

**BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM**

**Tuesday, February 13 at 1 P.M. This Hearing  
Will Be Held Virtually and In Person**

**PUBLIC HEARING:**      **ZON-21-0101:** Authorization to arrange for abatement of rubbish as needed throughout Property, including abandoned, inoperative or unlicensed vehicles, as defined under Article 14 of the Land Use Code (88 West Skyline Drive).

**STAFF MEMBERS:**      Scott Weeks, Code Compliance Specialist II  
Dale Case, Community Planning & Permitting Director

**Location:**      88 West Skyline Drive, Golden, CO 80403 in unincorporated Boulder County  
**Zoning:**      Forestry (F)  
**Owner(s):**      Robert Perkins

**SUMMARY:**

The Boulder County Community Planning & Permitting (CPP) Director requests that the Board of County Commissioners authorize the County to arrange for the abatement of rubbish and removal of abandoned, inoperative or unlicensed vehicles located at 88 West Skyline Drive in unincorporated Boulder County (the “Property”) according to Article 14 of the Boulder County Land Use Code (the “Code”) and Colorado Revised Statute §30-15-401.

Upon authorization by the Board of County Commissioners, Article 14 of the Code permits the CPP Director to seek an administrative entry and seizure warrant from Boulder County District Court so that a contractor retained by the County may enter the Property and remove the rubbish, including the removal of abandoned, inoperative or unlicensed vehicles described below. The County would charge back the cost of abatement, with penalties, to the property owner(s).

Despite multiple attempts by the Code Compliance team, the County Attorney’s office, Public Health, and Boulder County Community Services to work with the property owner, including mailing multiple letters, informing the owner of the violations and potential penalties and consequences, rubbish and abandoned, inoperative or unlicensed vehicles remain on the Property. The rubbish is disrupting the community aesthetic and posing a health and safety issue to the public.

**THE PROPERTY:**

The Property is located at 88 West Skyline Drive in unincorporated Boulder County, also identified as Assessor’s Parcel #158136100036 (the “Property”). The Property owner of record is Robert Perkins, with a mailing address, as noted on Boulder County Assessor’s records, of P.O. BOX 7233, Golden, CO 80403 (*See Exhibit 1*). This Property is in the Forestry zoning district.

## **VIOLATIONS OF THE LAND USE CODE:**

This memo specifically addresses the Property's violations of Article 14 of the Code.<sup>1</sup> The purpose of Article 14 is "[t]o protect the health, safety, and welfare of the citizens of Boulder County through the removal of rubbish (including trash, junk, and garbage); weeds and brush... from land in the unincorporated areas of the County." The Property has rubbish, including trash, junk, and unlicensed/inoperable vehicles, which not only disrupts the neighborhood and community aesthetic, but also poses a health and safety hazard to the public.

Several items are impermissibly stored throughout the Property. These items consist of an unlicensed camper that is being used as a dwelling, discarded household items, piles of materials and waste, and other unsightly/discarded material (*See Exhibit 2*).

Article 14-400(C) of the Code defines rubbish as "Garbage, trash, and junk including, but not limited to unwanted or discarded household items; waste from building construction, remodeling, and repair; tree branches, grass and shrub clippings, leaves, or other general yard and garden waste; motor vehicle parts or tires, or abandoned, unlicensed, or inoperable motor vehicles including without limitation mobile or manufactured homes; newspapers, magazines, packaging materials, waste paper or cardboard; dead animal carcasses; and any other unsightly or discarded material which causes or is likely to cause a public hazard or nuisance, or is unacceptably offensive in light of community standards of cleanliness or generally accepted neighborhood aesthetics."

The Property includes many items that are considered rubbish under Article 14-400(C) (*See Exhibit 2 for photos of the violations discussed below*):

- *Unwanted or Discarded Household Items*

As seen in the photographs in Exhibit 2, the Property has unwanted or discarded household items on the Property including buckets, storage containers, and small appliances.

- *Abandoned, Unlicensed, or Inoperable Vehicle*

There is a camper on the property that is unregistered and is being used as a dwelling.

- *Material which causes or is likely to cause a public hazard*

Discarded trash and human waste generated from lack of sanitation from the camper on the Property has been reported to attract rodents and wildlife.

- *Unacceptably offensive in light of community standards of cleanliness or generally accepted neighborhood aesthetics*

The Property is located directly adjacent to and visible from multiple residential homes. Area residents have expressed concern with the effect this Property has had on the enjoyment and value of the community, as well as its failure to adhere to acceptable community standards for a forestry residence.

As outlined above, the Property contains items that are considered rubbish and abandoned, unlicensed and inoperable vehicles under Article 14 of the Code. The ongoing violations of Article 14 of the Code are the reasons the current zoning case, ZON-21-0101 remains open.

## **BACKGROUND and ABATEMENT ATTEMPTS:**

The following section is a timeline of the communications between county staff and the property owner in an attempt to resolve the zoning violations on the Property.

Key:

Yellow = Attempts by the Boulder County CPP to connect with the Property Owner

Blue = Attempts by the Boulder County Attorney's Office to connect with the Property Owner

- June 23, 2017: CPP received initial complaint about the Property and opened zoning case ZON-17-0113.
- September 26, 2017: Staff inspected the Property and confirmed violations of the Code (*See Exhibit 2*).
- November 1, 2017: Staff sent Notice of Violation for camping in a camper on property (*See Exhibit 3*).
- November 20, 2017: Staff received copy of a lease stating two tenants living in main dwelling on property and no evidence of camping per follow up site visit. Case closed.
- October 8, 2018: CPP received a complaint regarding impermissible use of the Property for camping and an unlicensed/inoperable camper on the Property and opened zoning case ZON-18-0199.
- October 22, 2018: Staff inspected the Property and confirmed violations of the Code (*See Exhibit 2*).
- November 5, 2018: Staff sent Notice of Violation for impermissible camping and the presence of an unlicensed/inoperable camper on property (*See Exhibit 4*).
- December 2, 2018: Staff received response from property owner, including copy of lease showing two tenants living in main dwelling on property for period June 1, 2018-May 31, 2019, and vehicle registration for camper (*See Exhibit 5*). Case closed.
- August 11, 2021: CPP received a complaint about the Property and opened zoning case ZON-21-0101. Property owner stated that tenants spend time in camper but live in home. Staff could not confirm tenants were not living in camper or current rental lease in place.
- August 2, 2023: Staff inspected the Property and confirmed violations of the Code (*See Exhibit 2*). Evidence of camping confirmed.
- August 9, 2023: Staff sent Notice of Violation for impermissible camping and unregistered/inoperable recreational vehicle (*See Exhibit 6*).
- September 5, 2023: Staff received response from property owner stating tenants will vacate camper by September 9, 2023 (*See Exhibit 7*).
- September 30, 2023: Staff received response from property owner requesting that tenants be allowed to continue living in camper (*See Exhibit 8*).
- November 8, 2023: Staff sent 10-day letter for impermissible camping and unregistered/inoperable recreational vehicle (*See Exhibit 9*).
  - *No response received.*
- December 5, 2023: Staff inspected Property and found violations remained. Order to Vacate posted on camper (*See Exhibit 2*).
- December 7, 2023: Staff referred case to County Attorney's Office for additional enforcement.
- December 18, 2023: Staff inspected Property and found violations remained.

- January 9, 2024: County Attorney’s Office sends 10-day letter via certified mail (*see Exhibit 10*).
- *Property owner contends camper is not being used as a dwelling unit.*
- February 6, 2024: Staff sends public hearing notice via mail to Property owner.

**RECOMMENDATION:**

The Boulder County CPP Director requests that the Board of County Commissioners:

1. Uphold the Director’s determination that a violation of Article 14 of the Boulder County Land Use Code exists on the Property; and
2. Authorize the CPP Director, through the County Attorney, to seek an administrative entry and seizure warrant from a district court as authorized by Article 14 of the Boulder County Land Use Code and Section 30-15-401(1)(A), Colorado Revised Statutes. This warrant will authorize the County to enter the Property to remove all rubbish, including unregistered/inoperable vehicle (camper), discarded household items, piles of materials and waste, and any other unsightly or discarded material, either existing or generated in the process of abatement (*see Exhibit 2*). The cost of abatement, an inspection fee of 5%, and any other associated costs will be billed to the Property owner.

**Attachments:**

- Exhibit 1 – Parcel Report for 88 West Skyline Drive
- Exhibit 2 – Site Photos
- Exhibit 3 – Notice of Violation, 2017
- Exhibit 4 – Notice of Violation, 2018
- Exhibit 5 – Property Owner Response, December 2, 2018
- Exhibit 6 – Notice of Violation, 2023
- Exhibit 7 - Property Owner Response, September 5, 2023
- Exhibit 8 – Property Owner Response, September 30, 2023
- Exhibit 9 - 10-day Notice of Violation, 2023
- Exhibit 10 - County Attorney Letter, 2024



# Parcel Report

Community Planning & Permitting  
 Courthouse Annex  
 2045 13th St. - 13th & Spruce Streets  
 P.O. Box 471 Boulder Colorado 80306-0471  
 www.bouldercounty.gov  
 Planning 303-441-3930 Building 303-441-3925

Parcel Number <b>158136100036</b>	Section <b>36</b>	Township <b>1S</b>	Range <b>72</b>
Subdivision <b>TR, NBR 910 WALKER RANCH AREA</b>			

## SITE ADDRESS (1)

R0025232 88 W SKYLINE DR UNINCORPORATED, 80403

## OWNER INFORMATION (1)

Account	Name	Mailing Address
R0025232	PERKINS ROBERT DAVID	PO BOX 7233, GOLDEN, CO 80403-7233

## LOCATION INFORMATION

Note: The estimate acres will likely not match the recorded acreage of the property, please see the legal description, plat, or deed for the actual acreage.  
 Because of small inconsistencies in the locations of lines in the map layers, this location information searches may show information from adjacent parcels even though no overlap is visible on the screen.  
 View the map at an appropriate scale to resolve any uncertainty.

	On or Adjacent to Parcel
Estimated Area	161,400 ( 3.71a.)
Zoning	F (3.7 Acres)
Floodplain	Boulder County: NOT PRESENT FEMA: X (3.7 Acres)
Open Space Ownership	NOT PRESENT
County Plats	NOT PRESENT
Wind and Snow Load	170 mph. 50 lbs/sqft.
Fire Protection	COAL CREEK FIRE



## LEGAL DESCRIPTION (1)

## ACRES

R0025232	TRACTS 1560-C & 1561 & 1562 OF SITE 1 WONDERVU SW1/4 NE1/4 36-1S-72 4.20 AC M/L	R0025232	4.20
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## PERMIT AND DOCKET HISTORY (12)

Note: Parcel numbers and addresses may change over time. Only permits/dockets with the exact same parcel number or address at the time of application are shown.

On Parcel Number: 158136100036

Permit/Docket Parcel Number(s)	Type Permit/Docket Address(es)	Application Name Application Date	Application Status	Status Date Permit Value
<b>ZON-21-0101</b>	Zoning Enforcement	88 Skyline		
158136100036	88 SKYLINE	8/11/2021	Inspection Pending	1/22/2024
Renewed complaint of people living in a camper on the property.				
<b>RES-20-0121</b>	Research	W Skyline Dr		
158136100036	0 Skyline	8/24/2020	Closed	8/24/2020
	32 SKYLINE			
	72 Skyline			
	86 Skyline			
	88 Skyline			

At the request of Coal Creek Canyon FPD the street name for the following parcels located in Wondervu Project have been changed from Skyline Drive to W. Skyline Drive to avoid confusion with the parcel located just south in Kuhlmann Heights also addressed of Skyline Dr.

32, 72, 86, 88 and two parcels with 0 Skyline Drive have been changed to W. Skyline Drive

see docs

<b>ZON-18-0199</b>	Zoning Enforcement	88 Skyline		
158136100036	88 SKYLINE	10/15/2018	Closed	12/6/2018
Report of people living in RV on subject property.				

<b>BLD-18-0052</b>	Building Lot Determination	Phillips		
158136100036	0 OLDE CARTER LAKE 86 SKYLINE 88 SKYLINE	4/27/2018	BLOTNOT	7/13/2018
0.23 ac BLOTNOT				
<b>ZON-17-0113</b>	Zoning Enforcement	88 Skyline		
158136100036	88 SKYLINE	6/23/2017	Closed	1/9/2018
Report of long-term camping on property.				
<b>MAJP-2009-</b>	OWTS Major Repair			
158136100036	88 SKYLINE	3/30/2009	System Approved	5/5/2009
<b>BP-07-1221</b>	Residential Remodel			
158136100036	88 SKYLINE	8/6/2007	Permit Closed	
REPLACE FORCED AIR HEATING SYSTEM				\$1000.00
<b>LS-04-0013</b>	Land Survey Plat			
158136100036	88 Skyline	1/14/2004		
3 PARCELS, WONDERVU PROJECT & WONDERVU SITES. MILLARD & SKYLINE				
<b>NEWP-1961-</b>	OWTS New System			
158136100036	88 SKYLINE	4/14/1961	System Approved	5/26/1961

*These Permits/Dockets are on a different parcel number, but have an address that is associated with the parcel*

<b>RES-20-0121</b>	Research	W Skyline Dr		
158136100034	88 Skyline	8/24/2020	Closed	8/24/2020
158136122002				
158136122003				
158136122007				
158136122012				

At the request of Coal Creek Canyon FPD the street name for the following parcels located in Wondervu Project have been changed from Skyline Drive to W. Skyline Drive to avoid confusion with the parcel located just south in Kuhlmann Heights also addressed of Skyline Dr.

32, 72, 86, 88 and two parcels with 0 Skyline Drive have been changed to W. Skyline Drive

see docs

<b>BLD-18-0052</b>	Building Lot Determination	Phillips		
158136100034	88 SKYLINE	4/27/2018	BLOTNOT	7/13/2018
158136100035				
0.23 ac BLOTNOT				
<b>LS-04-0013</b>	Land Survey Plat			
158136122001	88 Skyline	1/14/2004		
3 PARCELS, WONDERVU PROJECT & WONDERVU SITES. MILLARD & SKYLINE				

### RECENT DEEDS (3)

Date	Type	Reception No	Amount	Grantor	Grantee
5/21/2009	CO	3001406		PERKINS ROBERT DAVID	
6/10/1991	CD	1108703	\$37,000		
9/28/1989	DC	1005605	\$0		

### ASSESSOR'S STRUCTURE INFORMATION

Account	Class	Design	Year Built	Remodeled
R0025232	SINGLE FAM RES IMPROVEMENTS	2-3 Story	1934	0

Building	Floor Area Description	Size	Structure Information
1	FIRST FLOOR (ABOVE GROUND) FINISHED AREA	792	CONST - Commercial: Frame
	2ND FLOOR AND HIGHER FINISHED AREA	216	EXT_WALL_PRIMARY: Frame Wood/Shake
	DETACHED GARAGE	576	FOUNDATION: Concrete
	PORCH AREA	48	ROOF_DSN: Gable
			LAND_PERCENT: 60% LAND RATIO

### ROOMS

Account	Bld	Rooms	Bed	Bath	Bath 3/4	Bath 1/2
R0025232	1	4	1	1		

**ESTIMATED RESIDENTIAL FLOOR AREA**

Floor Area Description

Account Number R0025232  
 Building Number 1  
 FIRST FLOOR (ABOVE GROUND) FINISHED AREA  
 2ND FLOOR AND HIGHER FINISHED AREA  
 DETACHED GARAGE

Size

792  
 216  
 576  


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**1584**

**TAXING DISTRICT**

COUNTY  
 BOULDER CO TEMP HS SAFETY NET FUND  
 BOULDER COUNTY CAPITAL EXPEND FUND  
 BOULDER COUNTY CONTINGENCY FUND  
 BOULDER COUNTY DEVEL DISABILITY FUND  
 BOULDER COUNTY GENERAL OPERATING  
 BOULDER COUNTY HEALTH & HUMAN SERVICES  
 BOULDER COUNTY JUDGMENT LEVY FUND  
 BOULDER COUNTY PUBLIC WELFARE FUND  
 BOULDER COUNTY PUBLIC WORKS  
 BOULDER COUNTY REFUND ABATEMENT  
 BOULDER COUNTY RETIREMENT FUND  
 BOULDER COUNTY ROAD & BRIDGE  
 BOULDER COUNTY SELF INSURANCE FUND  
 BOULDER COUNTY SOLID WASTE FUND  
**FIRE PROTECTION DISTRICT**  
 COAL CREEK CANYON FIRE BOND  
 COAL CREEK CANYON FIRE GENERAL OPER  
 COAL CREEK CANYON FIRE PENSION  
 COAL CREEK CANYON FIRE SPECIAL  
**PARK AND RECREATION DISTRICT**  
 COAL CREEK CANYON PARK & REC DIST  
**SCHOOL DISTRICT**  
 BOULDER VALLEY RE-2 INSURANCE  
 BOULDER VALLEY RE-2 RESERVE  
 BOULDER VALLEY RE-2 TAX CREDIT  
 BOULDER VALLEY RE2 ABATEMENT REFUND  
 BOULDER VALLEY RE2 BOND REDEMPTION  
 BOULDER VALLEY RE2 CAPITAL CONSTRUCTION  
 TECHNOLOGY & MAINTENANCE  
 BOULDER VALLEY RE2 GENERAL OPERATING  
 BOULDER VALLEY RE2 OVERRIDES  
 BOULDER VALLEY RE2 TRANSPORTATION  
**TRANSPORTATION DISTRICT**  
 RTD GENERAL OPERATING  
**UNINCORP CTY PLACE HOLDER DISTRICT**  
 UNINCORP CTY PLACE HOLDER DISTRICT

**ACCOUNT ASSESSED VALUE**

Account	Land	Structures	Total
R0025232	\$118,300	\$276,000	\$394,300

Report Date: 2/1/2024 11:45:21 AM

LU\_ParcelReport\_v3

Site Photos  
88 Skyline Drive  
ZON-21-0101



# Site Visit: September 26, 2017



# Site Visit: October 22, 2018



# Site Visit: August 2, 2023



# Site Visit: December 5, 2023





# Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856  
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • [www.bouldercounty.org](http://www.bouldercounty.org)

## VIOLATION NOTICE ZON-17-0113

November 1, 2017

Robert Perkins  
P.O. Box 7233  
Golden, CO 80403-7233

Re: Illegal camping

Dear Property Owner

On September 26, 2017, a violation of the Boulder County Land Use and Building Codes was observed on the property at 88 Skyline Drive in unincorporated Boulder County, including illegal camping. The violation, as well as the steps necessary to remedy the violation, is detailed below:

### **Illegal Camping**

It was observed that a recreational trailer is in use on the property and being utilized as a dwelling. *Please refer to page one of photos attached.*

Boulder County does not recognize or approve recreational travel trailers as dwelling units. Further, Boulder County Land Use Code Article 4-507(B)(5)(c) provides, "Camping, on a parcel, by the property owner, may occur no more than 14 days." The recreational trailer has been shown to have been on the property in excess of 14 days.

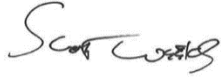
### **To correct this violation you must:**

1. Immediately cease all camping on the property.
2. Within 30 days of the date of this letter, the recreational travel trailer must be removed from the property per the requirements listed in Article 4-516(J) – Accessory Outside Storage.

*A follow up investigation and/or inspection will be made on or around November 30, 2017, to verify that appropriate steps toward abatement have been taken.* Photos of the observed violations along with the text of the Land Use and Building Code sections cited above are attached for your reference.

This letter is the official notice from Boulder County informing you of the violation and how to remedy the violation. Please be aware that failure to rectify the violation within the next 30 days may result in legal action. Under Colorado law, zoning violations are punishable by fines up to \$1000 and continuing penalties up to \$100 per day until the violation is corrected. For additional information or questions, you may contact me directly at 720-564-2621 or via email at [sweeks@bouldercounty.org](mailto:sweeks@bouldercounty.org).

Sincerely,



Scott Weeks  
Code Compliance Specialist II

Attachments:

- Photos of violations described in this violation notice
- Excerpt from Land Use Code Article 4-507(B)(5)(c)
- Excerpt from Land Use Code Article 4-516(J)





# Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856  
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • [www.bouldercounty.org](http://www.bouldercounty.org)

## VIOLATION NOTICE ZON-18-0199

November 5, 2018

Robert Perkins  
P.O. Box 7233  
Golden, CO 80403-7233

88 Skyline Dr.  
Golden, CO 80403

Re: Impermissible Camping and Unregistered/Inoperable Recreational Vehicle

Dear Mr. Perkins:

On October 8, 2018, violations of the Boulder County Land Use Code were reported to the Boulder County Land Use Department on the property at 88 Skyline Drive in unincorporated Boulder County, which is zoned in the Forestry District. The violations, as well as the steps necessary to remedy the violations, are detailed below:

### **Impermissible Use of Property - Camping**

It was observed that a recreational trailer is in use on the property and being utilized as a dwelling. *Please refer to photos attached.* Boulder County does not recognize or approve recreational travel trailers as dwelling units. Further, Boulder County Land Use Code Article 4-507(B)(5)(c) provides, "Camping, on a parcel, by the property owner, may occur no more than 14 days." The recreational trailer has been on the property in excess of 14 days.

### **Unregistered/inoperable Vehicle**

Any vehicle stored outside on a property must be registered and operable. Otherwise, an unregistered or inoperable vehicle is subject to removal under Article 14 of the Code and an owner is subject to fines under Article 4. It appears that the recreational travel trailer on the property is unregistered and inoperable.

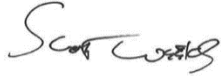
### **To correct these violations you must:**

1. Immediately cease occupation of the recreational vehicle that is on the property and submit proof, within 30 days of the date of this letter, that the recreational vehicle is not being used as a dwelling; AND
2. Within 30 days after the date of this letter, remove the recreational travel trailer from the property, or provide evidence to our office that the recreational vehicle is registered and operable.

***A follow up investigation and/or inspection will be made on or around December 5, 2018, to verify that appropriate steps toward abatement have been taken.*** Photos of the observed violations along with the text of the Land Use Code sections cited above are attached for your reference.

This letter is the official notice from Boulder County informing you of the violation and how to remedy the violation. Please be aware that failure to rectify the violation within the next 30 days may result in legal action. Under Colorado law, zoning violations are punishable by fines up to \$1000 and continuing penalties up to \$100 per day until the violation is corrected. For additional information or questions, you may contact me directly at 720-564-2621 or via email at [sweeks@bouldercounty.org](mailto:sweeks@bouldercounty.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Weeks". The signature is written in a cursive style with a large initial "S".

Scott Weeks  
Code Compliance Specialist II

Attachments:

- Photos of violations described in this violation notice
- Excerpt from Land Use Code Article 4-507(B)(5)(c)
- Excerpt from Land Use Code Article 14-200





ROBERT DAVID PERKINS

PO Box 7233

GOLDEN CO 80403

Dec 2 2018

SCOTT WEEKS

LAND USE

SCOTT,

IRVIN BENNETT AND STEVE MACHADO CONTINUE TO LIVE IN MY HOUSE AT 88 SKYLINE. THEY LEASED THE LOFT IN JUNE 2017 AND RENEWED THAT LEASE LAST JUNE. IRVIN ALSO RENEWED THE REGISTRATION FOR HIS TRAILER.

IRVIN IS MENTALLY HANDICAPPED AS THE RESULT OF A MISTAKE IN THE FIRST MOMENTS OF HIS BIRTH. HE IS SUPPORTED BY SOCIAL SECURITY DISABILITY. HE CANNOT AFFORD TO RENT A COMMERCIAL STORAGE SPACE NOR THE COST OF TOWING IT TO IT.

ENCLOSED ARE COPIES OF THE TRAILER'S REGISTRATION AND THE LEASE. I INFORMED IRVIN AND STEVE THAT THEY CAN NO LONGER HANG OUT IN THE TRAILER. THEY HAVE CLOSED AND SECURED IT FOR THE WINTER.

I DO NOT HAVE A COMPUTER. PLEASE FEEL FREE TO CONTACT ME AT 303 642 7247 OR BY MAIL AT THE ABOVE ADDRESS.

SINCERELY,

David Perkins



# Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303-441-3930  
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • [www.BoulderCounty.org](http://www.BoulderCounty.org)

## NOTICE OF VIOLATION ZON-21-0101

August 9, 2023

Robert Perkins  
P.O. Box 7233  
Golden, CO 80403-7233

88 Skyline Dr.  
Golden, CO 80403

Re: Impermissible Camping and Unregistered/Inoperable Recreational Vehicle

Dear Mr. Perkins:

Multiple times since August 11, 2021, violations of the Boulder County Land Use Code were reported to the Boulder County Community Planning & Permitting Department on the property located at 88 Skyline Drive in unincorporated Boulder County, which is zoned in the Forestry District.

CPP staff conducted a site visit on August 2, 2023 and observed camping rubbish, and an unlicensed vehicle (camper) on the Property. As a result, the Director of Community Planning and Permitting has determined that the Property is in violation of the Boulder County Land Use Code (the "Land Use Code") as outlined below:

### **Impermissible Use of Property - Camping**

Boulder County Land Use Code Article 4-507(B)(5)(c) provides that "Camping on a parcel, by the property owner, may occur no more than 14 days a year as a temporary allowed use." Further, Boulder County does not recognize or approve recreational travel trailers as dwelling units. Upon inspection, CPP staff observed and confirmed that a recreational trailer is in use on the property and being utilized as a dwelling. *Please refer to photos attached.* Upon initial discussion, you stated that there are two tenants that live in the main home. Upon further investigation and evidence, the two tenants primarily reside in the camper and without proper sanitization. The recreational trailer has been on the property in excess of 14 days. Please contact the Boulder County Housing & Human Services Department at 303-441-1000 for information regarding housing assistance.

In order to resolve this violation:

1. Cease use of the camper as a dwelling unit within 30 days of the date of this letter.

### **Rubbish and Outdoor Storage**

To protect the health, safety, and welfare of Boulder County, Article 14 of the Land Use Code prohibits the accumulation of rubbish on a property. Rubbish is defined in Article 14-400(C), and includes: trash and junk, tree branches, yard waste, motor vehicle parts, abandoned, unlicensed, or inoperable motor vehicles, and other unsightly or discarded material. The full definition of rubbish is included with this letter.

Upon inspection, CPP noticed trash and miscellaneous household items on the property that remains after cleanup assistance by Canyon Cares and neighborhood volunteers (see attached photo). Further, the camper is not licensed and registered.

In the Forestry zoning district you can have an accessory use of accessory outdoor storage on your property provided it complies with Article 4-516.J of the Boulder County Land Use Code. Specifically, you may place items which are customary and incidental to the main use of Single Family Residential on your property for more than 24 hours provided:

- a. The area of placement does not exceed 5% of the lot area;
- b. Items are adequately screened from the view of adjacent roadways and properties;
- c. Any unit, bin, room, or container used for storage is a permanent structure;
- d. Any vehicles or trailers are licensed and operable not are not used for storage; and
- e. With the exception of the prohibition on using vehicles or trailers for storage, accessory outdoor storage of agricultural products and operable agricultural equipment is exempt from these additional provisions.

Many of the items on your property that are considered rubbish might be able to be kept on the property as accessory outdoor storage provided they comply with the requirements of Article 4-516.J.

In order to resolve this violation:

1. Remove all rubbish and items not customary and incidental to the main use of the property from the property within 30-days of the date of this letter;
2. Ensure that all items stored on the property as accessory outdoor storage comply with the provisions in Article 4-516.J within 30-days of the date of this letter; and
3. Make sure all vehicles on the property are licensed and operable within 30-days of the date of this letter.

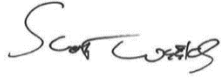
***Please note that failure to comply with the County's requirements for abatement of Article 14 violations as noted above may result in the Community Planning & Permitting Director requesting County Commissioner and Court authorization to arrange for County abatement of the violation. If the abatement is performed by the County, a bill for the reasonable costs of abatement plus associated fees and costs may be issued to the property owner.***

***This letter is the official notification of the Article 14 violations observed on the Property. The property owner may appeal the Director's determination that a violation exists to the Board of County Commissioners. Any such appeal must be submitted in writing to the Community Planning & Permitting Department no later than 30 days after the date of this violation notice. A follow-up investigation will be performed on or after September 9, 2023, to ensure all violations have been corrected or are in process of correction.***

Failure to remedy the violations in the next 30 days may result in legal action. In addition to any amounts you may owe under Article 14 outlined above, Colorado law provides that zoning violations are punishable by fines up to \$1000 and continuing up to \$100 per day until the violation is corrected. C.R.S. § 30-28-124.5. That said, our preference is for you to bring the property into compliance with the Land Use Code rather than proceed with any legal action against you.

For additional information or questions, you may contact me directly at 720-564-2621 or via email at [sweeks@bouldercounty.org](mailto:sweeks@bouldercounty.org) .

Sincerely,



Scott Weeks  
Code Compliance Specialist II

Attachments:

- Photos of violations described in this violation notice
- Excerpt from Land Use Code Article 4-507(B)(5)(c)
- Excerpt from Land Use Code Article 4-516(J)
- Excerpt from Land Use Code Article 14





ROBERT DAVID PERKINS  
88 W SKYLINE DR  
PO BOX 7233  
GOLDEN CO 80403  
SEPT 5 2023

SCOTT WEEKS  
BOULDER COUNTY LAND USE

SCOTT,

ONCE AGAIN WE ARE CONFRONTED WITH THE SAME ISSUE. SINCE LEARNING IRVIN "WOLFIE" BENNETT HAD SERVED TIME FOR BEING A SEX OFFENDER YEARS AGO MY NEIGHBOR HAS MADE IT HER AMBITION TO GET HIM OUT OF THIS NEIGHBORHOOD.

FOR FORTY YEARS SHE HAS USED THE AUTHORITIES TO HARASS OTHERS AND GET THEM IN TROUBLE. SO HERE WE ARE AGAIN.

RULES ARE RULES. WITHOUT THEM WE WOULD LIVE IN CHAOS. WOLFIE BREAKING THIS RULE WOULD NOT LEAD TO CHAOS. IT WOULD LEAD TO A DISABLED MAN LIVING SAFELY.

SOME COUNTIES PERMIT LIVING IN THIS TYPE OF TRAILER. WOLFIE'S UNIT IS RELATIVELY LARGE FOR A CAMPER. IT IS 32 FT LONG, HAS A BEDROOM, A BATHROOM, LIVING ROOM AND KITCHEN AREA. I HAVEN'T HEARD OF THOSE COUNTIES EXPERIENCING PROBLEMS DUE TO THEIR POLICY IN REGARDS TO

## CAMPER LIVING.

IRVIN BENNETT WAS BORN CONGENITALLY RETARDED 59 YEARS AGO. HE HAS RECEIVED MEDICARE SINCE THE AGE OF 3. HE IS UNABLE TO WORK AND SIMPLY WANTS TO LIVE PEACEABLY IN THE TRAILER HIS SISTER BOUGHT HIM SO HE WOULDN'T BE LIVING ON THE STREETS OF BOULDER, WHICH HE DID FOR THREE YEARS.

THAT TRAILER IS ALL HE'S GOT. IF HE CAN'T LIVE IN IT HERE WHERE CAN HE LIVE IN IT? IF WOLFIE SHOULD LOOSE THE TRAILER HE WOULD BE BACK TO LIVING ON THE STREETS HAVING NOTHING EXCEPT A DOG. I GUESS THEY COULD KEEP EACH OTHER WARM.

SOME OF US IN THIS NEIGHBORHOOD HAVE HELPED WOLFIE OVER THE PAST 6 YEARS. DAN BROUGHT HIM FROM THE STREETS OF BOULDER TO A SMALL ABANDONED TRAILER HERE IN WONDERYU.

WHEN HIS SISTER BOUGHT HIM A TRAILER DAN LET IT BE ON HIS PROPERTY FOR \$500/MO. THEN DAN DIED AND HIS WIDOW RAISED THE RENT TO \$800.

THAT'S WHEN WOLFIE CAME TO ME FOR A PLACE TO KEEP THE TRAILER. HIS MEDICARE BENEFIT IS \$800/MO. I CHARGE \$350 SO HE HAS SOME LEFT TO GET BY ON.

TRAILER LOTS ARE FEW AND FAR BETWEEN,



NOT TO MENTION EXPENSIVE AND FAR AWAY.  
NEITHER WOLFE NOR HIS NEW ROOMMATE HAVE  
A VEHICLE.

WHILE I WAS WITHOUT ONE FOR 7 MOS  
THERE WAS NO WAY TO GET RID OF TRASH. I HAD  
GIVEN THE TRAILER GUYS A GARAGE STALL TO STORE  
IT IN. WHEN THAT WAS FULL THERE WAS NOWHERE  
TO PUT MORE SO THEY LEFT IT ON THE GROUND IN  
FRONT OF THE BUILDING... A BUFFET FOR THE  
ANIMALS AND A MESS FOR THE HUMANS.

MY NEIGHBOR CONTACTED CANYON CARES.  
THEY WERE SO HELPFUL. THEY BROUGHT A FRONT  
LOADER, HELPERS AND LOTS OF TRASH BAGS. ALL  
THANKS TO LINDA MARTIN.

I HAVE NO CAMERA AND CANNOT SEND A PHOTO.  
PLEASE TAKE MY WORD AND REST ASSURED THAT THE  
AREA IN FRONT OF THE GARAGE IS NOW CLEANED UP.  
THE PHOTO OF THE GREEN DUMPSTER WITH TRASH  
BAGS ON THE GROUND AND CAR HOOD IN THE BACK-  
GROUND SEEMS MISLEADING. THOSE ITEMS WERE  
PUT IN THE DUMPSTER THE NEXT DAY. I HAVE PICKED  
UP THE WINTER'S WINDBLOWN TRASH IN THE WOODS.

ANYWAY, IT SEEMS WE ARE IN WHAT MY  
GRANDMOTHER WOULD CALL A CONUNDRUM.

ON ONE HAND, ONE OF MY NEIGHBORS WILL  
BE SATISFIED IF HER DOUBLE JEOPARDY TARGET HAS

TO MOVE AWAY.

ON THE OTHER HAND, IF WOLFE MUST RELOCATE A HANDICAPPED INDIVIDUAL WILL BE FURTHER BURDENED BY HAVING A TRAILER WITH NO WHERE TO PUT IT, NO PLACE TO LIVE AND A DOG. I SEE NO FAIRNESS, JUSTICE OR EQUALITY IF HE IS FORCED TO GO.

THIS PLACE HAS BEEN WOLFE'S HOME FOR 5 YEARS. HE LIVES QUIETLY AND BOTHERS NO ONE.

FOR MY NEIGHBOR COMPLAINING IS A MEANS OF GAINING CONTROL OVER THINGS SOMETIMES TRIVIAL AND ALWAYS NONE OF HER BUSINESS. FOR A NUMBER OF YEARS I WAS HER TARGET.

YES, RULES ARE RULES. I AM HOPING THIS ONE TIME, CONSIDERING THE CIRCUMSTANCES, THE COUNTY MIGHT BE COMPASSIONATE ENOUGH TO ALLOW A SMALL EXCEPTION. WITHOUT A COMPLAINT THERE WOULD BE NO PROBLEM.

WITH HELP FROM OTHERS IRVIN BENNETT HAS ESCAPED STREET LIVING. HE'S BEEN ENJOYING THIS PLACE AND FEELING SAFE AND SECURE UNTIL RECENTLY.

SO, I AM HOPING COMPASSION CAN PLAY SOME ROLE IN HOW THIS RULE IS ENFORCED. ALTHO' I'D RATHER NOT, MY VEHICLE COULD MOVE THE TRAILER EVERY 14 DAYS, WOULD THAT SOLVE THE PROBLEM?

IRVIN AND HIS ROOMMATE TOM ARE AWARE  
THEY CANNOT SLEEP IN THE TRAILER AFTER SEPT 9.  
I CAN'T CONTROL THEIR ACTIONS BUT BELIEVE  
THEY WILL COMPLY.

I AM A LAW ABIDING CITIZEN WHO CARES  
ABOUT PEOPLE. I CAN'T ALTER COUNTY RULES.  
I SIMPLY HOPE THERE'S SOME SYMPATHY AND  
ROOM IN BOULDER COUNTY'S HEART FOR IRVIN  
BENNETT.

RESPECTFULLY,

David Perkins

ROBERT DAVID PERKINS

PO Box 7233

GOLDEN CO 80403

SEPT 30 2023

SCOTT WEEKS

BOULDER COUNTY LAND USE

SCOTT,

IN RESPONSE TO THE VIOLATION NOTICE RECEIVED EARLY THIS MONTH INFORMING ME THAT IRVIN BENNETT MAY NOT LIVE IN HIS TRAILER ON MY PROPERTY I SENT A LETTER DESCRIBING THE SITUATION AS I SAW IT.

SINCE SEPT 9 WOLFIE AND TOM HAVE BEEN STAYING IN A NEARBY CABIN I OWN. THE CABIN IS JUST A FEW FEET FROM MY COMPLAINING NEIGHBOR'S HOUSE. THAT SITUATION IS UNCOMFORTABLE.

ON SEPT 5 I MAILED MY RESPONSE TO THE VIOLATION NOTICE. I EXPLAINED MY UNDERSTANDING OF THE SITUATION AND MADE A PLEA THAT WOLFIE BE ALLOWED TO CONTINUE BEING WHERE HE HAS LIVED FOR 5 YEARS. HIS LIVING THERE DOES NO HARM. HE DOES NO HARM. MY COMPLAINING NEIGHBOR TRIES TO HARM OTHERS INTENTIONALLY. SAD.

IRVIN BENNETT COMPLIES WITH THE SEX OFFENDER REQUIREMENT THAT HE REGULARLY

CONTACT THE COUNTY SHERIFF.

OTHER THAN THAT AND GROCERY TRIPS WOLFIE STAYS IN THIS NEIGHBORHOOD. WITHOUT HIS TRAILER HE WOULD BE LIVING ON THE STREETS OF BOULDER AS HE DID FOR 3 YEARS.

SINCE YOU RECEIVED MY LETTER MORE THAN THREE WEEKS AGO I HAVE HEARD NOTHING. WITHOUT CLARIFICATION OR A DETERMINATION FROM YOU THE CURRENT SITUATION IS UNTENABLE. THE CABIN THE FELLOWS HAVE BEEN STAYING IN IS BEING SOLD SO THEIR STAY IS TEMPORARY.

I HAVE NO MONEY WITH WHICH TO PAY A FINE. IRVIN AND TOM HAVE NO MONEY WITH WHICH THEY COULD GO AND RENT A PLACE.

IT SEEMS THE ONLY REASONABLE THING I CAN DO IS TO LET THEM RETURN TO THEIR TRAILER.

LET THE CHIPS FALL WHERE THEY MAY, THOSE GUYS HAVE TO HAVE A PLACE TO LIVE.

TODAY IS SEPT 27. I HAVE TOLD THEM THEY CAN RETURN TO THE TRAILER.

WE ALL HOPE THERE'S NO FURTHER TROUBLE. THIS IS SUCH A PEACEFUL PLACE IN THE ABSENCE OF SPITEFUL COMPLAINTS.

PLEASE ADVISE,

David



# Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303-441-3930  
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • [www.BoulderCounty.org](http://www.BoulderCounty.org)

## NOTICE OF VIOLATION ZON-21-0101

November 8, 2023

Robert Perkins  
P.O. Box 7233  
Golden, CO 80403-7233

88 Skyline Dr.  
Golden, CO 80403

Re: Impermissible Camping and Unregistered/Inoperable Recreational Vehicle

The Boulder County Community Planning & Permitting Department (“CPP”) has a record of an unresolved zoning violation, case # ZON-21-0101, for camping rubbish, and an unlicensed vehicle (camper) at 88 Skyline Drive in unincorporated Boulder County (the Property). This property is in the Forestry (F) Zoning District, and the principal use is single family residential.

In a zoning violation letter dated August 9, 2023, CPP notified you of the violations. Based on a site visit on November 1, 2023, the violation still remains.

Code Compliance received your response dated September 30, 2023. Based on your letter, two individuals have returned to the trailer to reside full time. As stated in the violation letter dated August 9, 2023, camping on the property is not permitted for greater than 14 days by the property owner only per Article 4-507(B)(5)(c) of the Boulder County Land Use Code.

To protect the health, safety, and welfare of Boulder County, Article 14 of the Land Use Code prohibits the accumulation of rubbish on a property. Rubbish is defined in Article 14-400(C), and includes: trash and junk, tree branches, yard waste, motor vehicle parts, abandoned, unlicensed, or inoperable motor vehicles, and other unsightly or discarded material. The full definition of rubbish is included with this letter. Upon reinspection, CPP noticed an unlicensed camper remains at the property and occupied by two individuals.

### **To Resolve the Violations:**

1. Cease use of the camper as a dwelling unit within 10 days of the date of this letter.
2. Within 10 days from the date of this letter, make sure all vehicles on the property are licensed and operable, OR;
3. Within 10 days from the date of this letter, remove all unlicensed and/or inoperable vehicles from the property.

Boulder County Health and Human Services (HHS) has been in contact with you regarding housing assistance and assistance. Per their records, you have not been in communication with HHS to discuss options to relocate individuals and/or provide housing to the individuals living in the camper. Please contact Guio Bravo or Corrin Dodar with Boulder County Community Services, Area Agency

on Aging at 303-441-1587 (Guio) or 303-441-1554 (Corrin) to discuss housing options and assistance programs.

***Please note that failure to comply with the County's requirements for abatement of Article 14 violations as noted above may result in the Community Planning & Permitting Director requesting County Commissioner and Court authorization to arrange for County abatement of the violation. If the abatement is performed by the County, a bill for the reasonable costs of abatement plus associated fees and costs may be issued to the property owner.***

***This letter is the official notification of the Article 14 violations observed on the Property. The property owner may appeal the Director's determination that a violation exists to the Board of County Commissioners. Any such appeal must be submitted in writing to the Community Planning & Permitting Department no later than 30 days after the date of this violation notice.***

This letter is the official notice from Boulder County informing you of these violations and how to remedy them. **This property will be reviewed no later than November 19, 2023 to ensure that this violation has been corrected.**

Please be aware that non-compliance and continued use of the property in violation of the Boulder County Land Use Code as outlined above may result in legal action. Under Colorado law, zoning violations are punishable by fines up to \$1000 and continuing penalties up to \$100 per day until the violations are corrected. C.R.S. § 30-28-124.5. That being said, we would prefer to work together to resolve this violation without any attorney involvement.

For additional information or questions, you may contact me directly at (720) 564-2621 or via email at [sweeks@bouldercounty.org](mailto:sweeks@bouldercounty.org).

Sincerely,



Scott Weeks  
Code Compliance Specialist II

Attachment:

- Notice of Violation dated August 9, 2023
- Article 14, Boulder County Land Use Code



## Office of the County Attorney

Ben Pearlman, County Attorney • Tel: 303.441.3190 • Fax: 303.441.4794 • [ca@bouldercounty.org](mailto:ca@bouldercounty.org)  
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306-0471 • [www.bouldercounty.org](http://www.bouldercounty.org)

January 9, 2024

Robert Perkins  
P.O. Box 7233  
Golden, CO 80403-7233

88 W Skyline Drive  
Golden, CO 80403

### ***VIA U.S. Certified Mail***

Re: 88 Skyline Drive – Impermissible Camping and Unregistered/Inoperable Recreational Vehicle  
Case Number: ZON-21-0101

Dear Property Owner:

This matter has been referred to the County Attorney's office by the Boulder County Community Planning and Permitting Department (CPP) because of ongoing zoning violations located at 88 W Skyline Drive in unincorporated Boulder County (the "Property").

Scott Weeks, Boulder County Code Compliance Specialist, first sent you a notice dated August 9, 2023 regarding impermissible camping and rubbish/impermissible accessory outdoor storage on the Property. A second notice of violation letter was sent to you regarding this same violation on November 8, 2023. As noted in these letters, Article 4-507(B)(5)(c) provides that "camping on a parcel, by the property owner, may occur no more than 14 days a year as a temporary allowed use." No camping is permitted by someone other than a property owner. In addition, to protect the health, safety, and welfare of Boulder County, Article 14 of the Boulder County Land Use Code (the Code) prohibits the accumulation of rubbish on a property. Rubbish is defined in Article 14-400(C) of the Code, and includes trash and junk, tree branches, yard waste, motor vehicle parts, abandoned, unlicensed, or inoperable motor vehicles, and other unsightly or discarded material

The Property was still in violation of the Boulder County Land Use Code as of the most recent inspection on December 18, 2023.

As we have informed you previously, Colorado Revised Statutes (C.R.S.) §§ 30-28-124 and 124.5 allow the County to enforce zoning violations through legal action. Under C.R.S. §30-28-124.5, zoning violations are punishable by a one-time fine of up to \$1,000, in addition to continuing penalties of up to \$100 per day until the violations are corrected.

In addition, the County also retains the right to initiate legal action pursuant to Article 14 of the Code. Specifically, the Director of Community Planning & Permitting would request authorization from the Board of County Commissioners to arrange for the abatement of the



rubbish violation per Article 14-500.C of the Code. If approved, this process would involve Boulder County entering the property, removing the rubbish, and charging the reasonable cost of abatement to you. *See* Article 14-500.E of the Code.

In order to correct these zoning violations without legal action, you must take the following steps:

1. Immediately cease use of the recreational vehicle/camper;

AND

2. Within 10 days of the date of this letter, remove all rubbish and items that are not customary and incidental to the main use of the Property from the Property;

AND

3. Within 10 days of the date of this letter, ensure that all items stored on the Property as accessory outdoor storage comply with the provisions in Article 4-516.J of the Boulder County Land Use Code.

If the ongoing zoning violations are not resolved by January 24, 2024 we will initiate legal action. Please contact me immediately to discuss this matter at (303) 441-3190 or by email at [ljames@bouldercounty.org](mailto:ljames@bouldercounty.org).

Thank you for your prompt attention to this matter.

Sincerely,



Liana James  
Assistant County Attorney

Cc: Scott Weeks (*via email*)

Enclosures: August 9, 2023 Notice of Violation Letter  
November 8, 2023 Notice of Violation Letter