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STAFF REPORT

Zone Change #1

Carr 26-002

PC DATE: July 7th, 2026

BOCC Date: August 25th, 2026

PURPOSE

The purpose of this rezone is to change the zone district from Business to Residential One (R1). The applicant would like to build a garage/shop for personal use.

The north, east, & south lots adjacent to this property are zoned Residential One (R1), and have dwellings develop on them. The West adjacent lot is zoned Business and is vacant.

The property is in the Upper Arkansas Planning District, which discourages commercial development of properties along the highway corridors when the highway is not essential to the success of the development.

LOCATION

The property is located at 7637 US Highway 50, in Howard.

Legal Description is: LOT 2, CARR LOT LINE ADJUSTMENT, COUNTY OF FREMONT, STATE OF COLORADO.

LAND USE AND ZONING

NORTH: Residential One

EAST: Residential One

SOUTH: Residential One

WEST: Business

NUMBER OF ACCESS POINTS: One (1) US Highway 50.

FLOODPLAIN: Flood Zone A (approximately 50% of the property)

PUBLIC COMMENTS/CONCERNS: None Received

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.

FCDOT:

No Concerns



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

STAFF COMMENTS

WAIVERS:

None

PLANNING COMMISSION:

Planning Commission recommended approval of this application at the regularly scheduling meeting that was held on July, 7th, 2026.

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 Business to Residential One.

CONTINGENCIES:

None

CONDITIONS:

None

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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

Zone Change #1,

Application Packet

Note: All applications prior to submittal must have gone through a pre-application meeting

FREMONT COUNTY PLANNING & ZONING

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Process & Requirements Overview

The rezoning process shall be in conformance with the Fremont County Zoning Resolution, and Fremont County Master Plan. To rezone, the property shall be adjacent to the proposed zone district or be in proximity of the proposed zone district.

Any application which is not complete or does not include all minimum submittal requirements will be rejected by the Fremont County Department of Planning and Zoning (Department). The department requires one (1) hard copy of the application and all required submittals. 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. One (1) electronic copy all items shall be labeled exactly as the required submittal.

Upon receipt of a complete application, the Department will review the application and all attachments and prepare a Department Submittal Deficiency and Comment Letter (D & C Letter), which will state the submittal deficiencies which must be addressed by the applicant, Department comments and/or questions about the application, and the number of revised application packets to be supplied to the Department for placement on an agenda of the Commission. An additional full application fee may be charged to the applicant, as per Resolution approved by the Board of County Commissioners (Board), if all deficiencies as per the initial D & C Letter are not adequately addressed or provided. Each subsequent D & C Letter, based on resubmitted items, will result in another full application fee. All such fees shall be paid along with the deficiency submittal, prior to any further review of the application.

The Department, Commission, and/or Board of County Commissioners (Board) may require additional information at any time during the application process as may be deemed necessary for thorough consideration of the application and to enable an informed final decision.

As with all land use applications payment of associated fees do not ensure approval of the application.

If the application is approved by the Board with contingencies the contingencies shall be completed to the Department within six (6) months of the approval date, or the approval shall be deemed rescinded and the application expired, after which, re-submittal of the application, including fees, and procedural requirements, will be required.

In approving an application for Land Use, the Board may require higher standards for development than required by the Fremont County Zoning Resolution (FCZR).

Modifications, major or minor, to the Land Use Permit as approved, shall be accomplished in compliance with requirements of the Fremont County Zoning Resolution.

Applicants shall pay all application fees to the Fremont County Treasurer's Office. Upon receipt of a complete application, a Department representative will provide the applicant with a payment check list to present to the Treasurer's Office with payment.



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):

Tax ID/Parcel Numbers(s):

Parcel size(s) in Acres:

Existing Zone District:

Proposed Zone District:

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):

Mailing Address:

Telephone:

Email Address:

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):
Mailing Address:
Telephone:
Email Address:

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.

_____		_____
Printed Name	Applicant Signature	Date
_____		_____
Printed Name	Owner Signature	Date



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.

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

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		
Easterly		
Westerly		
Southerly		

4. Master Plan – Planning District of property: _____

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>

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

☐ Exhibit 2.1 ☐ N/A	Right to Occupy 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.
☐ Exhibit 2.2	Right of access to public or private roads when the property does not have adequate frontage on a County Road.
☐ 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

☐ Exhibit 3.1 ☐ N/A	A Fremont County Driveway Access Permit
☐ Exhibit 3.2 ☐ N/A	A Colorado Department of Transportation access permit
☐ Exhibit 3.3 ☐ N/A	Proof of notification and comments from the Colorado Department of Transportation

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: <i>(Note: Typical type drawings and or tables may be used to express the required information if appropriate.)</i> 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;

WARRANTY DEED

THIS DEED is dated September 22, 2016, and is made between Roberta Louise Ward (whether one, or more than one), the "Grantor", of the County of El Paso and State of Texas, and John H. Carr and Haley P. Carr, as joint tenants (whether one, or more than one), the "Grantee," whose legal address is 239 E Street, Salida, CO 81201.

WITNESS, that the Grantor, for and in consideration of the sum of TWO HUNDRED THIRTY-FIVE THOUSAND AND NO/100 Dollars (\$235,000.00), the receipt of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantee (not in tenancy in common, but in joint tenancy) and the Grantee's heirs and assigns forever, all the real property, together with any improvements thereon, located in the County of Fremont and State of Colorado, described as follows:

Lots 1 and 2, Pruett Boundary Line Adjustment

County of Fremont
State of Colorado

also known by street address as: 7623 and 7637 Highway 50, Howard, CO 81233
and assessor's schedule or parcel no.: 09304525

Together with any and all rights in, to, or under Well Permit No(s), 49352-F and 52079-F and UAWCO Certificate No(s), 564 and 422.

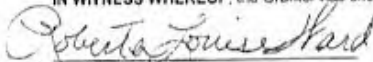
TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversions, remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantees and the Grantees' heirs and assigns forever. The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree to and with the Grantees, and the Grantees' heirs and assigns: that at the time of the enrolling and delivery of these presents, the Grantor is well seized of the premises above described; has good, sure, perfect, absolute and indefeasible estate of inheritance, in law and in fee simple; and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid; and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except and subject to: ☐ none; or ☒ the following matters:

General taxes for the year 2016 and subsequent years, and those items accepted by Grantee pursuant to the Contract to Buy and Sell Real Estate between Grantor and Grantee with respect to the premises above described, specifically including all matters excluded or excepted pursuant to the Title Commitment Issued by Fidelity National Title Company as Commitment Number 530-F0560475-330-TOC.

And the Grantor shall and will WARRANT THE TITLE AND DEFEND the above described premises, but not any adjoining vacated street or alley, if any, in the quiet and peaceable possession of the Grantees and the heirs and assigns of the Grantees, against all and every person or persons claiming the whole or any part thereof.

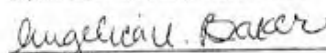
IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.


Roberta Louise Ward

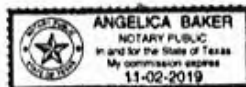
STATE OF Texas

COUNTY OF El Paso ss.

The foregoing instrument was acknowledged, subscribed and sworn to before me this the 22 of September, 2016, by Roberta Louise Ward.


Notary Public

My Commission Expires: 11-02-2019



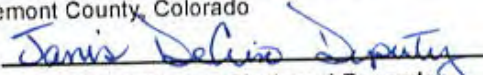
State of Colorado
County of Fremont

I, Justin D. Grantham, Clerk & Recorder of Fremont County, Colorado do hereby certify that the foregoing is a true and correct copy of the original record and as same appears on Document # 943159 in Fremont County, Colorado.

Given under my hand and seal of office this 28th day of October, 2019.

Justin D. Grantham, Clerk and Recorder
Fremont County, Colorado



By 
Fremont County Clerk and Recorder



Owner Name	Address
Ray Mark Baldwin	7543 US HWY 50
John & Haley Carr	7623 US HWY 50
Jones EMZY (T.J.) IV	7528 US HWY 50
Shovald Richard C & Deborah	7668 US HWY 50
Shovald Richard C & Deborah	7669 US HWY 50
Sedillo Robine E &	7752 US HWY 50
Rhitt Fraser	7731 US HYW 50
Michael E & Amber J Horton	149 Arkansas Blvd
Jera M Vinton	179 Arkansas Blvd
Mary Rayner	305 Mustang Trail
Allison Gisela	5172 County Road 45
Richard Cahill JR	4660 County Road 45



**COLORADO DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ACCESS PERMIT APPLICATION**

Issuing authority application
acceptance date:

Instructions:

*Please print or
type*

**Indicates
required field*

- Contact the Colorado Department of Transportation (CDOT) or your local government to determine your issuing authority.
- Contact the issuing authority to determine what plans and other documents are required to be submitted with your application.
- Complete this form (some questions may not apply to you) and attach all necessary documents and submit it to the issuing authority.
- Submit a separate application for each access affected.
- If you have any questions, contact the issuing authority.
- For additional information, see CDOT's Access Management website at <http://www.codot.gov/business/permits/accesspermits>.

1) Property Owner (Permittee)*

John Carr

2) Applicant for Permittee (if different from property owner)

John Carr

Mailing Address*

696 Acorn Dr

Mailing Address

696 Acorn Dr

City, State & Zip*

New Braunfels, Texas
78130

Phone #*

8067783165
Ext:

City, State & Zip

New Braunfels, Texas 78130

Phone #

8067783165
Ext:

E-mail Address*

john@239mgt.com

E-mail Address (if available)

john@239mgt.com

3) Address of property to be served by permit :

7623 and 7635 Highway 50

4) Legal description of property:

County *

City or Municipality

Parcel # or Tax Schedule #

Latitude

Longitude

Fremont County

N/A

99304525

5) What State Highway are you requesting access from? *

Highway: 050A Milepoint/Milepost: 233.000

6) What side of the highway? *

East

7) How many feet is the proposed access from the nearest milepost (or cross street if mile post unknown)? *

177

8) What is the approximate date you intend to begin construction?

Apr 1, 2026

9) Check here if you are requesting a: *

New Access: ☒

Temporary Access (duration anticipated): ☐

Improvement to Existing Access: ☐

Change in Access Use: ☐

Removal of Access: ☐

Access Via a local public road: ☐

Relocation of an Existing Access: ☐



10) Provide existing property use:

Vacant: ☒ Single Family Residence: ☒ Multi-Family: ☐
Mixed Use: ☐ City Street/County Road: ☐ Commercial: ☐
Industrial: ☐ Other: ☐ Agricultural/Grassing: ☐

11) Do you have knowledge of any State Highway access permits serving this property, or adjacent properties in which you have a property interest? *

No

12) Does the property owner own or have any interests in any adjacent property? *

Yes Two parcels adjoining each other, access will serve both parcels.

13) Are there other existing or dedicated public streets, roads, highways or access easements bordering or within the property? *

No

14) If you are requesting agriculture field access – how many acres will the access serve?

15) If you are requesting commercial or industrial access, please indicate the types and number of businesses and provide the floor area square footage of each.

16) If you are requesting residential development access, what is the type (single family, apartment, townhouse) and number of units?

Single family - 2 units in total.

17) Provide the following vehicle count estimates for vehicles that will use the access. *

Total peak hour volumes for all vehicles *	# of passenger cars and light trucks in peak hour	# of multi-unit trucks in peak hour
2	2	0
# of single unit vehicles in excess of 30 ft.	# of farm vehicles (field equipment)	
0	0	

18) Check with the issuing authority to determine which of the following documents are required to complete the review of your application.

- | | |
|--|---|
| a) Property map indicating other access, bordering roads and streets. | e) Subdivision, zoning, or development plan. |
| b) Highway and driveway plan profile. | f) Proposed access design. |
| c) Drainage plan showing impact to the highway right-of-way. | g) Parcel and ownership maps including easements. |
| d) Map and letters detailing utility locations before and after development in and along the right-of-way. | h) Traffic studies. |
| | i) Proof of ownership. |



1- It is the permittee's responsibility to contact appropriate agencies and obtain all environmental clearances that apply to their activities. Such clearances may include Corps of Engineers 404 Permits or Colorado Discharge Permit System permits, or ecological, archeological, historical or cultural resource clearances. The COOT Environmental Clearances Information Summary presents contact information for agencies administering certain clearances, information about prohibited discharges, and may be obtained from Regional COOT Utility/Special Use Permit offices or accessed via the COOT Planning/Construction-Environmental-Guidance webpage: <https://www.codot.gov/programs/environmental/resources/guidance-standards/environmental-clearances-info-summary-august-2017/view>.

2- All workers within the State Highway right of way shall comply with their employer's safety and health policies/ procedures, and all applicable U.S. Occupational Safety and Health Administration (OSHA) regulations -including, but not limited to the applicable sections of 29 CFR Part 1910 -Occupational Safety and Health Standards and 29 CFR Part 1926

- Safety and Health Regulations for Construction.

Personal protective equipment (e.g. head protection, footwear, high visibility apparel, safety glasses, hearing protection, respirators, gloves, etc.) shall be worn as appropriate for the work being performed, and as specified in regulation. At a minimum, all workers in the State Highway right of way, except when in their vehicles, shall wear the following personal protective equipment: High visibility apparel as specified in the Traffic Control provisions of the documentation accompanying the Notice to Proceed related to this permit (at a minimum, ANSI/ISEA 107-1999, class 2); head protection that complies with the ANSI 289.1-1997 standard; and at all construction sites or whenever there is danger of injury to feet, workers shall comply with OSHA's PPE requirements for foot protection per 29 CFR 1910.136, 1926.95, and 1926.96. If required, such footwear shall meet the requirements of ANSI 241-1999.

Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.

3- The Permittee is responsible for complying with the Revised Guidelines that have been adopted by the Access Board under the American Disabilities Act (ADA). These guidelines define traversable slope requirements and prescribe the use of a defined pattern of truncated domes as detectable warnings at street crossings. The new Standards Plans and can be found on the Design and Construction Project Support web page at: <https://www.codot.gov/business/civilrights/ada/resources-engineers>.

If an access permit is issued to you, it will state the terms and conditions for its use. Any changes in the use of the permitted access not consistent with the terms and conditions listed on the permit may be considered a violation of the permit.

The permittee declares under penalty of perjury in the second degree, and any other applicable state or federal laws, that all information provided on this form and submitted attachments are to the best of their knowledge true and complete.

I understand receipt of an access permit does not constitute permission to start access construction work.

By signing this application I am confirming that I am the Permittee (landowner) OR an authorized representative. This signature shall constitute agreement with this application by all owners -of-interest unless stated in writing. If a permit is issued, the property owner, in most cases, will be listed as the Permittee and will be required to sign the permit.

Permittee or Authorized by the Owner **Digital Signature**
John Carr

Print Name
John Carr

Date
11/18/2025, 12:54:20
PM



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 6/11/2026

Project Name: ZC 26-002

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: 0

Types: N/A

SMM on site? Yes

Does the site plan match site conditions? Yes

Structures Code/Zoning Compliant : Yes

Land Use Compliant: Yes

Notes/Concerns

There were no concerns at the time of inspection

Matt Tafoya

June 11, 2026

George Meffley

June 11, 2026

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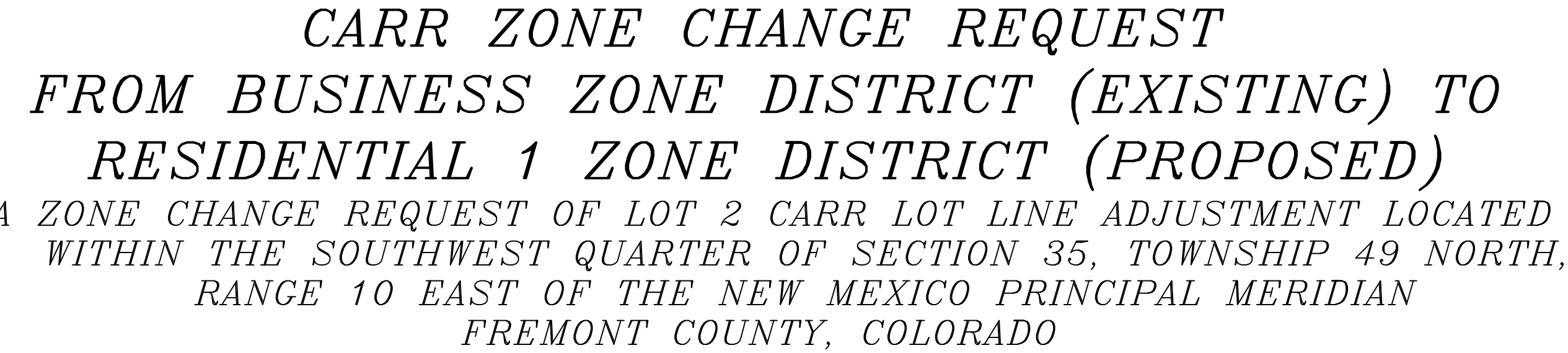












PRELIMINARY DRAFT
INTENDED FOR REVIEW BY CLIENT
AND AGENTS ONLY

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER 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 THE SURVEYOR'S STATEMENT CONTAINED HEREON.