



MORGAN COUNTY PLANNING,  
 ZONING & BUILDING DEPT.  
 231 Ensign, P.O. Box 596  
 Fort Morgan, Colorado 80701  
 PHONE (970)542-3526  
 FAX (970)542-3509  
 EMAIL [pcherry@co.morgan.co.us](mailto:pcherry@co.morgan.co.us) OR [permits\\_licensing@co.morgan.co.us](mailto:permits_licensing@co.morgan.co.us)

PERMIT # \_\_\_\_\_ - \_\_\_\_\_

Date Received _____/_____/_____	Received By _____
App Fee \$50.00	Ck/CC #: _____
100 Year Floodplain <u>Y/N</u>	Taxes Current <u>Y/N</u>

## VARIANCE TO ZONING REGULATIONS APPLICATION

Landowner **MUST** Sign Application and Right to Farm Policy

### APPLICANT

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 \_\_\_\_\_  
 Phone ( \_\_\_\_\_ ) \_\_\_\_\_  
 Email \_\_\_\_\_

### LANDOWNER

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 \_\_\_\_\_  
 Phone ( \_\_\_\_\_ ) \_\_\_\_\_  
 Email \_\_\_\_\_

### PROPERTY LEGAL DESCRIPTION *\*If more space is necessary, attach an extra page to this application*

Job Site Address or General Location if not addressed:

Parcel #: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ S: \_\_\_\_\_ T: \_\_\_\_\_ R: \_\_\_\_\_  $\frac{1}{2}$   $\frac{1}{4}$   $\frac{1}{4}$   
 Size of Property \_\_\_\_\_ (in sq. ft. or acres) Zone District: \_\_\_\_\_  
 Subdivision: \_\_\_\_\_ Lot #(s): \_\_\_\_\_  
 Is property located within 1320' (1/4) of a livestock confinement facility? Y/N

### TYPE OF VARIANCE

- Minimum Area of Lot (see list of additional attachments) from \_\_\_\_\_ to \_\_\_\_\_
- Minimum Width of Lot- from \_\_\_\_\_ to \_\_\_\_\_
- Maximum Height of Fence, Sign or Structure from \_\_\_\_\_ to \_\_\_\_\_
- Minimum Front Yard from \_\_\_\_\_ to \_\_\_\_\_
- Minimum Side Yard from \_\_\_\_\_ to \_\_\_\_\_
- Minimum Rear Yard from \_\_\_\_\_ to \_\_\_\_\_
- Other: Variance from Section # \_\_\_\_\_ of Morgan County Zoning Regulations,

Notes: \_\_\_\_\_

**SEE REQUIRED ATTACHMENT LIST ON BACK OF THIS PAGE.**

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED OR PROCESSED.**

## VARIANCE TO ZONING REGULATIONS APPLICATION REQUIRED ATTACHMENT LIST

### Fee:

- Non-Refundable Application Fee as determined by staff:
  - \$150 Administrative Review (variance of 10% or less)
- OR
- \$500 Full Review

*\*Fee may be subject to change per section 2-160 of Morgan County Zoning Regulations*

- Recording fee for covenants made payable to Morgan County Clerk & Recorder
  - \$13.00 first page     \$5.00 each additional page     \_\_\_pages x \$5 =\$\_\_\_

### Project Narrative:

- Narrative must include:
  - Name and explain in detail the interpretation of the provisions of the Zoning Regulations that would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.
  - Discuss fully the special conditions and circumstances that exist which are **peculiar** to the lot, structure, or building involved and which are **not** applicable to other lots, structures or buildings in the same zoning district.
  - Explain how special conditions or circumstances do not result solely from the action of the applicant.
  - Provide evidence that the variance requested is the minimum variance that will make possible the use of the lot, building, or structure.
  - All off-site impacts and proposed mitigation measures

### Site Map & Plans:

- Site Plan must be drawn to scale and show the location of existing structures, fences, natural features, streets, rights-of-way, easements, greenbelt areas, boundary lines and lot lines. The site plan will graphically display the design standards, such as setbacks, which are the subject of application request, and other pertinent information required for the project, including widths per Morgan County Zoning Regulations, Section 2-420

Include any easements required-widths and other pertinent information.

*May be required to supply copies of easement agreements*

- Construction Plans-detailed and thorough (**must be sent electronically**)
- Drainage/Run-Off Control Plan** may be required prior to approval if the Planning Administrator determines that the use, building or structure meets one of the following criteria: (see Morgan County Zoning Regulations 3-130(G))

- (1) The accessory use or building may have a drainage impact on adjacent properties;
- (2) The accessory use or building may have a drainage impact on adjacent right of ways;
- (3) The accessory structure is 5000 square feet or larger.

Proof of Ownership:  Current title insurance commitment or Attorney's opinion (last 6 months)

- Utilities/Access:**
- Driveway Permit** from CDOT or Morgan County Road and Bridge (new and existing driveways off county or state maintained roads)
  - Ditch Company**- Proof of contact if there is a ditch on or next to your property
  - Architecture Control Approval** (if applicable)

- Technical:**
- Right to Farm Policy** signed by Landowner (attached)
  - Names and addresses of all **mineral rights owners** and/or lessees
  - Approval of project from adjoining landowners (administrative review only)
  - \_\_\_# **Paper Application sets-**                       **Digital Copy of Application**  
*One sided only please*
  - Additional information as required by staff: \_\_\_\_\_
- 

**Additional Requirements for Minimum Lot Size or Lot Width Variances:** (Or as required by staff)

*See attached excerpt for more details*

- Survey** per Sections 8-175 and 8-180 of the Morgan County Subdivision Regulations
- Water**-must prove quality, quantity, & reliability (Quality Water Contract or current Permit from Colorado Department of Natural Resources)  
<https://dwr.state.co.us/Tools/WellPermits>
- Sewer** (Septic Permit, Will Serve Letter from NCHD or proof of other public system)
- Electric** (Electric bill or letter of commitment from electricity provider)

**APPLICANT’S STATEMENT**

Applications will **not** be accepted for properties which are not current in their property taxes.

It is acknowledged that any drainage associated with this property in the past, present or future is the responsibility of the landowner and not that of Morgan County. I/we certify that the information and exhibits I/we have submitted are true and correct to the best of my knowledge. Application must be signed by landowner.

\_\_\_\_\_  
 Applicant Signature                      Date

\_\_\_\_\_  
 Landowner Signature                      Date

\_\_\_\_\_  
 Applicant Signature                      Date

\_\_\_\_\_  
 Landowner Signature                      Date

## MORGAN COUNTY RIGHT TO FARM POLICY / NOTICE

Morgan County is one of the most productive agricultural counties in Colorado. Ranching, farming, animal feeding, and all other manner of agricultural activities and operations in Morgan County are integral and necessary elements of the continued vitality of the county's economy, culture, landscape and lifestyle. Morgan County specifically recognizes the importance of agricultural operations as necessary and worthy of recognition and protection.

Landowners, residents and visitors must be prepared to accept as normal the effects of agriculture and rural living. These may include noise from tractors, equipment, and aerial spraying sometimes at night or in the early morning; dust from animal pens, field work, harvesting, and gravel roads; odor from animal confinement operations, silage and manure; smoke from ditch burning; flies and mosquitoes; the use of pesticides and fertilizers, including aerial spraying; and movement of livestock or machinery on public roads. Under the provisions of the State of Colorado's "Right to Farm" law (Section 35-3.5-101 and following, C.R.S.), all normal and non-negligent agricultural operations may not be considered nuisances.

Also public services in a rural area are not at the same level as in an urban or suburban setting. Road maintenance may be at a lower level, mail delivery may not be as frequent, utility services may be nonexistent or subject to interruption, law enforcement, fire protection and ambulance service will have considerably longer response times, snow may not be removed from county roads for several days after a major snow storm. First priority for snow removal is that school bus routes are normally cleared first.

Children are exposed to different hazards in a rural setting than they are in an urban or suburban area. Farm and oilfield equipment, ponds, and irrigation ditches, electrical service to pumps and oil field operations, high speed traffic, noxious weeds, livestock, and territorial farm dogs may present real threats to children. It is necessary that children's activities be properly supervised for both the protection of the children and protection of the farmer's livelihood.

All rural residents and property owners are encouraged to learn about their rights and responsibilities and to act as good neighbors and citizens of Morgan County. This includes but is not limited to obligations under Colorado State law and Morgan County Zoning Regulations regarding maintenance of fences, controlling weeds, keeping livestock and pets under control. There may be provisions of which you are unaware. For example, because Colorado is a Fence Law State, owners of property may be required to fence livestock out.

Information regarding these topics may be obtained from the Colorado State University Cooperative Extension Office, the County Planning and Zoning Department, and the County Attorney.

### RECEIPT AND STATEMENT OF UNDERSTANDING

I hereby certify that I have received, read, and understood the Morgan County Statement of Policy and Notice regarding Right to Farm.

I further state that I am aware that the conditions of living in an unincorporated area are different than living in a town or city and that the responsibilities of rural residents are different from urban or suburban residents. I understand that under Colorado law that a pre-existing, non-negligent agricultural operation may not be considered a public or private nuisance.

***To Be Signed by Landowner***

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Address

*Adopted by the Morgan County Board of County Commissioners by Resolution #96BCC41 on July 23, 1996 and amended by Resolution 2008 BCC 34 on September 2, 2008.*



**Road and Bridge Department**  
**REQUEST FOR DRIVEWAY ACCESS LETTER**

Requested By: Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Present Driveway Location: \_\_\_\_\_

New Driveway Location: \_\_\_\_\_

If this letter is to be mailed to an address different from above indicate:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Submit this request to: Morgan County Road and Bridge Department  
Attn: James Rehn – Bridge Manager  
17303 Co Rd S  
P.O. Box 516  
Fort Morgan, CO 80701  
(970) 542-3560 • Fax (970) 542-3569

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**For Office Use Only**

Determination: \_\_\_\_\_

GPS Coordinates, Centerline of Driveway in relation to road: Latitude: \_\_\_\_\_

Longitude: \_\_\_\_\_

Maximum Width of Driveway: \_\_\_\_\_ Feet

Culvert Required: YES / NO If yes, Size: \_\_\_\_\_ Inch

Driveway Address Code: \_\_\_\_\_

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

