

for the transfer was a “clear fingerprint check” from the Colorado Bureau of Investigation. The bureau currently has a nine-week backlog on fingerprint checks.

Staff reports

Green reported that the staff had received a third bid for having a contractor temporarily install Christmas lights on each of the 43 new 12-foot pine trees being installed on Second Street. Two bids of about \$13,000 to \$16,000

had been received. The third bid was about \$6,000 for installing about 50 lights per tree instead of 150 lights or 17 strands per tree included in the first two bids. The board consensus was to have the third contractor install lights on one tree as a demonstration before making a final lease decision.

The meeting went into executive session at 8:57 p.m. for consultations with the town’s attorney, Gary Shupp,

on specific legal questions.

The next meeting will be held at 6:30 p.m. on Oct. 15 at Town Hall, 645 Beacon Lite Rd. Meetings are normally held on the first and third Monday of the month. Information: 884-8017.

Jim Kendrick can be reached at jimkendrick@ocn.me.

Monument Planning Commission, Sept. 12

Temporary uses code updated

By Jim Kendrick

On Sept. 12, the Monument Planning Commission unanimously approved an amendment to the Town Code site development and use standards. The amendment creates definitions and standards for three temporary uses: mobile vendors, mobile food carts, and kiosks within existing parking areas. It clarifies language on temporary uses to provide standards regarding public safety, allowable locations, which items are permitted to be sold, and signage.

The amendment restricts mobile vendors from staying in one residential location for longer than 15 minutes. Operators of mobile food carts must obtain an El Paso County Health Department permit as a prerequisite for obtaining a town temporary use permit. Restrictions were also added to prevent the sale by mobile vendors of alcoholic beverages, sexually-oriented materials, and fireworks.

The meeting adjourned at 7 p.m.

The Oct. 10 Planning Commission meeting has been cancelled. The next meeting will be held at 6:30 p.m. on Nov. 14 in Town Hall, 645 Beacon Lite Road. Meetings are normally held on the second Wednesday of the month. Information: 884-8017.

Jim Kendrick can be reached at jimkendrick@ocn.me.

Brookmoor Estates special homeowners meeting, Sept. 9

Gate, wall issues draw concern in Brookmoor

By Bernard L. Minetti

Residents of Brookmoor Estates were notified of two code violations filed by El Paso County Code Enforcement, first through an email from a resident who asked to remain unnamed and then officially at a special meeting Sept. 9 of the development’s homeowners association (HOA). The meeting was called by the homeowners as a result of the email.

The first violation concerned the HOA board’s arbitrary change of use of the rear emergency community access gate at the east end of the development to normal entry and departure through the use of an automated gate feature. The county objected to this change of use because it did not conform to the use specified in the approved planned unit development (PUD) site plan.

The county’s objection occurred after adjacent homeowners on the east side of the gateway filed complaints. West of the rear automated gate, within Brookmoor Estates, the roadway is called Symphony Heights. East of the gate, the roadway is known as South Park Drive.

The east end of Symphony Heights had been a dead

end at the original emergency-access-only gate. With the installation of the automatic gate between the adjacent dead-end cul-de-sacs, the connection of Symphony Heights to South Park Drive changed these two dead-end roads into a through road. Neither the east end of Symphony Heights nor the west end of South Park Drive was ever intended by the county to become a thoroughfare—nor does either roadway conform to county requirements for a local residential through road.

Commissioner Darryl Glenn directed the code enforcement officers to examine the situation as a result of a discussion with the HOA. The HOA had said a safety issue at the front gate was one reason to open the emergency gate to general use.

The second violation concerned the construction of a wall on the north side of the community without amendment of the PUD site plan. The wall extends east and west of the main entry/exit gate that accesses the community. The county said that the wall, by its position and construction, blocks a large part of the “sight visibility” of exiting vehicles. It also limits vehicles on Lake Woodmoor Drive from having a clear view of vehicles exiting from Brookmoor Estates. According to the Notice of Violation, the wall was built in 2005.

Code Enforcement Officer Gayle Jackson stated that Michael Brennan was the Brookmoor developer who built the wall. Brennan currently sits on the Brookmoor HOA board, and he owns several lots in Brookmoor Estates through Mountain Desert Investments.

In a letter addressed to the board, and copied to all residents with email access, a resident estimated that correction of the wall violation could cost an estimated \$20,000 to \$30,000, apparently to be paid for by the HOA.

HOA Board President Jeff Zeikus told homeowners at the meeting, “Mike (Brennan) has agreed, just for the record, that the front gate issue is his issue as a developer and Mike has every intention of taking care of that issue, financially, whatever it needs to rectify that situation.”

During the discussion that followed, Zeikus examined some of the alternate solutions to be considered to



Above: This is the view to the right from an auto exiting Brookmoor Estates. It shows the impediment evident to a driver. Photo by Bernard Minetti.

mitigate the extreme danger caused by the wall in restricting sight visibility. He also suggested reviewing all other development items concerning Brookmoor Estates for compliance, to forestall any future violations.

One solution offered was to move the wall. Other possible corrections were discussed that would not involve moving the wall. One suggestion was to place a traffic signal at the intersection. However, it was noted that the traffic count was not high enough to warrant the installation of a signal. Another suggestion was to install three-way stop signs at the intersection. The residents agreed on that option, and one resident volunteered to collect names on a petition requesting the stop signs, which would be presented to the county.

However, the number of vehicles exiting Brookmoor Estates at that intersection is minimal in comparison to the higher traffic volume on Lake Woodmoor Drive. In addition, no consideration was given to winter driving: Since Lake Woodmoor Drive is on an incline, coming to a sudden stop on ice and snow could be extremely hazardous.

Brennan mentioned that a traffic engineer had done some studies that were to be presented to the county. No official release of those documents had been made at this time. Zeikus stated that he believed that approximately 28 feet of the wall would have to be removed or moved to restore adequate sight lines to meet code requirements. Most of that modification, he stated, would be on the property of Ricardo Gomez.

Prior to the wall installation, a wood rail fence had served as the original property boundary. Zeikus stated that the wall was within the allowable 6-foot height and did not require county permission for construction.

Around two years ago, a convex mirror was installed to assist drivers on the far edge of Lake Woodmoor Drive at the intersection with Moveen Heights, in order to view oncoming traffic from the west. This would indicate that there was some knowledge by the HOA that a dangerous condition existed. As a resident, I can state from daily use that the mirror is confusing and probably more of a danger than if it were not there.

The situation is not resolved yet. The HOA is waiting for direction from the county after a traffic survey is submitted.

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