



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 permits_licensing@co.morgan.co.us

PERMIT # _____ - _____

Date Received _____ / _____ / _____	Received By _____
Application Fee: \$ _____	Ck/CC #: _____ Paid _____ / _____ / _____
<input type="checkbox"/> Administrative Review	<input type="checkbox"/> Full Review
PC Date: _____ / _____ / _____	BOCC Date: _____ / _____ / _____
100 Year Floodplain? <u>Y/N</u>	Taxes Current? <u>Y/N</u>

CONDITIONAL USE APPLICATION

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

APPLICANT(S)

Name _____
 Address _____

 Phone _____
 Email _____

LANDOWNER(S)

Name _____
 Address _____

 Phone _____
 Email _____

PROPERTY LEGAL DESCRIPTION AND TECHNICAL INFORMATION

Address of Property (or general location if not yet addressed): **Attach extra pages if needed*

Parcel #: _____ - _____ - _____ - _____ Zone District: _____ Lot #(s): _____

S: _____ T: _____ R: _____ _____ 1/2 _____ 1/4 _____ 1/4 Total acreage in parcel: _____

Subdivision: _____

Is property located within one thousand three hundred twenty (1320) feet of a confined animal feeding operation, packing plant, slaughterhouse or rendering plant? YES NO

PRESENT USE OF PROPERTY _____

PROPOSED USE OF PROPERTY _____

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED OR PROCESSED

CONDITIONAL USE APPLICATION REQUIRED ATTACHMENT LIST

Additional information may be required by staff

Application Fee:

Non-Refundable Application Fee

**Additional fees and charges may be required pursuant to Section 2-160 of the Morgan County Zoning Regulations. Applicant will be responsible for any legal fees after the first 3 hours.*

Project Narrative:

Narrative to include:

- Project Description
- Purpose of request, including how the project meets the criteria for Conditional Uses in the of the Morgan County Zoning Regulations
- Additional information to show project's intent
- How project will relate to or impact existing adjacent uses
- All off-site impacts and proposed mitigation measures
- Development or implementation schedule of project
- Proposed length of time the permit is desired
- List the fire district the proposed project falls within
- Descriptions of the types of easements required, widths, and other pertinent information, if applicable

Plans/Maps:

- Site Plan** Map per requirements set forth in Morgan County Zoning Regulations in Sec. 2-465 (**SUBMIT ELECTRONICALLY**)
- Drainage Plan**, if applicable
- Facility Design Standards**, if applicable (CAFO)

Ownership:

- Current Title Commitment** (within 6 months)

Utilities/Access:

- Water** (Must prove quality, quantity & reliability), if applicable
 - Quality Water Bill / Engineering Report
 - Well Permit
 - Shared well agreement detailing the specifics for the responsibilities of the owners of the lots related to the shared well and any easements to access the well if shared well is proposed
 - Other proof of water
- Septic**, if applicable
 - Septic Permit
 - Will-Serve Letter
 - Other proof of public system
- Electric**, if applicable
 - Electric Bill
 - Will-Serve Letter
- Driveway Permit** (CDOT or Morgan County Road & Bridge)

MORGAN COUNTY RIGHT TO FARM POLICY

Morgan County is one of the most productive agricultural counties in Colorado. Ranching, farming, animal feeding, and all 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. Over 70% of the County's acreage is devoted to farming and raising livestock with over 700 farms. The agricultural products produced by those farms create millions of dollars of market value. Morgan County recognizes the importance of agricultural operations as necessary and worthy of recognition and protection and supports policies to maintain the high-quality rural character of the County.

Living in Morgan County requires residents to accept the effects of agriculture and rural living as part of daily life. Agricultural users of the land are not expected to change their long-established agricultural practices to accommodate the intrusions of residential activities into a rural area. These effects may include noise from tractors, equipment, and aerial spraying at any time; dust from animal pens, field work, harvesting, and use of gravel roads; odor from confinement animal feeding operations, silage and manure; smoke from ditch burning; flies and mosquitoes; the use of pesticides and fertilizers; and movement of livestock or machinery on public roads. Under Colorado law, these activities are not considered nuisances and are protected.

Residents must also accept that public services in rural areas are different than urban or suburban areas. Specifically, regular road maintenance may be less available and may be at a lower level. In certain circumstances, the standard for maintenance may be determined on whether the road is passable and usable and not whether the road surface is rough. County gravel roads, no matter how often they are maintained, will not provide the same kind of surface expected from a paved road and will not support travel at the recommended speed. Further, the County may permit certain road maintenance activities by agricultural producers or other industries to allow those commercial activities to continue when County resources are unavailable due to other road issues or events. The County considers these activities to be integral to the protection of agricultural operations in Morgan County.

In addition, in Morgan County, utility services may be nonexistent or subject to interruption; law enforcement, fire protection and ambulance service will have considerably longer response times; and snow may not be removed from County roads for several days after a major snowstorm. The County prioritizes snow removal as it deems necessary.

People are exposed to different hazards in a rural setting than they are in an urban or suburban area. Farms, ponds, irrigation ditches, electrical service to pumps and oil field equipment and operations, noxious weeds, livestock, and territorial animals may present real threats to people. It is necessary that all activities are supervised for both the protection of the people and protection of agricultural activities and owners may need to fence property to ensure a safe environment.

All County residents 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, including but not limited to, the Colorado Fence and Right to Farm laws, and Morgan County Zoning Regulations regarding maintenance of fences, controlling weeds, and keeping animals under control. Residents are responsible for understanding and accepting the implications of living in a rural agricultural area.

Information regarding these topics may be obtained from the Morgan County Extension Office and Planning and Zoning Department.

RECEIPT AND STATEMENT OF UNDERSTANDING

I hereby certify that I have read and understood the Morgan County Right to Farm Policy. I further state that I am aware and acknowledge that the conditions of living in a rural area, primarily used for agricultural production, and that I understand these activities are protected under Colorado law and are not considered a nuisance.

Signature Date

Signature Date

Printed Name

Printed Name

Address

Address



Application for Driveway Access Permit
Morgan County, Colorado

Instructions for Completing and Submitting Application

1. **Property Owner (Permittee):** Please provide the full name, mailing address, telephone number and email address (*if available*) of the legal property owner. The provided telephone number should be one where the Permittee can be reached during business hours Monday through Friday, 8:00 a.m. to 4:00 p.m. MDT.
2. **Agent of Permittee:** If the applicant (*person or company completing this application*) is different from the legal property owner (*Permittee*), provide entity name (*if applicable*), the full name of the person serving as the agent, mailing address, telephone number, and email address (*if available*). The provided telephone number should be one where the Agent can be reached during business hours Monday through Friday, 8:00 a.m. to 4:00 p.m. MDT. *Please provide documentation you are an agent of property owner.*
3. **Legal Description of property:** Provide the legal description to the full extent that applies for the property to be accessed by the requested driveway. Include the Assessor parcel number. This information is available through the County Assessor or Clerk and Records office or on your property deed(s).
4. **Road Access:** Complete the information on the County Road that will be accessed by this proposed driveway.
5. **New or Existing Driveway:** Complete the information for the driveway type.
New Driveways:
 - In determining location for the proposed driveway, take into account: line of site distances, relationship to road intersections, and relationship to crests of hills.
 - Please indicate the desired width of the new requested driveway.
 - If possible, provide a map showing the desired location of the proposed driveway.
 - ***The proposed area for the new driveway must be clearly marked with flagged stakes on each side of the proposed area. Please have the location marked as indicated prior to submitting application.***
6. Initial the bottom of page two (2) in the provided location indicating that you have read and understand the terms and conditions.
7. Signature Section must be signed and dated by the property owner or agent. *Applications will not be processed until they are fully completed, initialed, signed and submitted, along with any additional required documents.*
8. **Submission of Application:** Please submit application and all corresponding paperwork to:
By mail or in person: Morgan County Road and Bridge Department
P.O. Box 516
17303 County Road S
Fort Morgan, CO 80701
By Email to: rbmorganc@co.morgan.co.us

Application for Driveway Access Permit
Morgan County, Colorado

Terms and Conditions

1. The granting of this permit application is for one (1) property access across the county right of way onto a county road. The access must not exceed the approved width defined on the approved permit. Additional accesses crossing the right of way must be applied for separately.
2. If this access is to be onto an access/travelling easement, then a copy of the easement, recorded plat or use agreement must accompany this application.
3. The granting of a driveway access permit by Morgan County is only for the purpose of crossing the right of way under the counties jurisdiction. It is the permittee's responsibility to identify and obtain permissions to cross any other easements, covenants, right of ways or private agreements that may exist.
4. If the access request is onto any Federal or State lands, you must provide the names and contact information for the relevant agencies and attach a copy of the authorization for the property use.
5. All property owners/agents are responsible for any damages that may occur to the county road or right of way during installation of said driveway.
6. The construction and all costs associated with the construction of the driveway are the responsibility of the property owner/agent. The construction cannot exceed the defined width and must include any specified culverts required as defined in the approved permit. Culverts may be purchased from anywhere, however they must be approved by the county prior to installation. Culverts may also be purchased from Morgan County Road and Bridge.
7. If a culvert is required, it is for use by Morgan County to protect the road and right of way. Morgan County retains the right to utilize the culvert in any way it deems necessary.
8. If a culvert is not required at the time of permit issuance, however, in the future a culvert is deemed necessary, the cost of said culvert may be at the property owner's expense.
9. Inside the county right of way, the driveway may only consist of the travelling surface to access the property. No other structures or appurtenances may be placed in the right of way (*examples: columns, walls, fencing, large rocks, etc.*). The only exception to this requirement is mailboxes.
10. During the construction of an approved driveway, it is the responsibility of the property owner/agent and/or their contractor to insure safety to the travelling public. This could include the use of signs, cones and/or traffic control as necessary.
11. All repairs, maintenance and costs associated with said driveway are the responsibility of the property owner/agent.
12. Morgan County is not responsible for any damages to the driveway caused by normal maintenance operations, including but not limited to mowing, grading, and snowplowing.
13. The property owner/agent agrees to hold harmless, indemnify, and defend Morgan County from any claim of any person arising from the installation, use, maintenance, or removal of the driveway in the county right of way.
14. The terms, conditions and requirements defined in this application and subsequent approved permit will remain valid through any future sales, transfer of ownership or assignments of the property defined in this driveway application.

_____ Please Initial that you have read and understand the terms and conditions outlined on this page.

Application for Driveway Access Permit
Morgan County, Colorado

1. Property Owner (Permittee):

Name: _____
Address: _____
City/State/Zip Code: _____
Phone () _____ Email: _____

2. Agent of Property Owner (If Applicable)

Company/Individual Name _____
Contact Name (If Applicable) _____
Address: _____
City/State/Zip Code: _____
Phone () _____ Email: _____

3. Legal Description:

Parcel Number: _____

4. Road Access:

Access onto County Road _____ (Circle Direction) North / South / East / West of County Road _____

5. Driveway Type: (Check One) **New Driveway _____ Existing Driveway _____

Desired width of New Driveway _____ Feet.

****If this is a new driveway location, please place flagged stake marker on each side of the requested driveway location.**

I have read the instructions, terms and conditions outlined in this Driveway Access Permit Application, and agree to all terms and conditions outlined therein, furthermore, I understand no liability is assumed by the County of Morgan, Colorado or its agents by issuance of a permit for this application and all costs, present and future, associated with the access provided by an Approved Driveway Access Permit are the responsibility of the property owner/agent and or any future assignees. The applicant declares the information provided are true and complete to the best of their knowledge.

Property Owner/Agent Signature

Date

Submit Completed Application and All Supporting Documents to:

Morgan County Road and Bridge Department
P.O. Box 516
17303 County Road S
Fort Morgan, CO 80701
Or by Email to: rbmorganc@co.morgan.co.us
Phone: (970) 542-3560 Fax: (970) 542-3569

For Office Use only below this line

Determination: _____ Approved _____ Denied (Reason for Denial): _____

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

Maximum Width of Driveway: _____ Feet Longitude: _____

Culvert Required: YES / NO If Yes, Size: _____

Closest Intersecting Road _____ Measurement from Closest Intersecting Road _____ Feet

Driveway Access Code: _____

Completed By: _____ Date: _____

Vested Rights Option Form and/or Waiver

Submit with application.

Type of Review

Property Owner's Name

Address of Property

Applicant's Name

**OPTION
#1**

I, _____, intend to pursue the creation of a vested property right as provided for in Sec. 2-505 of the zoning regulations. In order to accomplish that, I am requesting that my application be referred to the Board of County Commissioners for a public hearing pursuant to the applicable sections of the Morgan County Zoning Regulations. I understand that if my request is approved by the Board, notice advising the general public of the Board's approval and the creation of a vested property right will be published in a newspaper of general circulation no later than fourteen days following final approval. By default, vested rights will be granted for a period of three years.

I understand and acknowledge that certain delays in my project's approval time may result in order to meet the hearing and notice requirements of state law for the creation of a vested property right.

Optional: I, _____, am requesting an *additional* _____ years and include a narrative explaining the reasoning for the additional vested years request.

Property Owner

By: _____

Date: _____

-If option #1 is requested, there will be a non-refundable fee-



**OPTION
#2**

I, _____, understand that I may pursue the creation of a vested property right as provided for in the Morgan County Zoning Regulations and C.R.S. § 24-68-103. and I choose to voluntarily waive this right. I have been advised by the County to consult an attorney prior to signing this waiver. Further, I understand that this waiver does not abridge any common law vested rights which I may acquire nor does it diminish any right which may exist under the County's Zoning or Subdivision Regulations, except for limitations on vested rights as detailed in the Morgan County Zoning Regulations.

Property Owner

By: _____

Date: _____