



STAFF REPORT

TUP 24-015 Penrose Apple Shed

October 22, 2024

PURPOSE

Fundraiser, Dinner, Murder Mystery, and Silent Auction.

LOCATION

708 Fremont Ave Penrose CO 81240

BACKGROUND / ASSOCIATED CASES

This is a one-time Event held at the Apple shed on Oct. 25 starting at 5 pm and ending at 9 pm.

LAND USE AND ZONING

The properties around the event are primarily Agricultural Suburban, and Business

NORTH: Agricultural Rural

EAST: Agricultural Suburban

SOUTH: Low Density Rural

WEST: Business

DRINKING WATER:

Will be provided to guest free of charge on the property.

VENDOR:

Chicago Bobs will be the only vender providing dinner

SANATATION PLAN:

Fully running Restrooms are available on the property. And a 1- 3 yard Dumpster

EMERGENCY PLAN

Florence Fire Station #2 will respond with emergencies.



FIRE PROTECTION

The subject property falls within the service area of the Florence Fire District, we have received an approved Fire Protection Plan signed by FFPD Chief Bill Ritter.

FLOODPLAIN

The course map is outside of the floodplain.

ACCESS:

Will be off Fremont St. which is right off HWY 115

PUBLIC COMMENTS/CONCERNS:

None

AGENCY COMMENTS

Staff requested comments from various review agencies including the Fremont County Department of Transportation, Fremont Project Engineering and Department of Environmental Health, as well as the Fire Department, Sheriff's Department, and Emergency Manager. Staff have incorporated comments received to date either in their entirety or in part into this staff report.

FCDOT:

- Debris/trash is to be cleared at the completion of the event from roads/rights-of-way.
- Roads/right of ways should not be blocked

Building Dept.:

- Will need to get permits and engineering for the Storage building and Carport.
 - Applicant has current Permits for both Builds
 - Permit # 24-539- Shed
 - Permit # 24-540- Carport

FCPHD:

- Current vendor (Chicago Bobs) is in good standing with the Dept.



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

LIABILITY INSURANCE:

Shelter Mutual Insurance Company.

Each occurrence: \$1,000,000

Damage: \$100,000

Med: 5,000

Personal Injury: \$1,000,000

General Aggregate: \$2,000,000

Products-COMP/OP AGG: \$2,000,000

CONDITIONS:

None

CONTINGENCIES:

WAIVERS:

Surety Bond Waiver

RECOMMENDATION

Having found the application is in compliance with the requirements of the Fremont County Zoning Resolution, staff recommends **APPROVAL** of the Temporary Use Permit application with the following contingencies/Conditions:

- Approval waiver of surety bond or have applicant submit surety bond.



TEMPORARY USE PERMIT APPLICATION

SEP 23 2024

Planning & Zoning

1. Project Name: Penrose Appleshed
2. Applicant: Sam Banning Address: 708 Fremont Ave
 City: Penrose State: CO Zip Code: 81240
 Telephone #: 719-281-5331 Facsimile # _____
 Email Address: sambanningteam.com

Please read the entire application form prior to completion of this application

Property owners and other potential applicants are encouraged to meet informally or communicate with Planning and Zoning Department staff to gain familiarity with the application process prior to formal submittal of an application and to continue the communications throughout the application process. For more details on application meetings, see Section 8.3 of the Fremont County Zoning Resolution (FCZR).

A special event which is to be conducted in whole or part within Fremont County (*non-incorporated areas*) such as spectator events, athletic events, carnivals, circuses, concerts, fairs, flea markets, public recreational events, tent meetings, or other similar uses with similar impacts which are for public participation, requires a Temporary Use Permit (TUP).

An application fee as adopted by resolution of the Fremont County Board of County Commissioners (Board) shall accompany this application.

The applicant shall provide **one (1) original document and an electronic copy (either CD or flash/thumb drive)** and all of its attachments. After submittal, the Department will review the application and all attachments and prepare a Department Submittal Deficiency and Comment Letter (D & C Letter). The letter will state the submittal deficiencies, Department comments and or questions about the application, which must be addressed by the applicant.

The Fremont County Department of Planning and Zoning (Department) shall be entitled to refuse any application for a temporary use permit which is not made on the form provided by the Department, which is incomplete, or is made later than thirty (30) working days prior to the regularly scheduled Board meeting at which the application is proposed to be heard. The application shall not be considered complete unless all information required in the application is provided at the time it is filed.

Once the Department has determined that the application is complete, the application will be scheduled on an agenda of the Board for their consideration of approval. Prior to issuance of a temporary use permit, the event shall be approved by the Board at a regularly scheduled meeting and all contingencies or requirements shall be met or provided. The Board does have the right to request review and recommendations from the Fremont County Planning Commission (Commission) and/or other pertinent entities, if the Board determines that it is necessary for its review. The Board may require professional review at the applicant's expense if deemed necessary by the Board. The Board may require the applicant to provide various professional studies and/or statements concerning the event in order to fully understand the impact of the proposed event. This could result in a longer review process and require more time to complete.

Under certain circumstances, the Department may have approval authority over an annual event which has been granted TUP approval by the Board consecutively for the three (3) previous years. See Section 8.16.2 of the Fremont County Zoning Resolution for requirements.

Attachments can be made to this application to provide expanded narrative for any application item including supportive documentation or evidence for provided application item answers. Please indicate at the application item that there is an attachment and label it as an exhibit with the application item number, a period and the number of the attachment for that item (i.e. the attached document providing evidence in support of the answer given at application item number 12 would be marked - Exhibit 12.1).

For specific regulatory requirements the applicant should refer to the appropriate sections of the Fremont County Zoning Resolution (FCZR) which can be viewed on the Internet at:

<http://www.fremontco.com/planningandzoning/zoningresolution.pdf>

2. Please provide a general description of the event: Fundraiser, Dinner, murder mystery and silent Auction.
3. What is the general location and/or street address of the event? 708 Fremont Ave. Penrose, Co. 81240
4. What are the dates that the proposed event is scheduled to occur? 10-25-2024
5. What are the hours of the day that the proposed event is scheduled to occur? 5-9pm
6. Will there be any signs used to advertise the event? NO If yes, please provide a statement as to the size (type), location, and how many: We will be on social media + the newspaper
7. Please provide a statement as to how litter will be disposed and include documentation consisting of agreements and/or contracts with companies providing necessary facilities. We have a shredder to shred contracts or they will be digitally signed.
8. Address crowd control before, during and after the event. We have a 16' Foot Front and Back gate for people to enter and exit.
9. What are the anticipated off-site impacts that will be created by the proposed event? I don't anticipate any off-site impacts
10. Please provide a statement as to a drinking water plan which includes documentation consisting of agreements and signed contracts with companies providing necessary facilities. **NOTE: This will require review and approval by the Fremont County Environmental Health Officer.**
Penrose water

11. Please provide a statement as to a sanitation plan which includes documentation of agreements and signed contracts with companies providing necessary facilities. **NOTE: This will require review and approval by the Fremont County Environmental Health Officer.**

2 public Bathrooms

12. Please provide a statement as to a concession plan, if any, which includes a list of vendor names and required permits. If vendors are used, please provide documentation of sales tax license. **NOTE: This will require review and approval by the Fremont County Environmental Health Officer.**

Catering by Chicago Bob's - no onsite cooking

13. Please provide an emergency service operation plan addressing what emergency services are proposed for the event. The emergency services shall include any agreements, signed contracts, with appropriate agencies or companies and a specific contact person with contact information.

~~Emergency Services are not needed for this event.~~
Case 911.

14. Will there be any street closures proposed in connection with the special event (or other provisions deemed appropriate with respect to the provision for safe and adequate vehicular and pedestrian traffic flow and parking associated with the conduct of the special event)? **Note: If Street closures are proposed, signed approval by the Director of the Fremont County Department of Transportation or Colorado Department of Transportation is required.**

No Street closures.

15. Please provide a statement as to how the proposed event parking will be addressed. Such statement will include how many off-street parking spaces will be provided along with the size of spaces and parking area location. **Note: If on-street parking is proposed, signed approval by the Director of the Fremont County Department of Transportation or Colorado Department of Transportation as may be appropriate is required.**

Parking will all be located on site within the gated area.

16. Please provide a statement as to how vehicular and pedestrian traffic for the proposed event will be handled:

We have acreage on site for everyone to park.

17. **The following items shall be attached to this application and marked appropriately as exhibits:**

Attached -
Back of
Packet

a. A drawing of the property on which the event will be held locating items such as natural features (waterways, cliffs, etcetera), existing improvements (structures, driveways, septic systems, etcetera) and components of the special event (stages, parking areas, vendor areas, etcetera).

visited
9/17

b. Documentation as to acceptance of a fire protection plan, signed by the appropriate agency representative along with a copy of said plan.

Sent email
9/18

visited
& emailed
9/18

d. Documentation that the Sheriff's Office has been notified of the event and any proposed street closures. There are two (2) options for notification. See FCZR Section 8.16.1.19.1 for details.

visited
9/17
Sent email
9/18

e. Documentation that the Colorado State Patrol has been notified of the event and any proposed street closures. There are two (2) options for notification. See FCZR Section 8.16.1.20.1 for details.

visited &
emailed
9/18

f. Documentation that the Director of the Fremont County Department of Transportation has been notified of the event and any proposed street closures. There are two (2) options for notification. See FCZR Section 8.16.1.21.1 for details. *170 Red Canyon*

n/a

g. If the subject property gains direct access from a roadway under the jurisdiction of Colorado Department of Transportation (CDOT) or if deemed necessary by the Department, documentation that CDOT has been notified of the event and any proposed street closures. There are two (2) options for notification. See FCZR Section 8.16.1.22.1 for details.

Spoke to Amy
9/17
She's good

h. Documentation from the Environmental Health Officer as to acceptance and approval of application items number 10, 11 and 12, signed by the appropriate agency representative.

Attached

i. Proof of general liability insurance for the event in amounts deemed appropriate by the Board of County Commissioners.

j. Cash, surety or other bond deemed necessary and appropriate by the Board of County Commissioners to ensure that the property affected by the special event will be cleaned to the reasonable satisfaction of the County and that damage associated with the conduct of the special event may be repaired or remedied without cost to the County. ***If a waiver of this item is requested it shall be in writing, with justification, at the time of application.***

18. Additional Requirements:

a. The Department of Planning and Zoning shall have the right to require publication, notice to property owners and posting in accordance with Section 8.4.2.1 if it is deemed necessary.

b. The Board of County Commissioners has the right to:

1) Refer any application for Temporary Use Permit to the Planning Commission requesting its review and recommendations at a regular meeting.

2) Refer any application for Temporary Use Permit to any entity the Board deems could have significant input regarding the potential impacts of the proposed Temporary Use Permit.

3) Right to obtain professional review, at the applicant's expense, for any aspect of the proposed event as deemed necessary by the Board.

4) Require the applicant to submit the following information if in their opinion it is necessary, to fully understand the impacts of the proposed Temporary Use Permit:

a) An environmental impact study/statement;

b) A roadway impact analysis study;

c) A drainage study;

d) A socioeconomic impact study/statement;


e) Studies, comments, referrals to agencies or professionals whose area or jurisdiction of expertise is applicable and germane to the use being proposed.

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

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

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

Signing this Application is a declaration by the Applicant to conform to all plans, drawings, and commitments submitted with or contained within this Application, provided that the same is in conformance with the Fremont County Zoning Resolution.

Robert Sam Banning  9/18/24
Applicant Printed Name Signature Date

SAVE THE DATE

October 25, 2024

5:30 PM - 9 PM

Murder Mystery/Dinner/ Silent Auction

Fundraiser all proceeds go to Put a Roof
over somebody's head in our community

Penrose Apple Shed
Tickets are \$60/person or
\$110 per couple

Call ahead for your tickets 719-458-1345



HOMESMART
PREFERRED REALTY
Real Estate Made Easy.

each office is independently owned & operated



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SPECIAL WARRANTY DEED

State Doc Fee: \$49.00
Recording Fee: \$18.00

THIS DEED, Made this 30th day of March, 2023, between
TMF Property Solutions, LLC, a Colorado Limited Liability Company
of the said County of Pueblo and State of Colorado, grantor, and
Banco Enterprises LLC, A Colorado Limited Liability Company
whose legal address is: 1144 4th Street, Penrose, CO 81240 of the County of
Fremont, and State of Colorado, grantee

WITNESS, that the grantor, for and in consideration of the sum of Four Hundred Ninety Thousand Dollars and No Cents (\$490,000.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, his heirs and assigns forever, all the real property, together with improvements if any, situate, lying and being in the said County of Fremont and State of Colorado described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

also known by street and number as: 708 Fremont Street, Penrose, CO 81240

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversion and reversions, remainder and 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 Grantee, and the Grantee's heirs and assigns forever. The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree that the Grantor shall and will WARRANT THE TITLE AND DEFEND the above described premises, in the quiet and peaceable possession of the Grantee and the heirs and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof, by, through, or under the Grantor except and subject to: Statutory Exceptions as defined in C.R.S. § 38-30-113(5)(a)

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

TMF PROPERTY SOLUTIONS, LLC, A COLORADO
LIMITED LIABILITY COMPANY

Ted A Mauro
By: Ted A. Mauro
Manager

State of Colorado
County of Pueblo

The foregoing instrument was acknowledged before me this 30th day of March, 2023 by *Ted A Mauro* Elizabeth M. Gibbons as Managing Member of TMF Property Solutions, LLC, a Colorado Limited Liability Company.

Witness my hand and official seal.

Roxie Dase
Notary Public Roxie Dase
My Commission Expires: September 14, 2024

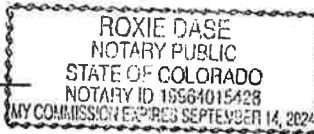


EXHIBIT "A"
LEGAL DESCRIPTION

A part of Tracts 77 and 78, Section 5, Township 19 South, Range 68 West of the 6th P.M. of Beaver Park Company, Plat Number 5, more particularly described as follows:

Commencing at the North quarter corner of Section 5, thence South 76°27'45" East a distance of 147.70 feet to The True Point of Beginning;
Thence South 89°10'45" East along the South line of the right of way for First Street a distance of 223.85 feet;
Thence South 1°25'38" West a distance of 1617.68 feet to the North right of way line of Fourth Street;
Thence North 88°48'31" West along said North right of way line a distance of 171.02 feet to a point being the Southeast corner of a parcel of land being described and recorded in [Book 392 at Page 395](#);
Thence North 1°18'35" East along the East line of said parcel a distance of 155.03 feet to the Northeast corner of a parcel of land being described and recorded in [Book 541 at Page 643](#);
Thence North 88°47'46" West along the North line of said parcel a distance of 141.16 feet to a point on the Easterly right of way line of Fremont Street;
Thence North 1°12'23" East and along the Easterly right of way line of Fremont Street a distance of 422.85 feet to a point on the Easterly right of way line of Colorado State Highway Number 115; thence along said Easterly right of way line the following four courses:
1. North 16°24'53" East 91.00 feet;
2. North 1°12'23" East 248.10 feet to a point of non-tangent curve said point bears North 75°20'07" West to the center of curve;
3. Along the arc of curve left having a delta of 14°18'00" a radius of 2605.50 feet a distance of 650.29 feet to a point of tangent;
4. North 0°21'53" East 57.74 feet to The True Point of Beginning

County of Fremont, State of Colorado

Penrose Apple Shed

708 Fremont Ave.

Penrose, CO 81240

We are asking to please have our surety bond waived.

Sam Banning

A handwritten signature in black ink that reads "Sam Banning". The letters are cursive and somewhat stylized, with a long horizontal stroke at the end of the name.



Shelter Mutual Insurance Company
 1817 W Broadway
 Columbia, MO 65218
 1-800-SHELTER (743-5837)



02020182666

General Liability Insurance Policy Declarations

Addl. Interest or Addl. Insured Copy

Named Insured:
 BANCO ENTERPRISES LLC
 708 FREMONT ST
 PENROSE CO 81240-9677

Policy Number: 05-31-9763380-3
Effective Date: 09-30-2024 (12:01 AM CST)
Expiration Date: 03-30-2025 (12:01 AM CST)

Agent: BUEHLER INSURANCE AGENCY INC
 05-D804-16
 575 UNION BLVD
 STE 300
 LAKEWOOD CO 80228
 303-421-4500

Notice to the Additional Insured: Your interest will be continuous until cancellation notice is mailed to you.

Policy and Endorsements are available upon request.

Business of the Named Insured: CONSTRUCTION COMPANY

The Named Insured is a(n): Corporation
Audit Period: N/A

Limits of Insurance

General Aggregate (Other Than Products - Completed Operations)	\$2,000,000	
Products - Completed Operations Aggregate Limit (See Each Classification Below)	Included	
Personal And Advertising Injury Limit	\$1,000,000	
Each Occurrence Limit	\$1,000,000	
Rented To You Limit	\$100,000	Any One Premises
Medical Expense Limit	\$5,000	Any One Person

Description of Hazards

Description of Hazards	Premium Basis	Rates (Annual)	Advance Premium
PREMISES & OPERATIONS-			
61226 BUILDINGS OR PREMISES - OFFICE - OTHER THAN NOT-FOR-PROFIT - NOC INCLUDING PRODUCTS &/OR COMPLETED OPERATIONS ITEM ZIP CODE: 81240 708 FREMONT ST PENROSE CO	AREA PER 1000 SQ. FT 8,876	158.638	\$705.00

Premium Adjusting Endorsements

Description of Endorsement	Limits	Deductible	Number	Premium
Additional Insured - Lessor Of Leased Equipment SUN STATE EQUIPMENT			CG 20 28 12 19	\$71.00

Other Charges

Term Fee: \$7.50
Total for Term (This is Not a Bill): \$783.50
 This policy has a fully-earned non-refundable minimum premium of \$100.00

Insurance General Liability

Policy forms and additional endorsements attached to this policy	Number
Commercial General Liability Coverage Form	CG 00 01 04 13
Asbestos Exclusion	B-559-B
Lead Poisoning Exclusion Endorsement	B-601-B
Exclusion-Unmanned Aircraft	CG 21 09 06 15
Employment-related Practices Exclusion	CG 21 47 12 07
Non-Binding Arbitration	CG 24 01 12 04
Amendatory Endorsement	G-252.1-G
Colorado Changes-Civil Union	IL 01 25 11 13
Mutual Policy Notification	S-18-S
Amcndment of Liquor Liability Exclusion	CG 21 50 04 13
Genetically Modified Organism Exclusion	CG 40 01 12 19
Cross Suits Liability	CG 40 10 12 19
Excl-All Hazards in Connection with an Electronic Smoking Device, its Vapor, Component Parts, Equipment and Accessories	CG 40 12 12 19
Common Policy Conditions	IL 00 17 11 98
Nuclear Energy Liability Exclusion Endorsement (Broad Form)	IL 00 21 09 08
Colorado Changes - Cancellation and Nonrenewal	IL 02 28 09 07
Fungi Or Bacteria Exclusion	CG 21 67 12 04
Excl Damage To Work By Subcontr On Your Bchalf	CG 22 94 10 01
Silica or Silica-Related Dust Exclusion	CG 21 96 03 05
Communicable Disease Exclusion	CG 21 32 05 09
Cannabis Exclusion	CG 40 14 12 20
Broad Abuse or Molestation Exclusion	CG 40 28 09 22
Exclusion - Perfluoroalkyl And Polyfluoroalkyl Substances (PFAS)	CG 40 32 05 23
Exclusion - Violation of Law Addressing Data Privacy	CG 00 69 12 23
Exclusion - Electronic Data - Deletion of Bodily Injury Exception	CG 21 85 12 23
Exclusion - Cyber Incident	CG 40 35 12 23

Addl Insured

SUN STATE EQUIPMENT

(For Office Use Only)
 Transaction: RNEW B
 H. O. CODE: 783.50
 Policy ID: 60008176306
 Policy Term: Six Months
 Billing Frequency: N/A

Date Issued: 08-26-2024
 '02142024'

G-2.11-G

End of Declarations



FREMONT COUNTY
DEPARTMENT OF PUBLIC HEALTH & ENVIRONMENT
201 N 6TH STREET
CANON CITY, CO 81212
(719) 276-7450 FAX NUMBER (719) 276-7451
amy.jamison@fremontco.com

TO: FREMONT COUNTY DEPARTMENT OF PLANNING & ZONING

FROM: Amy Jamison, Fremont County Public Health, Environmental Health Officer

SUBJECT: **TUP 24-015** review, Penrose Apple Shed

DATE: October 8, 2024

Items #10

Bottled water will be available, and site serviced by Penrose water.

Item #11

Sanitation will be addressed by the Fremont County Building Department.

Items #12

Chicago Bob's is catering the event. Chicago Bob's is a licensed mobile unit in good standing with FCDPHE.

No concerns or further requirements from FCDPHE.

FREMONT COUNTY
DEPARTMENT OF PUBLIC HEALTH & ENVIRONMENT



201 N 6TH STREET
CANON CITY, CO 81212
(719) 276-7450 FAX NUMBER (719) 276-7451
amy.jamison@fremontco.com

Event Coordinator Application

TURN IN APPLICATION AT LEAST 2 WEEKS PRIOR TO EVENT

EVENT INFORMATION

Name of the Event: Penrose Apple Shed^(food) - murder mystery, dinner + silent Auction

Date(s) of the Event: 10-25-24

Location of the Event: Penrose Apple Shed 708 Fremont Ave. Penrose, CO 81240

Hour of the Event: (Days and times) Friday 10-25-24 5pm-9pm

Expected number of patrons: 100

Expected peak day(s) if event is longer than 1 day: na

Anticipated Number of Food Booths: Chicago Bdos^{1 catered by} (Complete Vendor Information List and attach)

Event Coordinators Name: Sam Banning

Coordinator's Phone Number: (719) 281-5331

Coordinator's Fax Number: na

Coordinator's Mailing Address: 708 Fremont Ave. Penrose, CO 81240

City Penrose State CO Zip Code 81240

Coordinator's E-mail address: Sam@banningteam.com + taylor@hsprealty.com

Contact Person during the Event (if different from above): Sam Banning

Contact phone number for the day of the Event: (719) 281-5331

Water Supply:

- There is access to a potable water taps on site.
- Vendors must bring their own water supplies.

Wastewater:

- There will be liquid waste collection tanks / receptacles on site. - *Septic*
- Vendors must arrange for their own wastewater disposal.

Electricity:

- There will be no electricity supplied on site.
- There is access to electricity on site.
- Generators will be provided for vendor use.
- Vendors are allowed to use generators on site.

Trash / Refuse:

- There will be trash receptacles throughout the event for the public.
 - There will be dumpsters on site for vendor and public trash removal.
- How often will they be serviced? *trash receptacles - daily/hourly*
dumpsters - weekly

Toilet Facilities:

- Water carrying public restrooms. How many? *2*
 - Portable toilets. How many? _____
- How often will they be serviced? _____

Hand Wash Facilities:

- Water carrying public restrooms. How many? *2*
 - Portable hand wash stations. How many? *1*
- How often will they be serviced? *Daily cleaning*

Other Services:

- Refrigerated truck
- Commissary kitchen (Provide a list of available equipment in kitchen.)
- Ice *Full commercial kitchen, but will not be used during this event except the refrigerator.*

TEMPORARY EVENT SITE MAP

Provide a labeled map of the entire Temporary Event area and include the following:

- Toilet facilities (portable and fixed)
- Hand washing facilities
- Trash containers
- Electrical hook-up points and generator locations
- Potable water taps for vendors
- Location of all food preparation and service areas on the event grounds
- Food booth vendors
- Roadways, sidewalks, and walkways
- Refrigerated truck (if applicable)
- Commissary kitchen (if applicable)
- Petting Zoo (if applicable)



TURN IN APPLICATION AT LEAST 2 WEEKS
PRIOR TO EVENT

VENDOR APPLICATION FOR TEMPORARY FOOD EVENTS

All vendors must complete and submit to the Event Coordinator for each event in **FREMONT** County. ***If no menu and no equipment changes are occurring from one event to another, the completed original may be copied and a copy submitted for each subsequent event.*** Please attach a copy of your current Temporary/Special Event or mobile unit **Colorado Retail Food Establishment License**, if you are already licensed.

Event Name: murder mystery / Dinner / Silent Auction Date(s): 10-25-24

Please complete the following information:		
Temporary Retail Food Establishment Name <u>Penrose Apple Shed</u>	Legal Owner's Name <u>Sam Banning</u>	
Establishment Address (Street Address and P.O. Box) <u>208 Fremont Ave.</u>		
City <u>Penrose</u>	State <u>CO</u>	Zip Code <u>81260</u>
Telephone Number <u>(719) 281-5331</u>	Fax #	
Contact Name <u>Sam Banning</u>	Contact # <u>719-281-5331</u>	
Which county issued your license? <u>Fremont</u>	E-mail <u>Sam@banningteam.com</u>	

All vendors shall have the original Colorado Retail Food Establishment license on premise at all times

Are you:

Unlicensed _____ **Fremont County** Non-profit (provide documentation) _____
 Licensed Temporary/Special Event (provide copy) Licensed Mobile Unit (provide copy) _____

Obtaining your license from Fremont County during the event (prior arrangements must be made) in process
 Approved for your license from another county but the actual license has not been issued yet (attach documentation such as a receipt for your license and a copy of an approved inspection report from that county) _____

Cottage Foods _____ (list Cottage Foods that you will be selling on Page 2 under MENU **(you don't need to complete anything beyond MENU).**)

Hours of operation of the temporary food booth for this event:

Mon _____ Tue _____ Wed _____ Thu _____
 Fri 5pm-9pm Sat _____ Sun _____

How many people do you anticipate serving each day of the event? _____

Please list any additional events and dates that you plan on participating in Fremont County

Event name _____	Date _____	Location _____
_____	_____	_____
_____	_____	_____

FOR HEALTH DEPARTMENT USE

Licensed _____	APPROVED
Needs a license _____	Yes _____
Non-profit _____	No _____
Fremont County issuing license during the event _____	
Cottage Foods _____	
EH Specialist Signature _____	Date _____

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MENU (Please attach additional sheets, as necessary)

Please list all food products and the specific source of all food items (name of grocery chain, wholesaler, etc.)
Be sure to include items such as toppings and condiments.

Food and Drink Items	Location where obtained
1. Sausages w/ peppers + onions	Chicago Robs Food Truck
2. meatball w/ marinara	"
3. Vegi Primavera w/ pasta	"
4. Salad	"
5. rolls	"
6. water + Tea	Walmart
7.	
8.	
9.	
10.	

FOOD PREPARATION

Preparation at Approved Facility or Commissary Before Event

Check which preparation procedure each menu item requires.

Food	Thaw	Cut/ Assemble	Cook/ Bake	Cool	Reheat	Cold Holding	Hot Holding
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							

What is the name and location of your commissary? (Complete Commissary Agreement on page 5.)

Name: _____

Contact Person and Phone Number: _____

Cooling

How will foods be rapidly cooled to 41°F or below? (mark all that apply)

- Shallow pans (less than 4") in refrigerator or cooler
- Using an ice-bath to cool the food product
- Ice paddle or wand
- Other (specify) _____

Reheating

How will foods be re-heated to at least 165 degrees F? (mark all that apply)

- Microwave
- Grill
- Oven
- Hot plate
- Other (specify) _____

FIRE PROTECTION AUTHORITY INFORMATION

1. The name of the fire protection authority is: Florence Fire Protection District

2. Name of contact person: Bill Ritter
Title: Fire Chief Telephone: 719-784-2350

3. The name and address of the responding fire station is: FFPD Station 2
207 Broadway Penrose, CO. 81240

4. The distance from the subject property, by public roadway, to the responding fire station is: 0.5 miles

5. The estimated response time to the subject property is: 1 minute

6. The location of the closest fire hydrant to the subject property is: Grant Street at entrance to this property.

7. Is the existing hydrant size and location adequate for the existing neighborhood and the proposed development? Yes --- No Please explain: _____

8. Are the existing public roadways accessing the subject property adequate for fire vehicle access? Yes --- No Please explain: _____

9. Are the interior roadways existing and or proposed for the subject property adequate for fire vehicle access? Yes --- No Please explain: _____

10. Are the proposed fire protection measures adequate for any existing or proposed structures to be housed on the subject property? Yes --- No Please explain: _____

11. What are the wildfire hazard classifications for the subject property, as prepared by the Colorado State Forest Service? Contact BLM Office in Canon City.



FREMONT COUNTY FIRE PROTECTION PLAN AND DISTRICT COMMENT FORM

The Fremont County Subdivision Regulations and Fremont County Zoning Resolution require a fire protection plan be submitted with many different types of applications, at the time of application submittal. In order to provide consistency in the information received, it shall be required that these plans be submitted on this form.

The Fremont County Department of Planning and Zoning (Department), Fremont County Planning Commission (Commission) and Fremont County Board of County Commissioners (Board) take into consideration the responses of the Applicant and the District during their respective review process.

Attachments can be made to this form to provide expanded narrative for any application item including supportive documentation or evidence for provided form item answers. Please indicate at the form item that there is an attachment and label it as an exhibit with the application item number, a period and the number of the attachment for that item (*as an example, the first attached document providing evidence in support of the answer given at application item number 4 would be marked - Exhibit 4.1, the fifth attached document supporting the narrative provided for application item 4 would be marked - Exhibit 4.5*). Exhibit numbers should be placed in either the lower right hand area or the upper right hand area of the exhibit.

If the subject property is not in a fire protection district, only applicants' information and map are required. A copy of the Colorado State Forest Service Wildfire Hazard Area Map with the subject property clearly and accurately located, shall be attached and marked as Exhibit A.

APPLICANT INFORMATION

1. Project Name Appls Shed

2. Project Description Looking set it up AS A VENUE

3. Type of application:

- | | |
|--|---|
| <input type="checkbox"/> Zone Change #1 | <input checked="" type="checkbox"/> Special Review Use Permit |
| <input type="checkbox"/> Zone Change #2 – Use Designation Plan | <input type="checkbox"/> Conditional Use Permit |
| <input type="checkbox"/> Zone Change #2 – Final Development Plan | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Commercial Development Plan | <input type="checkbox"/> Change of Use of Property |
| <input type="checkbox"/> Commercial Development Modification | <input type="checkbox"/> Subdivision Preliminary Plan |
| <input type="checkbox"/> Expansion of an existing Business or Industrial Use | <input type="checkbox"/> Minor Subdivision |

3. The subject property is located at:

708 Fremont Penrose, Co 81240

Address and or General Location (If general location only is used, it will be required that a legal description of the subject property be attached Marked as Exhibit 3.1) An exhibit is attached.

4. Fire protection will be provided in what manner and with what resources? _____

city water

5. The source of water for fire protection is:
 --- Water District – Name of District: PENROSE WATER
 --- Well – Colorado Division of Water Resources Well Permit Number: _____
 Is the well approved for fire protection? Yes --- No Please explain: _____
 --- Cistern – What is the cistern capacity? _____ Gallons – What is the water source for filling the cistern? _____

6. What is the distance from the subject property to the nearest fire hydrant? _____

7. What public roadways provide access to the subject property? HWY 115, Grant St, 7th St, Park

8. How many accesses to public roadways will the subject property have? 4

9. Are the interior roadways existing and or proposed for the subject property adequate for fire vehicle access? Yes --- No Please explain by providing right-of-way and surface widths, length of roadway, surface types for all interior existing and proposed roadways and turning radii for cul-de-sacs. _____

10. What are the existing and or proposed interior roadway names? HWY 115, Grants, 7th St and Park

11. Is the subject property located within a fire protection district? Yes --- No
 If yes, please provide the district name: Florence Fire Protection

If the subject property is not located within a fire protection district please answer the following questions and the form will be considered completed for submittal. If the subject property is located within a fire protection district then answers to the following will not be required, however the remainder of the form shall be addressed by a representative of the fire protection district in which the subject property is located.

a. What is the name of the fire protection district closest to the subject property? Florence Fire District

b. What is the distance from the subject property to the nearest fire protection district boundary? 8 miles

c. Is it logical and feasible to annex the subject property to a fire protection district?
 Yes ----- No Please explain: _____

d. What types of fire protection improvements are proposed for the subject property and or structures to be housed on the property? Please explain: We have mitigated a
3 mile interior closest to the Building

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

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

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

Signing this Application is a declaration by the Applicant to conform to all plans, drawings, and commitments submitted with or contained within this Application, provided that the same is in conformance with the Fremont County Zoning Resolution.

Sam Banning
Applicant Printed Name

Sam Banning
Signature

5/17/24
Date

Sam Banning
Owner Printed Name

Sam Banning
Signature

5/17/24
Date



Fremont County

Department of Transportation

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

10.1.2024

Planning & Zoning
615 Macon, Room 210
Cañon City, CO 81212

RE: TUP 24-015 Penrose Apple Shed

Dear Mr. Victoria:

We have reviewed the above-referenced application and do not have any issues with the event. Disposal of trash and debris from the event will be the responsibility of the applicant, and the roads/rights-of-way should not be blocked.

Sincerely,

Michael Whitt

Michael Whitt
FCDOT Director

Fremont County Regional GIS Web Map



9/19/2024, 9:15:33 AM



Google Maps

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The County of Fremont assumes no liability or responsibility for the use or reuse of these maps by persons not affiliated with Fremont County. Use of these maps by any person not affiliated with Fremont County constitutes agreement by the user to assume full liability and responsibility for the verification of the accuracy of

WAIVER OF LIABILITY AND RELEASE

#10686



Customer Information

Name Banco Enterprises, LLC

Address 708 Fremont St

City, State, ZIP Penrose, CO 81240

Phone 719 281-5332

Terms and Conditions

Customer gives explicit permission for Twin Enviro Services to enter and drive upon the above said premises. Due to the weight of our fleet of trucks, there is always the possibility of damage to your property including; driveway, sidewalks, parking areas, pavement, sub-grade, ground, and any associated structures. Customer releases Twin Enviro Services from any and all liability resulting from servicing your location and being on said premises. Lessee assumes the risk of any claim, demand, or action against Twin Enviro Services as a result of servicing. Lessee agrees to hold harmless, Twin Enviro Services, from all damages, losses and expenses that may arise from servicing said premises. These terms cover wear and tear only. Accidents or incidents will be handled on an individual basis.

Customer Certification

I warrant that I have authority to sign Twin Enviro Services Waiver of Liability and Release. As the Owner or Lessee of said property, I give explicit authorization for Twin Enviro Services to enter said property for the sole purpose of servicing the trash receptacle. I expressly agree that this waiver and release is intended to be as broad and inclusive as permitted by the State of Colorado. I have carefully read the forgoing release and waiver and understand the contents thereof.

Customer Authorization

By signing this document, I am accepting Twin Enviro Services Waiver of Liability and Release in its entirety.

Leah Cooper-Banning

LESSEE SIGNATURE

5/30/23

DATE

Twin Enviro Services
PO BOX 367
Florence CO 81226
(719)372-6671

SNGLP First-Class Mail
U.S. Postage Paid
Mailed From Zip Code 81226
Permit # 5

Bill Date: 7/18/24 Acct#: 10686

Due Date: Thu Aug 1, 2024
Terms: Due by the 1st
Acct#: 10686 Total: \$148.50
Return this Stub with Payment

6/17/24	Balance	\$49.50
07/01-07/31	1-3YRD 1XWK	\$49.50
06/18/24	Payment ACH File **3	-\$99.00
06/24	Payment ACH WEB -Inv	\$99.00
08/01-08/31	1-3YRD 1XWK	\$49.50
	Total	\$148.50

BANCO ENTERPRISES LLC
708 FREMONT AVE
PENROSE CO 81240-9677

Pay your bill Online at www.trashbilling.com
ID#: 621860106862



Joanne Kohl

From: Lancaster - CDOT, Adam <adam.lancaster@state.co.us>
Sent: Tuesday, September 24, 2024 6:35 AM
To: Joanne Kohl
Subject: Re: TUP 24-015 Penrose Apple Shed

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 Mon, Sep 23, 2024 at 4:25 PM Joanne Kohl <joanne.kohl@fremontco.com> wrote:

Good afternoon,

Attached is the application for TUP 24-015 Penrose Apple Shed for your review. Please provide any comments by October 8, 2024. 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
66 Mason Avenue Room 20
Canon City, CO 81201
Telephone (719) 276-7320

Email joanne.kohl@fremontco.com



**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, Danielle Adamic, Mike Fowler

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

SUBJECT: TUP 24-015, Penrose Apple Shed

DATE: September 30, 2024

This department has had the opportunity to review the application for TUP 24-015 and finds this property to be in violation. In October of 2023 Sam Banning made application for a storage building and a carport. On the 14th of November 2023 he was notified we would need design drawings for the buildings. On the 16 of January 2024, we called and left a message regarding the status of the design drawings. (There was no call back) On the 17th of September 2024, Sam came into this office and asked what he needed to do regarding the storage building and carport that were placed on his property without a permit. Because the structures were there and he couldn't get the manufacturers to respond to his request for the design drawings, he was informed to hire an engineer to inspect the structures and provide a letter of approval. As of today, this department has had no response to our request, therefore this property is still in violation with this department.

FREMONT COUNTY BUILDING PERMIT APPLICATION

2018 International Building Code/2018 International Residential Code/2018 International Energy Conservation Code

Permit #: 24-540

Expiration Date: 10-8-2025

COPY

Applicant, please complete the following:

"APPLICATIONS WILL NOT BE PROCESSED WITHOUT APPLICANT SIGNATURE"

Owner: <u>Banco Enterprises LLC</u>	Applicant:
Mailing Address: <u>1144 4th</u>	Mailing Address:
City, State, Zip Code: <u>Penrose, Co 81240</u>	City, State, Zip Code:
Phone Number: <u>719-281-5331</u>	Phone Number:
Gate Code/Lock#:	Contractor's License #:
Contact Email: <u>stam@banningteam.com</u>	
Construction Address: <u>708 Fremont</u>	
Proposed Construction: <u>Carport</u>	Intended Use:
Total Sq. Ft.: <u>800 sq ft</u>	Proof of Sanitation:
Height of Structure: <u>12 FT</u>	Proof of Water:
Current Dwelling on Property: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Total Bedrooms:
<p>I hereby certify that all answers contained in this application are true & correct to the best of my knowledge & belief & further agree to comply with all laws & regulations of the State of Colorado, Building & Zoning Regulations of the County of Fremont. I understand that this building permit will be valid for one (1) year. When issued a building permit by Fremont County, ALL inspections will be conducted by a Fremont County Building Inspector. This building permit as well as the field set of plans must be at construction site & be visible & accessible at the time of inspection. Failure to comply may result in assessment of a re-inspection fee. This permit will be picked up at final inspection by the inspector & returned to department. If permit is not obtainable, the issuance of the certificate of occupancy or certificate of completion may be delayed. A fee is charged for all re-inspections. A fee is charged for replacement permits. ANY VIOLATIONS OF THE MENTIONED CODES, RULES & REGULATIONS MAY RESULT IN REVOCATION OF THIS PERMIT.</p>	
Applicant Signature: <u>Stam</u>	Date Applied: <u>10/18/23</u>
OFFICE USE ONLY	
Schedule Number: <u>69007671</u>	Use/Type: <u>U-5B</u>
Zoning:	District:
Valuation: \$ 15,400	Total Fees: \$ 238.25
Building: \$ <u>237.25</u>	Septic: \$
Violations: \$	Use Tax: \$
Plan Review: \$	Surcharge: \$
Copies: \$ <u>100</u>	Violation/Misc: \$
	Demo Permit: \$
	Cash/Check/Credit: <u>CK #1417</u>
	Receipt #: <u>2023-10-18-AL-19676</u>
Planning & Zoning Signature:	Date Approved:
Building Department Signature: <u>Martin Hasenauer</u>	Date Approved:
COMMENTS & NOTES: <i>Orange permit & field set including manufacturers engineered truss design is to be on site at the time of all inspections. Protect documents from the weather. Make accessible to inspector at time of inspection. Provide posted address. Maintain all required setbacks.</i>	
Application Accepted By: <u>SWA</u>	
Date Received: <u>10/24/23</u>	

FREMONT COUNTY BUILDING PERMIT APPLICATION

2018 International Building Code/2018 International Residential Code/2018 International Energy Conservation Code

Permit #: 24-539 Expiration Date: 10-8-2025

COPY

Applicant, please complete the following:

Owner: <u>fawn/Cu 5/11/2018 1-L (3)</u>	Applicant:
Mailing Address: <u>1/11th 4th</u>	Mailing Address:
City, State, Zip Code: <u>Peru, CO 81240</u>	City, State, Zip Code: <u>Jimex</u>
Phone Number: <u>713-330-5331</u>	Phone Number:
Gate Code/Lock#:	Contractor's License #:
Contact Email: <u><74WCOWManning@comcast.com></u>	
Construction Address: <u>-10% Fremont Peru, CO 81240</u>	
Proposed Construction: <u>1ct/17</u>	Intended Use: <u>Storage SLTscf</u>
Total Sq. Ft.: <u>800</u>	Proof of Sanitation:
Height of Structure: <u>12 Ft</u>	Proof of Water:
Current Dwelling on Property: <input type="radio"/> Yes <input checked="" type="radio"/> No	Total Bedrooms:
<p>I hereby certify that all answers contained in this application are true & correct to the best of my knowledge & belief & further agree to comply with all laws & regulations of the State of Colorado, Building & Zoning Regulations of the County of Fremont. I understand that this building permit will be valid for one (1) year. When issued a building permit by Fremont County, ALL inspections will be conducted by a Fremont County Building Inspector. This building permit as well as the field set of plans must be at construction site & be visible & accessible at the time of inspection. Failure to comply may result in assessment of a re-inspection fee. This permit will be picked up at final inspection by the inspector & returned to department. If permit is not obtainable, the issuance of the certificate of occupancy or certificate of completion may be delayed. A fee is charged for all re-inspections. A fee is charged for replacement permits, ANY VIOLATIONS OF THE MENTIONED CODES, RULES & ORDINANCES MAY RESULT IN REVOCATION OF THIS PERMIT.</p>	
Applicant Signature: <u>[Signature]</u>	Date Applied: _____
OFFICE USE ONLY~	
Schedule Number: <u>GRCCTKoll</u>	Use/Type: <u>LLISSx</u>
Zoning:	District:
Valuation: \$ 5,400	Total Fees: \$ 733. US
Building: \$ <u>231.25</u>	Septic: \$ _____
Use Tax: \$ _____	FDIF: \$ _____
Plan Review: \$ <u>^^^</u>	Use Tax: \$ _____
Copies: \$ <u>-Ou</u>	Fire District #: _____
Violation/Misc: \$ _____	Tax District #: _____
Demo Permit: \$ _____	Cash/Check/Credit: <u>7j^H0-?-yVHb'7</u>
	Receipt #: <u>CJcW?</u>
Planning & Zoning Signature: _____	Date Approved: _____
Building Department Signature: <u>[Signature]</u>	Date Approved: <u>11-7-7 024</u>
COMMENTS & NOTES: <i>Orange permit & field set including manufacturers engineered truss design is to be on site at the time of all inspections. Protect documents from the weather. Make accessible to inspector at time of inspection. Provide posted address. Maintain all required setbacks.</i>	
Application Accepted By: <u>[Signature]</u>	Date Received: <u>10/24/23</u>



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 10/14/2024

Project Name: TUP 24-015 Penrose Apple Shed

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: 4

Types: Commercial, Carport, Garage, Shed

SMM on site? No

Does the site plan match site conditions? Yes

Structures Code/Zoning Compliant : Yes

Land Use Compliant: Yes

Notes/Concerns

At the time of our inspection, there were no land use concerns.

Kyle Yarberry

October 14, 2024

George Meffley

October 14, 2024

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