

EL PASO COUNTY LAND DEVELOPMENT CODE

Subdivision Exemption Application Packet

The purpose of this guide is to assist a landowner or authorized representative in the Subdivision Exemption process. This guide is to be used in conjunction with the El Paso County Land Development Code.

The petitioner shall have the burden of demonstrating that the Subdivision Exemption will conform to the applicable standards and requirements of the El Paso County Zoning Regulations. They shall provide all technical reports and information necessary for an adequate evaluation and review of the proposed Subdivision Exemption.

The basic requirements include but may not be limited to:

1. Application Form, see attached
2. Letter of Intent, see attached guidelines
3. Notice to Adjacent Property Owners, see attached guidelines
4. Submittal requirements for a Subdivision Exemption, referenced on the attached Subdivision Exemption Submittal Requirements Matrix
5. An Subdivision Exemption prepared as a Survey Plat, drawing requirements attached
6. Mineral Rights Certification, attached
7. Any other El Paso County, Local, State, or Federal Regulations that pertain to your application

El Paso County Development Services Department
2880 International Circle, Suite 110
Colorado Springs, CO 80910
PHONE 719-520-6300
FAX 719-520-6695

Date
File #
Receipt#
PM
Type: A B C D
Office Use Only

Petition/Application Form

Public Hearing Items:

- | | | |
|---|---|--|
| <input type="checkbox"/> Amended Plat | <input type="checkbox"/> Preliminary Plan | <input type="checkbox"/> Vacation of Existing Plat |
| <input type="checkbox"/> Appeals | <input type="checkbox"/> PUD | <input type="checkbox"/> Vacation of Interior Lot Line |
| <input type="checkbox"/> Board of Adjustment | <input type="checkbox"/> Rezone | <input type="checkbox"/> Vacation of Right-of-Way |
| <input type="checkbox"/> Certificate of Designation | <input type="checkbox"/> Site Specific Development Plan/Development Agreement | |
| <input type="checkbox"/> Expansion of Legal Nonconforming Use | <input type="checkbox"/> Variance of Use | |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Sketch Plan | <input type="checkbox"/> Vested Property Rights |
| <input type="checkbox"/> Location Approval | <input type="checkbox"/> Special Use Review | <input type="checkbox"/> Waiver of Regulations |
| <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Subdivision Exemption | 1. _____ |
| <input type="checkbox"/> Others | <input type="checkbox"/> Vacation/Replat | 2. _____ |
| 1. _____ | | 3. _____ |
| 2. _____ | | |
| 3. _____ | | |

Administrative Items:

- | | |
|---|--|
| <input type="checkbox"/> Billboard Credit | <input type="checkbox"/> Temporary Mobile Home Permit |
| <input type="checkbox"/> Care Facility | <input type="checkbox"/> Temporary Use Permit (check one below)* |
| <input type="checkbox"/> Determination of Nonconforming Use | <input type="checkbox"/> Carnival/Circus |
| <input type="checkbox"/> Home Occupation Permit (check one below) | <input type="checkbox"/> Christmas Tree Sales |
| <input type="checkbox"/> Rural | <input type="checkbox"/> Construction Office/Trailer |
| <input type="checkbox"/> Urban | <input type="checkbox"/> Fireworks Stand |
| <input type="checkbox"/> Merger by Contiguity | <input type="checkbox"/> Mobile Home/Subdivision Sales Office |
| <input type="checkbox"/> Plot Plan* | <input type="checkbox"/> Seasonal Produce Sales |
| <input type="checkbox"/> Relief Determination by Director | <input type="checkbox"/> Vacation of Interior Lot Line/Easement(s) |
| <input type="checkbox"/> Sign Review* | <input type="checkbox"/> Other _____ |

**Owner's signature not required on these items.*

(Please provide a separate application form for each proposal)

Project Name _____

Describe proposal _____

Tax Schedule No. (s) _____

Property Address (s) _____

Acreage _____ No. of Proposed Lots _____

Existing Zone _____ Proposed Zone _____

Property Owner Name(s) _____

Address _____

_____ Zip Code _____

Office Phone _____ Alternate Phone _____

Mobile Phone _____ Fax _____

Email Address _____

Applicant Name _____

Address _____

_____ Zip Code _____

Office Phone _____ Alternate Phone _____

Mobile Phone _____ Fax _____

Email Address _____

Contact / Consultant Name _____

Address _____

_____ Zip Code _____

Office Phone _____ Alternate Phone _____

Mobile Phone _____ Fax _____

Email Address _____

Owner/Applicant Authorization:

The signature(s) hereby certify that the statements made by myself and constituting part of this application are true and correct. I(we) am(are) fully aware that any misrepresentation of any information on this application may be grounds for denial of this application. I(we) have familiarized myself(ourselves) with the rules, regulations and procedures with respect to preparing and filing this application. I(we) also understand that an incorrect submittal will be cause to have the project removed from the agenda of the Planning Commission, Board of County Commissioners and/or Board of Adjustment or delay review, and that approval of this application is based on the representations made in the application and may be revoked on any breach of representation or condition(s) of approval. Submission of this application and signature of the owner(s) below authorizes the Planning Department, and applicable review agencies, right of entry onto the property for purposes of processing this request.

Owner(s) Signature _____ Date _____

Owner(s) Signature _____ Date _____

Applicant Signature _____ Date _____

AUTHORIZATION TO SUBMIT APPLICATION (Office Use Only)

☐ Submittal Requirements Matrix

☐ Application Accepted

Project Manager Signature _____

Reference Files _____

Letter of Intent

A Letter of Intent shall be submitted with all zoning, rezoning, special use, variance of use, nonconforming use, sketch plan, preliminary plan, final plat, minor subdivision, vacations, Board of Adjustment petitions, etc. Where applicable, please provide the following appropriate information to serve as a cover page for the Letter of Intent.

For all Letters of Intent, the following information is required:

- ___ 1. Owner/applicant and consultant, including addresses and telephone numbers.
- ___ 2. Site location, size and zoning.
- ___ 3. Request and justification.
- ___ 4. Existing and proposed facilities, structures, roads, etc.
- ___ 5. Waiver requests (if applicable) and justification.

The following information, when applicable, shall be submitted for zoning and rezoning requests:

- ___ 6. The purpose and need for the change in zone classification.
- ___ 7. The total number of acres in the requested area.
- ___ 8. The total number of residential units and densities for each dwelling unit type.
- ___ 9. The number of industrial or commercial sites proposed.
- ___ 10. Approximate floor area ratio of industrial and/or commercial uses.
- ___ 11. The number of mobile home units and densities.
- ___ 12. Typical lot sizes: length and width.
- ___ 13. Type of proposed recreational facilities.
- ___ 14. If phased construction is proposed, how it will be phased.
- ___ 15. Anticipated schedule of development.
- ___ 16. How water and sewer will be provided.
- ___ 17. Proposed uses, relationship between uses and densities.
- ___ 18. Areas of required landscaping.
- ___ 19. Proposed access locations.
- ___ 20. Approximate acres and percent of land to be set aside as open space, not to include parking, drive, and access roads.

Notice to Adjacent Property Owners

A letter of Notice to Adjacent Property Owners shall be submitted with certain land use applications. Please choose one of the following:

- a. Signed Notification of the Adjacent Property Owners (see attached)
- b. Copy of the certified letter receipts to the Adjacent Property Owners.
- c. Both

(Please refer to the attached handout showing the adjacent property owners required.)

For all Notice to Adjacent Property Owners, the following information is required:

1. Please begin your letter with the following paragraph:
"This letter is being sent to you because (Name of Owner/Applicant/Consultant) is proposing a land use project in El Paso County at the referenced location (see item #3). This information is being provided to you prior to a submittal with the County. Please direct any questions on the proposal to the referenced contact(s) in item #2. Prior to any public hearing on this proposal a notification of the time and place of the public hearing will be sent to the adjacent property owners by the El Paso County Planning Department. At that time you will be given the El Paso County contact information, the file number and an opportunity to respond either for, against or expressing no opinion in writing or in person at the public hearing for this proposal."
- ___ 2. For questions specific to this project, please contact:
Owner/applicant and consultant,
addresses and telephone numbers.
- ___ 3. Site address, location, size and zoning.
- ___ 4. Request and justification.
- ___ 5. Existing and proposed facilities, structures, roads, etc.
- ___ 6. Waiver requests (if applicable) and justification.
- ___ 7. Vicinity Map showing the adjacent property owners.

Notification of Adjacent Property Owners

Name and Address of Petitioner(s): _____

Telephone #'s: _____

Description of Proposal: _____

A list of adjacent property owners may be acquired from the County Assessor's office. If adjacent property owners cannot be reached in person, the applicant must send an Adjacent Property Owner Notification letter by certified mail and provide, as part of the submittal, a copy of the letter sent and a copy of each receipt.

The undersigned, being an adjacent property owner, has read the above notification. I understand I may appear in person at the advertised public hearing to further express my comments.

Date	Owner (Yes or No)	Name (Signature) and Address	Comments

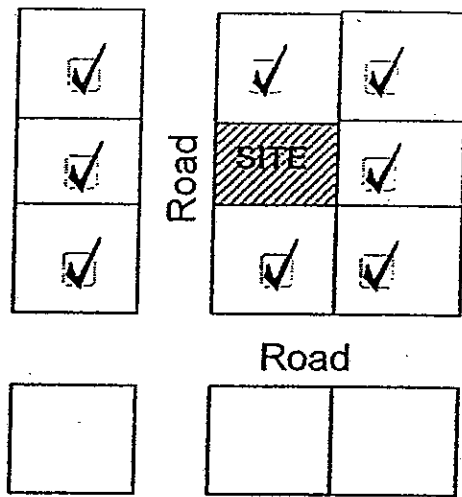
(For additional space, attach a separate sheet of paper)

Above are the signatures of the adjacent property owners who own the property described after their names or who are located as indicated (e.g. north of the subject property). I hereby acknowledge that the information provided within this notification is correct.

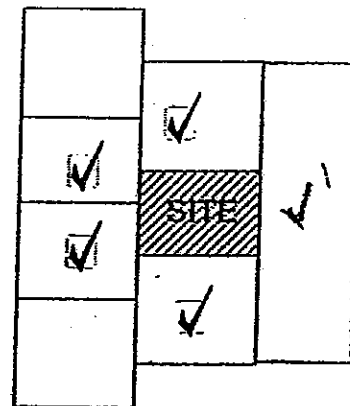
_____ date _____
(Signature of Petitioner or Owner)

_____ date _____
(Signature of Petitioner or Owner)

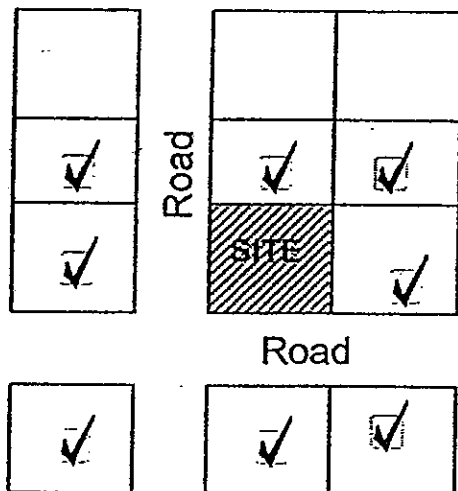
Notification of Adjacent Property Owners



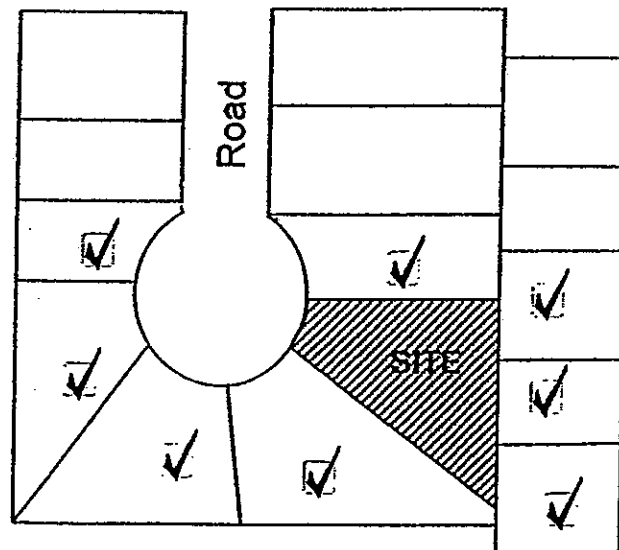
Example 1



Example 2



Example 3



Example 4

SURVEY PLAT DRAWING CHECKLIST

PROJECT NAME: _____
SUBMITTAL DATE: ____/____/____
SUBMITTED BY: _____
SUBMITTAL REVIEWED BY: _____

Land Survey Plat (C.R.S. 38-51-106)

Survey Plats shall be of a minimum size of 8½" x 11", drawn at a scale adequate to provide the required information clearly, and containing at a minimum the following:

- a. A scale drawing of the boundaries of the land parcel. ☐
- b. I. All recorded and apparent rights-of-way and easements, and, if research for recorded rights-of-way and easements is done by someone other than the professional land surveyor who prepares the plat, the source from which such recorded rights-of-way and easements were obtained. –OR– ☐
II.. If the clients wishes not to show rights-of-way and easements on the land survey plat, a statement that such client did not want rights-of-way and easements shown. ☐
- c. All dimensions necessary to establish the boundaries in the field. ☐
- d. A statement by the professional land surveyor that the survey was performed by such surveyor or under such surveyor's responsible charge. ☐
- e. A statement by the professional land surveyor explaining how bearings, if used, were determined. ☐
- f. A description of all monuments, both found and set, which mark the boundaries of the property and of all control monuments used in conducting the survey. ☐
- g. A statement of the scale or representative fraction of the drawing, and a bar-type or graphical scale. ☐
- h. North arrow. ☐
- i. A written property description, which shall include but shall not be limited to a reference to the county and state together with the section, township, range and principal meridian or established subdivision, block and lot number, or any other method of describing the land as established by the general land office or bureau of land management. ☐
- j. The signature and seal of the professional land surveyor. ☐
- k. Any conflicting boundary evidence. ☐

Notice to Mineral Estate Owners
§24-65.5-101, et seq., C.R.S. – Checklist and Certification

An examination of the records of the Clerk and Recorder's Office established the following:

Checklist

____ identity of the owner(s) of mineral estate
____ the mineral estate owner(s) has filed a proper notification form
____ the mineral estate owner(s) has recorded an instrument satisfying an applicable dormant mineral
____ interest act
____ no mineral estate owner(s) was found
____ mineral owner(s) waived the right to notice in writing to the Applicant.

If a mineral estate owner(s) exists, a Notice shall be sent to the mineral estate owner no less than thirty (30) days prior to the initial public hearing. The Notice shall include:

____ time and place of initial public hearing
____ nature of hearing
____ location of property/subject of hearing
____ name of applicant
____ notice was sent to mineral estate owner(s) no less than thirty (30) days prior to initial public
____ hearing (do not count day of mailing in thirty (30) day calculation).

If a mineral estate owner(s) exists, a copy of the Notice shall be sent to the local government at the same time as notice s mailed to the mineral owner(s) and no less than thirty (30) days prior to the initial public hearing. The Notice shall include:

____ time and place of initial public hearing
____ nature of hearing
____ location of property/subject of hearing
____ name of applicant
____ name and address of mineral estate owner
____ notice was sent to El Paso County Planning Department no less than thirty (30) days prior to
____ initial public hearing (do not count day of mailing in thirty (30) day calculation).

CERTIFICATION:

I _____ researched the records of the El Paso County Clerk and Recorder and established that there was/was not a mineral estate owner(s) on the real property known as _____. An initial public hearing on _____, which is the subject of the hearing, is scheduled for _____, 2000 _____.

Pursuant to §24-65.5-103(4), C.R.S., I certify that a Notice of an initial public hearing was mailed to the mineral estate owner(s) (if established above) and a copy was mailed to the El Paso County Planning Department on _____, 2000 _____.

Dated this _____ day of _____, 2000 _____.

STATE OF COLORADO)
) s.s.
COUNTY OF EL PASO)

The foregoing certification was acknowledged before me this _____ day of _____, 2000 _____, by _____.

Witness my hand and official seal.

My Commission Expires: _____

Notary Public