

**FREMONT COUNTY  
DEPARTMENT OF PLANNING AND ZONING  
615 MACON AVENUE, ROOM 210  
CAÑON CITY, COLORADO 81212**

**Telephone (719) 276-7360**

**Facsimile (719) 276-7374**

**VIOLATION NOTICE**

Jeff T. Smith  
1155 7<sup>th</sup> Street  
Penrose, Colorado 81240

Certified Mail #7007-2560-0002-3540-2139

**Case# 08-092**

**April 30, 2009**

This is in reference: ZV08-092: Compliance advisory for 106 Broadway, Penrose Colorado 81240 the property located within Fremont County legally described as: LTS 5-32 BLK 95 PENROSE & 15 FT VAC ELM ST ADJ TO LTS 23-32. The described property currently zoned- B-BUSINESS ZONE DISTRICT. DESCRIPTION: This district is to provide for the development of business uses that would serve the public.

This is to inform you have not complied with the request made within the compliance advisory dated November 14, 2008. Drive-by/on site inspections of your property were conducted on the following dates: 11/07/2009, 11/13/2009 and 01/11/2009. The advisory REQUESTED the following action be taken.

1. Reduce the number of non-registered vehicles to an acceptable level for the type of business operated on this property.
2. Arrange remaining vehicles in a neat and orderly manner.
3. Clean up all junk, trash and debris.
4. Complete mitigation work on weeds and vegetation.

This letter is an official:

**Notice of Violation.**

You are hereby notified that you are in violation of the following zoning regulations of Fremont County and the State of Colorado.

The Fremont County Zoning Resolution states:

**3.1** No building, structure, or land shall hereinafter be occupied or used, and no building or structure, or part thereof, shall be erected, moved or structurally altered unless in conformity with all the regulations herein specified for the district in which it is located.

**1.5.22 AUTOMOBILE GRAVEYARD:** Any property consisting of one (1) lot, tract, or parcel or more, or a place of business which is maintained, used, or operated for storing, dismantling, keeping, buying, or selling wrecked, scrapped, ruined, dismantled, unlicensed, or inoperable motor vehicles and/or motor vehicle parts. For the purposes of this regulation, vehicles used in ranching or farming in the zone districts permitting agricultural uses and the storing of three (3) or fewer vehicles is not deemed to be an automobile graveyard.

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**1.5.87 JUNK:** Old, used, discarded or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, or junked, dismantled, or wrecked automobiles, abandoned or dismantled mobile homes, appliances, or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material of any kind whether of value or valueless.

**1.6.2 VIOLATION & PENALTY:** Any person, firm or corporation violating any provision of these regulations shall be subject to the penalties set forth in the Colorado Revised Statutes, as amended, and other legal action provided by law.

**To mitigate the violations, the following shall be completed:**

- A.** Remove junk motor vehicles and motor vehicle parts from the property.
- B.** Remove junk, trash and debris, and complete a general clean-up of the property to include weed control and brush mitigation.

You have **thirty (30)** days from the date of **receipt** of this notice as established in The Fremont County Zoning Resolution, 1.6.2 and The Colorado Revised Statutes §30-28-124 and §30-28-124.5 to have this property in compliance. The compliance date established in our office is **May 31, 2009**. If compliance is **not accomplished** within the stated time period, then your file **ZV09-092** and all **photographs** will be forwarded to the Fremont County Attorney for prosecution.

As per The Fremont County Zoning Resolution, 1.6.2, if you are found to be in violation you are subject to the **penalties** found in the Colorado Revised Statutes. A copy of the Colorado Revised Statute §30-28-124 and §30-28-124.5 concerning penalties for zoning violations is included in this letter for your reference. Additionally, Fremont County will be seeking to have you held responsible for **Cost, Attorney Fees and Other Expenses incurred in the court action brought against you.**

Please notify us of your intent to comply or if you bring your property into compliance prior to the thirty (30) days. If you need any additional information please contact the department.

Sincerely,

Robert Sapp/ Ronald Zenisky  
Code Enforcement Officer

cc: Fremont County Attorney