



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 _____
App Fee \$ _____ Ck/CC #: _____	Paid _____/_____/_____
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

LANDOWNER

Name _____

Name _____

Address _____

Address _____

Phone (_____) _____

Phone (_____) _____

Email _____

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:
 \$ ____ Administrative Review (variance of 10% or less)
OR
 \$ ____ Full Review

**Fee may be subject to change per section 2-160 of Morgan County Zoning Regulations. Applicant will be responsible for any legal fees after the first 5 hours.*

- 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 2-470

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 30 days)

- 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.



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. Submittal 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: _____

