



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

Non-Conforming Use, Status, & Rebuild Letter

Application Packet

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

FREMONT COUNTY PLANNING & ZONING

Process & Requirements Overview

A use or building is not considered non-conforming (see definition in this Resolution) unless an application for Non-conforming Status has been approved by the Department.

Continuation of Use:

A non-conforming use may be continued, and a non-conforming building may continue to be occupied, except as otherwise provided in this section.

Change of Use:

A non-conforming use may be changed to any conforming use that is allowed in the zone district.

Loss of right to use:

Mobile homes are exempt from this section.

Abandonment or Discontinuance:

If a non-conforming use or building is abandoned, the right to continue that non-conforming use or building shall terminate upon expiration of a six (6) month period of abandonment.

Except as set forth hereafter, if any non-conforming use or the use of any non-conforming building is discontinued for a period of one (1) year, whether such period of time begins prior to or after the enactment of this Resolution or any amendment hereto, the right to continue that non-conforming use or building shall terminate upon expiration of the one (1) year period, and such non-conforming use shall not be reestablished, and such non-conforming building shall either be altered to a conforming use or shall be removed.

"Abandonment" shall mean discontinuance of use coupled with the intent not to reestablish the use"

"Discontinuance" shall mean cessation of use.

Change of ownership:

A contractor's yard or building in existence as of April 26, 2011 will be allowed to continue as it existed on the specified date. If the ownership of the property changes or the use is altered, enlarged, or expanded after the above specified date, the property and / or use shall conform to the provisions of [Section 5.04 FCZR](#) of this Resolution.

Restoration:

In the event that a non-conforming building or structure is damaged or destroyed, the Director of Planning & Zoning, or the Director's designee, is authorized to confirm in writing to or for the benefit of the property owner that the building or structure may be restored or rebuilt to its original dimensions and function without additional application for non-conforming use status. The time to begin rebuilding is twelve months, after which the right to rebuild may be forfeited. If the rebuilding is not completed within twelve months after commencement of construction, the right to rebuild shall be forfeited.

Alteration of a Non-Conforming Use:

A non-conforming use may not be altered, enlarged, or expanded except as provided in this Resolution. Prior to any change in any non-conforming use that would require special review under this Resolution,

an application for special review must be approved by the Board.

Alteration of a Non-Conforming Building:

A nonconforming building may be structurally altered, repaired, or enlarged in any way permitted by these regulations. Except as otherwise provided in this Resolution; no alterations, repairs, or enlargements shall be made in a nonconforming building that would increase the degree of non-conformity with the location and bulk regulations of this Resolution and all other applicable regulations.

Non-Conforming Lots of Record:

In any district, permitted structures and customary accessory buildings may be erected on any single lot or parcel of land that existed as a legally valid lot or parcel of land of record as of date of enactment, notwithstanding limitations imposed by other provisions of this Resolution, if the requirements of this section are satisfied. The provisions of this section shall apply even though such lot or parcel of land fails to meet the requirements for area or width or both that are applicable in the zone district, provided that yard dimensions and requirements other than those applying to area or width, or both of the lot or parcel of land shall conform to the requirements of this Resolution for the zone district. Variance of yard requirements shall be granted only through action of the BOZA.

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 an invoice to present to the Treasurer's Office with payment.



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DEPARTMENT OF PLANNING AND ZONING
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Email: Planning@fremontco.com

Check the Applicable Application

<input checked="" type="checkbox"/> Non-Conforming Use \$200.00	<input type="checkbox"/> Non-Conforming Status \$200.00	<input type="checkbox"/> Non-Conforming Rebuild Letter \$200.00
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PROPERTY INFORMATION: Provide information to identify the property.

Property Address:

2950 E Main St.

Tax ID/Parcel Number:

99604154

Parcel size in Acres:

0.61 acre

Zone District:

Business

Land Use:

Residential

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

Name(s) (Individual or Organization):

Loren E & Dolores A Miller Revocable Trust

Mailing Address:

P.O. Box 505 Canon City CO 81215

Telephone:

719-371-2412

Email Address:

4loren56@gmail.com

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

Name(s) (Individual or Organization):
SAME
Mailing Address:
Telephone:
Email Address:

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

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

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

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

LOREN E MILLER	Loren E Miller	May 21, 2025
Printed Name	Applicant Signature	Date

Printed Name	Owner Signature	Date



Fremont County Planning & Zoning Department
Non-Conforming Use/Status/Rebuild Application

1. Explain in detail what the non-conforming use and/or building is:

Documents show built in 1900 as a residence
and has been used such since the beginning.

1. Name of the zone district in place for the subject property at the time the non-conforming use was established and or non-conforming building was constructed.

Precedes zoning.

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 type="checkbox"/> EXHIBIT 2.1	A copy of the most recent recorded deed.
<input type="checkbox"/> EXHIBIT 2.2	If the subject property is considered a non-conforming lot, parcel or tract and such is required in the application for non conforming status then a copy of the deed of record or the plat of record creating the subject property should be provided;
<input checked="" type="checkbox"/> N/A	
<input type="checkbox"/> EXHIBIT 2.3	Documentation evidencing the date that non-conforming use was established and or non-conforming building was constructed.

	<p>Evidence could consist of, but not be limited to items such as copies of assessment records, income tax records, verifiable utility records, building permits, etcetera;</p>
	<p>Documentation evidencing that the non-conforming use was established on or before January 1, 1995;</p> <p>Documentation evidencing that the non-conforming use was in operation continuously for each year since January 1, 1995 and that the use was not discontinued for more than one (1) continuous year from the beginning of the non-conformance to the present;</p>
<input type="checkbox"/> EXHIBIT 2.4	<p>Documentation that non-conforming building was constructed legally prior to January 1, 1970, (required for non-conforming building applications only).</p>
<input type="checkbox"/> EXHIBIT 2.5	<p>Site Plan</p> <p><input type="checkbox"/> All buildings, structures and improvements shall be sized (width, length, height and total square footage) and shall be located by providing all setback dimensions from the property lines.</p> <p><input type="checkbox"/> If the request for non-conforming use status is for the purpose of a non-conforming mobile home park or manufactured home park.</p> <p><input type="checkbox"/> The total property boundary shall be depicted with bearings and dimensions.</p> <p><input type="checkbox"/> All mobile home spaces, manufactured home spaces, and manufactured home single-wide spaces shall be clearly identified showing the space boundary lines and shall be located and sized by dimensions.</p> <p><input type="checkbox"/> The location and size of the unit occupying the space shall be shown by dimension.</p> <p><input type="checkbox"/> The identification, location, size of all other improvements to the property (such as service buildings, internal roadways, parking areas, septic systems, etcetera) shall be provided by dimensions.</p> <p><input type="checkbox"/> In the case of a vacant space, the size and footprint of the last unit which was in the space will be used to determine the non-conforming location and setbacks.</p>

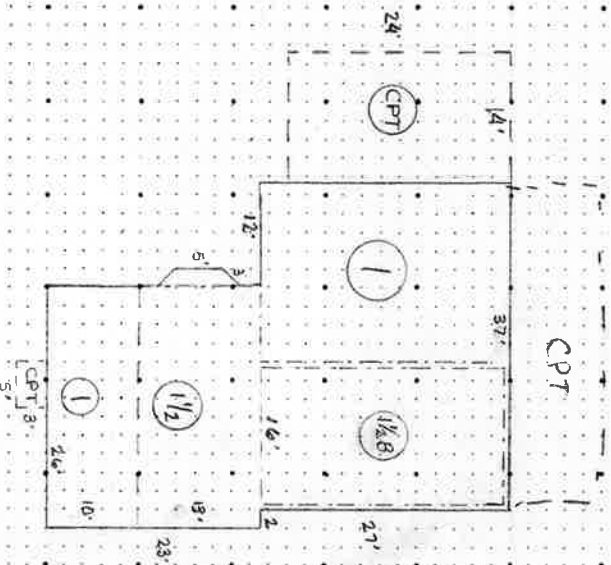


0 20 40ft

Get backs of residence
N side Main St is 24 feet
West side is 21 feet
East side is 62 feet
South side is 90 feet.

~~295-04-026~~ 2950 East Miami 996-04-154

CARD _____ OF _____ CARDS



297 506 116000

CHACULTOPS

21.21 4 = 2.2 x 2.2

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Property Record Card

Fremont Assessor

MILLER LOREN E &
DOLORES A REVOCABLE
TRUST

Account: R034462

Tax Area: 19A - 19A

Acres: 0.000

Parcel: 99604154

Situs Address:
2950 E MAIN ST
CANON CITY

P O BOX 505
CANON CITY, CO 81215-0505

Value Summary

Legal Description

Value By:	Market	Override
Land (1)	\$90,409	N/A
Residential (1)	\$254,637	N/A
Residential (2)	\$150,851	N/A
Extra Feature (1)	\$1,498	N/A
Extra Feature (2)	\$4,234	N/A
Total	\$501,629	\$501,629

LOT 1 IDEAL LANES SUB
REF FROM 440-01-950 AND 985-04-026/027



Sale Data

Doc. #	Sale Date	Deed Type	Validity	Verified	Sale Price	Ratio	Adj. Price	Ratio	Time Adj. Price	Ratio
960356	03/21/2018	432	U	N	\$0	N/A	\$0	N/A	\$0	N/A
730462	05/01/2001	Deeds	Q	Y	\$155,000	323.63	\$155,000	323.63	\$155,000	323.63
B1251 P300	05/20/1996	Deeds	U	Y	\$0	N/A	\$0	N/A	\$0	N/A
B1244 P19	04/04/1996	Deeds	U	Y	\$0	N/A	\$0	N/A	\$0	N/A
B1144 P210	09/01/1993	Deeds	U	Y	\$85,000	590.15	\$87,500	573.29	\$87,500	573.29

Land Occurrence 1

Property Code	1112 - SINGLE FAMILY RESID	Property Code	100				
Adjustment1	1	Adjustment2	1				
Adjustment3	1	Adjustment4	0.7				
Land Use Code	511200 - EAST FROM RAYNOLDS						
SubArea	Actual	Basement	Effective	FinBsmnt	Garage	Heated	LiveArea
Land S	25831						
Total	25,831.00						
	Value	Rate	Rate	Rate	Rate	Rate	Rate
	\$90,409	3.50					

Residential Occurrence 1

Property Code	1212 - SINGLE FAMILY RESID	Property Code	100
Actual Year Built	1900	Air Conditioning	3 - ROOF MOUNT

Property Record Card
Fremont Assessor

Residential Occurrence 1

Architectural Style	2 - 1.5 STORY	Baths	1.5
Bedrooms	4	Building Type	102100 - 1.5 STORY
Construction Quality	4 - AVERAGE	Depreciation	39 - 39
Effective Year Built	1945	Fireplaces	1 - 1STY F.P.1
Frame	1 - WOOD FRAME	Heating Percent	10 - 100% heated
Heating Type	3 - HOT WATER	Roof Structure	3 - GABLE-HIP
Rooms	7	Size	1 - RECTANGLE
Stories	1.5 - 1.5	Units	0
Exterior Wall	11 - WOOD FRAME W/STUCCO	Exterior Wall Percent	100
Floor	17 - LAMINATE 1 - CARPET 8 - HARDWOOD	Floor Percent	10 50 40
Interior Wall	3 - OLD PLASTR	Interior Wall Percent	100
Roof Cover	11 - PRO-PANEL		

SubArea	Actual	Basement	Effective	FinBsmnt	Garage	Heated	LiveArea
BAS	1791	1791	1791	1791	1791	1791	1791
CPT	1416		113				
OPA	742		74				
SEC	770	770	385	770	770	770	770
Total	4,719.00	2,561.00	2,363.00	2,561.00	2,561.00	2,561.00	2,561.00
	Value	Rate	Rate	Rate	Rate	Rate	Rate
	\$254,637	53.96	99.43	107.76	99.43	99.43	99.43

Residential Occurrence 2

Property Code	1212 - SINGLE FAMILY RESID	Property Code	100
Actual Year Built	1910	Percent	
Architectural Style	1 - 1 STORY	Air Conditioning	1 - SWAMP
Bedrooms	1	Baths	0.75
Depreciation	39 - 39	Building Type	101100 - RANCHER
Frame	1 - WOOD FRAME	Effective Year Built	1945
Heating Type	1 - FORCED AIR	Heating Percent	10 - 100% heated
Rooms	0	Roof Structure	3 - GABLE-HIP
Stories	1 - 1	Size	1 - RECTANGLE
Exterior Wall	3 - LAP SIDING	Units	0
Floor	17 - LAMINATE 1 - CARPET	Exterior Wall Percent	100
Interior Wall	2 - W BRD/DRYW	Floor Percent	40 60
Roof Cover	11 - PRO-PANEL	Interior Wall Percent	100

SubArea	Actual	Basement	Effective	FinBsmnt	Garage	Heated	LiveArea
ACP	600		120				
BAS	1256	1256	1256	1256	1256	1256	1256
SGA	160		48				
Total	2,016.00	1,256.00	1,424.00	1,256.00	1,256.00	1,256.00	1,256.00
	Value	Rate	Rate	Rate	Rate	Rate	Rate
	\$150,851	74.83	120.10	105.93	120.10	120.10	120.10

Extra Feature Occurrence 1

Property Code	1212 - SINGLE FAMILY RESID	Property Code	100
		Percent	

Property Record Card
Fremont Assessor

Extra Feature Occurrence 1

Actual Year Built	2006	Percent					
Description	SHED-FR-AV	Depreciation		10 - 10			
Building Number	1	Effective Year Built		2006			
		XFOB Code		170900 - SHED-FR-AV			
SubArea	Actual	Basement	Effective	FinBsmnt	Garage	Heated	LiveArea
Units	192						
Total	192.00						
	Value	Rate	Rate	Rate	Rate	Rate	Rate
	\$1,498	7.80					

Extra Feature Occurrence 2

Property Code	1212 - SINGLE FAMILY RESID	Property Code		100			
		Percent					
Actual Year Built	1910	Depreciation		8 - 8			
Description	GRAGE FR A	Effective Year Built		1910			
Building Number	1	XFOB Code		121100 - GARAGE FR AVG			
SubArea	Actual	Basement	Effective	FinBsmnt	Garage	Heated	LiveArea
Units	441						
Total	441.00						
	Value	Rate	Rate	Rate	Rate	Rate	Rate
	\$4,234	9.60					

Abstract Summary

Code	Classification	Non-School Actual Value	Non-School Taxable Value	School Actual Value	School Taxable Value	Actual Value Override	Taxable Override
1112	SINGLE FAMILY RESID	\$90,409	\$5,651	\$90,409	\$6,374	\$90,409	\$5,651
1212	SINGLE FAMILY RESID	\$411,220	\$25,701	\$411,220	\$28,991	\$411,220	\$25,701
Total		\$501,629	\$31,352	\$501,629	\$35,365	\$501,629	\$31,352

Permits

Issued Date	Permit Type	Amount	Remark	Status
12/19/2005	2 - ADDITION		ADDITION	
12/15/2016	7 - RE-ROOF	\$7,000.00		1 - Open
02/12/2020	2 - ADDITION	\$7,112.62	BEDROOM ADDITION 280 SQ FT	2 - Closed

WARRANTY DEED

Loren E. Miller and Dolores A. Miller, hereby grant and convey to the Loren E. & Dolores A. Miller Revocable Trust, dated December 13, 2012, whose street address is P.O. Box 505, Canon City, County of Fremont and State of Colorado, the following real property in the County of Fremont, State of Colorado, to wit;

**Lot 1, Ideal Lanes Subdivision, according to the recorded plat thereof,
Fremont County, Colorado.**

with all its appurtenances and warrant(s) the title to the same, subject to covenants, restrictions, and easements of record.

Signed this 21st day of March, 2018.

Loren E. Miller

Loren E. Miller, Grantor

Dolores A. Miller

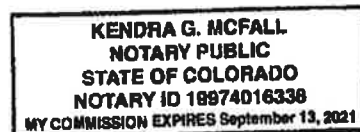
Dolores A. Miller, Grantor

STATE OF Colorado

COUNTY OF Fremont

The foregoing instrument was acknowledged before me this 21st day of March, 2018, by Loren E. Miller and Dolores A. Miller.

Witness my hand and official seal.



Kendra G. McFall
Notary Public
My Commission Expires: 9-13-21

730462 05/07/2001 01:38P 432 NORMA HATFIELD
1 of 1 R 5.00 D 15.50 FREMONT CTY CLK&REC CO

5.00

WARRANTY DEED

THIS DEED, Made this 1st day of May, 2001, between
FRANK C. WOLKING AND VALORIE WOLKING

of the said County of CUSTER and State of COLORADO,
LOREN MILLER AND DOLORES MILLER, grantor, and

whose legal address is 2950 EAST MAIN STREET
CANON CITY, CO. 81212
of the said County of FREMONT and State of COLORADO, grantee:

WITNESS, that the grantor, for and in consideration of the sum of **Ten dollars and other good and valuable consideration** DOLLARS, 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, not in tenancy in common but in joint tenancy, 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:

LOT 1, IDEAL LANES SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, FREMONT COUNTY, COLORADO

also known by street and number as: **2950 MAIN STREET, EAST, CANON CITY, CO 81212**

TOGETHER with all and singular the hereditaments and appurtenances thereto 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 grantee, his heirs and assigns forever. And the grantor, for himself, his heirs, and personal representatives, does covenant, grant, bargain, and agree to and with the grantee, his heirs and assigns, that at the time of the enrolling and delivery of these presents, he is 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 **2001 taxes and all subsequent years, restrictions, reservations, covenants, easements and rights-of-way of record, if any.**

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, his 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.

Frank C. Wolking
FRANK C. WOLKING

Valorie Wolking
VALORIE WOLKING

State of COLORADO)
County of FREMONT) ss.

The foregoing instrument was acknowledged before me this
by **FRANK C. WOLKING AND VALORIE WOLKING** 1st day of May, 2001.

My commission expires **January 09, 2002**

Witness my hand and official seal.

Cathy N. Mason
Notary Public

STATE DOCUMENTARY FEE
Date **MAY 7 2001**
Amount \$ **15.50**

DECLARATION ATTACHED