

**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

Thomas Sack
2025 Salt Drive,
Colorado Springs, Colorado 80910-3345

Certified Mail #7007-2560-0002-3540-3563

Case# 10-018

August 12, 2010

This is in reference to case #10-018, Compliance Advisory for 633 G Street, Penrose Colorado 81240 the property located within Fremont County legally described as: **A PARCEL OF LAND IN TR-51 BEAVER PARK SEC 32-18-68 DESC AS FOLLOWS: BEG AT A PT ION THE E LN OF SD TR 250.25 FT SLY OF THE NE COR OF SD TR; TH WLY PAR TO THE N LN OF SD TR 668.85 FT M/L TO THE W LN 421.35 FT M/L TO THE SW COR OF SD TR; TH ELY ALG S LN OF SD TR 238.95 FT; TH NLY PAR TO THE E LN OF SD TR 334.35 FT; TH ELY 429.90 FT TO E LN SD TR; TH NLY 87 FT TO BEG TR-B.**

Your property is located within the **AR - AGRICULTURAL RURAL ZONE DISTRICT**

DESCRIPTION: This district is intended to promote a rural residential environment. Residential uses in the district will be primarily in conjunction with agricultural activities such as the raising of crops and livestock. Commercial uses will be limited to defined home occupations of a professional nature and commercial uses related to agriculture.

This is to inform you have not complied with the request made within the Compliance Advisory dated May 04, 2010. Inspections of your property were conducted on the following dates: 07/22/2010, and 08/11/2010. The advisory REQUESTED the following action be taken.

- 1. Remove all Junk, Trash and Debris from the property.**
- 2. Reduce the number of unlicensed, unregistered vehicles to three (3).**
- 3. Comply with all applicable Zoning Regulations for the Agricultural Rural Zone District.**

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.

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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.

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.

1.5.88 JUNKYARD: Any property consisting of one (1) lot, tract, or parcel or more, or a place of business that is maintained, operated, or used for storing, dismantling, keeping, buying, or selling junk or for the maintenance or operation of an automobile graveyard, and the term includes garbage dumps and sanitary landfills. For the purpose 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 do not constitute a junkyard.

1.6.1 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.

1.6.2 NOTICE OF VIOLATION: For any property that has formally been placed under violation of the provisions of this Resolution, Fremont County may record a copy of the notice of violation in the real property records of Fremont County as maintained by the Clerk and Recorder, for Fremont County. Once the property is brought into compliance, a compliance letter will be recorded in the land records noting that the property has been brought into compliance with this Resolution.

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To mitigate the violations, the following shall be completed:

- 1.) Remove all Junk, Trash and Debris from the property
- 2.) Reduce the number of unlicensed, unregistered vehicles to three (3).
- 3.) Comply with all applicable Zoning Regulations for the Agricultural Rural Zone District.

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 **September 13, 2010**. If compliance is **not accomplished** within the stated time period, then your file **#10-018** will be forwarded to the Fremont County Attorney for prosecution.

As per Fremont County Zoning Resolution, 1.6.2, if you are found to be in violation you will be 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 **any 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 SMM Enforcement Officers

cc: Fremont County Attorney