



PLANNING COMMISSION

Wednesday, April 20, 2022 at 5:00 PM

Town Hall, 28 Valley Crescent, Palmer Lake

AGENDA

This agenda is subject to revision 24 hours prior to commencement of the meeting.

Call to Order

Roll Call

Approval of Minutes

- [1.](#) Meeting Minutes 03/16/22

Public Hearing

- [2.](#) Application to Amend Conditional Use - Temporary Outside Use (Diacut)
- [3.](#) Application for Conditional Use - CC Zone
- [4.](#) Application to Vacate Town ROW - Loveland Slope (from Shady Ln to Fowler Branch)

Business Items

5. Update - Master Plan Activity

Next Meeting and Future Items

Adjourn

Americans with Disabilities Act

Reasonable accommodations for persons with a disability will be made upon request. Please notify the Town of Palmer Lake (at 719-481-2953) at least 48 hours in advance. The Town of Palmer Lake will make every effort to accommodate the needs of the public.

Notice

Notice is hereby given that more than two members of the Board of Trustees may be present; however, there will be no action taken by the Board of Trustees at this meeting.



PLANNING COMMISSION

Wednesday, March 16, 2022 at 5:00 PM

Tri Lakes Chamber House, 300 Hwy 105, Monument

MINUTES

Call to Order

Chair Ihlendfeld called the meeting to order at 5:05 PM.

Roll Call

Present: Charlie Ihlendfeld, Mark Bruce, Amy Hutson, Shana Ball, Martha Brodzik, Susan Miner. Bill Fisher arrived approximately 5:12p.

Approval of Minutes

1. MOTION (Ball/Hutson) to approve the minutes from the January 16 meeting. Motion PASSED.

Business Items

2. Application for Sign Permit - Palmer Lake Self Storage (707 Circle Rd) – Kira Vander Ploeg presented the application on behalf of the Palmer Lake Self-Storage. The owners request permission to place a non-lighted 5x10' sign on the side of their building which faces Circle Rd. The members were slightly concerned about the large sign. Ms. Vander Ploeg was asked if there were any issues raised by the neighbors. She stated she was not aware of any issues. Discussion focused on the signage along Hwy 105 in that particular area. Susan Miner spoke to the speed on the highway and how it hinders drivers from seeing a smaller sign. Marty Brodzik was concerned about the sign's size not conforming to the zoning code of 20 sf. The members agreed the code needs to be updated but didn't believe the sign was overly large in relation to the building. The commission members will revisit the code at a later date. There were no public comments. MOTION (Miner/Bruce) to approve the sign placement as presented. Motion PASSED (7-0).
3. Application for Minor Subdivision - Parcel 6-8 Trinity South (Willan) – Tom Rogers spoke on behalf of the property owners Richard & Lindsay Willan. Dawn Collins explained the inclusion in the minor subdivision of one property line adjustment by 10' for lot H to comply the existing building with the setback. The request is to subdivide 6-8 to lots D, E, F, G and discussion centered primarily on the ingress/egress access of lots F & G. Staff agreed to accept the ingress/egress at a minimum of 34' as shown for lot G. Mark Bruce questioned the setbacks of the existing buildings on lot G. Mr. Rogers stated the buildings comply with the setbacks of the property lines. Collins noted that commercial zoning code does not state setback

requirements. Marty Brodzik asked about the 25' ingress/egress on lot F from Vale St, as it's unknown how the property will be developed. The width is allowed if access is to a developed road. The owners understand it is their responsibility to develop and maintain this portion of Vale St. Bill Fisher stated the entire block was granted conditional use. The owners are planning to build residential units on lots D & E, which will go through the conditional use process. The new lot access will be from Vale St. The mislabeled lots in the application were noted. Discussion took place about the interpretation of street frontage in code noting it could be provided from Greeley. There were no public comments. MOTION (Ball, Miner) to recommend to the Board of Trustees approval of the application with consideration to require the applicant to request a variance for street frontage for F at Vale St., before development of the property. Motion PASSED (7-0).

4. Application for Minor Subdivision - Parcel 10 Trinity South (Ball) – Shana Ball is the owner of lot 10 requested to subdivide into A, B & C. She explained how she plans to use the lots. Lot A is an existing single-family home, which houses an assisted living facility. Lot B is planned to build an additional assisted living facility, and Lot C as a single-family home. Ms. Ball recused herself for the discussion and vote. MOTION (Fisher, Brodzik) to recommend approval to the Board of Trustees as presented. Motion PASSED (6-0; 1 abstain-Ball).
5. Adjust the Access Location of Pine Crest Youth Ranch Subdivision (Greeley) – John Cressman presented a change to the prior approved plan to modify the access location to the property due to the grade for ingress/egress and offsetting the driveways for 2 units. Staff reviewed the plan and had no issue with the adjustment. The lot sizes will be refigured for recording. There were no public comments. MOTION (Ball, Bruce) to recommend approval to the Board of Trustees the adjusted access location to the plans as presented. Motion PASSED (7-0).
6. Update on Community Master Plan – Kent Hutson of the Master Plan Advisory Team restated the purpose of the team assisting Community Matters and reviewed the revised timeline. He explained the status of the survey analysis and the current mapping exercises to take place. The plan is to conduct several public meetings to prepare and present a final draft to the Planning Commission for review in August. It will be open for public comment. In October, the plan will be presented to members for a final approval. All working documents developed by the team are shared via Google Cloud drive. Additionally, staff is posting final documents on the Town website. Mr. Hutson stated he would like to conduct the mapping engagement exercise with the commission members. The members will participate in the exercise with Kent's lead on Sat., March 26, 2022, beginning at 10a at 140 Star View Circle. Collins will post a notice. Susan Miner and Collins commended the work of the team.
7. Consider Multi-Family and/or Accessory Dwelling Unit as Conditional Use in Residential Zoning – Dawn Collins explained that after the adoption of the Short-Term Rental (STR) regulations, it became obvious that numerous property owners have culmination of duplexes, multi-family dwellings and alternate dwelling units (ADU) on residential property. These units are not compliant with the residential zoning code allowing single family dwelling only and accessory use not accessory dwelling. This item is to obtain consensus to consider adding multi-family and/or ADU dwellings as a conditional use in the residential zoning code. Discussion took place about residents not favoring multi-family dwellings – meaning apartment type living. Collins suggested a list of criteria for these units to be considered with the conditional use application. John Cressman agreed with creating a criteria list to control additional buildings on a property

for safety purposes. Bill Fisher reminded the members of the need for attainable housing in the Town and stated additional units would assist this need. Staff was directed to research other code, additional information, to create a list of criteria for conditional use. A workshop will be scheduled to further discuss this item and findings.

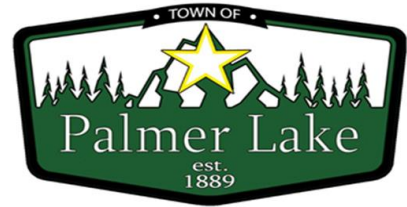
Next Meeting (April 20) and Future Items

Planning Commission members were asked if they want to continue the 5 PM start time or change back to the 6 PM time with return to the Town Hall for meetings. They decided to keep the meetings at 5:00 PM. The next meeting will be at the Town Hall, 28 Valley Crescent, Palmer Lake.

Adjourn MOTION (Ball/Fisher) to adjourn at 6:56 PM. Motion PASSED.

Charlie Ihlendorf, Chair

ATTEST: Julia Stambaugh, Deputy Town Clerk



Item 2.

**TOWN OF PALMER LAKE
PLANNING COMMISSION - AGENDA MEMO**

DATE: April 20, 2022	ITEM NO.	SUBJECT:
Presented by: Town Administrator /Clerk		Application to Amend Conditional Use – Diacut Inc (Hwy 105)

Background

This Conditional Use application was approved in 2021; however, the party intending to use the property has a change of plans and the property owner is requesting to AMEND the conditional use for temporary outside use.

The applicant will be present to speak to the amended request.



42 Valley Crescent
PO Box 208
Palmer Lake CO 80133
719-481-2953 – office

received
3-18-22
(Ld)

Office Use Only	
Case Number:	_____ 2 pul
Date:	_____ 20th
Fees:	_____ \$250.00 PC
Check #:	_____
Rec'd By:	_____ [Signature]
Application Complete:	_____

AMENDMENT Conditional Use Application Form

Name of Applicant/Property Owner: DIACUT

Address: 773 Hwy 105 Phone#: 719.440.0059

Email: bruno@diacut.com ZONE: C2

Name of Proposal: AMENDMENT TO CONDITIONAL USE

Legal Description or Address: Lots 1 to 15 INC BLK 5 ELEPHANT ROCK ACRES

Note: If the applicant is someone other than the property owner, the applicant must provide a notarized letter from the property owner giving permission to be represented in this action.

This is a Conditional Use – A request for a use not permitted under certain zoning categories subject to review by the Planning Commission and consideration by the Board of Trustees.

Criteria for approval of a conditional use – Include a “site plan” or building design where a structure is involved to address the following criteria in which the Planning Commission and the Board of Trustees must find evidence, both factual and supportive, provided by the applicant.

- The site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this ordinance.
- The site for the proposed use relates to streets and highways adequate in width and degree of improvement to handle the quantity and kind of vehicular traffic that would be generated by the proposed use.
- Any negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other ordinance standards or other reasonable conditions of approval.
- If of benefit to the community, any proposed structures will be of a design complimentary to the surrounding area.



By signing this application, parties agree to the following:

- Town of Palmer Lake staff or its consultants may enter the property to inspect the property and evaluate the proposal.
- The applicant/petitioner is liable for all non-refundable fees and costs associated with the Town's review of this application. Fees may include, but are not limited, to engineering and consultant fees, public notice costs, publication/recording fees, and any other fees paid by the Town in connection with, or related to, review of this application.
- Payment of fees as described is due within 10 days of the date of filing and, if not received within 30 days will be considered past due. Payment of the above fees shall not relieve the payment of any other fees imposed by the Town.

As owner/applicant, I affirm the information contained in this application is accurate, and I agree to the above conditions.

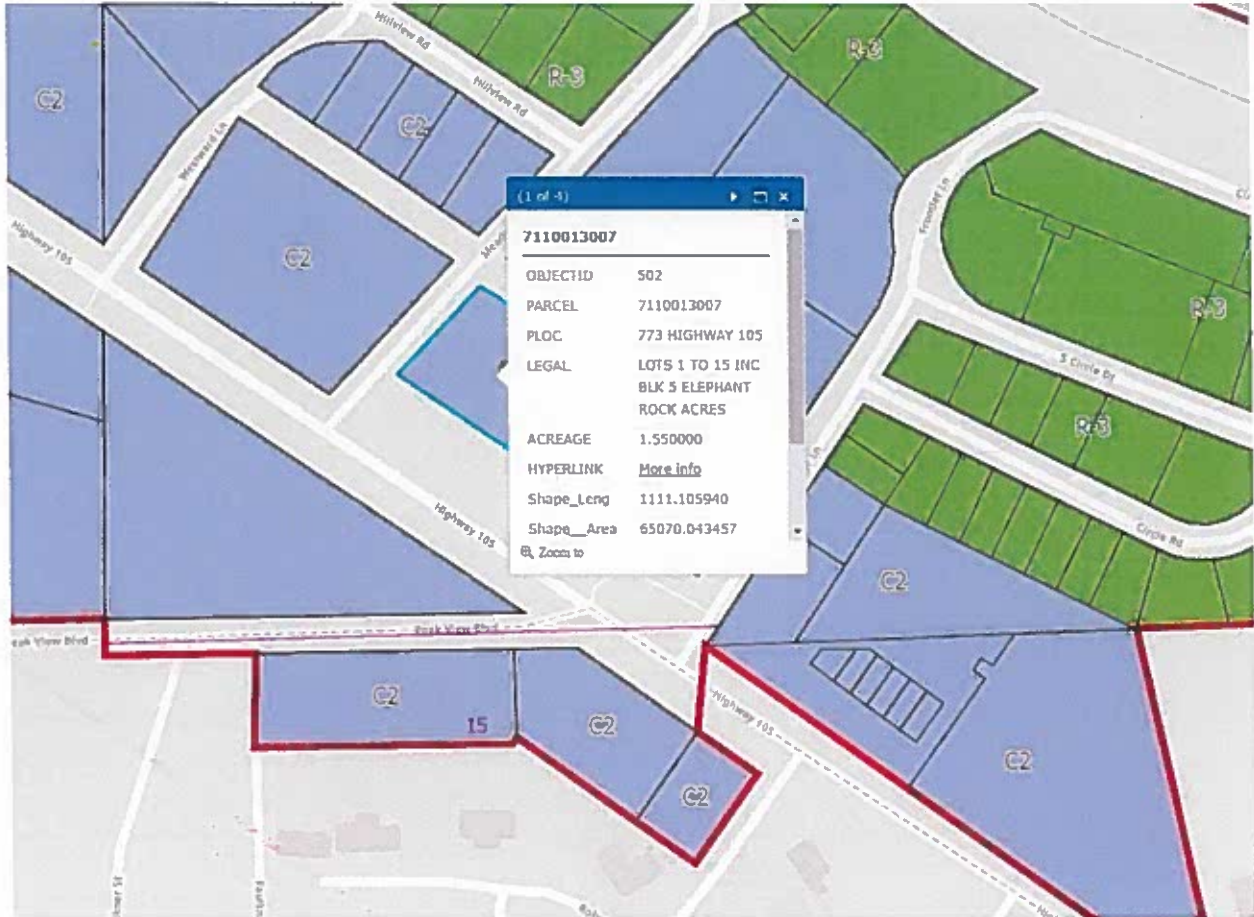
Applicant Signature: _____ Date: _____

If the applicant is not the owner:

As owner of the above property, I agree to the application.

Owner - Print: Brano Furrer

Owner - Signature: [Handwritten Signature] Date: 3-15-22

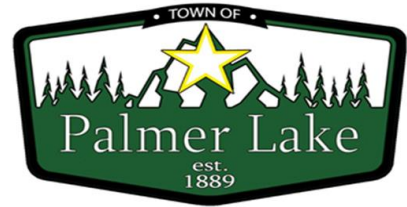


NOTICE OF PUBLIC HEARING

TOWN OF PALMER LAKE

Notice is hereby given that Palmer Lake Planning Commission shall hold a public hearing on April 20, 2022, at 5 PM at the Town Hall, 28 Valley Crescent, Palmer Lake, to consider an amendment to the Conditional Use for temporary use of the property located at 773 S Hwy 105. A recommendation will be made to the Board of Trustees on the same matter scheduled for April 28, 2022, at 5 PM. A copy of the complete application is on file at the Town Clerk office at 719-481-2953.

/s/ Dawn A. Collins, Town Clerk



Item 3.

**TOWN OF PALMER LAKE
PLANNING COMMISSION - AGENDA MEMO**

DATE: April 20, 2022	ITEM NO.	SUBJECT:
Presented by: Town Administrator /Clerk		Application for Conditional Use – 304 Hwy 105

Background

This Conditional Use application is before you to consider the back portion of the building, located in a CC zone, to be utilized as living space. The applicant will be present to speak to the amended request.

The Planning Commission recommendation is scheduled to go to the Board of Trustees on 4/28.



42 Valley Crescent
PO Box 208
Palmer Lake CO 80133
719-481-2953 – office

Office Use Only	
Case Number:	_____
Date:	_____ <i>PL 4/20</i>
Fees:	\$250.00
Check #:	<i>86848</i>
Rec'd By:	<i>WRC</i>
Application Complete:	_____

Conditional Use Application Form

Name of Applicant/Property Owner: *Tri-lakes Center for The Arts*

Address: *304 Hwy 105, Palmer Lake* Phone#: *719-481-0475*

Email: *director@trilakesarts.org*

Name of Proposal: *Conditional Use 17.38.020 K*

Legal Description or Address: *Lots 1-10 Block 23 Town of Palmer Lake*

Note: If the applicant is someone other than the property owner, the applicant must provide a notarized letter from the property owner giving permission to be represented in this action.

This is a Conditional Use – A request for a use not permitted under certain zoning categories subject to review by the Planning Commission and consideration by the Board of Trustees.

Criteria for approval of a conditional use – Include a “site plan” or building design where a structure is involved to address the following criteria in which the Planning Commission and the Board of Trustees must find evidence, both factual and supportive, provided by the applicant.

- The site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this ordinance.
- The site for the proposed use relates to streets and highways adequate in width and degree of improvement to handle the quantity and kind of vehicular traffic that would be generated by the proposed use.
- Any negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other ordinance standards or other reasonable conditions of approval.
- If of benefit to the community, any proposed structures will be of a design complimentary to the surrounding area.

Dawn Collins

Subject: FW: Tri-Lakes Center for the Arts & Conditional Use Permit

Dawn,

Thank you for your communication.

The Board of Directors is unanimously requesting that the TLCA be permitted for the following in the rear of the building, which is completely separated from the main venue:

- Lodging space for just one couple, managers of the nonprofit TLCA, in order to minimize business expenses and for the continued viability of the venue as a fine art gallery and concert venue featuring nationally recognized performers. After being closed for 18 months during the height of the pandemic, the TLCA is still getting back on its feet financially.
- Short-term usage for one to three nights for special guests, including art teachers, seminar speakers, and performers, who may not want to stay at hotels due to Covid, security, or other concerns. There would never be more than two guests at a time. This would save the TLCA a lot of expense in regard to hotel accommodations, transportation, etc. It would enable the TLCA to keep ticket prices down for the benefit of the general public.

At no time would the lodging space ever be rented, either short-term or long-term. The space would be utilized only by TLCA staff and approved venue participants. Such accommodations would never be advertised or promoted to the general public. It would be a private concern for TLCA management and guests. And such an area would not be open to the general public.

I would also like to reiterate that there will never be a kitchen installed in that area of the building. If a kitchen is needed, we will utilize the one that has been in existence for the past twenty years and located off the Lucy Owens Gallery.

If you have any further questions, please do not hesitate to contact me.

Peace,

Michael

Dr. Michael Maddox
Executive Director
Tri-Lakes Center for the Arts
P.O. Box 1154
Palmer Lake, CO 80133
719-481-0475
www.trilakesarts.org

Tri-lakes Center for the Arts
 P.O. Box 11574
 304 Hwy. 105
 Dulmer Lake, CO 80133
 719-481-0475
 Dr. Michael Madolox
 TACA Executive Director
 Board of Directors President
 directors@trilakesarts.org.

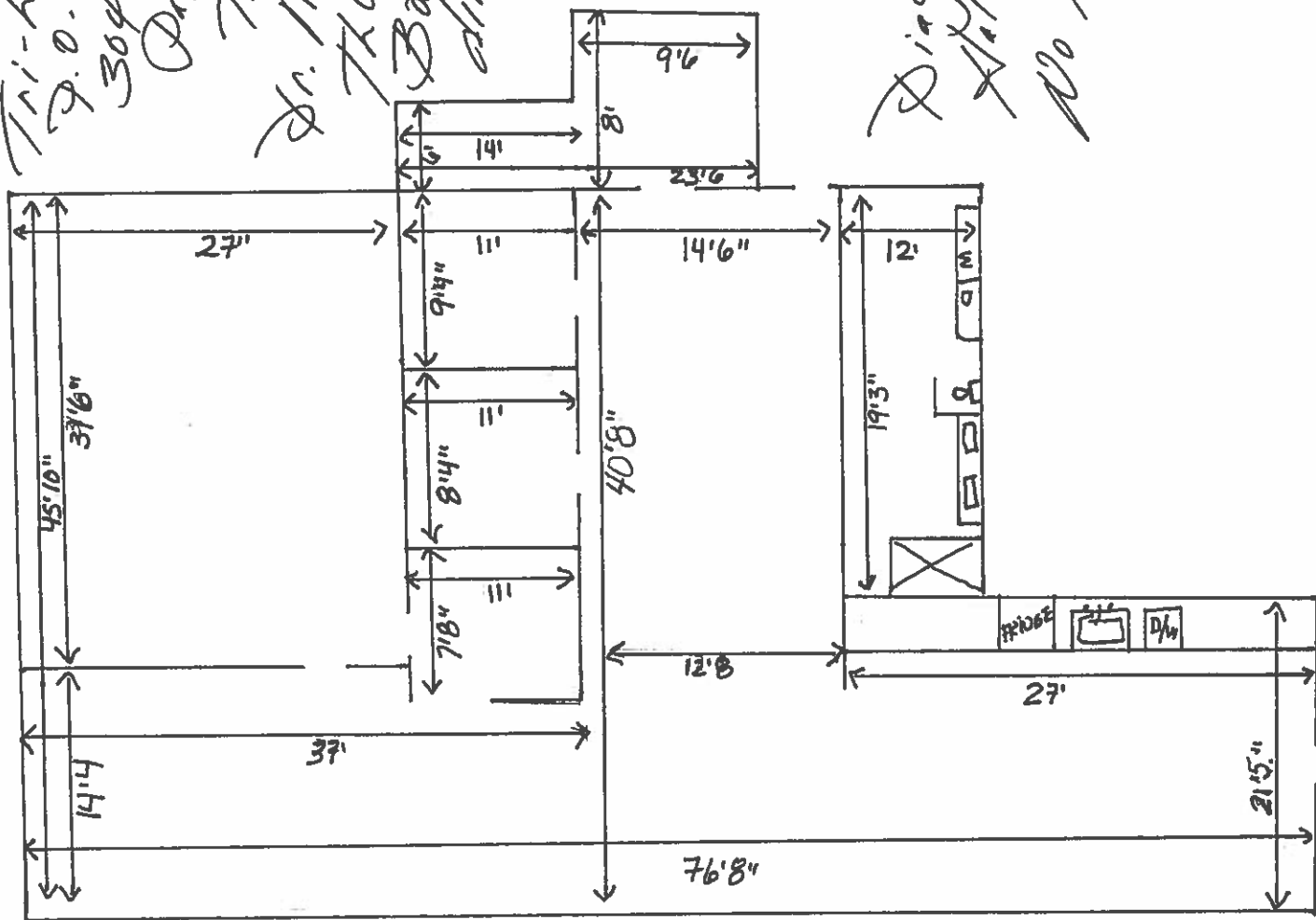


Diagram Shows Rear
 Half of Building.
 No Kitchen!

Entrance to Rear of Building

ROGER W. WARD
PO BOX 394
PALMER LAKE, CO 80133
719-238-3285
rogerward5@gmail.com
27 October 2017

Item 3.

Re: Michael Maddox:

Kim, my wife, purchased the rundown 60-70 year-old Kaiser-Fraser building in Palmer Lake, CO, about 19 years ago to be used by an up-start group of local artists who needed a building for their craft and as an art center for the town. The art center would provide a venue for various types of artistic presentations, including art exhibits, plays, and musical concerts. The group established a 501(c)(3) non-profit organization known as the Tri-Lakes Center for the Arts—TLCA.

Over the years, many members and directors came and went. The TLCA struggled with maintaining the building and its surrounding land, membership, and money. But, it managed to keep the doors open and it soon became a focal point for the arts in Palmer Lake and the surrounding communities.

In 2009 Michael Maddox and debi, his wife, became members of the TLCA. Mike served on the board for a year or so. Then in 2010 Mike was named the director of the TLCA. In the intervening seven years, Mike has transformed the TLCA into a bustling art center (while several other local art groups, such as the Colorado Springs Fine Arts Center, failed). Under his directorship, the building has been updated by adding a “green” room for visiting musical acts; a kitchen for catered events and refreshments during receptions; a bar for selling refreshments; a sound system for visiting acts; professional murals and sculptures decorating the outside of the building; not to mention repairs and restoration of the building itself.


Mike works with the local art community, and the expanded art communities from Colorado Springs to Denver, to always have high-quality art exhibits at the TLCA on a continuous basis.

Mike uses his prior background in booking musical artists, some of whom are well known, to bring increasingly well-known artists to the TLCA, such as Moe Bandy, Judy Collins, Shawn Colvin, Richy Furay (Poco), Michael Martin Murphy, Peter Yarrow (Peter, Paul, and Mary), and Colin Hay (Men at Work). Not bad for a 200-seat venue!

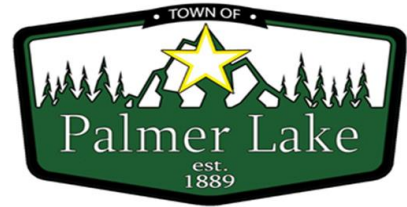
In addition to Mike, his family also contributes to Palmer Lake and the TLCA. Mike’s son Jesse and daughter-in-law Carla donate many hours per month helping out with events at the TLCA. Jesse designed and frequently sets up and controls the sound system for visiting artists. Carla often helps out with tickets and other activities. Jesse and Carla also have a thriving business in Palmer Lake—Taikos.com. They manufacture and sell world-class taiko drums for world famous musical groups; e.g. Metallica and Imagine Dragons. debi works tirelessly behind the scenes at the TLCA ensuring everything is set up, torn down, and that the shows go on without a glitch. In addition, her art decorates many of the walls AND floors of the TLCA! It is truly a family operation—making Mike look good!

Needless to say, our local communities are blessed to have such local, domestic, and international entertainment and art available in our small town. Without Mike Maddox, the TLCA might have floundered and closed several years ago. Mike is a tremendous asset to Palmer Lake. It will be interesting to see what his vision brings in the years to come.

Please contact me if you require additional information.



Roger W. Ward



**TOWN OF PALMER LAKE
PLANNING COMMISSION - AGENDA MEMO**

DATE: April 20, 2022	ITEM NO.	SUBJECT:
Presented by: Town Administrator /Clerk		Application to Vacate Town ROW (Loveland Slope) – Kalesti (171 Shady)

Background

The request to vacate the Town ROW platted as Loveland Slope but undeveloped will be presented. Consideration to vacate should include a permanent utility easement for water lines in the ROW.

Staff reviewed the request and supports the vacation for the following reasons –

- If/when developed, run off onto Shady Lane will worsen the condition of drainage on Shady
- Fire apparatus cannot make the turn onto Loveland Slope from Shady nor make the steep slope to Fowler
- A large portion of the 171 Shady Ln property encroaches on the undeveloped ROW (Loveland Slope) and will cause great hardship to the abutting property (179 Shady)
- Per code, the abutting property owners to this undeveloped ROW are in agreement

The Planning Commission recommendation is scheduled to go to the Board of Trustees on 4/28.



42 Valley Crescent
PO Box 208
Palmer Lake CO 80133
719-481-2953 – office

Office Use Only	
Case Number:	_____
Date:	_____ PC 4/20
Fees:	\$500.00
Check #:	204
Rec'd By:	MAZ
<i>Note: A minimum of ten days are required to process this application</i>	

Right-of-Way Application

Name of Applicant/Property Owner: Gene E and Maria A.T Kalesti

Address: 171 Shady Lane PO BOX 615 Phone#: 720-475-6894

Email: gkalesti@gmail.com

Name of Proposal: ^{JPB} ~~Vacate a portion of Fowler Branch near / behind 171 Shady Lane / Vacate Loveland Slope from Shady Lane to Fowler Branch~~

Legal Description or Address: Lot 1 Blk 8 Pine Crest Tri-Dist Assembly GRDS ADD 1 Palmer Lake

(If the applicant is someone other than the property owner, the applicant must provide a notarized letter from the property owner giving permission to be represented in this action).

This is a Right-of-Way Vacation – A Right of Way vacation is the termination of the public interest in a right-of-way (built or unbuilt); it extinguishes the easement for public travel that is represented by the right-of-way. The Right of Way is equally divided.

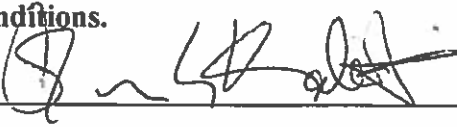
Criteria for approval of a Right-of-Way Vacation - In order to approve any Right-of-Way vacation, the Planning Commission must find, based upon evidence, both factual and supportive, provided by the applicant that the vacation sought will not leave any lands adjoining without an established right of way. and that the portion of the right of way sought to be vacated has now become useless to the property owners, the general public, and the Town of Palmer Lake, and that the Final Plat meets all of the criteria stated in Section 16 of the Palmer Lake Municipal Code.


By signing, Applicant agrees to the following:

- Town of Palmer Lake staff or its consultants may enter the property to inspect the property and evaluate the proposal.
- The applicant/petitioner is liable for all fees and costs associated with the Town’s review of this application. These may include, but are not limited, to engineering and consultant fees, public notice / recordation fees, and any other fees paid by the Town in connection with or related to this application.

Payment of the above fees shall not relieve the applicant of any other fees incurred by the Town.

As owner/applicant, I understand and affirm the information contained in this application is accurate, and I agree to the above conditions.

Applicant Signature:  Date: January 21st 2022 ^{3/2/2022}

Applicant Signature: Maria Antonista T Kalasti Date: January 21st 2022 ^{3/2/2022}
(if needed) 

If the applicant is not the owner:

As owner of the above property, I agree to the application.

Owner – Print: _____

Owner – Signature: _____ Date: _____

PROCEDURAL CHECKLIST FOR RIGHT-OF-WAY VACATION

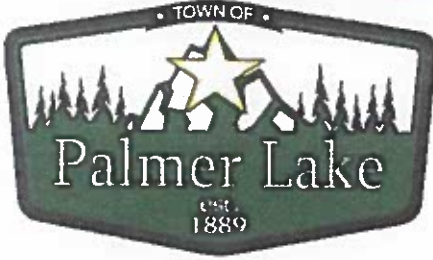
Applicant: Gene E and Maria A. T. Kalesti Address/Location: Loveland Slope Portion of Fowler Branch
 (print or type)

- * Submitted on: _____
- * Property will be posted & published by: _____
- * Planning Commission meeting: _____
- * Board of Trustees meeting: _____

Submittal Requirements:

X	Required Information:
X	Complete application form
X	Letter(s) of Intent - why you are making this request; adjoining property owner
	A map of the proposed right-of-way vacation prepared by a Colorado registered land surveyor. Each plan must include:
X	• Identify the right-of-way requested for vacation
X	• All easements identified on right-of-way and abutting properties
	Required Copies: (Proposed)
X	One (1) each 11x17 paper and electronic copy of proposed vacation
X	Copies of letters of notification to all property owners abutting proposed vacation
	A map of all properties effected by the right-of-way vacation, prepared by a Colorado registered land surveyor. Each plan must include:
X	• Name of the Proposal
X	• Legal description of the Proposal
X	• Date of preparation and Northpoint
X	• A vicinity map
	• Location of land intended to be for public use
	• All monuments
	•
	• Profiles of all roads
X	• Certificates for execution by Executor (s) – (Mylar)*
	•
	•
X	• All easements as required by public and quasi-public agencies
X	• The right-of-way lines, widths, locations, and street names of existing and proposed streets
	Required Copies: (Final)
X	• One (1) copy of final plat - Mylar* – Owner MUST record after approval
X	• One (1) paper copy (24x36) of final plat
X	• One (1) Electronic copy of final plat

Letter of Intent for Right of Way Application



Right of Way Application Rev. 05/2021

42 Valley Crescent
PO Box 208
Palmer Lake CO 80133
719-481-2953 – office

Right-of-Way Application

Letter(s) of Intent - why you are making this request, adjoining property owner

Vacation of Fowler Branch and Loveland Slope Letter of Intent from adjoining property owner. See EXHIBIT “Vacation of Fowler Branch and Loveland Slope”

Supporting Letter of Intent, abutting property owner and ROW vacation applicant.

Gene E and Maria A.T. Kalesti
171 Shady Lane BOX 615
Palmer Lake, CO 80133

We owners Gene and Maria Kalesti of 171 Shady Lane respectfully request Loveland Slope from Shady Lane to Fowler Branch be vacated.

As well the portion of Fowler Branch be vacated directly behind our 171 Shady Lane home. Please see detailed Survey Exhibit “**Vacation of Fowler Branch and Loveland Slope**” Prepared and signed by Professional Land Surveyor James P. Brinkman 2/22/2022

Loveland Slope Right of Way statements of fact by Kalesti’s, the abutting property owners:

1. Loveland slope has not been used for access to any property past or present. This fact is supported by all surrounding neighbors (See supporting letters from surrounding neighbors) and has been video documented in the for nearly a year.
2. There is no adjoining or abutting lands that need a Right of Way.

Letter of Intent for Right of Way Application

3. Lands nearby have always used the established Loveland Slope to Fowler Branch to access those lands on Fowler Branch. Loveland Slope is not presently or has been in the past been used for a daily, weekly, monthly or semiannual use.
4. The only adjoining and abutting landowners, Kerry J. Paige, Gene Kalesti and Maria Kalesti agree this land is unused, useless to property owners and general public.
5. Adjoining and abutting landowners to Loveland Slope, Kerry J. Paige, Gene Kalesti and Maria Kalesti want to acquire the land the ROW is on and place a permanent fence on our new property line.
6. It's our understanding that Loveland Slope is apparently too steep to develop at this time.
7. Developing Loveland Slope would not be a civic minded plan to protect home owners and would require it be done within the 20' allotted width, this would further encroachment on our property and abutting neighbor. Our property is already being encroached upon over time. We want to use all 8,273 sf of our property.
8. Wildlife as it's been 100's of years would be forever damaged and change for the worse if this vacation is not agreed to.
9. Road development of hard surfaced or compacted road structure would exacerbate the already very major issue of snow melt and storm water runoff damage to our property, our abutting neighbor, Shady Lane, homes and properties below Shady Lane. Impossible to not encroach and stay withing the 20'easement. Please see Land Survey Plat
10. If we prevail the new acquired land would be planted with indigenous wild grass that can act as a leach field to absorb snow melt and rain.

It is the desire of the only two abutting neighbors, Kerry Paige to be approved for vacating Loveland Slope as shown in Survey EXHIBIT. This ROW is a hazard for fire trucks due to the complete inability to access due to the very steep slope or for any large vehicle to make the turn into the ROW and proceed to the top. There is also nowhere to turn a large truck. It is also a fact that all electrical and communication utilities would have to be moved from the NW corner of Block 9 of our adjoining abutting neighbors' property of Kerry J Paige.

Fowler Branch Right of Way statements of fact by Kalesti's, the abutting property owners:

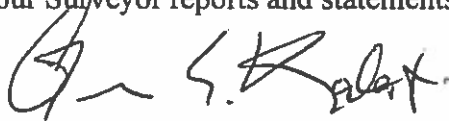
Letter of Intent for Right of Way Application

1. The Fowler Branch ROW section described in our Survey EXHIBIT directly behind our home and our abutting neighbor Jim Andrews home has not been used for access to any property past or present. This fact is supported by all surrounding neighbors (See supporting letters from surrounding neighbors) and has been video documented for nearly a year.
2. There is no adjoining or abutting lands that need a Right of Way.
3. Lands nearby have always used the established Fowler Branch from South Fork to access those lands on Fowler Branch. Fowler Branch is not presently or has been in the past been used for a daily, weekly, monthly or even semimanual use.
4. The only adjoining and abutting landowners, James "Jim" Andrews, Gene Kalesti and Maria Kalesti agree this land is unused, useless to property owners and general public.
5. Fowler Branch has also been vacated for many years from Block 8 lot 2 and Block 11 Lot 13 to the NW (Vacated Fowler Branch Ordinance No1 1956)
6. Adjoining and abutting landowners to Fowler Branch, Jim Andrews, Gene Kalesti and Maria Kalesti want to acquire the land the ROW is on and place a permanent fence on our new property line to provide security for our pet as nearly 100's of homeowners have done.
7. It's our understanding Fowler Branch is a ROW for Block 11, Lot 8, 9, and 10. It been surveyed and is comparatively level, a complete difference compared to Loveland Slope.
8. Wildlife as it's been 100's of years would be forever damaged if the ROW between agreed abutting neighbors would not be approved to vacate.
9. Any development of any part of Fowler Branch will have to meet Town & El Paso County development codes to not cause any damages, especial water damage to our property.

It is the desire of the only two abutting neighbors, Jim Andrews and Gene and Maria Kalesti to be approved for vacating Fowler Branch as shown in Survey EXHIBIT.

We thank the Planning commission for their time and I look forward to giving much more details including our Surveyor reports and statements from nearby neighbors.

Thank You
Gene E Kalesti



Date 2.22.2022

Maria A.T. Kalesti



Date 2.22.2022

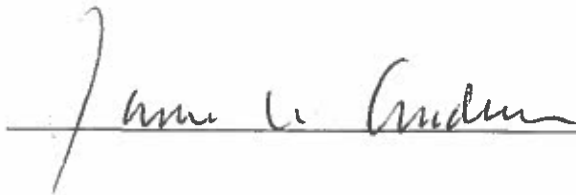
Letter of Intent for Right of Way Application

I Agree To Abandon Fowlser Branch behind
169 & 171 Shady Lane with stipulation permanent
Driveway Access Is Available For Lots 11 & 12
I Intend To Join Lot 13 To My Property At 169 Shady
Lane.

We thank the Planning commission for their time and I look forward to giving much more details including our Surveyor reports and statements from nearby neighbors.

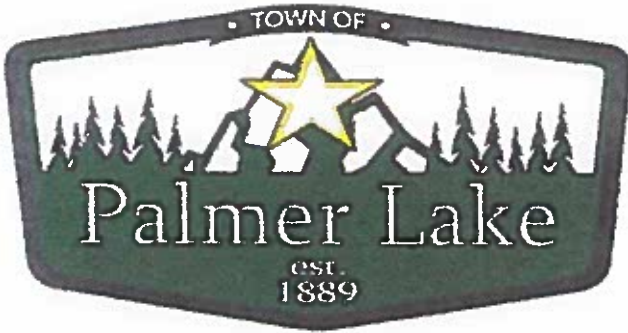
Thank You

James Andrews



Date 03.03.2022

169 Shady Ln
Box 993
Palmer Lake, CO 80133



Right of Way Application Rev. 05/2021

42 Valley Crescent
 PO Box 208
 Palmer Lake CO 80133
 719-481-2953 – office

Right-of-Way Application

Letter(s) of Intent - why you are in support of this request; adjoining property owner

Vacation of Fowler Branch and Loveland Slope Letter of Intent from adjoining property owner. See EXHIBIT "Vacation of Fowler Branch and Loveland Slope"

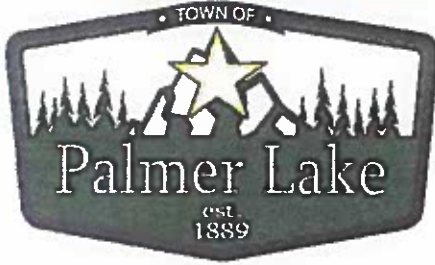
Supporting Letter of Intent, abutting property owner.

Kerry J Paige
 179 Shady Lane BOX 1638
 Palmer Lake, CO 80133

1. Loveland Slope is not the sole access to properties behind mine.
2. Other than my immediate neighbor, adjoining properties are not in need of right of way.
3. The development of Loveland Slope would put the road a few feet from my front door.
4. Also Utility poles, boxes and trees would have to be removed.
5. Topography would seem to create drainage problems.
6. Neighborhood aesthetics would diminish.

Kerry J Paige Kerry J Paige Date 2/28/22

Letter of Support for Right of Way Application



Right of Way Application Rev. 05/2021

42 Valley Crescent
 PO Box 208
 Palmer Lake CO 80133
 719-481-2953 – office

Right-of-Way Application

Letter of support - why you are making this letter of support, nearby property owner.

Vacation of Fowler Branch and Loveland Slope Letter of Support from nearby property owner/s.

See EXHIBIT “Vacation of Fowler Branch and Loveland Slope”

Supporting Letter of Support by nearby property owner/s.

We owner/s George E. Parsons and Beverley Dale Parsons support the vacation of Loveland Slope from Shady Lane to Fowler Branch be vacated.

As well the portion of Fowler Branch be vacated directly behind 171 Shady Lane home of Gene and Maria “May” Kalesti. Please see detailed Survey Exhibit “**Vacation of Fowler Branch and Loveland Slope**” Prepared and signed by Professional Land Surveyor James P. Brinkman 2/22/2022

Vacation of Loveland Slope Right of Way statements of fact/s as I/we know them. Please provide your statements of why you support the Vacation of Right of Way Application.

Beverley and I support vacating the aforementioned roads as a needed change to our neighborhood. I formally owned the property owned now by Kerry Paige. It would be irresponsible for any civic body to allow roads to be developed surrounding the Block 9, a single residence. I had vacated the lower half of Loveland Slope years ago. It was not useful as a road. The upper half of Loveland Slope is also not appropriate as a useful Road. Drainage alone can

Letter of Support for Right of Way Application

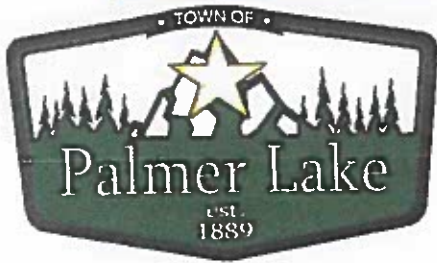
cause many problems for Shady Lane. Please allow the vacation of the upper part of Loveland Slope.

George E. Parsons March 3, 2022
George E. Parsons

Beverley Dale Parsons March 3, 2022
Beverley Dale Parsons

164 Shady Lane
Palmer Lake, CO 80133
719-481-2815

Letter of Support for Right of Way Application



Right of Way Application Rev. 05/2021

42 Valley Crescent
PO Box 208
Palmer Lake CO 80133
719-481-2953 – office

Right-of-Way Application

Letter of support - why you are making this letter of support, nearby property owner.

Vacation of Fowler Branch and Loveland Slope Letter of Support from nearby property owner/s.
See EXHIBIT “Vacation of Fowler Branch and Loveland Slope”

Supporting Letter of Support by nearby property owner/s.

We owner/s Mary Koch 172 Shady Lane support the vacation of Loveland Slope from Shady Lane to Fowler Branch be vacated. As well the portion of Fowler Branch be vacated directly behind 171 Shady Lane home of Gene and Maria “May” Kalesti. Please see detailed Survey Exhibit **“Vacation of Fowler Branch and Loveland Slope”** Prepared and signed by Professional Land Surveyor James P. Brinkman 2/22/2022

Vacation of Loveland Slope Right of Way statements of fact/s as I/we know them. Please provide your statements of why you support the Vacation of Right of Way Application.

Vacation of Fowler Branch Right of Way statements of fact/s as I/we know them. Please provide your statements of why you support the Vacation of Right of Way Application.

I SUPPORT the vacating of Loveland Slope Right of Way.

1. The lower half of Loveland Slope was already deemed not useful as a road, neither is the upper half. The drainage from the upper side of Shady Lane has already caused runoff damage to my property, and making the upper half a road would only make it worse.

2. Loveland Slope is not the only means of access to those properties, and adding another road would not only cause damage to the existing nature, but ruin the atmosphere of our quaint and peaceful neighborhood.

Mary E Koun

Date 3/3/2022

Letter of Support for Right of Way Application



Right of Way Application Rev. 05/2021

42 Valley Crescent
PO Box 208
Palmer Lake CO 80133
719-481-2953 – office

Right-of-Way Application

Letter of support - why you are making this letter of support, nearby property owner.

Vacation of Fowler Branch and Loveland Slope Letter of Support from nearby property owner/s.

See EXHIBIT “Vacation of Fowler Branch and Loveland Slope”

Supporting Letter of Support by nearby property owner/s.

We owner/s Chris and charlene Schutte, 188 Shady Lane support the vacation of Loveland Slope from Shady Lane to Fowler Branch be vacated. As well the portion of Fowler Branch be vacated directly behind 171 Shady Lane home of Gene and Maria “May” Kalesti. Please see detailed Survey Exhibit “**Vacation of Fowler Branch and Loveland Slope**” Prepared and signed by Professional Land Surveyor James P. Brinkman 2/22/2022

Vacation of Loveland Slope Right of Way statements of fact/s as I/we know them. Please provide your statements of why you support the Vacation of Right of Way Application.

Letter of Support for Right of Way Application

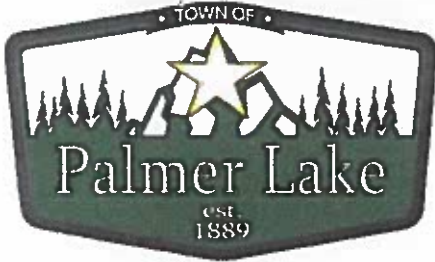
Vacation of Fowler Branch Right of Way statements of fact/s as I/we know them. Please provide your statements of why you support the Vacation of Right of Way Application.

1. Our property and neighboring properties have been affected by surface water runoff onto our land. We have sustained damage to property and loss of property due to the water that runs downhill from South Fork onto Shady Lane during heavier or extended rain periods
2. Due to the terrain any additional roads sloping downhill in this area will add to the existing issues of surface water runoff as there is no storm water system or swale to manage this runoff. We have reported and discussed this issue with the Town of Palmer Lake and it has been stated that the town will need to engineer a solution and identify a budget long term to address this issue, there are no immediate solutions.

Chris Schutte Chris Schutte

Date 3/2/2022

Letter of Support for Right of Way Application



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Palmer Lake CO 80133
719-481-2953 – office

Right-of-Way Application

Letter of support - why you are making this letter of support, nearby property owner.

Vacation of Fowler Branch and Loveland Slope Letter of Support from nearby property owner/s.

See **EXHIBIT “Vacation of Fowler Branch and Loveland Slope”**

Supporting Letter of Support by nearby property owner/s.

We owner/s Gary and Dorothy Gore support the vacation of Loveland Slope from Shady Lane to Fowler Branch be vacated. As well the portion of Fowler Branch be vacated directly behind 171 Shady Lane home of Gene and Maria “May” Kalesti. Please see detailed Survey Exhibit **“Vacation of Fowler Branch and Loveland Slope”** Prepared and signed by Professional Land Surveyor James P. Brinkman 2/22/2022

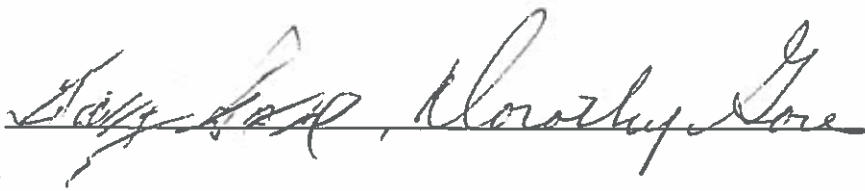
Vacation of Loveland Slope Right of Way statements of fact/s as I/we know them. Please provide your statements of why you support the Vacation of Right of Way Application.

We support the vacation of Loveland Slope. It was never intended as a road and, as shown in the survey, is too steep for emergency vehicle use.

Palmer Lake has long since ignored and neglected services of engineers and surveyors under pressure of those seeking personal gain. Such decisions have violated regulations affecting major concerns of drainage, property lines, utilities, etc. It is time for responsible action and professional planning that focuses on the future of our community.

Letter of Support for Right of Way Application

Vacation of Fowler Branch Right of Way statements of fact/s as I/we know them. Please provide your statements of why you support the Vacation of Right of Way Application.

 Date 3/3/2022