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[illegible]



STAFF REPORT

Zone Change #1

Kewish 25-001

Date: September 23rd 2025

PURPOSE

The purpose of this rezone is to change the zone district from Residential Three to Residential Two. The current parcel is 41 acres more or less, with a net tract area of 35.5 acres excepting the right-of-way for D&RGW Railroad and Fremont County Road 45.

This zone change would allow the owner the ability to apply for a subdivision with lots smaller than the 18-acre minimum of Residential Three Zone District while still maintaining the rural characteristics of District 5, Upper Arkansas Valley District.

The Applicant believes the Arkansas River corridor will retain its visual qualities and scenic resources if the zone changes to the Residential Two Zone District.

LOCATION

360 Granite Hills Road, Cotopaxi CO 81212

ZONING AND LAND USE

Zoning: Residential three

North: Residential three - Residential

East: Residential three - Residential

South: Residential three/ Residential two - Residential

West: Residential three - Residential

ACCESS:

1 access point located on Granite Hills Road

FLOODPLAIN:

Southwest corner SFHA:A

PUBLIC COMMENTS/CONCERNS:

No written comments received. Individuals came in to inquire about the process of a Zone Change and had verbal concerns about losing the rural characteristics of the area due to a higher density.



Fremont County
Planning and Zoning Department
615 Macon Avenue, Room 210
Cañon City, CO 81212

AGENCY COMMENTS

Staff requested comments from various review agencies. Staff has incorporated comments received to date either in their entirety or in part into this staff report.

FREMONT COUNTY BUILDING AND ENVIRONMENTAL HEALTH:

This department doesn't have any records on this property, but the assessor is indicating that there are possibly two dwellings on the property.

CODE ENFORCEMENT:

No concerns at the time of inspection.

STAFF COMMENTS

RECOMMENDATION

Having found the application is in compliance with the requirements of the Fremont County Zoning Resolution, staff recommends **APPROVAL** of the Zone Change #1 from Residential Three Zone District to Residential Two Zone District.



Planning and Zoning Department

615 Macon Avenue Room 210, Canon City, Colorado

Telephone (719) 276-7360 / Facsimile (719) 276-7374

Email planning@fremontco.com

August 11, 2025

Allan Doran
1402 I Street
Salida, CO 81201

SUBJECT: ZC #1 25-001 KEWISH

At the regular meeting on August 5, 2025, the **Fremont County Planning Commission**, **recommended Approval** of Dept. file# **ZC #1 25-001 Kewish** to rezone from Residential Three to Residential Two.

This item is to be scheduled for a public hearing by the Board of County Commissioner's at their next regular meeting on **August 26, 2025, 9:00 A.M.** in the County Commissioner's Meeting Room (LL3, lower level) at the Fremont County Administration Building. **THE APPLICANT AND/OR A REPRESENTATIVE ARE NOT REQUIRED** to attend the above Meeting.

If you have any questions, please contact the Department of Planning and Zoning.
FREMONT COUNTY.

Dan Victoria,
Planning Director



FREMONT COUNTY

DEPARTMENT OF PLANNING AND ZONING

615 MACON AVENUE, ROOM 210, CAÑON CITY, COLORADO, 81212

Telephone 719-276-7360 / Facsimile 719-276-7374

Email: Planning@fremontco.com

Check the Applicable Application

☒ Zone Change #1

\$1,250.00

PROPERTY INFORMATION: Provide information to identify property. Attach additional sheets if necessary.

Property Address(es):

360 Granite Hills Road, Cotopaxi

Tax ID/Parcel Numbers(s): 98604530

Parcel size(s) in Acres: 35.5

Existing Zone District:

R3

Proposed Zone District:

R2

PROPERTY OWNER(S) INFORMATION: Indicate the person(s) or organization(s) who own the property proposed for the zone change. Attach additional sheets if there are multiple property owners.

Name(s) (Individual or Organization):

Ralph W Jr and Joann C Kewish

Mailing Address:

PO Box 183, Howard, Colorado 81233

Telephone:

719-942-4203

Email Address:

rjkewish@gmail.com

AUTHORIZATION REPRESENTATIVE / AGENT / CONSULTANT: Indicate person(s) submitting the

application if different than the property owner(s). Attach additional sheets if necessary.

Name(s) (Individual or Organization):

Allan Doran

Mailing Address:

1402 I Street, Salida, Colorado 81201

Telephone:

719-539-2046

Email Address:

Allandoran719@gmail.com

By signing this Application, the Applicant, or the agent / representative / consultant 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 the Applicant's knowledge and belief.

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

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

Signing this Application is a declaration by the applicant that all plans, drawings and commitments submitted with or contained within this Application are or will be in conformance with the requirements of the Fremont County Zoning Resolution.

Allan Doran Allan Doran 3-21-25
Printed Name Applicant Signature Date

RALPH W. KEWISH, Jr Ralph W. Kewish 3-21-25
Printed Name Owner Signature Date
JOANN KEWISH Joann Kewish 3/24/25



Fremont County Planning & Zoning Department

Zone Change #1 Application

1. A statement of justification for the rezoning, including at least one of the following conditions:
 - a. Evidence that additional land is needed in the proposed zone district.
 - b. Evidence that there has been a material change in the neighborhood that justifies the requested zone change.
 - c. Evidence that the proposed zone change will be in conformance with the Fremont County Master Plan for the area. <https://fremontcountyco.gov/files/planning-and-zoning/masterplan2015.pdf>.
 - d. Effects the proposed zoning and proposed use would have on adjacent uses. If there is an adverse effect on adjacent uses, include mitigation measures.

The rezone will conform to the rural character of the district. The lot size is currently 35 acres and does border the Arkansas River. The Master Plan states the importance of keeping the corridor visually rural, which this rezoning will continue to adhere to. The maximum lot coverage for R2 is 15%, which this property currently is in compliance with. The current property currently is used for agricultural use. The property to the south of the property is zoned R2 also.

2. Written description of the buildings and or uses proposed.

Current use is a private residence with outbuildings. The access will remain from Granite Hills Road.
The proposed use will allow for additional buildings on the 35 acre property. In addition, it will allow for a future small subdivision while maintaining the rural aspects of the Fremont County Master Plan.

3. Please indicate the Zone District & Current Land Use within five hundred (500) feet of the boundary of the proposed area of change in all directions from the subject property. Additional sheets can be added if needed.

	Zone District	Land Use
Northerly	R3	private residence with outbuildings
Easterly	R3	Private residence with outbuildings
Westerly	R3	Private residence with outbuildings
Southerly	R2	Private residences with outbuildings

4. Master Plan – Planning District of property: District 5 - Upper Arkansas Valley District

5. A statement of how the proposed use meets the intent, purpose, and applicable goals and objectives of the Fremont County Master Plan. <https://fremontcountyco.gov/files/planning-and-zoning/masterplan2015.pdf>

The Master Plan states is in effect to ensure the development of the Arkansas River corridor

remains aesthetically rural. By rezoning the lot in question, it will allow for future development within the rural guidelines. The lot size is currently 35.5 acres, which is larger than the minimum lot size. The area south of the property is currently zoned R2.

REQUIRED EXHIBITS

Submittals and exhibits should be clearly identified with section and/or question number located on the bottom right-hand corner, or otherwise tabbed or marked. Any waiver requests shall be labeled as the same exhibit number.

REQUIRED SUBMITTALS – SECTION TWO

<input checked="" type="checkbox"/> Exhibit 2.1	Right to Occupy
<input type="checkbox"/> N/A	1. A copy of the current deed of record indicating ownership and the legal description.
	2. A letter authorizing a non-owner occupant to make an application.
<input checked="" type="checkbox"/> Exhibit 2.2	Right of access to public or private roads when the property does not have adequate frontage on a County Road.
<input checked="" type="checkbox"/> Exhibit 2.3	A list of names and mailing addresses for all property owners within five hundred (500') feet of the boundaries of the subject property.

IF APPLICABLE SUBMITTALS – SECTION THREE

<input type="checkbox"/> Exhibit 3.1	A Fremont County Driveway Access Permit
<input type="checkbox"/> N/A	
<input type="checkbox"/> Exhibit 3.2	A Colorado Department of Transportation access permit
<input type="checkbox"/> N/A	
<input type="checkbox"/> Exhibit 3.3	Proof of notification and comments from the Colorado Department of Transportation
<input type="checkbox"/> N/A	

SITE PLAN

- ☐ Two (2) copies of a drawing shall be prepared to professional standards, minimum size 24" X 36", drawn at a common increment scale between or including 1" = 50' and 1" = 200' unless otherwise approved by the Department prior to submittal of the application. Two (2) reduced (to 11"x17") copies all of which shall include the following:
 - ☐ Written and graphic scale with minimum of 1" = 200' max 1" = 50';
 - ☐ Titles (Name) Zone Change Request from _____ Zone District (existing) to _____ Zone District (proposed);
- ☐ Boundary drawing of the property with bearings and dimensions to illustrate the legal description of the subject property;
- ☐ Legal description of the property;
- ☐ Acreage or square footage of the subject property;
- ☐ Zoning classification for all adjoining lots, parcels, or tracts
- ☐ North Arrow;
- ☐ Vicinity map locating the subject property in relation to surrounding areas;
- ☐ The size, shape, and location of all existing and proposed buildings, structures, and improvements including: *(Note: Typical type drawings and or tables may be used to express the required information if appropriate.)*
 - 1. Each such building, structure and or improvement shall have a label and or note that identifies it and states existing and/or proposed use.
 - 2. Location dimensions from at least two property lines for each building, structure and/or improvements.
 - 3. Square footage and dimensions of all buildings and structures.
- ☐ The drawing shall contain tables or notes comparing:
 - 1. The maximum number of lots that could be created from the subject property taking into consideration the minimum lot size allowed in the proposed zone district and the available potable water and sewage disposal source for the property, to the amount allowed in the current zone district.
 - 2. The potential maximum amount of the land, in square feet and acres that would be allowed to be covered on the subject property in the proposed zone district, to the amount allowed in the current zone district.
- ☐ Location and dimension(s) of all access points from the subject property to the public roadway system. Locate each access point by providing dimensions from property lines.
- ☐ If drawing requires the use of symbols or lines that cannot or should not be identified by label, then the drawing shall include a legend.
- ☐ If the drawing requires notes to understand different aspects of the property and or proposal, the drawing shall contain a note section in which each note is identified by a numerical or alpha designation.
- ☐ Identification and location of all drainageway, drainage facilities, including FEMA flood areas with the Map # and effective date, to include dimensions from property lines;

三、

ZC 2.1

EXHIBIT "A"

OGDEN TO KEWISH

A tract of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 17, and in the North Half of the Northwest Quarter (N 1/2 NW 1/4) of Section 20, all in Township 48 North, Range 11 East of the New Mexico Principal Meridian, Fremont County, Colorado, being more particularly described as follows:

Beginning at the 1/4 corner (B.L.M. Brass Cap Monument) common to said Sections 17 and 20; thence North 00°59' West along the east boundary of the said Southeast Quarter of the Southwest Quarter of Section 17, a distance of 1121.31 feet; thence South 39°51'33" West 1472.94 feet to section line common to said Sections 17 and 20; thence South 30°18'26" West 612 feet more or less to the center thread of the Arkansas River; thence Southeasterly along the center thread of said river to the south boundary of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 20; thence North 89°32'34" East along said south boundary 659 feet more or less to the Southeast corner of the said North Half of the Northwest Quarter; thence North 00°14'06" East 1296.88 feet to the point of beginning.

Containing a Gross Area of 41 Acres more or less.

Excepting therefrom the right-of-way for the D & RGW Railroad running through the above described tract, said right-of-way containing 5.27 Acres more or less.

Also excepting therefrom the right-of-way for Fremont County Road No. 45 running through the above described tract that is not located within the right-of-way of the D & RGW Railroad, containing 0.25 Acres more or less.

Resulting in a Net Tract Area of 35.5 Acres more or less.

Excepting therefrom any other rights-of-way or easements of record or existing.

Fremont County Planning & Zoning
Fremont County Commissioners
615 Macon Avenue
Canon City, CO 81212

RE: Authorization for Allan Doran

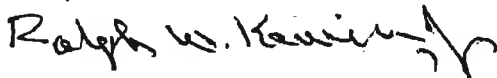
Greetings,

We authorize Allan Doran to act on our behalf for the Zone Change process of our property located at 360 Granite Hills Road in Cotopaxi, located in Fremont County.

We also authorize Mr. Doran to act on our behalf for the minor subdivision process of the same property.

Thank you,

Ralph W Kewish Jr



Joann C Kewish

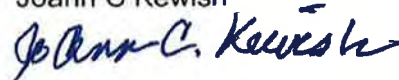


Exhibit ZC-21²

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Neighboring properties

Phil Zichterman
PO Box 249
Howard, CO 81233
98704290

Nathaniel Wright
PO Box 777
Salida, CO 81201
78080011

Daniel & Evelyn Ogden
PO Box 35
Howard, CO 81233
98704291

Michael & Kimberly Shaffer
501 E Highway 50
Salida, CO 81201
98205116

BLM
3028 E Main Street
Canon City, CO 81212
3951000000001

Michael & Kimberly Shaffer
PO Box 161
Howard, CO 81233
98405041

Kathleen Whysner
527 36 ⁵/₈ Road
Palisade, CO 81526
98205115

Fremont Cty. Comm.
615 Macon Ave #105
Canon City, CO 81212
3951200000008

Bernardus Koons
405 Granite Hills Road
Cotopaxi, CO 81223
78079003

James Lemermeier
PO Box 146
Coaldale, CO 81222
99804251

John Shoup
PO Box 95
Coaldale, CO 81222
78079002

Jesse & Joan Cannon
PO Box 212
Coaldale, CO 81222
99304324

EXHIBIT ZC-2.3

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Vallie Ranch LLC
PO Box 27
Coaldale, CO 81222
99304323
99204040

Arthur & Jane Levene
9625 State Highway 291
Salida, CO 81201
78003050

Colorado Parks

Jo A Lobmeyer Rev. Trust
PO Box 75
Coaldale, CO 81222
78002800

Dept. of Wildlife

LEGAL DESCRIPTION - KEWISH PROPERTY

A tract of land located in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 17, and in the North Half of the Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 20, all in Township 48 North, Range 11 East of the New Mexico Principal Meridian, Fremont County, Colorado, being more particularly described as follows:

Beginning at the $\frac{1}{4}$ corner (B.L.M. Brass Cap Monument) common to said Sections 17 and 20; thence North $00^{\circ}59'$ West along the east boundary of the said Southeast Quarter of the Southwest Quarter of Section 17, a distance of 1121.31 feet; thence South $39^{\circ}51'33''$ West 1472.94 feet to section line common to said Sections 17 and 20; thence South $30^{\circ}18'26''$ West 612 feet more or less to the center thread of the Arkansas River; thence Southeasterly along the center thread of said river to the south boundary of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of said Section 20; thence North $89^{\circ}32'34''$ East along said south boundary 659 feet more or less to the Southeast corner of the said North Half of the Northwest Quarter; thence North $00^{\circ}14'06''$ East 1296.88 feet to the point of beginning.

Containing a Gross Area of 41 Acres more or less.

Excepting therefrom the right-of-way for the D & RGW Railroad running through the above described tract, said right-of-way containing 5.27 Acres more or less.

Also excepting therefrom the right-of-way for Fremont County Road No. 45 running through the above described tract that is not located within the right-of-way of the D & RGW Railroad, containing 0.25 Acres more or less.

Resulting in a Net Tract Area of 35.5 Acres more or less.

Excepting therefrom any other rights-of-way or easements of record or existing.



Fremont Sanitation District

*107 Berry Parkway Cañon City, CO 81212-3900
(719) 269-9050 Fax - (719)276-7001*

MEMORANDUM

To: Dan Victoria, Director, Fremont County Planning & Zoning
Danielle Adamic, Senior Planning Coordinator, Fremont County Planning & Zoning

From: Jennifer E. Irvine P.E., MPA, District Engineer

Date: 9 April 2025

RE: Kewish Zone Change (ZC #1 25-001)

Fremont Sanitation District (FSD) has the following comments regarding review of documents received on 1 April 2025 for Kewish Zone Change (ZC #1 25-001):

The subject property is located outside the boundaries of FSD. Public sanitary sewer is not available for this location at this time. FSD has no additional comments or concerns regarding the proposed action.

Please do not hesitate to contact me should you require additional information.



Fremont County

Department of Transportation

1170 Red Canyon Road • Cañon City, Colorado 81212
Phone: 719-276-7430 • Fax: 719-275-2120

4.23.2025

Fremont County Planning & Zoning
615 Macon Ave., Room 210
Cañon City, CO 81212

RE: ZC 25-001 #1 Kewish

Dear Mr. Victoria,

The FCDOT has reviewed the application and we do not have any issues at this time.

Should you have any questions or need further assistance, feel free to contact us.

Sincerely,

Michael Whitt

Michael Whitt
FCDOT Director



FREMONT COUNTY
Project Engineer
615 Macon Avenue
Canon City, Colorado 81212
Office (719) 276-7367 Cell (719) 792-9372
Email: Samuel.Cocchia@fremontco.com

April 17, 2025

Daniel Victoria, Director
Fremont County Department of Planning and Zoning
615 Macon Avenue, Room 210
Canon City, CO 81212

Subject: ZC #1 25-001 Kewish

I have reviewed the subject application and have no comments. If you have questions or need further assistance, please don't hesitate to contact me.

Thank you.

Samuel R. Cocchia

Samuel R. Cocchia, PE
Fremont County Engineer

Joanne Kohl

From: Lancaster - CDOT, Adam <adam.lancaster@state.co.us>
Sent: Tuesday, April 1, 2025 7:56 AM
To: Joanne Kohl
Subject: Re: ZC #1 25-001 Kewish

CAUTION: This sender is located outside of your organization.

Joanne

We are in receipt of the above-referenced development submittal. After review of the provided documents, CDOT Staff currently has NO COMMENT pertaining to this submittal.

Thank you

On Tue, Apr 1, 2025 at 7:33 AM Joanne Kohl <joanne.kohl@fremontco.com> wrote:

Good morning,

Attached is the application for ZC #1 25-001 Kewish for your review. Please provide any comments by 4-15-2025. Please contact our office if you have any questions or if we can be of further assistance.

Thank You,

Joanne



Joanne Kohl

Planning and Zoning Department
665 Mason Avenue Room 20
Canon City, CO 822
Telephone (719) 276-7360

Email: joanne.kohl@fremontco.com

You're receiving this message because you're a member of the ZONE CHANGES group from Fremont County. To take part in this conversation, reply all to this message.



**FREMONT COUNTY
BUILDING AND ENVIRONMENTAL HEALTH
DEPARTMENT**

**615 MACON AVENUE, ROOM 212
CAÑON CITY, COLORADO 81212
OFFICE (719) 276-7460
FAX (719) 276-7461**

TO: Planning and Zoning

ATTN: Director, Dan Victoria
Planning Coordinator, Danielle Adamic

FROM: Wyatt Sanders, Fremont County Building Official
Fremont County Environmental Health

SUBJECT: ZC #1 25-001 Kewish

DATE: 8 April 2025

This department has had the opportunity to review the application for the Kewish zone change located at 360 Granite Hills Road, ZC#1 25-001.

This department doesn't have any records on this property, but the assessor is indicating that there are possibly two dwellings on the property.



Planning and Zoning Department

615 Macon Avenue Room 210, Canon City, Colorado 81212

Telephone (719) 276-7360 / Facsimile (719) 276-7374

Email planning@fremontco.com

Inspection Checklist

Date **4/15/2025**

Project Name: **ZC #1 25-001 Kewish**

Any Current Permits? ☐ Yes or ☒ No

Any Past Permits? ☐ Yes or ☒ No

Current Violation? ☐ Yes or ☒ No

Past Violations ☐ Yes or ☒ No

VISUAL OBSERVATIONS CHECKLIST

of buildings: **8**

Types: **Dwelling, 2 Sheds, 5 Barns**

SMM on site? **No**

Does the site plan match site conditions? **Yes**

Structures Code/Zoning Compliant : **Yes**

Land Use Compliant: **Yes**

Notes/Concerns

No concerns at the time of inspection.

Matt Tafoya

April 15, 2025

George Meffley

April 15, 2025

Kyle Yarberry

April 15, 2025

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04/14/2025



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04/14/2025



04/14/2025

KEWISH ZONE CHANGE

ZC 25-001

17

20

50

50

CR-340A=CR-340A

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KEWISH ZONE CHANGE

17

08043C0525E

ZC 25-001

20

sfha: A



CR-340A=CR-340A

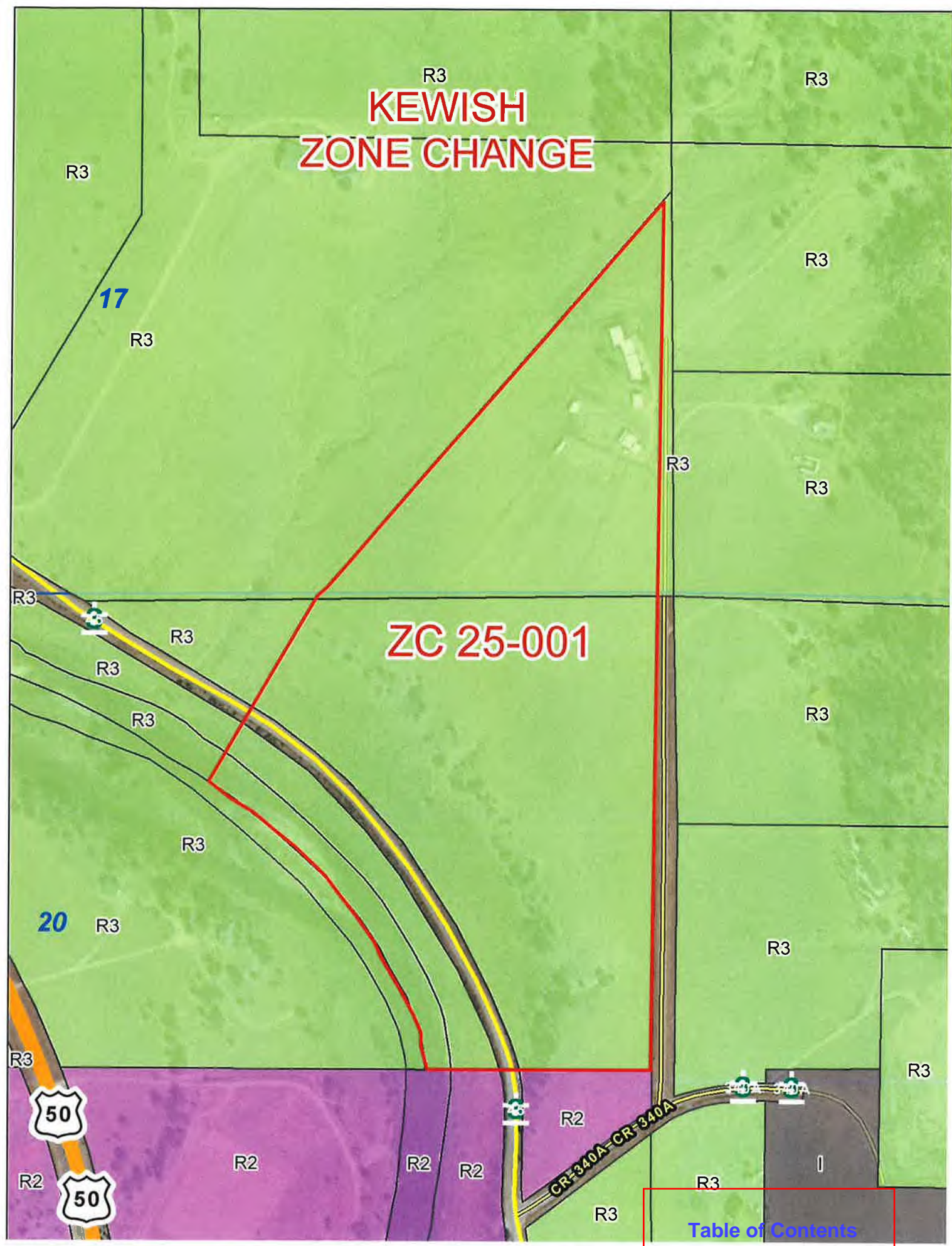
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R3

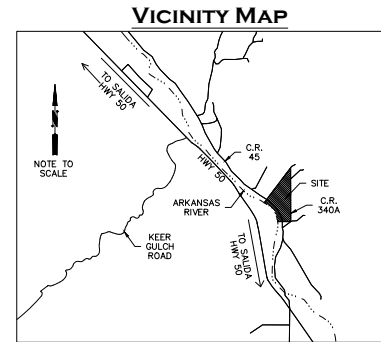
KEWISH ZONE CHANGE

ZC 25-001

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FROM RESIDENTIAL 3 DISTRICT TO RESIDENTIAL 2 ZONE DISTRICT
COUNTY OF FREMONT, STATE OF COLORADO



LEGAL DESCRIPTION:

[illegible]

NOTES:

1. Date of Survey: 06/26/2021, 2022, 2024
2. Street Address: 3606 Granite Hills Drive, Colopaco, CO
3. Location of Lot Lines, Improvements and site features are based upon the Warranty Deed Recorded in the Clerk of the County of Grant, Colorado at Reception No. 528813. This Survey does not constitute a Boundary survey nor does this Survey constitute a title search for the above mentioned property.
4. This Survey and subsequent Site Plan was performed with the aid of a Title Commitment provided by the Client. Commitment File No. 24-23470, issued by Central Colorado Title and Escrow with an effective date of 2/20/24 and 7/8/24.
5. This property is subject to the Fremont County Zoning Resolution. This property may be subject to additional setbacks and easements.
6. This is not a Boundary Survey, Land Survey Plat, or Improvement Survey plat. No boundary resolution is intended in making this plat. At lot lines, setback lines, and easement lines shown herein should be considered approximate and should not be relied upon for the placement of any future improvements.
7. At the time of the survey there were no encroachments found on the subject property.
8. Sange De Cires Electric easements recorded at Reception Numbers 738565 & 851788 are shown in the approximate location based upon located above ground utilities. No width of easement specified in documents at said Reception Number.
9. Zone Change Requested from Residential (3 R(3)) to Residential (2 R2)
10. Potable water and sewage disposal is to be accessed on the subject parcel.
11. The potential maximum amount of the land that would be allowed to be covered on the subject property in the proposed zone is 2,220.68 square feet, or 2,248 acres, the amount allowed in the current zone district is 232,058 square feet or 5.3 28 acres.
12. The maximum number of lots that could be created from the subject property taking into consideration the lot size and acreage of the subject property is 2,248 acres, the amount allowed in the current zone district is 17 lots.
13. The subject parcel adjoins the right of way for Granite Hills Drive. Acres is located along said right of way.

CERTIFICATION:

CERTIFICATION:
I, Kevin L. Dean, a Professional Land Surveyor in the State of Colorado, do hereby certify that this Site Plan was prepared for the benefit of Ralph W. Jr. & Joann C. Kewish. This Site Plan is NOT a Land Survey Plat or Improvement Survey Plat, and that it is not to be relied upon for the establishment of fence, building, or other future improvements lines.

I further certify that the improvements on the above described parcel on this date, December 22, 2024 except utility connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the described premises by improvements on any adjoining premises, except as indicated, and that there is no APPARENT evidence or sign of any easement crossing or burdening any part of said parcel, except as noted.

Kevin L Dean, PLS 38639
Colorado Professional
Land Surveyor

NOTICE: According to Colorado law you MUST commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown herein.

**CENTRAL ROCKIES
LAND SURVEYING, LLC**
7405 HWY 50 W. SUITE 130
SALIDA, COLORADO 81201
719-850-1802

SHEET: 1 OF 2

DRAWN BY: RME

DATE: 04/22/2025

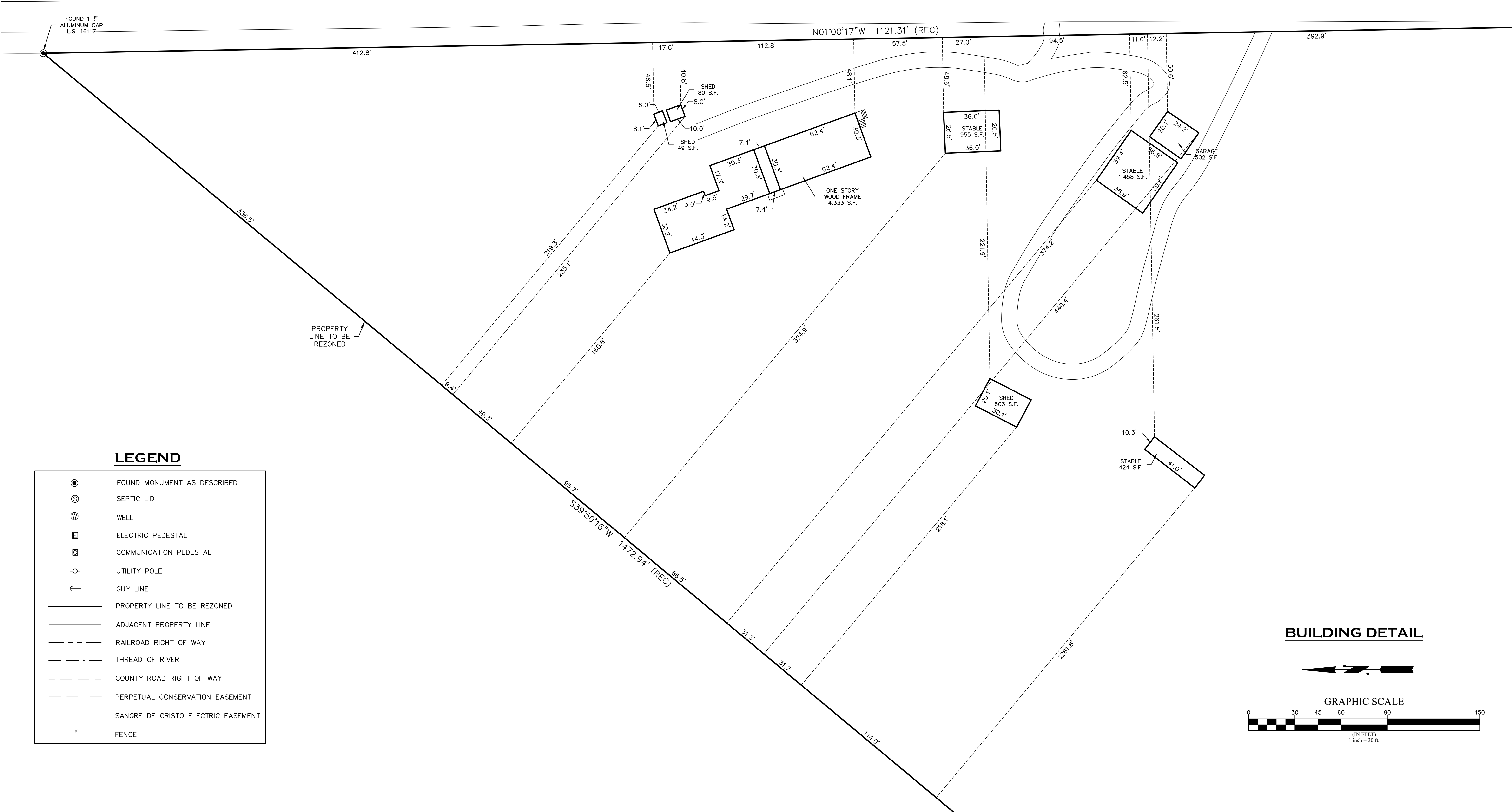
JOB NAME: KEWISH - SITE PLAN

~~JOB No.: 24-150~~

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KEWISH ZONE CHANGE REQUEST

FROM RESIDENTIAL 3 DISTRICT TO RESIDENTIAL 2 ZONE DISTRICT
COUNTY OF FREMONT, STATE OF COLORADO



NOTICE: According to Colorado law you MUST commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.

**CENTRAL ROCKIES
LAND SURVEYING, LLC**
7405 HWY 50 W. SUITE 130
SALIDA, COLORADO 81201
719-850-1802

SHEET: 2 OF 2
DRAWN BY: RME
DATE: 04/22/2025
JOB NAME: KEWISH - SITE PLAN
JOB No.: 24-150

**FREMONT COUNTY
PLANNING COMMISSION MEETING MINUTES
August 5, 2025, AT 3:00 P.M.**

MEMBERS PRESENT

John Hamrick
Dale McCullough
Rudi Mergelman
John Carper
Travis Payne

STAFF PRESENT

Dan Victoria, Planning Director
Joanne Kohl, Office Manager
Danielle Adamic, Senior Planning Coordinator

1. CALL TO ORDER

Chairman Hamrick Called the meeting to order at 3:00 pm.

2. PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited.

3. APPROVAL OF THE AUGUST 5, 2025, PLANNING COMMISSION AGENDA

Chairman Hamrick asked if there were any changes, additions or corrections to the August 5, 2025, Fremont County Planning Commission Agenda.

MOTION

Mr. Carper motioned to accept the August 5, 2025, Fremont County Planning Commission Meeting agenda.

SECOND

Mr. Payne second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (5 of 5)

4. APPROVAL OF THE MAY 6, 2025, PLANNING COMMISSION MEETING MINUTES

Chairman Hamrick asked if there were any changes, additions or corrections to the May 6, 2025, Fremont County Planning Commission Meeting Minutes.

MOTION

Mr. Mergelman motioned for approval of the May 6, 2025, minutes.

SECOND

Mr. Payne second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (5 of 5)

5. UNFINISHED BUSINESS

None

Chairman Hamrick asks staff to present the first item on the agenda.

6. NEW BUSINESS:

(1.) ZC 25-001 Kewish

Director Vitoria states that the purpose of this rezone is to change the zone district from Residential Three to Residential Two. The current parcel is 41 acres more or less, with a net tract area of 35.5 acres excepting the right-of-way for D&RGW Railroad and Fremont County Road 45.

This zone change would allow the owner the ability to apply for a subdivision with lots smaller than the 18-acre minimum of Residential Three Zone District while still maintaining the rural characteristics of District 5, Upper Arkansas Valley District.

The Applicant believes the Arkansas River corridor will retain its visual qualities and scenic resources if the zone changes to the Residential Two Zone District.

LOCATION

360 Granite Hills Road, Cotopaxi CO 81212

ZONING AND LAND USE

Zoning: Residential three

North: Residential three - Residential

East: Residential three - Residential

South: Residential three/ Residential two - Residential

West: Residential three - Residential

RECOMMENDATION

Having found the application is in compliance with the requirements of the Fremont County Zoning Resolution, staff recommends **APPROVAL** of the Zone Change #1 from Residential Three Zone District to Residential Two Zone District.

Chairman Hamrick asks the applicant to speak about their Zone Change.

Mr. Allan Doran states that he is volunteering to help the applicants. He states that with the Minor Subdivision it will give the applicants some funds to travel.

Chairman Hamrick asks if the commissioners have any questions or comments. He states that this is a Zone Change request and they do have a following request to create a Minor Subdivision.

Director Victoria states that is correct depending how this goes there is an application following it for a Minor Subdivision.

Chairman Hamrick states he is open for a motion.

MOTION

Mr. Payne Motioned to Approve ZC 25-001 Kewish.

SECOND

Mr. McCullough second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (5 of 5)

(2.) MS 25-002 Kewish

Director Victoria States the applicants are Allan Doran, Ralph W. Jr. & Joann C. Kewish.

PURPOSE

Requesting approval for a minor subdivision that will create a total of two (2) lots.

LOCATION

360 Granite Hills Road, Cotopaxi CO 81212

Waivers:

1. Stormwater Drainage Plan & Report at time of development.
2. Soil Testing (OWTS) at time of development.

Comments Received:

1. Western Fremont Fire Protection District: John Walker – Fire Chief

Two lane roads and driveways recommended to allow for simultaneous response and evacuation under low light or poor visibility (smoke) conditions.

Planning & Zoning Department Recommends Approval with the following:

1. Conditions:

- a) A note on the plat stating at the time of development a Drainage plan and report will be completed and approved by the Fremont County Engineer for Lot 2.
- b) A note on the plat that "Replacement or relocation for any reason of non-compliant structures shall be in compliance with the development requirements of the zone district of the property at the time of placement or relocation."
- c) Approval of the Soil testing waiver until the time of development.
- d) Surveyors Notes #5 on the plat states Zone District R3, this needs to be corrected to R2.
- e) Remove ownership names from adjoining properties on the plat.

Director Victoria states that they have never had someone request the width of a 2 lane driveway before, it is a big ask, the applicant stated they are willing to do it, he wasn't sure if he had the authority to force that to happen.

Mr. Doran asks if that would be something he could work with the Fire Chief on as far as putting one passing zone in the driveway, he will definitely make sure it meets the Fire Chiefs approval for any driveway.

Director Victoria states that they can add a condition of installation of the driveway be agreeable with the fire chief of the Western Fremont Fire Protection District.

Chairman Hamrick states that there is a new legislation that has been passed about wildland fires, and it establishes standards for building and new construction. He is not sure if that is in effect yet.

Chairman Hamrick states he is open to a motion.

MOTION

Mr. Payne Motioned to Approve with all the recommendations set forth by staff.

SECOND

Mr. Carper second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (5 of 5)

WAIVERS:

3. Topographic & Soils Information
4. Drainage Plan & Report
5. Street Improvements on Reed Lane

COMMENTS RECEIVED:

County Engineer:

Has reviewed the subject application and supports a waiver from the drainage plan requirement. The imperviousness (all existing, none proposed) of both lots is minimal and stormwater drainage in the vicinity should not change.

Fremont County Department of Transportation:

Replied that the applicant will be required to submit a driveway access permit if taking access from any County Road, including Reed Lane.

Cañon City Fire Dept.:

This project would require the addition of a fire hydrant to meet the criteria outlined in the international Fire Code (2018) 507.5.1. In lieu of adding a fire hydrant, the fire district would accept a residential fire suppression system installed on proposed lot 1.

- *Applicant has requested the residential fire suppression system in lieu of the fire hydrant.*

City of Cañon City:

A water service contract will need to be completed before a water tap application will be signed off on.

Fremont Sanitation District (FSD):

Sanitary sewer service installation to the proposed Lot 1 will require the sanitary sewer line to discharge to the existing sanitary main located in Reed Lane. Sanitary service installation shall be in compliance with the District's Rules and Regulations and be performed by person(s) certified by the district.

Existing sanitary sewer infrastructure is located along a portion of the south and east subdivision boundary. An easement to access and maintain the existing public sewer infrastructure shall be dedicated by the existing owner and shall be depicted on the plat to the satisfaction of FSD prior to recordation.

FSD will require a lock be added to the existing gate on Reed Lane if it is going to remain.

FSD would like the opportunity to coordinate during design/permitting/construction within the Reed Lane ROW to ensure that any of improvements appropriately accommodate FSD.

Planning & Zoning Department Recommends Approval with the following:

2. Approval of:
 - a. Waiver Request #1 - Topographic & Soils Information
3. Contingencies:
 - a. Provide a Water Service Contract
 - b. Allow FSD to place a lock on the gate.
4. Conditions:
 - a. Install a Fire Hydrant and remove the fire suppression statement.
 - b. Allow FSD to coordinate with FCDOT recommended improvements to Reed Lane.
 - c. Waiver Request #2 - A note on the plat stating at the time of development a Drainage plan and report will be completed and approved by the Fremont County Engineer for Lot 1.

Staff does not support Waiver Request #3 – Improvements to Reed Lane.

Chairman Hamrick states that the fire suppression system, would it be privately owned?

Director Victoria states it would be and the hydrant is publicly owned.

Mr. McCullough states that he is a bit confused as to why staff would be against having a fire suppression system that is not passive but very active in protecting the residence. A fire hydrant is very passive, you have to wait until the fire department shows up.

Director Victoria states that Canon City has a 3 minute response time to this address. The hydrant would allow this parcel and the neighborhood, access to resupply their trucks in order to fight any fires that occur.

Mr. McCullough asks if Director Victoria is aware that uniform fire code would suggest the fire suppression system.

Director Victoria states he is aware of that.

Mr. Payne states that those types of decisions are best left up to the fire department and up to the developer.

Chairman Hamrick asks the applicant to speak.

Representative from 3 Rocks Engineering, Brandon Hayes states that to comment on the fire suppression system, the immediate end user would be the client, Nate Helmick. He is planning to develop on the new lot 1. There is an existing hydrant at the end of Reed Lane which is within the 600ft. requirement from driveways. The existing hydrant already services all the existing residences. He states that they do still feel that the fire suppression system would be sufficient in this case, and they do have an agreement with the CCFPD for the fire suppression system in leu of the hydrant.

Chairman Hamrick states that the applicant is requesting a waiver request to waive the requirements for improvements to Reed Lane.

Mr. Hayes states that initially they did but the improvements from Jerry Busy from FCDOT had laid out that they would need to use class 6 road base which would extend that portion from the lot line to Reed Lane. They are okay with that.

Applicant Nate Helmick states he has done some significant research on fire suppression and he has a plumbing background and really there is no maintenance on it, it is actually part of the domestic water system, there is no stagnant water. There is water always circulating through it.

Mr. Carper states that he is not concerned about him building a house there he is concerned about who he sells it to and what they understand they are responsible, not the city or the county.

Mr. Payne states that just a word to the wise that this could require a larger water tap depending how many nozzles they have and there could be some upfront costs.

Mr. Mergelman asks if that applies to auxiliary buildings too once the applicant makes that decision to use a fire suppression system.

Mr. Hayes also states that all buildings on the lot will have a fire suppression system.

Mr. Payne states that the sanitation Department is also requiring the easement on the plat.

Mr. Hayes states they have that indicated on the plat. It's 30 ft. from the line along the east and south lot lines.

Mr. McCullough ask what kind of improvements are proposed for Reed Lane.

Director Victoria states They have a driveway permit and at the bottom of that permit FCDOT wrote in of spec material to county road standards.

Mr. Payne asks the applicant if they are ok with that and would withdraw their request for a waiver for that.

Mr. Hayes states that should have been nullified once they got that access permit.

Chairman Hamrick asks staff for their action today, where does this leave us.

Director Victoria states to confirm it and at a minimum to have it as a plat note and if applicant is able to resolve it prior to, then that could just be removed prior to BOCC.

Mr. Payne also states that he thinks they can take out contingency 2A. That is something just really for the water department and he can clarify that in his future letters.

Director Victoria reads the final waivers, contingencies and conditions for approval:

Waivers:

- 1.Topographic & Soils Information
- 2.Drainage Plan & Report

Contingency items:

- a. Allow FSD to place a lock on the gate.

Conditions:

- a. Note on Plat for a Fire Hydrant or fire suppression statement at time of development for lot 1.
- b. Note on Plat to allow FSD to coordinate with improvements to Reed Lane.
- c. Note on the plat stating at the time of development a Drainage plan and report will be completed and approved by the Fremont County Engineer for Lot 1.
- d. Note on Plat for Reed Lane improvement from FCDOT at time of development.

Chairman Hamrick states he is open to a motion.

MOTION

Chairman Hamrick Motioned to Approve with all the recommendations set forth by staff.

SECOND

Mr. Carper second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (5 of 5)

Chairman Hamrick states that there is an update scheduled.

7. OTHER

CDP 24-001 Penrose RV & Boat Storage Project Update

Director Victoria states that he wanted to give some feedback on CDP 24-001 Penrose RV & Boat Storage. The applicant wound up reducing to 2 fabricated storage buildings for a total 15,183sqft. Which reduced their overall build size by 2,850sqft. With that new design, the applicant was able to meet all setbacks and not need the variance request. It was felt that Planning Commission was able to make a recommendation of weather or not to stick with that variance request or to go against it. If there is, in the future, something along those lines again, Planning Commission does have a right to make a recommendation on it.

Mr. Carper asked if BOZA ever acknowledge that it did not meet all 4 criteria.

Director Victoria states that BOZA was informed that their variance was overturned. They agreed to chemical toilets, so there will be sanitation on site.

Chairman Hamrick states that the Planning Commission can consider conditions and requirements and come to their own conclusions.

8. **ADJOURNMENT**

Chairman Hamrick adjourned the meeting at 3:58 p.m.

CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION

DATE

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