



Archuleta County
Development Services—Planning Department
1122 HWY 84
P. O. Box 1507
Pagosa Springs, Colorado 81147
970-264-1390
Fax 970-264-3338

1 March 2019

NOTICE OF VIOLATION
BY CERTIFICATE OF MAILING

Douglas P. Bency
10600 Menaul Blvd NE, Ste B
Albuquerque, NM 87112

Dear Property Owner:

This letter serves as notice that your property, **Lot 249 Pagosa Meadows 4, at 280 Bross Pl.**, Pagosa Springs, CO, is in apparent violation of the *Archuleta County Land Use Regulations*. In my letters of 1 February 2019 and 18 December 2018, you were informed of land use complaints regarding use of the property as a short-term rental without required permits. Since that time, we have received additional written complaints, in particular regarding Outdoor Lighting.

This neighborhood is zoned Planned Unit Development (PUD), with no provision for commercial use of your property. The Archuleta County Board of County Commissioners legalized short-term rental of dwelling units in all zoning districts, effective 1 October 2018, with a required Vacation Rental Permit (See Section 5.5.6 of the *Archuleta County Land Use Regulations*).

Section 5.4.4 of the *Archuleta County Land Use Regulations* regulates Outdoor Lighting. All fixtures must be fully shielded with opaque or translucent shielding.

I do appreciate efforts by Mrs. Bency and Christine Miller with Vacasa, your Local Owner/Representative, to bring the property into conformance. Vacasa LLC submitted application VR19-123, for which documentation was completed and Accepted on 2/26/2019. As of 3/01/19, the application fee has not yet been received. Occupancy is limited by the Onsite Wastewater Treatment System (septic) permit to 3 bedrooms for a **Maximum Occupancy of 8 overnight guests**—the unit is advertised and allegedly has been rented for greater occupancy.

The Land Use Regulations and Colorado Revised Statutes provide for penalties of \$500-\$1,000 and \$100 for each day a violation continues. This matter may be referred to the County Attorney for legal enforcement. I look forward to hearing from you within 15 days to clear up the situation on your property. Reference case file ENF19-00002.

Sincerely,

John C. Shepard, AICP
Planning Manager

Cc: Denise Santille, Vacasa Pagosa Springs manager