

Department of Public Works

Engineering Division
719-520-6460
Chuck Brown Transportation Complex
3275 Akers Drive
Colorado Springs, CO 80922
www.ELPasoCo.com

Board of County Commissioners
Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

STOP WORK ORDER

Date: 08/13/2024

Certified Mail #: 7016 1970 0000 8617 7143

Property Owner: J Elliott Homes Inc

Company: J Elliott Homes Inc

13761 Bandanero Dr

Peyton , Colorado 80831

RE: Immediate Stop Work Order for Land Disturbing Activities at 721Western Dr with Property Parcel Number: 5407401016

It has come to the attention of the El Paso County (EPC) Department of Public Works (DPW) Stormwater group that construction activities involving land disturbances or site conditions that necessitate an EPC Erosion & Stormwater Quality Control Permit (ESQCP) are occurring on the property identified above. As of the above date, EPC has not approved any construction drawings or grading and erosion control (GEC) plans for this site, nor have any required permits been issued for this activity.

This construction activity may violate one or both of the following sections of the EPC Engineering Criteria Manual (ECM):

- Section 5.6.2, which states in part: "An approved ESQCP is required for construction activities that result in land disturbance of greater than or equal to one acre or that is less than one acre but is part of a larger common plan of development or sale that would disturb one acre or more. Any project involving land disturbing activity of less than one acre, but which disturbs more than 500 cubic yards of material (stockpiling, cut and/or fill) may be considered an applicable construction activity."
- Appendix I, which in various sections throughout states that an ESQCP is required for projects involving land disturbing activity of <1 acre that are deemed High Risk or are located in or adjacent to a Sensitive Area.

This construction activity may also be in violation of one or both of the following sections of the EPC Land Development Code (LDC):

- Section 6.3.5.(A)(3), which states "No clearing, grading, excavation, filling or other land-disturbing activities covered under this Section and Chapter 3 of the ECM shall be allowed until approval of the grading plan and erosion and sediment control plan is received and an ESQCP is approved."

- Section 11.3.1, which states "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 within 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."

You must immediately discontinue all land disturbing activities until compliance with the applicable provisions of the ECM has occurred and the conditions of this letter have been met.

If you wish to continue construction activities, you must:

- (1) Provide a letter of intent via email to the Stormwater Inspector outlining your next steps to resolve this Stop Work Order within ten (10) days of receiving this letter.
- (2) Initiate the permitting process, described below, within ten (10) days of receiving this letter.
- (3) Stabilize all land disturbance using temporary or permanent stabilization measures within twenty-one (21) days of receiving this letter.

To initiate the permitting process, please contact the EPC Planning & Community Development (PCD) Department:

Contact the "Planner of the Day" at dsd-pod@elpasoco.com or the EPC PCD front desk staff at plnweb@elpasoco.com to inform them that you have received a Stop Work Order and need to apply for an ESQCP.

At a minimum, an ESQCP (and subsequently a GEC Plan) must be approved by the ECM Administrator, and all required Control Measures (CMs) identified in the approved plans must be installed and functional. A Notice to Proceed (NTP) will then be issued to allow for the construction of the site consistent with the approved permit.

If you do not wish to obtain the required permits and if you do not wish to continue construction activities, you must:

- (1) Provide a letter of intent via email to the Stormwater Inspector outlining your next steps to resolve this Stop Work Order within ten (10) days of receiving this letter.
- (2) Return the property to the original grade within twenty-one (21) days of receiving this letter.
- (3) Stabilize all land disturbance using permanent stabilization measures within twenty-one (21) days of receiving this letter.

If land disturbing activities are not suspended and/or the conditions of this letter are not met, the County may pursue those remedies prescribed in Appendix I of the EPC - ECM which includes the following:

- (1) Seek a court order to stop work and/or remedy the site.

- (2) If there is an illicit discharge, to enforce the County's Illicit Discharge Ordinance, Ordinance 07-01, As Amended (see C.R.S. Section 30-15-401; 30-15-402)

Please provide your written letter of intent via email regarding which of the above options you would like to pursue to Benjamin Jones using the contact information provided below within ten (10) days of receiving this letter. If you are unable to fully meet the requirements of the option chosen above in the allotted time allowed, please contact the Stormwater Inspector. The Stormwater Inspector will provide you with a written agreement via email if an extension is granted. Please keep this written agreement for your records. Should you have any questions regarding this Stop Work Order, please contact the Stormwater Inspector.

Thank you for your immediate attention to this matter.

Respectfully,

A handwritten signature in black ink that reads "Ben Jones". The signature is written in a cursive style with a large initial "B" and "J".

Benjamin Jones
Stormwater Inspections Supervisor
Department of Public Works
719-330-5420
benjones@elpasoco.com

Links:

The ECM and other County criteria can be reviewed here: www.librarymunicode.com/co/el_paso_county

Stormwater-related documents and ESQCP Application Form can be found here: www.publicworks.elpasoco.com/stormwater/

Photos



Photos

