

22 April 2024

To Whom It May Concern,

I am sending this letter to express my continuing opposition to the special use application submitted by Chris and Wendy Jeub for their property at 16315 Rickenbacker Ave, Monument, CO 80132 to modify what was originally approved with File Numbers AL223 and PPR2253.

My opposition to their updated request to modify the special use approved in July 2022 for Monument Glamping at Monument Creek is based on the following issues.

1. I am concerned that the updated request will affect the nature of the glamping site with the expansion to 12 sites and continued request to allow any type of glamping structure. It will result in a recreation camp business in an RR5 Residential Rural Zoning District that is significantly larger in scope/scale than the "tent glamping site" that was originally approved.
2. I continue to be concerned about their requested terminology change from "tent sites" to "glamping sites." As confirmed by Mr. Jeub on YouTube in December 2023, he intends to use this change to adjust the types of temporary facilities used at the site at his discretion. He then plans to use any type of glamping structure he desires, from the existing tents to trailers to domes, etc., regardless of the perspective or concerns from the surrounding neighborhood.
3. I remain concerned that the change in terminology to allow a wider variety of "glamping sites" will lead to changes at Monument Glamping at Monument Creek that are clearly in conflict with the original vision for the neighborhood as laid out in the below excerpts from the 1957 Covenants for the Pine Hills Subdivision. Counter to my previous letter, I have been informed that these Covenants, which were properly filed in October 1957, may still be enforceable. Because of these Covenants, it is not a subjective perspective whether Monument Glamping at Monument Creek will be "in harmony with the character of the neighborhood," but objectively clear that it will not be. Monument Glamping at Monument Creek, as originally approved to use tents and now with the update for additional sites and the option to use any type of glamping structure is in conflict with paragraphs #1, #4, and #5 of the Covenants.

1. Dwellings erected upon said lots shall contain a minimum of 1100 square feet of floor space for each family dwelling unit, exclusive of basement, garage or detached outbuildings. This restriction shall also apply to temporary or seasonal dwellings or cottages.

Specifically, the temporary glamping structures envisioned for Monument Glamping at Monument Creek do not satisfy the 1,100 square feet of floor space for a temporary or seasonal dwelling.

4. No dwelling shall be built or placed on any lot or portion thereof having an area of less than one acre; no lot or portion thereof shall be used for purposes other than residential. (unless a dwelling used as a residence shall also be maintained and so used upon the premises.) Block Two shall be excepted from this paragraph

Since 12 sites are now envisioned on the property, the sites taken as a whole will not meet the requirement for a dwelling to have an area of no less than one acre of space.

5. No structure of a temporary character, trailer, basement house, tent, garage, barn or outbuilding shall be used on any lot at any time as a human habitation, either temporarily or permanently.

Finally, the glamping structures will not satisfy the Covenant requirements regarding human habitation since they will, by nature, be of a temporary character.

4. I am still concerned that the open ended "glamping sites" and the larger capacity facilities that could be used, as well as the increase from 8 to 12 sites, has the potential to impact the number of guests staying at Monument Glamping at Monument Creek. This could subsequently result in an increase in the external traffic in the Pine Hills Subdivision. This increased traffic could negatively impact road safety on the dirt roads and maintenance/upkeep of those dirt roads, particularly Rickenbacker Ave and Spaatz Road. Further, the increase in non-residents accessing the Pine Hills Subdivision has the potential to result in reduced resident safety and increased crime.
5. Finally, I remain concerned that the change to open ended "glamping sites" and the increased number of internal sites will impact the amount of traffic at Monument Glamping at Monument Creek and thereby negatively affect the parking situation around the overall location. The dedicated parking areas and internal gravel drive included in the updated site plan seem unlikely to be able to effectively handle guest parking if all 12 sites are occupied, especially if they have more than one vehicle per site. It is already not unusual for congestion on Rickenbacker Ave due to the number of vehicles parking on the street in front of Monument Glamping at Monument Creek. Any increase in the number of guests and vehicles at the site will likely exacerbate this situation, despite the parking changes incorporated in the updated plan. This could affect road safety on Rickenbacker Ave and access by emergency vehicles to the surrounding neighborhood.

Please contact me with any questions you may have. My cell phone number is 937-631-6522 and my email is dehybl@hotmail.com.



Dale E. Hybl
2690 Spaatz Road
Monument, CO 80132

DECLARATION OF RESTRICTIONS
AND
PROTECTIVE COVENANTS

52224

OCT 22 1957

The undersigned NORMAN B. BODINGER and JOHN F. HUGHES, owners of the lots and blocks within Addition No. 4 to PINE HILLS, El Paso County, Colorado, being desirous of establishing restrictions and protective covenants applicable to and for the benefit of each and every lot in said Pine Hills Addition No. 4, and in consideration of the mutual declarations herein made and future purchases and conveyances of real property in said Subdivision, declare that all of the real property embraced therein is and shall be used, held and transferred subject to the following restrictive and protective covenants, which are declared to run with the land; these covenants shall be enforceable by owners of real estate in Pine Hills and all additions thereto.

1. Dwellings erected upon said lots shall contain a minimum of 1100 square feet of floor space for each family dwelling unit, exclusive of basement, garage or detached outbuildings. This restriction shall also apply to temporary or seasonal dwellings or cottages.

2. No barn or animal shelter shall be erected within 50 feet of any property line of the owner erecting such barn or animal shelter. Livestock and domestic fowl shall be fenced or secured so that they shall not be able to wander at large at any time.

3. No use shall be made of nor any activity carried on upon any lot or portion of any lot which shall create an undesirable or objectionable condition to the use of adjoining property as a residence, whether by reason of unsightliness, noise or odors. No lot or portion thereof shall be used as a public or private dump and refuse, trash or garbage in any quantity shall not be deposited or dumped upon any lot unless it is the refuse, trash or garbage of the dwelling, and in that event it must be completely buried and not left exposed to open air or sight at any time. No mechanical or automobile parts, machines or parts of machinery, nor any property held for sale or trade, building construction materials to be used off the premises, salvage items or property, old automobiles to be wrecked or any other chattel property of an unsightly nature shall be stored in the open, but such materials if kept or stored on the premises shall be entirely enclosed within a roofed building and not visible from the outside. Garbage shall not be burned on the premises in such manner as to create noticeable odors. It is the intent hereof to afford protection in addition to the protection afforded by the law relative to public or private nuisances and by the zoning laws.

4. No dwelling shall be built or placed on any lot or portion thereof having an area of less than one acre; no lot or portion thereof shall be used for purposes other than residential. (unless a dwelling used as a residence shall also be maintained and so used upon the premises.) Block Two shall be excepted from this paragraph

5. No structure of a temporary character, trailer, basement house, tent, garage, barn or outbuilding shall be used on any lot at any time as a human habitation, either temporarily or permanently.

6. No gravel pit or sand pit shall be maintained or operated on any lot.

~~1957~~ IN WITNESS WHEREOF we have hereunto set our hands and seals, this 22nd day of OCTOBER, 1957.

Norman B. Bodinger (SEAL)
Norman B. Bodinger
John F. Hughes (SEAL)
John F. Hughes

STATE OF COLORADO)
) ss
COUNTY OF EL PASO)

Acknowledged before me October 9, 1957, by Norman B. Bodinger and John F. Hughes, as their free and voluntary act and deed.

My Comm. expires Jan. 5, 1959

John F. Bennett
Notary Public