

STATE OF  
COLORADO

Hays - DNR, Peter &lt;peter.hays@state.co.us&gt;

---

**ZCV21-00059 - Raindance Land Development**

1 message

---

**Hannah Dutrow** <hdutrow@weldgov.com>

Fri, Feb 19, 2021 at 10:54 AM

To: "mlind@watervalley.com" &lt;mlind@watervalley.com&gt;, "gscallon@watervalley.com" &lt;gscallon@watervalley.com&gt;, "pmckeekin@watervalley.com" &lt;pmckeekin@watervalley.com&gt;

Cc: "peter.hays@state.co.us" &lt;peter.hays@state.co.us&gt;, Danielle Serna &lt;dserna@weldgov.com&gt;

Good morning –

Our office was recently made aware of a borrow pit located in Weld County on two parcels owned by VIMA Partners. This use requires specific land use permits through the county as well as the state. Please find the attached zoning violation letter and Pre-Application form. This is also being mailed to the Assessors listed address for the deed owner.

If you have any questions or concerns please feel free to contact me.

Regards,

**Please Note:** Please be advised that Weld County Office are open to the public. Weld County is still encouraging social distancing and phone meetings when possible. Please feel free to contact me to schedule an appointment if you wish to meet in person.

Hannah Dutrow

Weld County Zoning Compliance

[1555 N 17th Avenue|Greeley, Colorado 80631](#)

tel: 970-400-3536

[hdutrow@weldgov.com](mailto:hdutrow@weldgov.com)



Confidentiality Notice: This electronic transmission and any attached documents or other writings are intended only for the person or entity to which it is addressed and may contain information that is privileged, confidential or otherwise protected from disclosure. If you have received this communication in error, please immediately notify sender by return e-mail and destroy the communication. Any disclosure, copying, distribution or the taking of any action concerning the contents of this communication or any attachments by anyone other than the named recipient is strictly prohibited.

**2 attachments**



**021921 Violation Notification.pdf**

825K



**Blank PreApplication Request.pdf**

680K



**DEPARTMENT OF PLANNING SERVICES  
Zoning Compliance Division**

1555 North 17th Avenue  
Greeley, Colorado 80631  
WEBSITE: [www.weldgov.com](http://www.weldgov.com)  
E-MAIL: [hdutrow@weldgov.com](mailto:hdutrow@weldgov.com)  
PHONE: 970-400-3536  
FAX: 970-304-6498

## **Violation Notification**

February 19, 2021

VIMA PARTNERS LLC  
1625 PELICAN LAKES PT STE 201  
WINDSOR CO 80550

Subject: ZCV21-00059  
Legal Description: PT of the W2NE4 6-5-67 and PT E2NE4 6-5-67 LOT B REC EXEMPT RE-3566

To Whom it May Concern:

The uses on the above described property are being considered as a zoning code violation of Sections of the Weld County Code. Currently your property is in violation of the following Section(s) of the Weld County Code:

Chapter 23, Article III(3), Division 1 A (Agricultural) Zone District.  
23-3-20 Uses allowed by right outside of subdivisions and historic townsites.  
23-3-30 Accessory uses outside of subdivisions and historic townsites.  
23-3-35 Uses allowed by permit outside of subdivision and historic townsites.  
23-3-40 Uses by special review outside of subdivisions and historic townsites.  
23-3-40.JJ USES similar to the USES listed as permitted as long as the USE complies with the general intent of the Zone District.  
23-3-40.R Open MINING and processing of minerals, subject to the additional requirements of Article IV, Division 4, of this Chapter.

To bring your property into compliance with the Weld County Code:

The presence of an Open Mining operation (Borrow Pit) requires specific land use permits with the County.

The first step in this process is a Pre-Application Request meeting. The assigned Planner may or may not deem a meeting is necessary. This step is completely free, but does require submittal of a short application. Please see the enclosed application; however, please also feel free to visit the following web address:

[https://www.weldgov.com/UserFiles/Servers/Server\\_6/File/Departments/Planning%20&%20Zoning/Land%20Use%20Applications%20and%20Assistance/Application%20Assistance/PreApplication%20Request.pdf](https://www.weldgov.com/UserFiles/Servers/Server_6/File/Departments/Planning%20&%20Zoning/Land%20Use%20Applications%20and%20Assistance/Application%20Assistance/PreApplication%20Request.pdf)

The above web address will take you to the Pre-Application Review Request link.

In addition to the above land use permit, please know there may be additional county and state permits required for this type of operation.

It is the intention of this office to assist and cooperate with you without imposing undue hardships; however, we have no discretion in this matter if you fail to correct this violation. You have until

**3/5/2021**

to correct this zoning violation. Failure to contact my office to either indicate compliance or to request an extension will result in this office referring the violation to the County Attorney's Office for legal action.

Compliance records are now visible to the public through the Citizen Access portal through our web page. Please visit <<https://accela-aca.co.weld.co.us/citizenaccess/>> and go to the Enforcement tab. You can search by case number, address or parcel number. This program will show you copies of letters, pictures, etc. Feel free to call if you have any questions.

Any information you have that may help to resolve this matter will be useful. Should you have any questions regarding this letter, or if you need any further information, please feel free to contact me at the above address, telephone number or e-mail address. If you wish to see me personally, please call to schedule an appointment so that I may reserve a sufficient amount of time with you.

Regards,



Hannah Dutrow  
Zoning Compliance Officer

File: ZCV21-00059

CC: Martin Lind <mlind@watervalley.com>  
Garett Scallon <gscallon@watervalley.com>  
Patrick McMeekin <pmckeekin@watervalley.com>  
Peter Hays, CO Division of Reclamation <peter.hays@state.co.us>



## PRE-APPLICATION REQUEST

### DEPARTMENT OF PLANNING SERVICES

1555 N. 17<sup>TH</sup> Avenue, Greeley, CO 80631 | 970-400-6100 | [www.weldgov.com](http://www.weldgov.com)

### PRE-APPLICATION REQUEST PROCESS:

- Anyone with a development proposal can request a Pre-Application meeting with a Planner to receive guidance on the process. Pre-Application meetings are free and are meant to assist property owners and applicants in understanding what is required during the development review process.
- The Pre-Application Request will be assigned to a Planner. If a Pre-Application meeting is determined to be necessary, the Planner will schedule a meeting with the applicant to discuss the development proposal, relevant applications and applicable code requirements. Pre-Application meetings are conducted at the Department of Planning Services.
- Submit the completed Pre-Application Request documents: **1) Contact Form, 2) Questionnaire, and 3) Map** (detailed below), in PDF format via email to the Principal Planner, Kim Ogle ([kogle@weldgov.com](mailto:kogle@weldgov.com)). Alternatively, you may mail or drop-off at the Planning Services Department: 1555 N. 17<sup>th</sup> Ave, Greeley, CO 80631

### CONTACT FORM:

#### Applicant Information

Name:	
Company:	
Phone:	
Email:	
Address:	
Project Description:	
Preferred Pre-App Meeting date and time:	

#### Property Information

Parcel Number:		Zone District:	
Legal Description:		Acreage:	
Site Address:		Water Source:	
Property Owner:		Sewer Source:	

#### Office Use Only

Case Number:		Planner:	
Meeting Date & Time:		Violation Case:	