

MEGGAN HERINGTON, AICP, EXECUTIVE DIRECTOR

PLANNING AND COMMUNITY DEVELOPMENT

June 16, 2025

RE: Agricultural Exemption Special Use

File: AL2510

Parcel ID No.: 5621001008 (subject to change)

This is to inform you that the above referenced request for a Special Use to permit an oversized agricultural structure as defined in LDC Chapter 5.2.5 at the address 12785 Old Pueblo Road (subject to change), located within the RR-5 zoning district, was approved on June 16, 2025. It is the determination and finding of the Planning and Community Development Department (PCD) Director that the application meets the criteria for approval of a Special Use included in Section 5.3.2 of the El Paso County Land Development Code (as amended). This approval is subject to the following conditions and notations:

CONDITIONS OF APPROVAL

1. Approval is limited to the proposed approximate 5,000 square foot structure, as discussed and depicted in the applicant's letter of intent and site plan drawings.
2. Driveway Access Permits are required for all access points onto a county road and there is no Driveway Access Permit on file for the existing driveway. Application for a Driveway Access Permit through EDARP (<https://epcdevplanreview.com>) is required.
3. The Agricultural Structure must be used solely for one or more of the following:

- Shelter for livestock (including hen chickens) or for the storage of the feed and equipment relating to the care, training, raising, and/or maintenance of the livestock (including hen chickens); or
- Agricultural products associated with horticultural, dairy, livestock, hen chickens, as well as other products customarily produced on a farm or ranch; or
- Agricultural implements and machinery, such as tractors and tractor attachments, when used as part of a farming or ranching operation as defined in Chapter 1 of this Code.

NOTATIONS

1. Special Use approval includes conditions of approval and the accompanying site plan and elevation drawings. No substantial expansion, enlargement, intensification, or modification shall be allowed except upon reevaluation and may require a 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 violated, preceded by notice and public hearing.
3. Please note the lot was previously combined for tax purposes. It has since been split back to the current platted configuration. The referenced addresses and parcel number may change.

Pursuant to Colorado Rule of Civil Procedure 106, this decision may be appealed to the El Paso County District Court within 28 days of the date of the decision. Should you have any questions, please contact Joseph Letke at (719) 520-7964.

Sincerely,



Meggan Herington, AICP, Executive Director

El Paso County Planning and Community Development Department

File: AL2510

AGRICULTURAL STRUCTURE EXEMPTION FROM THE BUILDING CODE AFFIDAVIT

I, Artemio Mendoza

_____ have applied for approval of an agricultural structure exemption from the Building Code for the purposes stated under the file number listed above (hereinafter referred to as the "Application"). Under the application and being duly sworn on oath deposes and says:

I, as applicant, owner and hold title to the following described real property:

12805 Old Pueblo Rd

Street Address

Lot 17, 18 + 19 BLK 2 LOCK RANCH SUB

Legal Description

5621001008

Assessor Tax Schedule Number

El Paso County, Colorado

I hereby acknowledge and agree to the following:

- The information provided on my application is accurate and demonstrates an agricultural use on the property described above.
- An agricultural structure shall not be exempt from obtaining a building permit unless an application for an agricultural structure exemption from the Building Code and a site plan have been approved by the El Paso County Planning and Community Development Department and this affidavit is signed and recorded with the El Paso County Clerk and Recorder's Office.
- The structure shall not be converted to a use other than an agricultural use without first obtaining all applicable permits and approvals from the Pikes Peak Regional Building Department and the El Paso County Planning and Community Development Department.

By signing this affidavit, I authorize inspections pursuant to the El Paso County Land Development Code by the Planning and Community Development Department for the purpose of verifying compliance with the approved application. I understand that if I refuse inspection of the structure or if an inspection reveals noncompliance with the approved application or with the El Paso County Land Development Code; the Planning and Community Development Department may schedule a hearing before the Board of County Commissioners and request that the Board revoke or rescind approval of this application and a building permit will therefore be required.

This affidavit shall be recorded with the El Paso County Clerk and Recorder's Office and shall be binding for the PROPERTY on all successors' heirs and assigns.

I, Artemio Mendoza

, being duly sworn, state that the foregoing facts and contents of this application for an agricultural structure exemption from the Building Code are true and correct to the best of my knowledge, information, and belief.

Signature

State of ColoradoCounty of El PasoSigned before me on 18th April, 2025by Artemio Mendoza Fenecca (name(s) of individual(s) making statement).Ian Young
(Notary's official signature)Notary Public

(Title of office)

Sep 8, 2028

(Commission Expiration)

IAN YOUNG
 NOTARY PUBLIC - STATE OF COLORADO
 NOTARY ID 20204031003
 MY COMMISSION EXPIRES SEP 8, 2028

I, Gloria Poncedeleon

, being duly sworn, state that the foregoing facts and contents of this application for an agricultural structure exemption from the Building Code are true and correct to the best of my knowledge, information, and belief.

Gloria Poncedeleon

Signature

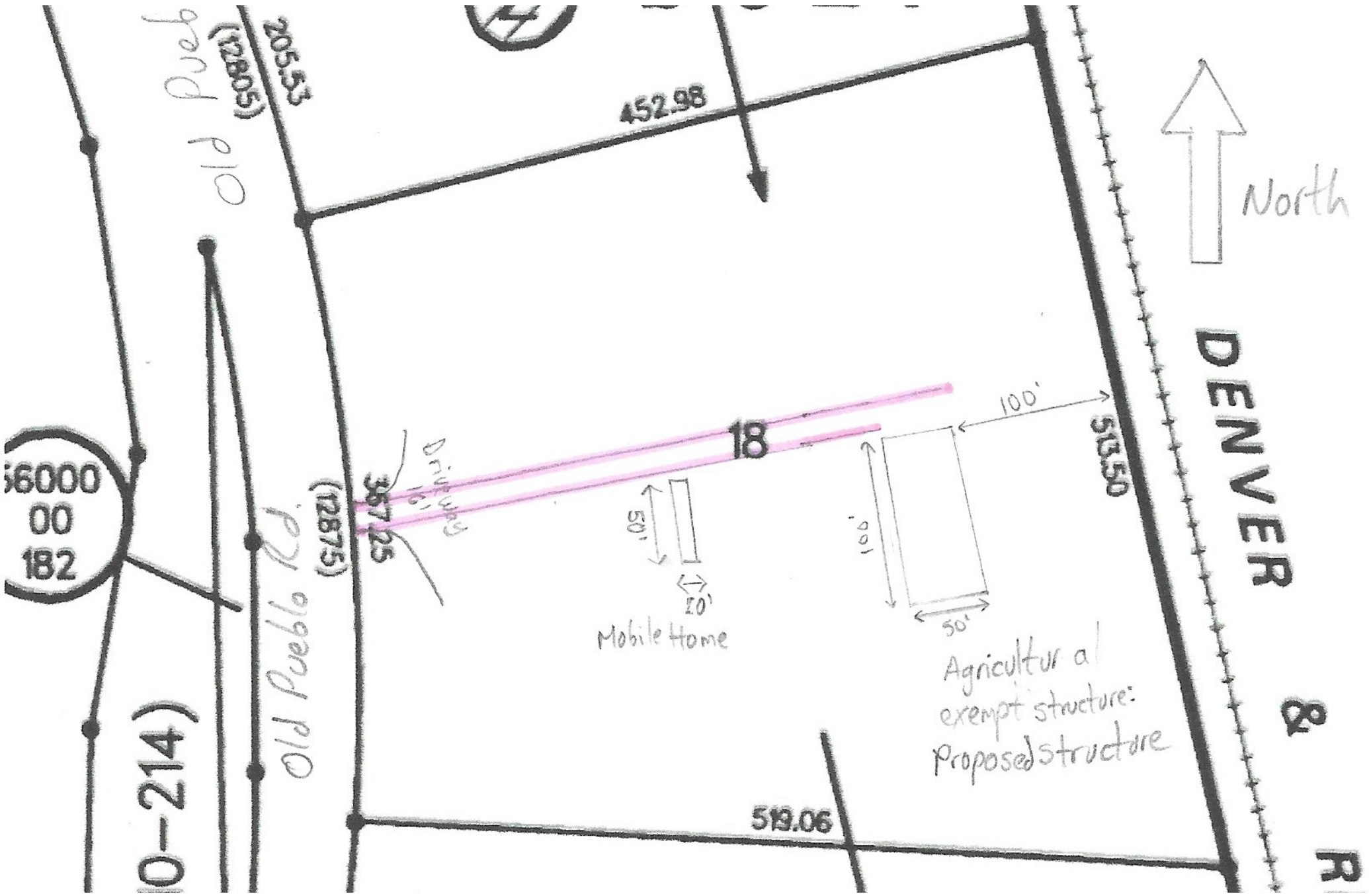
State of ColoradoCounty of El PasoSigned before me on 18th April, 2025by Gloria Poncedeleon (name(s) of individual(s) making statement).Ian Young
(Notary's official signature)Notary Public

(Title of office)

Sep 8, 2028

(Commission Expiration)

IAN YOUNG
 NOTARY PUBLIC - STATE OF COLORADO
 NOTARY ID 20204031003
 MY COMMISSION EXPIRES SEP 8, 2028



**Artemio Mendoza
Gloria Poncedeleon
PCD File AL2510**

12805 Old Pueblo Rd
Fountain, CO 80817
mendoza_construction@live.com
719-499-6508, 719-232-9494

May 28, 2025

Subject: Letter of Intent for Construction of Agricultural Building

To Whom it May Concern,

I am writing to express my intent to proceed with the construction of an agricultural building located at 12875 Old Pueblo Rd, to support the ongoing and future operations of MP Ranch. The proposed agriculturally exempt structure will exceed two (2) times the size of the building footprint of the principal use and thus requires approval of a special use approval. This application is seeking approval of a special use for the oversized structure.

The proposed building will be an approximately 5,000 square feet metal building barn and is intended for general agricultural purposes. The structure will be used for agricultural implements and machinery, such as tractors and tractor attachments, when used as part of a farming or ranching operation as defined by Chapter 1 of this Code. It will also be used for agricultural products associated with horticultural, dairy, livestock, hen chickens, as well as other products customarily produced on a farm or ranch. The structure will be designed and constructed in compliance with all applicable local, state, and federal regulations, including zoning and environmental standards. Drainage from the proposed barn construction will not adversely impact downstream or neighboring properties. The building will be sitting at a higher elevation with a stormwater runoff system; this pre-engineered metal building is also weathertight. The proposed structure will meet the required exterior appearance detailed in Chapter 5 section 5.2.5.C by including: a barn breezeway, Dutch doors, and appropriate siding material for weather exposure.

Please feel free to contact me at 719-499-6508 or mendoza_construction@live.com if any further information or clarification is needed.

Thank you for your attention and support.

Sincerely,
Artemio Mendoza, Gloria Poncedeleon
Co-owners