



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
BOA Date: _____ / _____ / _____	
100 Year Floodplain? <u>Y/N</u>	Taxes Current? <u>Y/N</u>

VARIANCE TO ZONING REGULATIONS 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: _____ $\frac{1}{2}$ _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ 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

TYPE OF VARIANCE

- ☐ Minimum Area of Lot — **from** _____ **to** _____
- ☐ Minimum Width of Lot — **from** _____ **to** _____
- ☐ Maximum Height of Fence, Sign or Structure — **from** _____ **to** _____
- ☐ Minimum Front Yard — **from** _____ **to** _____
- ☐ Minimum Site Yard — **from** _____ **to** _____
- ☐ Minimum Rear Yard — **from** _____ **to** _____
- ☐ Other — Variance from Section # _____ of the Morgan County Zoning Regulations

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED OR PROCESSED

VARIANCE TO ZONING REGULATIONS 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:**

- ☐ Description of 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 in detail the special conditions and circumstances which are peculiar to the lot, structure, or building involved 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
- ☐ How the variance will be in compliance with the Variance Criteria in the Morgan County Zoning Regulations

Site Plans/Maps:

- ☐ **Site Plan** Map per requirements set forth in Morgan County Zoning Regulations in Sec. 2-465 **(SUBMIT ELECTRONICALLY)**
- ☐ **Construction Plans**

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), if applicable

Technical:

- ☐ **Ditch Company Notification** — if a ditch is on or adjacent to the parcel
- ☐ **Proof of Current Paid Taxes**
- ☐ **Statement of Authority**, if applicable
- ☐ **Architecture Control Approval**, if applicable
- ☐ **Right to Farm Policy** signed by all Landowners (Attached)
- ☐ **Recording Fees:** *All recording fees will be collected at the **conclusion** of all hearings. Made payable to Morgan County Clerk & Recorder*

Additional Information Required by Staff:

LANDOWNER AND APPLICANT STATEMENTS

I hereby certify that to the best of my knowledge, the information contained within this application package is true and correct.

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

Application must be signed by applicant and landowner as it appears in title insurance.

Applicant Signature	Date
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Landowner Signature _____ Date _____

Applicant Signature	Date
---------------------	------

Landowner Signature _____ Date _____

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

Adopted by the Morgan County Board of County Commissioners by Resolution 2025 BCC 21



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: _____