

4390 Dooley Way  
Colorado Springs, CO 80911

PROPERTY TAX SCHEDULE #: 6502312046  
CURRENT ZONING: RS-5000CA

**Joseph Struif**

→ Email: [joseph.struif@gmail.com](mailto:joseph.struif@gmail.com)

→ Tel: 507.269.0039



COMMISSIONERS:  
CASH BREMER (CHAIR)  
CARRIE GETTNER (VICE-CHAIR)

LONGINOS GONZALEZ, JR.  
STAN VANDERWERF  
HOLLY WILLIAMS

PLANNING & COMMUNITY DEVELOPMENT

NOTICE OF VIOLATION

Subject Property: 4390 Dooley Way Date of Notice of Violation: October 16, 2024

Assessor's Parcel #(s): 65023-12-046 File No.: CE241162

Owner of Record: Joseph Thomas Struif, Christine Marie Struif, and/or Current Occupant(s)

Mailing Address: 4390 Dooley Way, Colorado Springs, CO, 80911

You are hereby notified that the subject property is in violation of: El Paso County Land Development Code: 5.2.2 (G) Accessory Uses and Structures to Meet Setbacks, Table 5-4 Density and Dimensional Standards for Agricultural, Residential and Special Purpose Districts, and 11.3.1 Unlawful Acts. Within fourteen (14) calendar days of the date of this notice, you must bring the subject property into compliance OR contact Code Enforcement Officer Dominic Lira at 719-520-6748 or [dominiclira@elpasoco.com](mailto:dominiclira@elpasoco.com) to request additional time to correct the violation. Failure to do so will result in referral of the matter to the Executive Director of the El Paso County Planning and Community Development Department who may issue an Executive Determination to authorize the Office of the County Attorney to pursue legal action in the El Paso County District Court.

Description of violation(s): The shed that has been constructed on the south side of the house is within the established 5-foot side yard setback for the RS-5000 (Residential Suburban) zoning district.

It is unlawful to use real property or improvements thereon in any way not in accordance with code.

\*\*\*This notice remains in effect for forty-five (45) calendar days from the date of this notice. For reoccurring violations within this time frame, further enforcement action, including referral of the matter to the Executive Director for an Executive Determination, may be taken.

Ordinance/Code References available at: [https://library.municode.com/co/el\\_paso\\_county](https://library.municode.com/co/el_paso_county)

Land Development Code:

5.2.2 (G) Accessory Uses and Structures to Meet Setbacks. Accessory uses and structures shall meet the setbacks shown in Table 5-4 and Table 5-5 and shall not be located within any easement unless specifically allowed in accordance with this Code.

Table 5-4 Density and Dimensional Standards for Agricultural, Residential and Special Purpose Districts: Principal (Accessory) uses on the side of a property in the RS-5000 zoning district is 5ft.

2880 INTERNATIONAL CIRCLE  
OFFICE: (719) 520-6748



COLORADO SPRINGS, CO 80910  
DOMINICLIRA@ELPASOCO.COM

We are here today asking the Board of Adjustment for a dimensional variance on the 5 foot setback from the south property line. The current structure is 32 feet and 7 inches from the city sidewalk and 48 feet from the east property line. The current structure is setback 3 feet from the south property line. We are requesting a 2 foot dimensional variance.



**Application Form**

Please check the applicable application type (Note: each request requires completion of a separate application form):

- Administrative Determination
- Administrative Relief
- Appeal
- Approval of Location
- Billboard Credit
- Board of Adjustment - Dimensional Variance
- Certificate of Designation
- Combination of Contiguous Parcels by Boundary Line Adjustment
- Construction Drawings
- Condominium Plat
- Crystal Park Plat
- Development Agreement
- Early Grading Request
- Final Plat
- Maintenance Agreement
- Merger by Contiguity
- Townhome Plat
- Planned Unit Development
- Preliminary Plan
- Rezoning
- Road Disclaimer
- Road or Facility Acceptance
- Site Development Plan
- Sketch Plan
- Solid Waste Disposal Site/Facility
- Special District
- Special Use
- Subdivision Exemption
- Subdivision Improvement Agreement
- Variance of Use
- WSE0
- Other: \_\_\_\_\_

This application form shall be accompanied by all required support materials.

**PROPERTY INFORMATION:** Provide information to identify properties and the proposed development. Attach additional sheets if necessary.

Property Address(es): 4390 DOOLEY WAY COLD SPRGS CO-80911	
Tax ID/Parcel Number(s) 6503312046	Parcel size(s) in Acres: 0.119
Existing Land Use/Development: LOT 19 BUK #2 BRADLEY RANCH FIL#3 PHASE 1	
Existing Zoning District: RS-5000 CA.	Proposed Zoning District (if applicable):

**PROPERTY OWNER INFORMATION:** Indicate the person(s) or organization(s) who own the property proposed for development. Attach additional sheets if there are multiple property owners.

Name (Individual or Organization): JOSEPH THOMAS STRUIF
Mailing Address: 4390 DOOLEY WAY COLORADO SPRGS CO 80911
Daytime Telephone: 507-269-0039
Email or Alternative Contact Information: struifs950@gmail.com

**DESCRIPTION OF THE REQUEST:** (attach additional sheets if necessary):

REQUESTING A 2' VARIANCE FROM THE 5 FOOT SETBACK RULE



**APPLICANT(S):** Indicate person(s) submitting the application if different than the property owner(s) (attach additional sheets if necessary).

Name (Individual or Organization): JOSEPH THOMAS STRUIF	
Mailing Address: 4390 DOOLEY WAY	
Daytime Telephone: 507-269-0039	Email or Alternative Contact Information: struifs950@gmail.com

**AUTHORIZED REPRESENTATIVE(S):** Indicate the person(s) authorized to represent the property owner and/or applicants (attach additional sheets if necessary).

Name (Individual or Organization):	
Mailing Address:	
Daytime Telephone:	Email or Alternative Contact Information:

**AUTHORIZATION FOR OWNER'S APPLICANT(S)/REPRESENTATIVE(S):**

An owner's signature may only be executed by the owner or an authorized representative where the application is accompanied by a completed Authority to Represent/Owner's Affidavit naming the person as the owner's agent.

**OWNER/APPLICANT AUTHORIZATION:**

To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial or revocation. I have familiarized myself with the rules, regulations and procedures with respect to preparing and filing this application. I also understand that an incorrect submittal may delay review, and that any approval of this application is based on the representations made in the application and may be revoked on any breach of representation or condition(s) of approval. I verify that I am submitting all of the required materials as part of this application and as appropriate to this project, and I acknowledge that failure to submit all of the necessary materials to allow a complete review and reasonable determination of conformance with the County's rules, regulations and ordinances may result in my application not being accepted or may extend the length of time needed to review the project. I hereby agree to abide by all conditions of any approvals granted by El Paso County. I understand that such conditions shall apply to the subject property only and are a right or obligation transferable by sale. I acknowledge that I understand the implications of use or development restrictions that are a result of subdivision plat notes, deed restrictions, or restrictive covenants. I agree that if a conflict should result from the request I am submitting to El Paso County due to subdivision plat notes, deed restrictions, or restrictive covenants, it will be my responsibility to resolve any conflict. I hereby give permission to El Paso County, and applicable review agencies, to enter on the above described property with or without notice for the purposes of reviewing this development application and enforcing the provisions of the LDC. I agree to at all times maintain proper facilities and safe access for inspection of the property by El Paso County while this application is pending.

Owner (s) Signature: Joseph T Struif Date: 11/29/2024

Owner (s) Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant (s) Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# Reasoning and Justification for Relief Request

1. Excess belongings originally were stored at a storage locker that was rented for a total of 8 years amounting in about \$15,000. After recent flooding, 6 inches of water infiltrated the locker and damaged our belongings which were then removed from the storage locker and brought onto the property and into the garage.
2. Christine Struif (co-owner of property and spouse to Joseph Struif) had a major car accident resulting in back and neck injuries. Due to these injuries, it is necessary for her vehicle to be parked in the garage to prevent snow and ice buildup.
3. Structure was placed in the only feasible location on the property as the lot consists of only 0.119 acres/5,184 square feet. The house amounts to 1,528 square feet. The structure amounts to 160 square feet.

The structure will be painted and finalized to look uniform with the house and does not diminish curb appeal. Please see the following letters from each neighbor surrounding the property approving of the placement of the structure. Feel free to contact them with any further questions or concerns. All contact information is listed.

Kenny Johnson lives on the south side of the property. He assisted with the building of the structure.

To Whom It may Concern 11/18/24

I Henry Johnson at 4420 Dooley Way  
am ok with his shed being placed  
3 feet on the south side of his property  
line. I helped him put it up knowing it  
would not be a problem having that between  
our two homes.

Respectfully Henry Johnson  
Cell: 714-233-4146.

P.S I am the neighbor ~~am~~  
on the south side of 4390 Dooley  
Way of Joe Struff.

Larry Dyer own the southeast property.

To Whom it may Concern

1 My name is Larry Dyer and I am a  
2 neighbor whose property is situated  
3 southeast of Joseph Straits property.  
4 I have no problem with the shed that  
5 he has constructed due to the fact  
6 that it in no way compromises my  
7 property. My landscape, view, etc. have not  
8 changed in any way. I am always pleased  
9 as a homeowner when my fellow  
10 neighbors take upon themselves to  
11 improve not only their personal property,  
12 but to enhance their fellow neighbors.

13

14 IF you have any questions or concerns  
15 please feel free to contact me

16

17 Respectfully  
18 Larry L Dyer  
19 Ray G Dn

20

21 4440 Dooley Way  
22 (734) 754-0652  
23



Joseph and Alyssa Martinez own the northside property.

11/14/2024

To whom It may concern,

I am writing to you in regards to our neighbors at 4390 Dooley way, Colorado Springs, CO 80911. The shed they have built on the southside of their home does not cause any problems to us. Our neighbors are great homeowners who keep their property well maintained all year around. We believe they should be allowed keep the shed as an addition to their property.

Please don't hesitate to contact me if any other information is needed.

Best Regards,  
Joseph & Alyssa Martinez  
(702) 754-6410

Alan Bykowski lives on the opposite side of the road from the property.

10/19/24

I Alan Bykowski AM NOT OPPOSED TO  
JOSEPH STRUIFS SHED BUILT ON THE SOUTH  
SIDE OF HIS GARAGE. IT DOES NOT BLOCK  
MY VIEWS THANK YOU, I LIVE AT 4415 DOOLEY  
WAY COLD SPRGS CO. 80911

Alan Bykowski

PHONE # 719-373-2724





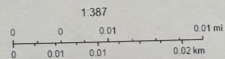






11/25/2024, 9:34:29 AM

Streets & Roads







2024



2024



## Summary

After reviewing the aforementioned details, we ask that the Board of Adjustment accept the 2 foot dimensional variance for the structure at 4390 Dooley Way.

Thank you.  
Joseph Struif