



Fremont County Colorado
Department of Planning and Zoning

615 Macon Ave., Cañon City, Colorado
719-276-7360 PH / 719-276-7374 Fax
Email: Planning@fremontco.com

Accessory Dwelling Unit Application

1. Project Name: Adam Miller Fee: \$ 350.00
2. Owner(s) Name: Adam R. + Elizabeth J. Miller
3. Site Address: 9025 Cody Park RD
City: Cotopaxi State: CO Zip Code: 81223
Telephone #: 719-371-5223 Facsimile #
Email Address: gutterpro@tbyfax.com

Land Description:

Acreage: 36 Zone District:

Utility Services - Provider/Source

Water: well X Sewer: X Septic
Gas: Rocky Mountain LP Electric: X
Phone: X Cable: X

Fire Protection District / Source: Deer Mountain Fire

Primary & Accessory Dwelling Information:

Primary Structure Square Footage: 980' Accessory Dwelling Square Footage: 4000'

Attachments:

- A. Copy of the most recent recorded deed.
B. Signed Declaration of Covenant & Restriction stating ADU restrictions.
C. Written proof from the appropriate entity or service provider that water and sewer/septic services are adequate for all uses on the parcel.
D. Certified mail receipts.
E. Floor plan of ADU
F. Plot Plan Showing:
a. All structures proposed or existing with dimensions to property lines & structures.
b. All utilities for the structures, including electric, gas, water, and sanitary sewer/septic.
c. All parking areas.
d. All exterior access points

Adam Miller
Applicant Printed Name

Adam Miller
Signature

10-22-24
Date



**FREMONT COUNTY'S
COLORADO DIVISION OF WATER RESOURCES
INFORMATION FORM FOR
SPECIAL USE, ZONING, AND OTHER LAND USE ACTIONS**

The Fremont County Department of Planning & Zoning (Department) is required to submit proposed land use actions to the State Engineer's Office (SEO) at the Colorado Division of Water Resources (CDWR). The SEO is responsible for providing an opinion regarding material injury likely to occur to decreed water rights by virtue of diversion of water necessary or proposed to be used to supply the proposed land use action.

This CDWR Information Form must be filled out completely and accurately to ensure that the submittal to the CDWR regarding this proposed land use action includes the necessary information required by that agency. The CDWR has 21 days to respond to County submittals. Incomplete submittals will be returned to the County for additional information and then must be resubmitted to the CDWR.

Please note that the CDWR timeframe for review may not coincide with the County deadlines or meetings, and if the CDWR requires additional information, further delays may occur.

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 (*as an example, the first attached document providing evidence in support of the answer given at application item number 8 would be marked - Exhibit CDWR-8.1, the fifth attached document supporting the narrative provided for application item 8 would be marked - Exhibit CDWR-8.5*). Exhibit numbers should be placed in the lower right hand area of the exhibit.

1. Name of proposed project: Adam Miller House
2. Provide a map of proposed improvements with an identified location that includes a quarter-quarter, section, township, range and principle meridian (PLSS).
3. Legal description of subject property: _____
4. What is the size of the existing parcel? 36 Acres --- Square feet
5. What are the proposed uses of the subject property?
 Residential Only
 Commercial
 Commercial and Residential
6. What are the current uses of water on this parcel?
 - a. Are there any established uses that require water? Yes --- No
 - b. Number of existing homes: 1

If one or more, date this use was established: _____

c. Home lawn / garden irrigation: Yes --- No

If yes, amount: 600 sq. ft. Acres --- Square feet

Date this use was established: 2022

d. Livestock watering: Yes --- No

If yes, commercial or non-commercial livestock? (Circle one)

If yes, date this use was established: 2022

e. Other uses: _____

Dates established: _____

7. What will be the proposed uses of water for this parcel?

a. Number of proposed homes (including the home above if it will remain): _____

b. Lawn / garden watering, amount: 600 sq. ft. Acres --- Square feet

c. Livestock watering: Yes --- No

If yes, commercial or non-commercial livestock? (Circle one)

d. Number of Employees per day: X Number of days open per year: X

e. Number of Customers per day: X Number of days open per year: X

f. Bed / Breakfast Customers per day: X Number of days open per year: X

g. Describe other water needs: X

8. Source of water for the uses described above: (If more than one source is utilized for parcel, describe which sources will supply which proposed uses) _____

a. Is Municipal water available to parcel: Yes -- No

b. Is water available to parcel from an independent water district? Yes --- No

c. Are the uses described above proposed to be provided water by a municipality?

Yes -- No

Name of provider: _____

- d. Is water hauled: Yes --- No
- e. Is there an existing permitted well?: Yes --- No
 If yes, permit number: 323140
- f. Is there a Substitute Water Supply Plan? (*Substitute water supply plans provide water users a mechanism to replace out-of-priority depletions on an interim basis.*)
 Yes --- No
 If yes, name of plan: _____
- g. Is there an unregistered well? Yes --- No
- h. Is there a Surface Spring? Yes --- No
 If yes, Court Adjudication Number and Spring Name: _____
9. What is the Waste Water Method?
 Municipal
 Septic with Leach Field
 Closed Vault, Waste Water hauled to: _____

By signing this form, the Applicant, or the agent/representative acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the form and any attachments to the form, is true and correct to the best of Applicant's knowledge and belief.

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 Department regarding the Application to be null and void.

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

Adam Miller Adam M 10-22-24
 Applicant Printed Name Signature Date

 Property Owner Printed Name Signature Date
 (If different from applicant)

- [Searching](#)
 - [Account Search](#)
 - [Sale Search](#)
- [View Created Report\(s\)](#)
- [Help?](#)
- [Logout Public](#)

Account: R030429

1 of 2 Results [Next->](#)

<u>Location</u>	<u>Owner Information</u>	<u>Assessment History</u>
Parcel Number 98804311	Owner Name MILLER OWEN M	Actual Value (2021) \$1,065
Tax Area 39E - 39E	Owner Address 525 CHINOOK CIR	Assessed \$309
Situs Address	COTOPAXI, CO 81223-8811	Tax Area: 39E Mill Levy: 45.091000
Legal Summary Subd: CODY PARK F5		<u>Type Actual Assessed Acres</u>
LOT 4 CODY PARK FIL #5		Ag \$1,065 \$309 36.080
		Land

Transfers

<u>Sale Date</u>	<u>Sale Price</u>	<u>Doc Description</u>
<u>12/01/1988</u>	<u>\$26,000</u>	<u>Deeds</u>
<u>08/10/2000</u>	<u>\$0</u>	<u>Deeds</u>
<u>08/08/2007</u>	<u>\$112,000</u>	<u>Deeds</u>
	<u>\$725,000</u>	<u>WARRANTY DEED</u>

Tax History

Images

<u>Tax Year</u>	<u>Taxes</u>
*2021	\$13.92
2020	\$13.44

* Estimated

**DECLARATION OF COVENANTS AND RESTRICTIONS
TO REAL PROPERTY REGARDING AN ACCESSORY DWELLING UNIT**

This Covenant between (land owner) and the County of Fremont, State of Colorado, is hereby recorded and attached to that parcel of land as described in deed as recorded in the records of the Fremont County Clerk and Recorder's office under Reception Number 98804311, and described as follows:

(INSERT LEGAL DESCRIPTION)

Lot 4 Cody Park Filing # 5 County of Fremont
State of Colorado

I/We, herein, covenant and agree to the County of Fremont on behalf of ourselves and all heirs, assigns and successors of interest, into whose ownership the title to or interest in the above-described real property might transfer, as follows:

1. The owners are the sole and exclusive fee-simple owners of the above described parcel located within Fremont County, Colorado.
2. The owner(s) shall reside in the primary or accessory dwelling unit (ADU) as the principal and permanent residence at all times that the other dwelling unit is occupied. The owner(s) shall reside on the property for at least (6 months) out of the year, and at no time receive rent for, or otherwise allow a third party non-owner to reside in, the owner-occupied unit.
3. Sale of the ADU, separate from the primary dwelling, is prohibited.
4. Subdivision of the property in a manner that separates the ADU from the primary dwelling is prohibited.
5. Formal approval from Fremont County is required for modification of the size of the ADU.
6. These covenants and restrictions, shall run with the land and be binding and enforceable upon the owners and any and all of their heirs, assigns, grantees, and successors in interest into whose ownership title to the above-described real property may pass.
7. These covenants and restrictions will automatically terminate upon removal of the ADU from the parcel.
8. The provisions of these covenants and restrictions are enforceable in law or equity by Fremont County and its assigns. The Owner(s) expressly consent to and grant a private cause of action for enforcement, including damages and reasonable attorney fees, to any party is adversely affected by the failure to comply with the covenants and restrictions set forth herein.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed
this 13th day of November, 2024.

Adam & Elizabeth
Owner

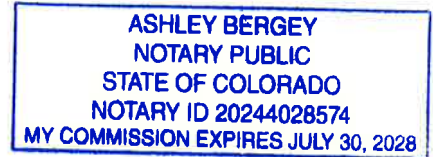
State of Colorado
County of Freemont

The foregoing instrument was acknowledged before me this 13th of November 2024 (date)
by Adam R Miller (name of person acknowledged).

Ashley J Berguey
Notary Public

Print Name: Ashley J. Berguey

My commission expires: July 30, 2028



(Seal)

Owner

State of Colorado
County of Freemont

The foregoing instrument was acknowledged before me this _____ (date)

by _____ (name of person acknowledged).

Notary Public

Print Name: _____

My commission expires: _____

(Seal)

DOC FEE: \$14.03

WARRANTY DEED

THIS DEED is dated **April 14, 2022**, and is made between **Matthew G. Hershberger and Owen M. Miller** (whether one, or more than one), the "Grantor", whose mailing address is **1805 Wild Bill Blvd, Westcliffe, Colorado 81252**, and **Adam Miller and Elizabeth Miller** (whether one, or more than one), the "Grantee," whose mailing address is **2026 Q Path, Cotopaxi, Colorado 81223**.

WITNESS, that the Grantor, for and in consideration of the sum of **ONE HUNDRED FORTY THOUSAND TWO HUNDRED FIFTY AND NO/100 Dollars (\$140,250.00)**, the receipt and sufficiency 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:

Lot 4, Cody Park Filing No. 5, County of Fremont, State of Colorado

also known by street address as: **9025 Cody Park Rd, Cotopaxi, CO 81223**
and assessor's schedule or parcel no.: **98804311**

with all appurtenances.

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 all 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 ensealing 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 so ever, except 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.

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.

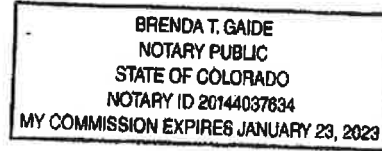
Matthew G. Hershberger
Matthew G. Hershberger

Owen M. Miller
Owen M. Miller

STATE OF COLORADO

COUNTY OF CUSTER

SS.



The foregoing instrument was acknowledged, subscribed and sworn to before me this the 14th of April, 2022, by Matthew G. Hershberger and Owen M. Miller.

Brenda T. Gaide
Notary Public

My Commission Expires: 1-23-23

COLORADO DIVISION OF WATER RESOURCES
DEPARTMENT OF NATURAL RESOURCES
 1313 SHERMAN ST., Ste 821, DENVER, CO 80203
 Main: (303) 866-3581 dwrpermitsonline@state.co.us

Office Use Only

Form GWS-44 (01/2020)

RCVD DWR
07/12/2021

RESIDENTIAL Note: Also use this form to apply for livestock watering
Water Well Permit Application
 Review form instructions prior to completing form.
 Hand completed forms must be completed in black or blue ink or typed.

1. Applicant Information

Name(s)

OWEN MILLER

Mailing address

525 CHINOOK CIRCLE

City

COTOPAXI

State

CO

Zip code

81223

Telephone (w/area code)

719-275-9525

E-mail

2. Type Of Application (check applicable boxes)

- Construct new well Change source (aquifer)
 Replace existing well Reapplication (expired permit)
 Use existing well Rooftop precip. collection
 Change or increase use Other: _____

3. Refer To (if applicable)

Well permit #

Water Court case #

Designated Basin Determination #

Well name or #

4. Location Of Proposed Well (Important! See Instructions)

County

FREMONT

W

SE

1/4 of the 1/4

Section

32

Township

20

N or S

N S

Range

73

E or W

E W

Principal Meridian

6TH

Distance of well from section lines (section lines are typically not property lines)

ft. from N S

ft. from E W

For replacement wells only - distance and direction from old well to new well

feet

Direction

Well location address (Include City, State, Zip)

Check if well address is same as in Item 1.

Optional: GPS well location information in UTM format. GPS unit settings are as follows:

Format must be UTM

Zone 12 or Zone 13

Units must be Meters

Datum must be NAD83

Unit must be set to true north

Was GPS unit checked for above? YES

Easting: _____

Northing: _____

Remember to set Datum to NAD83

5. Parcel On Which Well Will Be Located

(You must attach a current deed for the subject parcel)

A. You must check and complete one of the following:

- Subdivision: Name **CODY PARK**
 Lot **4** Block _____ Filing/Unit **5**
 County exemption (attach copy of county approval & survey)
 Name/# _____ Lot # _____
 Parcel less than 35 acres, not in a subdivision attach a deed with metes & bounds description recorded prior to June 1, 1972, and current deed
 Mining claim (attach copy of deed or survey) Name/#: _____
 Square 40 acre parcel as described in Item 4
 Parcel of 35 or more acres (attach metes & bounds description or survey)
 Other: (attach metes & bounds description or survey)

B. # of acres in parcel

36.08

C. Are you the owner of this parcel?

YES NO

D. Will this be the only well on this parcel? YES NO (if no - list other wells)

E. State Parcel ID# (optional):

6. Use Of Well (check applicable boxes)

See instructions to determine use(s) for which you may qualify

- A. Ordinary household use in one single-family dwelling (no outside use)
 B. Ordinary household use in 1 to 3 single-family dwellings:
 Number of dwellings: **1**
 Home garden/lawn irrigation, not to exceed one acre:
 area irrigated **1** sq. ft. acre
 Domestic animal watering - (non-commercial)
 C. Livestock watering (on farm/ranch/range/pasture)

7. Well Data (proposed)

Maximum pumping rate	gpm	Annual amount to be withdrawn	acre-feet
Total depth	feet	Aquifer	

8. Water Supplier

Is this parcel within boundaries of a water service area? YES NO
 If yes, provide name of supplier: _____

9. Type Of Sewage System

- Septic tank / absorption leach field
 Central system: District name: _____
 Vault: Location sewage to be hauled to: _____
 Other (explain) _____

10. Proposed Well Driller License #(optional): 1358

11. Sign or Enter Name of Applicant(s) or Authorized Agent

The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104 (13)(a). I have read the statements herein, know the contents thereof and state that they are true to my knowledge.

Sign or enter name(s) of person(s) submitting application

Date (mm/dd/yyyy)

OWEN MILLER

7/08/2021

If signing print name and title

OWEN MILLER - OWNER

Office Use Only

USGS map name _____ DWR map no. _____ Surface elev. _____

Receipt area only

10013652

AQUAMAP

WE

WR

CWCB

TOPO

MYLAR

SBS

DIV _____ WD _____ BA _____ MD _____

From: "Fuentes - DNR, Raquel" <raquel.fuentes@state.co.us>
To: gutterpro@ibifax.com
Date: 10/22/2024 1:27:09 PM
Subject: Division of Water Resources Info
Attachments: Guideline 2016-1_Auxiliary Living Spaces.pdf
DWR Well Permit_323140.pdf
DWR_Info Form_Fremont County_Land Use Actions (1) (2).pdf

Good afternoon,

This is a follow up to our conversation earlier today. Attached you will find your Well Permit which lists your well's conditions of approval. Also attached is DWR's Guidelines Concerning Water Supplies for Auxiliary Living Spaces which describes what DWR will consider when determining whether your addition will be considered an "auxiliary living space" or a "single-family dwelling".

The last attachment is the DWR Info Form that we ask applicants to fill out and return to us. We request that Fremont County require applicants to submit this form as part of the application package. If you already filled the form out as part of your Fremont County application then we should receive it from them. If you have not seen this form, please fill it out and return it to us directly. This will help speed up the process. If you have any other questions feel free to contact us.

Thanks,

--

Raquel Fuentes
Water Data Analyst
Division 2

C 719.542.3368 x2119 | F 719.544.0800
310 East Abriendo Avenue, Suite B, Pueblo, CO 81004
raquel.fuentes@state.co.us | www.colorado.gov/water



FREMONT COUNTY
COLORADO DIVISION OF WATER RESOURCES
INFORMATION FORM FOR
SPECIAL USE, ZONING, AND OTHER LAND USE ACTIONS

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1. Name of proposed project: Adam Miller - House
2. Provide a map of proposed improvements with an identified location that includes a quarter-quarter, section, township, range and principle meridian (PLSS).
3. Legal description of subject property: _____
4. What is the size of the existing parcel? 36 Acres --- Square feet
5. What are the proposed uses of the subject property?
 Residential Only
 Commercial
 Commercial and Residential
6. What are the current uses of water on this parcel?
 - a. Are there any established uses that require water? Yes --- No
 - b. Number of existing homes: 1

If one or more, date this use was established: _____

c. Home lawn / garden irrigation: Yes --- No

If yes, amount: 600 Acres --- Square feet

Date this use was established: 2022

d. Livestock watering: Yes --- No

If yes, commercial or non-commercial livestock? (Circle one)

If yes, date this use was established: 2022

e. Other uses: X

Dates established: X

7. What will be the proposed uses of water for this parcel?

a. Number of proposed homes (including the home above if it will remain): 1

b. Lawn / garden watering, amount: 600 Acres --- Square feet

c. Livestock watering: Yes --- No

If yes, commercial or non-commercial livestock? (Circle one)

d. Number of Employees per day: X Number of days open per year: X

e. Number of Customers per day: X Number of days open per year: X

f. Bed / Breakfast Customers per day: X Number of days open per year: _____

g. Describe other water needs: _____

8. Source of water for the uses described above: (If more than one source is utilized for parcel, describe which sources will supply which proposed uses) _____

a. Is Municipal water available to parcel: Yes --- No

b. Is water available to parcel from an independent water district? Yes --- No

c. Are the uses described above proposed to be provided water by a municipality?

Yes -- No

Name of provider: _____

- d. Is water hauled: Yes --- No
- e. Is there an existing permitted well?: Yes --- No
 If yes, permit number: 323140
- f. Is there a Substitute Water Supply Plan? *(Substitute water supply plans provide water users a mechanism to replace out-of-priority depletions on an interim basis.)*
 Yes --- No
 If yes, name of plan: _____
- g. Is there an unregistered well? Yes --- No
- h. Is there a Surface Spring? Yes --- No
 If yes, Court Adjudication Number and Spring Name: _____

9. What is the Waste Water Method?

- Municipal
- Septic with Leach Field
- Closed Vault, Waste Water hauled to: _____

By signing this form, the Applicant, or the agent/representative acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the form and any attachments to the form, is true and correct to the best of Applicant's knowledge and belief.

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

Adam Miller , Adam Miller 10-22-24
 Applicant Printed Name Signature Date

 Property Owner Printed Name Signature Date
 (If different from applicant)

EXHIBIT A

9. ADU – ACCESSORY DWELLING UNIT

9.1. DESCRIPTION: The ADU – “Accessory Dwelling Unit” is established to provide alternative and affordable housing and productive economic use of lands within Fremont County. The purpose of the ADU is to allow ADU’s only when impacts to existing infrastructure, adjoining lands and uses, and neighborhoods are minimal and no life safety issues are created. The intent is to provide affordable housing, consistent with the Fremont County Zoning Resolution.

9.2. DEFINITION: ADU (Accessory Dwelling Unit): A small, secondary dwelling unit located on the same lot/parcel containing a larger, primary dwelling unit. An ADU contains independent living quarters with provisions for sleeping, cooking and sanitation.

9.3. GENERAL PROVISIONS:

9.3.1. ADU’s are allowed in the following zone districts: Agricultural Forestry, Agricultural Farming and Ranching, Agricultural Living, Agricultural Rural, Agricultural Estates, Agricultural Suburban, Low Density Residence, Medium Density Residence, and High-Density Residence.

9.3.2. The construction or placement of the ADU must comply with Fremont County building, sanitation, and codes, as well as all applicable federal, state and local laws and regulations.

9.3.3. ADU’s shall follow all development requirements of the zone district.

9.3.4. The ADU shall be a minimum of 250 sq. ft. and a maximum of 1,000 sq. ft., with no more than two bedrooms.

9.3.5. Construction of an ADU shall be with materials and finishes similar to those used for the primary dwelling. Modular construction shall comply with current building and sanitation codes.

9.3.6. ADU lots or parcels shall contain a minimum lot size of 43,560 sq. ft. (1 acre). All lot sizes shall meet the requirements for the zone district.

9.3.7. ADU utilities shall be connected using the meters for the primary dwelling when possible. All utility connections shall be made in conformance with the provider requirements.

9.3.8. No lot or parcel shall contain more than one ADU.

9.3.9. The property shall contain one parking space designated for the ADU.

9.3.10. Prior to issuance of a building permit for the ADU, the property owner shall execute and record a Declaration of Covenant and Restriction with the Fremont County Clerk and Recorder, which contains the legal description for the property, references the most current deed for the property and:

9.3.10.1 Prohibits the sale of the ADU separate from the primary unit;

9.3.10.2. Prohibits the subdivision of the lot/parcel in a manner that separates the ADU from the primary dwelling;

9.3.10.3. Prohibits modification of the size of the ADU; without approval from the Department;

9.3.10.4. Requires the property/land owner to live in one of the dwelling units;

9.3.10.5. States that the covenant is binding on any successors, heirs, assigns;

9.3.10.6. Creates and grants a private cause of action for enforcement;

9.3.11. Parcels containing an ADU shall use the street address for the primary dwelling, designating each unit as A and B.

9.3.12. A property owner may apply to the Department for "lawful status" designation for any ADU constructed or placed on the property prior to the date of adoption of the accessory use. Any pre-existing ADU shall conform to all applicable building and zoning codes, and applicable federal, state and local laws and regulations. The Board of Zoning Adjustment, upon a showing of good cause, may waive regulatory requirements for any ADU in existence prior to the adoption of these regulations and for any proposed ADU.

9.3.13. ADU shall have lawfully connected utility services (water, sanitation, electric, gas). The property owner shall provide written documentation from an entity with appropriate jurisdiction, that the potable water and sanitation/septic systems are adequate for all uses on the parcel.

9.3.14. The ADU shall be used for residential purposes only.

9.3.15. The ADU (separate structure only) shall be placed no less than ten (10) feet from the rear of the primary dwelling.

9.4. APPLICATION REQUIREMENTS:

9.4.1. An application form as provided by the Department with the required application fee.

9.4.2. A copy of the deed showing ownership of the parcel.

9.4.2.1. A signed Declaration of Covenant and Restriction stating ADU restrictions shall be completed and recorded prior to issuance of a building permit.

9.4.2.2. Written proof from the appropriate entity or service provider that water and sewer/septic services are adequate for all uses on the parcel.

9.4.2.3. The Applicant shall notify adjoining property or lot owners of the intent to establish an ADU. Comments will be reviewed by the department. If any comments state a valid, lawful objection to the ADU, the ADU application will be referred to the Board of County Commissioners for review at a public meeting.

9.4.2.4. A plot plan showing:

9.4.2.4.1. All structures proposed or existing with dimensions to property lines.

9.4.2.4.2. All utilities for the structures, including electric, gas, water, and sanitary sewer/septic.

9.4.2.4.3. All parking areas.

9.4.2.4.4. All exterior access points.

9.4.2.5. Floor plan of the ADU.

9.3.10.6. Creates and grants a private cause of action for enforcement;

9.3.11. Parcels containing an ADU shall use the street address for the primary dwelling, designating each unit as A and B.

9.3.12. A property owner may apply to the Department for "lawful status" designation for any ADU constructed or placed on the property prior to the date of adoption of the accessory use. Any pre-existing ADU shall conform to all applicable building and zoning codes, and applicable federal, state and local laws and regulations. The Board of Zoning Adjustment, upon a showing of good cause, may waive regulatory requirements for any ADU in existence prior to the adoption of these regulations and for any proposed ADU.

9.3.13. ADU shall have lawfully connected utility services (water, sanitation, electric, gas). The property owner shall provide written documentation from an entity with appropriate jurisdiction, that the potable water and sanitation/septic systems are adequate for all uses on the parcel.

9.3.14. The ADU shall be used for residential purposes only.

9.3.15. The ADU (separate structure only) shall be placed no less than ten (10) feet from the rear of the primary dwelling.

9.4. APPLICATION REQUIREMENTS:

9.4.1. An application form as provided by the Department with the required application fee.

9.4.2. A copy of the deed showing ownership of the parcel.

9.4.2.1. A signed Declaration of Covenant and Restriction stating ADU restrictions shall be completed and recorded prior to issuance of a building permit.

9.4.2.2. Written proof from the appropriate entity or service provider that water and sewer/septic services are adequate for all uses on the parcel.

9.4.2.3. The Applicant shall notify adjoining property or lot owners of the intent to establish an ADU. Comments will be reviewed by the department. If any comments state a valid, lawful objection to the ADU, the ADU application will be referred to the Board of County Commissioners for review at a public meeting.

9.4.2.4. A plot plan showing:

9.4.2.4.1. All structures proposed or existing with dimensions to property lines.

9.4.2.4.2. All utilities for the structures, including electric, gas, water, and sanitary sewer/septic.

9.4.2.4.3. All parking areas.

9.4.2.4.4. All exterior access points.

9.4.2.S. Floor plan of the ADU.



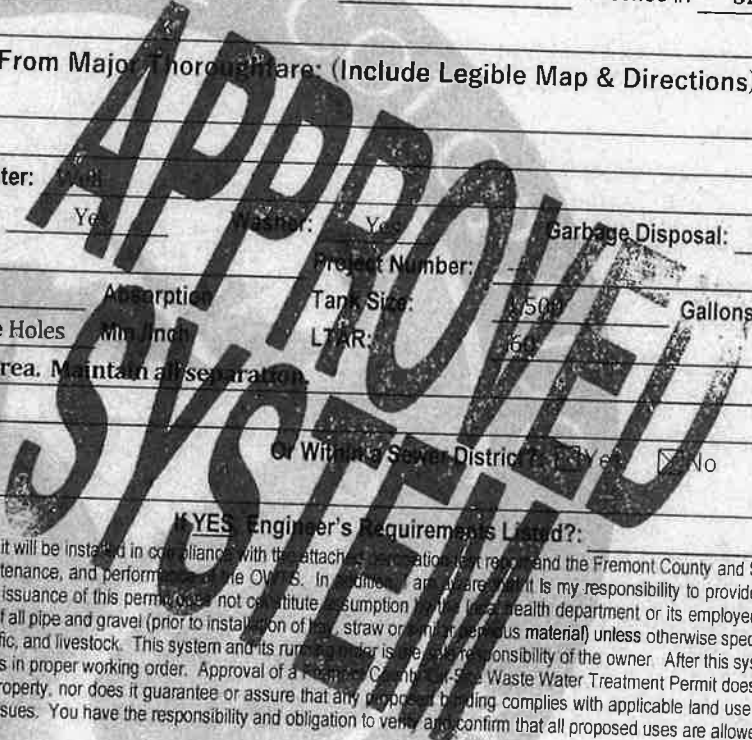
Date Applied: 11/24/2021
 Permit Fee: \$ 283.00
 Use Tax: \$ 75.30
 Colorado State Surcharge: \$ 23.00
 Copies: \$ 1.00
 Total: \$ 382.30

Septic Permit #: S21-234
 Expiration Date: 11/30/2022
 Paid By: eGovs 11-24-21
 Receipt #: 2021-TLWCHC

Inspection Request Line (719) 276-7373
 Building permit #

FREMONT COUNTY ON-SITE WASTEWATER TREATMENT SYSTEM PERMIT

Owner: Adm Owen Miller Applicant: High Country Excavating
 Mailing Address: 525 Chinook Cir Mailing Address: 2150 Mitchell Mtn. Rd
 City, State, Zip Code: Cotopaxi, CO 81223 City, State, Zip Code: Westcliffe, CO 81252
 Phone Number: --- Phone Number: 719-285-3218
 OWTS Contractor: High Country Excavating Contractor Phone: --- License #: 524
 Construction Address: 9025 Cody Park Rd, Cotopaxi
 Gate/Combination Lock #: --- Directions From Major Thoroughfare: (Include Legible Map & Directions)
 Legal Description: Sch# 98804311
 Type/Use of Structure: Single Family Dwelling
 Lot Size: 36 Acres Source, Type of Water: ---
 Maximum Potential # of Bedrooms: 5 Basement: Yes Garbage Disposal: Yes
 Engineering Firm: Jason Coleman-CPOW Project Number: ---
 Type of System: New System-OWTS Tank Size: 1500 Gallons
 Absorption: 1250 Square Feet Perc Rate: Profile Holes LTAR: 6



NOTES: Keep excavation shallow. Locate in designated area. Maintain all separation.
 Is Site Within 400 Feet of Sewer Main?: Yes No
 If YES, Is A Letter of Refusal To Connect Attached?: N/A
 Is Site In A Designated Flood Plain?: Yes No
 YES Engineer's Requirements Listed?: Yes No

I certify that the On-Site Waste Water Treatment System (OWTS) described in this permit will be installed in compliance with the attached information, the Fremont County and State of Colorado Regulations. I understand that I will be responsible for the operation, maintenance, and performance of the OWTS. In addition, I am aware that it is my responsibility to provide the contractor with a copy of the attached percolation test report. I am also aware that the issuance of this permit does not constitute assumption of liability for failure of any OWTS. Request for inspection will be required after installation of all pipe and gravel (prior to installation of hay, straw or other organic material) unless otherwise specified by engineer. The system must be properly protected from off site drainage, vehicular traffic, and livestock. This system and its proper use is the sole responsibility of the owner. After this system has been inspected and approved by the inspector it shall be assumed that this system is in proper working order. Approval of a Fremont County On-Site Waste Water Treatment Permit does not guarantee or assure that the proposed use is permitted within the zone district for the property, nor does it guarantee or assure that any proposed building complies with applicable land use and requirements for the zone district, such as setbacks, height restrictions, or other similar issues. You have the responsibility and obligation to verify and confirm that all proposed uses are allowed in the zone district and conform to the requirements of the zone district for the property.

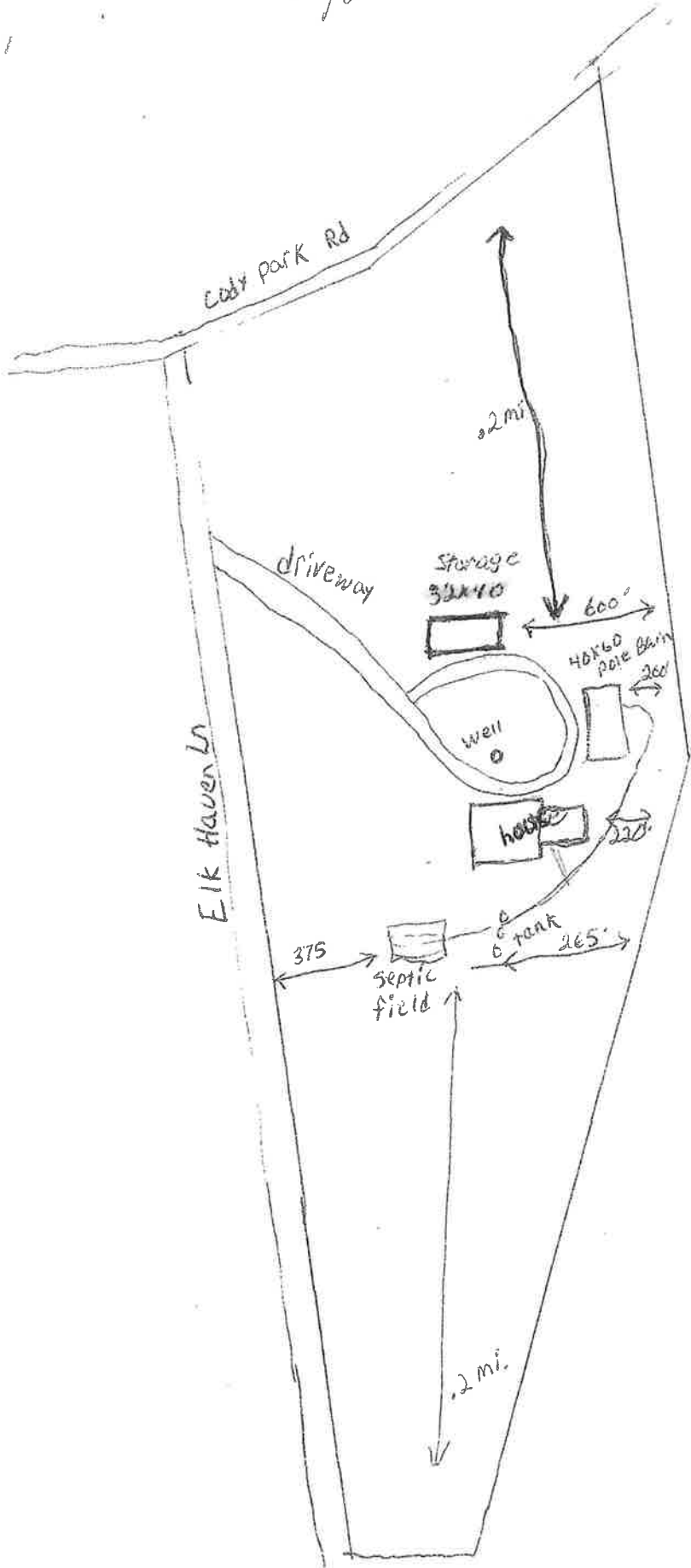
Owner or Applicant's Signature: Signature on File Date Applied: 11/24/2021

FINAL OWTS INSPECTION:
 Tank Information: Size: 1500 Inf Gallons Number of Compartments: 2
 Is Entrance and Exit Sealed: Yes No Is Tank Level? Yes No
 Pipe Inlet-Outlet?: 4" Distance From Building: --- Feet Distance From Well: 150+ feet
 Absorption Bed Information: Type of System Installed: Chamber in trenches
 Pipe & Rock: Chamber: Absorption Bed: Absorption Trench:
 Number Of Trenches: 4 Total Square Feet: --- Width: --- Length: ---
 Is Pipe Level?: Yes No Gravel Depth: --- Inches
 Distance From Building: --- feet If Bed, Is Pipe Been Connected?: Yes No Distance From Well: 150+ feet
 Is System Located In Recommended Area?: Yes No

Installation Has Been: Approved DEPARTMENT USE ONLY: Disapproved

NOTES: 75 Q4 chambers in trenches.
Tank lids accessible at inspection.
 Approved By: [Signature] Date Approved: 5-10-22
 Prepared By: Sarah Payne Date Prepared: 11/30/2021

-N-



W-

E-

Certificate of Occupancy

Fremont County Building Department

Wyatt Sanders, Building Official

Date of Issue December 29, 2022 Building Permit Number 22-521

This certifies that the entire portion of the structure located at 9025 Cody Park Road, Cotopaxi, CO 81223 has been inspected for compliance with the requirements of the International Building code and/or International Residential Code, and the International Energy Conservation Code 2018 Editions. It is therefore permitted that the described portion of this structure may be used and occupied as: R3 – Single Family Dwelling

Type of Construction	<u>5B</u>
Design Occupant Load	<u>N/A</u>
Sprinkler System Installed	<u>NO</u> Required <u>NO</u>

Adam & Elizabeth Miller
Property Owner's Name

2026 Q Path, Cotopaxi, CO 81223
Owner's Mailing Address

Conditions


Authorized Signature

COPY



CONTACT INFORMATION

Colorado Division of Water Resources, 1313 Sherman Street, Suite 818, Denver, CO 80203

Website: <http://www.water.state.co.us>

Denver Office:

Main Number: 303-866-3581

Ground Water Information: 303-866-3587

Records Section: 303-866-3581

Public hours: 9:00 a.m. – 4:00 p.m.

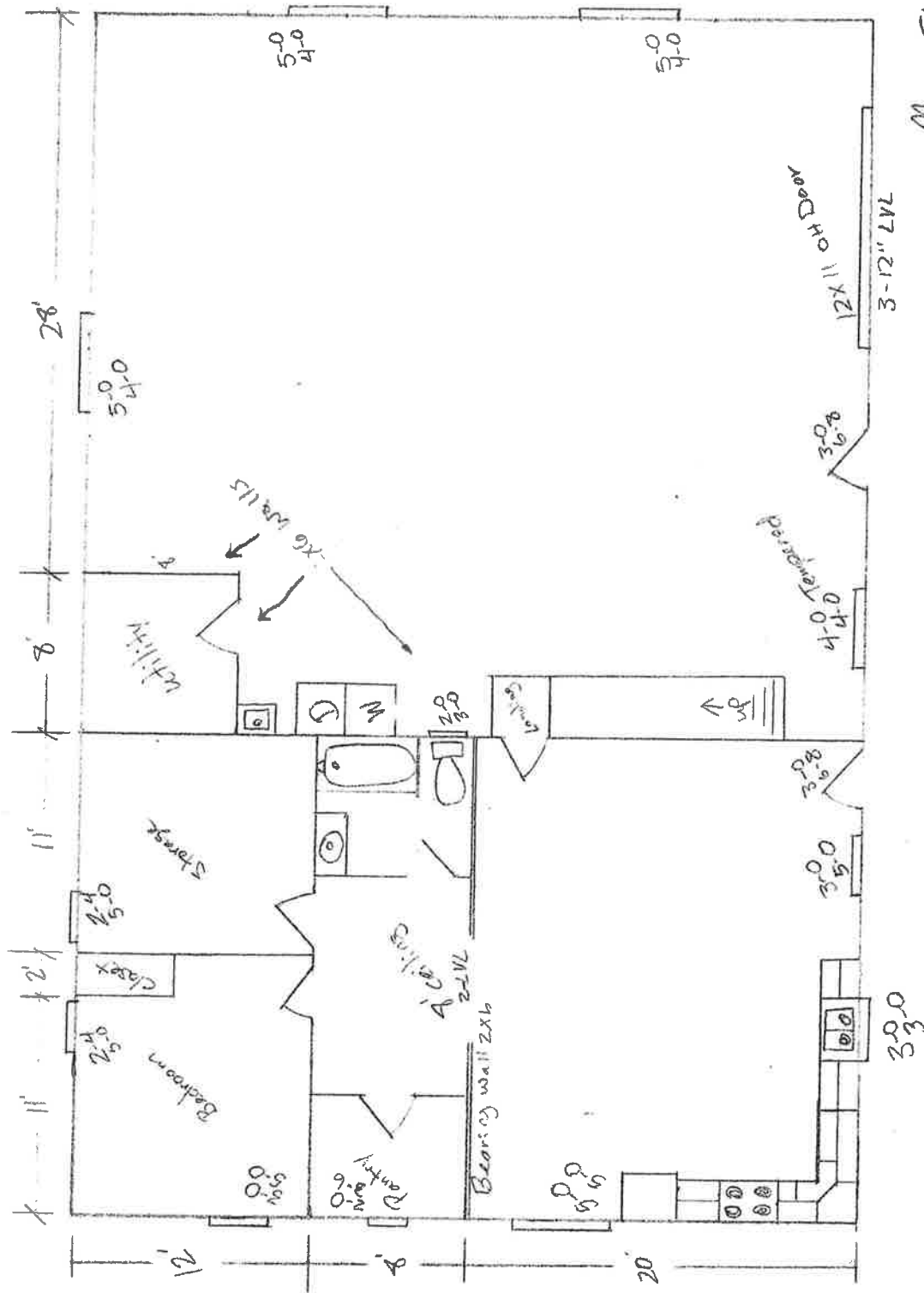
Public hours: 8:00 a.m. – 5:00 p.m.

Water Division	Location	River Basin	Division Office Phone #	Water Court Phone #
1	Greeley	South Platte	970-352-8712	970-351-7300 ext. 5402
2	Pueblo	Arkansas	719-542-3368	719-583-7048
3	Alamosa	Rio Grande	719-589-6683	719-589-4996
4	Montrose	Gunnison	970-249-6622	970-252-4335
5	Glenwood	Colorado	970-945-5665	970-945-8109 or 5075
6	Steamboat	Yampa/White*	970-879-0272	970-879-5020
7	Durango	San Juan / Dolores	970-247-1845	970-247-2304 ext. 115

* The White River Basin is located in Division 6, but water rights are decreed by the Division 5 Water Court

1/8" = 1'

North



Main Floor

Pg 2

1/8" = 1'

Pole Buildings w/ Bunkhouse

Adam Miller
90225 Cody Park Rd
Cottageville Co 81223

Post layout

← North

