

## Rad Dickson

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**From:** Jane Shirley <mjaneshirley@yahoo.com>  
**Sent:** Tuesday, December 15, 2020 8:03 PM  
**To:** Rad Dickson; Tracey Garcia  
**Cc:** mjane Shirley  
**Subject:** ATTACHMENTS TO BLACK FOREST RESIDENTS OPPOSITION TO REZONING PARCEL# 5207000004

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### ATTACHMENT 1

Code 5.1.7:

(A) Accessory Use to Conform to Zoning District Standards: Unless otherwise indicated within this Code, accessory structures or uses shall conform to the development standards specified in the zoning district in which the building or use is located. The area of the accessory structure shall be included in the lot coverage calculation.

(E) Building Permit Required: Any accessory structure exceeding 200 square feet shall obtain a building permit. All accessory structures shall comply with the Building Code.

(F) Principal Structure Required: No building permit for construction of an accessory structure, where a building permit is required, shall be authorized prior to construction of the principal structure except in the A-35 zoning district.

(H) Accessory Uses to Meet Development Standards: Accessory uses shall meet all applicable development standards in Chapter 5 and Chapter 6.

(J) Structures or Uses Not Considered Accessory Uses is a Violation Any building, structure or use that does not qualify as an accessory structure or use and that is not identified as an allowed use, approved as a special use, or granted a use variance is a violation of this Code and subject to zoning enforcement.

(K) Square Footage of Accessory Structure and Use Limited The building footprint of accessory structures and accessory uses in all residential zoning districts shall not exceed the building footprint of the primary use (residence) to which they are subordinate, with the following exceptions: ☐ When the lot or parcel is 2.5 acres or greater the accessory structure building footprint may not exceed two (2) times the size of the building footprint of the primary use (residence). ☐ Structures and accessory uses classified as agricultural are exempt from the square footage limitation. ☐ Accessory structures on lots or parcels 35 acres or greater are exempt from the square footage limitation.

(J) Structures or Uses Not Considered Accessory Uses is a Violation Any building, structure or use that does not qualify as an accessory structure or use and that is not identified as an allowed use, approved as a special use, or granted a use variance is a violation of this Code and subject to zoning enforcement. (K) Square Footage of Accessory Structure and Use Limited The building footprint of accessory structures and accessory uses in all residential zoning districts shall not exceed the building footprint of the primary use (residence) to which they are subordinate, with the following

exceptions: ② When the lot or parcel is 2.5 acres or greater the accessory structure building footprint may not exceed two (2) times the size of the building footprint of the primary use (residence). ② Structures and accessory uses classified

#### 11.1.7. No Permission to Violate Codes:

(A) Oversight or Error: No oversight or error on the part of the PCD Director or any official or employee of the County shall legalize, authorize, or excuse the violation of any of the provisions of this Code.

(B) Issuance of Permit or Approval: The issuance or granting of any development permit or construction permit or any permit, plan, specifications, computations, or inspection approval does not constitute a permit for, or an approval of, any violation of any of the provisions of this Code. Development permits, construction permits, or inspections presuming to give authority to violate or cancel the provisions of this Code or other County regulations or ordinances are invalid.

(C) Errors in Approved Plans: The issuance of a development permit or construction permit based on plans, specifications, and other data does not prevent the PCD Director from subsequently requiring the correction of errors in the plans, specifications, and other data or from stopping building operations that are in violation of this Code or any other applicable law.

(D) Falsified or Misrepresented Information: The issuance of a development permit or construction permit based on falsified or intentionally misrepresented information does not prevent the PCD Director from subsequently requiring the correction of errors in the plans, specifications, and other data or from stopping building operations that are in violation of this Code or any other applicable law.

#### ATTACHMENT 2 Denver Basin Description:

The Denver Basin is a unique geologic formation along the Front Range reaching generally from Greeley on the north to Colorado Springs on the south, and from the Foothills on the west to Limon on the east. The Denver Basin is composed of bedrock aquifers, or water bearing formations, that lie one on top of the other in layers. The aquifers in the Denver Basin are called, progressing from top to bottom, the Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers. Northern portions of the Dawson and Arapahoe aquifers are differentiated into Upper and Lower aquifers. Between each aquifer there is a confining layer that isolates the individual aquifers from each other. Because of the nature of the confining layers and because of the limited connection between these aquifers and surface water, the groundwater in the aquifers is not renewable. When the groundwater is used, it is being “mined” or used up without any replacement.

#### Well Permitting:

The State Engineer is tasked with maximizing the beneficial use of the limited water in the state and promoting reliable water supplies. Groundwater, withdrawn through wells, is an integral part of Colorado’s water supply. In order to administer the thousands of wells in Colorado, the State Engineer issues and maintains permits that limit the use of each well pursuant to the Colorado Revised Statutes.

By law, every new or replacement well in the state that diverts groundwater must have a well permit. To obtain a permit, a person must file an application with the State Engineer; these applications are evaluated pursuant to statutory guidelines.