in the invoice related to providing for the interests of the Town of Monument and therefore it is both legal and appropriate for the Town to pay the invoice."

The Monument Council usually meets at 6:30 p.m. on the first and third Mondays of each month at Monument Town Hall, 645 Beacon Lite Road. The next Monday, May 1 and Monday, May 15. Call 719-884-8014 or see www.townofmonument.org for information. To see upcoming agendas and complete board packets or to download audio

recordings of past meetings, see http:// monumenttownco.minutesondemand.com and click on Town Council. Chris Jeub can be reached at chrisjeub@ocn.me.

BOCC (Cont. from 1)

Drive property is north of Old North Gate Road, west of Silverton Road and just north of the Flying Horse development and the Colorado Springs city limits.

Lekishia Bellamy, planner I, Planning and Community Development Department, told the commissioners that the El Paso County Planning Commission had voted 7-2 to recommend the application be denied at its March 16 meeting. She said the denial was based on a perception that the rezone was incompatible with the surrounding RR-5 properties, that it was spot zoning, and amid concerns that the RR-5 zoning district was under attack. See www. ocn.me/v23n4.htm#epcpc.

Bellamy told the commissioners that 20 adjacent property owners had been notified and the county had received 154 responses, two of which were in favor. She said concerns raised by the community centered on it establishing an unwanted precedent, traffic congestion, decreased home values, incompatibility with the surrounding area, and water availability.

two regular meetings are scheduled for

of the applicant's property, Dossey said this topography created a density transition boundary and that none of the homes was visible from the other side of the ridge. Neighbor Greg Wolff, a realtor who had spoken in favor of the application at the Planning Commission hearing, did so again, saying, "I support the project. I believe in personal property rights."

Fourteen people spoke in opposition, raising concerns that the rezone was spot zoning and would set a precedent if approved, highlighting water availability issues, increased traffic, light pollution, fire risk, and incompatibility with the surrounding area. Jerry McLaughlin, a resident and president of the Sun Hills Homeowners' Association, challenged the accessory dwelling unit justification for the rezoning, saying second home approvals are not zoning changes but are accomplished via special use permits and are wellestablished and compatible with the current zoning. Another neighbor told the commissioners that the Liebowitzes were asking them to change their property rights and that those objecting were asking them to defend theirs.

In rebuttal, Dossey said that the rezoning would not affect the neighbors' 5-acre zoning, commenting, "They're

The applicant was represented by Craig Dossey, president, Vertex Consulting Services, and formerly executive director, Planning and Community Development, who said the area was identified as one of minimal change in the county master plan and commented that he could not think of anything more minimal than splitting five acres into two, stating, "that's about as minimal as you can get and affect change on this property." As part of the application, the commissioners had to decide if there had been substantial change in the area since the last zoning change. Dossey argued that this was the case, most notably with the nearby Flying Horse development. He said objections had come from people more than a mile away and yet there was so much smaller development closer to the property.

Dossey stated that "hidden" change had already happened in the neighborhood in the form of accessory dwelling units, with 12 within a third of a mile of the city boundary. He commented, "There is already a density transition that has been forming." Pointing out the ridgeline to the north



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