PARK COUNTY PLANNING COMMISSION
PLANNING DEPARTMENT STAFF REPORT
Hearing date: January 28, 2026

Prepared on:	January 21, 2026
Prepared by:	Kay Wolf, Planner II
Case number:	A25-0118
Subject:	Askag Wandcrest Rezoning
Request:	The applicant is requesting a rezoning from PUD or Residential (PUD rescinded by BOCC on November 11, 2025) to Agricultural

Application summary

Applicant/s:	Adam Shirley
Owner/s:	Askag LLC
Location:	T07 R72 S1 SW4 A PARCEL IN SW4 SECTION 1- 7-72, NW4 SECTION 12-7-72, A PORT DESC R781265 DESC IN ADDENDUM R792480 (58.282 AC), addressed as 14097 Wandcrest Park Dr, Bailey
Current zone district:	Residential (PUD rescinded by BOCC Nov 19, 2025)
Surrounding zoning:	Residential, Commercial, Agricultural
Lot size/s:	58.282 acres
Proposed zoning:	Agricultural for any and all things agriculture

Background

The parcel lies between Hwy 285 and Wandcrest Park Rd near the eastern border of Park County in Bailey. It was purchased by aSkag LLC in 2022 from Colorado Pineridge LLC. The applicant previously applied for and was granted a rezoning from Residential to PUD but that was rescinded by the BOCC on November 19, 2025. The applicant is now applying to rezone the property to Agricultural with no specific use (updated from running cattle through the winter/spring by email on 1/20/2026). He owns adjacent parcel 47546, which was rezoned to Agricultural in 2024.

Land Use Regulations and Strategic Master Plan

Each of the standards for approval for a Petition for Official Zoning Map Amendment (LUR Section 5-203) is addressed below.

A. The property possesses geological, physical, and other environmental conditions that are compatible with the potential uses permitted in the proposed zone district;

A wild variety of uses are permitted under the Agricultural Zone District, and many of those permitted by-right are compatible with the land, though many uses (primarily those involving large livestock or requiring a permit) are not compatible given the steep terrain of the property.

B. The property has a reasonably certain right of permanent legal access permitting vehicular ingress and egress from the property to the public thoroughfare;

There's a 60' easement to the north property line, as per Reception No. 803638.

C. Access to the property from the public thoroughfare reasonably meets County street, road, or driveway standards or, if the property is undeveloped, such access will be established prior to issuance of a building permit;

There's a 60' easement to the north property line, as per Reception No. 803638, and it connects to Wandcrest Park Dr through parcel 47545.

D. The potential uses of the property within the proposed zone district are compatible with other properties within the immediately surrounding area;

The parcel is adjacent to one other parcel zoned Agricultural, and is otherwise surrounded by Residential, Commercial, and PUD zone districts. The potential uses can be compatible with the neighboring properties, but some uses (particularly those involving marijuana) may become a source of conflict. Runoff mitigation measures may also be necessary to prevent pollution to the nearby wetland and riverine (west and downhill from the subject property).

E. And at least one of the following:

a) The rezoning, as proposed, is consistent with the advisory provisions of the Park County Strategic Master Plan; or

This rezoning is in accordance with Strategy D of Goal 3.2 in the 2016 SMP: "Encourage a transition to agricultural uses with more livestock than would be typically allowed in a platted residential subdivisions [sic] in unbuilt and antiquated subdivisions where lot sizes are large enough, where lot consolidations are possible or where contiguous common ownership already exists."
The applicant owns the adjacent property, which was already rezoned to agricultural, and both parcels are large enough for more livestock than is allowed in a residential district.

b) The rezoning, as proposed, is supported by circumstances and conditions within the immediate area which have changed since the adoption of the Park County Strategic Master Plan; or

Not applicable.

c) The rezoning, as proposed, is to a Planned Unit Development.

Not applicable.

Section 5-205 Rezoning Property Currently Zoned for Mining

Not applicable.

Section 5-301 Rezoning to Agricultural

A. **Parcels created on June 1, 1972 or later that are less than 35 acres cannot be brought into (rezoned to) the Agricultural zone district.**
The parcel is greater than 35 acres.

Section 5-306 Rezoning to Rural Mixed Use Center

Not applicable.

Section 5-312.B Rezoning to Recreational Vehicle Park and Campground (RVC)

Not applicable.

Impact analysis

In addition to the care of many more animals, activities allowed by-right if this parcel were zoned Agricultural that are not currently allowed include: camping, operating a bed-and-breakfast, having a guest house, cultivating marijuana, marijuana retail, producing marijuana, testing marijuana, running a nursery (either retail or wholesale), product manufacturing, and testing; and operating a commercial riding arena. As the applicant is proposing "any and all things agricultural" as a development plan, the impacts of all permitted-by-right uses would be a much more intensive use of the land than what is allowed on a residential property with limited options for commercial activities. The possibility of managing more agricultural animals on a property uphill from a water body could potentially violate LUR Article V Section 5-701.A.3: "Runoff containing organic waste shall not be allowed to drain onto adjacent lots or any watercourse."

Referral responses

Due to the last-minute nature of the proposed development plan, ABE only commented on the original proposal of running cattle. The summary from my phone call with the Chairman of ABE is as follows: there are concerns about the lack of fencing for running cattle in an area surrounded by residential homes and commercial businesses, as well as any potential dumps or spills from the previously operating transfer station. As such, ABE recommends environmental testing prior to approval.

Staff recommendation

Based on the foregoing and the following reasons, staff recommends denial:

- The applicant has no clear plans and has changed his proposed use from a more specific one of seasonally running cattle to "any and all things agricultural", which is inherently problematic on a smaller agricultural lot.
- The applicant is still in violation of LUR Article V, Sections 5-103(A) and 5-300 after many notices (attached after the application materials): refusing to remove a temporary structure for which the permit has expired.

PARK COUNTY APPLICATION FOR
REZONING
NON-REFUNDABLE APPLICATION FEE: $1700

All applicants must submit one complete application and attend a pre-application conference with the Park County Planning Department Staff seven (7) to ten (10) working days prior to the application submittal deadline.

If you have questions regarding this form please contact the Planning Department by phone at (719) 836-4254, or e-mail pcpd@parkco.us, fax (719) 836-4351, or write to us at P.O. Box 1598 Fairplay, CO 80440.

A. APPLICANT AND OWNERSHIP INFORMATION

Applicant's Name: ASKag LLC

Mailing Address: PO Box 86

City: Pine State: CO Zip: 80470

Telephone

(work) 303-947-3904 (home) _____ (fax) _____

Owner's Name: Member Adam Shirley

Mailing Address: PO Box 86 Pine CO 80470

Telephone No.: ask.2005@yahoo.com

B. PROPERTY INFORMATION

Complete Legal Description of Property Proposed for the Rezoning (attach additional page, if necessary):

attached

Street Address of Property: 14097 Wanderest Park Dr Bailey Co 80421

Property's Total Acreage: 58.3

Current Zone District of Property: PUD/Res

Proposed Zone District of Property: Agriculture

For County Use Only
Planning Department Confirmation of Current Zone District:
District: Residential (PUD rescinded)
Kay Wolf
Print Full Name

Requirements for a Rezoning
Article V, Division 2, Section 5-201

C. APPLICATION REQUIREMENTS

	For County Use Only: Initial Receipt of the Required Information
1. Application Fee. An application fee in the amount of $1700.00 must be paid at the time of submission of the application. Make the check or money order to: Park County Planning Department. The fee pays for the typical cost to the County to process the application. Any additional costs that may occur are the applicant's responsibility.	(1.) ✓
2. Tax receipt-showing payment of current taxes. This can be obtained at the Park County Treasurer's office.	(2.) Staff
3. Proof of ownership in the form of a recorded Warranty Deed. This can be obtained at the Park County Clerk and Recorders office.	(3.) Staff
4. A legal description of the property proposed for the Rezoning prepared by a licensed Colorado land surveyor.	(4.) ✓
5. A list of names and mailing addresses of all owners of adjacent property to the property subject to the proposed amendment to the Official Zoning Map, this information is at Park County Assessor's Office.	(5.) Staff
6. A Vicinity Map of where the proposed property is located within Park County.	(6.) Staff
7. A map or other description of the property proposed to be subject of the Rezoning including the following information:	(7a.) Staff
a. The current zone district(s) of the property proposed to be subject of the Rezoning and of the adjacent properties;	(7b.) ✓
b. A map showing the boundaries of the property proposed to be subject of the Rezoning;	(7c.) ✓
c. Description of the existing uses on the property and on adjacent properties.	
8. A map or other description of the Current Conditions of the property proposed to be subject of the Rezoning including the following information;	(8a.) Staff
a. Topography of the property subject to rezoning, shown in elevation contours of not greater than twenty (20) or forty (40) foot increments. Applicants are encouraged to use the USGS topographic mapping or other form of commercially produced topographic map;	
b. Points of access to the property, internal roads and trails including widths, and approximate grades. The Current Conditions Map must illustrate how access is	

For County Use Only: Initial Receipt of the Required Information

obtained from the property subject to rezoning to the nearest county road or highway;

c. Where any access to the property subject to rezoning is obtained from a road, trail, easement, driveway, or other private access other than an adjacent County-owned highway, street or road, the applicant shall provide evidence of permanent legal right of access. Such evidence may include, but not be limited to, deed, easement agreement, or attorney opinion that a permanent legal right of access exists to the property;

d. Natural features of the property subject to rezoning including, wetlands, floodplain, riparian areas, water bodies (e.g., lakes, ponds, streams, whether continuous or seasonal), rock outcroppings, significant vegetation, geological or other hazards, and slopes greater than twenty-five percent (25%);

e. Utility systems including existing and proposed water wells, sewer systems, electric services, and natural gas.

(8b.)_____ (8c.)_____ (8d.)_____ (8e.)_____

9. Applicant must provide a Proposed Development Plan describing in mapped form and/or text the existing and proposed physical improvements of the property and the approximate locations of improvements.

(9.)_____

10. The property must be clearly identified with the address and posted according to the Park County address requirements (attached).

(10.)_____

For properties currently within a Mining Zone District, the following additional materials must be included in a complete application:

1. The building envelope must be at an elevation of not more than 11,500 feet.

(1.)_____

2. The application must include a geo-technical report prepared by a qualified Geo-technical professional utilizing the information and guidelines contained in *"Guidelines and Criteria for Identification of Land Use Controls of Geological Hazards and Mineral Resource Areas"* Colorado Geological Survey Publication 6, or the updated version of this publication. The geo-technical report must be accompanied by a statement of the engineer's qualifications relative to geology, mine economics and geological hazards. At a minimum, this report must address the following information specific to the property in question, all of which shall be considered in evaluating the Rezoning application.

   a. The presence and extent of any geological hazards, including but not limited to underground excavations on or adjacent to the subject property and the presence of radioactive or toxic materials and minerals.

   b. The presence of surface and subsurface minerals, including but not limited to the types and amounts of minerals present and the viability of mineral extraction now and in the future.

(2a.)_____ (2b.)_____

For County Use Only: Initial Receipt of the Required Information
(2c.)_____
(3.)_____
(4.)_____
(5.)_____

c. The extent of any previous mining activity on the subject property.

3. The applicant must provide a written statement describing the impact, if any, that the approval of a Rezoning application would have on present and future operations of nearby mining concerns.

4. The mineral rights must be owned by the applicant and must continue to run with the land. If the Rezoning application is approved, the applicant must agree to a deed restriction or similar recordable documentation concerning this requirement.

5. If the Rezoning application is approved, then the applicant may be required to record documentation prepared by the County Attorney or County designee, disclosing the potential for geologic hazards at the property, assuming the risk associated with non-mining use of the property, and indemnifying Park County Government from all injury and damage claims resulting from said use of the property.

Note: Refer to Park County Land Use Regulations Article V, Standards for Approval of Map Amendment and if required; Standards for Evaluation of Application to Rezone Property Currently Zoned for Mining.

D. APPLICANT AND LANDOWNER SIGNATURES:

The undersigned applicant and landowner hereby verify and affirm that the information contained in this application is complete and accurate. The undersigned applicant and landowner understands and acknowledges that the submission of inaccurate and incorrect information may result in the denial or rejection of the application and/or result in the invalidation of any approvals issued by Park County, Colorado.

Applicant: Signed: _____
Print name: Adam Shirley
If company, state Title/Position: President

Owner: Signed: _____
Print name: _____
If company, state Title/Position: _____

E. VERIFICATION OF DATE OF DELIVERY OF APPLICATION

This application was submitted to the Park County Planning Department on the following date and time:

December 30, 2025
Month Day Year

For County Use Only:
Verification of Date of Delivery and County Receipt of Application
Date: December ~~25~~ 30, 2025
Print Name: Kay Wolf

Payment of the Applicant Fee was made by:

✓	Personal Check # 32146	Amount $ 1700—
	Cash	Amount $
	Other	Amount $

APPLICANT MUST ATTEND THE HEARING. IF A REPRESENTATIVE ATTENDS THE HEARING ON BEHALF OF THE APPLICANT, A NOTARIZED LETTER OF CONSENT MUST ACCOMPANY THE APPLICATION.

ALL PLANNING COMMISSION HEARINGS WILL BE SCHEDULED FOR THE SECOND WEDNESDAY OF EVERY MONTH. IF A QUORUM IS NOT AVAILABLE, THE HEARING WILL BE SCHEDULED THE NEXT AVAILABLE DATE.

APPENDIX B

APPLICANT CERTIFICATION REGARDING NOTICE TO MINERAL ESTATE OWNER

I, ASK 99 LLC, submitted an application for land use approval from Park County generally described as:

___ Conditional Use Permit

X Rezoning

___ Determination of Location and Extent of Public Facilities Use

___ Planned Unit Development with Rezoning

___ Special Use Permit; (Telecommunications, Wetlands)

___ Subdivision; (Major Preliminary Plan, Major Final Plat, Minor, Sketch, Combined)

I understand that state law, found at CRS 24-65.5-101 through 24-65.5-104, imposes specific legal requirements involving my providing written notice to the mineral estate owner of my application.

I HEREBY CERTIFY that I have complied with the notice requirements imposed upon me by CRS 24-65.5-101 through 24-65.5-104.

Signature of Applicant

Adam Shirley
Print Name

STATE OF COLORADO)
) ss.
COUNTY OF PARK)

Acknowledged before me this 30th day of DEC, 2025 by ADAM EDWARD SHIRLEY
Notary Public Witness my hand and official seal. My Commission Expires: 10/10/2028

JESSICA QUANTE
NOTARY PUBLIC - STATE OF COLORADO
NOTARY ID 20244037827
MY COMMISSION EXPIRES OCT 10, 2028

For County Use Only

Application Name/Case Number:_____

AFFIDAVIT OF UNDERSTANDING FOR APPENDIX C

I, aSK 99 LLC Adam Shirley, the undersigned applicant, hereby acknowledge and agree to the following terms and conditions related to the submission of my application to the Park County Development Services Department.

1. ACKNOWLEDGMENT OF APPENDIX C REQUIREMENTS: I understand that, pursuant to Appendix C – Development Review Fees of the Park County Land Use Regulations, all application fees are non-refundable once an application has been received by the County, regardless of its status or outcome.

2. RESPONSIBILITY FOR COMPLETENESS: I acknowledge that it is solely my responsibility to ensure that all required materials, forms, maps, and supporting documentation are submitted in full compliance with the applicable Land Use Regulations and departmental procedures.

3. INCOMPLETE, WITHDRAWN, OR DENIED APPLICATIONS: I understand that any application that is incomplete, withdrawn, or denied—whether administratively or by action of the Board of County Commissioners—shall not be eligible for reimbursement, credit, or transfer of any portion of the fee paid. Any subsequent or corrected submittal shall constitute a new application and require payment of the applicable fee as set forth in Appendix C.

4. CERTIFICATION: I affirm that I have read and fully understand this affidavit and the non-refundable nature of the application fee as described in Appendix C. I further acknowledge that this affidavit shall be retained as part of the official record of my application.

Applicant Name: aSK 99 LLC

Mailing Address: PO Box 86 Pine CO 80470

Project Name / Type: _____

Signature of Applicant

Adam Shirley
Print Name

JESSICA QUANTE
NOTARY PUBLIC - STATE OF COLORADO
NOTARY ID 20244037827
MY COMMISSION EXPIRES OCT 10, 2028

STATE OF COLORADO)
) ss.
COUNTY OF PARK)

Acknowledged before me this 30th day of DEC, 2025 by ADAM EDWARD SHIRLEY

Notary Public Witness my hand and official seal. My Commission Expires: 10/10/2028

Jessica Quante NOTARY PUBLIC

Park County Treasurer Tax Receipt

Account	Parcel Number	Receipt Date	Receipt Number
R0047905	47905	Oct 22, 2025	2025-10-22-Rebekah-193049

ASKAG LLC
14803 S WANDCREST DR
PINE, CO 80470-9147

Situs Address	Payor
14097 WANDCREST PARK RD BAILEY 80421	ASKAG LLC- Adam Shirley 14803 S WANDCREST DR PINE, CO 80470-9147

Legal Description

T07 R72 S1 SW4 A PARCEL IN SW4 SECTION 1- 7-72, NW4 SECTION 12-7-72, A PORT DESC R781265 DESC IN ADDENDUM R792480 (58.282 AC)

Property Code	Actual	Assessed	Year	Area	Mill Levy
35 AC NO MORE THAN 100 AC - 0550	500,000	139,500	2024	0008	57.3987

Payments Received

Check	$8,527.55
Check Number 05020	

Payments Applied

Year	Charges	Billed	Prior Payments	New Payments	Balance
2024	Advertising Fee	$40.00	$0.00	$40.00	$0.00
2024	Interest	$480.43	$0.00	$480.43	$0.00
2024	Tax	$8,007.12	$0.00	$8,007.12	$0.00
				$8,527.55	$0.00
			Balance Due as of Oct 22, 2025		**$0.00**

Thank you for your payment.

Escrow No.: C2068501-072-JT2

SPECIAL WARRANTY DEED

This Deed, made **April 20, 2022**
Between **Colorado Pineridge, LLC, a Colorado limited liability company,** of the County **Jefferson,** State of **Colorado,** grantor(s) and **aSkag LLC, a Colorado limited liability company,** whose legal address is **P.O. Box 387, Conifer, CO 80433** County of **Jefferson** , and State of **Colorado**, grantee(s)

WITNESSETH, That the grantor(s), for and in the consideration of the sum of FIVE HUNDRED THOUSAND DOLLARS AND NO/100'S **($500,000.00)** the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee(s), his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of **Park,** State of **COLORADO** described as follows:

See Exhibit A attached hereto and made a part hereof.

also known by street and number as **Vacant Land, Bailey, CO 80421**

TOGETHER with all and singular hereditaments and appurtenances, thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances **except for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.**

TO HAVE AND TO HOLD said premises above bargained and described, with the appurtenances, unto the grantee, their heirs and assigns forever. The grantor(s), for themselves, their heirs and personal representatives or successors, does covenant and agree that they shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee(s), their heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s).

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this on the date set forth above.

SELLER:

Colorado Pineridge, LLC, a Colorado limited liability company

BY: David Coppfer, Managing Partner

STATE OF COLORADO }ss:
COUNTY OF PARK

The foregoing instrument was acknowledged before me **April 20, 2022** by **David Coppfer, Managing partner of Colorado Pineridge, LLC, a Colorado limited liability company**.

Witness my hand and official seal.

JILL Y. TADRA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19984001083
MY COMMISSION EXPIRES JANUARY 16, 2026

Notary Public
My Commission expires:

Exhibit A

A parcel of land located in the Southwest quarter of Section 1 and in the Northwest quarter of Section 12, Township 7 South, Range 72 West of the 6th Principal Meridian, County of Park, State of Colorado, being a portion of that certain Tract known as Parcel B described in General Warranty Deed recorded March 21, 2005 at Reception No. 611236 in said Park County, more particularly described as follows:

Commencing at the Northeast corner of said Northwest Quarter of Section 12; Thence South 00°58'05" East along the east line of said Northwest Quarter of Section 12 (South 00°58'05" East per Deed), a distance of 561.06 feet to the Point of Beginning;

Thence continuing South 00°58'05" East along the East line of said Northwest Quarter, a distance of 801.32 feet to the Southeast corner of the North half of said Northwest Quarter of Section 12;
Thence South 86°11'36" West along the South line of said North Half of the Northwest Quarter (South 86°19'27" West per Deed), a distance of 1133.02 feet;

Thence along the East, North and West lines of that certain parcel described in Special Warranty Deed recorded March 23, 1993 at Reception No. 411378, Book 491, Page 630, the following three (3) courses:

1. Thence North 03°48'24" West, a distance of 150.00 feet (North 03°40'33" West, 150.00 feet per Deed)
2. Thence South 86°11'36" West, a distance of 150.00 feet (South 86°19'27" West, 150.00 feet per Deed)
3. Thence South 03°48'24" East, a distance of 150.00 feet (South 03°40'33" East, 150.00 feet per Deed)

Thence continuing South 86°11'36"West along the South line of said North Half of the Northwest Quarter, a distance of 923.45 feet;
Thence North 00°27'33" West, a distance of 1681.36 feet (North 00°27'49" West, 1681.20 feet per Deed) to a point on the Southerly right-of-way line of U.S. Highway No. 285;

Thence along said Southerly right –of-way line the following two (2) courses:

1. Thence along the arc of a curve to the right having a radius of 1332.50 feet and a central angle of 20°33'52", an arc distance of 478.26 feet with a chord that bears North 64°45'09" East, 475.69 feet (central angle of 20°35'00", radius of 1332.50 feet, arc distance of 478.70 feet, chord of North 64°48'10" East, 476.13 feet per deed)
2. Thence North 80°26'37" East, a distance of 289.23 feet (North 80°28'40" East per Deed)

Thence South 00°00'00" East, a distance of 984.52 feet;
Thence North 90°00'00" East, a distance of 1486.07 feet to the Point of Beginning,
County of Park, State of Colorado

Legal prepared March 30, 2022 by L.J. Ludeman, PLS
1309 S. Inca Street, Denver, CO 80223

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity[1] named

   GSK ag LLC,

   and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.

2. The type of entity is a:

   - ☐ trust
   - ☐ nonprofit corporation
   - ☒ limited liability company
   - ☐ general partnership
   - ☐ limited partnership
   - ☐ registered limited liability partnership
   - ☐ registered limited liability limited partnership
   - ☐ limited partnership association
   - ☐ government or governmental subdivision or agency
   - ☐ corporation
   - ☐ _____

3. The entity is formed under the laws of Colorado

4. The mailing address for the entity is PO Box 86 Pine CO 80470

5. The ☒ name ☐ position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is

   Adam Shirley.

6.[2] The authority of the foregoing person (s) to bind the entity is ☒ not limited ☐ limited as follows: _____.

7. Other matters concerning the manner in which the entity deals with interests in real property:

   _____

Executed this _____.

JESSICA QUANTE
NOTARY PUBLIC - STATE OF COLORADO
NOTARY ID 20244037827
MY COMMISSION EXPIRES OCT 10, 2028

Signature

Signature

STATE OF COLORADO
COUNTY OF PARK } SS:

The foregoing instrument was acknowledged before me this 30th day of DECEMBER 2025, by ADAM EDWARD SHIRLEY.

Witness my hand and official seal.

Jessica Quante
Notary Public

My commission expires: 10/10/2028

[1]This form should not be used unless the entity is capable of holding title to real property.
[2]The absence of any limitation shall be prima facie evidence that no such limitation exists.
[3]The statement of authority must be recorded to obtain the benefits of the statute.

Adjacent Property Owners of Parcel 47905
(Parcel 47546 belongs to applicant)

Parcel 43292, 47545
Will-O-Wisp Metropolitan District
956 Wisp Creek Drive
Bailey, CO 80421

Parcel 46391
Michael and Cheryl Quaintance
14024 Wandcrest Rd
Pine, CO 80470

Parcel 46392
B Lyn Hayden
Po Box 146
Shawnee, CO 80475

Parcel 20591
Tracy and Christopher Chantry
2313 W Melrose St
Chicago, IL 60618

Parcel 31823
Caitlin B and Matthew C Sabatini
14034 S Wandcrest Dr
Pine, CO 80470

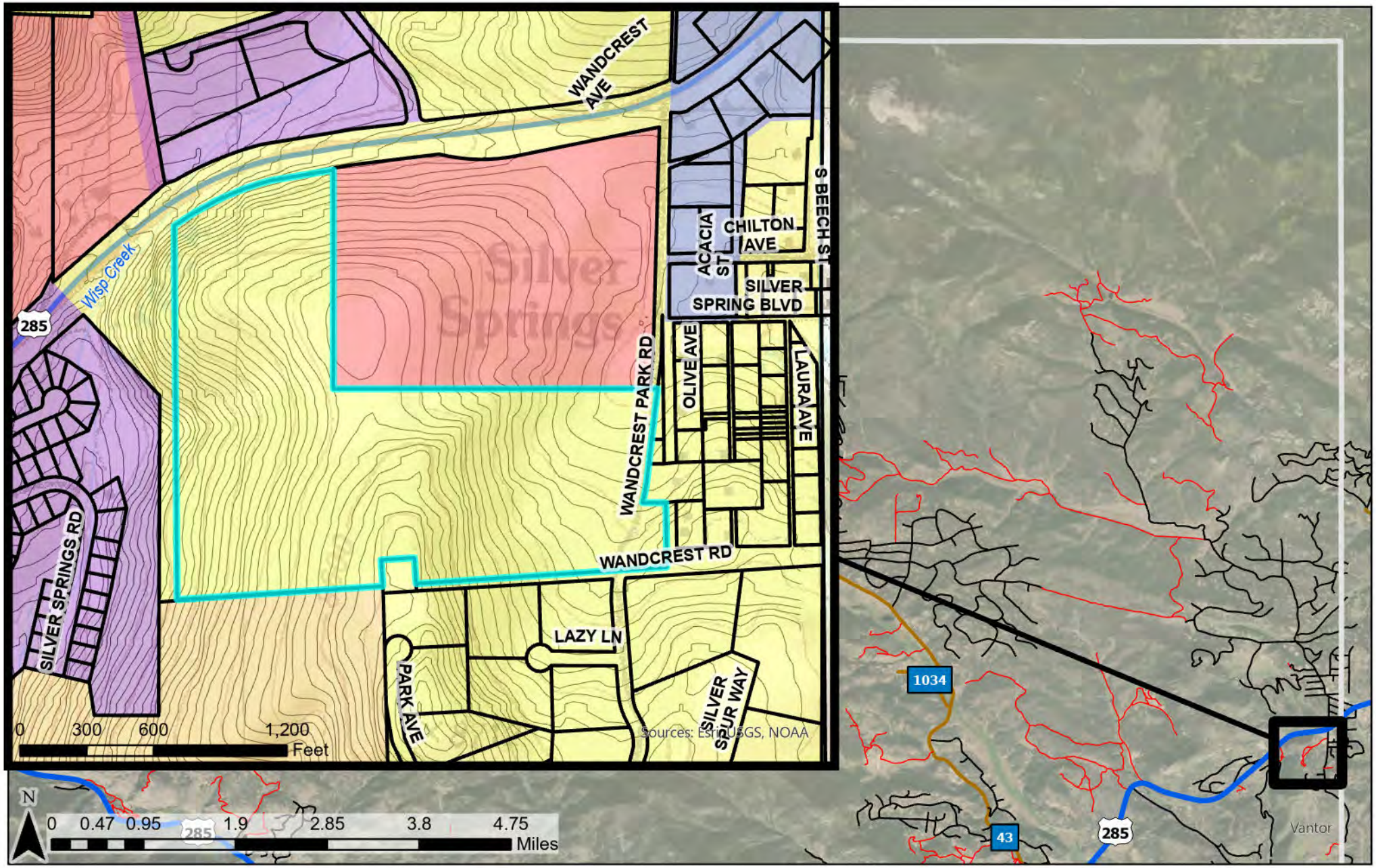
Parcel 46138
Jake Frederick Jordan
165 Silver Spur Way
Pine, CO 80470

Parcel 44584
Ronald E and Barbara J Carleton
37 Lazy Ln
Pine, CO 80470

Parcel 44583
Joseph J and Jenney M Sanchez
Po Box 668
Pine, CO 80470

Parcel 44582
Rebecca and Joshua Chance
310 Poppy View Ln
Erie, CO 80516

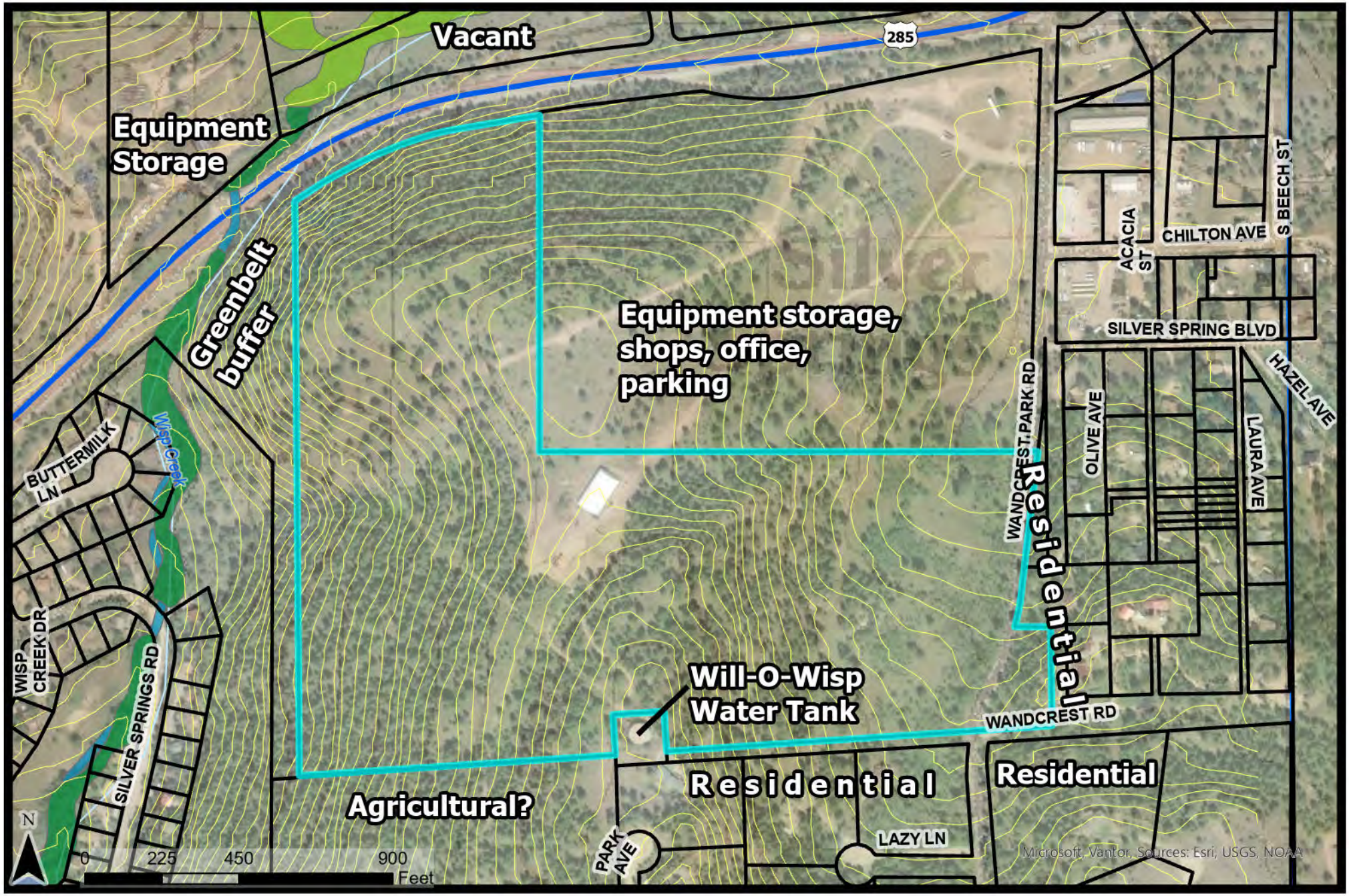
Parcel 20654
Mountain View Waste LLC
Att: Tax Dept
3 Waterway Square Pl Ste 110
The Woodlands, TX 77380



CountyLine
County Rd
Local Rd
Private Rd
State Hwy
US Hwy
A
C
MU
PUD
R
10ftContour
Flood Hazard

Park County Planning & Zoning

This map and the data displayed are not survey quality and should not be used for any legal purpose(s)



CountyLine
County Rd
Local Rd
Private Rd
State Hwy
US Hwy
10ftContour
Flood Hazard
Freshwater Emergent Wetland
Freshwater Forested/ Shrub Wetland
Freshwater Pond
Riverine

Park County Planning & Zoning

This map and the data displayed are not survey quality and should not be used for any legal purpose(s)

PLANNED UNIT DEVELOPMENT FINAL PLAT

PART OF THE SW1/4 OF SECTION 1 & NW1/4 OF SECTION 12, T7S, R72W, 6TH P.M.
COUNTY OF PARK, STATE OF COLORADO

LEGAL DESCRIPTION

ASKAG, LLC,("OWNER/S") BEING THE OWNER(S) OF THE REAL PROPERTY OF 50.264 ACRES LOCATED IN PARK COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 1 AND THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 7 SOUTH, RANGE 72 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF PARK, STATE OF COLORADO, BEING A PORTION OF THAT CERTAIN TRACT KNOWN AS PARCEL B DESCRIBED IN GENERAL WARRANTY DEED RECORDED MARCH 21, 2005 AT RECEPTION NO.611236 IN SAID PARK COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST COMER OF SAID NORTHWEST QUARTER OF SECTION 12; THENCE SOUTH 00° 58'05" EAST ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF SECTION 12 (SOUTH 00° 58'05" EAST PER DEED), A DISTANCE OF 561.06 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00° 58'05" EAST ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 801.32 FEET TO THE SOUTHEAST COMER OF THE NORTH HALF OF SAID NORTHWEST QUARTER OF SECTION 12; THENCE SOUTH 86° 11' 36" WEST ALONG THE SOUTH LINE OF SAID NORTH HALF OF THE NORTHWEST QUARTER (SOUTH 86° 19'27" WEST PER DEED), A DISTANCE OF 1133.02 FEET; THENCE ALONG THE EAST, NORTH AND WEST LINES OF THAT CERTAIN PARCEL DESCRIBED IN SPECIAL WARRANTY DEED RECORDED MARCH 23, 1993 AT RECEPTION NO. 411378, BOOK 491, PAGE 630, THE FOLLOWING THREE (3) COURSES:
I. THENCE NORTH 03° 48'24" WEST, A DISTANCE OF 150.00 FEET (NORTH 03° 40'33" WEST, 150.00 FEET PER DEED)
2. THENCE SOUTH 86° 11' 36" WEST, A DISTANCE OF 150.00 FEET (SOUTH 86° 19'27" WEST, 150.00 FEET PER DEED)
3. THENCE SOUTH 03° 48'24" EAST, A DISTANCE OF 150.00 FEET (SOUTH 03° 40'33" EAST, 150.00 FEET PER DEED)

THENCE CONTINUING SOUTH 86° 1 1 '36"WEST ALONG THE SOUTH LINE OF SAID NORTH HALF OF THE NORTHWEST QUARTER, A DISTANCE OF923.45 FEET;
THENCE NORTH 00° 27'33" WEST, A DISTANCE OF 1681.36 FEET (NORTH 00° 27'49" WEST, 1681.20 FEET PER DEED) TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 285;

THENCE ALONG SAID SOUTHERLY RIGHT -OF-WAY LINE THE FOLLOWING TWO (2) COURSES:
I. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1332.50 FEET AND A CENTRAL ANGLE OF20° 33'52", AN ARC DISTANCE OF 478.26 FEET WITH A CHORD THAT BEARS NORTH 64° 45'09" EAST, 475.69 FEET (CENTRAL ANGLE OF20° 35'00", RADIUS
OF 1332.50 FEET, ARC DISTANCE OF 478.70 FEET, CHORD OF NORTH 64° 48' 10" EAST, 476.13 FEET PER DEED)
2. THENCE NORTH 80° 26'37" EAST, A DISTANCE OF289.23 FEET (NORTH 80° 28'40" EAST PER DEED)

THENCE SOUTH 00° 00'00" EAST, A DISTANCE OF984.52 FEET;
THENCE NORTH 90° 00'00" EAST, A DISTANCE OF 1486.07 FEET TO THE POINT OF BEGINNING,
COUNTY OF PARK, STATE OF COLORADO

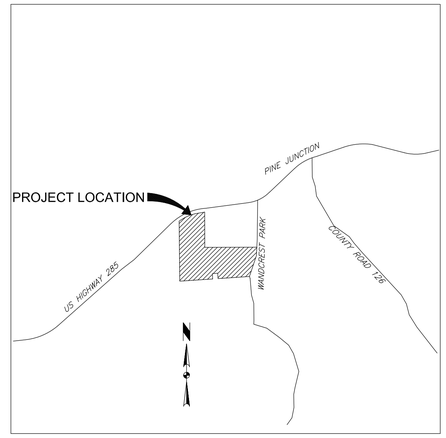
IN WITNESS WHEROF, WE DO HEREUNTO SET OUR HANDS AND SEALS
THIS_____ DAY OF _____, 20____.

_____ _____
[PRINTED NAME OF OWNER] [PRINTED NAME OF OWNER]

STATE OF _____}
S.S.
COUNTY OF _____}

ACKNOWLEDGED BEFORE ME THIS_____ DAY OF_____, 20_____

BY_____
NOTARY PUBLIC WITNESS MY HAND AN OFFICIAL SEAL.
MY COMMISSION EXPIRES:_____



VICINITY MAP
SCALE: 1" = 2000'

APPROVAL BY BOARD OF COUNTY COMMISSIONERS

APPROVED AS A PLANNED UNIT DEVELOPMENT FINAL PLAT BY THE PARK COUNTY BOARD OF COUNTY COMMISSIONERS, THIS_____ DAY OF_____, 20_____. SUBJECT TO ALL APPLICABLE PROVISIONS OF THE 2011 PARK COUNTY LAND USE REGULATIONS, AS AMENDED.

_____ ATTEST:_____
BOCC CHAIRPERSON PARK COUNTY CLERK AND RECORDER

RECORDER'S CERTIFICATE

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER

OF PARK COUNTY ON THE ____ DAY OF _____, 20____ AND DULY FILED AT

RECEPTION NO._____ _____
PARK COUNTY CLERK AND RECORDER

TITLE CERTIFICATE

_CHICAGO TITLE _TITLE INSURANCE COMPANY HEREBY CERTIFIES THAT TITLE TO THE ABOVE DESCRIBED PROPERTY IS VESTED IN THE OWNER(S)

DATE: 11/20/23 _____
SIGNATURE OF AUTHORIZED AGENT

NOTES:

1.) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY PRECISION SURVEY & MAPPING, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD.

2.) BEARINGS ARE BASED ON THE SOUTH LINE OF THE SW1/4 SECTION 1, T7S, R72W, 6TH P.M., ASSUMED TO BEAR S85°14'28"W A DISTANCE OF 2612.88 FEET FROM A 2.50" ALUMINUM CAP FOUND AT THE SOUTH QUARTER CORNER OF SAID SECTION 1, TO A 2.0" ALUMINUM CAP L.S. #26960 FOUND AT THE SOUTHWEST CORNER OF SAID SECTION 1.

3.) CLIENT DID NOT WISH TO VERIFY THAT ALL RIGHTS-OF-WAYS, EASEMENTS AND ENCUMBRANCES WERE SHOWN ON THIS SURVEY BY NOT PROCURING AND/OR PROVIDING A CURRENT TITLE INSURANCE POLICY.

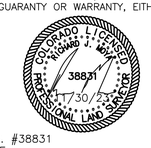
4.) HORIZONTAL CONTROL IS BASED ON A MODIFIED COLORADO STATE PLANE-NAD83 CENTRAL DATUM.

5.) NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS AFTER THE DATE OF THE CERTIFICATION SHOWN HEREON.

6.) ALL DIMENSIONS SHOWN HEREON ARE IN U.S. SURVEY FEET. ALL BEARINGS SHOWN HEREON ARE IN DEGREES-MINUTES-SECONDS.

SURVEYOR'S CERTIFICATION

I, RICHARD J. MOYA, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS SURVEY HAS BEEN PERFORMED BY ME OR UNDER MY RESPONSIBLE CHARGE, IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE, IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.



RICHARD J. MOYA, P.L.S. #38831
FOR AND ON BEHALF OF
PRECISION SURVEY & MAPPING, INC.

NO.	DATE	DESCRIPTION	BY
3	11/30/23	COUNTY COMMENTS	R.M.
2	11/16/23	CLIENT ADDITIONS	R.M.
1	10/09/23	CLIENT ADDITIONS	R.M.

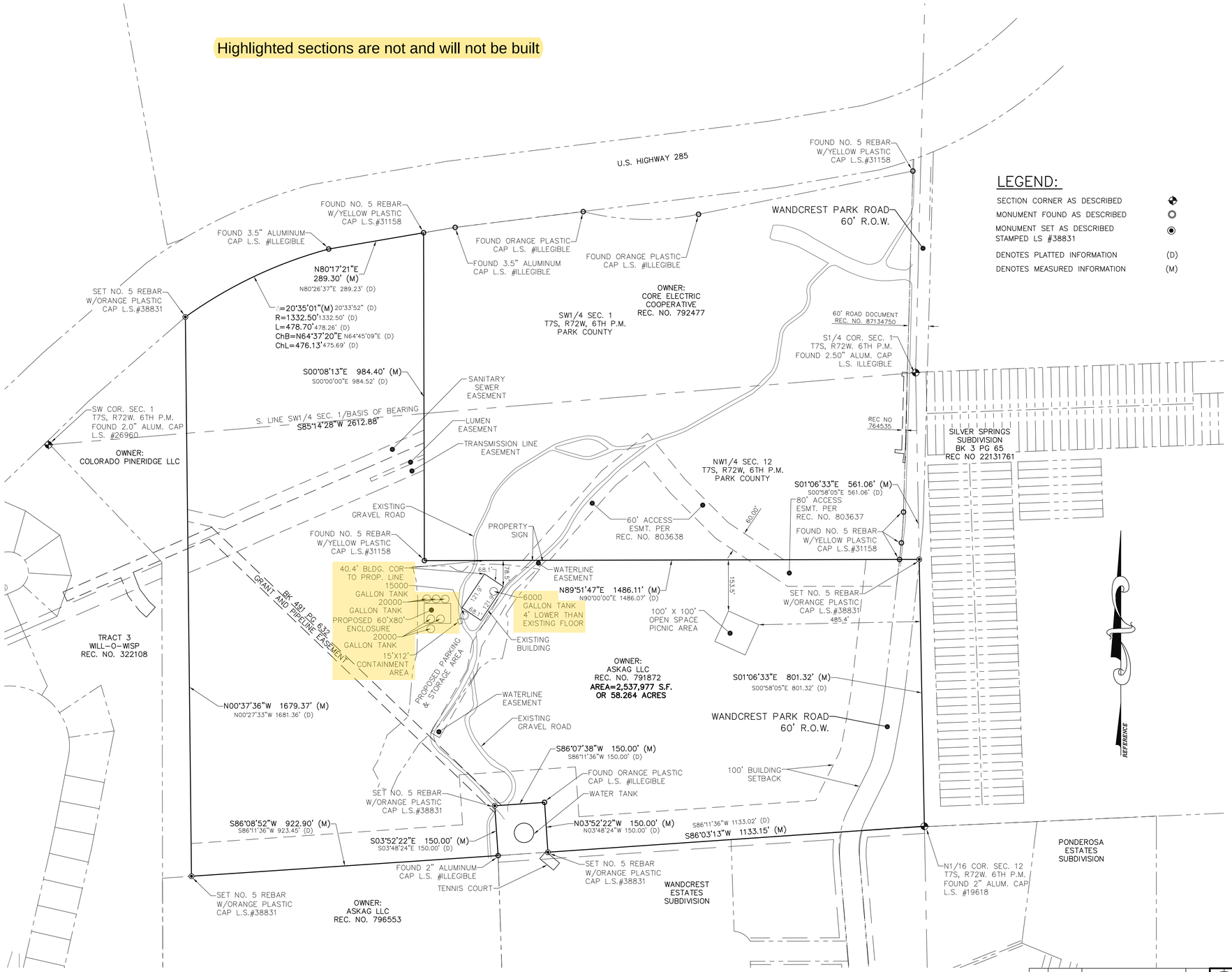
PRECISION SURVEY & MAPPING
PROFESSIONAL LAND SURVEYING CONSULTANTS
9025 E. Kenyon Ave., Suite 150, Denver, CO 80237
Tel:(303) 753-9799

DRAWN:	CHKD.:	JOB NO.:	DATE OF FIELD WORK:	ACAD FILE:
R.M.	J.L.	R13506	AUGUST 10, 2023	R13506-SHIRLEY LSP

PLANNED UNIT DEVELOPMENT FINAL PLAT

PART OF THE SW1/4 OF SECTION 1 & NW1/4 OF SECTION 12, T7S, R72W, 6TH P.M.
COUNTY OF PARK, STATE OF COLORADO

Highlighted sections are not and will not be built



LEGEND:

SECTION CORNER AS DESCRIBED	
MONUMENT FOUND AS DESCRIBED	
MONUMENT SET AS DESCRIBED STAMPED LS #38831	
DENOTES PLATTED INFORMATION	(D)
DENOTES MEASURED INFORMATION	(M)

NO.	DATE	DESCRIPTION	BY
3	11/30/23	COUNTY COMMENTS	R.M.
2	11/16/23	CLIENT ADDITIONS	R.M.
1	10/09/23	CLIENT ADDITIONS	R.M.

PRECISION SURVEY & MAPPING
PROFESSIONAL LAND SURVEYING CONSULTANTS
9025 E. Kenyon Ave., Suite 150, Denver, CO 80237
Tel:(303) 753-9799

DRAWN:	CHKD.:	JOB NO.:	DATE OF FIELD WORK:	ACAD FILE:
R.M.	J.L.	R13506	AUGUST 10, 2023	R13506-SHIRLEY LSP

Outlook

ask ag LLC/agriculture, zoning, digital map

From Adam <ask.2005@yahoo.com>
Date Mon 1/19/2026 5:38 PM
To Kay Wolf <Kay.Wolf@parkcountyco.gov>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

There’s some dense forest on the northwest side of the property trees, bushes, and shrubs.
There are no utilities no documented Wells no septic systems no power.

Proposed development plan any and all things agriculture.

Outlook

(No subject)

From Adam Shirley <adam@sspwaste.com>
Date Tue 12/30/2025 11:27 AM
To Kay Wolf <Kay.Wolf@parkcountyco.gov>

1 attachment (304 KB)
Shirley PUD.pdf;

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Proposed development Plan ranching / agriculture will mostly just be running cattle in the winter months and spring time before they go to summer Pasture .

Get Outlook for iOS

NOTICE
Public Hearing By:
Board of Adjustment
Planning Commission
Board of County Commissioners
Wed. Jan 28, 2026 9:00 AM
Wed. Feb 18, 2026 3:00 PM
Case # and Applicant: A25-0118
Adam Shirley
Property Description:
Nature of Request:
Hearing Location: BOCC Meeting Room, 856 Castello Ave.
Fairplay, 80440
For further information contact:
Park County Planning and Zoning Department
PO Box 1590, Fairplay, CO 80440
(719) 836-6292 • www.parkco.us
1409

Park County Planning Department

P.O. Box 1598
Fairplay, Colorado 80440
Phone: (719) 836-4293 ● Fax: (719) 836-4268 ● E-mail address: planning.zoning@parkcountyco.gov

Referral Response

Comment Deadline Date: January 21 2026 **Submitted Date:**

Case #: A25-0118

Case Name: Askag Rezoning

Applicant: **Adam Shirley**

Request: The applicant is requesting a rezoning from PUD or Residential (PUD rescinded by BOCC on November 11, 2025) to Agricultural

Legal Description: T07 R72 S1 SW4 a parcel in SW4 Section 1- 7-72, NW4 Section 12-7-72, a portion described in R781265, described in addendum R792480, addressed as 14097 Wandcrest Park Dr, Bailey

Date of Planning Commission Hearing: Wednesday, January 28 2026

Date of BOCC Hearing: Wednesday, February 18 2026

_____ We have reviewed this referral and find that it **does** comply with our specific organization's concerns.

_____ We have reviewed this referral and find that it **does not** comply with our specific organization's concerns for the following reasons:
_____

_____ We have reviewed this referral and find no conflicts with our interests.

_____ A formal recommendation is under consideration and will be submitted to you prior to _____.

_____ Please refer to the enclosed letter.

___X___ We offer the following comments regarding this referral:
At this time, ABE does not have sufficient information to effectively evaluate this application. ABE believes this is the same property that was evaluated in applications 23PUD-03 & 23PUD-04 and comments made in those referral responses may need to be considered. Was the property used as a waste transfer station as requested in 23PUD-04? Environmental testing may be required if it was used as a waste transfer station. Based on information provided by the public during the ABE meeting, is there litigation pending that may impact this application or the property and thus ABE's evaluation of this application?

Signed: John Reiber Date: 1/17/2026

Title: ABE Chairman

June 9, 2025

Adam Shirley
Registered Agent for aSkag, LLC
P.O. Box 86
Pine, CO 80470

Regarding Property: 14097 Wandcrest Park Road
Tax Assessor Parcel: #47905

Dear Adam Shirley:

This office is charged with the duty of performing inspections for the enforcement of the Park County Building Code. A visual inspection from public roadways was conducted on 6/5/2025 at the above-referenced property that revealed the following violations:

1. **No Valid Permit for Temporary Structure**
    a) **2018 IBC Section 105** requires a building permit for any structure erected on the premises.
    b) **2018 IBC Section 108** states that building permits for temporary structures shall be limited to **180 days.**
    c) **2018 IBC Section 3101.1** ("Scope") and **Section 3102.1** ("Temporary Buildings and Structures") authorize temporary structures only with a permit and limit their use to a maximum of **180 days**.

Our records indicate that a temporary structure was constructed on your property pursuant to BNR-00213 issued on 9/19/2023. In accordance with the permit and the code provisions cited above, the structure does not have a valid permit as BNR-00213 expired 180 days after its issuance, March 17, 2024.

Required Corrective Action:

- Immediately apply for and obtain the required building permit for the temporary structure, or remove the structure from the property.

A follow-up inspection will occur on or after June 23rd, 2025, If the violation remains, this matter will be referred to the County Attorney for legal enforcement.

Penalties:

Pursuant to Colorado Revised Statutes § 30-28-210, the penalty for a violation of the County's Building Code is a court judgment of $500 to $1,000 per violation and up to $100 per day per violation after judgment until the violation is corrected. Injunctive relief may also be sought.

If you believe your property is already in compliance or have questions, please contact Park County Code Compliance at **719-836-4259** or **code.enforcement@parkcountyco.gov** You may wish to consult an attorney regarding this matter.

Thank you for your prompt attention to these serious code violations.

Sincerely,

6/9/25

Andy Grand, Chief Building Official

6/9/25

Lucas Meyers, County Manager

Park County Development Services
P.O. Box 1598 ▪ Fairplay, CO 80440 ▪ Fax: 719.836.4351. Phone: 719-836-4254

July 10th, 2025

Mr. Adam Shirley,

During our department meeting today, we reviewed and confirmed the terms and conditions related to the enforcement actions outlined in the letter dated June 9, 2025.

You agreed to begin drafting a rezoning application within 15 working days. For clarity, the 15-day period will begin on **Monday, July 14, 2025**. Any correspondence regarding requests for information, application, etc. will satisfy this requirement.

In response, the Chief Building Official (Andy), County Manager (Lucas), and Director of Development Services (Brandon) have agreed to allow a **90-day period**, also beginning on **Monday, July 14, 2025.** This 90-day window is the timeframe within which either removal of the structure or issuance of a building permit by the Park County Building Department must occur. Full resolution for legal compliance of the structure is up to the owner, Adam Shirley, and must be completed and fully resolved before the 90 day period is up.

Thank you again for taking the time to meet with us. We will stay in contact as we move through the process.

Sincerely,

Lucas Meyer, county Manger

Brandon Heacock, Dir of Development Services

Andy Grand, Chief Building Officer

Park County Development Services Department
Environmental & Code Compliance

P.O. Box 1598 ▪ Fairplay, CO 80440 ▪ Phone: 719-836-4259

September 3, 2025

Askag LLC
14803 S Wandcrest Dr
Pine CO 80470

Re: SC #47905 – 14097 Wandcrest Park Rd T07 R72 S1- Regulatory Violations

Dear Property Owner,

This office is charged with the duty of performing inspections for the enforcement of the zoning regulations of Park County, Colorado. A site inspection conducted on 9/3/2025 at the abovementioned premises indicates that this property is in violation of the following sections of the Park County Land Use Regulations:

Article V Section 5-304: Operating a transfer station within a Residential Zoned property

A follow-up inspection will be made on or after 9/13/2025. If at that time the violation still exists, the matter will be sent to the County Attorney for further action.

Pursuant to Colorado Revised Statutes § 30-28-124.5, the penalty for violation of the County's Land Use Regulations is a court judgment of $500 to $1,000 in penalties per violation and up to $100 per day per violation after judgment until the violation is corrected. Injunctive relief may also be sought.

If you have any questions, or your property is in compliance, please feel free to contact Park County Environmental and Code Compliance at 719-836-4257.

You may want to consult with an attorney concerning this matter.

Sincerely,

Park County Code Enforcement Department

Park County Development Services Department
Environmental & Code Compliance

P.O. Box 1598 ▪ Fairplay, CO 80440 ▪ Phone: 719-836-4259

October 7, 2025

Askag LLC
Adam Shirley
P.O. Box 86
14803 S Wandcrest Dr
Pine CO 80470

Re: SC #47905 – 14097 Wandcrest Park Rd T07 R72 S1 (Parcel No. 47905)- Regulatory Violations

Dear Mr Shirley,

This letter serves as formal notice regarding ongoing operations and code violations identified on the above-referenced parcel. Park County Development Services has conducted a review of site conditions and determined that the property is not in compliance with the **Park County Land Use Regulations**.

Directives:

1. **Citizen Portal Account**
   Please create an account in the Park County Citizen Portal to facilitate communication, permit applications, and compliance tracking. Step-by-step instructions are provided in the attached document.
2. **Removal of Temporary Structure**
   The temporary structure currently on the property is unpermitted and not being used for any legally permitted purpose on residentially zoned land. In accordance with **Article V, Sections 5-103(A) and 5-300** of the Park County Land Use Regulations, this structure must be removed immediately.
3. **Remove all Ordinance 6 violations** (ie, the large slash pile)
4. **Prohibited Use – Trash Transfer Station**
   Operating a trash transfer station or similar activity is not permitted in a residential zone. This reinforces the requirement for removal of the temporary structure and cessation of any activities associated with that use.

You are directed to bring the property into compliance without delay. Failure to do so may result in further enforcement actions, including fines, abatement, or legal proceedings.
If you have questions regarding this notice or require assistance with the compliance process, please contact Park County Development Services at [phone number] or [email address].
Thank you for your prompt attention to this matter.

Pursuant to Colorado Revised Statutes § 30-28-124.5, the penalty for violation of the County's Land Use Regulations is a court judgment of $500 to $1,000 in penalties per violation and up to $100 per day per violation after judgment until the violation is corrected. Injunctive relief may also be sought.

If you have any questions, or your property is in compliance, please feel free to contact Park County Environmental and Code Compliance at 719-836-4257.

Sincerely,

Park County Code Enforcement Department

Park County Development Services Department
Environmental & Code Compliance

P.O. Box 1598 ▪ Fairplay, CO 80440 ▪ Phone: 719-836-4259

October 16, 2025

Askag LLC
Adam Shirley
P.O. Box 86
14803 S Wandcrest Dr
Pine CO 80470

Re: SC #47905 – 14097 Wandcrest Park Rd T07 R72 S1 (Parcel No. 47905)- Regulatory Violations

Dear Mr. Shirley,

This letter serves as formal notice regarding ongoing operations and code violations identified on the above-referenced parcel. Park County Development Services has conducted a review of site conditions and determined that the property is not in compliance with the **Park County Land Use Regulations**.

Directives:

1. **Citizen Portal Account**
   Please create an account in the Park County Citizen Portal to facilitate communication, permit applications, and compliance tracking. Step-by-step instructions are provided in the attached document.
2. **Removal of Temporary Structure**
   The temporary structure currently on the property is unpermitted and not being used for any legally permitted purpose on residentially zoned land. In accordance with **Article V, Sections 5-103(A) and 5-300** of the Park County Land Use Regulations, this structure must be removed immediately.
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   Operating a trash transfer station or similar activity is not permitted in a residential zone. This reinforces the requirement for removal of the temporary structure and cessation of any activities associated with that use.

You are directed to bring the property into compliance without delay. Failure to do so may result in further enforcement actions, including fines, abatement, or legal proceedings.
If you have questions regarding this notice or require assistance with the compliance process, please contact Park County Development Services at 719-836-4259 or code.enforcement@parkcountyco.gov.

Thank you for your prompt attention to this matter.

Pursuant to Colorado Revised Statutes § 30-28-124.5, the penalty for violation of the County's Land Use Regulations is a court judgment of $500 to $1,000 in penalties per violation and up to $100 per day per violation after judgment until the violation is corrected. Injunctive relief may also be sought.

If you have any questions, or your property is in compliance, please feel free to contact Park County Environmental and Code Compliance at 719-836-4259.

Sincerely,

Park County Code Enforcement Department

Public Comments

After This Page

Outlook

aSkag LLC Rezoning Request Case A25-0118

From asands@wispertel.net <asands@wispertel.net>
Date Sat 1/17/2026 11:37 AM
To Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am writing to request that Park County reject the subject rezoning application for the following reasons:

This company has already put our neighborhood through enough misery and enough is enough!!

Rezoning should not be used to legitimize noncompliant uses. This company has already demonstrated their inability to be a good neighbor and follow the rules. Previous cease and desist orders issued by the county have been ignored.

Zoning protects homeowners. Zoning is one of the elements that people consider when they buy a home because that zoning protects their investment. Homebuyers can only be hurt when someone comes in and changes the way their neighborhood is zoned.

This would once again conflict with prior enforcement actions and court rulings.

There is nothing wrong with the types of businesses aSkag LLC is trying to set up but they must be set up on land that is already zoned for that type of business so that whole neighborhoods don't get hurt...and our neighborhood has been hurt enough.

Thank you for considering this request.

Sincerely,

Al Sands
14037 S. Laura Ave
Pine, CO

Outlook

Rezoning Request-Case # A25-0118

From Gary Zuiderveen <garyz5876@gmail.com>

Date Mon 1/19/2026 12:30 PM

To Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To: Park County Planning & Zoning
Park County Board of County Commissioners
Lucas Meyer
Brandon Heacock

Re: Rezoning Case A25-0118
14097 Wandcrest Park Rd, Pine, CO 80470

I am a resident of Park County. I have become aware that the owner of the above-reference property has requested the property to be rezoned to Agricultural Zoning.

I am opposed to the rezoning request for the following reasons:

1. This property has been subject to prior PUD and spot-zoning activities to convert it to a Waste and Septage Transfer station. There has been an abundance of legal action and a court injunction to cease such activities on this property. I believe the property should remain zoned as the court has ordered. Rezoning this property may result in additional legal action, especially if the property owner sees such rezoning as a means to restart its Transfer Station activities.
2. Rezoning the property to Agricultural would remove critical County oversight and create code enforcement loopholes that are extremely difficult to reverse. Specifically, Agricultural zoning would create major exemptions to County ordinances and enforcement, limited building permit requirements for accessory structures, unlimited accessory structures on large agricultural acreage, minimal regulation of storage, materials, equipment, and land disturbance, and minimal compliance oversight. These ordinance and enforcement limitations are especially alarming in a residential neighborhood where the subject property is located.
3. The applicant/owner has a documented history of land use violations and court injunctions. There is no basis to believe the owner will limit his activities on this property to cattle grazing, as stated in his rezoning application.
4. As you can see in the maps/pictures included in the rezoning application, this property is largely unsuitable for cattle grazing—it has rough and steep terrain and is mostly forested, except where the owner has clear cut the property to conduct illegal Transfer Station activities.
5. In the event the property is rezoned, I believe the owner will use the property to either conduct Transfer Station activities or some other equally objectionable activity such as raising

hogs and/or conducting butchering activities. Such activity is not suitable for property directly adjacent to residential property and will be subject to additional legal action in which the County will likely be a party.

In summary, I believe the rezoning request is simply an attempt to legitimize previously noncompliant land use and the rezoning request should be denied.

In the event, the rezoning request is granted, then strict rules should be applied, by order of the County, that the property is to be used solely for grazing cattle as requested in the rezoning application. All vehicles, trucks, buildings, equipment and activities unrelated to Agricultural use should be removed, by order of the County. In addition, County personnel should be given full and complete access to the property to independently determine compliance with such rules. Finally, by order of the County, the County should be given full ordinance and enforcement rights as if the property were still zoned Residential. All of these ordinance and enforcement rights should be provided in writing and signed by the property owner and its agents. A copy of the written agreement should be attached to the property records and accessible to the public.

Please confirm receipt of this email. Thanks!

Sincerely,

Gary Zuiderveen,
198 Park Ave
Pine, CO 80470

(303) 242-2948

Outlook

Application A25-0118 for hearing date 1/28/2026

From Heather Prewitt <prewitthj@gmail.com>
Date Mon 1/19/2026 12:34 PM
To Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>

1 attachment (335 KB)
00 FINDINGS AND ORDER ON C.R.C.P.pdf;

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am submitting the following public comment in connection with the above referenced application for Askag LLC:

Throughout the application and in the public notice, the subject property is referred to as "PUD/Res". This is inaccurate.

The subject property is residential, as determined by District Judge Amanda Hunter on January 23, 2025 (see attached ruling), NOT based on the BOCC decision to rescind the ILLEGAL zoning in December 2025.

When considering the application, in addition to the LUR and SMP requirement, I believe the County must additionally overcome the hurdle that allowed Will O Wisp Metropolitan District to prevail in its case (#2024CV30019) against the BOCC in January 2025.

According to Judge Hunter's decision "the county abused its discretion by its misinterpretation or misapplication of governing law" based on the following:

'…Spot zoning asks "whether the change in question was made with the purpose of furthering a comprehensive zoning plan or [was] designed merely to relieve a particular property from the restrictions of the zoning regulations." Clark v. City of Boulder, 146 Colo. 526, 531, 362 P.2d 160, 162 (1961).

[S]pot zoning "creates a small island of property with restrictions on its use different from those imposed on the surrounding property."... If the rezoning is for the purpose of furthering a comprehensive zoning plan or based on changed conditions, the rezoning is not spot zoning. … Likewise, reclassifications when the "new use is consistent with others in the surrounding area".'

Judge Hunter cites the following conclusions which the County failed to surmount which provided for her final judgment:

1 - The county does not point to anything in the record to show that the change of this property from residential to industrial furthered a comprehensive zoning plan."

2 - The record supports plaintiff's argument that the approval of the PUD here was "designed merely to relieve a particular property from the restrictions of the zoning regulations."

3 - The zoning change here created a small island of property with restrictions on its use different from those imposed on the surrounding property. The record shows the surrounding properties are zoned residential and commercial, not industrial.

4 - BOCC contends it considered “the changing landscape and needs of Park County.” …. But it cites no part of the record in support. In fact the record contradicts that argument – the planning staff report’s “bullet point that changed circumstances and conditions were “Not Applicable”.

5 - The new use of the aSkag property is not consistent with others in the surrounding area.

Based on the 5 findings above, if you switch "agricultural" in place of “industrial” and/or “PUD”, would it change any of the conclusions reached?

I do not believe so. I think approval of this application is the County attempting to subvert the Court ordered decision to return this property to residential zoning.

Outlook

Case A25-0118 Concerns

From Jake Jordan <jordan5499@gmail.com>
Date Sat 1/17/2026 9:22 AM
To Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>

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Good morning,

My name is Jake Jordan, owner of 165 Silver Spur Way, Pine, CO, 80470, and I am writing to express my concerns over the proposed rezoning from Residential to Ag on the land that Adam Shirley owns off Wandcrest.

My hope is that the continued negotiations in bad faith from Mr. Shirley, combined with his past convictions, outright lies, and disregard for the community, environment, and legal system will lead the committee to decline this and all future requests from Mr. Shirley.

His desire to exploit any legal loopholes for his direct benefit, at the expense of the community, is reprehensible and frankly, I can't believe we are still having to address these issues. We all know he's using this as an excuse to try to continue his industrial, environmentally destructive, behavior at this site, something that has been extensively documented by the community.

On a personal note, the county stands nothing to gain from granting anything to this individual. His paltry business does nothing from a tax revenue standpoint, and the sheer animosity this individual has generated leads me to believe that if the county continues to consider his proposals, the long term legal detriments will be staggering, something the county does not want.

I hope that these comments and concerns are tracked in the record for the upcoming meeting to discuss this proposal. This is a plea for common sense, that the county will realize that any and all deals with this individual will lead to future conflict, and that he is a liar at his core, corrupt and with no regard to the community.

Please ensure this request is denied, forcefully.

Legal Description:
T07 R72 S1 SW4 A PARCEL IN SW4 SECTION 1- 7-72, NW4 SECTION 12-7-72, A PORT DESC R781265 DESC IN ADDENDUM R792480 (58.282 AC)

Thank you,
Jake Jordan

Outlook

Fw: Case A25-0118

From Brandon Heacock <Brandon.Heacock@parkcountyco.gov>
Date Tue 1/20/2026 6:48 AM
To Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>
Cc Lucas Meyer <Lucas.Meyer@parkcountyco.gov>

Please enter the statement into the record for this case.

Brandon Heacock
Director ~ Dev Services
brandon.heacock@parkcountyco.gov
719-836-4288 - O
719-838-0900 - C

From: Kay DuShane <ked@skybeam.com>
Sent: Saturday, January 17, 2026 9:27 AM
To: Brandon Heacock <Brandon.Heacock@parkcountyco.gov>
Subject: Case A25-0118

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.
Regarding Case A25-0118, the parcel address is
14097 Wandcrest Park Rd, Pine, CO 80470
The legal description is:
T07 R72 S1 SW4 A PARCEL IN SW4 SECTION 1- 7-72, NW4 SECTION 12-7-72, A PORT DESC R781265 DESC IN ADDENDUM R792480 (58.282 AC)

I oppose rezoning request in this case.

This request is a runaround for Shirley who has been noncompliant disrespecting the previous rulings against him. He has continued to defy court orders and zoning, and continues to threaten the property values and conditions for homeowners in the area, who **unanimously** object to this rezoning request.

Please confirm you receipt of this email.

Thank you for your consideration.

Kay DuShane
34 year Park County Resident.

Park County Planning Department & BOCC
P.O. Box 1598
Fairplay, CO 80440

Re: Referral Response – Case A25-0118
Applicant: aSkag LLC
Proposed Rezoning: Agricultural

To Whom It May Concern:

I submit this referral response regarding Case A25-0118 and the request by aSkag LLC to rezone approximately 58 acres to an Agricultural zoning designation.

My comments are offered to assist the County in evaluating this request in light of documented site history, existing legal constraints, and the County's obligation to apply its Land Use Regulations consistently and lawfully.

---

1. Prior Judicial Findings and Enforcement History

The subject property has been the focus of extensive enforcement actions and litigation. In January 2025, the District Court for Park County issued a permanent injunction prohibiting aSkag LLC from operating a waste transfer station on this site, finding that the County previously abused its discretion by approving land use actions inconsistent with governing law.

The applicant's compliance history includes cease-and-desist orders, findings of ongoing noncompliance, and enforcement proceedings culminating in that injunction. This history is directly relevant to the credibility of the present application and to the County's evaluation of whether approval would again expose it to legal challenge.

Rezoning should not be used as a mechanism to cure or sidestep violations that have already been adjudicated.

---

2. Agricultural Use Claim Is Inconsistent With Site Conditions and History

The application represents that the rezoning is sought for agricultural purposes, including running cattle. However, existing site conditions, installed infrastructure, and documented historical use of the property are inconsistent with bona fide agricultural operations as contemplated under Park County Land Use Regulations.

The property has previously supported intensive, non-agricultural industrial activities, and the physical configuration of the site reflects that legacy. Agricultural zoning is intended to support

legitimate agricultural use, not to provide cover for continued or resumed non-agricultural operations under a different label.

---

3. Risk of Approval Based on Inaccurate or Misleading Representations

Park County Land Use Regulations, Article II, Section 2-203, prohibit the submission of false or materially inaccurate information in support of land use approvals and authorize suspension or revocation where approvals are based on such information.

Given the applicant's documented history on this site, the County should exercise heightened scrutiny. Approval based on representations that conflict with observable conditions, historical operations, or prior court findings would place the County at substantial legal risk.

---

4. Precedent and Regulatory Integrity

Approving this rezoning would set a troubling precedent: that repeated violations and adverse court rulings can be resolved not through compliance, but through rezoning after the fact. This undermines the integrity of the Land Use Regulations and places compliant property owners at a disadvantage.

Land use decisions must further a coherent regulatory framework, not function as exceptions crafted for a single operator with an extensive enforcement history.

---

5. Requested Action

For the reasons stated above, I respectfully request that the County deny the proposed rezoning. At a minimum, the application should be continued pending independent verification of agricultural use claims, full disclosure of prior violations and injunctions, and a demonstration that the proposed use complies with both the letter and spirit of the Land Use Regulations.

Thank you for considering these comments.

Respectfully submitted,

Timothy Jones
President, Park County Neighborhoods Alliance & Park County Resident
January 15, 2026

Exhibit A:

Below are images taken by Denver7 Investigates for several stories they have broadcast regarding this nearly 3 year battle by neighbors. In the last broadcast, Tony Kovaleski interviews Commissioner Wissel who stated: "…in hindsight perhaps that wasn't the best we could have done…"

Does this look like a place for cattle? This is how this area looks today even after court orders and jail time for the applicant. He was ordered to remove all of this equipment. The county had "red tagged" much of this. He still defies the county, the courts and public outcry.

The county got it wrong once – are they going to get it wrong again or do the right thing this time?

Exhibit A – Page 2

Outlook

Objection to Proposed Rezoning Request – Consistency with Enforcement and Land Use Regulations

From Tom Kyte <tkyte42@gmail.com>
Date Sat 1/17/2026 8:17 AM
To Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>

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Hello,

I am writing to state my opposition to the proposed rezoning request submitted by aSkag LLC (Adam Shirley) that proposes to rezone approximately 58 acres to Agricultural zoning in the Wandcrest Park area.

The request is difficult to reconcile with the County's prior enforcement actions, including cease-and-desist orders issued for noncompliant use at this property. Those actions reflect a determination that the use was not permitted under the existing zoning. Rezoning after enforcement, particularly where compliance has been disputed and subject to court review, raises serious concerns about consistency and fairness.

Rezoning should not be used to legitimize uses that were previously found to be noncompliant. Land use regulations are intended to guide development prospectively, not to resolve violations after the fact.

Where a proposed use has been the subject of enforcement and litigation, accurate representations by the applicant and strict, independent verification by the County are essential. Reliance on unverified assertions undermines the credibility of the land use process.

For these reasons, the rezoning request should be denied. At a minimum, no approval should be considered without rigorous independent verification and a clear separation between zoning decisions and prior noncompliance.

Respectfully,

Thomas Kyte
15553 S Pitkin Ln
Pine, CO 80470

Outlook

Public Health, Safety, and Land Use Concerns, Case #A25-0118

From Barbara Jolley <jolley.pines@gmail.com>
Date Tue 1/20/2026 12:25 PM
To Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>; ldahlkem@jeffco.us <ldahlkem@jeffco.us>

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Reply To Attention Of: Gary E. Jolley 20, January, 2026

15255 S. Swiss Road

Pine, CO 80470

Jolley.pines@gmail.com

Subject: Public Health, Safety, and Land Use Concerns – aSkag LLC Operation Near Jefferson County Line

To Whom It May Concern:

My name is Gary Jolley and I reside in Jefferson County, but extremely close to Park County line. This concern, if valid, could ultimately affect the health of my family; and my property value.

A short synopsis of my credentials, which I believe confirms my credibility for concern:

- (1980-1993) Supervised 10 shops at Holloman AFB, New Mexico; with many of them having Environmental Protection Agency (EPA) concerns and remediation issues.
    - High Voltage Electric – over 3000 transformers that had to be tested for PCBs (Polychlorinated Biphenyls) in the oil, and over a 1000 that had to be monitored monthly or replaced. (Superfund National issue due to usage of transformers throughout the US.)
    - Water Production - Consisting of 14 wells and involved water treatment for potable water being used throughout the AFB.
    - Sanitation and Waste - Including a fully-functional Waste Treatment Plant. Possible hazards including raw waste ground contamination and Botulism created at the Waste Treatment Plant if proper policies were not observed and followed.
    - Entomology – Involved the use of pesticides throughout the base, including housing areas, schools, and hospitals.

- (1993-2012) Worked as Federal Employee for the Army Corps of Engineers (COE) as Inspector for all Construction Projects for National Electrical Code (NEC-Low voltage systems) and National Electrical Safety Code (NESC-High Voltage Distribution Systems).
    - Taught the NEC and NESC courses in both the US and various other countries to thousands of federal employees.

- I was Certified with a Class B license for Fuel Tank Removal; and supervised the removal of numerous fuel tanks in multiple locations in Texas following EPA Guidelines. (Superfund Sites for Federal Government Bases everywhere buried fuel tanks had been abandoned.)

I am writing to formally raise concerns regarding the operations of Adam Shirley (aSkag LLC) and the siting of his waste transfer and garbage collection facilities on property in Park County located approximately 400 yards from the Jefferson County line.

Mr. Shirley previously operated septic tank installation and garbage collection facilities in Jefferson County. Within the past year, he purchased property in Park County and applied for permits to relocate his raw sewage transfer and garbage collection operations to this new location. Significant construction and site development began — and was largely completed — **prior to the issuance of required permits**.

Based on the extensive ground disturbance observed at his prior location and the apparent pace at which approvals were proceeding in Park County, I joined community members in objecting to this project before proper vetting and compliance review had been completed. Despite multiple unresolved issues, construction and operational activity continued with no meaningful enforcement action taken at the time.

I spoke at a public meeting before the Park County Board of County Commissioners to outline my objections and concerns regarding the lack of adequate investigation. Specifically:

• **No comprehensive Environmental Impact Study** was required or completed, despite the clear risks associated with raw sewage transfer operations and their proximity to residential areas and sensitive environmental features.

• The facility involves the handling and transfer of human waste in enclosed structures. Such operations typically require review by a **licensed electrical engineer** to determine applicable **National Electrical Code (NEC) hazardous classifications** (likely Class I, Division 1 or 2). These classifications mandate explosion-proof electrical systems, rigid conduit, seal-offs, and properly rated equipment. To my knowledge, this review and required safeguards were not implemented.

• The prevailing wind direction in this area flows from Park County toward Jefferson County. The facility is located within approximately 400 yards of a heavily forested area. In the event of a fire or explosion, a wind-driven fire could reach Jefferson County in under 30 minutes. I contacted the fire department located approximately one-half mile away in Jefferson County and was informed that such an incident would likely fall to them to respond to. This means my tax dollars would pay for damages caused by a Park County business.

• Even absent a catastrophic event, the presence of this facility materially impacts nearby property values, including properties located in Jefferson County.

• The site does **not have a continuous, reliable water supply** sufficient to meet fire suppression needs or applicable OSHA standards for employee safety.

Since relocation of the sewage transfer operation, at least one documented spill occurred, with contaminated material flowing downhill into a residential area. That subdivision is served by a deep water well, raising serious concerns regarding groundwater contamination and public health.

A district court judge recently found Mr. Shirley in violation of a lawful cease-and-desist order, resulting in a sentence of 60 days in jail. The court further ordered removal of equipment and restoration of the property to its prior condition. Despite these orders, operations reportedly continued during his

incarceration, equipment was not removed, the property was not restored, and the full jail sentence was not served. Monetary penalties appeared insufficient to deter continued non-compliance.

Mr. Shirley is now attempting to pursue rezoning as a potential workaround to both the original permitting issues and the court's order. (See attached filing materials.)

I respectfully request that the County carefully consider the documented history of violations, public health risks, fire hazards, environmental impacts, and cross-county consequences associated with this operation.

Park County Case is A25-0118, the parcel address is

14097 Wandcrest Park Rd, Pine, CO 80470

The legal description is:
T07 R72 S1 SW4 A PARCEL IN SW4 SECTION 1- 7-72, NW4 SECTION 12-7-72, A PORT DESC R781265 DESC IN ADDENDUM R792480 (58.282 AC)

For additional documentation and a detailed chronology compiled by the community most directly affected, please contact:

Tim Jones
303-550-4405
tjones834@gmail.com

Thank you for your attention to this matter and for your assistance in ensuring that public health, safety, and land use regulations are appropriately enforced.

Respectfully submitted,

Gary Jolley
Jefferson County Resident

Outlook

Opposition to Proposed Rezoning A25-0118 (ASKAG LLC.)

From Chris Masar <chrismasar4@gmail.com>
Date Tue 1/20/2026 10:49 PM
To Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>

1 attachment (62 KB)
ASKAG LLC rezoning public comment.pdf;

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Dear County Staff and Board of County Commissioners,

I am writing to formally express my opposition to the proposed rezoning of the subject property from Residential to Agricultural. I respectfully request that this correspondence and the attached Letter of Opposition be entered into the official record for this application.

As outlined in the attached letter, the proposed rezoning is incompatible with the established residential character of the surrounding area, raises serious environmental and drainage concerns, and would introduce uses that the property's topography and infrastructure cannot reasonably support. In addition, the proposal is inconsistent with the County's long-range planning goals and would create enforcement and nuisance issues that the County is not currently equipped to address.

For these reasons, I urge County staff, the Planning Commission, and the Board of County Commissioners to recommend and ultimately deny this rezoning request.

Thank you for your time, consideration, and service to the community.

Sincerely,
Chris Masar

Outlook

Fw: Case #A25-0118 - Askag, LLC Rezoning

From Brandon Heacock <Brandon.Heacock@parkcountyco.gov>
Date Wed 1/21/2026 6:47 AM
To Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>
Cc Andrew Grand <Andrew.Grand@parkcountyco.gov>; Sarah Larimore <Sarah.Larimore@parkcountyco.gov>

Good morning, Corey,

I have forwarded your request to our team handling this case. It will be made part of the record and will be shared with the Planning Commission as well as the Board of County Commissioner's when it comes before them.

Brandon Heacock
Director ~ Dev Services
brandon.heacock@parkcountyco.gov
719-836-4288 - O
719-838-0900 - C

From: Corey Knapp <crknapp88@gmail.com>
Sent: Wednesday, January 21, 2026 6:05 AM
To: Brandon Heacock <Brandon.Heacock@parkcountyco.gov>
Subject: Case #A25-0118 - Askag, LLC Rezoning

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Good morning Brandon

My name is Corey Knapp, and I am a concerned citizen of the Will-O-Wisp neighborhood regarding the potential rezoning of the Askag, LLC owned land north of our densely populated neighborhood and is above our water wells and aquifer.

I strongly oppose the rezoning attempt from residential land to agricultural land as his limitations on the property will be more relaxed than it is now with enforcement already being too low. What he will be able to be accomplish on the land will be unacceptable for our family's and children that inhabit the area and drink the water he will poison. He already has a problematic history nearly causing contamination of a natural creek with unfiltered and untreated human waste, from his company, and not obeying court orders leading to his own jail time.

Rezoning this land to agriculture will directly conflict with prior enforcement actions and court rulings. Rezoning should not be used to legitimize non-compliant uses on that land. He is already disobeying court orders by continually running his illegitimate business on residential land and has admitted to spraying human septage on his land already.

I plead that this rezoning attempt gets denied in thought of the families, communities, and natural beauty that was here before this mess initially happened.

With great concern,

Corey Knapp
303.957.6089

Outlook

Case A25-0118, Opposition to Zoning Request by Adam Shirley, aSkag, LLC

From Rardin, David, ACFD <David.Rardin@alamedacountyfire.gov>

Date Tue 1/20/2026 5:44 PM

To Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>

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Opposition to Requested Zoning Change – 14097

Dear [Board Members / Planning Commission / Board of County Commissioners]:

I am a downstream resident of the 58-acre tract located at 14097 Wandcrest Park Road in Bailey, Colorado, owned by Adam Shirley, also known as Skag, LLC. I am writing to formally express my strong opposition to the requested zoning change from Residential to Agricultural.

My properties include 3 pond and 3 drinking water sources fed by Roland Creek and Wisp Creek. In July 2024, Mr. Shirley's de-watering operation released sewage that flowed downhill into Wisp Creek. Heavy rainfall shortly thereafter increased the risk of contamination to downstream properties, including my own. This incident underscores the very real environmental and public health risks associated with the current and proposed uses of this property.

Independent of ownership, Agricultural zoning is inappropriate for this location. The surrounding area is predominantly Residential, and Agricultural zoning permits uses that are incompatible with nearby homes and would negatively affect property values. Such uses include, but are not limited to, cattle operations, marijuana cultivation and manufacturing, riding arenas, racetracks (animal and motorized), recycling facilities, transfer stations, and utility facilities.

My concerns are further heightened by Mr. Shirley's documented history of noncompliance with County regulations, evasiveness regarding his intentions for the property, and repeated disregard for the impacts on neighboring residents. I do not find the assertion that the property would be used solely to "occasionally run cattle" to be credible. Rather, I believe this zoning change would enable him to pursue a Conditional Use Permit for a transfer station, allowing septic waste de-watering operations to continue and placing Wisp Creek at ongoing risk.

The residents of the Will-o-Wisp community have already endured sufficient adverse impacts. Mr. Shirley's operations should be located in an area that is not surrounded by established residential neighborhoods.

For these reasons, I respectfully urge the Board to deny this zoning change request.

Please confirm receipt of this correspondence. If you do not agree with my position on rezoning, please provide your rationale on why you would like this change.

Respectfully,

Dave Rardin

812 Brookside Drive

Bailey, Co. 80421

Get Outlook for iOS

Outlook

Fw: Case A25-0118, opposition to zoning request from Residential to Agriculture

From Brandon Heacock <Brandon.Heacock@parkcountyco.gov>
Date Wed 1/21/2026 6:35 AM
To Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>
Cc Andrew Grand <Andrew.Grand@parkcountyco.gov>; Sarah Larimore <Sarah.Larimore@parkcountyco.gov>

Hello Deborah,

I have forwarded your comments to our team handling this case. It will be made part of the record and shared with Planning Commission as well as the Board of County Commissioner's when it comes before them.

Brandon Heacock
Director ~ Dev Services
brandon.heacock@parkcountyco.gov
719-836-4288 - O
719-838-0900 - C

From: Deborah Lynn Dixon <iom315@me.com>
Sent: Tuesday, January 20, 2026 5:58 PM
To: Brandon Heacock <Brandon.Heacock@parkcountyco.gov>
Subject: Case A25-0118, opposition to zoning request from Residential to Agriculture

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Deborah Lynn Dixon
PO Box 429
Pine, Colorado 80470

Mr. Brandon Heacock
Development Services Director
P.O Box 1598
Fairplay, CO 80440

January 20, 2026

RE: Case A25-0118, Opposition to Zoning Change request

Dear Mr Heacock:

I am a downstream resident of the 58-acre tract at 14097 Wandcrest Park Road, Bailey, CO, owned by Adam Shirley / aSkag, LLC. I strongly oppose the requested zoning change from Residential to Agricultural.

658 Brookside Drive, Bailey, CO has been my home for 29 years. Our property includes a pond fed by
Roland Creek and Wisp Creek. In July 2024, Mr. Shirley's de-watering operation released sewage that
flowed downhill into Wisp Creek. Heavy rainfall shortly thereafter increased the risk of contamination to downstream
properties, including my own.

Independent of ownership, Agricultural zoning is inappropriate for this location. The surrounding area is predominantly Residential, and Agricultural zoning permits uses that are incompatible with nearby homes and would negatively affect property values. These include, but are not limited to, cattle operations, marijuana cultivation and manufacturing, riding arenas, racetracks (animal & motorized), recycling facilities, transfer stations, and utility facilities.

My concerns are further heightened by Mr. Shirley's history of non-compliance with County regulations, evasiveness regarding his intentions, intimidation of and repeated disregard for neighboring
residents. I do not trust that the property would be used solely to "occasionally run cattle". Rather, I believe this zoning change would enable him to pursue a Conditional Use Permit for a transfer station, allowing septic waste de-watering operations to continue and placing Wisp Creek at continued risk.

The residents of Will-o-Wisp have endured sufficient adverse impacts. Mr. Shirley's operations should be located in an area not surrounded by established residential communities.
For these reasons, I respectfully urge the Department of Planning and Zoning and Board of Country Commissioners to deny this zoning change.

Thank you for taking the time to consider my request. Also, please acknowledge receipt of this correspondence
and confirm that it has been made part of the public record.

Respectfully,

Deborah Lynn Dixon
303-838-9637

Outlook

Fwd: Park County; aSKag LLC request for ReZoning Change , Case# A25-0118

From Luke Heffernan <lheff56@gmail.com>
Date Wed 1/21/2026 2:36 PM
To Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>

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Sent from my iPhone

Begin forwarded message:

> **From:** Luke Heffernan <lheff56@gmail.com>
> **Date:** January 20, 2026 at 12:53:32 PM MST
> **To:** Luke Heffernan <lheff56@gmail.com>
> **Subject: Park County; aSKag LLC request for ReZoning Change , Case# A25-0118**

It has been brought to my attention that aSKag LLC has applied for a rezoning change to their property in Park County, specifically 14097 Wandcrest Park Rd. Pine Co. 80470. The change to " Agriculture ", should not be approved based on the current and ongoing issues with this property/owner. I live at 546, Brookside Dr, Bailey CO 80421, and have been impacted by the Environmental spill that came from the aSKag LLC property/operations In July of 2024. My drinking water/well and pond on my property were and continue to be contaminated from this event. The appropriate safeguards to prevent this type of Environmental hazard were never implemented. Notifications of this event were not delivered to all property owners affected by it, and cleanup of impacted properties was not done in accordance with State of Colorado Department of Public Health regulations/requirements. In addition allowing temporary storage of solid waste materials, ie. A Transfer Station without Standard Fire Protection protocols in an area of High Fire Risk is unacceptable, and extremely dangerous for the residents of Park County. The lack of installing a Standard leachate/liner system at the Transfer Station to prevent contamination of the soils and ground water is also a threat to the health of Park County residents. Allowing the zoning change will limit the oversight capabilities of Park County and jeopardize the safety of residents. aSKag LLC has already shown they have no interest in the safety of neighbors, by their actions of allowing the Environmental spill to occur as well as defying Park County Court orders to Cease and Desist operations of the operations

of the Solid Waste Storage/Transfer station facility on their property. With less oversight by the county, aSKag LLC will have the ability to continue to endanger the health and lives of fellow Park County residents without any culpability for their actions. We need the Board of county commissioners and the Building/Zoning departments to reject this request, and resolve the continued ongoing issues with the aSKag LLC property. Thank you in advance for your help in protecting the Residents of Park County. Please reply confirming receipt of this email.

Sent from my iPhone

Outlook

Opposition to Rezoning aSkag Property Petition – Map Amendment

From Aly Tovey <atovey407@gmail.com>
Date Wed 1/21/2026 3:58 PM
To Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>

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Formal Statement to the Park County Board of County Commissioners / Board of Adjustment

Re: Opposition to Rezoning Petition – Map Amendment
Parcel: Case A25-0118
Assessor's Parcel Number: T07 R72 S1 SW4 A PARCEL IN SW4 SECTION 1-7-72, NW4 SECTION 12-7-72, A PORT DESC R781265 DESC IN ADDENDUMN R792480 (58.282 AC)
Location: 14097 Wandcrest Park Dr Baily, CO 80421

I. Introduction

Members of the Board, thank you for the opportunity to provide comment. I respectfully submit this statement in **formal opposition** to the proposed rezoning of the above-referenced parcel from **Residential** to **Agricultural**.

This opposition is based on **Park County Land Use Regulations**, **Colorado state environmental law**, and **established planning principles**, specifically relating to:

1. Reduction of County oversight,
2. Creation of enforcement loopholes,
3. Incompatibility with downhill residential properties,
4. Risk of waste-related or high-impact uses,
5. The requirement that **existing violations be resolved prior to rezoning consideration**.

II. Rezoning Fails to Meet Park County Rezoning Criteria

Under **Park County Land Use Regulations (PC LUR), Article 10 – Zoning Map Amendments**, rezoning requests must meet specific findings, including:

- **Compatibility with surrounding land uses**
- **Protection of public health, safety, and welfare**
- **Consistency with the Park County Master Plan**
- **No adverse impact on neighboring properties**

The proposed Agricultural zoning fails these criteria due to its **downslope position above an established residential neighborhood**, where impacts such as runoff, noise, dust, traffic, and potential waste handling would disproportionately affect downhill residents.

III. Agricultural Rezoning Reduces County Oversight

Residential zoning subjects land use changes to **stricter review standards**, including site plans, use limitations, and mitigation requirements. By contrast, **Agricultural zoning permits broader uses by right**, significantly reducing County review thresholds.

Under **PC LUR Article 3 (Zoning Districts)**:

- Agricultural districts allow a wide range of activities that do **not require the same level of County review or public notice** as residential districts.
- Certain accessory and operational uses may proceed without a conditional use permit, reducing the County's ability to impose enforceable conditions.

This rezoning would therefore **weaken County oversight** at a site that is geographically positioned to impact neighboring residences.

IV. Agricultural Zoning Creates Enforcement Loopholes

Agricultural zoning introduces **enforcement challenges** that do not exist under residential zoning:

1. **Broader "by-right" uses** limit enforcement options unless a violation reaches a high evidentiary threshold.
2. **Complaint-based enforcement** is common in agricultural zones, placing the burden on residents rather than proactive County oversight.
3. Agricultural exemptions often complicate enforcement of:
    - Outdoor storage
    - Equipment staging
    - Waste accumulation
    - Heavy vehicle activity

These issues are especially concerning in Park County's rural enforcement environment, where staffing and response times are limited.

Once rezoned, **the County's enforcement authority is narrowed**, making it significantly harder to prevent or correct nuisance or hazardous activities after they begin.

V. Risk of Waste Transfer or Waste-Related Operations

Although not currently proposed, **Agricultural zoning can be used as a foundation for future applications** involving waste handling or transfer activities through conditional use or state permitting processes.

Under **Colorado Solid Waste Regulations (6 CCR 1007-2)**:

- Waste transfer stations are regulated but **may be sited in rural and agricultural areas** if local zoning allows.
- Such facilities involve truck traffic, waste staging, odor, dust, vectors, and potential stormwater contamination.

Given the parcel's **elevation above residential homes**, any waste-related operation would pose **unacceptable environmental and health risks** to downhill properties, particularly regarding runoff and groundwater protection.

VI. Downhill Environmental and Safety Impacts

Park County regulations emphasize protection of neighboring properties from adverse impacts. The downhill location of the residential neighborhood increases risk from:

- **Stormwater runoff and erosion**
- **Sediment transport**
- **Chemical or waste contamination**
- **Noise and air quality degradation**

These impacts are directly contrary to the **health, safety, and welfare standards** required for rezoning approval under Park County code.

VII. Existing Violations Must Be Resolved Before Rezoning

Fundamental land use principles — and Park County enforcement practice — require that **existing violations be resolved prior to approval of any rezoning**.

Rezoning a non-compliant property:

- Undermines the integrity of the Land Use Code,
- Creates the appearance that rezoning can be used to **circumvent enforcement**,

- Sets a precedent that compliance is optional.

Any known or documented violations on this parcel, including but not limited to:

- Case No. 2024CV030019

must be **fully corrected and verified by the County** before any rezoning request is considered.

Rezoning should not be used as a mechanism to legitimize non-compliant land use.

VIII. Precedent and Planning Integrity

Approving this rezoning would set a **dangerous precedent** by allowing residential land to be down-zoned to agricultural in a location where:

- Residential uses are already established,
- Enforcement challenges are foreseeable,
- Environmental and safety risks are elevated.

This is inconsistent with long-term planning stability and undermines public trust in Park County's zoning framework.

IX. Conclusion and Formal Request

For the reasons outlined above, I respectfully request that the Board:

1. **Deny the rezoning request** from Residential to Agricultural;
2. Require **full resolution of all existing code violations** prior to any future land use application;
3. Uphold the intent and integrity of Park County's Land Use Regulations by protecting established residential neighborhoods from incompatible zoning changes.

Thank you for your consideration and for your service to Park County.

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