

January 2022

Vol 1 Ed 1

South T Bar Ranch Monthly Chat

Gate Codes

OWNER CODE FOR
Oct 2021 – September
2022

9441

Construction CODE
8405

Realtors email to
secretary@southtbar.com
For a temporary code.

Letter from the Board

Welcome to our first edition of the Monthly chat. This is meant to be a quick update on our ranch community, board discussions, and a community post. In this edition we are happy to update you on the topics at hand. These include the

- ⇒ Covenant Review status
- ⇒ Fire Safety and Conditions
- ⇒ Small Shed and outbuilding definitions
- ⇒ Budget & annual assessments

2022 BUDGET The POA Board has approved the 2022 Budget and a copy of it was included in your yearly assessment statement sent by the Treasurer in December. If you would like another copy, please email treasurer@southtbar.com

The Budget will be deemed approved by the owners in the absence of a veto at the noticed meeting (January 8, 2022) by a majority of all owners. If you have any questions, please notify the board prior to this meeting.

Annual Assessments DUE: Please send your assessment of \$440 per parcel to PO Box 1431 Canon City CO

POA BOARD OF DIRECTORS

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South T Bar POA Address
PO Box 1431
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PROTECTIVE COVENANTS

We want to remind all Property Owners that while your Board is working on updating the Covenants & Bylaws, the current documents remain in effect. The Board has had several inquiries on sheds, outbuildings and temporary residences. I am reprinting the article from the last Newsletter below and some additional Fremont County information.

Buildings and Temporary Structures Reminder

All buildings, temporary residences and external structures are addressed in the Covenants and Policies documents. As a reminder, ALL structures being placed on your property are being asked to be sent to the POA Board for notification and/or approval. The Policy Effective 4/1/2007 is located on the Website at: <https://southtbar.com/stb/index.php/stb-documents/policies-and-procedures>

There are several temporary structures and sheds being placed on properties that have not been recorded with the POA Board. As stated; it is not the Board's intent to restrict an Owner's right to build on his or her property. However, all Owners have a vested interest in maintaining a minimum construction standard on the ranch to protect property values and safety. It is the responsibility of the Board of Directors to enforce these covenants.

Dwellings & Temporary Residences are addressed in the Protective Covenants and expressly state:

TEMPORARY RESIDENCES: No structure of temporary character, recreational vehicle, camper unit, trailer, basement, tent or accessory building shall be used on any tract as a residence. Recreational vehicles, camper units and tents may be used for vacation camping for periods not to exceed ninety (90) consecutive days in any calendar year.

DWELLINGS: No primary dwelling shall be built on the Property that is less than 1,000 square of living space. Mobile homes shall not be permitted on any Parcel within the Property. Manufactured homes must be given the prior approval of the Board and must conform to Fremont County Guidelines (Section 1.5.90). Any dwelling must be on permanent footing and foundation, and all plans must be approved by the Board before construction begins. No commercial activity shall be permitted unless approved by the Board. Per Fremont County Zoning Regulations, no more than five percent (5%) of the total parcel area may be occupied by the primary dwelling residence and outbuildings

County Regulations will always be followed under POA Guidelines. The following NOTICE is from an ongoing discussion the POA Board had with Fremont County on outbuildings and sheds. Please read this and understand that the South T Bar POA and Board will follow Fremont County and CO state guidelines and penalties for those property owners not in compliance. (Anyone wishing to have a copy of the handout mentioned, please contact the POA Board.)

For those property owners that have placed sheds, outbuildings and temporary campers, etc on their property without having a permanent residence, we are asking that you forward one of the following to the Board.

- 1. a statement of intent to the Board of permanent residence building plans and specific use plans of the shed(s).*
- 2. Size and placement of any outbuildings on your property.*
- 3. copy of the building permit of the shed(s) or outbuilding and specific use (any shed that has been fitted with electric, plumbing or being used as a residence is in violation).*

If you need to obtain a permit, please contact the Fremont County Building department.

NOTICE REGARDING CONVERSION OF STORAGE SHEDS INTO RESIDENTIAL STRUCTURES

Fremont County has recently experienced an increase in building code violations involving conversion of storage sheds into residences or residential structures, often referred to as "tiny homes." Conversion of a storage shed into a residential structure without first obtaining a building permit or without full compliance with all applicable Building, Plumbing, Electrical, and Sanitation codes and laws is **ILLEGAL** under Colorado Statutes, which provide in part:

It is unlawful to erect, construct, reconstruct, or alter any building or structure in a manner that results in a violation of any regulation in, or of any provisions of, the area building code. Any person, firm, or corporation violating any such regulation, provision, or amendment thereof, is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for not more than ten days, or by both such fine and imprisonment. Each day during which such illegal erection, construction, reconstruction, or alteration continues shall be deemed a separate offense.

C.R.S. § 30-28-209 - Violation - injunction and other remedies

AND IN ADDITION:

It is unlawful to erect, construct, reconstruct, alter, maintain, or use any building, structure, or land in violation of any provisions of the area building code. In addition to any penalties imposed pursuant to section 30-28-209, any person, firm, or corporation violating any provision of the area building code may be subject to the imposition, by order of the county court, of a civil penalty in an amount of not less than five hundred dollars nor more than one thousand dollars. Each day after the issuance of the order of the county court during which such unlawful activity continues shall be deemed a separate violation and shall in accordance with the subsequent provisions of this section, be the subject of a continuing penalty in an amount not to exceed one hundred dollars for each such day. Until paid, any civil penalty ordered by the county court and assessed shall, as of recording, be a lien against the property on which the violation has been found to exist. In case the assessment is not paid within thirty days, it may be certified by the county attorney to the county treasurer, who shall collect the assessment, together with a ten percent penalty for the cost of collection, in the same manner as other taxes are collected. The laws of this state for assessment and collection of general taxes, including the laws for the sale and redemption of property for taxes, shall apply to the collection of assessments pursuant to this subsection (1). Any lien placed against the property pursuant to this subsection (1) shall be recorded with the clerk and recorder of the county in which the property is located.

C.R.S. § 30-28-210 - County court actions for civil penalties for building violations

Pursuant to policy of the Fremont County Building Department, follow-up drive-by or external on-site inspections of the storage shed by a Fremont County Building Inspector may occur at any time after issuance of a Certificate of Completion, if the Inspector has an objective reason to believe the structure has been altered in violation of the law, or if the Inspector is investigating to verify a complaint about the use, alteration, reconstruction or other potential violations regarding the structure.

copied....Sheds and Other Small Building used as a proper outbuilding.

I have attached our handout for sheds. It has some of the requirements and some details on how it is to be constructed. Mainly it needs to be anchored down.

On page 4 of our resolution #60 under 105.2- Work exempt from a permit #1 reads : One story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided that the floor area does not exceed two hundred (200) square feet.

This translates to: as long as it is not the first structure (accessory) on the property, it is 200 sq. ft. or less and is being used for storage, playhouse, chicken coop, things along those lines it does not require a permit.

FIRE SAFETY - There was a smoldering camp fire reported by a propane delivery driver behind one of the homes in South T Bar. He put it out and told neighbors. Needless to say, anyone who has seen the devastation the wildfires have caused in Colorado in the past 10 years would NOT want that wished upon their neighbors or your beautiful property! Please be EXTRA cautious and very very sure you are following any Fire restrictions!! While we all want to be out enjoying nature, remember that does NOT include fires of ANY KIND right now.

Even with snow on the ground in areas of the ranch, we are still under a Stage 3 Fire Ban with many RED FLAG days currently because of the dry conditions & wind!! NO FIRES on South T Bar!

Fremont County Fire Restrictions	Stage 1	Stage 2	Stage 3	Red Flag Days ⁵
Campfires ¹ and Fireworks ¹	No	No	No	No
Campfire in developed areas ^{1, 2} (designated fire rings)	Yes*	No	No	No
Trash Barrel ¹	No	No	No	No
Open Fire in undeveloped area	No	No	No	No
Open fire in developed area ^{1, 2}	Yes	No	No	No
Slash Burn ³	No	No	No	No
Agricultural Burning ⁴	No	No	No	No
Indoor stoves (wood, coal, pellet) with NFPA approved spark arrestor	Yes	Yes	Yes	Yes
Welding, grinding, use of torches without water supply/fire extinguisher, and a spotter.	No	No	No	No
Welding, grinding, use of torches with water supply/fire extinguisher, and a spotter.	Yes**	Yes**	Yes**	Yes**
Charcoal Grill	No	No	No	No
Propane grill/fire and pellet grill in developed area with water	Yes**	Yes**	Yes**	Yes**
Smoking inside a vehicle, building, or outside on a hard-surfaced area free of flammables	Yes	Yes	Yes	Yes
Smoking outside of a vehicle, building, or off of a hard-surfaced area free of flammables	No	No	No	No
Operating any outdoor equipment or machinery with an internal combustion engine (ATVs, UTVs, Chainsaws, etc.) in undeveloped areas UNLESS equipment has a working spark arrestor.	No	No	No	No

***Allowed, but not advised.**

1. Open Fire — Any outdoor fire, including, but not limited to, bonfires, campfires, warning fires, charcoal grill fires, fires in wood-burning stoves, the use of explosives, outdoor welding, or operating acetylene or other torch with open flame other than in an area cleared of flammable materials, fireworks, of all kinds/brands, burn barrels, the outdoor burning of trash or debris. No permit is required for open fires of these types.

2. Developed Area — a camping location (site) with a designated fixed/permanent structure such as a metal fire ring with grate for campfires and cooking or totally contained within a fireproof container. Also a maintained cleared space around it

****Use with EXTREME CAUTION**

3. Open Burning — The intentional ignition of unwanted fuels, in place or collected, for the purpose of eliminating those fuels based on methods defined in the Open Burn Plan and permit process. Please check with your local fire district for their regulations and permitting process.

4. Agricultural Burning — The burning of cover vegetation for the purpose of preparing the soil for crop production, weed control, maintenance of water conveyance structures related to agricultural operations, and other agricultural cultivation purposes. The open burning of animal parts or carcasses is NOT agricultural open burning, nor is the open burning of household

5. Red Flag — No person shall initiate or continue an open fire in all areas of Fremont County on a day identified by the National Weather Service as a "Red Flag Warning" period. Stage II Restrictions shall be in place during Red Flag Periods.

*****Rules and Regulations in the San Isabel National Forest, or on Bureau of Land Management lands may differ. *****
7-8-2020