



# MINOR MODIFICATION

## COMMUNITY DEVELOPMENT | PLANNING

### Minor Modification Purpose:

The purpose of the minor modification procedure is to allow adjustments, modification, or deviations from the dimensional or numerical standards of the Land Use Code. Minor modifications are intended to provide greater flexibility when necessary without requiring a formal zoning amendment. The minor modification procedure is not a waiver, but rather a modification up to a specified amount when warranted.

### Process Overview:

#### 1. Pre-application Meeting - not required

#### 2. Electronic Application Submittal:

*Please email all submittal materials to [planningCIRT@co.larimer.co.us](mailto:planningCIRT@co.larimer.co.us) in individual PDF format. Following your complete submittal, CIRT will contact you for application fee payment options. See page 3 for application submittal requirements.*

#### 3. Staff and Referral Agency Review:

*Once your case is assigned to a planner, they will review it and send it out for referral agency comments. There is a minimum 30-day referral period for Minor Modification.*

#### 4. Review and Decision

*Once all comments have been received and adequately addressed, a decision will be made administratively.*

### Community Development Mission:

We provide quality service to our customers and the community - residents and visitors of Larimer County. Using public and private partnerships we protect health, safety and welfare, enhance quality of life, maintain property values, find creative development solutions, and plan for the future.

### Contact Information:

- Assessors Office - 970.498.7050
- Building Division - 970.498.7660
- Clerk and Recorder - 970.498.7860
- Division of Water Resources (Wells) - 970.352.8712
- Engineering Dept. - [eng-devrev@larimer.org](mailto:eng-devrev@larimer.org)
- Flood - [eng-floodplain@larimer.org](mailto:eng-floodplain@larimer.org)
- Health Dept. (Septic) - 970.498.6775
- On Call Planner - [planning@larimer.org](mailto:planning@larimer.org)



# THINGS TO CONSIDER

## COMMUNITY DEVELOPMENT | PLANNING

### **Customer Responsibilities:**

The submittal requirements listed in this packet are intended to collect all of the information required for Larimer County staff and review agencies to fully evaluate the proposal. Additional information may be requested from the applicant during the review process if necessary to address specific issues that arise. For certain application types, a resubmittal fee may apply. In the event you are unfamiliar with any submittal requirements and need assistance, please seek the help of a third party consultant.

### **Please Note:**

All surrounding property owners within a minimum of 500 feet of the property boundary lines will be notified of this request. Once submitted to the County, all application materials become a matter of public record.

### **Water Verification:**

It is the applicant's responsibility to verify an adequate water source is available. If water is to be obtained from a public water supply, contact the appropriate water district. A cistern is not an adequate water source. Refer to the Land Use Code for specific requirements to this proposal.

### **Sanitary Sewer or Septic Verification:**

It is the applicant's responsibility to verify an adequate sewage disposal is available. If an on-lot septic system is to be used, contact the Larimer County Department of Health and Environment. If a public sewage system is to be used, contact the appropriate sanitation district. Refer to the Land Use Code for specific requirements to this proposal.

### **Floodplain:**

If the property is within or partially within a FEMA and/or locally designated floodplain, additional standards and restrictions may apply. Contact the floodplain administrator for more information.

### **Land Use Code:**

Please view the Land Use Code here: <https://www.larimer.org/planning/regulations>

### **Mineral Interest Notification:**

Only applicable to Rezoning, Zoning, Special Review, Minor Land Division, Preliminary Plat, Administrative Subdivision Thirty (30) days prior to the Board of County Commissioner hearing, notification must be provided to Mineral Interest Owners and Lessees as required by State Statute 24-65.5 notifying them of the proposed development. Furthermore, a signed certification must be received by the Larimer County Planning Department prior to the hearing that such notification was provided (see attached notification form). Failure to receive this certification will result in the hearing being rescheduled to a later date.

### **Use Specific Standards:**

In addition to review criteria, refer to the Land Use Code for use-specific standards applicable to the proposed use. Use specific standards may be found in Article 3.0 or Article 13 for the Estes Valley.

### **Building Permits:**

Building permits will NOT be accepted on the property while the variance application is pending.

### **Setback Certification:**

Required if variance is approved, to be completed after an application for a building permit. Certification, in the form of a letter or drawing, must be signed by and include the seal of a surveyor licensed to practice in the State of Colorado. The letter should include the building permit number for the property or project in question.

**\*\*This certification will be a condition on the building permit\*\***



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## SUBMITTAL REQUIREMENTS

Please submit each item as a separate PDF to [planningCIRT@co.larimer.co.us](mailto:planningCIRT@co.larimer.co.us).

All PDFs should be named as listed below and attached to the same email.

Item:	Description:	Required:
1.	<b>Application Form</b> – <a href="https://www.larimer.gov/sites/default/files/land_use_application_form.pdf">https://www.larimer.gov/sites/default/files/land_use_application_form.pdf</a>	YES
2.	<b>Application Fee</b> - current fee at time of submission	\$736.54
3.	<b>Project Description</b> – detailed description of the variance request, please include criteria from Article 6.7.1.D of the Land Use Code (see following pages for requirements)	YES
4.	<b>Scaled Drawing</b> - See following pages for requirements	YES
5.	<b>Site Photos</b> - illustrating the necessity of the minor modification	YES
6.	<b>Waiver of Setback Certification Recommendation*</b> - <a href="https://www.larimer.gov/sites/default/files/waiver_of_setback_certification_recommendation.pdf">https://www.larimer.gov/sites/default/files/waiver_of_setback_certification_recommendation.pdf</a>	If applicable
7.	<b>Submittal Checklist</b> – one copy of this page	YES
<b>THE FOLLOWING ITEMS ARE REQUIRED FOR THE FOLLOWING REQUESTS</b>		
<b>Setback Minor Modification</b> - Sight triangle at intersection of two roads (if applicable) - Setback and proposed setback - shown and labeled as such		
<b>Height Minor Modification</b> - Topographic lines shown on the drawing - Elevation drawings of the proposed structure		

### Please Note:

- **\*It is strongly recommended to obtain a survey created by an Certified Surveyor prior to application. If inaccurate measurments are provided, the process must be repeated at full cost. Please submit a copy of the Waiver of Setback Certification Recommendation if you choose to not obtain a setback certification by a licensed Colorado Surveyor before submitting this application.**

## PROJECT DESCRIPTION REQUIREMENTS

The project description should be a written narrative describing how the proposal meets the development standards (outlined below), any existing conditions, and explains any unusual or unique circumstances about the property or proposal.

**PLEASE INCLUDE WHO YOUR WATER AND SEWER PROVIDERS ARE IN THE PROJECT DESCRIPTION.**

### Review Criteria (Article 6.7.1.D):

*In reviewing a request for all minor modifications, the decisionmaker shall consider whether the modification would result in development that complies with the intent of the standard being modified and the overall intent of this Code, and the extent to which the requested minor modification:*

- a. Is technical in nature;*
- b. Compensates for an unusual site condition or circumstance not shared by landowners in general;*
- c. Meets all other applicable building and safety codes;*
- d. Benefits the county by protecting community assets, features, and sensitive areas; and*
- e. Avoids creating adverse impacts to surrounding areas.*

*Approval of modifications to the required setback from the centerline of streams, creeks, and rivers are subject to the following additional criteria:*

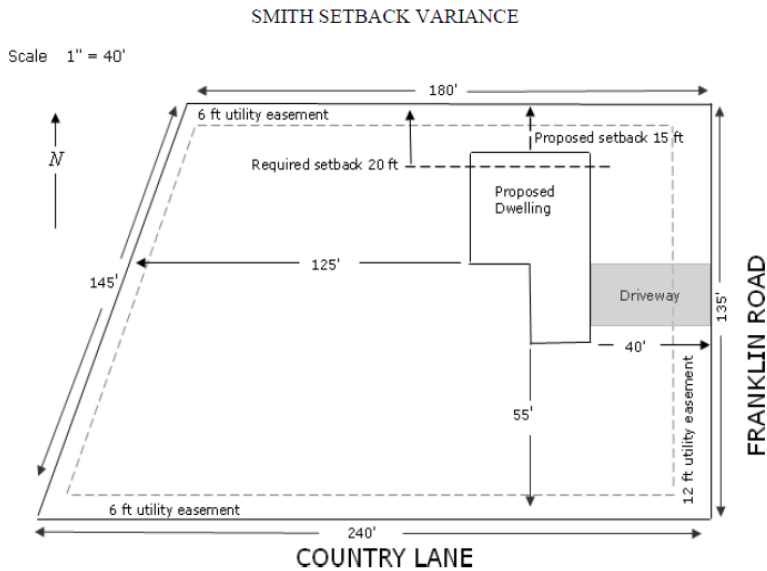
- a. The review criteria for a setback variance in §2.9.4.F, Setbacks from Streams, Creeks, and Rivers, are met or determined to be inapplicable;*
- b. The proposed building site is not within a wetland area;*
- c. The proposed building site is not within a 100-year floodplain; and*
- d. The proposed building site is not within any federally designated threatened or endangered species critical habitat.*

*Approval of modifications to the county road setback requirements listed in §2.9.4.E, Setbacks from All Roads, Streets, and Highways, for additions to existing buildings that are nonconforming with respect to county road setbacks are subject to the following additional criteria:*

- a. The proposed addition must meet the following minimum setbacks:*
  - i. Arterial roads—90 feet from ROW centerline;*
  - ii. Major collector roads—80 feet from ROW centerline;*
  - iii. Minor collector roads—60 feet from ROW centerline;*
  - iv. Local roads—55 feet from ROW centerline.*
- b. Written documentation has been provided to the Community Development Department that the property owners in the vicinity of the proposal as defined in this Code, or as determined by the Director, have been notified and they have indicated they support the variance request;*
- c. No portion of the original building or the proposed addition is within the future right-of-way identified by the Larimer County Functional Road Classification.*
- d. The review criteria in §6.7.3.D, Review Criteria, are met or determined to be inapplicable.*

## SCALED DRAWING REQUIREMENTS

Example:



Please include all applicable items:

- Property lines with dimensions labeled
- Existing structures (labeled as "existing")
- Proposed structures (labeled as "proposed")
- Distances between proposed structures and property lines labeled, including edge of right-of-way, edge of traveled way, and centerline of road
- Any structures to be removed or replaced
- Distances between proposed structures and property lines labeled
- Distances between proposed and existing structures labeled
- Road rights-of-way
- Easements (access, drainage, utility, etc.)
- Septic, well and utility locations (if applicable)
- Streams, lakes, drainages, ditches and other natural or man-made features
- Title of the request (Example: Smith Setback Variance)
- North arrow and scale used for drawing (1"=100', 1"= ½", etc.)