

# EL PASO COUNTY



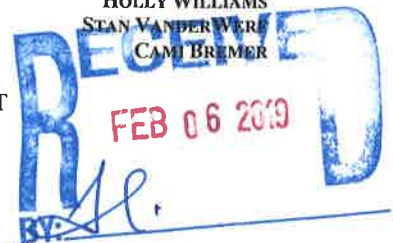
COMMISSIONERS:  
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LONGINOS GONZALEZ, JR. (VICE-CHAIR)

COLORADO

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
CRAIG DOSSEY, EXECUTIVE DIRECTOR

January 29, 2019

HOLLY WILLIAMS  
STAN VANDERWERF  
CAMI BREMER



This letter is to inform you of the following petition which has been submitted to El Paso County:

AL-18-027

KENDALL

## SPECIAL USE NEWCOMB EXTENDED FAMILY

A request by Janice Newcomb for approval of a special use for a guest house with special provisions for extended family housing. The property is zoned RR-5 (Residential Rural) and is located on the northwest side of Preston Place, approximately 553 feet north of the intersection of Tracy Lane and Preston Place. The property is located within the Falcon/Peyton small area master plan. (Parcel No. 42130-01-016) (Commissioner District 2) (Len Kendall)  
**Type of Hearing: Quasi-Judicial**

For \_\_\_\_\_ Against \_\_\_\_\_ No Opinion \_\_\_\_\_

Comments:

(FOR ADDITIONAL COMMENTS, PLEASE ATTACH ANOTHER SHEET.)

- **This item is scheduled to be heard by the El Paso County Planning Commission on February 19, 2019.** The meeting begins at 9:00 a.m. and will be conducted in the Second Floor Hearing Room of the Pikes Peak Regional Development Center, 2880 International Circle, Colorado Springs.
- **The item will also be heard by the El Paso County Board of County Commissioners on March 12, 2019.** The meeting begins at 9:00 a.m. and will be conducted in the Centennial Hall Auditorium, 200 South Cascade Avenue, Colorado Springs.
- The date and order when this item will be considered can be obtained by calling the Planning and Community Development Department or through El Paso County's Web site ([www.elpasoco.com](http://www.elpasoco.com)). Actions taken by the El Paso County Board of County Commissioners are posted on the internet following the meeting.
- The online submittal portal can be found at: [www.epcdevplanreview.com](http://www.epcdevplanreview.com)
- The Staff Report for this Agenda item can be found at: <https://planningdevelopment.elpasoco.com/el-paso-county-planning-commission/planning-commission-2019-hearings/>

Your response will be a matter of public record and available to the applicant prior to the hearing. You are welcome to appear in person at the hearing to further express your opinion on this petition. If we can be of any assistance, please call 719-520-6300.

Sincerely,

*Len Kendall*

Len Kendall, Planner I

Your Name:

*Daryl Chen, Lerae*

(printed)

Address:

*12225 Preston Pl, Peyton CO 80831*

Property Location:

*Lot 40*

Phone

*719-322-8289-81  
719-648-1750-85  
719-322-8285-LJ*



2880 INTERNATIONAL CIRCLE, SUITE 110  
PHONE: (719) 520-6300

COLORADO SPRINGS, CO 80910-3127  
FAX: (719) 520-6695

[WWW.ELPASOCO.COM](http://WWW.ELPASOCO.COM)

# El Paso County Parcel Information

PARCEL	NAME
4213001016	NEWCOMB IANICE M

File Name: AL-18-027

Zone Map No. --

ADDRESS	CITY	STATE
12220 PRESTON PL	PEYTON	CO

ZIP	ZIPPLUS
80831	8617

Date: January 29, 2019



Please report any parcel discrepancies to:  
El Paso County Assessor  
1675 W. Garden of the Gods Rd  
Colorado Springs, CO 80907  
(719) 520-6600



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Summary:

1. Please review all comments on the file already stored for the 2/19/19 EPC Board Review, 3/12/19 BOCC Review. These comments will serve a valuable resource for communications, reviews, that brings questions (+ or-), regarding this project request, are for the use of Adjoining Neighbors, the Appeals Process, the Attorney's being retained for Class Action or Private Civil recourse, if Newcombs' are granted this request. The community is unified in PROTEST of this request. 4-Way Ranch is livestock, 1200 + cows. I don't think they are/will be affected by this request and the Owners DO NOT live in this subdivision nor have any investment rights, NO TITLE INSURANCE purchased for Title/Zoning/Compliance agreements made, in place, to have any voting rights.
2. Ms. Newcomb is receiving muti-caregivers from Rocky Mountain Pace Program. Her Grandchildren(2or 3) currently are being paid \$12.00 an hour, as employment, to take care of her needs. Ms. Newcomb is also receiving, Meals-on-Wheels, while caregivers, are paid to cook/clean/ provide for her needs. This request is a shameful display of free handouts, since Steve Moore also, lives with Ms. Newcomb, most of the time. If request is granted, YOU WILL HAVE 2 HOMES with one family in one and Ms. Newcomb and Steve Moore, cozy together, in the GUEST HOME. FACTS!! 3 Adults- will be living on the property, can have up to 10 children, coming and going. Due to this PACE PROGRAM PLACEMENTS BY SUPPORT, is already in service, being paid, to meet all her needs. All Family members lives close-by, in Calhan, Simla, Colorado Springs. Disclosed by Ms. Newcomb, this request, was to allow Grandchildren, avoid paying rent and where she could retain profit/gains, extra help, if they lived on her land. They did not want to pay rental prices, in Colorado Springs, CO. Now validated by Martina Hayhurst comments to Neighbors protests. The Zoning change request, is DISGRACEFUL AND UNWORTHY, will create a drastic,negative effect, on this community and not conform to the improvements being made in this subdivision. El Paso County cannot monitor any compliance and will not have any access, to the property. Zoning changes, should only be used, if a Senor with Family Out-of-State, as a support tool. In this case, would be abuse of the system, by making affordable housing, for family members. If granted, this will open a massive rush, by others to follow suit. El Paso County does NOT want to head down this road. Neighbors feel confident, Civil Recourse would be warranted, due to Ms. Newcombs stored texts and disclosures, continued actions.
3. Threats of extortion, constant harassment, retaliation against neighbors, if they did not vote, in her favor. This has been on-going for 28 years. On 2/2/19 a accident took place on Preston Place and Tracy Lane, damages to fences to the Stone/Elliott properties and a run through Martz Family. The driver was Ms. Newcombs Grandson, damage to a El Paso County Culvert. The driver left the accident and did not call into Sheriff in a.m. At sunrise, Neighbors waited 4 hours for the Driver/Ms. Newcomb, to take responsibility with neighbors, work-out solution for repair, but made the choice, to HIDE, in a cowardly fashion, when parts were left behind in the properties, that will be submitted to the court. Law Enforcement was called, not allowed to view the vehicle, by Martina Hayhurst, refusing entry, where



back-up was called in, from Calhan Police, to help defuse the "negative environment". The driver was cited by State Patrol, Ms. Newcomb was giving neighbors her finger, in front of the Police and witnessed by the State Patrol. State Patrol, then asked Ms. Jacobs, if she was interested in persuing "Harassment" charges against Ms. Newcomb, by their witness. Ms. Jacobs told State Patrol, not worth her time, this is the demonstration of actions of Deplorables, that can addressed, in a Court of Law. This constant disrespect, chaos and criminal activity, is not welcomed, by the Adjoining SENIORS,(10 EA), who expect, to live in harmony and tranquility, without all these problems. Ms. Newcomb and Martina Hayhurst, DEMONSTRATED they are Enablers and Accessories to these crimes, all witnessed, by Neighbors on 2/2/2019. The Call-for-Service number is 2019-00021346 at 12220 Preston Place, on El Paso County Sheriffs blotter at 11.39 am, complaint filed by Mr. & Mrs Stone. El Paso County Department of Transportation, Scot Cuthbertson, has been notified, to inspect damage of culvert and replace t-posts that indicate the drop for autos from dropping into the ditch and now, can impale another human and be removed for safety. The State Patrol Report, will be avail. 10 days from incident on 2/2/2019.

\* 4. On 2/3/2019...After the incident with Law Enforcement, now they paint Mrs. Newcombs house after 28 years. This eyesore did not matter, until the actions of shameful, cowardly, heinous behavior, displayed on 2/2/2019 in front of Neighbors. Only because they want to live for free, in this community, never giving a concern about how the home looks, until this Application was filed. Never was any Code Enforcement, Code Compliance Regulations respected, until they need to live for free, now it's important, since we want to take your rights from you.

5. Well Water. This well is in the Dawson Aquifer at 325 feet, pumping at 10 gpm in 1993. Per the current studies, by Colorado State University in 2018, the MMJ Industry demands, this would be the accommodation for a family of 4, not being used anymore for ANY new water requests, longevity is doubtful. The permit uploaded, states; 1 avg. Household use, on line 11, DOES NOT SAY "SERVICE TO 2 HOMES". The Dawson Aquifer, has too many "straws" in the supply and the re-charge rate, in Bijou Basin, cannot replenish the current supply demands today. Wells today, are at 600-1000 feet, Denver supply. On this factual data, from the regulatory providers, the well would have to be PROVEN, to be able to service of 2 homes, #bedrooms cannot be defined, due to no disclosures, the Water Law have been changed and VERY restricted. Per Site Plan, clean water would run through Leachfield, sludge, whatever is in the ground, a school bus? No current dated correspondence, from Can-Am Drilling, was supplied, to validate, the statements in the Letter of Intent, are true ~~or~~ and factual.

#2 Well -NEVER has, EVER serviced 2 homes. Project was abandoned by William Moore. Any statements of "HOME AS BEFORE" are not truthful. Many problems will arise, that are not projected. As Neighbors, we will watch every element of this project, not to help, but report violations, demand El Paso County, monitor every element of this project.

6. Septic. Permit was bought for \$125.00 and states 2000 Gallons, built by OWNER. Just paper. No purchase receipt was provided, proving the purchase of this size septic. No current dated, correspondence, no clean-out receipts or inspection record uploaded. Water District in Denver, monitors these large size septic s (2000+) they have "No Records Found" for regulatory compliance under their jurisdiction. El Paso County is trying to find history, but so far, nothing can be validated, forward e-mail sent to Len Kendall, knowing project was abandoned, the DEMAND, the Septic MUST be PROVEN.

7. So far no home has been presented, by title, by gift affidavit, by photos, by purchase order, by any Company, presenting this future home. What type of crap, in theory, going to be pulled into this community. There is a REASON, not being disclosed. A DEMAND of home disclosure, pictures and condition to Adjoining Neighbors and a current Inspection by El Paso County, before this can be decided.

8. Site plan, is not correct and setback requirements stated on Site Plan, on garage, need to be proven and re-checked due the the measurements, stated on Site Plan. In my review, the layout, was copied of another Site Plan in the database. "Bellville Extended Family" because their easements, were added to Newcombs site plan, They do not have the easements, as indicated. Now; this has been brought forward to Lopez and Elliotts, where they have shared, vested interest. This is irritating, to review the many errors, being presented, without any Professional involved.

9. Current home on site. "Guest House" or Whatever. DEMAND completion, in a time-frame to accommodate the board. Permits be bought and current for driveway, gates, deck, hot tub and current siding project, sitting since 2017. Demand of this current home to be finished, prior to any other home coming into property. Due to the villainous behavior displayed, Neighbors, no longer, will not turn a blind eye to this property. There was no logic, on sub-mission of Application, that these items would be swept under a rug. This is just contemptible, to blame Neighbors, when Newcombs' did not follow and building codes and have the heinous behavior, to call the Sheriff, blaming Neighbors, without any accountability to their actions.

10. 28 years, is too long to look at a unfinished home and the Lowes Logo, on this "Guest Home" is only a billboard for advertisement of the LOWES product, that is tearing off with the strong winds. #2 Repair of roof on well house, winds are tearing the roofing off. REQUEST in stipulations of; RESPECT TO all community compliance. The attitude of, covenants are old, no HOA involved, so we can do whatever we want to do and \_\_\_\_\_ you mentality "STOPS" today. Otherwise, calls will be made. \*Promises made\*. We have had enough of the behaviors, Building, Code Enforcement, DHS, Law Enforcement, El Paso County Court, et. all. will be notified. I hope this PROTEST IS MADE LOUD AND CLEAR. No forced, clean-up by Code Enforcement, painting home, only to make a display of effort, the constant daily traffic in-and-out, disrespect of El Paso County Roads, offensive gestures to Seniors. I will not put a bow on my statements, for the hell we have endured, by this family. The Jacobs