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## rezoning of 685 Peakview property

2 messages

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**Terry Rustin** <terry.rustin@gmail.com>

Wed, Dec 28, 2022 at 3:28 AM

To: "planning@estes.org" <planning@estes.org>, Jeff Woeber <jwoeber@estes.org>, jgarner@estes.org, "swebermeier@estes.org" <swebermeier@estes.org>, "mcenac@estes.org" <mcenac@estes.org>, "khazelton@estes.org" <khazelton@estes.org>, "bmacalpine@estes.org" <bmacalpine@estes.org>, Patrick Martchink <pmartchink@estes.org>, "cyounglund@estes.org" <cyounglund@estes.org>, "wkoenig@estes.org" <wkoenig@estes.org>, "tmachalek@estes.org" <tmachalek@estes.org>

Mr Theus has requested that the property at 685 Peakview, Estes Park, CO, be rezoned to allow the construction of denser housing. He stated that "the Town" asked him to do so.

"The Town" is an institution, not a person; if he was "told" this, it must have been a person who told him.

The implication in "The Town asked" is that this was an employee or elected official of Estes Park. Further, this implies that this person was stating a policy or decision in some official or regulatory capacity.

Such action requires public disclosure.

On this basis, I request that the person who made this statement to Mr. Theus identify themselves and confirm or refute Mr. Theus's contention.

I also request that Mr. Theus confirm the identity of this person.

I also request that the Town attorney confirm or refute whether the employee or elected official of Estes Park so named and identified has the authority to set policy in such a fashion.

Failure or refusal of Mr. Theus to so identify the individual in question suggests that he invented the request. If that is the case, he has no basis in fact or in policy for requesting a change in zoning for the property at 685 Peakview.

Terry A. Rustin  
resident at [555B Devon Drive](#)  
[Estes Park, CO](#)

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