



FREMONT COUNTY

DEPARTMENT OF PLANNING AND ZONING

615 MACON AVENUE, ROOM 210, CAÑON CITY, COLORADO, 81212

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NOV 13 2024

LAND USE APPLICATION *Planning & Zoning*

SPECIAL REVIEW USE, CONDITIONAL USE PERMIT, COMMERCIAL DEVELOPMENT PLAN

It is recommended that the applicant schedule an appointment with a Department of Planning & Zoning Representative prior to application preparation and submittal to discuss the project as currently planned and future project proposals.

Project Name: Silver Whisker Bake Shop

Site Address: 60 Orchard Ln Howard Colorado 81233

Applicant(s)

Name(s) Nathan and Devon Yanko

Address 60 Orchard Ln Howard Colorado 81233

Phone 415-999-7989 Fax NA

Email nathanyanko@gmail.com

Owner(s)

Name(s) Nathan and Devon Yanko

Address 60 Orchard Ln Howard Colorado 81233

Phone 415-999-7989 Fax NA

Email nathanyanko@gmail.com

Authorized Representative / Agent / Consultant (if other than owner)

Name(s) NA

Address NA

Phone NA Fax NA

Email NA

Type of Application / Application Fee (There maybe additional fees for publications or professional reviews):

Special Review Use Permit \$1,800 Major Modification to existing permit \$500

Conditional Use Permit \$1,750 Major Modification to existing permit \$500

Commercial Development Plan \$1750 Major Modification \$500

The applicant shall provide **one (1) original document, and an electronic copy (either CD or flash/thumb drive) of the application, site plan (2 COPIES)** and all of its attachments (*copies of deeds, contracts, leases etcetera are acceptable*) at the time of application submittal along with the **application fee** set as per Resolution of the Board. Submittals shall be made to the Department no later than 3:00 pm on the submittal deadline date.

Process & Requirements Overview

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). Further, any application that is inadequate or incomplete, may be subject to postponement of placement on an agenda of the Fremont County Planning Commission (Commission), pending receipt of an adequate and complete application.

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

The Department, Commission, and/or Board 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.

Any Land Use application for that has been submitted after the use requiring the permit has been established on the property may be subject to a penalty fee in addition to the set application fee for such permit. The penalty fee shall be equal to the initial application fee for the Land Use Application. As with all land use applications payment of associated fees do not ensure approval of the application.

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

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

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

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

Site & Development

(Section 1)

1. Describe the proposed type of operation to include days & hours of operation, number of employees, & machinery:
Small 748sq/ft bake shop. Operating hours Friday, Saturday, Sunday, Monday. 7am-4pm
3 employees. Small electric deck oven, dough mixers, interior refrigeration units.

2. Property address or schedule number: 60 Orchard Ln Howard CO 81233
3. Have the mineral interests been severed from the subject property? YES NO
 - a. If yes (severed) who is the mineral interest owner? _____
4. Is the property currently developed? YES NO
5. Existing types & sizes of structures: 300sq/ft stable, 160sq/ft hay barn, 1952sq/ft two story house, 1712sq/ft shop
6. Proposed types & sizes of structures: single story 748sq/ft garage to be used as a bake shop
7. Lot Coverage (indicate percent or square footage): Existing 4,124sq/ft Proposed 748sq/ft
8. FCZR Citing _____ Property size (acres or square footage) 1.756+/- acres
9. Amount of the property the use will encumber: _____
10. Zone District: Business B Land Use _____
11. Please indicate the zone district & current land use for adjoining properties:
 - a. Northerly: (ZD) B Land Use: Howard Volunteer Fire Department
 - b. Easterly: (ZD) AR Land Use: Residential, single home
 - c. Westerly: (ZD) AS Land Use: Residential, single home
 - d. Southerly: (ZD) AR Land Use: Domestic animal grazing
12. Master Plan – Planning District of property: Dist 5 Upper Arkansas Valley
(please refer to Chapter four and planning district of the Fremont County Master Plan)
13. Name(s) and type(s) of road(s) the property is accessed from:
Orchard Ln, Local road
14. Is access through adjacent properties? YES NO If yes, is access legally established through:
 Deed of record Recorded Plat Court Order (Documentation shall be provided)
15. Estimated Traffic Count 18 (per day) Number of access points 1
16. Is access from or within five-hundred feet (500') of a Colorado Department of Transportation Controlled Road:
 YES NO (If yes, CDOT approval/comments shall be required)
17. Does the property lie adjacent to or within three (3) miles of any municipal boundary lines (city/town limits)? YES NO Municipality Name(s) _____
18. Does the property lie within the boundaries or within ¼ of a mile of any service district?

YES NO Entity Name(s) _____

19. Requested duration of proposed use: _____ Life of use Estimated life of use years _____

20. Is temporary cessation proposed: YES NO Duration: _____

21. Is buffering required: YES NO (Contractor yards, Junk yards, Automobile graveyards, & Vehicle impoundment yards **require** buffering per FCZR 5.17.15)

22. Is landscaping proposed: YES NO a waiver is requested

23. Total parking spaces 3 standard size 2 compact _____ ADA 1
(Standard 9' X 18') (Compact 7' X 15') (Please refer to section 5.3 & 5.4 of the FCZR)

24. Will the parking area include lighting? YES NO

25. Parking area surface type: Concrete (ADA) gravel Thickness: 4" minimum

26. Is a loading/unloading area proposed? YES NO Size: _____ Thickness: _____

27. Will hazardous materials be stored on site? YES NO

28. Will noxious weed control measures be included in the scope of the project? YES NO

29. Will any equipment meeting the Colorado Revised Statute definition of Special Mobile Machinery be stored or used onsite? YES NO

30. Mark all services and facilities necessary to accommodate the proposed use in addition to Fire Protection, Emergency Medical Response, & Law Enforcement:

Roadway Maintenance Hospital Park & Recreation

Airport Search & Rescue Schools Library

31. Utility Provider information: Please provide the name of provider below:

a) **Water:** Well. Permit: 89599-F

b) **Sanitation:** Septic

c) **Electrical:** SDCEA

d) **Telephone:** NA

e) **Refuse:** Lone Wolf Disposal

f) **Irrigation Water:** NA

g) **Natural Gas/Propane:** NA

h) **Cable Television:** NA

Impact Analysis
(Section 2)

1. Dust and erosion control measures:

A french drain will assist in erosion prevention and run-off.

2. Noise control measures:

Sound dampening insulation and acustical ceiling tiles.

There will be no large vents or condensers outside.

3. Odor control measures:

None.

4. Visual impact control measures:

Building is desinged to match other building on property and other local buildings. Painted barn red with white trim.

There will be no florecent or lit signage.

5. Wildlife/plant habitat protection measures:

NA

6. Water quality and/or water way(s) protection measures:

We will only be having run-off water through the french drain, into the water table.

There will be no outside dumping of any kind.

7. Safety measures to protect adjacent properties, residents, & agricultural operations:

Fire protection equipment (annually mantained exstinguishers).

8. Measures to protect and/or preserve archaeologically or historically significant sites:

NA

9. Measures to limit or control offsite discernable vibrations:

The business is too small and does not have large enough equipment to anticipate any vibration impacts.

**Required Submittals Attachments
(Section 3)**

1. Current Deed of Record
2. Water supply documentation: Public water source requires documentation evidencing ability to provide service. Wells require documentation of a well permit and/or documentation that the existing well is adequate for the proposed use
3. Fremont County's Colorado Division of Water Resources Information Form
4. Sanitation Documentation: Public sewer shall require documentation evidencing ability to provide service. Onsite Waste Water System (OWTS) shall require a percolation test and report and a design plan from a certified engineer. Existing OWTS systems shall require documentation that the existing system is adequate for the proposed use
5. Refuse Plan: Shall address the storage, collection, and disposal of refuse. It shall also document screening of refuse receptacles/areas. (Refuse plans require approval by the Fremont County Environmental Health Dept.)
6. Drainage Plan: Must contain all required items under FCZR 5.10 (Drainage plans require approval by the County Engineer).
7. Landscaping Plan or justification for waiver request.
8. Lighting Plan or justification for waiver request
9. Noxious Weed Control Plan or justification for waiver request. (Plans and waiver requests require approval by the Fremont County Noxious Weed Manager)
10. List of owners and mailing address for all properties located within a five-hundred (500') foot radius of the subject property
11. County Roadway Impact Analysis Form (If accessed off a county road)
12. Colorado Department of Transportation Access Permit (If accessed off a CDOT controlled road)
13. Statement indicating how the proposed use complies with "Goals Objectives, and Implementation Strategies" of the Fremont County Master Plan District
14. Statement indicating how the proposed use will be in harmony and compatible with surrounding land uses and development in the area and/or measures that can be taken to make it in harmony & compatible.
15. Fire protection plan addressing method of fire protection, location of hydrants or other means of protection. If located within a fire protection district the plan shall be approved by the District.
16. A detailed utility plan showing the proposed or existing location of all utilities.
17. Site Plan drawn to professional standards (3 hard copies 18" x 24" or 24" x 36")
18. Submittals and exhibits should be clearly identified with section and/or question number located on the bottom right hand corner, or otherwise tabbed or marked.

If Applicable Submittals

19. CDOT Notification form of Proposed Land Use and comments (if access is from or within 500' of a CDOT controlled road)
20. Mineral Interest Notification and certified mailing receipt. Notification & Mailing shall be completed within 30 days prior to the scheduled Planning Commission Meeting. (this is only required if the minerals interests are severed)
21. Copies of all local, state and federal licenses and/or status of applications.
22. In circumstances of Corporate Ownership, documentation evidencing whom is eligible to execute documents on behalf of the corporation
23. In circumstances where the applicant is not the owner written authorization from the owner specifying the extent to which the representation is authorized
24. In circumstances where a consultant is making application on behalf of the owner, written authorization from the owner specifying the extent to which the representation is authorized
25. In circumstances where the property owner of record is not involved in the operation or application, documentation indicating right to occupy and use the property shall be provided. (lease or similar document)
26. Buffering Plan (If required)
27. Current registration for SMM equipment or documentation that equipment is on tax rolls associated with the property, to include list of machinery.
28. List of Hazardous materials stored and/or used on site, to include location of storage and management practices
29. Copies of mining and reclamation plans (CUP's)
30. Required information set forth in FCRZ 8.13.17.1 (Airports)
31. Required information set forth in FCRZ 8.13.17.2 (Adult Uses)
32. Required information set forth in FCRZ 8.13.17.3 (Kennels)
33. Required information set forth in FCRZ 8.13.17.4 (Antennas & Towers)

Site Plan Drawing Requirements

- a. Drawing Size: Minimum sheet size 18" x 24" to a maximum sheet size of 24" x 36";
- b. Written and graphic scale with minimum of 1" = 200' max 1" = 50';
- c. Appropriate title (SPECIAL REVIEW USE PERMIT, CONDITIONAL USE PERMIT, COMMERCIAL DEVELOPMENT PLAN FOR {name});
- d. Appropriate subtitle (brief description of the proposed use);
- e. Boundary drawing of the property with bearings and dimensions illustrating the legal description;
- f. Legal description of the property;
- g. Acreage or square footage of the subject property;
- h. Zoning classification of the subject property;
- i. Zoning classification of the adjoining properties;
- j. North Arrow;
- k. Vicinity map locating the subject property in relation to surrounding areas;
- l. Table indicating relationship between proposed and existing construction to remain on the property
- m. Minimum lot size, maximum lot coverage, maximum building height, minimum lot width, minimum setback requirements (Front, Two sides, & Rear)
- n. Size and shape of all existing & proposed structures: each structure shall be labeled/noted as existing or proposed. Dimensions from at least two property lines shall be noted;
- o. Location of all parking areas to include size, dimensions, surface type & thickness, type of space (ADA, Standard, Compact) and a table specifying the minimum numbers of spaces required for each category;
- p. Location of loading areas to include size, dimensions surface type & thickness;
- q. Labeled access points including interior roadways with dimensions, surface type & thickness, circulation pattern, and dimensions from property lines;
- r. Any proposed pedestrian areas & walkways to include dimensions, surface type & thickness;
- s. Location and dimensions of refuse areas;
- t. Identification and location of all drainageway, drainage facilities, including FEMA flood areas, to include dimensions from property lines;
- u. Location, height & type of lighting for parking and off-loading areas;
- v. Location, type, and size of all on-site identification signage (table may be used);
- w. All easements (existing & proposed) to include dimensions from property lines (beginning, end, & centerline) width, and if they are to be vacated or relocated;
- x. Significant natural features;
- y. Soil types
- z. Open space areas
- aa. Legend identifying symbols and/or lines

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.

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|---------------------|--|---------------------|-----------|
| <u>Nathan Yanko</u> |  | <u>Nov 11, 2024</u> | Applicant |
| Printed Name | Applicant Signature | Date | |
| _____ | _____ | _____ | Owner |
| Printed Name | Owner Signature | Date | |