



**FREMONT COUNTY – COLORADO**  
**DEPARTMENT OF PLANNING AND ZONING**

APR 07 2021

615 MACON AVE., CANON CITY, COLORADO  
 719-276-7360 PH / 719-276-7374 FAX  
 Email: [Planning@fremontco.com](mailto:Planning@fremontco.com)

Planning & Zoning

**ACCESSORY DWELLING UNIT APPLICATION**

Project Name: Hall Residence Fee \_\_\_\_\_

Site Address: 415 Pierce Gulch Rd, Cotopaxi, CO 81223

Owner(s) Name(s) Pamela + Richard Hall  
 Address 415 Pierce Gulch Rd, Cotopaxi, CO 81223  
 Phone 214 315-6402 Fax \_\_\_\_\_  
 Email rickhall1001@aol.com

**Legal Description:**

Subdivision Name Iron Mountain Wilderness  
 Lot no. 31 Block no. Unit 1 Section no. Tract B 2 Township 20S Range 72 W  
 Property Tax Parcel or Schedule no. A16033 77018524 408503000015  
R626403  
 Mineral Rights Owner Pamela + Richard Hall

Zoning: Present AR Proposed AR

Land Description: Acreage 37.26 acres Sq.Ft. \_\_\_\_\_

**Utility / Services – Provide utility provider or source**

Water self Sewer / Septic self  
 Gas \_\_\_\_\_ Electric off grid solar  
 Phone AT&T Cable \_\_\_\_\_

Fire Protection District / Source Deer Mountain

Building Information: Primary Structure square footage 2200 sq ft ADU square footage 875.8 sq ft \*

**Required Attachments:** Plot Plan showing all proposed and existing structures with dimensions from property lines, all utility service lines, all parking areas and all exterior access points on dwelling units. Written proof of water and sewer/septic services showing proper and adequate availability for the proposed use. Certified mail receipts of notification of adjoining land owners. Signed Covenant of Restrictions to Accessory Dwelling Unit.

\*Permit for ADU shows 1100 sq ft + includes utility room + office not part of apt - separate access

To the best of my knowledge and belief, the information contained on this application and attachments thereto is true and correct.

Richard Hall 4/6/21  
 Applicants Signature Date

See attached "Statement of Use"

**DECLARATION OF COVENANTS AND RESTRICTIONS  
TO REAL PROPERTY REGARDING AN ACCESSORY DWELLING UNIT**

This Covenant between (land owner) and the County of Fremont, State of Colorado, is hereby recorded and attached to that parcel of land as described in deed as recorded in the records of the Fremont County Clerk and Recorder's office under Reception Number 77018524, and described as follows:

(INSERT LEGAL DESCRIPTION)

*Iron Mountain Wilderness Lot 31 Unit 1 Tract B*

I/We, herein, covenant and agree to the County of Fremont on behalf of ourselves and all heirs, assigns and successors of interest, into whose ownership the title to or interest in the above-described real property might transfer, as follows:

1. The owners are the sole and exclusive fee-simple owners of the above described parcel located within Fremont County, Colorado.
2. The owner(s) shall reside in the primary or accessory dwelling unit (ADU) as the principal and permanent residence at all times that the other dwelling unit is occupied. The owner(s) shall reside on the property for at least (6 months) out of the year, and at no time receive rent for, or otherwise allow a third party non-owner to reside in, the owner-occupied unit.
3. Sale of the ADU, separate from the primary dwelling, is prohibited.
4. Subdivision of the property in a manner that separates the ADU from the primary dwelling is prohibited.
5. Formal approval from Fremont County is required for modification of the size of the ADU.
6. These covenants and restrictions, shall run with the land and be binding and enforceable upon the owners and any and all of their heirs, assigns, grantees, and successors in interest into whose ownership title to the above-described real property may pass.
7. These covenants and restrictions will automatically terminate upon removal of the ADU from the parcel.
8. The provisions of these covenants and restrictions are enforceable in law or equity by Fremont County and its assigns. The Owner(s) expressly consent to and grant a private cause of action for enforcement, including damages and reasonable attorney fees, to any party is adversely affected by the failure to comply with the covenants and restrictions set forth herein.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed  
this 7<sup>th</sup> day of April, 2021.

Richard Allan Hall  
Owner

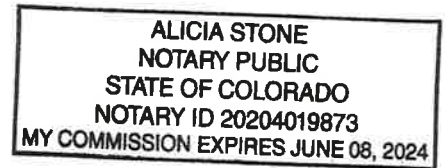
State of Colorado  
County of Fremont

The foregoing instrument was acknowledged before me this April 7<sup>th</sup> 2021 (date)  
by Richard Allan Hall (name of person acknowledged).

Alicia Stone  
Notary Public

Print Name: Alicia Stone

My commission expires: June 8<sup>th</sup>, 2024 (Seal)



Owner

State of Colorado  
County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ (date)  
by \_\_\_\_\_ (name of person acknowledged).

\_\_\_\_\_  
Notary Public

Print Name: \_\_\_\_\_

My commission expires: \_\_\_\_\_ (Seal)

**Rick and Pamela Hall  
415 Pierce Gulch Road  
Cotopaxi, Colorado 81223**

April 7, 2021

**Statement of Intended Use**

Fremont County  
Planning and Zoning

We are the owners of the property at 415 Pierce Gulch Road in Cotopaxi, Colorado. We have constructed a shop building and are near completion of an apartment in that building. We will live in the apartment while building a house nearby. When the house is complete later this year, we will move into the house. After we vacate the apartment it will be used solely for short term family visits (we have 15 grandchildren). It will be used only for such short-term visits. We anticipate that this will only total a few weeks per year. We will comply with all requirements appropriate for an Additional Dwelling Unit.

As it pertains to the installed and permitted Septic System (permit copy enclosed), our house will only have one bedroom as does the apartment (ADU). The septic system is sized for 3 bedroom occupancy – see permit.

Regarding the installed and permitted water well – because of the low short and long term intended usage of the ADU, we anticipate no difficulty. To safeguard against a problem, we have a 300 gallon storage tank in the apartment and will include the same in the house.

With regard to parking – there are two spaces at the ADU. The house will have a 3 car garage and additional parking for 4 vehicles directly east of the ADU.

For further clarification – the apartment ADU is 875.8 square feet.

The ADU is 130 ft from the house and sits back of the house 60 feet from the front of the property.

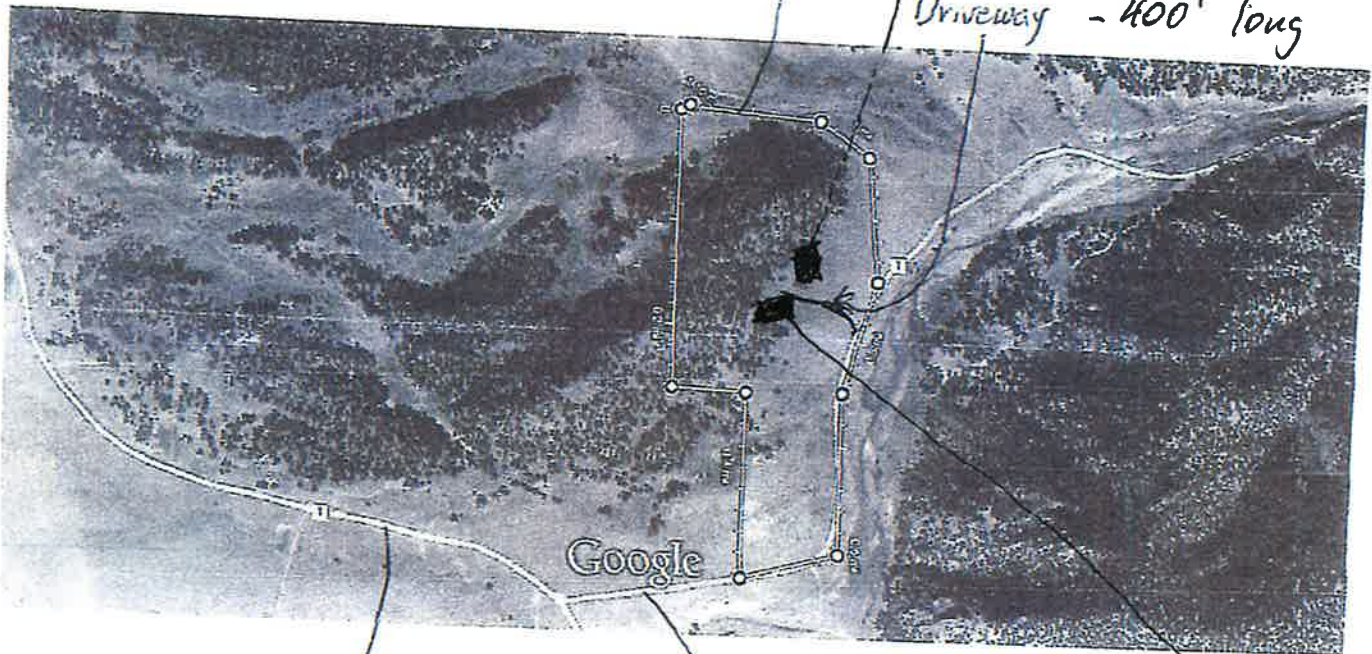
Please let us know if further clarification is needed. Thank you for your assistance.

Rick and Pamela Hall

Richard & Pamela Kay Hall

Property is  
Iron Mountain Wilderness  
Tract B, Unit 1, Lot 31  
37.26 acres  
Property Fronts Cty Road 1

GOOGLE Google Maps



Property Line  
house location  
Driveway - 400' long

Measure distance

Iron Mountain Road  
(also Cty Road 1)

Pierce Gulch Rd.  
(also Cty Road 1)

shop w/ ADU

house is 130' from ADU  
and ADU is back of house 60'

RECEIVED

MAY 17 2016

FREMONT COUNTY BUILDING DEPT.

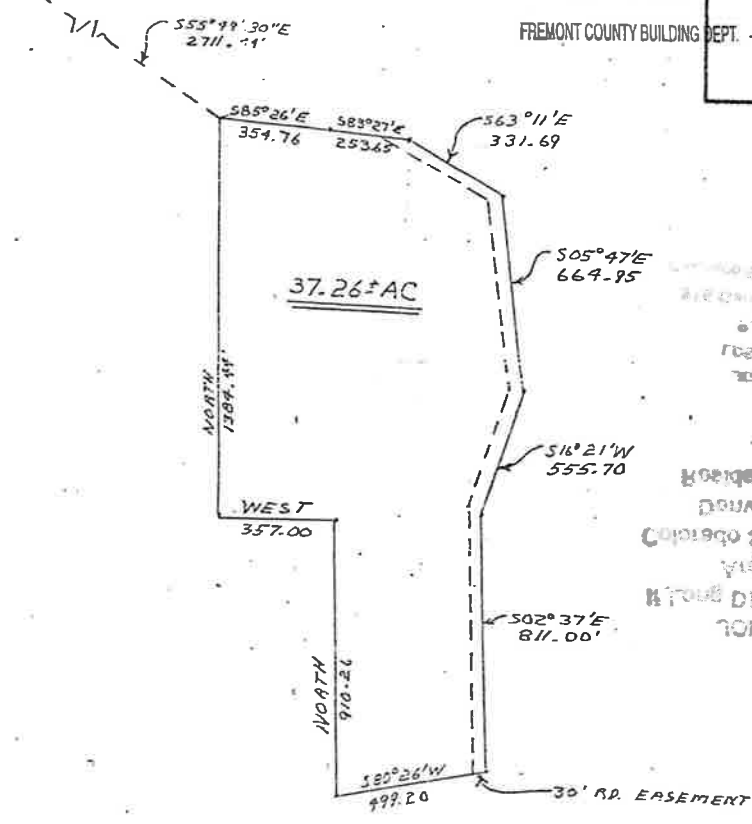
MAY 17 2016

IRON MOUNTAIN WILDERNESS

FREMONT COUNTY BUILDING DEPT.

TRACT B, UNIT 1, LOT 31

@ N 1/4 COR. SEC. 3



21-010

37.26± AC

JOHN MALLEO  
 1222 WEST 11th AVE  
 DURANGO, CO 81301  
 970-244-3800  
 JOHN MALLEO  
 808-283-8838  
 858-1188  
 888-1831  
 303-344-3033  
 JOHN MALLEO  
 JOHN MALLEO

A TRACT OF LAND LYING AND BEING IN THE  $\frac{1}{2}$  NW $\frac{1}{4}$  AND THE  $\frac{1}{2}$  SW $\frac{1}{4}$  OF SECTION 2, AND IN THE E $\frac{1}{2}$  NE $\frac{1}{4}$  AND THE E $\frac{1}{2}$  SE $\frac{1}{4}$  OF SECTION 3, ALL IN T20S, R72W, 6TH P.M. AS PER GOVERNMENT RE-SURVEY OF 1960. MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE N $\frac{1}{4}$  CORNER OF SAID SECTION 3;  
 THENCE: S55°49'30"E 2711.44 FEET;  
 THENCE: S85°26'E 354.76 FEET;  
 THENCE: S83°27'E 253.65 FEET;  
 THENCE: S63°11'E 331.69 FEET;  
 THENCE: S05°47'E 664.95 FEET;  
 THENCE: S16°21'W 555.70 FEET;  
 THENCE: S02°37'E 811.00 FEET;  
 THENCE: S80°26'W 499.20 FEET;  
 THENCE: NORTH 910.26 FEET;  
 THENCE: WEST 357.00 FEET;  
 THENCE: NORTH 1384.44 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 37.26 ACRES MORE OR LESS.

7/176  
11504

KNOW ALL MEN BY THESE PRESENTS:  
 That I, Richard G. Clark, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the same is true and correct to the best of my knowledge and belief.

*Richard G. Clark*  
 Richard G. Clark  
 Registered Land Surveyor  
 Colorado Reg. NO. 5836



Bearing by solar observation  
 Scale: 1" = 500  
 Corners are 15"x1/2" rebar

RICHARD G. CLARK  
 1211 MAIN AVENUE  
 DURANGO, COLORADO

Registered Surveying in  
 ARIZONA  
 COLORADO  
 NEW MEXICO  
 UTAH

10/11/16 File

**Rick and Pamela Hall  
415 Pierce Gulch Road  
Cotopaxi, Colorado 81223**

April 7, 2021

Good Gluck, LLC  
1986 Woodstone Lane  
Victoria, Mn 55386-9638

To whom it may concern

We are the owners of the property adjoining yours at 415 Pierce Gulch Road in Cotopaxi, Colorado. We have constructed a shop building and are near completion of an apartment in that building. We will live in the apartment while building a house nearby. When the house is complete later this year, we will move into the house. After we vacate the apartment it will be used solely for short term family visits (we have 15 grandchildren). It will be used only for such short-term visits.

Because this constitutes a second dwelling according to Fremont County Planning and Zoning regulations, we are required to notify you and afford you an opportunity to raise any questions or concerns with the County. This is part of the process in applying for an ADU (Additional Dwelling Unit) permit. We will of course comply with all Planning and Zoning and Building Department requirements.

Thank you for your time.

Rick and Pamela Hall

**Rick and Pamela Hall  
415 Pierce Gulch Road  
Cotopaxi, Colorado 81223**

April 7, 2021

Morris and Sarah Killough  
240 Pierce Gulch Road  
Cotopaxi, Colorado 81223

Hi Morris and Sarah,

We are the owners of the property adjoining yours at 415 Pierce Gulch Road in Cotopaxi, Colorado. We have constructed a shop building and are near completion of an apartment in that building. We will live in the apartment while building a house nearby. When the house is complete later this year, we will move into the house. After we vacate the apartment it will be used solely for short term family visits (we have 15 grandchildren). It will be used only for such short-term visits.

Because this constitutes a second dwelling according to Fremont County Planning and Zoning regulations, we are required to notify you and afford you an opportunity to raise any questions or concerns with the County. This is part of the process in applying for an ADU (Additional Dwelling Unit) permit. We will of course comply with all Planning and Zoning and Building Department requirements.

Thank you for your time.

Rick and Pamela Hall



**Rick and Pamela Hall  
415 Pierce Gulch Road  
Cotopaxi, Colorado 81223**

April 7, 2021

Sean Mendoza  
218 E Main St  
Florence, Colorado 81226-1531

Hi Sean,

We are the owners of the property adjoining yours at 415 Pierce Gulch Road in Cotopaxi, Colorado. We have constructed a shop building and are near completion of an apartment in that building. We will live in the apartment while building a house nearby. When the house is complete later this year, we will move into the house. After we vacate the apartment it will be used solely for short term family visits (we have 15 grandchildren). It will be used only for such short-term visits.

Because this constitutes a second dwelling according to Fremont County Planning and Zoning regulations, we are required to notify you and afford you an opportunity to raise any questions or concerns with the County. This is part of the process in applying for an ADU (Additional Dwelling Unit) permit. We will of course comply with all Planning and Zoning and Building Department requirements.

Thank you for your time.

Rick and Pamela Hall

OFFICE OF THE STATE ENGINEER  
COLORADO DIVISION OF WATER RESOURCES  
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203  
(303) 866-3581

WELL PERMIT NUMBER 299300  
DIV. 2    WD 12    DES. BASIN    MD

APPLICANT

PAMELA HALL  
9902 ASHMONT DR  
FRISCO, TX 75035-5249

(719) 275-9525

Lot: 31 Block: 1 Filing: Subdiv: IRON MOUNTAIN WILDERNESS

APPROVED WELL LOCATION

FREMONT COUNTY  
1/4    1/4    Section 2  
Township 20 S    Range 72 W    Sixth P.M.

DISTANCES FROM SECTION LINES

Ft. from    Section Line  
Ft. from    Section Line

UTM COORDINATES (Meters, Zone: 13, NAD83)

Easting:    Northing:

PERMIT TO CONSTRUCT A WELL

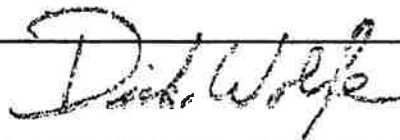
ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-92-602(3)(b)(II)(A) as the only well on a tract of land of 37.26 acres described as lot 31, Iron Mountain Wilderness division of land, located in Section 2 and Section 3, Township 20 South, Range 72 West of the Sixth P.M., Fremont County.
- 4) The use of ground water from this well is limited to fire protection, ordinary household purposes inside not more than three (3) single family dwellings, the watering of poultry, domestic animals and livestock on a farm or ranch and the irrigation of not more than one (1) acre of home gardens and lawns.
- 5) The pumping rate of this well shall not exceed 15 GPM.
- 6) The return flow from the use of this well must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located.
- 7) Pursuant to Rule 6.2.3 of the Water Well Construction Rules, the well construction contractor shall submit the as-built well location on work reports required by Rule 17.3 within 60 days of completion of the well. The measured location must be accurate to 200 feet of the actual location. The location information must include a GPS location (UTM coordinates) pursuant to the Division of Water Resources' guidelines.

NOTE: This permit will expire on the expiration date unless the well is constructed by that date. A Well Construction and Test Report (GWS-31) must be submitted to the Division of Water Resources to verify the well has been constructed. An extension of the expiration date may be available. Contact the DWR for additional information or refer to the extension request form (GWS-64) available at: <http://www.water.state.co.us>

APPROVED  
GAD



State Engineer



By

Receipt No. 3671968

DATE ISSUED 10-29-2015

EXPIRATION DATE 10-29-2017



Date Applied: 9/06/2016  
 Permit Fee: \$ 283.00  
 Use Tax: \$ 34.68  
 Colorado State Surcharge: \$ 23.00  
 Total: \$ 340.68

Septic Permit #: S16-090  
 Expiration Date: 9/19/2017  
 Paid By: eGov's  
 Receipt #: 2016-VBYKQS

**Inspection Request Line (719) 276-7373**

Building Permit # (if applicable): \_\_\_\_\_

## FREMONT COUNTY ON-SITE WASTEWATER TREATMENT SYSTEM PERMIT

Owner: Pamela Hall

Applicant: Kenny Houston

Mailing Address: 208 Indigo Way

Mailing Address: 6635 CR 28

City, State, Zip Code: Waxahackie, TX

City, State, Zip Code: Cotopaxi, CO. 81223

Phone Number: 254-652-5125

Phone Number: 719-371-2577

OWTS Contractor: Kenny Houston

Contractor Phone: 942-3198

License #: 331

Construction Address: 415 Pierce Gulch Road, Cotopaxi, CO. 81223

Gate/Combination Lock #: \_\_\_\_\_  Directions From Major Thoroughfare: (Include Legible Map & Directions)

Legal Description: Sch# 77018524

Type/Use of Structure: Single Family Residence

Lot Size: 37 Acres Source, Type of Water: Well

Maximum Potential # of Bedrooms: 3 Basement: No Washer: Yes Garbage Disposal: Yes

Engineering Firm: Richard W. Owens

Project Number: 1605230

Type of System: OWTS - New System

Absorption

Tank Size: 1000

Gallons

Absorption: 525 Square Feet

Perc Rate: 15

Min./Inch

LTAR: .60

NOTES: **Keep excavation shallow - Locate in designated area - Maintain all separations "Insure that system is not located in nearby Flood plain."**

Is Site Within 400 Feet of Sewer Main?:  Yes  No

Or Within a Sewer District?:  Yes  No

If YES, Is A Letter of Refusal To Connect Attached?: N/A

Is Site In A Designated Flood Plain?:  Yes  No

If YES, Engineer's Requirements Listed? \_\_\_\_\_

I certify that the On-Site Waste Water Treatment System (OWTS) described in this permit will be installed in compliance with the attached percolation test report and the Fremont County and State of Colorado Regulations. I understand that I will be responsible for the operation, maintenance, and performance of the OWTS. In addition, I am aware that it is my responsibility to provide the contractor with a copy of the attached percolation test report. I am also aware that the issuance of this permit does not constitute assumption by the local health department or its employees of liability for failure of any OWTS. Request for inspection will be required after installation of all pipe and gravel prior to installation of bay, strawler, similar pervious material unless otherwise specified by engineer. The system must be properly protected from off site drainage, vehicular traffic, and livestock. This system and its running order is the sole responsibility of the owner. After this system has been inspected and approved by the inspector it shall be assumed that this system is in proper working order. Approval of Fremont County On-Site Waste Water Treatment Permit does not guarantee or assure that the proposed use is permitted within the zone district for the property, nor does it guarantee or assure that any proposed building complies with applicable land use and requirements for the zone district, such as setbacks, height restrictions, or other similar issues. You have the responsibility and obligation to verify and confirm that all proposed uses are allowed in the zone district and conform to the requirements of the zone district for the property.

Owner or Applicant's Signature: Signature on File

Date Applied: 9/06/2016

### FINAL OWTS INSPECTION:

Tank Information: Size: 1000 Gallons Number of Compartments: Two  
 Is Entrance and Exit Sealed:  Yes  No Is Tank Level?  Yes  No  
 Pipe Inlet-Outlet?: Sch 40 Distance From Building: \_\_\_\_\_ Feet Distance From Well: 300+ feet  
 Absorption Bed Information: Type of System Installed: Chambers in Trenches  
 Pipe & Rock:  Chamber:  Absorption Bed:  Absorption Trench:  Width: 25' Length: 62'  
 Number Of Trenches: 3 Total Square Feet: 540 Gravel Depth: \_\_\_\_\_ Inches  
 Is Pipe Level?:  Yes  No If Bed, Is Pipe Been Connected?:  Yes  No Distance From Well: 400+ feet  
 Distance From Building: \_\_\_\_\_ feet Is System Located In Recommended Area?:  Yes  No

### DEPARTMENT USE ONLY:

Installation Has Been: Approved

Disapproved

NOTES: 45 Chambers in 3 Trenches

Approved By: Wyatt Sanders

Date Approved: 11-3-2016

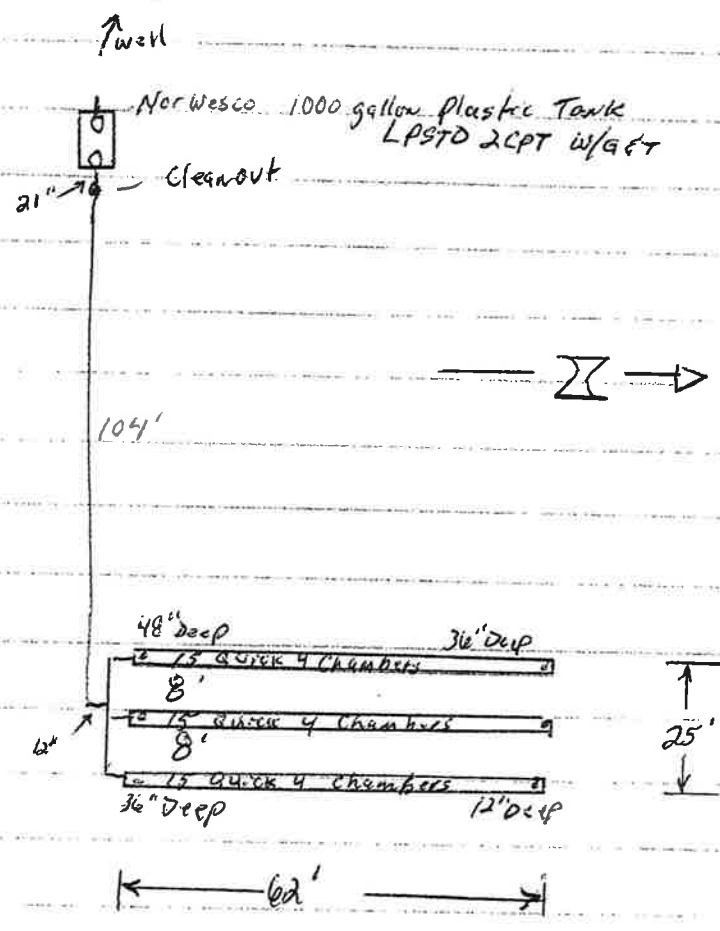
Prepared By: Danielle Adams

Date Prepared: 9/19/2016

11-2-2016

415 Pierce Gulch Road

516-090



NO Dwelling at  
Time of inspection

7015 0640 0006 1766 2380

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<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$

Sent To  
**Sean Mendoza**  
 Street and Apt. No., or PO Box No.  
**218 E Main St**  
 City, State, ZIP+4®  
**Florence, Colorado 81226**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7015 0640 0006 1766 2373

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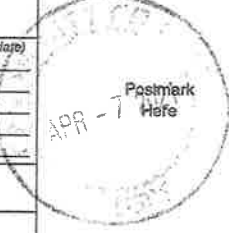
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Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$

Sent To  
**Morris & Sarah Killough**  
 Street and Apt. No., or PO Box No.  
**240 Pierce Gulch Road**  
 City, State, ZIP+4®  
**Cotopaxi, Colorado 81223**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



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Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$

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 Street and Apt. No., or PO Box No.  
**1986 Woodstone Lane**  
 City, State, ZIP+4®  
**Victoria, Mn 55386-9638**

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