

Bowker, Kristina J.

From: bruce@ayersconsulting.com
Sent: Friday, January 24, 2025 3:48 PM
To: HE - Shared Department
Cc: Scott Wicklund
Subject: Additional Response Post Hearing VAR2024-0009
Attachments: 20250112_144756.jpg

Importance: High



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ADDITIONAL RESPONSES
POST HEARING
January 24, 2025

TO: HEARING EXAMINER

SUBJECT: 1109 18th Street Variance #VAR2024-0009, seeking a variance from minimum street standards.

FROM: Ayers Consulting LLc, Bruce Ayers, Manager representing applicant Scott Wicklund, Owner 1109 18th Street.

Exhibit 8, Response to Skip Williamson comments in the record, dated January 22, 2025.

In review of the record of the original City Council approval in 1993 and the subsequent appeal and Ruling of Appellants Request for Reconsideration, Attachment C- HE-21-PL-016. I note in the decision “To the extent any issues may arise in the future from vehicles using the driveway for 1112 to access 1109 or any other parcel abutting unimproved 18th Street, these issues are currently speculative and not ripe; any such issues may perhaps be appropriately addressed through the code enforcement process, or some other process.”

Mr. Williamson's email appears to revisit his prior concerns and opposition to the construction of the subject driveway. He admits in his email, and we concur, that his prior concerns "...were dismissed during the permitting process and subsequent hearing." We conclude that his prior concerns were previously dismissed and have no place in this current variance approval.

In addition, Mr. Williamson, and for that matter Mr. Funk, appear to be convinced that "Mr. Wicklund's intentions..." are to use the proposed 1109 18th access for other properties that he owns in the neighborhood. I observe that Mr. Wicklund's other properties in the neighborhood do not front on the undeveloped 18th Street right-of-way and as such would not qualify for a variance to the public 18th Street right-of-way. In addition, Mr. Wicklund has testified he is only seeking a variance for 1109 18th Street and not for "...multi-property access." I see no basis in fact to include Mr. Williamson's and Mr. Funk's "suspensions" in your adjudication of Mr. Wicklund's sworn testimony. Mr. Wicklund has only applied for a variance for public access to the 18th right-of-way for 1109 18th Streets existing home.

Additional Photo as requested by the Hearing Examiner.

Attached and below is the photo taken at the End of the existing cement driveway at 1112 18th looking uphill to the proposed connecting point for the 1109 18th Street driveway connections in curve C4 where the traffic cones are placed in the photo. As you can see in the photo cars can be easily seen coming from the subject 1109 proposed driveway connection in both directions.



In addition, we emphasize that the proposed connecting driveway from 1109 18th Street will not be adding any cars traveling downhill from the 1109 connections point to reach 1112 18th Street. Additional car trips will only be added to the existing cement driveway going uphill to Knox Ave from the 1109 18th Street connection point. Any car accessing the existing driveway can easily be seen in both directions and the 1109 18th Street connection point.

Mr. Funk submitted as an attachment photo in his Exhibit 4 page 8 Comments, the same view looking uphill from the End of the driveway at 1112 18th Street. His photo also clearly shows clear visibility up to the 1109 18th connection point.

Response to Exhibit 10-Funk additional documents.

In his email to Bowler, Kristina J on January 22, 2025, at 6:40 pm Mr. Funk has miss-represented/miss-interpreted and miss-construed Scott Wicklund's splashoil@gmail.com, dated August 5, 2024, to imply that Mr. Wicklund was performing additional surveying to show an extension of the drive located on 1116 19th to and through 1109 18th.

This is the wrong interpretation of Mr. Wicklund subject Sundin@cob.org August 5, 2024, email. Mr. Wicklund was applying for a Critical Areas Permit (CAP) for his proposed 1109 18th Street connection to the 18th street right-of-way cement driveway. Sundin advised Mr. Wicklund to go to the permit center and make a CAP permit application and that the application would require an additional topography survey of 18th Street right-of-way 1109 connection point concerning existing steep slopes and potential buffers.

In 2023 Christie and Christie conducted a topography site survey for both 1116 19th Street and 1109 18th Street. Mr. Wicklund contacted them in July of 2024 to conduct the additional needed topography survey at the 18th Street 1109 18th Street connection point for his CAP permit in 2024. We previously submitted that additional topography survey performed in 8/29/24 and is "Exhibit 7- Topo Survey.pdf". This connection was added to the previous site survey performed in 2023, as you can see on the subject map. There was no representation or intent to extend the driveway from 1116 19th for this CAP permit in August 2024. Mr. Funk has this wrong.

Respectfully submitted
Ayers Consulting LLC

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