

4/4

PAGE:

11

CHECKED BY:

SECTION LETTER

11

SCALE 1:3750 = 1'-0"

DRAWN BY:

DATE Wednesday, June 22, 2022

MOBILE:

PHONE:

FAX:

SOFTPLAN

ARCHITECTURAL DESIGN SOFTWARE

DAVID AND MARLETTE

11115 MIDLAND AVE

GREEN MOUNTAIN FALLS

CO 80819

11115 MIDLAND AVE

GREEN MOUNTAIN FALLS

CO 80819



Green Mountain Falls

COLORADO

OFFICE OF THE TOWN MANAGER

10516 Green Mountain Falls Road

PO Box 524

Green Mountain Falls, CO 80819

www.gmfco.us

BOARD OF TRUSTEES AGENDA MEMO

DATE: 07/01/2022	AGENDA NO 7	SUBJECT:
Presented by: Nate Scott, Town Clerk		STR Appeal: 10971 Iona Ave.

Background: Pursuant to [Chapter 5, Article VII – Licensing of Short-Term Rentals](#), Sec. 5-137 allows for an appeal to the Board of Trustees towards a license approval:

Either the applicant or a property owner within 150 feet of the proposed short-term rental property may appeal the town manager's decision to issue, issue with conditions, renew, renew with conditions, revoke, or deny a short-term rental license. Such appeal shall be filed with the town clerk in writing within 15 days of the decision being reported to the town board and shall be heard by the board of trustees. The board of trustees shall promptly hear and decide all appeals. The decision of the town manager (if not timely appealed) or the board of trustees (if appealed), is the final decision of the town for purposes of judicial review.

This application was scheduled to be considered for approval on July 5, and the appealing party, Kathy Snow, has been advised that it will likely be approved due to the lack of guidance provided by code to town staff. Ms. Snow wishes to start the appeal process ASAP.

Discussion:

Whether or not Ms. Snow's concerns, regarding parking specifically, are enough to warrant a decision to not approve the short-term rental license at 10971 Iona Ave.

Recommended Action:

I have reviewed the proposed parking plan in comparison with the site pictures provided and do have concerns with the realistic availability of parking spaces as presented. The shed and trailer seen in the recent picture seem to restrict the space to fewer than the 4 proposed parking spaces.

I believe more discussion is warranted on item number 4 of Sec. 5-137: "Parking plan for guests indicating the manner in which the maximum permitted number of cars shall be parked so as to avoid any conflicts with neighboring properties or public right-of-way."

To the Green Mountain Falls Board of Trustees,

I am writing to appeal the vrbo licensing for the property on 10971 Iona.

It is important to me that we preserve the integrity of our residential community in Green Mountain Falls. I have been a resident for 20 years love the quiet and lovely surroundings in which we all live.

There is already a vrbo very close to me that my home faces. Adding another vrbo on the same property will eliminate the quiet residential feeling. I bought in Green Mountain Falls for the peace and quiet, not to have two full time businesses in front of me instead of neighbors.

The parking area is very small and awkward for the one existing vrbo. Sometimes renters have 2 vehicles for the one vrbo. It is very hard for vehicles to turn around already. With 2 or 3 vehicles it will be nearly impossible for them to navigate the small area around each other. The owner proposes 5 parking spaces in that very small space. See attached diagram.

I am also concerned about the septic system. The aerator is close to my home and I smell it often. I am concerned that it may only be 1 tank for 2 homes with an add on of some kind. Was this addition permitted by the previous owner?

In conclusion the vrbo in existence is already a great nuisance. I refer to the email I sent you on June 6th, 2022, concerning these issues.

I realize that we presently have very few rules concerning vrbos and are looking to create a more amiable relationship in the community with them. I wanted to go on record with my concerns.

Thank you for your time,
Kathleen Snow
10963 Cottage St.
GMF
719-466-3052

Recent communication with Brad and Kris Miller:

I did send a text to Brad and Kris Miller on June 27 Monday expressing that I wanted to talk with them on the phone or in person about the second VRBO. They did not take me up on the offer but replied a short text. And a couple of times Brad has told me he will buy me blackout shades for my home because of the light during the night from the VRBO. I have told him a couple of times that I already have black out shades that I bought a year ago due to all the light.

pic 1 Shows that the back area slopes up.



pic 2 From the railroad ties to the area that slopes up at the tightest spot is about 23 feet deep.



pic 3 With the shed and the other items to the right taken out, the general width of the parking area is 36 feet.

The owner proposes 4 cars there. That is 9 feet per car, width wise. Leaves little room between cars and no room for the sharp turn to get out down the driveway. The other proposed parking spot I presume is in front of or in the garage. In either case no room for that car to turn around and use the driveway.



COTTAGE ST

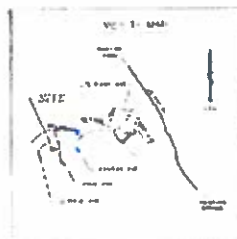
10971

10969

A AVE

IONA AVE

... ..



SCALE 1" = 20'
JOB NO 02092
MARCH 26, 2003

LEGAL DESCRIPTION

[illegible]

LISTING ELEMENTS

[illegible]

Figure 1. The effect of the concentration of the initiator on the polymerization of α -methylstyrene in the presence of SnCl_4 at 0°C . $[\text{M}] = 0.5 \text{ mol/L}$, $[\text{SnCl}_4] = 0.005 \text{ mol/L}$, $t = 1 \text{ h}$, $[\text{AIBN}] = 0.001 \text{ mol/L}$.

NOTES

[illegible]

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SARUYE YOKU, CLIMBER & ROLL

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[illegible]

DOMINION LAND SURVEY PLAT
DEPOSING CERTIFICATE

2014年11月 第11卷 第11期 2733

From: [Kathy Snow](#)
To: [Town Clerk](#); [Becky Frank](#); gmdixon@gmail.com
Subject: VRBO thoughts
Date: Monday, June 6, 2022 9:47:26 AM

Good day,

Here are some complaints and suggestions I wish to note on the topic of VRBOs.

First the complaints.

- *Renters arriving in the dark at all hours of the night. (11:00pm, 12:00am, 2:30am) which is dangerous with ditches and winding drop offs on our roads.
- *During night arrivals, vehicles have backed in towards the lower vrbo door, perpendicular on my drive, unpacking the car with their headlights on, facing my home (bedroom window), maybe 20 feet from my window at 11:00pm. Or parking in my drive to load and unload their cars.
- *Renters continuously using my driveway disregarding the vrbo signs and my signage. It was agreed that VRBO renters would not use my driveway.
- *Maids getting stuck and creating holes because they try to go up my driveway and end up parking partly on my drive where they get stuck.
Cleaning companies were told by the management company to use the drive off of Iona.
- *Renters hike up and down my driveway ignoring signage.
- *Renters have gone sledding down my driveway into Cottage St., which has a metal culvert halfway down making it even more dangerous.
- *Renters smoking pot in front of the house, and in the dark hiding around the side of the house popping out of the darkness, scaring me.
- *The motion sensor light on the garage lights up the neighborhood. It needs to be focused downward and not be so sensitive that it is often turned on by the wind.
- *Chasing and feeding the deer from hands.
- *Septic odor. There may be one septic system (main tank) that both homes use.
- *Maid's dog running off leash free onto other properties relieving itself.
- *Drones flying over my property scaring my dog making difficult to get my dog into the fenced yard.
- *Renters playing catch in my driveway and hitting my home with the ball.
- * People on vrbo patio talking loudly till 10:00pm plus. Makes it hard for me to sleep. My bedroom is on that side of the house and I work weekends.
- *My quality of life, mental and physical, has been affected by the constant traffic and annoyances of this vrbo.

Suggested rules for VRBO owners and renters

- *Arrival times between 7:00am -8:00pm during daylight hours.
- *Prohibit sledding in residential areas on other property owners property.
- *Prohibit standing on roofs of homes or garages.
- *No four wheelers or unlicensed motor vehicles (dirt bikes)
- *No drones in residential areas
- *Only a certain number of vbos should be allowed within an area as to not concentrate a certain area with them. And they would be a preset number of feet apart.
- *Septic tanks should be evaluated once a year by a company licensed to do so and reported to GMF vrbo licensing.
- *Allow rentals to be rented once a month. Or allow to be rented up to 60 days a year. But only 1 renter a week.
- * Raise the licensing fees and raise the percentage of tax profit the town receives from rental owners.

I will be bring copies of Boulder short term rental licensing and operating standards to the 7:00 pm mtg. on June 7th. I believe we can study these and other documents like them to create licensing and standards that will facilitate a more friendly atmosphere in town between full time residents and short term renters.



The Town of Green Mountain Falls

This neighbor notice is being distributed for a proposed short-term rental (STR) at the following address:

10971 Iona

Dear Green Mountain Falls Property Owner:

You are receiving this notice because a property owner within 150' of your residence applied to the Town for a Short-Term Rental (STR) license. Green Mountain Falls Municipal Code §6-155(c) requires all STR in residential zones to be properly licensed. The Town Board has delegated approval authority for these licenses to the Town Manager. Per the STR ordinance, the Town Manager will grant an STR license if the application meets all applicable requirements. A copy of the STR ordinance is available:

- GMF Website www.gmfco.us
- MuniRevs Website <https://gmf.munirevs.com>
- Municode: https://library.municode.com/co/green_mountain_falls

As a neighboring property owner, you are entitled to review the full application and comment on it. You may review the application at Town Hall and comment below. For your comments on this pending application to be considered, they must be received within fifteen (15) days of this postmarked envelope. When an STR license is issued, the decision to issue the license may be timely appealed in writing to the Town Board.

COMMENTS:

I am against a second VRBO going in
on the single property in my front
yard. Please see appeal letter.

NAME & ADDRESS OF YOUR GREEN MOUNTAIN FALLS PROPERTY:

Kathleen Snow 10963 Cottage St.

The Town greatly appreciates and values your input. Please send hard copy or electronic comments to Town Hall using the contact in the signature block.

Sincerely,

Becky Frank

Town Manager
PO Box 524
Green Mountain Falls, CO 80819
clerk@gmfco.us







From: [Brad Miller](#)
To: [Town Clerk](#); [Becky Frank](#)
Subject: RE: STR License application - 10971 Iona
Date: Friday, July 1, 2022 2:21:56 PM
Attachments: [Iona Survey.pdf](#)
Importance: High

Becky and Nate- Thanks for sending the agenda for the July 5th Board mtg. My STR application discussion is listed as "Appeal." Can you define what that means in this context? Can you provide me with direction on anything what I can provide in the way of supporting documents and will I be able to provide supporting documents to the Board on my behalf?

Also, can you provide me direction for the format of the mtg and what I need to do to insure I have the ability to comment (I don't want to assume that I do)? Do I need to submit a request to comment? It looks like the only comment form provided on the site is for people who can't physically attend

Lastly, I've attached a reduced size copy of the land survey I referred to when we last met. The small copy is I believe what Kathy said she has and I have gone over my large size copy with her. They are the same. It is somewhat difficult to read so I will have the blown up size survey with me at the meeting. If you look closely at the "driveway" that continues to cause consternation, you will see that it reads "Perpetual Non-Exclusive Easement." A perpetual no-exclusive easement is generally defined legally as follows: "A perpetual non-exclusive easement renders the land permanently accessible to all those who benefit from the easement."

I've also attached screen shots of 1) Apple Maps and 2) Google Maps rendering of our property. Originally, both maps listed our property a mile up the mountain on Iona. It took me a year to get Google and well over a year to get Apple to correct their maps. The problem is, both apps show the easement as a road and Google shows the easement as the ONLY way for anyone to access my property. I have made additional requests to Google to change their map with no result.

Prior to every stay at our home, guests are told and then reminded twice more that they are to only access the property from Iona. Unfortunately, when they are following their GPS, they aren't thinking about the written directions we have given them. I think it important for Kathy to contact Apple and Google with urgency as I have and alert them to the incorrect mapping.

I have additional documentation I would like to provide. Any direction would be helpful.

Thank you, Nate.

From: Town Clerk <clerk@gmfco.us>
Sent: Monday, June 27, 2022 2:34 PM
To: Brad Miller <Brad@tatonkastrategies.com>
Cc: Becky Frank <manager@gmfco.us>
Subject: RE: STR License application - 10971 Iona

Hi Brad,

The date for decision, based on the 15-day feedback period, is July 5. I also anticipate an official appeal to the Board on this one, potentially on the agenda for the July 5th Board meeting. Here is the code that governs that, for your reference:

https://library.municode.com/co/green_mountain_falls/codes/municipal_code?nodeId=CD_ORD_CH5BULIRE_ARTVIILISHRMRE_S5-137LIAPPRAP

Nate Scott
Clerk/Treasurer/Planner
Town of Green Mountain Falls
PO Box 524, Green Mountain Falls, CO 80819
719-684-9414 x1
<https://greenmountainfalls.colorado.gov/>

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From: Brad Miller <Brad@tatonkastrategies.com>

Sent: Monday, June 27, 2022 1:06 PM

To: Town Clerk <clerk@gmfco.us>

Subject: RE: STR License application - 10971 Iona

OK. Not pushing here, but any thoughts on an ETA for a decision on our application for 10971 Iona?
Thanks, Nate.

From: Town Clerk <clerk@gmfco.us>

Sent: Monday, June 27, 2022 10:12 AM

To: Brad Miller <Brad@tatonkastrategies.com>

Subject: RE: STR License application - 10971 Iona

Hi Brad,

They have not yet scheduled the public discussion meeting for short term rentals, but I'm sure it will be in the near future. I'll be sure to let you know. We will likely send out a mass email to all STR owners and then post a notice on Facebook for the public.

Nate Scott
Clerk/Treasurer/Planner
Town of Green Mountain Falls
PO Box 524, Green Mountain Falls, CO 80819
719-684-9414 x1
<https://greenmountainfalls.colorado.gov/>

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From: Brad Miller <Brad@tatonkastrategies.com>
Sent: Saturday, June 25, 2022 5:25 PM
To: Town Clerk <clerk@gmfco.us>
Subject: RE: STR License application - 10971 Iona

Nate- I didn't hear from you re: the next town mtg and was wondering if I missed it or if it is still in the future. Please let me know. Looks like the next one is July 5, but I'm not sure if that was the one you were referring to. Thanks,

Brad Miller

From: Town Clerk <clerk@gmfco.us>
Sent: Tuesday, May 17, 2022 4:57 PM
To: Brad Miller <Brad@tatonkastrategies.com>
Cc: Sean Goings(Marshal) <marshal@gmfco.us>
Subject: STR License application - 10971 Iona

Hello Bradley Miller,

I see the application for a new STR License at 10971 Iona Ave.

Since this is a new application, we will have to do neighbor letters and allow for a 15-day comment period before approval. I've attached a spreadsheet with the mailing list and the letter template that is used. You or your local agent can drop them by town hall when you have addressed and stamped them. Leave them unsealed so I can verify contents and add the Town's return address on the envelope. When I drop them in the mail, the 15-day comment period will begin.

Note – I left your parcel record at the bottom of the spreadsheet so you can see that your mailing address is invalid, and you should consider changing it with the County. Let me know of any questions,

Thanks,

Nate Scott

Clerk/Treasurer/Planner

Town of Green Mountain Falls

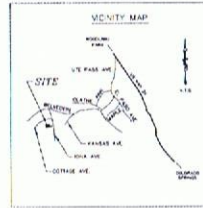
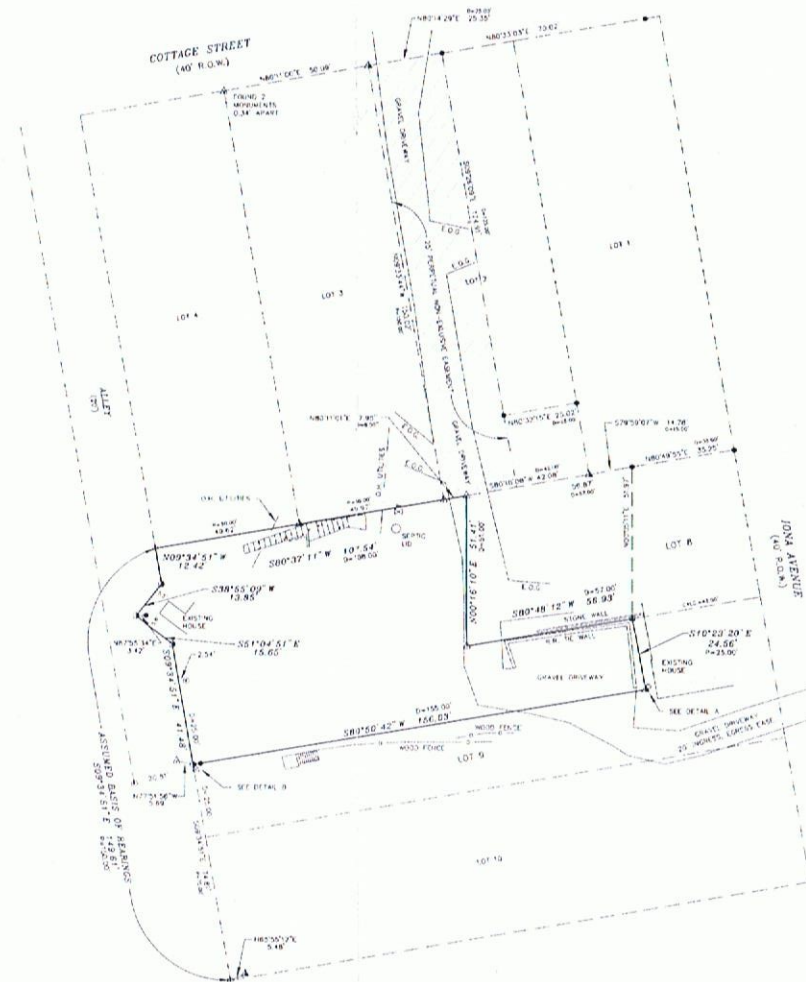
719-684-9414 x1

<https://greenmountainfalls.colorado.gov/>

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LAND SURVEY PLAT

A PORTION OF LOTS 8 AND 9, BLOCK 27, THIRD ADDITION TO GREEN MOUNTAIN FALLS, LOCATED IN SECTION 8, TOWNSHIP 13 SOUTH, RANGE 68 WEST OF THE 6th P.M., EL PASO COUNTY, COLORADO



LEGEND:

- SET 5/8" REBAR AND RED CAP STAMPED "RAMPART PLS 26965"
- FOUND 7/8" O.D. IRON PIPE
- ▲ FOUND 1" O.D. IRON PIPE
- FOUND REBAR AND YELLOW CAP STAMPED "LS 12043"
- FOUND REBAR AND WASHER STAMPED "2592"
- ▲ FOUND 1/2" REBAR (NO CAP)
- ▽ WATER SHUT-OFF
- GAS METER
- E.G. EDGE OF GRAVEL



MONUMENTED LAND SURVEY PLAT DEPOSITING CERTIFICATE

DEPOSITED THIS _____ DAY OF _____ 2003
A.D. AT _____ O'CLOCK _____ M., IN BOOK _____
OF LAND SURVEY PLATS AT PAGE _____ DEPOSIT
NUMBER _____ OF THE RECORDS OF THE
EL PASO COUNTY CLERK AND RECORDER, EL PASO COUNTY,
COLORADO.

BY: _____
DEPUTY COUNTY CLERK AND RECORDER

LEGAL DESCRIPTION:

THE WESTERLY 155 FEET OF LOT 8, EXCEPT THAT PORTION DESCRIBED AS FOLLOWS: BEGINNING ON A POINT ON THE NORTH LINE OF SAID LOT 8, WHICH IS 25 FEET WEST OF THE NORTHEAST CORNER THEREOF; THENCE WEST ON THE NORTH LINE OF SAID LOT 8, 57 FEET; THENCE SOUTHERLY TO A POINT ON THE SOUTH LINE OF SAID LOT 8 THAT IS 102 FEET WESTERLY FROM THE SOUTHEAST CORNER OF SAID LOT 8; THENCE EASTERLY ON SAID SOUTH LINE 57 FEET; THENCE NORTHERLY TO THE POINT OF BEGINNING, AND THE WESTERLY 155 FEET OF THE NORTH HALF OF LOT 9 IN BLOCK 27 IN THE THIRD ADDITION TO GREEN MOUNTAIN FALLS, INCLUDING A 20 FOOT EASEMENT ALONG EXISTING ROAD, ACROSS LOT 10 AND THE SOUTH ONE-HALF OF LOT 9 FOR INDESS EGRESS ONLY, EL PASO COUNTY, COLORADO TOGETHER WITH PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE WESTERLY 25 FOOT LOT 2 IN BLOCK 27 THIRD ADDITION OF GREEN MOUNTAIN FALLS AND TOGETHER WITH THAT PORTION OF ALLEY ADJACENT TO LOT 8 DESCRIBED AS FOLLOWS: A PORTION OF THE ALLEY ADJACENT TO LOT 8 IN BLOCK 27 IN THE THIRD ADDITION TO GREEN MOUNTAIN FALLS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 8; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT 8 12.42 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE ANGLE RIGHT 40 DEGREES 30 MINUTES SOUTHWESTERLY 13.85 FEET; THENCE ANGLE LEFT 90 DEGREES 00 MINUTES SOUTHWESTERLY 15.65 FEET TO A POINT ON THE WEST LINE OF SAID LOT 8; THENCE NORTHERLY ALONG SAID WEST LINE 20.90 FEET TO THE POINT OF BEGINNING, IN EL PASO COUNTY, COLORADO, CONTAINING 0.21 ACRES, MORE OR LESS. SAID TRACT IS LOCATED IN THE WEST ONE-HALF (W 1/2) OF SECTION 8, TOWNSHIP 13 SOUTH, RANGE 68 WEST, OF THE 6th P.M., EL PASO COUNTY, COLORADO.

EXISTING EASEMENTS:

- (1) FOR ALL EASEMENTS OF RECORD, RAMPART SURVEYS RELIED SOLELY ON TITLE COMMITMENT CASE NO. 720371 ISSUED BY COMMERCEBANK LAND TITLE INSURANCE COMPANY DATED MARCH 2, 1993. THIS SURVEY DOES NOT REPRESENT A TITLE SEARCH BY RAMPART SURVEYS FOR OWNERSHIP OR EASEMENTS.
- (2) APPARENT EASEMENTS ARE SHOWN BY EXISTING UTILITIES CROSSING THE PROPERTY.

NOTES:

- (1) ALL DISTANCES AND BEARINGS SHOWN RELATIVE EXISTING MONUMENTS REFLECT ACTUAL DIMENSIONS AS MEASURED. IF THE ACTUAL DIMENSION DIFFERS FROM THE RECORD PLAT DIMENSION, THE PLATED DIMENSION IS DENOTED WITH A "P".
- (2) ALL BEARINGS USED HEREIN ARE BASED ON AN ASSUMED BEARING OF S00°34'51"E BETWEEN A 7/8" O.D. IRON PIPE AT THE NORTHEAST CORNER OF SAID LOT 8 AND A 1/2" O.D. IRON PIPE AT THE SOUTHWEST CORNER OF LOT 10. ALL OF SAID THIRD ADDITION TO GREEN MOUNTAIN FALLS.

SURVEYOR'S CERTIFICATION:

I, KEVIN F. LLOYD, COLORADO PROFESSIONAL LAND SURVEYOR NO. 25965, DO HEREBY CERTIFY THAT THIS LAND SURVEY PLAT IS AN ACCURATE DELIVATION OF THE ABOVE DESCRIBED TRACT BASED ON A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND CHECKING.

SIGNED: _____ DATE: _____
KEVIN F. LLOYD
COLORADO P.L.S. NO. 25965
FOR AND ON BEHALF OF RAMPART SURVEYS, INC.
P.O. BOX 5101
WOODLAND PARK, COLORADO 80866
(719) 687-0820

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

LSP - SECTION 8, T. 13 S., R. 68 W. OF THE 6TH P.M., EL PASO COUNTY, CO.	
RAMPART SURVEYS	
P.O. BOX 5101 WOODLAND PARK, CO. 80866 (719) 687-0820	
DRAWING: 02092.DWG	PAGE 1 OF 1

1:49



10971 Iona Ave



Restaurants



Gas



Hotels



Coffee



Cottage St Cottage St

Iona Ave



10971 Iona Ave

Iona Ave

Scott Ave

Scott Ave

Google



10971 Iona Ave

10971 Iona Ave, Green Mountain Falls, CO 80819



10971 Iona Ave

Address · [Green Mountain Falls,...](#)



BOARD OF TRUSTEES AGENDA MEMO

DATE: 07/01/2022	AGENDA NO 8	SUBJECT:
Presented by: Nate Scott, Town Clerk		Vendor Payment Reports

Background: At the last Board meeting on June 28, there was concern expressed and discussion about the report being created called “Non-auto-pay vendor payments paid from June 4, 2022, to June 27, 2022”. A motion was made and approved to table the item for discussion at the next Board meeting.

Discussion:

I have some further information regarding vendors who receive auto-payments but have not had time to enter those into the Araize software for inclusion in the standard report. I believe there should be further discussion about the immediate expectations regarding the timing and content of this report. If the Board truly wishes to see “everything outgoing” as mentioned in the previous meeting, it will make the most sense to compile these on a month-end basis, along with related bank reconciliation and data-entry work. Currently, this work is behind due to our reliance on a contracted employee (with the desire to save money by having him perform minimal AP/audit duties) and the Planning duties consuming a lot of the Clerk/Treasurer employee time. Does the Board wish to pay more to the AP contractor to accomplish this reporting in a timely manner, until the Planning duties can be done by someone other than the Clerk/Treasurer? Or, with the information below, is it OK to continue with the “Non-auto-pay vendor invoice report” until the Treasurer role can have full attention?

Currently identified auto-debits from Town accounts (bank ACH or UMB credit card):

- **MuniRevs** – Business and STR Licensing: **\$325/month (ACH)**
- **Araize** – Accounting software – 10 employees, 2 users: **\$166/month (ACH)**
- **Springs IT** – Workstation and Microsoft 365 Licensing and Support - Includes licensing for anti-virus, remote monitoring, DNS security, and remote support software, as well as remote and limited onsite support for workstations.: **\$676/month (ACH)**
- **Black Hills Energy** - gas @ 3 locations: Town Hall, Public Works, old Marshal’s office – **minimum \$170/month (ACH)**
- **Waste Management** – Public Works dumpster: **\$140/month (UMB)**
- **Zoom account** – 3 licensed users - **\$45/month (UMB)**
- **Adobe Acrobat Pro** – 3 licenses - **\$630/year (UMB)**

Other bank debits that occur which haven’t shown on these vendor invoice reports:

- Payroll and associated taxes
- Retirement matches to employees