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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
CRAIG DOSSEY, EXECUTIVE DIRECTOR

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**EXECUTIVE DETERMINATION  
AUTHORIZING LITIGATION**

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January 14, 2020

Daniel Combs  
7205 Maine Lane  
Colorado Springs, CO 80923-4237

Re: File No. CE-19-421

Property Owner,

A notice of violation was issued to you by El Paso County Code Enforcement on September 17, 2019 for violation(s) of the El Paso County Land Development Code (LDC) and/or County Ordinances on the property located at 7205 Maine Lane (the "subject property"). It has come to my attention that the violation(s) have not been corrected within fourteen (14) calendar days after the date of the notice of violation and an approved extension of time has not been granted. These violations continue to exist on the subject property. The violation(s) are as follows:

**Land Development Code**

- **1.13.2. Building Permits to Conform to Code:** No building shall be constructed, reconstructed, or structurally altered, nor shall any building or land be used for any purpose except in conformity with this Code and any BoCC Resolution. No building permit, septic permit, sign permit, use permit or any other permit authorized by this Code shall be issued by the PCD unless the plans for the proposed construction, reconstruction, alteration, or use fully conform to the applicable requirements of this Code. Unless otherwise provided within this Code, PCD authorization of the issuance of a building permit by the Regional Building Department shall only be accomplished after the submission and approval of a site plan or site development plan.
- **Table 5-1 Principal Uses:** A Contractor's Equipment Yard is not an allowed use in the A-5 zoning district.
- **5.2.1 (E) Building Permit Required:** Any accessory structure exceeding 200 square feet shall obtain a building permit and comply with the Building Code,

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unless an agricultural structure exemption from the Building Code is granted, or when the accessory structure is to be located within the A-35 zoning district.

- **11.3.1. Unlawful Acts:** It is unlawful to use real property or improvements thereon; to develop real property, to erect, construct, reconstruct, remodel, restore or improve a building or structure, or to alter the use of any real property or improvements thereon in any way not in accordance with this Code or with the terms and conditions of any development application approval or development permit, or without first obtaining all development approvals and permits required by this Code.

### **Ordinance No. 18-02 Prohibiting the Accumulation of Rubbish**

- **Section 5: Unlawful Acts:** It shall be unlawful for any owner to allow the accumulation of rubbish on any lot, parcel, or tract of land in the County under such owner's control, possession, or ownership, or upon any alley or sidewalk, adjacent to such lot, parcel, or tract of land.

*\*\*\*Full text of County Ordinances and LDC provisions is available online at [www.elpasoco.com](http://www.elpasoco.com).*

Accordingly, pursuant to Section 11.3.2 (A) of the Land Development Code and Section 6.4 of Ordinance No. 18-02, be advised I am issuing this executive determination to authorize the El Paso County Attorney's Office to pursue litigation in order to bring the subject property into compliance with 1.13.2, Table 5-1, 5.2.1 (E) and 11.3.1 of the Land Development Code and Ordinance No. 18-02 as provided by Colorado law. Such remedies may include, but are not limited to, El Paso County seeking an administrative entry and seizure warrant to gain entry onto the subject property, abate the violations, and place a lien on the subject property for costs of abatement.

In accord with Section 11.3.2 (C) of the Land Development Code and Section 6.5 of Ordinance No. 18-02, you have the right to appeal my decision to the El Paso County Board of County Commissioners.

Requests for an appeal hearing before the El Paso County Board of County Commissioners must be received by my department, in writing, within ten (10) calendar days after the date of this executive determination. If a written appeal is not received by the El Paso County Planning and Community Development Department within ten (10) calendar days after the date of this executive determination, then this executive determination shall be final and the County Attorney's Office may proceed with litigation.

If you wish to appeal this executive determination, you can do so by either emailing or mailing an appeal request to the El Paso County Planning and Community Development Department at the following:

**Email:** [appealspcd@elpasoco.com](mailto:appealspcd@elpasoco.com)

**Mailing Address:** Planning and Community Development  
Attn: Code Enforcement Supervisor  
2880 International Circle, Ste. 110  
Colorado Springs, CO 80910

If you have any questions, please contact Mindy Madden, Code Enforcement Supervisor, at 719-520-6304 or at [mindymadden@elpasoco.com](mailto:mindymadden@elpasoco.com).

Regards,

A handwritten signature in black ink, appearing to read 'Craig Dossey', written in a cursive style.

Craig Dossey  
Executive Director  
El Paso County Planning and Community Development Department