


EL PASO COUNTY
COLORADO

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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
 CRAIG DOSSEY, EXECUTIVE DIRECTOR

TO: El Paso County Planning Commission
Brian Risley, Chair

FROM: Lindsay Darden, Planner II
Elizabeth Nijkamp, PE Engineering Manager
Craig Dossey, Executive Director

RE: Project File #: AL-19-019
Project Name: Urban Firewood
Parcel No.: 5412003011

OWNER:	REPRESENTATIVE:
Joe Yost PO Box 62958 Colorado Springs, CO 80962	Michael Sheehan, Esq. Quebec Centre II, Suite 300 7400 E. Caley Avenue Centennial, CO 80111

Commissioner District: 2

Planning Commission Hearing Date:	8/20/2020
Board of County Commissioners Hearing Date	9/8/2020

EXECUTIVE SUMMARY

A request by Joe Yost for approval of a special use for firewood sales in the A-5 (Agricultural) zoning district. The 10.57-acre property is located on the north side of Highway 94 approximately 0.15 miles west of the intersection of Highway 94 and Corral Valley Road and within Section 12, Township, 14 South, Range 65 West of the 6th P.M. The parcel is not included within the boundaries of a small area plan.

2880 INTERNATIONAL CIRCLE, SUITE 110
 PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
 FAX: (719) 520-6695

The El Paso County Land Development Code (2019) permits firewood sales as a special use for parcels with a minimum lot area of 10 acres, irrespective of nonconforming lot or parcel status. The parcel includes an existing single-family home, a detached garage, and three (3) sheds. The applicant is proposing to utilize the front portion of the property (less than one acre) for firewood sales and the remainder of the property for residential use. Section 5.3.2(H) of the Code specifies that, "Any special use may be acted upon by the PCD Director.... The PCD Director, in his sole discretion, is authorized to elevate a special use application to a public hearing". In this case, 12 letters of opposition were received, and the special use application was elevated to public hearing by the Director. The applicant held an online neighborhood meeting on May 20, 2020, to discuss neighborhood concerns and determine whether the concerns expressed regarding the project could be addressed. The applicant's representative invited every person who submitted a letter of opposition for the project to the El Paso County Planning and Community Development Department; however, only one person attended the neighborhood meeting.

A. REQUEST/WAIVERS/DEVIATIONS/AUTHORIZATION

Request: A request by Joe Yost for approval of a special use for firewood sales in the A-5 (Agricultural) zoning district.

Waiver(s)/Deviation(s): There are no waiver requests associated with this application.

Authorization to Sign: There are no documents associated with this application that require signature.

B. PLANNING COMMISSION SUMMARY

Request Heard:

Recommendation:

Waiver Recommendation:

Vote:

Vote Rationale:

Summary of Hearing:

Legal Notice:

C. APPROVAL CRITERIA

Pursuant to Section 5.3.2.C of the Land Development Code, the Planning Commission and Board of County Commissioners may consider the following criteria in approving a special use:

- The special use is generally consistent with the applicable Master Plan;

- The special use will generally be in harmony with the character of the neighborhood, and will generally be compatible with the existing and allowable land uses in the surrounding area;
- The impact of the special use does not overburden or exceed the capacity of public facilities and services, or, in the alternative, the special use application demonstrates that it will provide adequate public facilities in a timely and efficient manner;
- The special use will not create unmitigated traffic congestion or traffic hazards on the surrounding area, and has adequate, legal access;
- The special use will comply with all applicable local, state, and federal laws and regulations regarding air, water, light, or noise pollution;
- The special use will not otherwise be detrimental to the public health, safety and welfare of the present or future residents of El Paso County; and/or
- The special use conforms or will conform to all other applicable County rules, regulations or ordinances.

D. LOCATION

North: RR-5 (Residential Rural)	Single Family Residential
South: RR-5 (Residential Rural)	Agricultural
East: RR-5 (Residential Rural)	Agricultural
West: RR-5 (Residential Rural)	Single Family Residential

E. BACKGROUND

The 10.57-acre parcel was legally created by deed on November 12, 1970, which was prior to the date of subdivision regulations. The parcel was zoned A-4 (Farming) on September 21, 1965, when this portion of El Paso County was initially zoned. On October 27, 1978, the property was rezoned from A-4 (Farming) to A-2 (Agricultural). Due to nomenclature changes, the A-2 (Agricultural) zoning district is now known as the A-5 (Agricultural) zoning district. In conjunction with the rezoning, a special use was also approved to allow for firewood sales on the subject property (PCD File No. AL-78-011Z). Due to the limited records that are available on this application in the County’s archives, it is unclear whether the firewood sales use was ever established, and if so, when it was discontinued. The Code in effect at the time the special use was approved for firewood sales did not require that the approved special use be established within a specific time period or, if abandoned, specify that the special use was no longer valid. A 2014 aerial photography does not depict or otherwise indicate firewood sales on the subject parcel so it may be determined that if the use was, in fact, established, then it has since been discontinued for at least 6 years. Because the special use approval did not have conditions that required the establishment of the use or for expiration in the event the use was abandoned, the

applicant would be able to request an administrative determination from the PCD Director to determine whether the previously approved firewood sales use could be re-established on the property pursuant to the configuration shown in the associated site plan exhibit and in compliance with the conditions that were outlined on the BoCC resolution that was approved in 1978 (see attached). The applicant is proposing a different configuration than what was proposed with the 1978 special use approval, which is the reason for the current special use request. The property is currently used exclusively for residential purposes. There is an existing 2,240 square foot modular home on the property that was constructed in 1994. In addition to the principle structure, there is also a 576 square-foot detached garage, a 920 square-foot shed constructed in 1979, a 370 square-foot shed constructed in 1914, and a 2,000 square-foot shed constructed in 1990. The applicant proposes to use less than an acre of the front portion of the property, as depicted on the attached site plan exhibit, for firewood sales and continue to use the rear portion of the property for single family residential. Twelve property owners in the vicinity of the subject parcel have indicated opposition to the special use request (see letters attached), causing the special use application to be elevated to the public hearing process by the PCD Director. The applicant's representative invited every person that had submitted a response in opposition to the proposed special use to an online neighborhood meeting; however, only one person attended the neighborhood meeting.

F. ANALYSIS

1. Land Development Code Analysis

The El Paso County Land Development Code (2019) defines firewood sales as “a freestanding facility for the storage, display and sale of cut wood that is used for fuel. A firewood sales facility may also include wood splitting”. Table 5.1, Principal Uses, of the Code requires approval of a special use to allow firewood sales in the A-5 (Agricultural) zoning district. Per footnote 2 in Table 5.1 of the Code, the special use is limited to parcels that have a minimum acreage of 10 acres irrespective of nonconforming lot or parcel status. The subject parcel is 10.57-acres and is in compliance with the minimum acreage requirement for a special use. Access to the site is proposed from Highway 94 and the applicant has applied for and received an access permit from the Colorado Department of Transportation (CDOT) to utilize the existing driveway access to Highway 94 for both the existing residence and for the firewood sales use (access permit no. 219085). The applicant proposes wood splitting on the property to prepare the firewood for sale. After the wood is split, the applicant will sell it to customers who pick up firewood at the subject property and will also deliver firewood directly to customers. The employees will load the firewood into the customer vehicles and customers will not be required to exit their vehicles. Three employees are anticipated to help perform the wood cutting and loading

functions of the proposed use. Because there will not be a structure proposed for the firewood sales use, a portable toilet will be provided for employee use.

The surrounding parcels are within the RR-5 (Residential Rural) zoning district. The adjacent parcel to the east has an agricultural use with an outdoor horse arena. The parcel to the west has a mobile home and other accessory structures. The parcels to the north are used as single family residential. The development on the subject parcel and the adjacent parcels to the east and west are set back approximately 300 feet from the Highway 94 right-of-way. The proposed firewood sales use would be located near the front of the site with the rear portion of the site maintaining the existing residential use. The Code requires that, "Outside storage shall be enclosed and concealed by a solid fence or wall at least 6 feet in height or any combination of berms, shrubs, trees fencing or walls which will provide at maturity a minimum of 6 feet of height and 100% opaque screening for the area utilized for outside storage." The applicant proposes a 6-foot-tall opaque wood fence and new trees along the frontage and sides of the property that are adjacent to the firewood sales use. This will screen the portion of the parcel where the firewood sales would be located to help mitigate any potential visual impacts to the surrounding residential parcels. In regard to noise, the applicant has indicated the proposed machinery that will be utilized to split logs will emit 75 decibels of noise. In comparison, the average commercial riding lawn mower emits 100-120 decibels.

The parcel is not located within a fire protection district, which caused concern to staff and adjacent neighbors because the special use will result in the processing and storage of firewood, a combustible material. The applicant reached out to neighboring fire protection districts to inquire if an agreement could be reached with a nearby district to provide fire response service to the subject parcel. The applicant learned that the Ellicott Fire Protection District has an existing memorandum of understanding with the El Paso County Sheriff's Office to provide emergency response for fires, accidents and medical events in this area of the County. Additionally, automatic mutual aid will be provided by the Falcon Fire Protection District and for significant fires, backup will be provided by the Cimarron Hills, Security, and Fountain Fire Protection Districts and the El Paso County wildland fire crews. See attached for an email from the Ellicott Fire Protection District documenting the memorandum of understanding for emergency response.

The parcel is surrounded by properties zoned RR-5 (Rural Residential), however, within two miles of the subject parcel there are more intense non-residential uses that preclude the nearby vicinity from being considered solely rural residential in nature. Just under a mile east of the site is the Aztec Family Raceway, which is an

existing nonconforming off-road motorcross racetrack that was established prior to zoning. Just to the east of the raceway is the RAM Off-Road Park, which was approved via a variance of use in 2016 (PCD File No. VA-16-001). On the south side of Highway 94, approximately one mile east of the subject parcel, is a vehicle recycling center, which obtained a permanent variance of use in 2013 (PCD File No. VA-13-005). On the north side of Highway 94, approximately 1.7 miles east of the subject parcel is a landfill which was approved as a special use in 1989 (PCD File No. AL-89-011). All of the non-residential uses listed above are located on properties zoned as either A-5 (Agricultural) or RR-5 (Rural Residential).

2. Zoning Compliance

Firewood sales require approval of a special use and a site development plan prior to being located in the A-5 (Agricultural) zoning district. The A-5 (Agricultural) zoning district density and dimensional standards are as follows:

- Minimum lot size – 5 acres
- Setbacks – 25 feet on all sides
- Maximum building height – 30 feet
- Maximum lot coverage – none

Based upon the applicant's site plan drawing, the existing structures comply with the 25-foot setback from all property lines as required in the A-5 (Agricultural) zoning district. The applicant is not proposing to construct any new structures as part of the current request.

3. Policy Plan Analysis

The El Paso County Policy Plan (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues and provides a framework to tie together the more detailed sub-area elements of the County Master Plan.

Relevant policies are as follows:

Policy 6.4.6 - Allow for the accommodation of necessary supporting commercial uses within or in proximity to rural residential areas in a manner that preserves the rural character of these areas.

Policy 6.3.8

Recognize the need and allow for the reasonable accommodation of adequate amounts of land with sufficient infrastructure for land uses of a heavy industrial nature and/or considered to be "locally undesirable" within all subareas of the County provided that adequate facilities and services will be available. Consider the environmental, visual and land use compatibility impacts and incorporate,

where possible, buffering and screening techniques to address compatibility with surrounding uses.

Policy 6.1.11

Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.

Policy 7.1.1 - Accommodate unique combinations of land uses (such as employment and residential uses) on the same property if it can be demonstrated that aggregate impacts will be limited, adequate facilities and services will be available, and the use will be compatible with the character of the surrounding area.

Policy 7.1.2

Consider the future combined impact of potential additional land use requests when considering individual applications for special or unique land uses.

Policy 12.1.6

Support efforts to provide structural fire protection for those areas where such protection currently does not exist.

The establishment of firewood sales in this location could support the nearby rural residential neighborhoods. The existing modular home located in the rear of the property will be occupied by an employee of the business, which would support Policy 7.1.1. In this case, the less intense residential use is located to the rear of the subject property and the more intense firewood sales use is proposed at the front of the property adjacent to Highway 94. The applicant is proposing a 6-foot-tall opaque wood fence and planting of new trees along the front and sides of the property that are adjacent to the firewood processing and sales area. The fence and additional plantings are proposed to help screen the portion of the parcel where the firewood processing and sales would occur in order to help mitigate any potential visual impacts to the surrounding residential parcels.

The proposed firewood sales use is not anticipated to conflict with the rural character of the surrounding area. This is supported by the fact that firewood sales as a separate non-residential use is identified as an acceptable use, albeit via approval of a special uses, within the A-5 (Agricultural) zoning district with appropriate mitigation of the associated negative impacts. Within two miles of the subject parcel are more

intense non-residential uses that were established on properties zoned A-5 (Agricultural) or RR-5 (Rural Residential). The long-term presence of these other non-residential uses in the area generally preclude the area from being considered solely rural residential in nature. The approval processes needed to establish each of these uses have been described in greater detail above in the Land Development Code Analysis section of this report.

The subject property is not located within a fire protection district; however, the Ellicott Fire Protection District has an existing memorandum of understanding with the El Paso County Sheriff's Office to provide emergency response services for fires, accidents and medical events in this area of the County. Additionally, automatic mutual aid will be provided by the Falcon Fire Protection District and for significant fires, backup response will be provided by the Cimarron Hills, Security, and Fountain Fire Protection Districts and County wildland fire crews.

4. Small Area Plan Analysis

The subject parcel is not located within the boundaries of a small area plan.

5. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant goals and policies are as follows:

Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.

Goal 1.2 – Integrate water and land use planning.

Policy 1.1.1 – Adequate water is a critical factor in facilitating future growth and it is incumbent upon the County to coordinate land use planning with water demand, efficiency and conservation.

Policy 6.0.4 – Encourage development that incentivizes and incorporates water efficient landscaping principles

Policy 6.1.3.3 – Encourage sustainable landscaping that is tailored to the variations of climate zones across the County.

The subject parcel is located in Region 8 of the El Paso County Water Master Plan. The proposed special use request for firewood sales is not anticipated to have a negative impact on the current water usage for the parcel as the only water that is proposed to be used in association with the firewood sales is to establish and sustain the required landscaping that is proposed to help screen the use. Customers that come to the subject parcel to purchase firewood would pull into a loading area where the firewood would be loaded into their vehicle. There are no areas onsite that are proposed for customer occupancy, therefore, there is no proposed use of water by customers.

The existing residential structure onsite is served by an existing well that allows for withdrawal of up to 1.85-acre feet of water from the Laramie-Fox aquifer for domestic use, including household use and irrigation of gardens and lawn associated with the residential use. The well permit does not allow for water to be used to support commercial uses on the property so in order to utilize the existing well for irrigation related to the commercial use the applicant would be required to obtain a new well permit for the existing well that would allow for irrigation of landscaping related to the proposed commercial use.

The proposed firewood sales use will not utilize water from the well located on the subject parcel. In the letter of intent, the applicant indicated that water will be purchased and brought to the parcel to irrigate the additional landscaping proposed to screen the use. The applicant proposes that all employees that work at the site will use a portable toilet, therefore, water is not proposed to be used to flushing toilets or while performing other ancillary functions related to the use. El Paso County Public Health will allow the use of a portable toilet on an ongoing basis as long as a service contract was provided for the time period of the anticipated use. The service contract would provide for removal of waste from the portable toilet for disposal off-site so that use of the existing well and septic system are not required for the proposed commercial use. The equipment required for the firewood sales use will be cleaned offsite as part of a contract for repair and maintenance of the equipment.

6. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a high wildlife impact potential due to potential habitat for swift fox, which is a species of concern. A referral was sent to the Environmental Division of the El Paso County Community Services Department. The Environmental Division responded with no objections to the proposed use but did encourage the applicant to reach out to Colorado Parks and Wildlife for best management practices.

The Master Plan for Mineral Extraction (1996) does not identify areas of commercial mineral deposits on the subject parcel. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, severed mineral rights exist. The mineral rights were severed by deed in 1939. After searching the available public records, the applicant was unable to locate the whereabouts of the mineral rights owner or their heirs and they did not find public records indicating that the mineral rights had been deeded to any subsequent parties.

Please see the Parks Section below for information regarding conformance with The El Paso County Parks Master Plan (2013).

Staff did not identify any inconsistencies with the 2016 Major Transportation Corridor Plan (MTCP) as the facility is proposed to be unmanned.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

A soils and geology report was not provided with the special use application and was not required due to the proposed scope of the project not including land disturbing activities or the construction of new structures.

2. Wildlife

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a high wildlife impact potential due to potential habitat for swift fox, which is a species of concern. A referral was sent to the Environmental Division of the El Paso County Community Services Department. The Environmental Division responded with no objections to the proposed use but did encourage the applicant to reach out to Colorado Parks and Wildlife for best management practices.

3. Floodplain

FEMA Flood Insurance Rate Map No. 08041C0780G, which has an effective date of December 7, 2018, shows the property is located within flood zone X which is an area of minimal flood hazard and determined to be outside the 500-year floodplain.

4. Drainage and Erosion

The property is located in the Jimmy Camp Creek drainage basin (FOFO2000), which is included in the Drainage Basin Fee Program; however, drainage and bridge fees are not assessed with special use requests. No land disturbance is anticipated; therefore, no grading/erosion control plan will be required.

5. Transportation

The property is accessed via State Highway 94. A traffic impact study is not required, and the County Road Impact Fee does not apply to this request because the special use is not expected to generate 100 more daily vehicle trips than the property would be expected to generate without the special use request being approved. A CDOT access permit is required and has been obtained (access permit No. 219085).

H. SERVICES

1. Water

Water is provided by private residential well.

2. Sanitation

Wastewater is provided to the existing residential structure by an existing onsite wastewater treatment system (OWTS). The proposed firewood sales use is proposed to utilize a portable toilet. A referral was sent to El Paso County Public Health and a response was received indicating usage of a portable toilet was acceptable for this project if a service contract is provided demonstrating continuous service.

3. Emergency Services

The subject property is not located within a fire protection district; however, the Ellicott Fire Protection District has an existing memorandum of understanding with the El Paso County Sheriff's Office to provide emergency response services for fires, accidents and medical events in this area of the County. Additionally, automatic mutual aid will be provided by the Falcon Fire Protection District and for significant fires, backup response will be provided by the Cimarron Hills, Security, and Fountain Fire Protection Districts and County wildland fire crews.

4. Utilities

The property is within the Colorado Springs Utilities service area for natural gas. It is anticipated that Mountain View Electrical Association will continue to provide electrical service to the property.

5. Metropolitan Districts

The subject parcel is located within the Ellicott Metropolitan District. The District was sent a referral and did not provide comments. There is no mill levy for the district that is applicable to this parcel.

6. Parks/Trails

Land dedication and fees in lieu of park land dedication are not required for a special use application.

7. Schools

Land dedication and fees in lieu of school land dedication are not required for a special use application.

I. APPLICABLE RESOLUTIONS

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J. STATUS OF MAJOR ISSUES

There are no outstanding issues.

K. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in Section 5.3.2 of the El Paso County Land Development Code (2019), staff recommends the following conditions and notations:

CONDITIONS

1. Approval is limited to the firewood sales use as discussed and depicted in the applicant's letter of intent and the attached site plan exhibit.
2. Approval of a site plan shall be required prior to initiating the use.

NOTATIONS

1. The special use approval includes conditions of approval and the accompanying site plan. No substantial expansion, enlargement, intensification or modification shall be allowed except upon reevaluation and public hearing as specified in the El Paso County Land Development Code.
2. The Board of County Commissioners may consider revocation and/or suspension if zoning regulations and/or special use conditions/standards are being violated, preceded by notice and public hearing.
3. If the special use is discontinued or abandoned for two (2) years or longer, the special use shall be deemed abandoned and of no further force and effect.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified six (6) adjoining property owners on July 29, 2020, for the Planning Commission meeting. Responses will be provided at the hearing.

M. ATTACHMENTS

Vicinity Map
Letter of Intent
Site Plan
Well permit
Letters of Objection
Ellicott Fire Protection District Email
1978 Special Use Site Plan Exhibit
1978 BoCC Resolution

El Paso County Parcel Information

File Name:

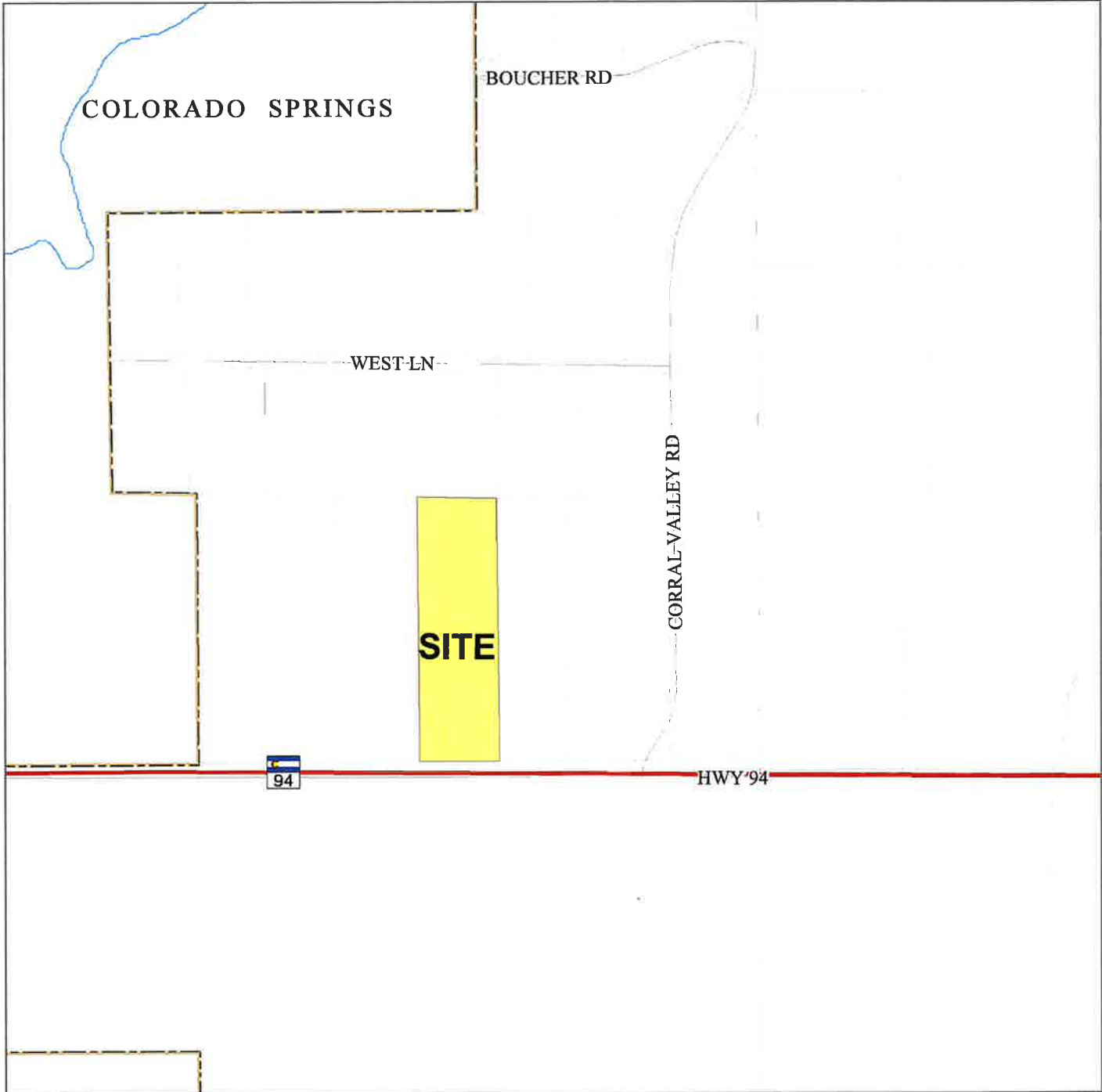
PARCEL	NAME
5412003011	YOST JOSEPH F

Zone Map No.

ADDRESS	CITY	STATE
13837 WINDRUSH DR	COLORADO SPRINGS	CO

ZIP	ZIPLUS
80921	2859

Date:



Please report any parcel discrepancies to:
 El Paso County Assessor
 1675 W. Garden of the Gods Rd.
 Colorado Springs, CO 80907
 719 520-6600



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Letter of Intent

5/16/2019

Joseph F Yost (applicant & land owner)
13837 Windrush Dr.
Colorado Springs, CO 80921
(719) 493-0271
urbanfirewood@comcast.net

Cameron Yost (applicant & owner's representative)
3215 W. Pikes Peak Ave.
Colorado Springs, CO 80904
(719) 650-7261
Cameron.yost@millerstanley.com

To whom it may concern,

2. I am applying for a Special Use permit for 11556 Hwy 94. Colorado Springs, CO 80929. This address is zoned a-5 and is 10.57 acres. I own this property and would like to move my business to it.

3. I am asking that we be allowed to cut and sell firewood on this land. We were informed at an Early Assistance meeting with the county planners that a-5 zoned properties that are 10 acres or larger allow firewood sales as a special use. After hiring a realtor we have learned that this is the only property within our budget available at this time. This is a fairly remote property with very few residences around it and it is removed from the city. I feel that this property would serve us well while not disrupting the community around us. This property is roughly a mile from a landfill, an aggregate dump, a dirt bike race way and three junk yards and we feel that we will bring value to this area. Additionally, many of the properties around this one are in extreme disarray with buildings that are collapsing, obsolete equipment stored outside, accumulated garbage piles and small businesses with inventory stored outside. We pride ourselves in the cleanliness and organization of our current operation and expect that we will be the exception to the mess which has accumulated within neighboring properties.

4. This property has a modular home and three outbuildings on it. We have no plans to use these buildings for our business with the exception of the large garage. We plan on leasing out the home for residential use and the resident will have access to the two smaller buildings. The larger outbuilding will be used for storage for our skid loader and supplies; however, business will not be conducted from any of the buildings.

We do not plan on constructing a building or any other structures on this property. We are also not planning on engaging in any construction projects on the property.

5. We are not requesting any waivers at this time.

6. We are requesting a Special Use permit on this property after our early assistance meeting. The planners listed this zone as one of the zones that we may operate our firewood business on.

7. The property is a total of 10.57 acres; initially we would like to use less than an acre and would like to expand to 5 acres in the future. Approval of a new or revised site development plan would be required to expand in the future.

8. n/a

9. One

10. Less than an acre

11. There is one mobile home on the property. This structure's use has not yet been decided.

12-15. n/a

16. Our business does not create waste water or use water currently. Once we plant the trees for the landscaping requirement we will fill large water tanks (2 300gal tanks) with non-potable water purchased from Colorado Springs Utilities for watering purposes.

Per our current procedure, any equipment that needs to be washed is brought to Bobcat of the Rockies where we service and clean our machines.

Our operation will not operate near or around the well or leach field on the property and we will pose no risk of damaging the water structure. Additionally, as a requirement to purchase this property we had the wastewater system inspected, repaired and certified. This has already taken place.

17. n/a

18. We are planning on planting 15 willow trees in front of the property to lessen the visual impact of our storage. Additionally, we will add a 6 wooden fence in the front of the property to mitigate the visual impact further. We will also add a barbed-wire fence along the east and west of our operation to segregate us from the neighboring lots (these lots are not occupied).

19. The only access location is the driveway that connects the property to HWY 94. No other access points will be needed or required. Based on our current customer traffic we expect to not exceed 12 total trips through our yard a day during times of inclement weather. Employee traffic is anticipated to be 6 average daily trips (ADT) based off of 3 employees; in addition, we do not anticipate to exceed two trips per day for incoming logs during non-inclement weather days. Total maximum ADT would not exceed 20. Additionally, this property is significantly more remote than our current operation, so we believe that traffic will be even less than anticipated. We have applied for an access permit with CDOT. We understand that we cannot access the property as a business until the permit is issued.

Parking: Firewood is a fairly fluid operation and the pile of wood grows and shrinks accordingly. When a customer pulls into our yard they are directed to park near the pile of firewood where we load them. The customer is discouraged from exiting the vehicle and if they choose to they are not allowed to walk around the operation. We do not have a designated parking lot as our operation does not warrant it.

20. All unused land will be left as open space. This includes approx. 2 acres in front of the mobile home and 5 acres behind it as well as the land around the firewood operation. We have earmarked some additional land around the proposed operation as area of expansion and if we do expand we will not encroach on the proposed open spaces.

I hope this information finds you well and we look forward to moving forward with this project. Please feel free to contact me anytime with questions or suggestions.

Warm Regards,

Joe Yost

5/16/2019

Additional Notes to be considered:

- As stated above; we feel that this is the best place for our business. We are near a landfill, 3 junk yards, an aggregate dump, a dirt bike raceway and many properties in extreme disarray. There are three properties behind this land that will be more than 5 acres away from our operation and will not be affected by noise or visual distraction. The two properties that are on either side of ours (east and west) are not occupied. The land to the west is an unregistered repair shop and the land to the east has buildings that are collapsing with garbage piles and debris everywhere.

We are extremely proud of the business we have built and have received positive comments from our current neighbors of how clean and organized our firewood lot is. We have even had competing businesses tour our yard as we are an example of how to organize a firewood business. That being said, we plan on providing barriers to our operation so as to "shield" our business to the untrained eye.

Our operation is also very quiet. Our firewood processor runs on a 33 hp Briggs and Stratton motor and has a muffler to mitigate noise. This piece of equipment is quieter than the average commercial lawn mower. Our skid loader is a brand new, state-of-the-art Bobcat which is on lease from Bobcat of the Rockies; it is so quiet that you can have conversation next to it while it is running. These are the only two pieces of equipment

that we operate. There have been rare instances where we have had to work into the evening and we have never had a noise complaint. There is a residential home less than an acre from our current operation (South side of our current lot) and the owner has said that he cannot hear us at all, day or night.

Also, we do not operate chainsaws as part of our business. The only instance that a chainsaw is used is if a piece of wood gets stuck somewhere. We use chainsaws roughly 3 hours per year.

- The land around us is zoned as agricultural land and we believe that our business will fit into this area perfectly. Currently the majority of properties are not used and are in pretty bad shape. The ones who are not operating unregistered repair shops or storage sites are using the land for farming (i.e cutting hay) and we believe that a small firewood operation fits into this well and will be congruent to the existing properties.
- I (Joe Yost) purchased this land for Urban Firewood after our initial meetings with the county. We were told that A-5 zoned land of 10 acres or larger carried pre-approval for firewood sales. After working with a realtor for a few months it was clear that this was the only land available at a price that we could afford within the zoning requirements. Once we began the special use process it was clear that we would not have the special use fast enough to satisfy the loan requirements for the bank. The seller of the land granted us three extensions, but refused to extend again as we worked through the special use paperwork. As the special use was not approved at the time of the sale, we lost our bank loan and back up loan (special use was required for the loans). We ended up financing the property through a third party investment which is a high interest, interest only loan that we are currently paying. Coupled with the fact that this is the only property that meets the zoning requirements within our budget and that our business fits so perfectly into this area I went ahead and purchased the land. I am confident that I can refinance the loan once the special use is approved.
- During the sale of the land we learned that the outbuildings and garage to the house were being operated by an illegal marijuana grow operation. We learned that there was a lot of traffic generated, off putting odors and late night disturbances. I believe that our business will come as a sigh of relief to the neighborhood once they see how un-invasive, quiet and organized our business is.
- If the special use is approved, our business will not burden public needs. We have virtually no water requirements and we generate a very small amount of traffic. We believe that we will be unnoticed at this location.
- As we do currently, we will adhere strictly to all local state, and federal laws with regards to noise, light and air pollution. As stated above, we are a quiet operation and we rarely work evening hours and any light is generated by the equipment. During the cold we use a home-made chiminea out door fireplace to keep warm. We adhere to all fire bans and are in constant contact with local fire departments for advice on when to

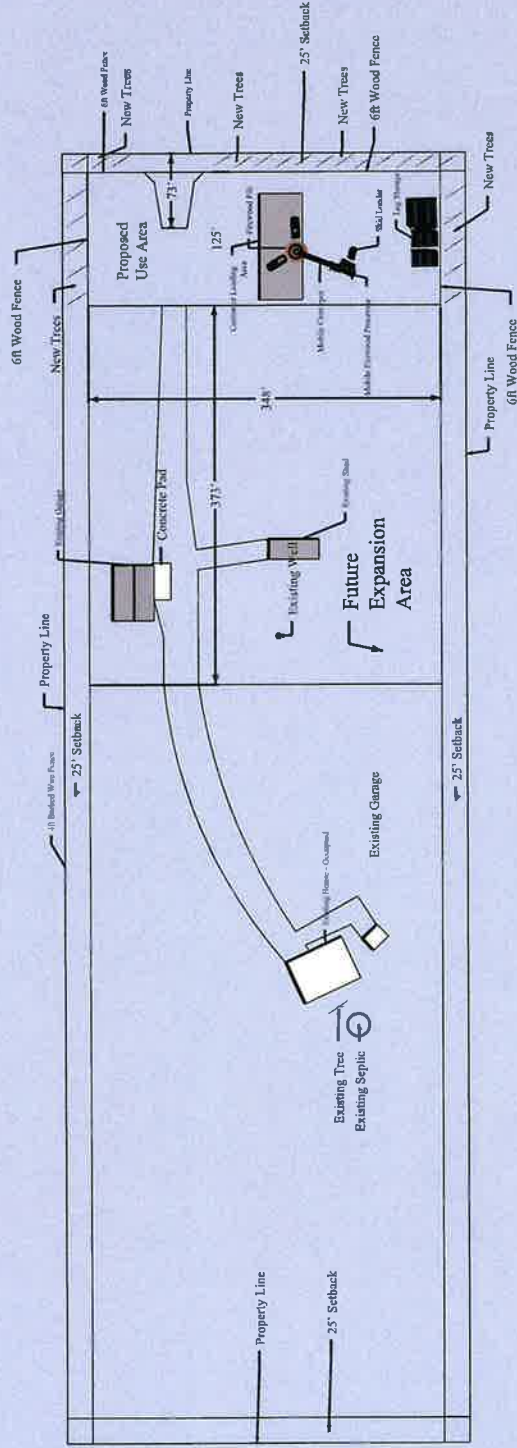
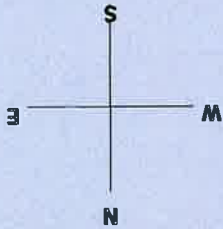
burn or not. That being said, we burn as little as possible: we would rather sell our wood products than burn them.

- We have no effect on public health and will always apply with applicable County rules, regulations and ordinances.

SITE PLAN

Address: 11556 Highway 94
Colorado Springs, CO, 80929

Scale 1"=120'





ORIGINAL PERMIT APPLICANT(S)

CHARLES CANNELLA

APPROVED WELL LOCATION

Water Division: 2 Water District: 10
 Designated Basin: N/A
 Management District: N/A
 County: EL PASO
 Parcel Name: N/A
 Physical Address: N/A

SW 1/4 SE 1/4 Section 12 Township 14.0 S Range 65.0 W Sixth P.M.

UTM COORDINATES (Meters, Zone: 13, NAD83)

Easting: 533463.8 Northing: 4299098.3

PERMIT TO CONSTRUCT A NEW WELL

See the original well permit file for permit conditions of approval and additional details. The original permit file can be viewed using the Well Permit Search Tool at www.water.state.co.us

See Original Permit

Date Issued: 2/23/1996

Issued By _____

Expiration Date: 2/23/1998

PERMIT HISTORY

- 08-07-2019 CHANGE IN OWNER NAME/MAILING ADDRESS. CHANGED TO JOSEPH F YOST
- 08-04-2015 CHANGE IN OWNER NAME/MAILING ADDRESS. CHANGED TO ULISES GONZALEZ-ABREU
- 01-14-2008 CHANGE IN OWNER NAME/MAILING ADDRESS. CHANGED TO JOSEPH WOJDYLA

WELL CONSTRUCTION AND TEST REPORT
STATE OF COLORADO, OFFICE OF THE STATE ENGINEER

For Office Use only
RECEIVED Div 2

OCT 12 '95

WATER RESOURCES
STATE ENGINEER
COLO

-392106-

1. WELL PERMIT NUMBER 95VE413 193025

2. OWNER NAME(S) Charles Carnella
Mailing Address 1336 Bayon rd.
City, St. Zip Co Spgs Co 80918
Phone (719) 531-4383

3. WELL LOCATION AS DRILLED: SW 1/4 SE 1/4, Sec. 12 Twp. 14 S, Range 65 W
DISTANCES FROM SEC. LINES:
470 ft. from South Sec. line. and 1770 ft. from east Sec. line. OR
(north or south) (east or west)
SUBDIVISION: LOT _____ BLOCK _____ FILING(UNIT) _____
STREET ADDRESS AT WELL LOCATION: _____

4. GROUND SURFACE ELEVATION _____ ft. DRILLING METHOD Air Rotary
DATE COMPLETED 9-26-95 TOTAL DEPTH 360 ft. DEPTH COMPLETED 360 ft.

5. GEOLOGIC LOG:

Depth	Description of Material (Type, Size, Color, Water Location)
0-4	Clay
4-17	Sandrock Shale
17-20	Clay
20-22	Sandrock
22-60	Shale
60-65	Sandrock
65-81	Shale
81-86	Sandrock
86-99	Shale
99-121	Sandrock
121-190	Shale
190-199	Sandrock
199-208	Shale
208-230	Sandrock
230-245	Shale
245-275	Sandrock
275-288	Shale
288-335	Sandrock
335-337	Gravel
337-360	Sandrock

REMARKS: _____

6. HOLE DIAM. (in.)

From (ft)	To (ft)
0	20
20	360

7. PLAIN CASING

OD (in)	Kind	Wall Size	From(ft)	To(ft)
6 3/8	Steel	1 3/8	1	20
4 1/2	PVC	200psi	15	220

PERF. CASING: Screen Slot Size: 1/8 holes
4 1/2 PVC 200psi 220 360

8. FILTER PACK:

Material	<u>Gravel</u>
Size	<u>5"</u>
Interval	<u>19-200</u>

9. PACKER PLACEMENT:

Type	<u>Rubber</u>
Depth	<u>220</u>

10. GROUTING RECORD:

Material	Amount	Density	Interval	Placement
Cement	<u>94# x 6 gal</u>		<u>6-20</u>	<u>packed</u>
Volley	<u>4 buckets</u>	<u>14</u>	<u>200-220</u>	<u>packed</u>

11. DISINFECTION: Type H+H Amt. Used 6 02

12. WELL TEST DATA: Check box if Test Data is submitted on Form No. GWS 39 Supplemental Well Test.
TESTING METHOD Bailed
Static Level 120 ft. Date/Time measured _____, Production Rate 15 gpm.
Pumping level 150 ft. Date/Time measured 9-26-95, Test length (hrs.) 4 1/2
Remarks _____

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

CONTRACTOR Kumar Drilling & Etc Phone (719) 683-3720 Lic. No. 1148
Mailing Address 23945 Lucky Ln CALHAN CO 80809

Name/Title (Please type or print) TIM KUMAR owner Signature Tim Kumar Date 10-8-95

**OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES**

818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

1148

WELL PERMIT NUMBER		193025	
DIV. 2	CNTY. 21	WD 10	DES. BASIN MD

APPLICANT

CHARLES CANNELLA
1336 BARON RD
COLO SPRINGS CO 80918-

(719)531-7383

Lot: Block: Filing: Subdiv:

APPROVED WELL LOCATION
EL PASO COUNTY

SW 1/4 SE 1/4 Section 12
Twp 14 S RANGE 65 W 6th P.M.

DISTANCES FROM SECTION LINES

470 Ft. from South Section Line
1770 Ft. from East Section Line

PERMIT TO CONSTRUCT A WELL

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-92-602(3)(b)(i) and policy of the State Engineer under the following conditions.
- 4) The issuance of this permit cancels permit 174342.
- 5) The use of ground water from this well is limited to ordinary household purposes inside one single family dwelling, the watering of domestic animals, and the irrigation of not more than 30,000 square feet of home gardens and lawns.
- 6) Production from this well is restricted to the Laramie sands which corresponds to the interval between 220 feet and 520 feet below ground surface. Plain casing shall be installed and sealed to prevent production from other zones.
- 7) The maximum pumping rate shall not exceed 15 GPM.
- 8) The annual amount of ground water to be withdrawn shall not exceed 1.85 acre-feet.
- 9) The return flow from the use of the well must be through an individual waste water disposal system of the type so that not less than 4 % of the total amount of water withdrawn is returned to the same stream system in which the well is located.
- 10) Emergency verbal approval 95VE413 was given on September 26, 1995, for the construction of this well.
- 11) This well shall be constructed not more than 200 feet from the location specified on this permit.

NOTE: The ability of this well to withdraw its authorized amount of water from this non-renewable aquifer may be less than the 100 years upon which the amount of water in the aquifer is allocated, due to anticipated water level declines.

APPROVED
[Signature]
2/23/98

[Signature]
State Engineer

[Signature]
By

Receipt No. 0392106

DATE ISSUED FEB 23 1996

EXPIRATION DATE FEB 23 1998

RECEIVED

OCT 16 '95

PERMIT APPLICATION FORM

Application must be complete where applicable. Type or print in BLACK INK. No overstrikes or erasures unless initialed.

- A PERMIT TO USE GROUND WATER
- A PERMIT TO CONSTRUCT A WELL
- A PERMIT TO INSTALL A PUMP

WATER RESOURCES STATE ENGINEER RECEIVED COLO

() REPLACEMENT FOR NO. _____ NOV 28 1995

() OTHER _____ WATER COURT CASE NO. _____

WATER RESOURCES STATE ENGINEER

62-H

193025

(1) APPLICANT - mailing address

NAME Charles Cannella

STREET 1336 Baron Rd

CITY Co Springs Co. 80918
(State) (Zip)

TELEPHONE NO. 719 531-7383

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. 392106, 2

Basin _____ Dist. _____

CONDITIONS OF APPROVAL

This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

174 342

✓ Well looks

(2) LOCATION OF PROPOSED WELL

County El Paso

SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 12

Twp. 14 S. Rng. 165 W. 16th P.M.
(N.S) (E,W)

(3) WATER USE AND WELL DATA

Proposed maximum pumping rate (gpm) 15

Average annual amount of ground water to be appropriated (acre-feet): 1

Number of acres to be irrigated: 1

Proposed total depth (feet): 360

Aquifer ground water is to be obtained from:
LARIMEE

Owner's well designation _____

GROUND WATER TO BE USED FOR:

- HOUSEHOLD USE ONLY - no irrigation (0)
- DOMESTIC (1) INDUSTRIAL (5)
- LIVESTOCK (2) IRRIGATION (6)
- COMMERCIAL (4) MUNICIPAL (8)

() OTHER (9) _____

DETAIL THE USE ON BACK IN (11)

(4) DRILLER

Name Kunau Drilling + Exc.

Street 23945 Lucky lane

City Calhan Co 80808
(State) (Zip)

Telephone No. 719 683-3720 Lic. No. 1148
24

SEE 174342

APPLICATION APPROVED

PERMIT NUMBER _____

DATE ISSUED _____

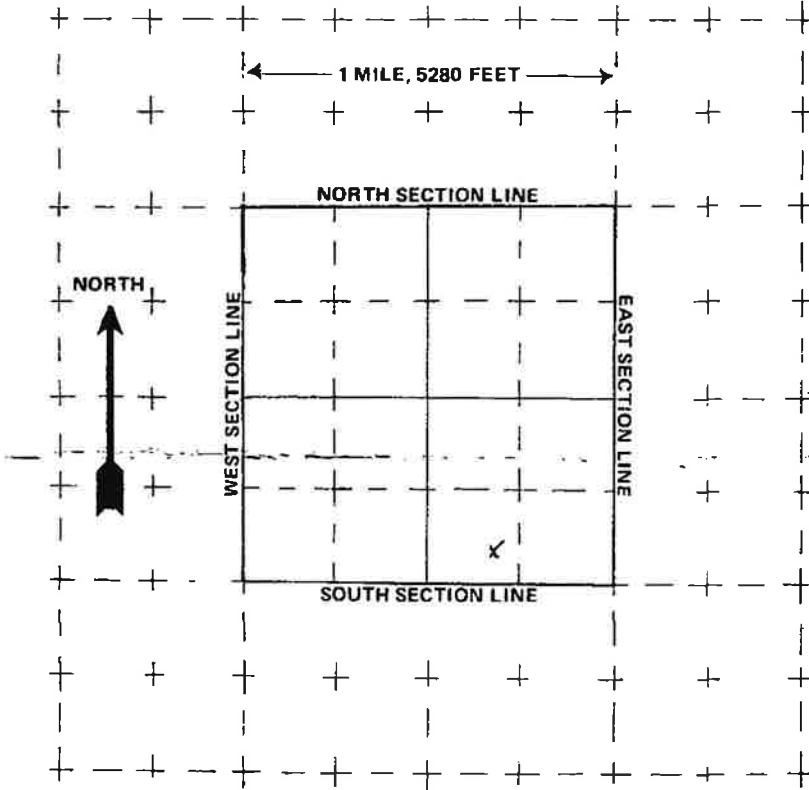
EXPIRATION DATE _____

(STATE ENGINEER)

BY _____

I.D. 2 COUNTY 21-10

(5) **THE LOCATION OF THE PROPOSED WELL** and the area on which the water will be used must be indicated on the diagram below. Use the CENTER SECTION (1 section, 640 acres) for the well location.



The scale of the diagram is 2 inches = 1 mile
Each small square represents 40 acres.

WATER EQUIVALENTS TABLE (Rounded Figures)

An acre-foot covers 1 acre of land 1 foot deep
1 cubic foot per second (cfs) . . . 449 gallons per minute (gpm)
A family of 5 will require approximately 1 acre-foot of water per year.
1 acre-foot . . . 43,560 cubic feet . . . 325,900 gallons.
1,000 gpm pumped continuously for one day produces 4.42 acre-feet.

(6) **THE WELL MUST BE LOCATED BELOW** by distances from section lines.

470 ft. from South (north or south) sec. line

1770 ft. from East (east or west) sec. line

LOT _____ BLOCK _____ FILING # _____

SUBDIVISION _____

(7) **TRACT ON WHICH WELL WILL BE LOCATED** Owner: Charles Connella

No. of acres 10.998 cc. Will this be the only well on this tract? YES

(8) **PROPOSED CASING PROGRAM**

Plain Casing _____
6 5/8 in. from +1 ft. to 20 ft.

4 in. from 15 ft. to 100 ft.
Perforated casing

4 in. from 100 ft. to 360 ft.
_____ in. from _____ ft. to _____ ft.

(9) **FOR REPLACEMENT WELLS** give distance and direction from old well and plans for plugging it:

(10) **LAND ON WHICH GROUND WATER WILL BE USED:**

Owner(s): Charles Connella No. of acres: 10.998 cc.

Legal description: SE 1/4 SE 1/4 Sec 12 Twp 14 S Rng 65 W

(11) **DETAILED DESCRIPTION** of the use of ground water: Household use and domestic wells must indicate type of disposal system to be used.

Domestic Household Livestock Lawn + Garden
El Paso County approved Septic system.

(12) **OTHER WATER RIGHTS** used on this land, including wells. Give Registration and Water Court Case Numbers.

Type or right	Used for (purpose)	Description of land on which used

(13) **THE APPLICANT(S) STATE(S) THAT THE INFORMATION SET FORTH HEREON IS TRUE TO THE BEST OF HIS KNOWLEDGE.**

Charles Connella
SIGNATURE OF APPLICANT(S)

COLORADO DIVISION OF WATER RESOURCES EMERGENCY VERBAL REQUEST INFORMATION

GWS-24 (rev. 11/94)
to be completed in INK

DIV _____ CO _____ WD _____ BAS _____ MD _____

verbal receipt # 26580

FAXED
DATE CALLED IN 9/26/95

Approval # 95 VE 413

TAKEN BY Jml (INITIALS) NAME OF CALLER Bill

Approval Given 9/26/95; Given By NH (INITIALS)

APPROVAL GIVEN TO (name, company) Kunau Drilling - Bill

APPLICANT: Charles Cannella

CONTRACTOR: Kunau Drilling

ADDRESS: 1336 Baron Rd

COMPANY ADDRESS: 23945 Lucky Lane Cathy 808x

Colo Spgs, CO 80918

LIC #: 1148; phone: 719 683-3728

phone: 719 531-7383 (H) / (O) APPL RECEIPT # & DATE _____

USE OF WELL: H₂O

PERMIT # 174342; CASE # _____

PROPOSED LOCATION OF (new) REPLACEMENT WELL:

AUG PLAN NAME _____

SW 1/4, SE 1/4, Sec. 12, Twp. 14S, Rng. 65W, 6th P.M.

DIST. 470 from N S sec. line, 1770 from E / W sec. line; County El Paso

distance & direction from old well to new well site _____; DEEPEN (circle if deepen)

subdivision info:

total # _____ ac.; lot(s) _____ blk. _____ fig. _____ subdv. _____

additional parcel info. / ADDRESS OF WELL _____

REASON FOR EMERGENCY: OUT OF WATER - OCCUPIED RESIDENCE? (yes / no) STOCK ON PASTURE CROP IRRIGATION
(circle) OTHER Drilling @ 220' - No water

CASING INFO:

DEPTH OF OLD WELL? _____; PROPOSED DEPTH? _____; AQUIFER? _____; perf. interval _____

DATE TO START? 1/1

faxed in?

FIELD INSP. REQ.? (YES) (NO) over for field inspection report information; called in? - date 1/1

EVALUATING STAFF COMMENTS: No water @ 220' - wish to go deeper. Change of source

APPROVAL CONDITIONS: ① Application for change of source w/ \$60 fee to be submitted within 10 days ② Production is limited to the interval between the Annapolis & Laramie Fox Hills. Plain casing to a minimum depth of 220' feet. (220') Total depth not to exceed 520 feet. ③ Verbal approval expires 60 days from issuance

EVALUATED BY: [Signature] (INITIALS); DATE: 9/26/95; APPROVED BY: [Signature]; DATE: 9/26/95

COLORADO DIVISION OF WATER RESOURCES EMERGENCY VERBAL FIELD INSPECTION REPORT

Please complete this form in INK

appl. receipt no(s). _____

DIV. WD

DATE OF INSPECTION: ____/____/____

PURPOSE OF INSPECTION: LATE REG.____, OTHER____

APPLICANT: _____ person contacted if not applicant: _____

ADDRESS: _____ W.C. name & phone #: _____

phone: _____

EXISTING WELL LOCATION:

_____ 1/4, _____ 1/4, Sec. _____, Twp. _____, Rng. _____, _____ P.M.

DIST. _____ from N / S sec.line, _____ from E / W sec.line; County _____

(if repl., give dist. & dir. to new well site -- _____)

circle type of existing well: DRILLED, HAND DUG, SPRING WELL, GALLERY WELL, GRAVEL PIT, OTHER _____

any other wells are located on this parcel? (yes) how many _____, (no) permit#, case#, use? _____

EST. DATE WELL CONSTRUCTED _____ DATE OF FIRST USE _____ EST. PUMPING RATE _____ gpm

TOTAL # OF ACRES IN THIS TRACT/PARCEL _____ ACRES

address of property (if different than applicant address): _____

add. subd/parcel info.: _____

acres irrigated (non-exempt/crop irr.) _____ NAME OF AUG. PLAN? _____

USE OF WELL:

- _____ household use in (indicate how many) _____ single family dwelling(s)
- _____ watering of poultry and/or domestic animals ("domestic animals" would include a few cows, horses, etc.)
- _____ watering of livestock on a farm or ranch - approx. how many head? _____
- _____ is this a feed lot? _____; how many head? _____
- _____ (it is important to specify estimated historic lawn/garden irr.) irr. _____ square feet/acre of lawn and/or garden
- _____ fire protection
- _____ commercial - drinking & san. only? (write details in "comments" section)
- _____ other (write details in "comments" section)

yes / no **WERE THE USES CHECKED ABOVE INITIATED PRIOR TO MAY 8, 1972?**
NOTE: IF ANY CHANGE IN THE HISTORIC USE OF THIS WELL HAS OCCURRED SINCE MAY 8, 1972, please indicate the date(s) the use changed, and discuss this change/and/or expansion of the current/proposed use in the "comments" section of this form

report taken by: _____; dated: ____/____/____; called in by: _____
(initials)

additional comments and/or information: _____

EXEMPT WELL DATA SHEET - DENVER BASIN, COLORADO

APPLICANT: STEPHENSON RECEIPT NO. 355858
 LOCATION: SW1/4 OF SE1/4 OF SEC. 12, T.14S., R.65W. (470 SSL, 1770 ESL)

PROPOSED AQUIFER:
 SURFACE ELEVATION: 6190 NUMBER OF ACRES IN TRACT: 10.78

IS PROPERTY WITHIN SERVICE BOUNDARIES OF MUNICIPALITY S.B.5 CONSENT MAPS? NO YES
 IF SUBDIVISION IS UNDER AUGMENTATION PLAN, CASE NO. IS _____, DIV. _____
 IF SUBDIVISION WAS RECOMMENDED FOR APPROVAL BY THE WATER MANAGEMENT BRANCH, DATE OF LETTER IS _____
 INFORMATION ON SUBDIVISION OR TRACT OF LAND/SPECIAL RESTRICTIONS:

evaluated by-MAS on JULY 27, 1993

AQUIFER	ELEVATION		NET SAND	DEPTH TO		ANNUAL APPROP A-F	STATUS
	BOT.	TOP		BOT.	TOP		
UPPER DAWSON	----	----	----	----	----	----	----
LOWER DAWSON	----	----	----	----	----	----	----
DENVER	----	----	----	----	----	----	----
UPPER <u>ARAPAHOE</u>	5972	6255	66	218	-65	1.210	NNT - Actual
LOWER ARAPAHOE LARAMIE FORMATION	----	----	----	----	----	----	----
LARAMIE-FOX HILLS	5342	5650	197	848	540	3.185	NNT - 4% repl.

note: E indicates location is at aquifer boundary and values may be more approximate.
 * indicates the proposed aquifer.

All values are interpolated from the S.B.5 data base assembled in November of 1986.

11/2/93

John Robert called Mr. Stephenson and discussed discrepancy with aquifer requested and depths. Applicant confirmed that he wants to stay in the Arapahoe aquifer at T.D. of 220 ft.

 WB.

This page copied from permit # 174342

OCT 27 '93

NOV 12 1970

2374 651

WATER & POWER
STATE ENGINEER
1970

Filed for record this 12 day of November, A. D. 1970
No. 761223

HARVEY WREATH RECORDED

QUIT CLAIM DEED
(Statutory Form)

KNOW ALL MEN BY THESE PRESENTS, that

HARVEY W. WREATH

of the County of El Paso, State of Colorado, for the consideration of One Dollar and other good and valuable considerations, in hand paid, hereby sell and Quit Claim to

RONALD C. WREATH and SHIRLEY J. WREATH, in joint tenancy

of the County of El Paso, and State of Colorado

the following described Real Property, situate in the County of El Paso, and State of Colorado, to-wit:

TRACT B-1 according to the survey thereof and described as: That portion of the Southeast Quarter of Section 12, Township 14 South, Range 65 West of the 6th P.M., more particularly described as follows: Commencing at the Southeast corner of Section 12, Township 14 South, Range 65 West of the 6th P.M., as shown on a plat recorded in Book H-2, at Page 10 of the El Paso County Records; thence North 89°56'40" West along the South line of said Section 12, 1,964.91 feet to the point of beginning, thence along said South line South 89°56'40" East 371.09 feet; thence North 0°17'50" West, 1,291.25 feet; thence North 88°42'06" West, 114.79 feet; thence North 88°43'30" West, 254.01 feet; thence South 0°11'26" East, 1,299.13 feet to the point of beginning and containing 10.998 acres, more or less.

NOTARY FEE

NOV 12 1970

\$ none

with all its appurtenances.

Signed and delivered this 10th day of November 1970
Harvey W. Wreath

STATE OF COLORADO,
County of El Paso

The foregoing instrument was acknowledged before me this 10th day of November 1970 by Harvey W. Wreath

Witness my hand and official seal.

Commission expires: December 20, 1972



Judith O'Connell
Notary Public

Best Copy Available

STATE OF COLORADO

OFFICE OF THE STATE ENGINEER

Division of Water Resources
Department of Natural Resources

1313 Sherman Street, Room 818
Denver, Colorado 80203
Phone (303) 866-3581
FAX (303) 866-3589



Roy Romer
Governor

James S. Lochhead
Executive Director

Hal D. Simpson
State Engineer

November 17, 1995

TO: Charles Cannella
RE: Well Permit Application Receipt No. 392106
FROM: Keith Vander Horst, Water Resources Engineer *KVH*

Your application for a well permit is being returned for corrections or additional information which is required for our office to evaluate the application. Please provide the information or make the corrections indicated below, and resubmit the application. If additional help is needed call our information desk at **(303)866-3587**.

Preliminary review of your application indicates that the only type of permit available will be for household use only, with no outside uses allowed. Please amend the proposed use in blocks 3 and 11 accordingly. You are advised that the statutory provision providing for the issuance of permits allowing the watering of noncommercial domestic animals on household use wells was changed as of July 1, 1993.

You indicate in block 7 that this will be the only well on a tract of land of 10 acres. We require a deed which describes this acreage. Enclosed is a copy of a deed (page 1 of Exhibit A from permit 174342) describing 10.998 acres which were attached to that permit. Is this the same acreage you are now claiming? If so please state so and correct the number of acres referenced in block 7.

Thank You.

HYDROGEOLOGIC REPORT AND RECOMMENDATIONS

Applicant Charles Cannella

Location SW/SE 12-14S-65W County El Paso

Date Received by DWR 9/26/95 verbal to deepen 174342

Date Received by Geotech Br. 9/25/95

Aquifer to be utilized Laramie portion of KIF

Remarks Applicant found no water in KA down to 220 feet. Top of KIF is +/- 540, applicant wants to be able to complete above 540 if possible

Casing Recommendations Plain case to 220, TD not to exceed 530'

Best Copy Available

Investigator Geo. R. Graham

Completion Date of this report 9/26/95

Lindsay Darden

From: Steve Dodd <stevedodd_11@yahoo.com>
Sent: Friday, August 16, 2019 7:16 AM
To: Lindsay Darden
Subject: Yahoo Mail

CAUTION: This email originated from outside the El Paso County technology network. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please call IT Customer Support at 520-6355 if you are unsure of the integrity of this message.

Hello my name is Steve Dodd I reside at 650 Corral Valley Rd.80929 and have been notified of a company trying to permit a commercial firewood business at 11556 Highway 94 which is almost my backyard and do not think it would be good to allow the zoning changes to allow this to happen. Aside from all the noise and mess Highway 94 is already too congested and dangerous and if this business is allowed it would have large trucks turning in and out and would definitely cause accidents. Please respond with the status of this permit

Thank You
Steve Dodd
<https://mail.yahoo.com/m/folders/1?.src=ym&reason=mobile>

Sent from my iPad

Lindsay Darden

From: Steve Kelnhofer <steve@7thfloorvapes.com>
Sent: Thursday, August 15, 2019 1:29 PM
To: Lindsay Darden
Subject: zoning for Corral Valley

CAUTION: This email originated from outside the El Paso County technology network. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please call IT Customer Support at 520-6355 if you are unsure of the integrity of this message.

Hi, my name is Steve Kelnhofer and I live in a small community called Corral Valley at 1165. It was brought to my attention that someone is trying to get commercial zoning. While I am all for business as that is what makes the world go round, I am not a fan of living in a commercial zone. I understand this is a bit from my house, but I feel it is too close.

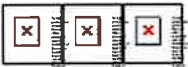
I can hear trucks go up and down the highway due to the way the bluffs are. I am fine with this as this is part of getting to the house. What I feel I will not like is hearing chain saws and big machinery during the day. I feel that there are other areas that are way more accommodating to a commercial business.

Please know I would not like this in my community.

Thanks

--

Ride The Wave!!



7th Floor LLC
1420 Aviation Way
Colorado Springs, CO 80916

work [719.570.9928](tel:719.570.9928)
fax [719.219.9729](tel:719.219.9729)

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Virus-free. www.avq.com

Lindsay Darden

From: bkd453 <bkd453@aol.com>
Sent: Tuesday, August 13, 2019 10:23 AM
To: Lindsay Darden
Subject: Urban Firewood Special Use

CAUTION: This email originated from outside the El Paso County technology network. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please call IT Customer Support at 520-6355 if you are unsure of the integrity of this message.

As a resident in Corral Valley for over 50 years and homeowner I am writing to oppose any plans to allow the change in zoning or permit being granted for this business.

Please feel free to contact me.

Barbara Delph
11265 West Lane
Colorado Springs, Co 80929
(719) 683-2466

Sent from my Verizon, Samsung Galaxy smartphone

Lindsay Darden

From: P. Haynes <peggy04@yahoo.com>
Sent: Monday, August 12, 2019 8:40 PM
To: Lindsay Darden
Cc: Mark Gebhart
Subject: OBJECTION TO FILE NUMBER AL1919/Urban Firewood Company

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Dear Ms. Darden:

We have owned property and resided in Corral Bluffs Subdivision for almost 30 years.

I am writing to tell you that we vehemently OBJECT to the special use permit/firewood cutting business, dba Urban Firewood Company, that has applied to El Paso County, in our quiet residential neighborhood. Below are some of the reasons why we object.

- #1. This is a QUIET RESIDENTIAL neighborhood--since the 1970's.
- #2. The sawmill/wood cutting operation would SEVERELY affect our property values!
- #3. This valley is prone to grass fires.
- #4. This subdivision is not part of ANY FIRE PROTECTION DISTRICT! NONE!
- #5. There is a hill on Highway 94 which crests just east of Corral Valley Road, creating a high accident area due to a blind spot and traffic turning into and out of our neighborhood--in addition to the heavy traffic going and coming from Schriever Air Force Base.
- #6. The noise and pollution from the woodcutting machinery would affect this neighborhood and our well-being. All of us moved to the country to get away from noise.
- #7. The existing Urban Firewood Company is an EYESORE at its current location, as it would be here.
- #8. This neighborhood ADJOINS Corral Valley Open Space--a natural habitat for wildlife.

This is CLEARLY not the location for this sawmill/woodcutting industry!

Lastly, let me ask you this. Would YOU welcome this sawmill business in YOUR NEIGHBORHOOD?

PLEASE do NOT allow this permit to be approved.

Thank you,

William (Bill) and Peggy Haynes
11650 Boucher Road
Colorado Springs, CO 80929

Lindsay Darden

From: BiLLy tHe KiD <yzgoat15@yahoo.com>
Sent: Monday, August 12, 2019 8:20 AM
To: Lindsay Darden
Subject: FILE #AL1919 URBAN FIREWOOD COMPANY

CAUTION: This email originated from outside the El Paso County technology network. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please call IT Customer Support at 520-6355 if you are unsure of the integrity of this message.

RE: FILE #AL1919 URBAN FIREWOOD COMPANY

Dear Ms. Darden:

We are writing to express our objections to you regarding Urban Firewood Company's request to obtain a special use permit in our neighborhood, Corral Bluffs Subdivision.

This business would be a noise problem, a traffic concern, a possible fire hazard, not to mention what this would do to our property values. Our neighborhood is not protected by any fire department-volunteer or otherwise.

We bought property here because of the quiet location. We do not want a noisy Sawmill/Firewood business. Our neighborhood adjoins an Open Space for wildlife. This is NOT the place for such a business.

Please reject their permit to do business in our residential neighborhood.

Thank you,

Billy and Kala Haynes
11740 Boucher Road
Colorado Springs, CO 80929
719.229.0252

Lindsay Darden

From: Maylois Fraley <mhumngbird@aol.com>
Sent: Saturday, August 10, 2019 8:46 PM
To: Lindsay Darden
Cc: Mark Gebhart
Subject: Changing zoning at 11556 Highway 94

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El Paso County Zoning Department
Lindsay Darden
Mark Gebhart

From Mr. and Mrs. Robert Ferguson
970 Corral Valley Road

We are definitely not in favor of changing the zoning for this firewood company. This would cause the lowering of our property values, raising insurance and tax rates and changing our quiet, peaceful and wonderful neighborhood. Please do not issue permits for this business to come to this area. This community has always been residential, not commercial. It would also add more traffic to the already very busy highway 94.

Thank you, Robert and Maylois Ferguson

Lindsay Darden

From: Kristi Pace <kristieshardhathair@gmail.com>
Sent: Monday, August 19, 2019 8:01 AM
To: Lindsay Darden
Subject: 11556 Highway 94

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we have concerns about Urban firewood coming to our neighborhood. we are a small quiet neighborhood, many of us have been residents here for ten, twenty and thirty plus years. we like it quiet and orderly. we are very concerned with the amount of noise going to be generated from this business. and we are familiar with how unsightly his former place of business was kept. We are afraid they are not going to be an asset to our peaceful neighborhood. please keep us advised of any public meetings you may have on this subject. thank you Kristi & Bob Pace

Lindsay Darden

From: MORRIS COMPANY <morris_co@hotmail.com>
Sent: Tuesday, September 10, 2019 7:56 AM
To: Lindsay Darden; Mark Gebhart
Subject: Firewood Business trying to obtain permits

CAUTION: This email originated from outside the El Paso County technology network. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please call IT Customer Support at 520-6355 if you are unsure of the integrity of this message.

To whom it may concern,

I am Waldo Morris, Owner of Wild Horse Ranch, El Paso County, Colorado. A firewood business is trying to obtain permits to start a business on the north side of Hwy 94 directly across from my Property. This e-mail is to advise you that I am strictly against this business based operation at this location.

The current location is filthy, continuously has vehicle traffic, noise and air pollution by burning excess wood scrapes. This will hinder future growth and development opportunities in the area. I urge you do deny their permit.

Any questions please call me at 319-389-5301.

I appoint Mike Ferguson, 11570 West Lane, Colorado Springs, CO as my agent regarding this Firewood Business. Mike Ferguson has my permission to represent me on all matters regarding this transaction.

**Sincerely,
Waldo Morris
Wild Horse Ranch**

Property Owner

Waldo Morris
**President
MORRIS & CO., INC.
4512 Lakeside Road
Marion, Iowa 52302**

**Phone# 319-377-8283
Fax# 319-377-7099
Cell# 319-389-5301**

Lindsay Darden

From: Gabe Sevigny
Sent: Tuesday, March 17, 2020 2:16 PM
To: Lindsay Darden
Subject: FW: Logging Business at Corral Valley

From: JHilaire <hilaireja@aol.com>
Sent: Tuesday, March 17, 2020 12:20 PM
To: Gabe Sevigny <GabeSevigny@elpasoco.com>
Subject: Logging Business at Corral Valley

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Gabe,

You may not be the planner involved in this event, and it doesn't show not the link you gave for on-going projects. Perhaps its because planning is just considering this proposal. My hope is that you can pass along these comments on the proposal to move a logging business from Black Forest to Corral Valley. The meeting was at 9am this morning at 2880. If you can redirect to planner of note for this project, I'd be most appreciative.

I'm not feeling well today, so missed the public meeting. I had hoped to go in person, but didn't want to possibly impact anyone else's health.

I live above Corral Valley and know that whatever smoke or pollution created by said propsal will be felt far beyond just the valley. From an altitude perspective, all of COS is below and will feel that impact unless there is a good wind to blow it out to Schriever (not good for their business either).

As the president of Corral Bluffs Alliance (CoBA), the turn into Corral Valley Rd is already a very dangerous one; adding more large vehicle traffic isn't going to be acceptable to either the residents of the valley, the folks who have to get to Schriever AFB, or those of us who are leading hikes or doing research on the Corral Bluffs formation (now that it is recognized as a world class paleo site, and large swaths owned by city, it seems contrary to adversary impact that area).

When there was expected to be a major increase in traffic on the state hwy, CDOT had to weigh in on that and had very specific rules about the turn lanes and traffic flow -- so I do hope you will be figuring in the cost of said required changes. Plus realizing the state of funding dollars, this might be a long time in coming as an improvement should you approve something that causes lots more traffic.

I do hope you survey the residents of that development, because the ones I know are very much opposed to business.

You do realize that Norwood should also weigh in on this as they are a major land owner adjacent to this possible business.

Also, this is an area that is totally encircled by city limits; so please ensure that the city planners are engaged -- it really would be bad for the city to try to close down Drake due to the pollution, then have a new one in the middle of city limits.

Jackie Hilaire

JHilaire

Some cause happiness wherever they go; others whenever they go.
- Oscar Wilde, [1854 - 1900}

EL PASO COUNTY



COMMISSIONERS:
 MARK WALLER (CHAIR)
 LONGINOS GONZALEZ, JR. (VICE-CHAIR)

COLORADO

HOLLY WILLIAMS
 STAN VANDERWERF
 CAMI BREMER

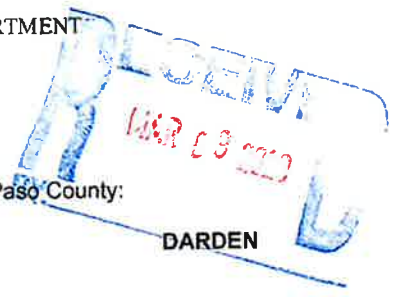
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
 CRAIG DOSSEY, EXECUTIVE DIRECTOR

February 25, 2020

This letter is to inform you of the following petition which has been submitted to El Paso County:

AL-19-019

**SPECIAL USE
 URBAN FIREWOOD**



A request by Joe Yost for approval of a special use for firewood sales in the A-5 (Agricultural) zoning district. The property is located at 11556 Highway 94, approximately 0.15 miles west of the Highway 94 and Corral Valley Road intersection. (Parcel No. 54120-03-011) (Commissioner District No. 2)
Type of Hearing: Quasi-Judicial

	<input checked="" type="checkbox"/>	
For	Against	No Opinion
Comments:	<p><i>This is nice area. Hoping for nice housing development in future.</i></p> <p><i>This will junk up the place. Looks BAD!! will hinder future growth and development.</i></p>	
(FOR ADDITIONAL COMMENTS, PLEASE ATTACH ANOTHER SHEET.)		

- **This item is scheduled to be heard by the El Paso County Planning Commission on March 17, 2020.** The meeting begins at 9:00 a.m. and will be conducted in the Second Floor Hearing Room of the Pikes Peak Regional Development Center, 2880 International Circle, Colorado Springs.
- **The item will also be heard by the El Paso County Board of County Commissioners on April 17, 2020.** The meeting begins at 9:00 a.m. and will be conducted in the Centennial Hall Auditorium, 200 South Cascade Avenue, Colorado Springs.
- The date and order when this item will be considered can be obtained by calling the Planning and Community Development Department or through El Paso County's Web site (www.elpasoco.com). Actions taken by the El Paso County Board of County Commissioners are posted on the internet following the meeting.
- The online submittal portal can be found at: www.epcdevplanreview.com
- The Staff Report for this Agenda item can be found at: <https://planningdevelopment.elpasoco.com/el-paso-county-planning-commission/planning-commission-2020-hearings/>

Your response will be a matter of public record and available to the applicant prior to the hearing. You are welcome to appear in person at the hearing to further express your opinion on this petition. If we can be of any assistance, please call 719-520-6300.

Sincerely,



Lindsay Darden, Planner II

Your Name: WALDO MORRIS WHR, LLC Waldo Morris
(printed) (signature)

Address: 4512 Lakeside Road MARION IA 52302

Property Location: owner 2 Parcels (1,020 acres) Phone 319-389-5301
Zoned RR5-Residential
see attached Property tax statements.

2880 INTERNATIONAL CIRCLE, SUITE 110
 PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
 FAX: (719) 520-6695



El Paso County, Colorado
MARK LOWDERMAN, TREASURER
 DATE January 8, 2020
PROPERTY TAX STATEMENT
TAXES FOR 2019 DUE 2020

TYPE OF PROPERTY 535
 REAL PROPERTY
SCHEDULE (ACCOUNT) NUMBER
 54000-00-022
PROPERTY LOCATION
 0 24-14-65
PROPERTY DESCRIPTION
 E2 SEC 24-14-65 L/MR

90477

54000-00-022
 WALDO MORRIS WHR LLC
 4212 LAKESIDE DR
 MARION IA 52302

*Zoned R&S-Residential min 5 acre lots
 320 Acres Agriculture Grazing Land*



TAX DISTRICT	DB-	ACTUAL VALUE	\$	13,421	ASSESSED VALUE	\$	3,890
TAX RATE		TAX AUTHORITY			TAX AMOUNT		
0.007222		* EL PASO COUNTY			28.09		
0.000330		EPC ROAD & BRIDGE (UNSHARED)			1.28		
0.040058		WIDEFIELD SCHOOL NO 3 - GEN			155.83		
0.009632		WIDEFIELD SCHOOL NO 3 - BOND			37.47		
0.004733		SD 3 WIDEFIELD COMMUNITY CENTER			18.41		
0.001973		SD 3 SECURITY PUBLIC LIBRARY			7.67		
		EL PASO COUNTY TABOR REFUND			-2.01		
		*TEMPORARY TAX RATE REDUCTION/TAX CREDIT					
0.063948		TOTAL TAX RATE		TOTAL TAXES PAYABLE		\$	246.74



90476

El Paso County, Colorado

MARK LOWDERMAN, TREASURER

DATE January 8, 2020

PROPERTY TAX STATEMENT
TAXES FOR 2019 DUE 2020

*Zoned RR5 Residential min. 5 acre lots
700.9 acres*

44000-00-457
WALDO MORRIS WHR LLC *AG Grazing land*
4212 LAKESIDE DR
MARION IA 52302



TYPE OF PROPERTY

534

REAL PROPERTY

SCHEDULE (ACCOUNT) NUMBER

44000-00-457

PROPERTY LOCATION

0 HANDLE RD

PROPERTY DESCRIPTION

NE4, SE4 SEC 13-14-65 L/MR, EX
ANY PORT OF HWY 94 IN SD NE4;
NW4, SW4, S2NE4 SEC 19-14-64
L/MR, EX ANY PORT OF FRANCEVILLE
COAL MINE RD IN SD S2NE4, EX TR
IN SW4 OF SD SEC 19 DESC AS
FOLS: COM AT SW COR OF SD SEC
19; TH N 90<00'00" E 38.80 FT
FOR POB; TH CONT N 90<00'00" E
*** DESCRIPTION INCOMPLETE ***

TAX DISTRICT	KB-	ACTUAL VALUE	\$ 23,990	ASSESSED VALUE	\$ 6,960
TAX RATE		TAX AUTHORITY		TAX AMOUNT	
0.007222		* EL PASO COUNTY		50.27	
0.000330		EPC ROAD & BRIDGE (UNSHARED)		2.30	
0.027254		ELLCOTT SCHOOL NO 22 - GEN		189.69	
0.004667		ELLCOTT SCHOOL NO 22 - BOND		32.48	
0.003731		PIKES PEAK LIBRARY		25.97	
		EL PASO COUNTY TABOR REFUND		-3.60	
<i>1st Year \$ 545.57</i>				<i>1) \$ 297.11</i>	
<i>-1.72</i>				<i>2) \$ 246.74</i>	
<i>.31% decrease</i>				<i>\$ 543.85 Total due Full Year</i>	
		*TEMPORARY TAX RATE REDUCTION/TAX CREDIT		<i>Pd 1.29.2020 ck # 5053</i>	
0.043204	TOTAL TAX RATE	TOTAL TAXES PAYABLE		\$	297.11

Joseph Wojdyla

Mailing address: 2390 N Powers Blvd
Colorado Springs, Colorado 80915

Property address: 11470 Highway 94
Colorado Springs, Colorado 80929

Personal cell phone: (719) 505-6423

TO: El Paso County Planning Commission

Brian, Risley, Chair

RE: Project # AL-19-019, Urban Firewood

I am writing this letter in direct response to the proposed special use permit that Joseph E Yost has applied for located at 11556 Highway 94, Colorado Springs , Colorado 80929. I am the adjoining neighbor and this very much impacts my property, my tranquility my safety. I have reviewed the proposal and would first and foremost like to say that I am **opposed** to the permit being issued. I would like to further elaborate that him stating I run an automotive company out of my personal property is false in its entirety. I have numerous vehicles and for outdoor sport and pleasure that I keep on that property. I do OWN a business in Colorado Springs, it is called All Star Storage located at 2390 N Powers Blvd, Colorado Springs, Colorado 80915. His claims of the properties surrounding him are in disarray is very insulting. The very first time that his employees came and dumped lumber, they dumped it on my land. The pile was moved but still remains. Fire season is just around the corner and we are not in a fire protection district. I find his applying for a use permit out here would deplete the tranquility of having this land out here for fun and for my family to enjoy. It would also be a daily disruption to the lives of the neighborhood we are part of. Again, I would like you to take note that I, Joseph Wojdyla am **OPPOSED** to the special permit that has been applied for by Joseph Yost who's property is located at 11556 Highway 94, Colorado Springs, Colorado 80929. With the current state of the country and illness, I do not know that I would be able to attend future meetings but insist that my voice is heard regarding the matter.

Sincerely,



TO: Planning and Community Development Department
El Paso County, Colorado

SUBJECT: Opposition to Urban Firewood Project Proposed at 11556 Hwy 94, Colorado Springs, 80929

Hi,

My name is Dr Matt Dixon and I live at 11510 West Lane, in the Corral Valley neighborhood, just off of highway 94 here in Colorado Springs. I am writing to voice my absolute opposition to the proposed retail firewood business at 11556 Hwy 94, Colorado Springs, CO.

This retail business that will create noise, congestion, and air pollution 40+ hours a week is in complete disharmony with the existing neighborhood and community. There is nothing about this that is in line with the way this community lives, works, and takes care of each other.

My wife, five children, and I bought this home in early 2001 because of its quietness, air quality, proximity to the city, and sense of community of the residents. After being stationed in multiple different countries and states, we could not wait to move back here. We returned in 2012 and have been here ever since.

Wood burning creates excessive pollution and is known to be a serious threat to anyone with lung or breathing conditions. When I was stationed in Missoula Montana, wood burning stoves were outlawed for this exact reason. One of the reasons I moved back here was to receive care for my documented and chronic severe allergies and asthma. My son shares similar asthma conditions.

One of the joys of this neighborhood is the lack of covenants. But the occasional and recreational use of motorized vehicles 1-2 times a month, is fundamentally different than a 40+ hour a week retail business that creates noise and air pollution year around, not to mention the increase in traffic. The letter with the proposal mentions the "quietness" of the equipment used, but no one wants to listen to a "lawnmower" 40+ hours a week, week in and week out. This will ruin the neighborhood's peace and tranquility. Ninety-nine percent of the time, this is a very quiet and peaceful community. A retail business of this type would change this dramatically and reduce the quality of life for everyone that calls this home.

The letter accompanying the proposal, insultingly misrepresents our neighborhood and community. It references the motocross track, wrecking yard, and dump, all of which are not in our community, are over the hill, and at least a mile away. They are not in our community. This business wants to start up in the middle of our neighborhood and create a dramatic negative effect on our quality of life so that he can profit. That is not in harmony with this community in any way.

This letter also mentions "many properties in extreme disarray". There are 27 homes and families in this community, 25 of which are well kept, lived in, and enjoyed.

Again, this proposed retail business is absolutely not in harmony with the community and I am adamantly against it.

Respectfully,

Matt Dixon

EL PASO COUNTY



COLORADO

COMMISSIONERS:
 MARK WALLER (CHAIR)
 LONGINOS GONZALEZ, JR. (VICE-CHAIR)

HOLLY WILLIAMS
 STAN VANDERWERF
 CAMI BREMER

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
 CRAIG DOSSEY, EXECUTIVE DIRECTOR

March 23, 2020

This letter is to inform you of the following petition which has been submitted to El Paso County:

AL-19-019

**SPECIAL USE
 URBAN FIREWOOD**

DARDEN

A request by Joe Yost for approval of a special use for firewood sales in the A-5 (Agricultural) zoning district. The property is located at 11556 Highway 94, approximately 0.15 miles west of the Highway 94 and Corral Valley Road intersection. (Parcel No. 54120-03-011) (Commissioner District No. 2)

Type of Hearing: Quasi-Judicial

Comments: For See attached sheet Against No Opinion

(FOR ADDITIONAL COMMENTS, PLEASE ATTACH ANOTHER SHEET.)

- **This item is scheduled to be heard by the El Paso County Planning Commission on April 7, 2020.** The meeting begins at 1:00 p.m. and will be conducted in the Centennial Hall Auditorium, 200 South Cascade Avenue, Colorado Springs. ****NOTE TIME CHANGE AND HEARING ROOM****
- **The item will also be heard by the El Paso County Board of County Commissioners on April 28, 2020.** The meeting begins at 9:00 a.m. and will be conducted in the Centennial Hall Auditorium, 200 South Cascade Avenue, Colorado Springs.
- The date and order when this item will be considered can be obtained by calling the Planning and Community Development Department or through El Paso County's Web site (www.elpasoco.com). Actions taken by the El Paso County Board of County Commissioners are posted on the internet following the meeting.
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Your response will be a matter of public record and available to the applicant prior to the hearing. You are welcome to appear in person at the hearing to further express your opinion on this petition. If we can be of any assistance, please call 719-520-6300.

Sincerely,


 Lindsay Darden, Planner II

Your Name: William W. Lee William W. Lee
(printed) (signature)
 Address: 11465 West Lane, Colo Spgs, Colo. 80929
 Property Location: Same Phone 719-683-2305

2880 INTERNATIONAL CIRCLE, SUITE 110
 PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
 FAX: (719) 520-6695

El Paso County Parcel Information

File Name: **AL-19-019**

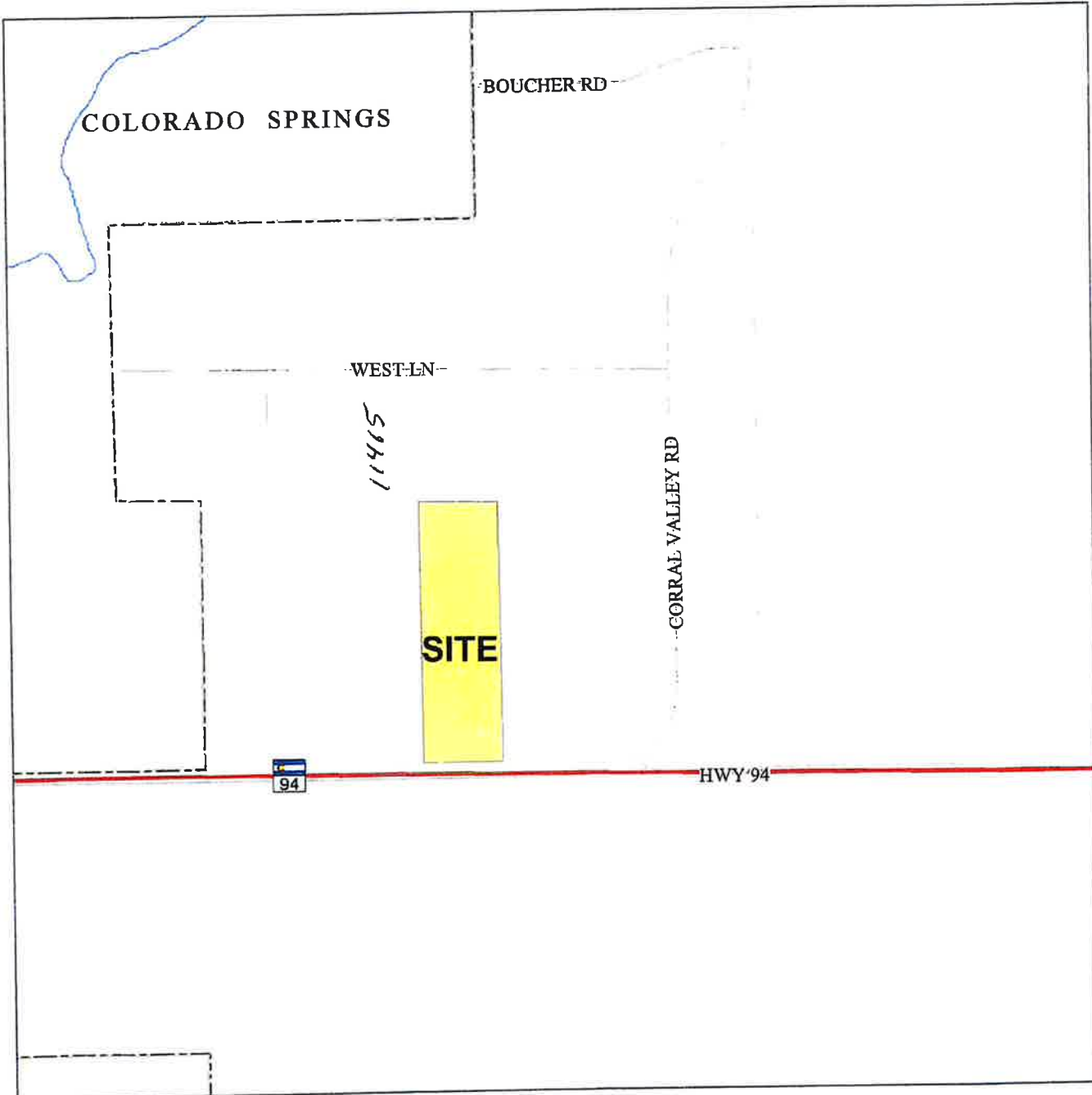
PARCEL	NAME
5412003011	YOST JOSEPH F

Zone Map No. **--**

ADDRESS	CITY	STATE
13837 WINDRUSH DR	COLORADO SPRINGS	CO

ZIP	ZIPLUS
80921	2859

Date: **February 24, 2020**



Please report any parcel discrepancies to:
 El Paso County Assessor
 1675 W. Garden of the Gods Rd.
 Colorado Springs, CO 80907
 (719) 520-6600



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1. We don't want the noise of a large sawmill operation.
2. We have had several grass fires in the last few years, and I think this operation would be conducive to starting more.
3. Highway 94 is too dangerous to have large logging trucks entering and exiting the property. The property is a long way from the supply of trees, so they would have to be hauled in and hauled out. Traffic is heavy to Schriever Air Force Base in the morning and in the afternoon. Trash trucks are constant to the landfill all day long. I have been trying to get a Left-turn Lane for Corral Valley Road for at least 3 years, to no avail.

William W. Lee

A handwritten signature in cursive script that reads "William W. Lee". The signature is written in black ink and is positioned below the printed name.

EL PASO COUNTY



COMMISSIONERS:
 MARK WALLER (CHAIR)
 LONGINOS GONZALEZ, JR. (VICE-CHAIR)

COLORADO

HOLLY WILLIAMS
 STAN VANDERWERF
 CAMI BREMER

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
 CRAIG DOSSEY, EXECUTIVE DIRECTOR

March 23, 2020

This letter is to inform you of the following petition which has been submitted to El Paso County:

AL-19-019

**SPECIAL USE
 URBAN FIREWOOD**

DARDEN

A request by Joe Yost for approval of a special use for firewood sales in the A-5 (Agricultural) zoning district. The property is located at 11556 Highway 94, approximately 0.15 miles west of the Highway 94 and Corral Valley Road intersection. (Parcel No. 54120-03-011) (Commissioner District No. 2)
Type of Hearing: Quasi-Judicial

_____ For _____	_____ Against _____	_____ No Opinion _____
Comments: <u>HIGH FIRE RISK - VERY LITTLE PROTECTION -</u>		
<u>HIGHWAY 94 ALREADY DANGEROUS</u>		

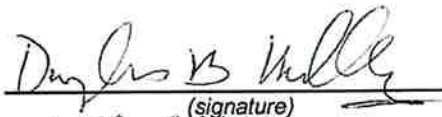
(FOR ADDITIONAL COMMENTS, PLEASE ATTACH ANOTHER SHEET.)

- **This item is scheduled to be heard by the El Paso County Planning Commission on April 7, 2020.** The meeting begins at 1:00 p.m. and will be conducted in the Centennial Hall Auditorium, 200 South Cascade Avenue, Colorado Springs. ****NOTE TIME CHANGE AND HEARING ROOM****
- **The item will also be heard by the El Paso County Board of County Commissioners on April 28, 2020.** The meeting begins at 9:00 a.m. and will be conducted in the Centennial Hall Auditorium, 200 South Cascade Avenue, Colorado Springs.
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Your response will be a matter of public record and available to the applicant prior to the hearing. You are welcome to appear in person at the hearing to further express your opinion on this petition. If we can be of any assistance, please call 719-520-6300.

Sincerely,


 Lindsay Darden, Planner II

Your Name: Douglas B Mellberg 
(printed) (signature)
 Address: 11545 West Lane Colorado Springs, CO 80929
 Property Location: _____ Phone 683-4563

2880 INTERNATIONAL CIRCLE, SUITE 110
 PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
 FAX: (719) 520-6695

Lindsay Darden

From: Steve Kelhofer <steve@7thfloorvapes.com>
Sent: Monday, August 19, 2019 9:49 AM
To: Lindsay Darden
Subject: highway 94 and Corral Valley

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Hi Lindsay, I just wanted to write this to say that after thinking about it over the weekend I think that if you own the property I feel you should be able to do what you want. This is the reason we all moved out there. If some are upset and I am sure they are as they have told me, I think they and I need to get over it.

I understand zoning but at the same time, if you own it, do what you want.

With this said, what do I have to do to turn my land into either A-35 or actually I feel splitting up my lot into 7 5 acre parcels is a good thing. I want to move my mom out with me, but I do not want to make a mother in law house. I would like to make it so that I can have here there and she can have a small business selling plants as that is what she loves.

What should I do next?

Thanks!

--

Ride The Wave!!



7th Floor LLC
1420 Aviation Way
Colorado Springs, CO 80916

work [719.570.9928](tel:719.570.9928)
fax [719.219.9729](tel:719.219.9729)

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Lindsay Darden

From: Lindsay Darden
Sent: Monday, August 17, 2020 11:22 AM
To: Lindsay Darden
Subject: Urban Firewood Fire Protection Info

----- Original message -----

From: Ellicott FD <ellicottfd@hotmail.com>
Date: 7/15/20 11:23 AM (GMT-07:00)
To: urbanfirewood <urbanfirewood@comcast.net>
Subject: Re: Fire coverage

Your property is within our County coverage area. The Ellicott Fire Department has an MOU (memorandum of understanding) with the County Sheriff's office. Basically, we cover all fires, accidents, and medicals in that area for the County. We do have automatic mutual aid from Falcon Fire Protection District. For any significant fires, Cimarron Hills, Security FD, Fountain FD, and the County Wildland Crews will respond. The closest hydrants are in Cimarron Hills and at Schriever AFB.

Christy

From: urbanfirewood <urbanfirewood@comcast.net>
Sent: Wednesday, July 15, 2020 7:23 AM
To: Ellicott FD <ellicottfd@hotmail.com>
Subject: RE: Fire coverage

Our address is 11556 Hwy 94. In the Peaceful Valley Neighborhood. One property away from Coral Valley Rd. And Hwy 94.

Thank you! 😊
Joe

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Ellicott FD <ellicottfd@hotmail.com>
Date: 7/14/20 12:50 PM (GMT-07:00)
To: urbanfirewood <urbanfirewood@comcast.net>
Subject: Fire coverage

Dear Joe:

Could you give me a better idea where you are located? Crossroads or other structures.

Christy
Ellicott Fire department

Lindsay Darden

From: Mark Stanwood <markstanwood32@gmail.com>
Sent: Thursday, August 13, 2020 12:12 PM
To: Lindsay Darden
Subject: AL-19-019 – Urban Firewood – Special Use

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Lindsay,

AL-19-019 – Urban Firewood – Special Use

The Property located north of Highway 94, approximately 800 feet west of Corral Valley Road and is within Section 12, Township 14 South, Range 65 West of the 6th P.M. (Parcel No. 54120-03-011), although not located within the Ellicott Fire Protection District, it is located in the primary response area of the Ellicott Fire Department.

Thus we have no authority directly to enforce codes or regulations outside of the district. However, being the primary fire response agency we would like to make the following minimal recommendations.

AL-19-019 – Urban Firewood – Special Use

The improved portion of the driveway shall be not less than 10 FT wide with not less than 5 FT of unobstructed (unimproved) shoulder on each side of the driveway.

The address shall be posted near the roadway (HWY 94) and visible from both directions. The address numbers shall be a minimum of 5 IN HT & ½ IN WH.

Provisions shall be made for a systematic and thorough cleaning at sufficient intervals to prevent the accumulations of combustible dust, sawdust and shavings.

A Minimum of a 1 – 10 LBS ABC with a rating of 4A, 40B; C, Fire Extinguisher located within 30 FT of the area where the cutting and splitting of the wood will be conducted. Additional Air Pressurized Water (APW) 2.5 Gallon Water Extinguishers are located in conspicuous locations not more than 100 FT apart. The APW Fire Extinguishers shall be located within 50 FT of the log storage, split wood storage and the processing area (wood cutting & splitting area). A Minimum of 3 EA - 2.5 Gallon APW Fire Extinguishers are required on site.

Log Storage areas shall not exceed 500 feet (152.4 m) in length, 300 feet (91 440 mm) in width and 20 feet (6096 mm) in height. The split wood storage piles shall not exceed 25 feet (7620 mm) in height, 150 feet (45 720 mm) in width and 250 feet (76 200 mm) in length. The wood storage areas and processing area shall be separated from adjacent log storage, split wood storage and the processing area (wood cutting & splitting area) or other exposures by not less than 50 FT.

Security. Permanent storage areas shall be surrounded with an approved fence. Fences shall be not less than 6 feet (1829 mm) in height.

Thank you for your consideration.

Mark A. Stanwood

Fire Marshal

Ellicott Fire Department

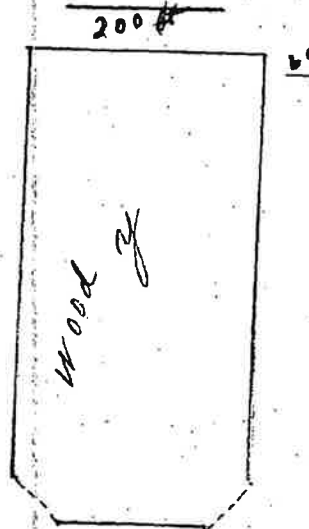
719 360 0578

371.11

10.998
acres

12853.22

Wood



12891.25

54120-032011
10.5-TRC

Miss. Power A-2 Agric.
15th February 1979

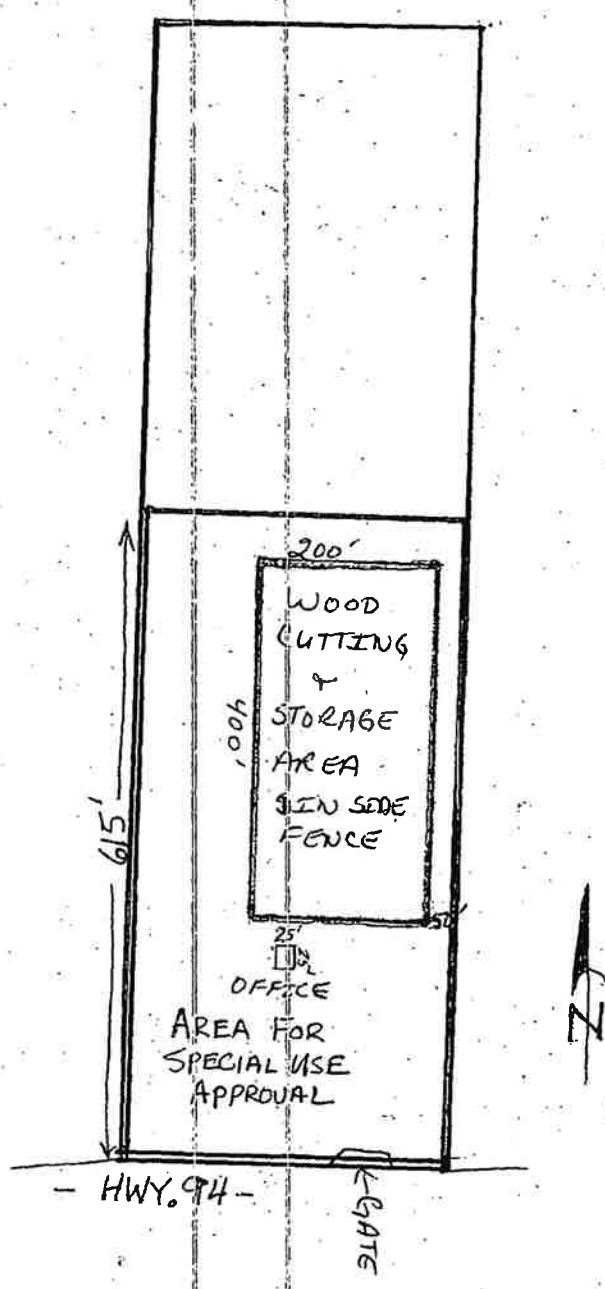
FOR 1/4" X 1/8" OFFICE TO USE IN CONSTRUCTION WITH FIREWOOD (PREPARATION & SALES OPERATION) FENCE DOES NOT REQUIRE ZONING APPROVAL. SALES & PREP. OF WOOD APPEARED AS SPECIAL USE 10/24/78 ON THE CONDITIONS THAT AN 8 FT. SOLID FRAME BE INSTALLED AND THAT ALL WOOD STORAGE BE WITHIN THE FENCED AREA - FENCE MUST BE INSTALLED WOOD COMPLETION OF OFFICE. SEE: P. 28-171, AL-78-11

TRACT B-2
SECTION 12, TOWNSHIP 14
RANGE 65 WEST OF 6TH R.M.

371.69

16 Dr

94 HW





EL PASO COUNTY
LAND USE DEPARTMENT

27 EAST VERMIJO
COLORADO SPRINGS, COLORADO 80903

October 27, 1978

Charles R. Johnson
11315 West Lane
Colorado Springs, CO 80909

RE: P-78-10, AL-78-11

Dear Mr. Johnson:

Your request for a zone change from A-4 Farming to A-2 Agricultural District with Special Use approval was approved by the Board of County Commissioners on October 26, 1978 with the same conditions as set forth in the Planning Commission letter:

- a. That the eight-foot solid fence be installed as per the letter of intent.
- b. That all work and storage be contained within the fenced area.

If you have any questions, please call 471-5742.

Sincerely,

John D. Fisher
Assistant Land Use Administrator

JDF/bg