



**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](mailto:Planning@fremontco.com)

Fremont County

MAY 07 2025

Planning & Zoning

# Home Occupation I, II, III

## Application Packet

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

FREMONT COUNTY PLANNING & ZONING

## Process & Requirements Overview

This accessory use is intended to be allowed in zone districts where residential uses are permitted, and where the home occupation is clearly incidental and secondary to the residential use, does not change the character and nature of the community, and has minimal impact on adjacent uses.

### General Requirements:

Except as otherwise provided, there shall be no exterior advertising other than identification of the home occupation; such sign shall not be larger than two (2) square feet and shall not be illuminated; such sign shall be subject to other portions of this Resolution pertaining to signs.

There shall be only incidental sale of stocks, supplies, or products conducted on the premises.

No mechanical equipment is operated except such as normally used for purely domestic or household purposes; and provided further that in the pursuit of such home occupation, no equipment shall be used that creates off-site noise, dust, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses. In the case of electrical interference, no equipment or process shall be used that creates visual or audible interference in any radio or television receiver off the premises or causes fluctuations in line voltage off the premises.

A home occupation shall provide additional off-street parking area adequate to accommodate all needs created by the home occupation.

More than one (1) home occupation may be conducted in or on the same premises provided that the cumulative affect does not exceed any of the requirements of Home Occupation I, II, or III, as applicable.

### Home Occupation I:

Such use shall be conducted by the inhabitants living in the principal dwelling, with no more than one (1) employee

The home occupation shall be wholly contained within the residence.

There shall be no exterior storage on the premises of material or equipment used as a part of the home occupation.

Not more than one (1) commercially licensed vehicle or vehicle containing equipment or advertising related to the home occupation is parked on the premises.

A Home occupation I may include the following uses or any similar use or use which has similar neighborhood and infrastructure impacts: art studio, beauty parlor, barber shop, dressmaking, photography services, telephone marketing, dog grooming, nail salons, family child care home (not more than eight (8) children, not including the resident's children) and professional offices (i.e., legal, surveying, engineering, architectural, planning, accounting, insurance.)

A Home Occupation I shall not include the following or any similar use or use which has similar neighborhood and infrastructure impacts: retail store, nursing home, hospital, medical clinic, veterinary premises, school, restaurant, lounge, financial institution, vehicle or boat repair shop, paint shop, machine shop, carpentry shop, upholstery shop, museum, rafting office, boarding and rooming houses, bed and

breakfast.

**Home Occupation II:**

This use is intended to be allowed in zone districts where residential uses are permitted in combination with large acreage parcels (one (1) acre or larger). This use is an accessory use provided all the following conditions are met.

Such use shall be conducted by the inhabitants living in the principal dwelling with no more than one (1) employee.

The home occupation may be conducted within a residence or a detached structure provided it complies with the size requirements and any other applicable regulations. Such use may be conducted outdoors provided all other provisions of the home occupation are met.

There shall be no exterior storage on the premises of material or equipment used as a part of the home occupation.

The maximum area devoted to the home occupation by the use of a detached structure is one thousand (1000) square feet.

Not more than one (1) commercially licensed vehicle or vehicle containing equipment or advertising related to the home occupation is parked on the premises.

A Home occupation II may include the following uses or any similar use or use which has similar neighborhood and infrastructure impacts: art studio, beauty parlor, barber shop, dressmaking, photography services, telephone marketing, dog grooming, paint striping, nail salons, family child care home (not more than eight (8) children, not including the resident's children) and professional offices (i.e., legal, surveying, engineering, architectural, planning, accounting, insurance

A Home Occupation II shall not include the following or any similar use or use which has similar neighborhood and infrastructure impacts: retail store, nursing home, hospital, medical clinic, veterinary premises, kennel, school, restaurant, lounge, financial institution, vehicle or boat repair shop, paint shop, machine shop, carpentry shop, upholstery shop, museum, rafting office, boarding and rooming houses, bed and breakfast.

**Home Occupation III:**

This use is intended to be allowed in zone districts where residential uses are permitted in combination with large acreage parcels (four and a half (4 ½) acres or larger). This use is an accessory use provided all the following conditions are met.

Such use shall be conducted by the inhabitants living in the principal dwelling with no more than two (2) employees.

The use may be conducted within a residence and/or a detached structure provided it complies with the size requirements and any other applicable regulations. Such use may be conducted outdoors provided all other provisions of the home occupation are met.

The maximum area devoted to the home occupation by the use of a detached structure is one-thousand-

five hundred (1500) square feet. If the home occupation is to be conducted within a residence, the home occupation must be wholly contained within the residence.

There shall be no exterior advertising other than identification of the home occupation; such sign shall not be larger than ten (10) square feet and shall not be illuminated; such sign shall be subject to other portions of this Resolution pertaining to signs.

Outdoor Storage on the premises of material or equipment used as a part of the home occupation will be allowed but shall be limited to one thousand (1,000) square feet and is required to be screened by an opaque security fence six (6) feet in height constructed of metal, wood, or masonry.

A Home Occupation III may include the following uses or any similar use or use which has similar neighborhood and infrastructure impacts: art studio, beauty parlor, barber shop, dressmaking, photography services, telephone marketing, machine shop, carpentry shop, upholstery shop, minor vehicle or boat repair shop (not to allow the outdoor storage of inoperable vehicles and boats) gun repair shop, taxidermy, personal semi-tractor/trailer parking (two (2) units maximum), dog grooming, paint striping, paint shop, nail salon, family child care home (not more than eight (8) children, not including the resident's children), professional offices (i.e., legal, medical, dental, veterinarian office with no outdoor kennels, surveying, engineering, architectural, planning, accounting, insurance), and contractor's yard. For a contractor's yard refer to section 5.03(a) of Fremont County Regulations.

A Home Occupation III shall not be interpreted to include the following or any similar use or use which has similar neighborhood and infrastructure impacts: retail store, nursing home, hospital, restaurant, lounge, financial institution, rafting office, museum, and boarding and rooming houses.

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) electronic copy, one (1) hard copy of the application, one (1) hard copy all required submittals, and two (2) hard copies of the site plan.

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. 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.

**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](mailto:Planning@fremontco.com)

☐ Home Occupation I  
\$200.00

☐ Home Occupation II  
\$200.00

☒ Home Occupation III  
\$200.00

**PROPERTY INFORMATION:** Provide information to identify the property and the proposed development. Attach additional sheets if necessary.

Property Address:

1833 10<sup>th</sup> street, Penrose, CO 81240

Tax ID/Parcel Number:

69080018

Parcel size in Acres:

10

Zoning District:

Proposed Home Occupation:

Gunsmith

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

Name(s) (Individual or Organization):

David B. & Anyoli Bailey

Mailing Address:

1833 10<sup>th</sup> St, Penrose, CO 81240

Telephone:

786.282.8600

Email Address:

angie@darkhorsearmor.com

**AUTHORIZATION REPRESENTATIVE / AGENT / CONSULTANT:** Indicate person(s) submitting the application if different than the property owner(s). Attach additional sheets if necessary.

<b>Name(s) (Individual or Organization):</b> N/A
<b>Mailing Address:</b>
<b>Telephone:</b>
<b>Email Address:</b>

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.

David Brian Bailey		6 May 2025
Printed Name	Applicant Signature	Date
David Brian Bailey		6 May 2025
Printed Name	Owner Signature	Date





**Fremont County Planning & Zoning Department**  
Home Occupation I, II, III, Application

1. Explain in detail what the home occupation use is:

A small appointment-based gunsmithing business operated by an ATF licensed gunsmith. The primary activities include firearm repair, maintenance + customization, as well as lawful transfers and sales. All work is done indoors within a secure detached garage that has been designated and prepared for business use.

2. Will you have any employees: [redacted]

(b) If yes, how many employees? None

3. Will the home occupation be wholly contained within the residence? [redacted]

(b) If no, what is the square footage needed in a detached structure: garage - 720 ft<sup>2</sup>

4. Will there be outdoor storage on the premises? [redacted]

(b) If yes, what is the square footage needed for the outdoor storage area? None

5. Will there be exterior advertising/Sign? [redacted]

(b) If yes, what is the dimensions of the sign? yes 4' L x 2' H

6. Explain why the use will have a minimal impact on adjacent properties:

There will be minimal to no impact due to the property size, location, and quiet nature of operations. The property includes 10 acres of land, providing substantial separation from

neighboring homes. The closest neighbor's structure is over 100 yards away, ensuring that noise and activity will not be disruptive.

7. Explain why the use will have a minimal impact on adjacent properties:

All business activity will take place inside a fully enclosed + detached garage with no outdoor work or storage. The limited appointment only client visits will result in minimal traffic, and no visible signage from the road. The tools used produce no detectable noise beyond the garage, and there are no hazardous materials, waste, or lighting required to disturb the area.

**REQUIRED EXHIBITS**

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

**REQUIRED ATTACHMENTS – SECTION TWO**

<input checked="" type="checkbox"/> EXHIBIT 2.1	A copy of the most recent recorded deed.
<input checked="" type="checkbox"/> EXHIBIT 2.2	Written proof from the appropriate entity or service provider that water and sewer/septic services are adequate for all uses on the parcel.
<input checked="" type="checkbox"/> EXHIBIT 2.3	Attach a list of all agencies of local, state, or federal government that will be required to issue any permit, license, or other authorization for all or any part of the activity that comprises the Home Occupation
<input checked="" type="checkbox"/> EXHIBIT 2.4	Plot Plan <input type="checkbox"/> All structures proposed or existing with dimensions to property lines. <input type="checkbox"/> All utilities for the structures, including electric, gas, water, and sanitation. <input type="checkbox"/> All parking areas. <input type="checkbox"/> Outdoor storage area, if applicable. <input type="checkbox"/> Sign location, if applicable. <input type="checkbox"/> All exterior access points.





Order No.: 330-F15849-24

Doc Fee: \$55.20

### GENERAL WARRANTY DEED

THIS DEED, Made this 27th day of January, 2025, between

**Joshua T. Jordan and Jennifer A. Jordan,**

grantor, and

**David Brian Bailey and Anyoli Bailey, In joint tenancy and**

whose legal address is 1833 10th St., Penrose, CO 81240-9696.

grantees:

**WITNESS**, That the grantor, for and in consideration of the sum of **Five Hundred Fifty-Two Thousand And No/100 Dollars (\$552,000.00)**, 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 grantees, their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Fremont, State of COLORADO, described as follows:

Tract 45, Section 2, Township 19 South, Range 68 West of the 6th P.M., Beaver Land and Irrigation Co. Plat No. 3 according to the recorded plat

County of Fremont  
State of Colorado

also known by street and number as 1833 10th St., Penrose, CO 81240-9696

**TOGETHER** with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and 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 grantees, their heirs and assigns forever. And the grantor, for themselves, their heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantees, their heirs and assigns, that at the time of the ensealing and delivery of these presents, they are well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, 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 for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.

The grantor shall and will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of the grantees, their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

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

**GRANTOR:**


  
Joshua T. Jordan  
  
Jennifer A. Jordan

**GENERAL WARRANTY DEED**  
(continued)

STATE OF COLORADO

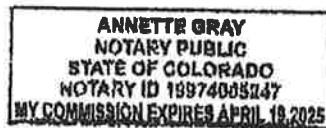
COUNTY OF Fremont

The foregoing instrument was acknowledged before me this 27th day of January, 2025, by Joshua T. Jordan and Jennifer A. Jordan.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 4-19-25

(SEAL)



# PENROSE WATER DISTRICT



210 Broadway Penrose, CO 81240  
Phone (719) 372-3289 Fax (719) 372-9347

April 29, 2025

Anyoli Bailey  
1833 10<sup>th</sup> Street  
Penrose, Colorado 81240

Re: Water service for a home-based business

Dear Ms. Bailey,

Pursuant to your request, this letter is provided to advise that the existing water service at 1833 10<sup>th</sup> Street is adequate for your proposed home-based business of gunsmithing.

In our phone call this morning, Brian Bailey stated that the business involves building and repairing firearms in a shop that is a detached garage on the property and to which there is no water service connected. Provided that these statements are true and accurate, the Penrose Water District does not take exception to the operation of your proposed home-based business.

If you have questions, or need additional information from us, please let us know.

Regards,

A handwritten signature in blue ink that reads "Ron S. Gasser".

Ron Gasser  
District Manager



Angie Bailey &lt;anyoli@gmail.com&gt;

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1800 10th st

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Lindsey Clark <lindsey.clark@fremontcountyco.gov>  
To: "anyoli@gmail.com" <anyoli@gmail.com>

Tue, Apr 29, 2025 at 11:00 AM

Hello,

I've attached a copy of our letter that we use for existing septic's when we don't have any information on it. I've also included the form from your property file showing the septic tank. Unfortunately we don't have any other documentation on a septic system.

Thank you,

*Lindsey Clark*

**Office Manager**

**Fremont County Building Department**

**719-276-7460**

**\*\*Please be advised, our email addresses have changed from fremontco.com to fremontcountyco.gov\*\***

**Website:** <https://fremontcountyco.gov/building/building-department>

**Permit applications:** [buildingpermits@fremontcountyco.gov](mailto:buildingpermits@fremontcountyco.gov)

**Contractor information:** [contractors@fremontcountyco.gov](mailto:contractors@fremontcountyco.gov)

**Inspections:** [inspections@fremontcountyco.gov](mailto:inspections@fremontcountyco.gov)

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2 attachments

 Existing Septic agreement.pdf  
1686K

 1833 10th st.pdf  
599K



# FREMONT COUNTY BUILDING DEPARTMENT

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



## EXISTING ON-SITE WASTEWATER TREATMENT SYSTEM LETTER

To Whom This May Concern.

I, David Brian Bailey, being the owner of the property located at,  
1933 10<sup>th</sup> ST. PENROSE CO 81240,

do hereby state that the On-site Wastewater Treatment System located on the  
aforementioned property was installed prior to regulations and is functioning  
properly. I further state that I will take full responsibility for the function and  
location of said On-site Wastewater Treatment System. Also, that at such time that  
the system is determined to be not functioning properly or to be in failure, I will  
meet and comply with all the current Fremont County and State of Colorado On-  
site Wastewater Treatment System Regulations.

Signature: David B. Bailey Date: 7 May 2025

Signed before me this 7 Day of May 2025

By (Please Print) David Brian Bailey

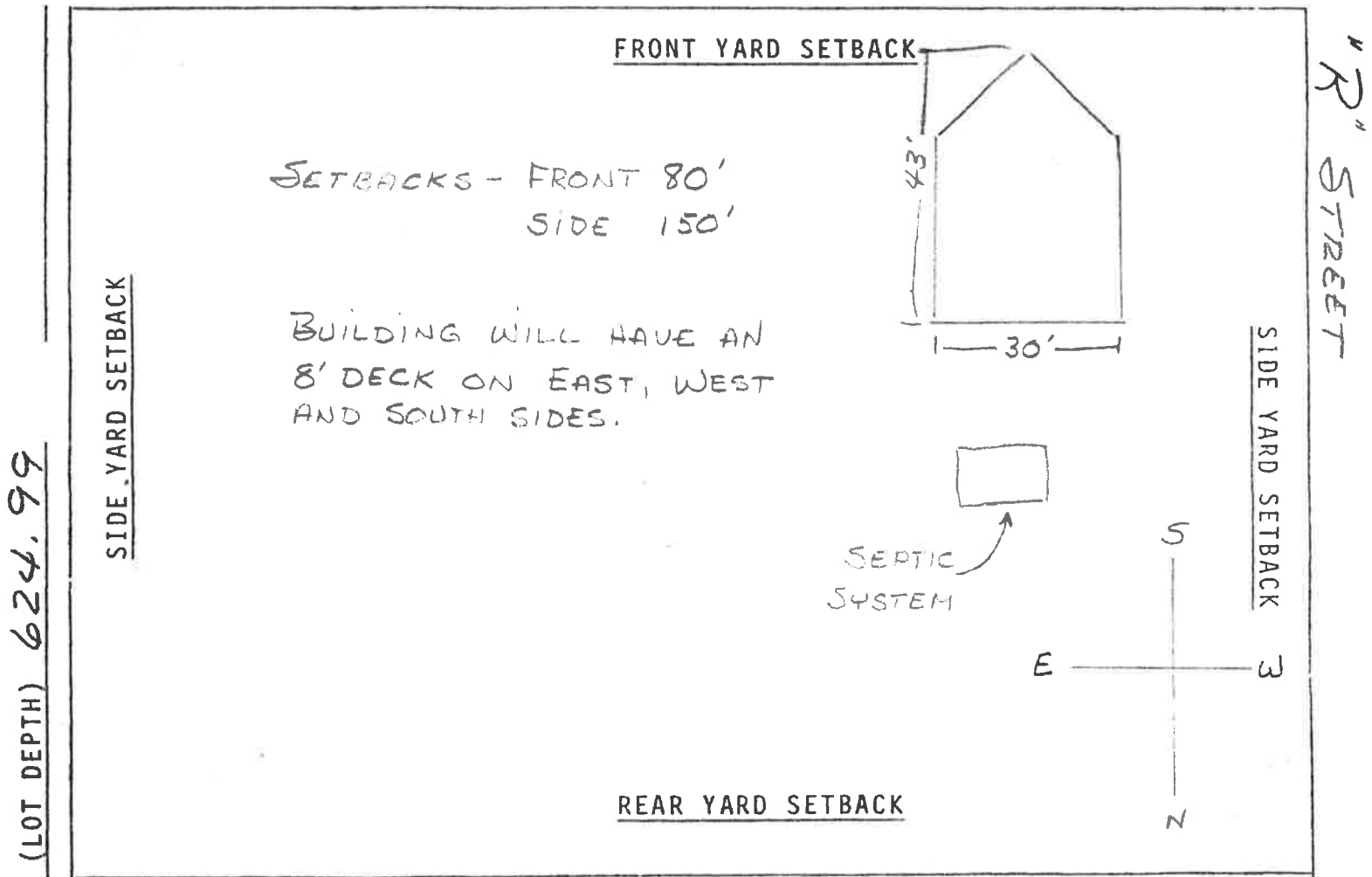
MANDY BROWN  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20204007929  
MY COMMISSION EXPIRES 02/25/2028

NOTARY SIGNATURE: Mandy Brown

PLOT PLAN:

Please designate the following, using the square to represent your lot:

- a) Lot dimensions, width x depth;
- b) Structural dimensions, all buildings that exist and those proposed;
- c) Setbacks, front, rear and sides;
- d) Roads in, around or through the property;
- e) River, lake, stream or ditch that exist in, around or through property;
- f) Proposed and/or existing wells and/or septic systems.

(LOT WIDTH) 638.77 FT10<sup>TH</sup> STREET

Fremont County Planning  
P. O. Box 349  
Canon City, Colorado  
81212

275-1511  
Extension 50



## **Exhibit 2.3: List of Regulatory Agencies Requiring Permits**

Applicant Name: David Brian Bailey

Property Address: 1833 10<sup>th</sup> Street, Penrose CO 81240

Business Type: Home-Based Gunsmithing and Firearms Sales

### **Federal Agencies**

Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)

- Permit/License Required: Federal Firearms License (FFL) Type 07
- Status: Application submitted 4/28/2025

### **State of Colorado**

Colorado Department of Law – Firearms Business Licensing Division

- Permit/License Required: Colorado Firearms Business License
- Status: Will be applying in compliance with the new requirement effective 7/1/2025

Colorado Department of Revenue

- Permit/License Required: Sales Tax License
- Status: Approved – Account Number 96657936-0001

### **Local (Fremont County, CO)**

Fremont County Planning & Zoning

- Permit/License Required: Home Occupation Permit
- Status: Current application herein submitted with supporting documentation

Exhibit 2.4 - Page 1  
1833 10<sup>th</sup> Street, Penrose CO 81240





Exhibit 2.4 - Page 2  
1833 10<sup>th</sup> Street, Penrose CO 81240

