

***Planning and Zoning, Office of Code/SMM Enforcement***

615 Macon Avenue Room 210

Canon City, Colorado 81212

Telephone (719) 276-7360 / Facsimile (719) 276-7374 / Email [planning@fremontco.com](mailto:planning@fremontco.com)

## **Notice of Violation**

Christina Waide  
60901 U.S. Hwy 50  
Penrose, CO 81240

Certified Mail # 91-7199-9991-7035-4656-3809

Case# 17- 060

**11/8/2017**

This is in reference to case # **17- 060** for the property known as *60901 U.S. Hwy 50* legally described as M & B OR UNKNOWN E2SW4NE4 SEC 34-18-69 TR-187 REF FROM 710-79-201 MANUF #93000-02-463 and located within the **AF- Agriculture Forestry zoning district**.

This is to inform you that you have not complied with the request stated within the compliance advisory dated **9/12/2017** which requested that you submit a compliance plan no later than **09/25/2017**.

And, the Failure to Contact or Comply dated **10/19/2017** that requested the following action(s) be taken no later than **3 November 2017**:

- A. Remove junk trash and debris from the property
- B. Remove the manufactured home that was brought onto the property
- C. Reduce the number of unlicensed and inoperable vehicles down to three

**Inspections and/or failure to contact determines that you have failed to comply and therefore are being issued a:**

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## **Notice of Violation**

The County hereby finds you to be 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.

**1.5.80 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.

**3.18 Permitted Dwelling Unit:** In zone districts where agricultural uses are allowed as a permitted use those uses may include one (1) permitted dwelling unit use for the owner or operator of the agricultural use, except as otherwise may be allowed in this document. For the purposes of this regulation agricultural uses are uses such as but not limited to forestry, farming, ranching, firewood cutting, fur bearing animal farms, commercial greenhouse, nursery, orchard and vineyard, riding academy, stable, veterinary premises.

**3.5** No single tract, parcel, or lot shall contain more than one (1) principal use or structure.

**3.7.1.2** A stored manufactured home or manufactured home single-wide shall not be used as a dwelling or storage building and shall not be connected to any utilities.

**3.7.1.1** A manufactured home or manufactured home single-wide storage permit shall be obtained prior to storing a manufactured home or manufactured home single-wide in any district that allows such storage.

**1.5.23 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.

**To mitigate the violation(s), the following shall be completed:**

- A. Remove junk trash and debris from the property
- B. Remove the manufactured home that was brought onto the property
- C. Reduce the number of unlicensed and inoperable vehicles down to three

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**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.

**1.6.1 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.

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 **12/13/2017**. If compliance is **not accomplished** within the stated time period, then your file **ZV17- 060** 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* **[not less than five hundred dollars nor more than one thousand dollars,]** as stated in the Colorado Revised Statutes. A copy of the Colorado Revised Statute §30-28-124 and §30-28-124.5 concerning such 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.**

Respectfully,

***Robert Sapp, Sean Garrett, & Fredric Gifford***

Code SMM Enforcement Officers

CC: County Attorney