

## Minutes

Meeting Name: Regular BOT Meeting

Meeting Start Time: 7:00 PM MDT

Meeting Start Date: 3/1/2023

Meeting End Time: 8:20 PM MDT

Meeting End Date: 3/1/2023

Meeting Location: Town Hall and Virtual via Zoom

### Agenda:

#### I. Regular Workshop – start time 6:01 pm

- A. Dark Skies Update (DIRT)
- B. Discussion Regarding Colorado Local Government Opioid Participation in Settlements with Teva, Allergan, Walmart, CVS, and Walgreens
- C. Discussion Regarding Letter of Intent to Participate in the Hinsdale County Multi-Jurisdictional Hazard Mitigation Plan
- D. Discussion Regarding a Letter of Support for Marketing Committees' CTO Tourism Management Grant Application
- E. Discussion Regarding a Letter of Support for Hinsdale County EMS Grant Application to CREATE
- F. Discussion Regarding Ordinance 2023-03 Approving a Loan from the CWRPDA for the WWTP Renovation Project

Workshop end time – 6:21 pm

#### II. Regular Meeting

- A. Call to Order: 7:00 pm
- B. Roll Call: Present: Mayor Roberts and Trustees Bruce, Hamel, Heaton, Horn, Kendall and Woods. Trustees Hamel and Heaton attended via zoom.
- C. Approval of Minutes – February 15, 2022: Motion made by Trustee Bruce, seconded by Trustee Kendall. Motion passed with all present voting yes in a roll call vote.

D. Approval of Bills Payable Totaling \$29,704.69. Motion made by Trustee Kendall, seconded by Trustee Heaton. Motion passed with all present voting yes in a roll call vote.

E. Public Hearing for 387 Alpine Court Short Term Rental Application - 7:10pm  
Please see the attached sign-in sheets, protest letters, and protest emails. Video testimony is recorded and can be found at:

October 19, 2022 Public Hearing Recording

<https://us06web.zoom.us/rec/share/VTrVveTzZz6JL5Xi01h8cbqgxRcTHGQBjArFe8SwRhjUKgpmmuauqr5s6GXzPQWB.WmKqIOhEMmNt4ddH>

March 1, 2022 Public Hearing Recording

[https://us06web.zoom.us/rec/share/CaanKwzLWVCxgVghDDCR6ikBl4H9rS4FijJL5yVDYD5tJtNe2KwCVwWWChwrAP-4.Vo95ed8rZnJhTq\\_P](https://us06web.zoom.us/rec/share/CaanKwzLWVCxgVghDDCR6ikBl4H9rS4FijJL5yVDYD5tJtNe2KwCVwWWChwrAP-4.Vo95ed8rZnJhTq_P)

1. Discussion and Possible Action to Approve, Approve with Conditions, or Deny the 387 Alpine Court Short Term Rental Application. Motion made to approve 387 Alpine Court Short Term Rental Application without conditions by Trustee Bruce, seconded by Trustee Heaton. Motion passed 4 to 3 in a roll call vote.

4 Yes – Trustees Bruce, Hamel, Heaton & Kendall.

2 No – Trustees Horn & Woods.

1 Recused - Mayor Roberts.

End Time – 7:41pm

F. Employee Reports:

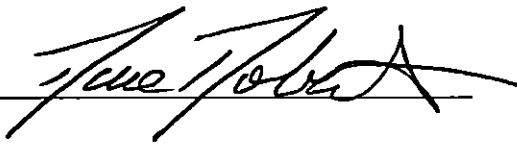
1. Park and Recreation Director (Hake)
2. Public Works Director (Johnston)
3. Town Clerk/Treasurer (Mulhall)
4. Town Manager (Mulhall)
5. Building Official (McNeese)
6. Sheriff's Report (Kambish)
7. Mayor/Trustee Reports
8. Legal Update (Krob)

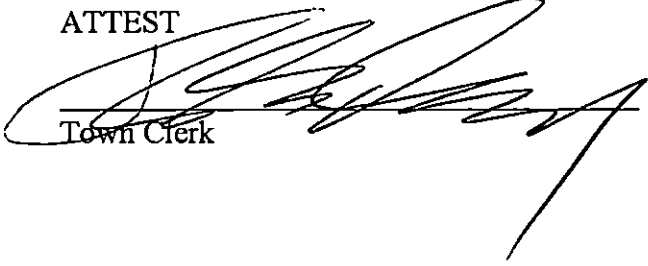
- G. Correspondence Received – Lake City Old West (LCOWS) Shooters Letter of Intent to Perform in Lake City during 2023.
- H. Citizen Communication – NONE
- I. Additions to the Agenda – NONE

### III. Action Items

- A. Discussion and Possible Action to Approve Town of Lake City Participation in Settlements with Teva, Allergan, Walmart, CVS and Walgreens. Motion made by Trustee Horn, seconded by Trustee Bruce. Motion passed with all present voting yes in a roll call vote.
- B. Discussion and Possible Action to Approve a Letter of Intent to Participate in the Hinsdale County Multi-Jurisdictional Hazard Mitigation Plan. Motion made by Trustee Heaton, seconded by Trustee Hamel. Motion passed with all present voting yes in a roll call vote.
- C. Discussion and Possible Action to Approve a Letter of Support for Marketing Committees' CTO Tourism Management Grant Application. Motion made by Trustee Bruce, seconded by Trustee Kendall. Motion passed with all present voting yes in a roll call vote.
- D. Discussion and Possible Action to Approve a Letter of Support for Hinsdale County EMS Grant Application to CREATE. Motion made by Trustee Kendall, seconded by Trustee Bruce. Motion passed with all present voting yes in a roll call vote.
- E. Discussion and Possible Action to Approve Ordinance 2023-03 Approving a Loan from the CWRPDA for the WWTP Renovation Project. Motion made by Trustee Kendall, seconded by Trustee Bruce. Motion passed with all present voting yes in a roll call vote.

Adjournment – 7:41pm.

  
\_\_\_\_\_  
Mayor

ATTEST  
  
\_\_\_\_\_  
Town Clerk

**Restrictions:**

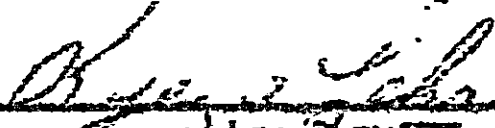
The undersigned, being duly appointed officers of the property described on this plat, hereby imposes the following restrictions on the use of the property which shall run with the land and shall be considered a restriction to be a part of any and all conveyances, transfers, leases, and other documents affecting all or any part of the above described land:

- . Only single family dwellings may be erected or constructed on any lot.
- . All improvements on a lot shall be a minimum of 1200 square feet of usable and inhabitable space.
- . Any garages or storage building must be attached to the dwelling and no out building may be constructed, erected, or placed on any lot.
- . No mobile homes, trailers, tents, shacks, barns or any temporary structure shall be used as a dwelling on any lot.
- . No improvements may be erected which will interfere with or alter the drainage easement designated in this Plat without prior approval from the Town of Lake City.

**CERTIFICATE OF LAKE CITY AREA WATER AND SANITATION DISTRICT**

is property platted herein is within or will be included within the District. Following inclusion, water rights for wells for individual lots shall be entitled to the advantage of the District's plan for augmentation for such wells.

Lake City Area  
Water and Sanitation District

By:   
PRESIDENT

1/8/19/2022

Town of Lake City Trustees,

Our work full time residents of Lake City Heights, we are opposed to short-

term rentals in our subdivisions  
Short Term rentals belong in motels, RV parks

B1 B2 and cabins that are set up  
to care for 2-3-4 day stays, we

purchased one land and built our

division. choose in a quiet, peaceful  
and we would prefer it to play

that way. Please note to deny any  
short term rentals in Lake City Heights

Respectfully Submitted,

Andy & Alan Foe

215 - Malena Ct.



Alexander Mulhall &lt;alexandermulhall@townoflakecity.co&gt;

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**Rental application 387 Alpine Court Lake City**

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Martha Rogers &lt;mfrogers51@gmail.com&gt;

Sun, Aug 28, 2022 at 2:44 PM

To: alexandermulhall@townoflakecity.co

Cc: lakebear@centurytel.net, "janetsmoore51@gmail.com" &lt;janetsmoore51@gmail.com&gt;

Hello, Mr. Mulhall. I received a copy of the email sent to you by my neighbor, Greg Ochocki and Anne Barrie. I, too, would like to protest this application. I have not received the notice of application form mentioned by Greg. It may have gone to my winter home address in Decatur, GA. I am not there at present, so please send an application to my Lake City residence at 273 Alpine Court.

One of the main reasons I bought property in the Lake City Heights development is that it is a residential neighborhood and very quiet, not a lot of traffic. I am quite concerned that having rental property (especially short term rentals) will obliterate my peace and quiet. I live within feet of the house that would be rented and I definitely do not want this house used as a short term rental. There are only 4 houses that abut Alpine Court. Greg/Annie and me/Jan own 2 of them and are really opposed to such a permit.

I have been a property owner in Lake City for over 20 years. I love Lake City and wouldn't want to spend my summers anywhere else. I ask that you please, please not grant this permit.

Thanks for your consideration,  
Martha Rogers and Jan Moore

----- Forwarded message -----

From: Gregory &lt;lakebear@centurytel.net&gt;

Date: Sat, Aug 27, 2022 at 3:13 PM

Subject: Fwd: Rental application 387 Alpine Court Lake City

To: &lt;mfrogers51@gmail.com&gt;

Begin forwarded message:

[Quoted text hidden]

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Martha F. Rogers, MD  
Research Professor Emeritus  
Emory University  
mfrogers51@gmail.com  
404-358-1033

273 Alpine Ct.  
Lake City, CO 81235

Mr. Alexander Mulhall  
Lake City Town Clerk  
PO Box 544  
Lake City, CO 81235

Dear Mr. Mulhall:

We received a certified letter from Dr. David Pampe informing me of his application for special permit pursuant to Lake City Municipal Code Section 23.5 for his property located at 387 Alpine Ct. With this letter, we are exercising our right to protest this application. We are the closest property to his location, and we are very concerned about the traffic and noise short-term rentals might cause. We are also very concerned that granting this permit would set a negative precedent for our neighborhood. At worse, having several short-term rentals in our neighborhood could result in devaluation of our property.

The house in question is large and short-term rentals could include several families with many vehicles. It could also be rented by several people as a "party house" which could create a lot of noise and possibly damage to our neighborhood. To our knowledge, there are no other short-term rental homes in Lake City Heights.

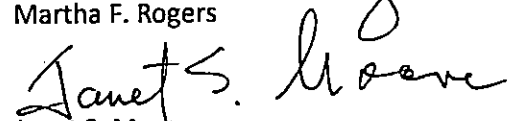
We believe that Lake City Heights is classified as a "Rural Estate District" that is intended to provide a quiet, low-density development for single-family residences. From our perspective, having short-term rental property just next door to our house is not in keeping with this intent.

We would like to be informed via email ([mfrogers51@gmail.com](mailto:mfrogers51@gmail.com), [janetsmoore51@gmail.com](mailto:janetsmoore51@gmail.com)) of when this matter will be discussed by the city management. We would like to attend in-person if we are in town, or via zoom if that is possible.

Sincerely,



Martha F. Rogers



Janet S. Moore



To the Town of Lake City

Re: 387 Alpine Court

I wish to formally object to my neighbor's petition to use their new home at 387 Alpine Ct. for short term rentals in Lake City Heights. I believe anyone attempting to turn their home into a VRBO or any sort of short term rental is required to notify **all of their neighbors**. To my knowledge, only one neighbor has been notified of this effort and I only learned of it because of their diligence. It looks as though an obvious effort has been made to skirt this 20 day requirement and scoot the request through with very little notification to those citizens who live in Lake City Heights full time. I'm not sure who is responsible for this notification process, but it has failed miserably in this instance and therefore needs to be an additional reason to DENY this request to turn the home into a short term rental!

While this notification failure is a big red flag anchoring my objection, it is certainly not my only concern.

**In no particular order:**

\*This is a very large house with the potential for **many guests** or extended family members.

\*Many guests comes with the very real potential for large trailers and multiple vehicles and recreational vehicles

\*I believe this effort flies in the face of existing Lake City Heights HOA restrictions.

\*I have concerns about increased noise, loud music and ATV's speeding around in the neighborhood.

\*I built my house in Lake City Heights for the express purpose of being out of the busy part of town. I paid a premium to build in this area for the express purpose of maintaining standards to protect that peace and beauty.

In summary, I vociferously object to allowing this house at 387 Alpine Court be turned into a short term rental.

Sincerely,  
Tom Moore  
256 Water St.  
Lake City, CO



Alexander Mulhall &lt;alexandermulhall@townoflakecity.co&gt;

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**Fwd: Short Term Rental Application for 387 Alpine Court**

1 message

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**Gregory** <lakebear@centurytel.net>  
To: Alexander Mulhall <alexandermulhall@townoflakecity.co>

Wed, Aug 31, 2022 at 7:33 PM

Begin forwarded message:

**From:** Malinda Smart <malindasmart3@gmail.com>  
**Subject:** Short Term Rental Application for 387 Alpine Court  
**Date:** August 31, 2022 at 5:07:43 PM MDT  
**To:** alexandermulhall@townoflakecity.co  
**Cc:** John Smart <johnrsmart54@gmail.com>

Mr. Alexander Mulhall,

This response is in reference to a Notice of Application for Special Permit Pursuant to Lake City Municipal Code Section 23.5. The property in question is 387 Alpine Court Lake City, Co. 81235.

I am Malinda Smart and my husband is John Smart. We own property at 425 Water Street in Lake City, Co. 81235. Our home is located adjacent and to the south side of said property. We are hereby stating our PROTEST to the application for short-term/overnight lodging. We are in no way in agreement to this application for the property to be used in this commercial capacity.

Please acknowledge receipt of this email.

Respectfully,

John and Malinda Smart

101 N. FM 2353  
Unit 101-506  
Graford, Texas 76449  
214-679-2137 Malinda  
214-679-2138 John  
Sent from my iPad



Alexander Mulhall &lt;alexandermulhall@townoflakecity.co&gt;

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## 387 Alpine Court STR Application Public Hearing

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Gary Witt &lt;garywitt29@icloud.com&gt;

Wed, Oct 19, 2022 at 3:34 PM

To: townmanager@townoflakecity.co, alexandermulhall@townoflakecity.co

Cc: Buffy Witt &lt;whatyahurd@gmail.com&gt;

Dear Town of Lake City:

I am writing to strongly oppose the proposed short-term rental permit for the address of 387 Alpine Court in Lake City Heights.

As a fellow Lake City Heights resident, I am well aware that every homeowner in Lake City Heights agreed and signed on the restrictions and covenants associated with living in this community. Those restrictions specifically state only single family dwellings can be constructed on any lot within the subdivision, as well as places a restriction on transferences and leases affecting homes within Lake City Heights.

Lake City Heights is a quiet, rural and low-density development. I am not savvy enough to comment on zoning restrictions but it seems if zoning regulations also argue against a short term rental scenario within our community.

With the number of part-time and seasonal homeowners living in Lake City Heights, opening Pandora's box and considering approval of a short-term rental permit has the potential to cause significant disruption and destruction to the quiet and rural community, which is exactly the scenario the covenant agreement was intended to prevent.

Please reject this short term rental permit, and set the precedent going forward that short term rental permits will not be allowed within the subdivision of Lake City Heights.

Sincerely,

Gary Witt  
303 N Water St  
Lake City Heights  
303-883-0407



Alexander Mulhall &lt;alexandermulhall@townoflakecity.co&gt;

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**Fwd: Vacation rental on Alpine Court**

2 messages

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**Lynda McCormick** <lyndajmccormick@gmail.com>  
To: Mulhall Alexander <alexandermulhall@townoflakecity.co>

Thu, Oct 27, 2022 at 3:33 PM

Hi ,

This may not have reached you the first time due to a slight error in the email address. So, I am forwarding it to you again . I would also ask at this time that this email, and my video comments from the last meeting, both be entered into the evidence at the upcoming hearing. Unfortunately I cannot attend that one via Zoom.

Thank you,  
Lynda McCormick  
Sent from my iPad

Begin forwarded message:

**From:** Lynda McCormick <lyndajmccormick@gmail.com>  
**Date:** September 21, 2022 at 12:31:51 PM PDT  
**To:** alexandermuwhall@townoflakecity.co  
**Cc:** McCormick Steve <stevem@colorado.edu>  
**Subject:** Vacation rental

Hi Alexander,

We are homeowners in the Lake City Heights subdivision. We have owned our property since 1995 and built in 1998. The appeal of this neighborhood was the spacious lots and quiet rural atmosphere.

We are very concerned about the request to allow the property at 387 Alpine Court to be a vacation rental. The size of the house and garages suggest that large groups would be renting it. With that comes loud parties and possibly multiple vehicles including ATV's. Since this house is pretty much in the middle of our subdivision the noise impact would affect many residents.

We would like to register our protest against this proposed vacation rental and request that permission be denied.

Lastly, we would like to be added to the distribution list so we can attend, via zoom, the meeting at which this is discussed.

Thanks,  
Lynda & Steve McCormick  
364 Empire Court  
Sent from my iPad

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**Alexander Mulhall** <alexandermulhall@townoflakecity.co>  
To: Lynda McCormick <lyndajmccormick@gmail.com>

Thu, Oct 27, 2022 at 3:53 PM

Received. I will include this for the November 2nd hearing.  
[Quoted text hidden]

--

Alexander Mulhall  
Town Clerk/Municipal Court Clerk

Sept. 20, 2022

We Bruce & Rhonda Griffin, Griffin Family Trust,  
would like to protest the property at 387 Alpine Ct.  
to be used as Rental property.

Bruce Griffin  
Rhonda Griffin  
401 Empire Ct.

405-880-7980 text



Alexander Mulhall &lt;alexandermulhall@townoflakecity.co&gt;

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**Opposition to Permit Request, 387 Alpine Court, LC, CO**

2 messages

Kristen Breeden &lt;kristenabreedden182@gmail.com&gt;

Thu, Jan 26, 2023 at 9:18 AM

To: Alexander Mulhall &lt;alexandermulhall@townoflakecity.co&gt;, Kristen Breeden &lt;kristenabreedden182@gmail.com&gt;

Greetings to you all in Lake City,

My name is Kristen Breeden, and I am the owner of property that is adjacent to property that is in discussion for Short Term Rental, located in Lake City Heights (LCH), 387 Alpine Court, LC, CO.

While my property is not located in LCH, it is adjacent to the property in question. I have two parcels of land, and am specifically referencing the one adjacent to the property in question.

I have received by Certified Mail the 'Notice of Application for Special Permit Pursuant to Lake City Municipal Code Section 23.5'. (short term/overnight lodging facility) on January 25, 2023.

As a legal owner of property in Hinsdale County, ( Lots 1,2,3, and 4, Block 4, Wade's Addition) I am voicing my opposition to the application for Short Term Rental at the property located at 387 Alpine Court, Lake City, CO.

There are several reasons for my objection, and I will list them here:

1. SAFETY. My property is very long, and sits on a high cliff over the Lake Fork of the Gunnison River. I am very concerned with people (especially children), and or pets, crossing the property line and then accidentally falling down the cliff. While I will certainly have to have professionally installed 'No Trespassing' signs erected, it is a known fact that many people ignore or choose not to see 'no trespassing' signs, and cross onto other people's property, whether intentionally or accidentally. I am very concerned with unsupervised children wanting to go 'play at the river' not realizing it is a good 50' drop off in many areas. The thought of installing a fence along the entire property line, especially adjacent to the property in question is unsavory relating to my costs, as well as the aesthetic value. But to reduce any chance of someone crossing onto my property, I would certainly consider that option.

2. NOISE. Unfortunately, many people that rent for short term are entertaining a lot of people, and the noise from additional vehicles, which could include RVs, OHVs, and large trucks could impact our neighborhood in a negative way.

3. SPACE. Alpine Court is a small cul-de-sac with no room for RVs, trailers, etc. to park. The potential for guests parking along Water Street, on a blind curve and hill, is an especially dangerous possibility.

My house is located on Lots 1-6 on Block 3, (also adjacent to above property) and I am concerned with trespassers walking next to, and on my house property. The deck and house have a trail and easy access to the river. I am dismayed and very concerned that random people may wander all over my property.

There are other concerns; trash not properly disposed of, pets not contained, but I have listed the ones that are most important to me. Safety, Noise and Space.

Please let me know if you have any questions regarding my property location, or any other specifics. I have been coming to Lake City since 1986, and cherish my quiet family time in Lake City.

Warm Regards,  
Kristen A Breeden

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**Alexander Mulhall** <townmanager@townoflakecity.co>

Thu, Jan 26, 2023 at 12:42 PM

To: Kristen Breeden &lt;kristenabreedden182@gmail.com&gt;

Cc: Alexander Mulhall &lt;alexandermulhall@townoflakecity.co&gt;

Received. You will receive an emailed notice 10 days before the hearing will take place.

[Quoted text hidden]

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Alexander Mulhall  
Town Manager  
970-944-2333  
Town of Lake City  
PO Box 544  
Lake City, CO 81235



Alexander Mulhall &lt;alexandermulhall@townoflakecity.co&gt;

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## Short Term Rental in Lake City/Lake City Heights

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Kristen Breeden &lt;kristenabreeden182@gmail.com&gt;

Thu, Oct 27, 2022 at 12:18 PM

To: "alexandermulhall@townoflakecity.co" <alexandermulhall@townoflakecity.co>, "townmanager@townoflakecity.co" <townmanager@townoflakecity.co>, "daveroberts@townoflakecity.co" <daveroberts@townoflakecity.co>, "dianebruce@townoflakecity.co" <dianebruce@townoflakecity.co>, "jessekendall@townoflakecity.co" <jessekendall@townoflakecity.co>, "triphorn@townoflakecity.co" <triphorn@townoflakecity.co>, "henrywoods@townoflakecity.co" <henrywoods@townoflakecity.co>

To whom it may concern:

Greetings to you all in Lake City,

My name is Kristen Breeden, and I am the owner of the property that is adjacent to property that is in discussion for Short Term Rental, located in Lake City Heights (LCH), 387 Alpine Court, LC, CO.

While my property is not located in LCH, it is adjacent to the property in question. I have two parcels of lands, and am specifically referencing the one adjacent to the property in question.

"Lots 1,2,3, and 4, Block 4, Wade's Addition, to the Town of Lake City, according to the official plat thereof on file and of record in the office of the Hinsdale County Clerk and Recorder, 'Together with a perpetual, non-exclusive easement for ingress and egress to and from said Lots 1 through 4, Block 4, Wade's Addition over that part of the existing road lying ten feet within **Lot 16, Lake City Heights**, along the northerly boundary thereof, and for the benefit of **Lot 15, Lake City Heights**, and Lots 1 through 4, inclusive Block 4, Wade's Addition, over and across that part of the existing road lying ten feet within **Lot 16, Lake City Heights**, along the northerly boundary thereof, County of Hinsdale, State of Colorado."

As a legal owner of property in Hinsdale County, I am voicing my opposition to the application for Short Term Rental at the property located at 387 Alpine Court, Lake City, CO.

There are several reasons for my objection, and I will list them here:

1. SAFETY. My property is very long, and sits on a high cliff over the Lake Fork of the Gunnison River. I am very concerned with people (especially children), and or pets, crossing the property line and then accidentally falling down the cliff. While I will certainly have to have professionally installed 'No Trespassing' signs erected, it is a known fact that many people ignore or choose not to see 'no trespassing' signs, and cross onto other people's property, whether intentionally or accidentally. I am very concerned with unsupervised children wanting to go 'play at the river' not realizing it is a good 50' drop off in many areas. The thought of installing a fence along the entire property line, especially adjacent to the property in question is unsavory relating to my costs, as well as the aesthetic value. But to reduce any chance of someone crossing onto my property, I would certainly entertain that option.

2. NOISE. Unfortunately, many people that rent for short term are entertaining a lot of people, and the noise from additional vehicles, which could include RVs, OHVs, and large trucks could impact our neighborhood in a negative way.

3. SPACE. Alpine Court is a small cul-de-sac with no room for RVs, trailers, etc. The potential for guests parking along Water Street, on a blind curve and hill, is an especially dangerous possibility.

My house is located on Lots 1-6 on Block 3, (adjacent to above property) and I am concerned with trespassers walking next to, and on my house property. The deck and house have a trail and easy access to the river. I am dismayed and very concerned that random people may wander all over my property.

There are other concerns; trash not properly disposed of, pets not contained, but I have listed the ones that are most important to me. Safety, Noise and Space.

As an added note, I did not receive any notifications from the applicant or County regarding this application. It is my understanding that all adjacent property owners should have been notified.

Please let me know if you have any questions regarding my property location, or any other specifics. I have been coming to Lake City since 1986, and cherish my family time in Lake City.

If necessary, I can try to participate in the Zoom meeting, but I'm hopeful you won't need me to do that, I apologize in advance for my lack of technical knowledge.

Warm Regards,

Kristen A Breeden



Alexander Mulhall &lt;alexandermulhall@townoflakecity.co&gt;

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**Properties**

2 messages

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**Schuyler Denham** <baltovacs@yahoo.com>  
To: Alexander Mulhall <alexandermulhall@townoflakecity.co>

Wed, Aug 31, 2022 at 2:18 PM

I hope this helps. The applicant's property is Lot 15 Lake City Heights. Not marked on the map is the property along the south property line, Lots 1-4 Block 4 Wades Addition

Sincerely,  
Schuyler Denham

This first one is the one to the south.  
BREEDEN, KRISTEN A  
217 SUNRAY LANE  
SUNNYVALE, TX 75182  
Legal: LOTS 1-2-3-4, BLOCK 4 WADES ADDITION

THOMAS, RICHARD W. & CARRIE L. THOMAS JNT TNTS  
10120 W. Flamingo Rd. #4-191  
Las Vegas, NV 89147  
Legal: 282 S WATER ST LOT 11 LAKE CITY HEIGHTS

ROGERS, MARTHA F. TRUSTEE OF THE MARTHA  
FLOYD ROGERS TRUST & JANET S. MOORE  
TRUSTEE OF THE JAN MOORE TRUST ET AL  
411 S. McDonough St.  
Decatur, GA 30030  
Legal: 325 ALPINE CT LOT 14 LAKE CITY HEIGHTS

SMART, JOHN R. & MALINDA LACEFIELD  
C/O SMART TRUSTEES  
101 N FM 2353  
BOX 101-506  
GRAFORD, TX 76449  
Legal: 425 S WATER ST LOT 16 LAKE CITY HEIGHTS

GRIFFIN FAMILY TRUST Marion and Rhona Griffin  
5818 W. 80TH ST.  
STILLWATER, OK 74074  
Legal: 401 EMPIRE CT LOT 40 LAKE CITY HEIGHTS





Alexander Mulhall &lt;alexandermulhall@townoflakecity.co&gt;

**Rental application 387 Alpine Court Lake City**

3 messages

Gregory <jakebear@centurytel.net>  
To: alexandermulhall@townoflakecity.co

Sat, Aug 27, 2022 at 3:11 PM

Mr Mulhall

Sorry to bother you but.

RE : Application for special permit 387 Alpine Court . Lake City Municipal Code Section 23.5 special permit for short term rental Code section 15.8-4.5.  
I called several immediate neighbors on or above Alpine Court Lake City Heights and they DID NOT get a letter as of yet.  
When I talked to them today or yesterday They so far DID NOT receive a copy of this application from the applicant or the Town Of Lake City  
This includes Tom J Moore directly above Alpine Court , Martha Rogers at the next door log house on Alpine Court formally the Susan McGruder residence ,  
Rick & Carey Thomas who are building the house adjacent to Alpine Court Lake City Heights and Water Street

I thought the applicant Mr Pampe or the town of Lake City Colorado .  
was somehow obligated as part of the process to contact all of us in immediate proximity , of Alpine Court ,  
Neighbors that would be impacted by this application and short term rentals , for their consideration and right to protest or agree??

Although it is not my obligation I wanted my neighbors informed  
I sent or gave them or sent them copies of the below attached document Mt Pampe sent to us. Mailed August 17 2022. We got it just yesterday .  
Mr Pampe whose home address is not very legible.  
but I assume is 400 Fawn Meadow Dr. Dripping Springs ,TX 78620 sent the letter from his office as on the envelope below on August 17 2022.  
I responded to via previous e main with the 20 day limit although that response time is affected by people not getting a letter from applicant

Please replay to

Best Regards,  
Gregory Ochocki , Anne Barrie

225 Alpine Court  
Lake City CO 81235  
970 209-8970

the email on your application has an extra period after the last .co Alexandermulhill@townoflakecity.co if addressed that way server rejects it



Alexander Mulhall &lt;alexandermulhall@townoflakecity.co&gt;

## Greg Ochocki re rental letter

2 messages

Gregory <lakebear@centurytel.net>  
To: alexandermulhall@townoflakecity.co

Mon, Aug 29, 2022 at 1:04 PM

I got the letter you are on vacation  
Please confirm in reply to me , you receive this letter in previous e mail

Mr Mulhall  
please forward a copy to all appropriate persons deciding , in this application process  
Please kindly respond that you got this ...

August 27 , 2022  
Town Clerk  
Mr Alexander Mulhall  
Board of Trustees  
Town Of Lake City, Colorado  
P.O Box 544  
Lake City ,CO 81235

To All Whom it pertains, Please respond confirming you got this

Me, Gregory Ochocki and my wife Anne Barrie, strongly and vigorously object to short term rental , especially on a **daily** bases at 387 Alpine Court , Lake City Colorado 81235, in the Lake City Heights Sub Division within the town limits of Lake City Colorado . This application for special permit was sent to us in certified letter by Eugene David Pampe of Austin and Dripping Springs Texas. We have never met Mr. Pampe and have no personal quarrel with him, We just strongly disagree with his idea. We would like to be good and peaceful neighbors with him and are looking forward to meeting him.

We are residents of Lake City since 2001.  
We have owned our home since 2003, located on approximately 3 acres at 225 Alpine Court , Lake City Colorado. we are neighbors to 387 Alpine Court, Lake City Colorado.  
in Lake City Heights .

The concern is the severe impact to our personal property rights , as property owners and the impact to the tranquility and privacy we enjoy and hold sacred.  
We have invested in Lake City as home and Lake City Heights as our neighborhood .  
We have been good citizens over the years donating our volunteer time and money to the benefit of Lake City as well as to Hinsdale County ,Colorado .

I have donated my professional services to the advertising and promotion of our town and county to benefit the community financially by promoting tourism.(I also was instrumental in the pioneering of early establishment of the internet and email being here in the early days. This by communicating with Centurytel aka Centurylink by phone and by in a signed petition by Lake City and Hinsdale County citizens , to that company for them to install early internet here. This petition was submitted to Ray Blaum who was County Manager then and forwarded to Centurytel. Back then it was still phone dial up technology but it helped establish large scale residential service , not limited to the very costly satellite at the time . My wife served at the art center and various community functions. Both of us were members when D.I.R.T was forming.

Mr. Russ Brown and I originally created a "fledgling" Friends of the Bears to serve the community , about 10 years ago and later handed it over to Patrice who has created a brilliant organization .

We were given a document when we bought our home **This states the rules of Lake City Height sub division ,**  
**. States patent recorded in book 121 at page 790. Signed by Ruthanne M Hall . Article 7 a States .. Quote.**  
**"Only Single Family dwelling may be erected or constructed on any lot. "**

There is no reference to renting a single family home to multiple families or groups short term or on a day basis .When Investing in the community we never imagined we would be facing homes being used as "quasi hotels" especially by absentee landlords or the prospect of large groups and transient renters overwhelming the infrastructure of our subdivision and street .

The owners in this sub division ,(Lake City Heights) have been cooperative with each other in the sense that we respect each other's privacy and tranquility.

We do not have a formal home owners association, but have over the years verbally agreed to certain courtesies . NOT Renting short term, especially one day, to transient groups of renters being one of them . Not parking large motor homes of visitors in locations that might impact our views and tranquility being another example.

Long term renters are different ,they are members of the subdivision , and neighborhood community and are known in the community as friends and neighbors.

**No one objects to that.** Not everyone can buy a home. Short term transients are a different story.

My wife and I are strong believers of property rights and personal personal property rights and the right to privacy and tranquility, are at the top of the list of those rights.

As well as the core values - Life , liberty and the pursuit of happiness and success . Zoning rules fall into the protection of rights as a whole and is intended for the good of the community. Certain parameters are ensued in zoning and restrictions apply for the good of all .

For example , the citizens of Lake City decided , in a democracy , that as a majority they did not want a Cannabis retailer in the middle of town, even though a property owner might have stated his right and would have liked to reap the profits .

Zoning has always been intended for the greater good and well being and QUALITY of life of a community as a whole . Property rights are protected by sound zoning. For instance in a subdivision ,because you buy a home you cannot covert it to

an auto painting factory in the middle of a residential area . We appeal to common sense decisions to protect our rights . We are dreading encounters with potentially belligerent renters .

Our objections are as follow.

1. The home at 387 Alpine Court Lake City Colorado is a large home formerly occupied by 2 persons Our long time friends Mr. and Mrs Wayne Jones. It has large space capacity and rooms to house a lot of renters.

Rented short term to "DAILY" as requested in the letter by Eugene David Pampe, would open it to rental by several families or large groups. This would be a significant impact on our street with multiple vehicles and at times large campers, trailers and motor homes parking on Alpine Court. This impact would be significant and generators running a nuisance. Daily renters, arriving perhaps at hours late into the night.

We have personally observed abuses in rentals in Lake City , Meaning that some renters tend to ignore rules set fort by the landlord , prohibiting size of groups and parking rules and trash rules. Ignoring the stipulations in the contract. The "absentee owner" is often unaware that they rented not to just to one family or small group , but several families or large groups that come with multiple vehicles and /or motor homes , campers , trailers; overwhelming the capacity of the property.

2. Short term renters and DAY renters hopefully would be courteous humans? BUT as fact, we all know this is not always true.

Some people do not behave courteously when they do not know or care about the people around them, as they are leaving after their vacation and will never see them again. Others party late and overzealous on vacation .,

By the same token some people do not respect trash rules, parking or fire restrictions as they are not members of the neighborhood. They ignore the rental contract rules they signed . We, as a subdivision would be open to a flood of transients and a great impact on the infrastructure of the subdivision if this was approved.

Other "speculators" would seek short term renting of homes in the subdivision, by as little as a day . So how many ? All you have do is research any community that has been **over run** by short term rental properties and absentee landlords The chaos and damage it causes to the neighborhood as a whole, by property abuse and destruction .The impact on water , sewer, tranquility, cleanliness,. The possibility of increased crime with many transients coming and going.

The possibility exists of inexperienced people coming and creating an event such as leaving an outside fire pit or campfire unattended or not extinguished .

Daily transient renting would greatly increase the odds of inexperienced or negligent renters.

This fire incident ; has actually occurred in Lake City Heights, several years ago. Teenagers at home alone in the afternoon almost started a wildfire on windy hot summer day with a campfire or illegal, non permitted burn.

The sheriffs office should have a record of this as they responded .

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Our request is this letter be entered officially to the meeting as agenda pertaining to this issue , by the Town Trustees Of Lake City Colorado ,and read to the citizens attending.

Respectfully



Alexander Mulhall &lt;alexandermulhall@townoflakecity.co&gt;

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**Greg Ochocki 225 Alpine CT**

2 messages

Gregory <lakebear@centurytel.net>  
 To: alexandermulhall@townoflakecity.co

Mon, Aug 29, 2022 at 3:06 PM

Mr Mulhall

I spoke to Dr Eugene David Pampe who called me today. We had a friendly conversation. He was very pleasant and I expressed my concerns and also agreed to email him a copy of my letter to you at the Town of Lake City.

We have no quarrel with Dr Pampe and look forward to meeting him and his family and being a friendly neighbor.

Our problem is short term rentals. <https://www.pbs.org/newshour/nation/vacation-towns-limit-short-term-rentals-amid-housing-crisis> In other places allowing short term rentals in residential neighbors properties are not only taking high end large homes off the long term rental market but also taking homes that are small and affordable for working people to rent. Resulting in critical housing shortages ; squeezing working men and woman out of available housing. This causes chaos eventually in the labor force serving the towns, as people have no where to live, teachers, restaurant workers, construction workers and so on. This impacts greatly and negatively the community as a whole . Short term profits result in the often drastic drop in quality of life for the entire town. All you have to do is research it and you will see examples . I hope the town trustees consider a moratorium on short term rentals.

Perhaps you being gone some stuff fell through the cracks . This is a bit of a confusing "kerfuffle." Homes adjacent affected by short term rental application are with hearing and sight of applicant yet only 2 have addresses on Alpine Court. did not receive the letter to agree or protest the application . For example The building site of Mr Rick and Mrs Carey Thomas is directly ADJACENT across the street from applicant at 387 Alpine Court , but have a Water Sreet Address They did not get a letter. Tom Moore is on the hill directly above Alpine Court within hearing and sight of 387 but also has a Water Street Address. How without guidance from the town of Lake City was the applicant supposed to know the proximity of his directly adjacent neighbors . We were the only homeowners informed and forward this letter to our neighbors.

Martha Rodgers and Jan Moore are directly adjacent nearest to 387 Alpine CT sent you an email They bought the log house formerly owned by Susan McGruder. they did not get a letter.

It is my feeling a mistake ws made and it was the due diligence Of The Town Of Lake City who should have contacted all of us; as the applicant could not know the plot map proximity map of who is adjacent to his property as there is a multitude of address and different streets. I am in no way blaming him .

**Who will be invited to the hearing ? Is it a public meeting or limited to homeowners adjacent.**

Greg Ochocki Anne Barrie  
 225 Alpine Ct  
 Lake City CO 81235

1 970 209 8970

Why was this form when completed by applicant not sent to adjacent homeowners in Lake City Heights by the Town of Lake City?? in PDF below

[https://www.townoflakecity.co/uploads/1/0/6/1/10613658/conditional\\_use\\_permit\\_application.pdf](https://www.townoflakecity.co/uploads/1/0/6/1/10613658/conditional_use_permit_application.pdf)

this is the only form we got/ with an incorrect email for the Town of Lake City with an extra period



Alexander Mulhall &lt;alexandermulhall@townoflakecity.co&gt;

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**Fwd: Please read/ response requested**

2 messages

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**Gregory** <lakebear@centurytel.net>  
To: alexandermulhall@townoflakecity.co

Tue, Aug 30, 2022 at 8:02 AM

Begin forwarded message:

**From:** Gregory <lakebear@centurytel.net>  
**Subject:** Please read/ response requested  
**Date:** August 29, 2022 at 4:29:46 PM MDT  
**To:** daveroberts@townoflakecity.co  
**Cc:** dianebruce@townoflakecity.co, Jessekendall@townoflakecity.co, Triphorn@townoflakecity.co, doughamel@townoflakecity.co, henrywoods@townoflakecity.co

Honorable Mayor and  
Trustees of the Town of Lake City, CO

Lake City Height Subdivision is within the Rural Estate District  
this is the town of Lake City Co code pertaining to us

(a) *Intent.* The "RE" Rural Estate District is **intended to provide a quiet, low density development for single-family residences**

Environmental protection is provided by the design and performance standards of subsection (d) of this section.

(b) *Uses by right.* The following uses are uses by right:

(1) Single-family homes which are constructed on-site in full compliance with town building, plumbing and electrical codes, and the design standards of this section.

(2) Public utility service facilities.

(3) Government building and facilities.

(4) Public parks, and parks and recreation facilities owned or operated by a homeowners' association.

(5) Churches, Sunday schools and day care centers.

(6) Accessory uses.

(c) *Conditional uses.* The following uses are conditional uses: factory built housing which meets the design and performance standards of subsection (d) of this section.

(d) *Design and performance standards.*

(1) Residences shall be anchored to a foundation constructed in full conformity with the town building code.

(2) The residence shall qualify for a building permit pursuant to either chapter 5, article II or section 5-95.

(3) The residence shall be a minimum of 21 feet wide with a minimum eave overhang of 12 inches. All factory built residences and mobile residences

shall have an average roof pitch of at least 3:12; all site built residences shall have an average roof pitch of at least 4:12.

- (4) The roof shall be designed to withstand a snow load as established in the town's most recently adopted editions of the International Building Code and International Residential Code.
- (5) The residence shall have brick, rock, stucco, wood, or cosmetically equivalent siding.
- (Ord. No. 1988-1, § 1(15.8-5), 7-13-1988; Ord. No. 1994-5, §§ 2, 3, 4-6-1994)

Our problem and fear along with some of our neighbors, which you will be hearing from is short term rentals.

Short term as little as overnight or one day by transients or by large groups .

Short term rentals negatively affecting what we invested into our subdivision Lake City Heights , in a peaceful and private quality of life. Our property rights .

To reiterate (**Rural Estate District is intended to provide a quiet, low density development for single-family residences**)

However the coming crisis is even bigger than our subdivision or any other on Lake City.

In other resort towns allowing short term rentals in residential neighbors properties it is not only taking high end large homes off the long term rental market,

but also taking the smaller affordable homes off the long term rental market. Residences that are small and affordable for working people who are residents to rent.

**This resulting in critical housing shortages ; that are squeezing working men and woman and families out of available**

**rental housing. This causes chaos in the labor force serving the towns, as people have no where to live, examples such teachers, restaurant workers, construction workers and so on. This impacts greatly and negatively the community as a whole by labor shortages all areas .** Short term profits result often in the drastic drop in quality of life for the entire town.

All you have to do is research it and you will see examples . The sewage plant ,pond also needs to be able to handle the influx of renters often are packing a short term rentals, overpopulating them for their capacity. One family rents, but 2 or 3 might come to share the costs .

I hope the town trustees consider a moratorium on short term rentals.

Please Read this article it is one of many pertaining to many resort towns.

<https://www.pbs.org/newshour/nation/vacation-towns-limit-short-term-rentals-amid-housing-crisis>

respectfully

Gregory Ochocki

225 Alpine Ct / Lake City Heights Hinsdale CO

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Alexander Mulhall <alexandermulhall@townoflakecity.co>

Wed, Aug 31, 2022 at 12:44 PM

To: Gregory <lakebear@centurytel.net>

Received

[Quoted text hidden]

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Alexander Mulhall  
Town Clerk/Municipal Court Clerk  
Town of Lake City  
PO Box 544  
Lake City, CO 81235  
(970)944-2333



Alexander Mulhall <alexandermulhall@townoflakecity.co>

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**Short term rental**

2 messages

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Gregory <lakebear@centurytel.net>

Wed, Aug 31, 2022 at 8:28 PM

To: Alexander Mulhall <alexandermulhall@townoflakecity.co>, Vance Lipsey <townmanager@townoflakecity.co>, daveroberts@townoflakecity.co

Cc: henrywoods@townoflakecity.co, dianebruce@townoflakecity.co, tomjim1947@gmail.com, Martha Rogers <mfrogers51@gmail.com>, johnrsmart54@gmail.com

Since you have now received multiple letters against this short term rental from adjacent neighbors I truly hope we can agree for code enforcement to respect or property rights as agreed contract when we purchased in Lake City Heights without lawyers.

Reception 78542  
Plat

**Restrictions:**

The undersigned, being duly appointed officers of the property described on this plat, hereby imposes the following restrictions on the use of the property which shall run with the land and shall be considered a restriction to be a part of any and all conveyances, transfers, leases, and other documents affecting all or any part of the above described land:

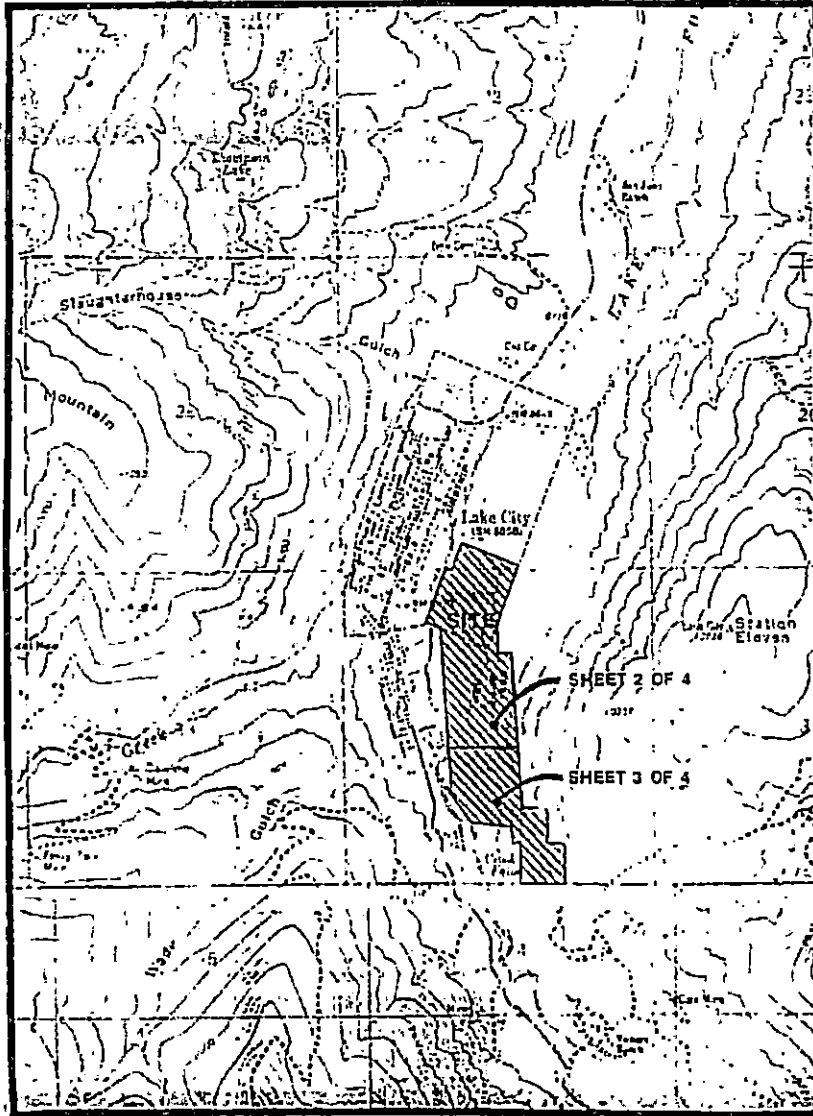
1. Only single family dwellings may be erected or constructed on any lot.
2. All improvements on a lot shall be a minimum of 1200 square feet of usable and inhabitable space.
3. Any garages or storage building must be attached to the dwelling and no out building may be constructed, erected, or placed on any lot.
4. No mobile homes, trailers, tents, shacks, barns or any temporary structure shall be used as a dwelling on any lot.
5. No improvements may be erected which will interfere with or alter the drainage easement designated in this Plat without prior approval from the Town of Lake City.

**CERTIFICATE OF LAKE CITY AREA WATER AND SANITATION DISTRICT**

The property platted herein is within or will be included within the District. Following inclusion, water rights for wells for individual lots shall be entitled to the advantage of the District's plan for augmentation for such wells.

Lake City Area  
Water and Sanitation District

By: *[Signature]*  
PRESIDENT



the  
is as the  
is name  
in



# Town of Lake City, Colorado

Regular Meeting  
~~September 21, 2022~~ 10/19/2022

Name - Please Print Name

Name - Signature

Martha Rodgers

Dan Krob

David Pompa - owner of property

Pat

Michelle Pierce

Steven McCormick

George

Buffy With

Cindy

LFVC

Dennis Brannon

# Town of Lake City, Colorado

Regular Meeting  
October 19, 2022

Name - Please Print Name

Name - Signature

ADDRESS

TOM MOORE	256 S. WATER ST
Schuyler Denham	514 Sunshine Dr.
Carol Robinson	514 Sunshine Dr.
A. Danielle Worthen	325 Lake St.
Jan Smith	SILVERWORLD
Ed. Smith	327 Morningside Dr.
Amanda Smith	" "
Ed & Robson Charbonnet	559 S. Water St.
JACOB WOODCOCK	331 N GUNNISON AVE
JOE FOX	401 W GUNNISON AVE

# Town of Lake City, Colorado

Regular Meeting  
February 15, 2023

March 1<sup>st</sup> 2023

Name - Please Print Name

Name - Signature

Phil Graham	
Kristi Borchers	
Marta Rogers	
Buffy Witt	
Ron Bruce	
George Hurd	
Judy Gray	
Grant Houston	
Dan Knob	
John Weiling fan	
John & Malinda Smart - oppose	
Paul & Karla Sterbenz - support	
Danielle Worthen support	cdanielle Worthen
Kate Hopson	
Carol Robinson	Carol Robinson
Schuyler Denham	Schuyler Denham - oppose
Steve McCormick	
Parker Todd	
Dr. Pompe	
Jayne Fagan	
Pat Stone	

P ?