

# FREMONT COUNTY LOT LINE ADJUSTMENT APPLICATION

A Lot Line Adjustment is normally an administrative process which allows for the adjustment of lot lines and adjoining easements between two or more adjacent properties, at least one of which has been legally platted as a lot of record. Under certain circumstances, approval of such an application may require review by the Fremont County Planning Commission and approval by the Fremont County Board of County Commissioners (Board). In such a circumstance an additional review fee is required.

All questions in this application must be answered and all required attachments shall be provided (*including application fees*) or the submittal of the application will not be accepted for review by the Fremont County Department of Planning and Zoning. One application containing all original signatures and original attachment documents, also two copies of the same, shall be provided at the time of application.

The applicant shall provide two (2) copies and one (1) original document of the application and all of its attachments at the time of application submittal. After submittal, the Department will review the application and all attachments and prepare a Department Submittal Deficiency and Comment Letter (D & C Letter), which will state the submittal deficiencies that must be addressed by the applicant, Department comments and or questions about the application.

Attachments can be made to this application to provide expanded narrative for any application item including supportive documentation or evidence for provided application item answers. Please indicate at the application item that there is an attachment and label the attachment as an exhibit with the application item number, a period and the number of the attachment for that item (*as an example, the first attached document providing evidence in support of the answer given at application item number 22 would be marked - Exhibit 22.1, the fifth attached document supporting the narrative provided for application item 22 would be marked - Exhibit 22.5*).

An application fee set by the Board of County Commissioners (Board) shall accompany this application.

An additional full application fee will be charged to the applicant, as per resolution approved by the Board, if all deficiencies as per the initial D & C Letter are not adequately addressed or provided. Each subsequent D & C Letter, based on resubmitted items, will result in another full application fee. All such fees shall be paid along with the deficiency submittal prior to any further review of the application.

The application will be active for six (6) months from the date of the D & C Letter. If deficiency items are not addressed in that time period the application will be considered to be expired and a complete re-submittal, including application fees, will be required. An extension may be granted by the Board with evidence that extenuating circumstances have not allowed the six (6) month expiration date to be met. Applications for extension must be made prior to expiration and will require an additional fee as set by resolution of the Board for each request for extension of the contingency deadline. All such fees shall be paid along with a written request explaining the need for extension prior to being placed on a Board meeting agenda for consideration of the request.

The Department of Planning and Zoning, Planning Commission, and or Board of County Commissioners may require additional information, documentation or evidence as deemed necessary by the same regarding this application.

Once the properties are established as “a”, “b” and “c”, be sure to use the same reference throughout the application. This form was designed to accommodate three properties, please discuss with the Department prior to application if more than three properties are involved in the proposed adjustment.

1. Please provide the name, mailing address, telephone number and e-mail address for each property owner of each property involved in the lot line adjustment:

a. Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Telephone Number \_\_\_\_\_ Facsimile Number \_\_\_\_\_

Email Address \_\_\_\_\_

b. Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Telephone Number \_\_\_\_\_ Facsimile Number \_\_\_\_\_

Email Address \_\_\_\_\_

c. Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Telephone Number \_\_\_\_\_ Facsimile Number \_\_\_\_\_

Email Address \_\_\_\_\_

2. Consulting Firm Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_ Facsimile Number \_\_\_\_\_

Email Address \_\_\_\_\_

3. The proposed plat title is \_\_\_\_\_ Lot Line Adjustment.

4. The total number of properties involved prior to this adjustment are \_\_\_\_\_

5. The total number of lots as a result of this adjustment are \_\_\_\_\_

6. The legal descriptions of each property prior to this adjustment (*lot, block, subdivision name*) are:

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

7. Copies of the most current deeds of record are attached to this application, marked as exhibit 7.a, 7.b and 7.c and can be found recorded in the Fremont County Clerk and Recorder's Office as follows:

a. In Book \_\_\_\_\_ at Page \_\_\_\_\_ and under Reception Number \_\_\_\_\_

b. In Book \_\_\_\_\_ at Page \_\_\_\_\_ and under Reception Number \_\_\_\_\_

c. In Book \_\_\_\_\_ at Page \_\_\_\_\_ and under Reception Number \_\_\_\_\_

8. A title commitment with an effective date within 30 days of the date of application submittal for each property involved in this application which sets forth the names of all owners, list of all mortgages, judgments, liens, easements, contracts, agreements, and other interests of record shall be attached to this application, marked as exhibit 8.a, 8.b and 8.c: (*Note: An updated title commitment shall be required prior to recording, if the recording date is more than 60 days from the effective date of the title commitment, which may necessitate further requirements of applicant prior to recording.*)

a. Document Number \_\_\_\_\_ Effective Date of Document \_\_\_\_\_

b. Document Number \_\_\_\_\_ Effective Date of Document \_\_\_\_\_

c. Document Number \_\_\_\_\_ Effective Date of Document \_\_\_\_\_

9. As per the Fremont County Subdivision Regulations (XIV., F., 4.), an executed Ratification, Consent and Release Form (*forms are provided by the Department for execution*) shall be provided for each outstanding mortgage, deed of trust, lien, judgment or the like for each property involved in a Lot Line Adjustment application prior to final approval by the Department. Will any property involved in this application require a form to be executed and submitted? Yes  No  If yes, please list the required documents for each property:

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

10. As per the Fremont County Subdivision Regulations (XIV., E., 26), all easements of record on involved properties must be vacated prior to application submittal or shown on the proposed plat and labeled or noted as to use, recording information, location and size through appropriate survey information. Please answer the following questions and provide a brief description of each easement noted. (An attachment may be necessary. If so, mark as an exhibit)

a. Do the properties involved in this application have easements of record as per the submitted title commitment? Yes  No  If answered yes, please identify each easement along with recording information and describe which properties it affects and how they are affected. \_\_\_\_\_

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b. Do the properties involved in this application have easements not of record? Yes  No  If answered yes, please identify each easement along with identification of which properties are affected and how they are affected. \_\_\_\_\_

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c. Are any easements proposed to be vacated by this application? Yes  No  If answered yes, please identify the easement and provide a statement as to why a vacation of the easement is necessary. Also provide a statement as to whether or not the easement currently contains improvements. \_\_\_\_\_

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d. Are any easements proposed to be relocated by this application? Yes  No  If answered yes, please identify the easement and provide an explanation as to why relocation is necessary.

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e. Are any new easements proposed by this application? Yes  No  If answered yes, please identify the easement and provide a description of the easement. \_\_\_\_\_

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f. Do any existing easements contain improvements? Yes  No  If answered yes, please identify the easement and describe the improvements\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

11. What is the existing size of each property?

- a. Acreage \_\_\_\_\_ Square Footage \_\_\_\_\_
- b. Acreage \_\_\_\_\_ Square Footage \_\_\_\_\_
- c. Acreage \_\_\_\_\_ Square Footage \_\_\_\_\_

12. What is the proposed size of each lot after platting (please provide closure sheets for each proposed lot and the total boundary marked as exhibit 12.1)?

- a. Acreage \_\_\_\_\_ Square Footage \_\_\_\_\_
- b. Acreage \_\_\_\_\_ Square Footage \_\_\_\_\_
- c. Acreage \_\_\_\_\_ Square Footage \_\_\_\_\_

13. What is the percentage of land area that each proposed lot will gain or lose?

- a. Sq. ft. gained \_\_\_\_\_ Sq. ft. lost \_\_\_\_\_ percentage  gained or  lost \_\_\_\_\_ %
- b. Sq. ft. gained \_\_\_\_\_ Sq. ft. lost \_\_\_\_\_ percentage  gained or  lost \_\_\_\_\_ %
- c. Sq. ft. gained \_\_\_\_\_ Sq. ft. lost \_\_\_\_\_ percentage  gained or  lost \_\_\_\_\_ %

14. What is the current Zone District for each involved property?

- a. This property is located in the \_\_\_\_\_ Zone District.
- b. This property is located in the \_\_\_\_\_ Zone District.
- c. This property is located in the \_\_\_\_\_ Zone District.

15. In accordance with the Fremont County Zoning Resolution (2.4.3), properties involved in a Lot Line adjustment that are not located in the same Zone District must process a Zone Change Application if the property receiving land is proposed to be enlarged by more than twenty-five percent of the existing land area. Will this application require a zone change process?  Yes  No. If yes, then the zone change must be completed prior to approval of this application.

16. What is the current and proposed land use of each property? Are these uses in conformance with the current (and or proposed) zoning of each property?

- a. Current land use \_\_\_\_\_ Proposed land use \_\_\_\_\_  
 Conforming  Non-conforming, Explain \_\_\_\_\_

- b. Current land use \_\_\_\_\_ Proposed land use \_\_\_\_\_  
 Conforming  Non-conforming, Explain \_\_\_\_\_
- c. Current land use \_\_\_\_\_ Proposed land use \_\_\_\_\_  
 Conforming  Non-conforming, Explain \_\_\_\_\_

17. Does each lot currently conform to the lot development requirements (*lot size, lot coverage, lot width*) of the zone district in which they are located?  Yes  No If no, please explain.

\_\_\_\_\_  
 \_\_\_\_\_

18. Will each proposed lot comply with the lot development requirements (*lot size, lot coverage, lot width*) of the zone district in which the proposed lot is located (*or proposed zone district, if a zone change of the property is necessary*)?  Yes  No If no, please explain. \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

19. Do any of the proposed lots contain buildings or structures?  Yes  No If answered yes, do all such buildings or structures meet the development requirements (*maximum building height, front yard setback, rear yard setback, side yard setback taking into consideration use of structure or buildings and adjoining use etcetera*) of the zone district in which they will be located?  Yes  No If no, please explain which development requirement(s) have not been met and how compliance will be attained? \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

20. Have all general and lot design standards of the Fremont County Subdivision Regulations, Appendix 1 been met by this proposal?  Yes  No If no, please list the standards not being met.

- a. \_\_\_\_\_  
 b. \_\_\_\_\_  
 c. \_\_\_\_\_

21. What is the potable water source for each proposed lot? If the source is a public water supply, will the proposed adjustment be in compliance with the rules and regulations of said supplier? If the source is a private well, will the proposed adjustment be in compliance with the rules and regulations of the Colorado Division of Water Resources?

- a. Source \_\_\_\_\_ Compliance \_\_\_\_\_

b. Source \_\_\_\_\_ Compliance \_\_\_\_\_  
c. Source \_\_\_\_\_ Compliance \_\_\_\_\_

22. What is the sewage disposal source for each proposed lot? If the source is a public sanitary sewer system, will the proposed adjustment be in compliance with the rules and regulations of said district? If the source is a septic system, will the proposed adjustment be in compliance with the Fremont County Individual Sewage Disposal Systems Regulations?

a. Source \_\_\_\_\_ Compliance \_\_\_\_\_  
b. Source \_\_\_\_\_ Compliance \_\_\_\_\_  
c. Source \_\_\_\_\_ Compliance \_\_\_\_\_

23. What is the access for each proposed lot to a public right-of-way? Will the proposed adjustment affect the access of each proposed lot in any way?

a. Source of access \_\_\_\_\_ Effect \_\_\_\_\_  
b. Source of access \_\_\_\_\_ Effect \_\_\_\_\_  
c. Source of access \_\_\_\_\_ Effect \_\_\_\_\_

24. Do any of the proposed lots have irrigation rights?  Yes  No Are any of the proposed lots traversed by an irrigation canal, lateral, ditch or easement?  Yes  No If yes to either question, please state the company name and provide a statement as to how the proposed adjustment will affect the irrigation rights.

a. Irrigation Company \_\_\_\_\_ Effect \_\_\_\_\_  
b. Irrigation Company \_\_\_\_\_ Effect \_\_\_\_\_  
c. Irrigation Company \_\_\_\_\_ Effect \_\_\_\_\_

25. Do any of the involved properties include natural features and how may they be affected (*explain*) by this proposal?

a. Bodies of water \_\_\_\_\_ Effect \_\_\_\_\_  
Natural water courses \_\_\_\_\_ Effect \_\_\_\_\_  
Dry gulches or drainage ways \_\_\_\_\_ Effect \_\_\_\_\_  
Bluffs or cliffs \_\_\_\_\_ Effect \_\_\_\_\_  
Fault lines or other geologic hazards \_\_\_\_\_ Effect \_\_\_\_\_  
FEMA flood zone \_\_\_\_\_ Effect \_\_\_\_\_

b. Bodies of water \_\_\_\_\_ Effect \_\_\_\_\_  
Natural water courses \_\_\_\_\_ Effect \_\_\_\_\_  
Dry gulches or drainage ways \_\_\_\_\_ Effect \_\_\_\_\_  
Bluffs or cliffs \_\_\_\_\_ Effect \_\_\_\_\_

Fault lines or other geologic hazards \_\_\_\_\_ Effect \_\_\_\_\_

FEMA flood zone \_\_\_\_\_ Effect \_\_\_\_\_

c. Bodies of water \_\_\_\_\_ Effect \_\_\_\_\_

Natural water courses \_\_\_\_\_ Effect \_\_\_\_\_

Dry gulches or drainage ways \_\_\_\_\_ Effect \_\_\_\_\_

Bluffs or cliffs \_\_\_\_\_ Effect \_\_\_\_\_

Fault lines or other geologic hazards \_\_\_\_\_ Effect \_\_\_\_\_

FEMA flood zone \_\_\_\_\_ Effect \_\_\_\_\_

26. In accordance with the Fremont County Subdivision Regulations (XIV., E., 5.), a copy of the proposed final plat shall be provided that locates, by providing dimensions from property lines and size by dimension, all improvements (*ie...roads, driveways, sewer and water lines, other utility lines, septic systems, wells, structures, buildings, irrigation ditches, drainage structures, etc.*), natural physical features (*ie...bluffs, cliffs, debris fans, water courses, live streams, dry gulches, drainages, FEMA flood zones, etc.*), and easements and rights-of-way described in the title commitment or any of the same known to exist without being of record, which affect or traverse the property. More than one drawing may be used, if more understandable. **If no such items exist then a written statement to that effect regarding each category shall be provided by the project surveyor.**

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Project Surveyor Signature \_\_\_\_\_ Date \_\_\_\_\_

27. In accordance with the Fremont County Subdivision Regulations (XIV., E., 6.) proof shall be provided (*certified mail with return receipt*) that all individuals and entities having any rights of record easements and all applicable utility companies were notified of this application. The notification shall include a form letter provided by the Department and a copy of the proposed plat

provided by the applicant. The person(s) and or entity(s) receiving such notice shall have ten days from the date of receipt to respond in writing to the Department with any comments regarding the proposed adjustment.

Water source _____	Mail date _____	Received date _____
Sanitation source _____	Mail date _____	Received date _____
Electric source _____	Mail date _____	Received date _____
Natural gas source _____	Mail date _____	Received date _____
Telephone source _____	Mail date _____	Received date _____
Cable television source _____	Mail date _____	Received date _____
Irrigation source _____	Mail date _____	Received date _____
Right of easement _____	Mail date _____	Received date _____
Other required notice _____	Mail date _____	Received date _____

28. At least three copies of the proposed plat drawing, drawn in accordance with the Fremont County Subdivision Regulations (XIV., E.), shall be attached to this application.

29. A submittal fee of \$ \_\_\_\_\_ is attached to this application (Check # \_\_\_\_\_  cash)

**By signing this Application, the Applicant, or the agent/representative acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the application and any attachments to the Application, is true and correct to the best of Applicant’s knowledge and belief.**

**Fremont County hereby advises Applicant that if any material information contained herein is determined to be misleading, inaccurate or false, the Board of Commissioners may take any and all reasonable and appropriate steps to declare actions of the Board regarding the Application to be null and void.**

**Signing this Application is a declaration by the Applicant to conform to all plans, drawings, and commitments submitted with or contained within this Application, provided that the same is in conformance with the Fremont County Zoning Resolution.**

_____ Property “a” Owner Printed Name	_____ Signature	_____ Date
_____ Property “b” Owner Printed Name	_____ Signature	_____ Date
_____ Property “c” Owner Printed Name	_____ Signature	_____ Date