

FREMONT COUNTY MINOR SUBDIVISION APPLICATION

1. Proposed Subdivision Name: _____

2. Applicant: _____ Address: _____
City: _____ State: _____ Zip Code: _____
Telephone #: _____ Facsimile #: _____

3. Owner: _____ Address: _____
City: _____ State: _____ Zip Code: _____
Telephone #: _____ Facsimile #: _____

4. Consultant: _____ Address: _____
City: _____ State: _____ Zip Code: _____
Telephone #: _____ Facsimile #: _____

Please read prior to completion of this application

The Minor Subdivision Application is a one (1) time exemption from the Sketch Plan, Preliminary Plan and Major Subdivision (*Final Plat*) procedures. The Minor Subdivision Application allows for the creation of two (2) or three (3) lots from a parent parcel. One (1) Minor Subdivision may be allowed for a lot, tract or parcel that has not been previously platted as a Minor or a Major Subdivision or any portion thereof. If the parent parcel has been previously platted or subdivided in whole or in part as a Minor Subdivision or a Major Subdivision, then all appropriate Sketch Plan, Preliminary Plan and Major Subdivision requirements shall be met rather than Minor Subdivision. In processing a Minor Subdivision all lot size and width requirements as per the Fremont County Zoning Resolution (FCZR), Zoning Maps and Appendix 1 and 2 of the Fremont County Subdivision Regulations (FCSR) regarding lot and street design shall be met.

Any application which is not complete or does not include all minimum submittal requirements will not be accepted by the Fremont County Department of Planning and Zoning (Department). Further, any application that is inadequately prepared, or is incomplete, may be subject to postponement (*until an adequate submittal is provided*) of placement on an agenda of the Fremont County Planning Commission (Commission).

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

about the application, which must be addressed by the applicant. In addition the letter will note the number of revised application packets that must be supplied to the Department in order to place the application on an agenda of the Commission.

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 it 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.

If the application is approved by the Board with contingencies and the contingencies cannot be met within the specified time frame (*normally 6 months*), an additional fee will be charged, as per resolution approved by the Board, to the applicant 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. Extensions must be requested prior to the expiration of the specified time frame.

The Department, The Commission and/or The Board may require additional information at any time during the application process as may be deemed necessary in order to review the application adequately, to determine if the application is in compliance with all applicable regulations and make an informed decision with regard to recommendations, approval or disapproval of the application.

For specific regulatory requirements the applicant should refer to the appropriate sections of the Fremont County Subdivision Regulations (FCSR) and the Fremont County Zoning Resolution (FCZR). In addition, consideration shall be given to the Fremont County Master Plan (FCMP), as the Department will consider it in the review of Minor Subdivision applications which could result in the need for additional information from the applicant.

For further reference the Fremont County Zoning Resolution may be viewed on the Internet at <http://www.fremontco.com/planningandzoning/zoningresolution.pdf> and the Fremont County Subdivision Regulations may be viewed on the Internet at <http://www.fremontco.com/planningandzoning/forms/subdivisionregulations.pdf>

5. Has the subject property been previously platted? Yes --- No If yes, please explain the circumstances. _____

6. The total number of properties involved in the subject property prior to this application for minor subdivision are _____

7. The total number of lots as a result of this minor subdivision are _____

8. What is the existing size of the subject property prior to this application?
Acreage _____ Square Footage _____

9. What is the proposed size of each lot after platting?
a. Acreage _____ Square Footage _____
b. Acreage _____ Square Footage _____
c. Acreage _____ Square Footage _____

10. What is the current Zone District for the subject property?
The subject property is currently located in the _____ Zone District.

11. Is there a proposal to change the current zoning classification for any portion of the subject property? Yes --- No If yes, please state what change is proposed. _____

12. What is the current land use of the subject property?
This current land use of the subject property is conforming non-conforming with the current zone district requirements. Please explain: _____

If the current use is a non-conforming use and proposed to remain on the subject property, an application for “non-conforming use status” shall be filed with the Department and copy shall be attached to this application as Exhibit 12.1. An exhibit has been attached. *It should be noted that if this use is determined not to be a non-conforming use, said use shall be removed from the subject property.*

13. What is the proposed land use of the subject property? _____

This proposed land use of the subject property will be conforming non-conforming with the current or proposed zone district requirements. Please explain: _____

-

14. Does the subject property contain any existing structures that will remain on the property after subdivision? Yes --- No. If yes, the proposed lot(s) housing the existing structures must comply with the development requirements of the proposed zone district regarding the structures; please provide all setback dimensions for each structure from the proposed lot lines and the percentage of the lot coverage for each lot which will continue to house an existing structure: _____

-

15. Does each proposed lot have an adequate building site, taking into consideration setback and lot coverage requirements for the proposed zone district, building restriction lines, flood plains and other natural features, and existing and proposed easements? Yes --- No If no, how is the lot to be used? _____

16. Have all General, Lot, Access, Street Design, Engineering, Sewage Disposal, Easement and Open Space Standards and or Specifications of the FCSR Appendix 1 been met by this proposal? Yes --- No If no, please list each standard or specification and provide a regulation citing which will not be met and provide an explanation as to why it will not be met. _____

17. What is the name and or number of the public right-of-way(s) that will provide access to each proposed lot? _____

18. Is the public right-of-way(s) proposed to provide access to the subject property a County, State or Federal right-of-way? Documentation evidencing a "right of access" shall be attached

An exhibit has been attached.

19. Will each proposed lot have adequate frontage on the public right-of-way? Yes --- No If no, please provide a copy of an executed deed for ingress and egress, which shall be attached to this application and shall be marked as Exhibit 19.1. An exhibit has been attached.

20. A copy of the most current deed of record of the subject property must be attached to this application, marked as Exhibit 20.1 (*An exhibit has been attached.*) and can be found recorded in the Fremont County Clerk and Recorder's Office as follows:

In Book _____ at Page _____ and under Reception Number _____

21. A title commitment with an effective date within thirty (30) days of the application submittal date, for each property involved in this application shall be attached to this application, marked as Exhibit 21.1. An exhibit has been attached. (*an updated title commitment shall be provided prior to recording of the final plat for any application that was granted an extension of approval or as applicable by regulation, this could result in further requirement of the applicant, by the Department, prior to recording of the final plat*):

Document Number _____ Effective Date of Document _____

22. As per the FCSR Section XII., G., 7., an executed Ratification, Consent and Release Form (*forms are provided by the Department for execution with the initial D & C Letter*) shall be provided for each outstanding mortgage, deed of trust, lien, judgment or the like for each property involved in a minor subdivision application prior to recording of the final plat. Will any property involved in this application require a form to be executed and submitted? Yes --- No If answered yes please list and identify the documents that will require RCR forms. _____

23. 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.

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.

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. _____

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. _____

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. _____

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. _____

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

24. As per the FCSR Section XII., G., 8., a tax certificate issued by the Fremont County Treasurer shall be provided indicating that all ad valorem taxes for the subject property for all years prior to the year in which the final plat is to be recorded have been paid. Said Certificate shall be attached and marked as Exhibit 24.1. An exhibit has been attached.

Date of Tax Certificate _____

25. Does the subject property lie within an area that has been under mined as depicted by the Colorado Department of Natural Resources, Colorado Geological Survey "Mining and Surface Features Maps" or any known active or inactive under ground mine? Yes --- No Please explain: _____

26. Does the subject property contain any of the following natural features and how may they be affected (*explain*) by this proposal?

a. Bodies of water _____ Effect _____

b. Natural water courses _____ Effect _____

c. Dry gulches or drainage ways _____ Effect _____

d. Bluffs or cliffs _____ Effect _____

e. Fault lines or other geologic hazards _____ Effect _____

f. FEMA flood hazard area _____ Effect _____

27. In accordance with the FCSR Section XII., F., 2., a., a copy of the proposed final plat shall be provided that locates, by providing dimensions from property lines and size by dimension, all improvements (*i.e. roads, driveways, sewer and water lines, other utility lines, septic systems, wells, structures, buildings, irrigation ditches, drainage structures etc.*), natural physical features (*i.e. soil type boundaries, bluffs, cliffs, debris fans, water courses, live streams, dry gulches, drainages 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 effect or traverse the property. More than one drawing may be used, if more understandable. A copy of the final plat as required has been attached and marked as Exhibit 27.1.

If no such items exist then a written statement to that effect regarding each category shall be provided by the project surveyor. _____

Project Surveyor Signature _____ Date _____

28. Topographic and soils information, sufficient to show the usability of the proposed lots for the purpose intended, with the source of information identified, shall be attached to this application, marked as Exhibit 28.1. An exhibit has been attached. Identify the source of information and provide a general synopsis of the information: _____

29. As per the FCSR Section XII., F., 7. a Drainage Plan Map and Report for the subject property after subdivision, prepared, signed and sealed by a Colorado Registered Professional Engineer shall be attached to this application, marked as Exhibit 29.1. An exhibit has been attached.

30. What is the potable water source for each proposed lot? --- Public Water Supply; Name of supplier _____

If the potable water source is a water company or district, then documentation evidencing that the supplier has committed to supply water for the appropriate number of lots and uses shall be attached to this application, marked as Exhibit 30.1. --- Private Well or Spring? If the potable water source is a private well or spring then documentation from the Colorado Division of Water Resources evidencing that the proposed subdivision will comply with the rules and regulations of the Division shall be attached to this application, marked as Exhibit 30.1. An exhibit has been attached.

31. What is the sewage disposal source for each proposed lot? --- Public Sanitary Sewer System; Name of provider _____

If the proposed source is a public sanitary sewer system, then documentation evidencing that the provider has committed to provide service for the appropriate number of lots and uses shall be attached to this application, marked as Exhibit 31.1. --- Individual Sewage Disposal Systems; If the proposed sources are individual sewage disposal systems for each lot then an Individual Sewage Disposal Report, as required by The FCSR Section XII., F., 4., shall be attached to this application, marked as Exhibit 31.1. An exhibit has been attached.

32. Does the subject property currently have irrigation rights? Yes --- No If yes, Name of Irrigation Company _____

Is the subject property encumbered by right of easement or right of use by any irrigation company? Yes --- No If yes, Name of Irrigation Company _____

As per the FCSR Section XII., F., 8. If any property involved in a minor subdivision has irrigation rights, and is subject to easement or is physically traversed by an irrigation ditch, the irrigation company shall be sent notice of the proposed subdivision, by certified mail (*return receipt requested*) and a copy of said notice and mailing receipts shall be attached to this application, marked as Exhibit 32.1. An exhibit has been attached.

33. Does the subject property lie within a Fire Protection District? Yes --- No If yes, Name of District _____

As per the FCSR Section XII., F., 9., attach an executed copy of the Fremont County Fire Protection Plan Form from the appropriate Fire Protection District marked as Exhibit 33.1. An exhibit has been attached.

34. Does the subject property lie within a recreation district? Yes --- No If yes, Name of District _____

Does the subject property lie within one (1) mile of a recreation district? Yes --- No If yes, Name of District _____

As per the FCSR Section XII., F., 10., a copy of the Fremont County Recreation District Comment Form shall be sent (*certified mail, return receipt requested*) to the appropriate recreation district, when the subject property is located within a recreation district or is located within one (1) mile of a recreation district. Evidence of said notice and mailing receipt shall be attached to this application, marked as Exhibit 34.1. An exhibit has been attached.

35. Have the mineral interests of the subject property been severed? Yes --- No If yes, name of mineral interest owner _____

As per the FCSR Section XII., F., 11., a notice of the proposed subdivision shall be sent (*certified mail return receipt requested*) to the severed mineral interest owner(s). Evidence of said notice and mail receipt shall be attached to this application, marked as Exhibit 35.1. An exhibit has been attached.

36. Do any persons or entities have any right of easement on or across the subject property? Yes --
- No If yes, Name of Person(s) or Entity _____

As per the FCSR Section XII., F., 12., a notice of the proposed subdivision shall be sent (*certified mail return receipt requested*) to the easement beneficiary. Evidence of said notice and receipt shall be attached to this application, marked as Exhibit 36.1. An exhibit has been attached.

37. In accordance with the FCSR Section XII., F., 12., proof (*certified mail with return receipt*) that all applicable utility companies (*companies that service the property currently or that will be required to service the property after subdivision*) were notified of this application. The notification shall include a copy of the Department form letter and a copy of the proposed plat provided by the applicant. Evidence of said notice and mailing receipts to all of the following, as applicable, shall be attached to this application and shall be marked as Exhibit 37.1. An exhibit has been attached.

Water source _____	Mail date _____	Received date _____
Sanitation source _____	Mail date _____	Received date _____
Electrical 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 _____
Other required notice _____	Mail date _____	Received date _____

38. Have at a minimum, three (3) copies of a final plat drawing (24 x 36 inches) and three (3) reduced copies, (8½ x 11 inches or 11 x 17 inches) , professionally drawn, as stipulated by the Fremont County Subdivision Regulations, Section XII., D. and E., been submitted with this application?
 Yes --- No If all such requirements are not proposed to be met then, a list of requested waivers, specifically citing the regulations for which waivers are being requested and justification for each requested waiver shall be attached hereto and marked as Exhibit 38.1. An exhibit has been attached. At a minimum, the following (*the Department, Commission or Board can require additional information*) shall be provided:
- a. Drawing scale, unless a different scale is approved by the Department prior to submittal, shall not be less than one (1) inch to one hundred (100) feet.
 - b. Multiple sheets shall contain a key map showing the relationship of the individual sheets. (*More than one sheet may be used if it is easier to express the required information, provided they are adequately labeled for identification*).
 - c. Appropriate title-proposed subdivision name. *No subdivision in the County shall bear the same name or substantially similar name as another subdivision unless adjoining and using consecutive filing numbers. The Department shall have the authority to require applicant to change the proposed name if such name is substantially similar to the name of an existing subdivision in the County.*
 - d. Appropriate Sub Title shall contain one of the following: A portion of the (*aliquot description*) Section, Township, Range, Fremont County, Colorado or A Vacation and Re-plat of (*Lot(s), Block(s) of [Name of Subdivision]*), Fremont County, Colorado, as appropriate, dependent on whether or not the property being subdivided is un-platted or platted property.
 - e. The total acreage contained within the area being platted.
 - f. Acreage and / or square footage for each proposed lot.
 - g. All blocks and all lots within each block shall be consecutively numbered.
 - h. Name and address of the person, firm or organization preparing the drawing.
 - i. The date of preparation of the drawing and all revision dates to the submitted drawing.
 - j. A north point (*arrow*).
 - k. A written and graphic scale of the plat drawing.
 - l. A vicinity map locating the subject property in relation to the surrounding roadways, streets and commonly known natural features (*such as rivers, mountain peaks, and cliffs, etcetera*).
 - m. The proposed lot layout with appropriate survey information showing the lengths to hundredths of a foot, and angles and bearings to seconds of a degree for all lot lines.
 - n. All bearings and dimensions for irregularly shaped lots shall be shown.
 - o. A direct survey tie from the proposed subdivision boundary to an aliquot survey monument.
 - p. A statement identifying the basis of bearing for the proposed subdivision boundary.

- q. The exterior boundary lines of the proposed subdivision, indicating length and bearing.
- r. For curved boundaries sufficient data to re-establish the curves on the ground.
- s. Note all non-radial lot or boundary lines.
- t. Note all survey monuments set and found.
- u. Note any "Reference Monuments" and or "Witness Corner."
- v. Note or label centerline bearing and distance, curve information for all proposed or existing rights-of-way that service or are adjacent to the proposed subdivision.
- w. All new streets shall be named. *No roadway in the County shall bear the same or similar name to another roadway unless one roadway feeds to the other roadway with the similar name.*
- x. Note or label the use, bearings, dimensions of all existing and proposed easements except those proposed easements that are referenced by the FCSR Section XII., E., 28., a., (7).
- y. Excepted parcels shall be labeled as "Not included in this subdivision".
- z. All stem, flag lots or irregular shaped lots shall contain the setback line, shown by a thin dashed line which is labeled as the setback line.

aa. Has all required Subdivision Plat Language (FCSR Section XII., E., 28.) been provided?
 Yes --- No

- 39. Is this application for a condominium or townhouse plat? Yes --- No If yes, then the condominium or townhouse application addendum, in accordance with the FCSR Section XII., H., shall be attached hereto and marked as Exhibit 39.1. An exhibit has been attached.
- 40. Any waiver(s) that is requested from the FCSR regarding this application shall be stated in written form, with the citing of the regulation for which the waiver is being requested along with an explanation as to why the waiver is necessary and attached to this application, marked as Exhibit 40.1. An exhibit has been attached.
- 41. Are there any existing deed restrictions on the property which might affect the subdivision of the subject property? Yes --- No If yes, provide copies of such documents marked as Exhibit 41.1. An exhibit has been attached.
- 42. Are there any proposed deed restrictions on the subject property that would be implemented as a portion of the County approval of the Minor Subdivision Application? Yes --- No If yes, provide copies of such documents marked as Exhibit 42.1. An exhibit has been attached.
- 43. Are there any proposed improvements regarding such items as streets, public water and sewer systems, stormwater drainage facilities and the like? Yes --- No Please explain. _____

If yes, then the FCSR Sections X. (Utilities & Improvements – General Requirements) and XI. (Guarantee of Public Improvements) would apply to this application.

44. **PLEASE NOTE:** The following items (*but not limited to these items*), if not provided at the time of application, may be required to be provided to the Department after approval by the Board as contingency of approval items, if so required the items shall be provided prior to recording of the final plat:
- a. Information adequate to enable the Department to compute addresses for the lots being platted. Provided (marked as Exhibit 44.a.1) --- Requested contingency item
 - b. Closure sheets for each lot and the subdivision boundary. Provided (marked as Exhibit 44.b.1) --- Requested contingency item
 - c. An approved County or Colorado Department of Transportation Access Permit(s) as may be appropriate. Provided (marked as Exhibit 44.c.1) --- Requested contingency item
 - d. A detailed utility plan showing the proposed location of all utility and irrigation improvement locations, horizontal and vertical, as proposed by the developer, for all subdivisions where a new road, street or rights-of-way is proposed. The plan shall include the signatures of all utility providers, indicating their approval of such plan. Provided (marked as Exhibit 44.d.1) --- Requested contingency item
 - e. An executed quit-claim deed with a deed restriction addressing the maintenance of any drainage facilities, drainage easements, rights-of-way etc., may be required, if applicable. Such deed is to be recorded at the time of recording of the final plat, with all recording fees being at the expense of the applicant. Provided (marked as Exhibit 44.e.1) --- Requested contingency item
 - f. Properly executed Ratification, Consent and Release Forms will be required for any outstanding mortgages, deeds of trust, liens, judgments or the like. Provided (marked as Exhibit 44.f.1) --- Requested contingency item
45. 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.

Applicant understands that any required private or public improvements imposed as a contingency for approval of the application may be required as a part of the approval process.

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.

Applicant Printed Name

Signature

Date

Owner Printed Name

Signature

Date