

Mon 12/27



# TEMPORARY USE PERMIT APPLICATION

1. Project Name: PENROSE PARK & RECREATION YARD SALE
2. Applicant: ROBERTA NEWTON Address: 401 PARK PLACE  
 City: PENROSE State: CO Zip Code: 81240  
 Telephone #: 719-315-5838 Facsimile # \_\_\_\_\_  
 Email Address: SECRETARY@penroseparkrec.com

### Please read the entire application form prior to completion of this application

Property owners and other potential applicants are encouraged to meet informally or communicate with Planning and Zoning Department staff to gain familiarity with the application process prior to formal submittal of an application and to continue the communications throughout the application process. For more details on application meetings, see Section 8.3 of the Fremont County Zoning Resolution (FCZR).

A special event which is to be conducted in whole or part within Fremont County (*non-incorporated areas*) such as spectator events, athletic events, carnivals, circuses, concerts, fairs, flea markets, public recreational events, tent meetings, or other similar uses with similar impacts which are for public participation, requires a Temporary Use Permit (TUP).

An application fee as adopted by resolution of the Fremont County Board of County Commissioners (Board) shall accompany this application.

The applicant shall provide **one (1) original document, two (2) copies, and an electronic copy (either CD or flash/thumb drive)** and all of its attachments. After submittal, the Department will review the application and all attachments and prepare a Department Submittal Deficiency and Comment Letter (D & C Letter). The letter will state the submittal deficiencies, Department comments and or questions about the application, which must be addressed by the applicant.

The Fremont County Department of Planning and Zoning (Department) shall be entitled to refuse any application for a temporary use permit which is not made on the form provided by the Department, which is incomplete, or is made later than thirty (30) working days prior to the regularly scheduled Board meeting at which the application is proposed to be heard. The application shall not be considered complete unless all information required in the application is provided at the time it is filed.

Once the Department has determined that the application is complete, the application will be scheduled on an agenda of the Board for their consideration of approval. Prior to issuance of a temporary use permit, the event shall be approved by the Board at a regularly scheduled meeting and all contingencies or requirements shall be met or provided. The Board does have the right to request review and recommendations from the Fremont County Planning Commission (Commission) and/or other pertinent entities, if the Board determines that it is necessary for its review. The Board may require professional review at the applicant's expense if deemed necessary by the Board. The Board may require the applicant to provide various professional studies and/or statements concerning the event in order to fully

understand the impact of the proposed event. This could result in a longer review process and require more time to complete.

Under certain circumstances, the Department may have approval authority over an annual event which has been granted TUP approval by the Board consecutively for the three (3) previous years. See Section 8.16.2 of the Fremont County Zoning Resolution for requirements.

Attachments can be made to this application to provide expanded narrative for any application item including supportive documentation or evidence for provided application item answers. Please indicate at the application item that there is an attachment and label it as an exhibit with the application item number, a period and the number of the attachment for that item (i.e. *the attached document providing evidence in support of the answer given at application item number 12 would be marked - Exhibit 12.1*).

For specific regulatory requirements the applicant should refer to the appropriate sections of the Fremont County Zoning Resolution (FCZR) which can be viewed on the Internet at:

<http://www.fremontco.com/planningandzoning/zoningresolution.pdf>

2. Please provide a general description of the event: Park will sell spaces to those who want to sell their items
3. What is the general location and/or street address of the event? Parking lot of Goose Berry Patch Restaurant at 660 Colo Hwy 115, PENROSE, CO
4. What are the dates that the proposed event is scheduled to occur? YARD Sale, the 2<sup>ND</sup> Saturday of ea month starting in the month of June May 2019. Last month in Sept.
5. What are the hours of the day that the proposed event is scheduled to occur? Set up at 8:00 - selling to public from 9AM - 2PM
6. Will there be any signs used to advertise the event? YES If yes, please provide a statement as to the size (type), location, and how many: 3 VINYL signs, 1 hanging on post at 660 Colo. Hwy 115, 1) POSTED ON pole located at corner of 7<sup>th</sup> St & Hwy 115
7. Please provide a statement as to how litter will be disposed and include documentation consisting of agreements and/or contracts with companies providing necessary facilities. Park w/ have large trash cans in various areas! Park will pick up & dispose of trash at end of day
8. Address crowd control before, during and after the event. Park board member's
9. What are the anticipated off-site impacts that will be created by the proposed event? Nothing @ moment

10. Please provide a statement as to a drinking water plan which includes documentation consisting of agreements and signed contracts with companies providing necessary facilities. **NOTE: This will require review and approval by the Fremont County Environmental Health Officer.**

PARK will have water bottles for sale

11. Please provide a statement as to a sanitation plan which includes documentation of agreements and signed contracts with companies providing necessary facilities. **NOTE: This will require review and approval by the Fremont County Environmental Health Officer.**

will be using bathroom in restaurant.

Permission given herewith by owner to enter restaurant for bathroom facilities - door will be unlocked - Barbara F. Martin

12. Please provide a statement as to a concession plan, if any, which includes a list of vendor names and required permits. If vendors are used, please provide documentation of sales tax license. **NOTE: This will require review and approval by the Fremont County Environmental Health Officer.**

People will be able to purchase food at Gooseberry Patch Restaurant, during normal hours

13. Please provide an emergency service operation plan addressing what emergency services are proposed for the event. The emergency services shall include any agreements, signed contracts, with appropriate agencies or companies and a specific contact person with contact information.

medical & or fire will be handled by Penrose Volunteer Fire Dept FFPD#2

14. Will there be any street closures proposed in connection with the special event (or other provisions deemed appropriate with respect to the provision for safe and adequate vehicular and pedestrian traffic flow and parking associated with the conduct of the special event)? **Note: If Street closures are proposed, signed approval by the Director of the Fremont County Department of Transportation or Colorado Department of Transportation is required.**

no closures

15. Please provide a statement as to how the proposed event parking will be addressed. Such statement will include how many off-street parking spaces will be provided along with the size of spaces and parking area location. **Note: If on-street parking is proposed, signed approval by the Director of the Fremont County Department of Transportation or Colorado Department of Transportation as may be appropriate is required.**

vendors will be using space on the outer side of parking lot, leaving inside area for parking.

16. Please provide a statement as to how vehicular and pedestrian traffic for the proposed event will be handled: Park will have STAFF directing to areas of vendors & parking

**17. The following items shall be attached to this application and marked appropriately as exhibits:**

- a. Documentation as to acceptance of a fire protection plan, signed by the appropriate agency representative along with a copy of said plan.
- b. Documentation that the Sheriff's Office has been notified of the event and any proposed street closures. There are two (2) options for notification. See FCZR Section 8.16.1.19.1 for details.
- c. Documentation that the Colorado State Patrol has been notified of the event and any proposed street closures. There are two (2) options for notification. See FCZR Section 8.16.1.20.1 for details.
- d. Documentation that the Director of the Fremont County Department of Transportation has been notified of the event and any proposed street closures. There are two (2) options for notification. See FCZR Section 8.16.1.21.1 for details.
- e. If the subject property gains direct access from a roadway under the jurisdiction of Colorado Department of Transportation (CDOT) or if deemed necessary by the Department, documentation that CDOT has been notified of the event and any proposed street closures. There are two (2) options for notification. See FCZR Section 8.16.1.22.1 for details.
- f. Documentation from the Environmental Health Officer as to acceptance and approval of application items number 10, 11 and 12, signed by the appropriate agency representative.
- g. Proof of general liability insurance for the event in amounts deemed appropriate by the Board of County Commissioners.
- h. Cash, surety or other bond deemed necessary and appropriate by the Board of County Commissioners to ensure that the property affected by the special event will be cleaned to the reasonable satisfaction of the County and that damage associated with the conduct of the special event may be repaired or remedied without cost to the County. *If a waiver of this item is requested it shall be in writing, with justification, at the time of application.*

**18. Additional Requirements:**

- a. The Department of Planning and Zoning shall have the right to require publication, notice to property owners and posting in accordance with Section 8.4.2.1 if it is deemed necessary.
- b. The Board of County Commissioners has the right to:
  - 1) Refer any application for Temporary Use Permit to the Planning Commission requesting its review and recommendations at a regular meeting.
  - 2) Refer any application for Temporary Use Permit to any entity the Board deems could have significant input regarding the potential impacts of the proposed Temporary Use Permit.
  - 3) Right to obtain professional review, at the applicant's expense, for any aspect of the proposed event as deemed necessary by the Board.

- 4) Require the applicant to submit the following information if in their opinion it is necessary, to fully understand the impacts of the proposed Temporary Use Permit:
- a) An environmental impact study/statement.
  - b) A roadway impact analysis study.
  - c) A drainage study.
  - d) A socioeconomic impact study/statement.
  - e) Studies, comments, referrals to agencies or professionals whose area or jurisdiction of expertise is applicable and germane to the use being proposed.

**By signing this Application, the Applicant, or the representative acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the application and any attachments to the Application, is true and correct to the best of Applicant's knowledge and belief.**

**Applicant understands that any required private or public improvements imposed as a contingency for approval of the application may be required as a part of the approval process.**

**Fremont County hereby advises Applicant that if any material information contained herein is determined to be misleading, inaccurate or false, the Board of Commissioners may take any and all reasonable and appropriate steps to declare actions of the Board regarding the Application to be null and void.**

**Signing this Application is a declaration by the Applicant to conform to all plans, drawings, and commitments submitted with or contained within this Application, provided that the same is in conformance with the Fremont County Zoning Resolution.**

Robertas Newton  
Applicant Printed Name

Robertas Newton  
Signature

4/7/19  
Date



## FREMONT COUNTY FIRE PROTECTION PLAN AND DISTRICT COMMENT FORM

The Fremont County Subdivision Regulations and Fremont County Zoning Resolution require a fire protection plan be submitted with many different types of applications, at the time of application submittal. In order to provide consistency in the information received, it shall be required that these plans be submitted on this form.

The Fremont County Department of Planning and Zoning (Department), Fremont County Planning Commission (Commission) and Fremont County Board of County Commissioners (Board) take into consideration the responses of the Applicant and the District during their respective review process.

Attachments can be made to this form to provide expanded narrative for any application item including supportive documentation or evidence for provided form item answers. Please indicate at the form item that there is an attachment and label it as an exhibit with the application item number, a period and the number of the attachment for that item (*as an example, the first attached document providing evidence in support of the answer given at application item number 4 would be marked - Exhibit 4.1, the fifth attached document supporting the narrative provided for application item 4 would be marked - Exhibit 4.5*). Exhibit numbers should be placed in either the lower right hand area or the upper right hand area of the exhibit.

If the subject property is not in a fire protection district, only applicants' information and map are required. A copy of the Colorado State Forest Service Wildfire Hazard Area Map with the subject property clearly and accurately located, shall be attached and marked as Exhibit A.

### APPLICANT INFORMATION

1. Project Name PENROSE PARK & Rec YARD Sale

2. Type of application:

- |  |  |
|--|--|
| <input type="checkbox"/> Zone Change #1                                      | <input type="checkbox"/> Special Review Use Permit       |
| <input type="checkbox"/> Zone Change #2 – Use Designation Plan               | <input type="checkbox"/> Conditional Use Permit          |
| <input type="checkbox"/> Zone Change #2 – Final Development Plan             | <input checked="" type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Commercial Development Plan                         | <input type="checkbox"/> Change of Use of Property       |
| <input type="checkbox"/> Commercial Development Modification                 | <input type="checkbox"/> Subdivision Preliminary Plan    |
| <input type="checkbox"/> Expansion of an existing Business or Industrial Use | <input type="checkbox"/> Minor Subdivision               |

3. The subject property is located at:

1660 Colo. Hwy 115, Penrose, Co.

Address and or General Location (*If general location only is used, it will be required that a legal description of the subject property be attached Marked as Exhibit 3.1*)  An exhibit is attached.

4. Fire protection will be provided in what manner and with what resources? Penrose Volunteer FIRE Dept. FFPD#2

5. The source of water for fire protection is:

--- Water District – Name of District: PENROSE water District

--- Well -- Colorado Division of Water Resources Well Permit Number: \_\_\_\_\_  
Is the well approved for fire protection?  Yes ---  No Please explain: \_\_\_\_\_

---Cistern -- What is the cistern capacity? \_\_\_\_\_ Gallons -- What is the water source for filling the cistern? \_\_\_\_\_

6. What is the distance from the subject property to the nearest fire hydrant? None

7. What public roadways provide access to the subject property? Hwy 115, + 6<sup>th</sup> St

8. How many accesses to public roadways will the subject property have? Hwy 115, 6<sup>th</sup> St

9. Are the interior roadways existing and or proposed for the subject property adequate for fire vehicle access?  Yes ---  No Please explain by providing right-of-way and surface widths, length of roadway, surface types for all interior existing and proposed roadways and turning radii for cul-de-sacs. \_\_\_\_\_

10. What are the existing and or proposed interior roadway names? 6<sup>th</sup> St, Hwy 115

11. Is the subject property located within a fire protection district?  Yes ---  No  
If yes, please provide the district name: \_\_\_\_\_

*If the subject property is not located within a fire protection district please answer the following questions and the form will be considered completed for submittal. If the subject property is located within a fire protection district then answers to the following will not be required, however the remainder of the form shall be addressed by a representative of the fire protection district in which the subject property is located.*

a. What is the name of the fire protection district closest to the subject property? FFPD #2  
Pewee Volunteer Fire Dept.

b. What is the distance from the subject property to the nearest fire protection district boundary?  
\_\_\_\_\_

c. Is it logical and feasible to annex the subject property to a fire protection district?  
 Yes -----  No Please explain: \_\_\_\_\_

d. What types of fire protection improvements are proposed for the subject property and or structures to be housed on the property? Please explain: NONE

---

---

---

---

By signing this Application, the Applicant, or the agent/representative acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the application and any attachments to the Application, is true and correct to the best of Applicant's knowledge and belief.

Applicant understands that any required private or public improvements imposed as a contingency for approval of the application may be required as a part of the approval process.

Fremont County hereby advises Applicant that if any material information contained herein is determined to be misleading, inaccurate or false, the Board of Commissioners may take any and all reasonable and appropriate steps to declare actions of the Board regarding the Application to be null and void.

Signing this Application is a declaration by the Applicant to conform to all plans, drawings, and commitments submitted with or contained within this Application, provided that the same is in conformance with the Fremont County Zoning Resolution.

ROBERTA NEWTON  
Applicant Printed Name

*R Newton*  
Signature

4/7/19  
Date

BARBARA F. MARTIN  
Owner Printed Name

*Barbara F. Martin*  
Signature

4/7/19  
Date



## FIRE PROTECTION AUTHORITY INFORMATION

1. The name of the fire protection authority is: Penrose Volunteer Fire Dept.
2. Name of contact person: Calvin Sunderman  
Title: Chief Sunderman Telephone: 719-372-3001
3. The name and address of the responding fire station is: Penrose Volunteer Fire Dept. 207 Broadway, St. Penrose, Co.
4. The distance from the subject property, by public roadway, to the responding fire station is: Approx 3 blocks
5. The estimated response time to the subject property is: 5 min
6. The location of the closest fire hydrant to the subject property is: 1/2 Block
7. Is the existing hydrant size and location adequate for the existing neighborhood and the proposed development?  Yes ---  No Please explain: \_\_\_\_\_
8. Are the existing public roadways accessing the subject property adequate for fire vehicle access?  Yes ---  No Please explain: \_\_\_\_\_
9. Are the interior roadways existing and or proposed for the subject property adequate for fire vehicle access?  Yes ---  No Please explain: \_\_\_\_\_
10. Are the proposed fire protection measures adequate for any existing or proposed structures to be housed on the subject property?  Yes ---  No Please explain: \_\_\_\_\_
11. What are the wildfire hazard classifications for the subject property, as prepared by the Colorado State Forest Service? \_\_\_\_\_





To: Penrose Fire Department  
Fremont Cty Sheriff Department  
Colo. State Patrol  
Colo. Department of Transportation  
Director of Fremont Cty Dept. Of Transportation  
Fremont Cty Environmental Health Officer

From: Penrose Park and Recreation District

Re: Temporary Use Permit

This is to inform you that Penrose Park and Recreation District is applying  
For a Temporary use Permit to have a Flea Market in Penrose, using the parking  
Lot at the Gooseberry Patch Restaurant, 660 Hwy 115, Penrose  
We are hoping to have the Flea Market on the second Saturday of each month,  
Beginning in May, and having last one in Sept.

There will be no need for street closures, the Penrose park will have bottled water  
for sale, no food will be sold by the vendors, restrooms will be provided by  
Gooseberry Patch Restaurant, cleanup of trash will be done by vendor's and Park  
Directors. If you have any questions, please contact Roberta Newton at 719-429-  
7002

Thank you,  
Roberta Newton  
secretary



**Colorado Special Districts Property and Liability Pool**

**INTERIM INVOICE**

**Date:** 19-Mar-19

**Named Member:** Penrose Park & Recreation District  
401 Park Place  
Penrose, CO 81240

**Broker:**

| Policy #   | Entity # | Reference # |  |
|------------|----------|-------------|--|
| 32C12091-9 | 12091    | CHG-6008    |  |

  

| Description                                | Amount          |
|--|-----------------|
| <b>General Liability</b>                   | <b>\$60.63</b>  |
| Loss of Multi Program Discount Endorsement | 60.63           |
|  | <hr/>           |
|  | \$60.63         |
| <b>Auto Liability</b>                      | <b>\$16.10</b>  |
| Loss of Multi Program Discount Endorsement | 16.10           |
|  | <hr/>           |
|  | \$16.10         |
| <b>Property Coverage</b>                   | <b>\$58.91</b>  |
| Loss of Multi Program Discount Endorsement | 58.91           |
|  | <hr/>           |
|  | \$58.91         |
| <hr/>                                      |                 |
| <b>(Direct Discount) Total Due</b>         | <b>\$135.64</b> |

**PAYMENT DUE UPON RECEIPT.**

Please send a copy of this invoice to help us apply your payment correctly.  
**NOTE: The terms of your Intergovernmental Agreement require timely payment to prevent automatic cancellation of coverage. Only Colorado Special Districts Property and Liability Pool Board of Directors can extend cancellation provision.**

**Please Remit to:** Colorado Special Districts Property and Liability Pool  
PO Box 1539  
  
Portland, OR 97207-1539  
Toll Free: 800-318-8870 / Fax: 503-943-6622