

**AGRICULTURAL STRUCTURE EXEMPTION FROM THE BUILDING CODE  
APPLICATION**

Date: 10-7-19 Floodplain: N/A  
 Owner/Applicant: Marilyn & Everett C Kessler II  
 Phone No: 719 728 0589 Email: marilynkessler@gmail.com  
 Property Address: 13625 Gymkhana Road  
 Parcel No: 4329 0010 15 Zone: A-5 Acreage: 6.26

**BUILDING INFORMATION- to be completed by the owner/applicant**

*The following types of structures and materials are prohibited and may not be used as or for the construction of an agricultural structure: portable or temporary structures, shipping or storage containers, carports, canopies, mobile homes, semi-trailers, tires, fabric, tarpaulins or other structures and materials that are prohibited by the PCD Director.*

- Is this new construction  or an existing structure  (check one)  
 For new construction, what is the estimated date of completion? 04-30-2020
- Square footage 2400  
*The size of the structure shall not exceed two (2) times the size of the building footprint of the principal use (residence) or 5,000 square feet, whichever is greater. Any agricultural structure exceeding the allowance shall require special use approval*
- Exterior appearance:
  - Required: appropriately sized doors to allow for livestock and/or agricultural implements and machinery to enter and exit the structure

**AND**

A minimum of three of the following design features are required: (check all that apply)

  - Dutch doors,
  - Barn breezeway,
  - Gambrel roof,
  - Barn cupola,
  - Exterior stalls,
  - Shelter overhang,
  - Dormer Windows,
  - Appropriate siding material for weather exposure, and/or,
  - Finished wood panels, vinyl siding, brick or stone veneer siding, stucco, etc.

If the structure will not meet the above exterior appearance requirements, you may propose an alternative design on a separate sheet of paper and attach it to this application. Requests for alternative design(s) require approval from the PCD Director.

**USE OF THE STRUCTURE- to be completed by the owner/applicant**

*The following uses are prohibited: commercial and/or non-commercially related uses allowing public access, marijuana related uses, residential (personal storage, vehicle storage, etc.), and non-agricultural related uses.*

- The structure must be used solely for one or more of the following uses on the subject parcel for which the agricultural use is located: **(check all that apply)**
  - 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. (Minimum of 35 acres).

Describe in detail the agricultural use for the building: Shelter for rabbits and chickens and their feed.

**Additional Requirements**

- Affidavit
- Site plan
- Compliance with the Building Code is required for all electrical, plumbing, and/or mechanical work installed within a structure for which an Agricultural Structure Exemption from Building Code has been granted. Please contact the Pikes Peak Regional Building Department at 719-327-2880 for more information.

**APPLICABLE STATUTES AND REGULATIONS**

**EL PASO COUNTY LAND DEVELOPMENT CODE (LDC)**

**Section 1.15: Definitions: Agricultural Structure :** For the purpose of determining an agricultural structure exemption from the Building Code, a structure used for the sole purpose of providing shelter to 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 for the storage of agricultural products associated with horticultural, dairy, livestock, hen chickens, as well as other products customarily produced on a farm or ranch, or for the shelter of agricultural implements and machinery such as tractors, plows, harrows, fertilizer spreaders, seeders, balers, harvesters, and similar agricultural implements and machinery when used as part of a farming or ranching operation, as intended in C.R.S. 30-28-201(1).

**Section 2.1.2** of the LDC provides authority for the PCD Director to establish processes, standards, and procedures to support the efficient review of development applications for conformance with the LDC and State statute.

**Section 2.2.4** of the LDC designates the PCD Director as the official charged with the administration of the LDC. The PCD Director may establish application and submittal requirements and schedules for review of applications pursuant to the LDC.

**Section 11.1.4 (B)(1) Permission to Enter Property Until Action is Completed:** Signing any application for a development permit, except those specifically listed in paragraph (2) below, shall constitute permission for the PCD Director to enter and inspect a property until the use, activity, development, subdivision or construction that is the subject of the development application or permit has concluded.

\*\*\* Full text of LDC available at [www.elpasoco.com](http://www.elpasoco.com)

**OFFICE USE ONLY**


**APPROVED**

**DENIED**

Notes/conditions: Structure must be used solely  
for agricultural uses.

Planning and Community Development Department Representative:

Signature:



Date:

10/10/19

Cc: El Paso County Assessor

Pikes Peak Regional Building Department