

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

**Telephone (719) 276-7360**

**Facsimile (719) 275-7538**

**VIOLATION NOTICE**

Certified Mail #7002-0510-0002-9248-9742

April 1, 2004, ~~2004~~

Carl Eacker  
1420 East 8<sup>th</sup> Street  
Penrose, Colorado 81240

**REFERENCE: ZV04-016 VIOLATION NOTICE for the property located at 1420 East 8<sup>th</sup> Street, Penrose, Colorado, 81240**

This is to inform you that a drive-by/on site inspection of your property was conducted on November 12, 2003, March 16, 2004. This letter is an official: **NOTICE OF VIOLATION**

According to the records of the Fremont County Assessor, you are the owner of the property at **1420 East 8<sup>th</sup> Street, Penrose**, legally described as: **LOT 1 FAGIN SUBDIVISION REF FROM 690-01-950 (MOBILE #93000-01-556) (MOBILE #93000-01-649)**

The previously described property is currently zoned in the **Agricultural Rural Zone District (AR)**  
**4.4 AR - AGRICULTURAL RURAL ZONE DISTRICT**

**4.4.1 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 retail or professional nature and commercial uses related to agriculture.

**You are hereby notified that you are in violation of the following Zoning Resolutions for Fremont County and the State of Colorado.**

**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.

**1.5.20 AUTOMOBILE GRAVEYARD:** Any property consisting of one (1) lot, tract, or parcel or more, or place of business which is maintained, used or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled, unlicensed, or inoperable motor vehicles 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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## VIOLATION NOTICE

**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, appliances, or parts thereof, iron, steel and other old or scrap ferrous or non ferrous material of any kind whether of value or valueless.

**1.5.81 JUNKYARD:** Any property consisting of one (1) lot, tract or parcel or more, or a place of business which is maintained, operated, or used for storing, 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 is not deemed to be a junkyard.

**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 all junk or garbage from the property.
- B. Limit the storage of wrecked, scrapped, ruined, or dismantled, unlicensed, or inoperable motor vehicles to three (3) or fewer.

You have **Sixty-one days(61)** 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 date for compliance is May 31 2004.** If compliance is not accomplished within said **Sixty-one days (61)**, then your file **ZV03-016** 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 **Sixty-one days (61)**. If you need any additional information please contact the department at 719-276-7360.

Sincerely,

*Robert Sapp & Walter Elkins*

Code Enforcement Officers

cc: Fremont County Attorney