

From: [Joseph Kottas](#)
To: [Pamela Flowers](#)
Subject: Fwd: Vacation Rental Permit Renewal, 500 Caddy Cir: Referral to the Planning Commission
Date: Thursday, February 18, 2021 7:12:43 PM

From my neighbor Gene over next to my property on Monte Vista.

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

From: Gene Dwinell <genedwinell@yahoo.com>
Date: Thu, Feb 18, 2021, 7:56 PM
Subject: Re: Vacation Rental Permit Renewal, 500 Caddy Cir: Referral to the Planning Commission
To: Joseph Kottas <kobovacation@gmail.com>

To whom it may concern:

My name is Gene Dwinell and I am a full time resident and owner of 398 Monte Vista Dr. here in Pagosa Springs, CO. I am writing to inform those on the committee considering Joseph Kottas application of a permit for short time rentals. I live next door to his property at 404 Monte Vista Dr, which Mr. Kottas purchased in the Spring of 2020.

Shortly after purchasing the property next door Joseph came to my house and to other neighbors giving out his card saying that if there are any issues with the renters to please give him first opportunity to address the situation. As a property owner with kids, I have appreciated the communication with Mr. Kottas regarding any rare incidents (usually dog issues) and Mr. Kottas has been very prompt to first address the issue with his renters but also worked with me for additional solutions to prevent any future incidents.

Mr. Kottas has always worked promptly to address any issue that has arose and with a friendly attitude towards me.

Please let me know if you have any questions and have a great day!

Thank you,

Gene Dwinell
398 Monte Vista Dr.
970-946-5262

On Thursday, February 18, 2021, 04:37:19 PM MST, Joseph Kottas <kobovacation@gmail.com> wrote:

My response back to her.

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

From: Joseph Kottas <kobovacation@gmail.com>
Date: Thu, Feb 18, 2021, 12:08 PM
Subject: Re: Vacation Rental Permit Renewal, 500 Caddy Cir: Referral to the Planning Commission
To: Pamela Flowers <pFlowers@archuletacounty.org>
Cc: <spazisha@hotmail.com>, <chrisboys72@gmail.com>

Give me a shot when you can Pam, left you a couple messages on this matter. Again very frustrating, because it's the same property and the same people that are calling in every time to complain. My neighbors to my North, West, East of me have never once called in. The

people that are calling in are across the fairway that sits off of my back yard and are a good 200 feet away from 500 Caddy Circle. It would be different if you had multiple neighbors calling in and they were the ones that were my true neighbors but you don't. Two of them are seasonal and currently one of the houses is vacant. My neighbors do have my cell phone number along with the couple that keep calling the noise complaints in. Two of the nine complaints you said happened, I was at the property with family and friends. The first time there were 7 of us at the house and no music was being played outside. She actually called me around 9:00 pm and was quite pleasant. (Her husband had yelled "shut the f up, twice" before she called us. Introduced herself and said that my friends "laugh" was the issue. He does have a loud laugh, but really because of a laugh. I wasn't rude and told her to save my number and that if she ever had an issue with any of my guests being too loud to give me a shout and I could handle it quicker than the county could take care of it. She said she would do that. Have never heard once from her. The second complaint that was made while I was there, me and a good friend from California were having a couple drinks on the deck and again no music was being played outside and we were not that loud. I was really pissed off on that once because I looked over at my friend and was like can you believe who I am on the phone with and what it was for? He was like, are you serious?

So that leaves 7 complaints since I bought the property in August of 2019. I'm almost 100% positive all from the same people across the fairway. Again these people just don't like what I do with my property or my guests that come to create memories in Pagosa Springs. Not a reason to mess with my livelihood like they are trying to do. We are about to buy our 6th property in Archuleta county and have had zero issues in regards to noise complaints at any of the other properties. Me and my team do a good job of communicating with our guests and in all our home journals we mention about keeping the volume down to a minimum after a set time. This last complaint when Sasah received it, they also mentioned how bright it was too. smh

If you go to the counties rules in regards to noise, I guarantee that a reading level hasn't even been taken because of how far away they are to the property. 60db if you look up as well falls under talking loudly. 90db is about the loudness of a lawnmower. In both cases even if a reading had been taken it would fall below both levels I'm sure. I just don't want to have to deal with this every year when trying to get my permit renewed. These people have just made it a point to try and get me in trouble and to keep me from renting out my house as a vacation spot.

Pretty frustrating. I left you a couple voice messages. Please call me back when you get this so we can try and take care of this asap.

Thanks for your time.

Sincerely, Joseph A. Kottas

On Thu, Feb 18, 2021 at 10:22 AM Pamela Flowers <pFlowers@archuletacounty.org> wrote:

Joe,

Section 5.5.6.2(6) of the Archuleta County Land Use Regulation requires that permit renewals for properties which are not fully compliant with these regulations or County ordinances, will be presented to the county Planning Commission for review at a public meeting. As there have been nine (9) complaints regarding violations of the County Noise Ordinance regarding your home at 500 Caddy Circle, this renewal falls into this category.

Therefore, your request for a renewal of your Vacation Rental Permit (#007222) for 500 Caddy Circle, Pagosa Springs will be reviewed by the **Planning Commission at their next meeting on Wednesday, February 24th, at 6:00 pm (Mountain Time)**. This meeting will also be made available for you to attend via Zoom and you will have the opportunity to speak to the Planning Commission Members

regarding this renewal. Individuals who have complained about the noise violations will also be informed and will have the opportunity to be heard at this meeting.

More data regarding this issue will be included in the meeting agenda which will be published on the Archuleta County website on or about Monday, February 22nd. Additionally, once the agenda is prepared, you will also receive another email from me that will include the link to allow you to login to the Zoom meeting on the 24th.

Please let me know if you have any questions about this process and what to expect on the 24th.

PAMELA S. FLOWERS

Development Director

Archuleta County Development Services

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