



MINOR MODIFICATION SUBMITTAL REQUIREMENTS

Revised 2/15/2022

**LARIMER COUNTY COMMUNITY DEVELOPMENT
PLANNING DEPARTMENT**

CONTACT INFO:

LARIMER.ORG/PLANNING
200 W. OAK ST., 3RD FLOOR
(970) 498-7683

MINOR MODIFICATION



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.

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.

1. Application Submittal & Processing (pre-application conference required)
2. Staff & Referral Agency Review- minimum 14-day referral period
4. Review & Decision
5. Post-Decision Actions

THINGS TO CONSIDER



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 see the attached “Road Map to Process Time” for more information.

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.

Pre-Submittal Meeting:

Depending on the complexity of the case and the application type, a pre-submittal meeting may be required prior to submitting an application. Submitting an application without a pre-submittal meeting may result in substantial delays in application processing or application rejection. *Application types that may require a pre-submittal meeting are: Special Review, 1041, L&E, Rezoning, Variance, Site Plan Review, Preliminary Plat, Final Plat*

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.

THINGS TO CONSIDER



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.

Expiration of Pre-Application Meeting Packet:

Pre-applications expire six months from the date of the meeting. If you have not submitted an application within six months of the pre-application meeting, check with the planner to see if a new meeting will be required.

O&E Expiration:

An Ownership and Encumbrance Report (O&E) is valid for six months.

Land Use Code:

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

MINOR MODIFICATION



Separate Electronic PDFs of ALL Submittal Materials
(must be in PDF format and named as listed below)

Item	Description:	Required	Staff Sign-Off
1.	Application Form – must be signed by all property owners and the applicant		
2.	Application Fee- Current fee at time of submission		
3.	Project Description – detailed description of the proposed project, include review criteria from Article 6.7.1 of the Land Use Code. Please see page 4 for Project Description requirements		
4.	Scaled Drawing - 8.5" x 11" (see pages 6 for more information)		
5.	Vicinity Map - illustrate roads and significant natural features near the project site. County and local roads must be labeled so that the site can be easily found (size should be 8.5" x 11")		
6.	Ownership & Encumbrance* - contact a Title Company for this information.		
7.	Site Photos		
8.	Submittal Checklist		
9.	Pre-application Form - found on last page of packet		
10.	Other – information as deemed necessary by the project planner		

*Ownership and Encumbrance: A report that identifies the last recorded owner, legal description and recorded deeds of trust or mortgages of a particular real property address available from public records. Contact a title company. Cannot be deeds or title research. See attached example.

It is strongly recommended to obtain a survey created by an Certified Surveyor prior to application. If inaccurate measurements are provided, the process must be repeated at full cost.

Please email the complete set of final submittal documents to our Community Information Resources Team (CIRT) at planningCIRT@larimer.org.

MINOR MODIFICATION



Minor Modification Types

Table 6-3: Allowable Minor Modifications		
Standard	Allowable Modification (maximum)	Additional Criteria that May Apply
Lot and Building Standards		
Lot size, minimum	10 percent	--
Lot width-to-depth ratio	50 percent	--
Lot depth-to-width ratio	50 percent	--
Front setback, minimum	10 percent	6.7.1.D.5
Side setback, minimum	10 percent	6.7.1.D.5
Rear setback, minimum	10 percent	6.7.1.D.5
Setbacks from streams, creeks, and rivers	50 percent	6.7.1.D.2
Setbacks from county roads	See 6.7.1.D.3 and 6.7.1.D.4	6.7.1.D.3 and 6.7.1.D.4
Extension into setback, maximum	10 percent	--
Building height, maximum	20 percent	--
Site Features		
Fence or wall height, maximum	Two feet	--
Parking stalls required, minimum	20 percent	--
Landscaping requirements, minimum	10 percent	--

ADDITIONAL INFORMATION

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

Please Note –

- All approved minor modifications run with the land unless conditions of approval specify otherwise.
- All minor modifications automatically expire if not acted upon within 12 months of the date of the written approval of the Planning Director.

Setback Certification – Required if minor modification 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****

Appeals to Administrative Decisions – Appeals to decisions of the Planning Director can be appealed to the Board of Adjustment. See Article 6.7.2. of the Land Use Code for more information.

MINOR MODIFICATION



Item# 3 Project Description

Element	Include
Summary	How the proposal meets the development standards, existing conditions, and to explain any unusual or unique circumstances about the property or proposal.
Existing Conditions	A written detailed description of the existing conditions, topographic constraints, floodplain, drainage or other natural or manmade features and impacts
General Review Criteria Article 6.7.1.D.1.	<p>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:</p> <ul style="list-style-type: none"> 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.
Additional Criteria for Modifications to Setbacks from Streams, Creeks, and Rivers Article 6.7.1.D.2.	<p>Approval of modifications to the required setback from the centerline of streams, creeks, and rivers are subject to the following additional criteria:</p> <ul style="list-style-type: none"> 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.
Additional Criteria for Modifications to Setbacks from County Road Setbacks Article 6.7.1.D.3.	<p>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:</p> <ul style="list-style-type: none"> a. The proposed addition must meet the following minimum setbacks: <ul style="list-style-type: none"> 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.

MINOR MODIFICATION



Item# 3 Project Description Cont.

Element	Include
Additional Criteria for Modifications to County Road Setbacks Along Roads Under Jurisdiction of a Municipality Article 6.7.1.D.4.	<p>Approval of modifications to the county road setback requirements listed in §2.9.4.E, Setbacks from All Roads, Streets, and Highways, or the applicable zoning district, for properties in unincorporated Larimer County along a road or street that has been annexed and is under the jurisdiction of another municipality, are subject to the following additional criteria:</p> <ol style="list-style-type: none">Written documentation has been provided to the Community Development Department indicating that the proposed structure will meet the setback requirements applicable within the jurisdiction in which the road is located.The review criteria for a setback variance in §6.7.3.D, Review Criteria, are met or determined to be inapplicable.
Additional Criteria for Modifications to Setbacks for Nonconforming Building on Corner Lot Article 6.7.1.D.5.	<p>Approval of modifications to the required setback on one side of a corner lot for an addition to an existing building that is nonconforming with respect to the required street or road setback are subject to the following additional criteria:</p> <ol style="list-style-type: none">The building is nonconforming with regards to the street or road setback that is not along the front lot line.The proposed addition must not come any closer to the road than the existing building.The lot is less than one-half acre in size.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;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 or the Colorado Department of Transportation.The review criteria for a setback variance in §6.7.3.D, Review Criteria, are met or determined to be inapplicable.

MINOR MODIFICATION

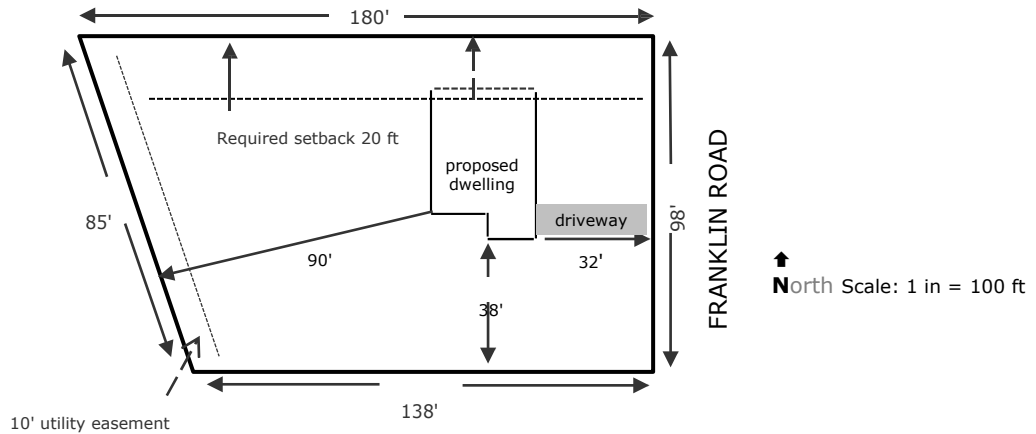


Item # 4 Scaled Drawing

Scaled Drawing	<p>The scaled drawing should show all pertinent information, including but not limited to the following:</p> <ul style="list-style-type: none">• Required setback and proposed setback; labeled as such• Property lines with dimensions labeled• Existing structures labeled as “existing”• Proposed structures labeled as “proposed”• 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 or any other easement)• 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.)• Any other information relevant to the minor modification request
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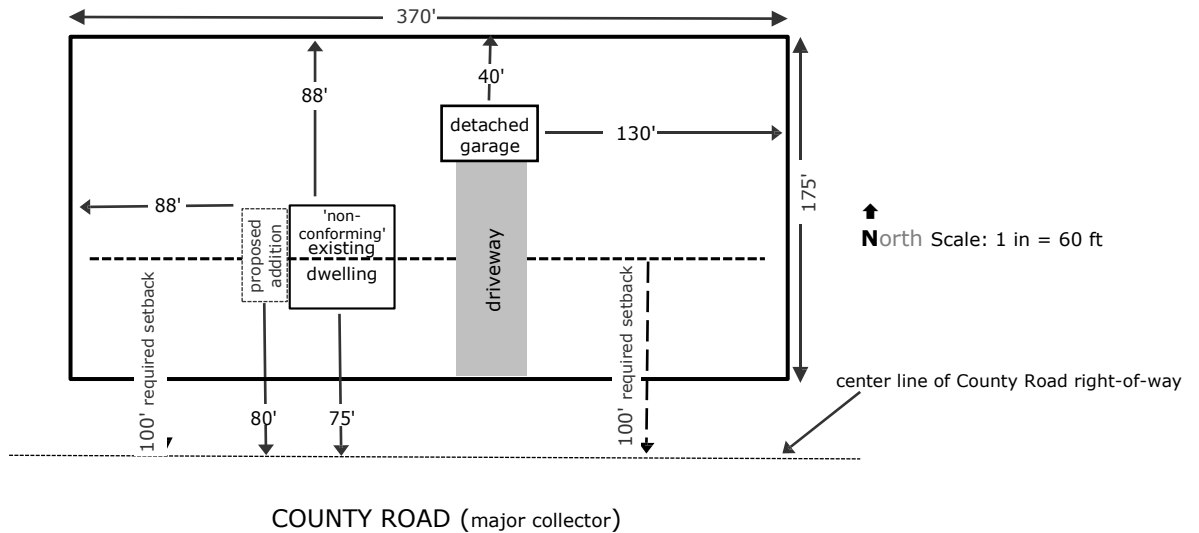
1. 10% Modification

The required side setback for this property is 20 feet. The property owner is proposing an 18' setback (2' is a 10% modification)



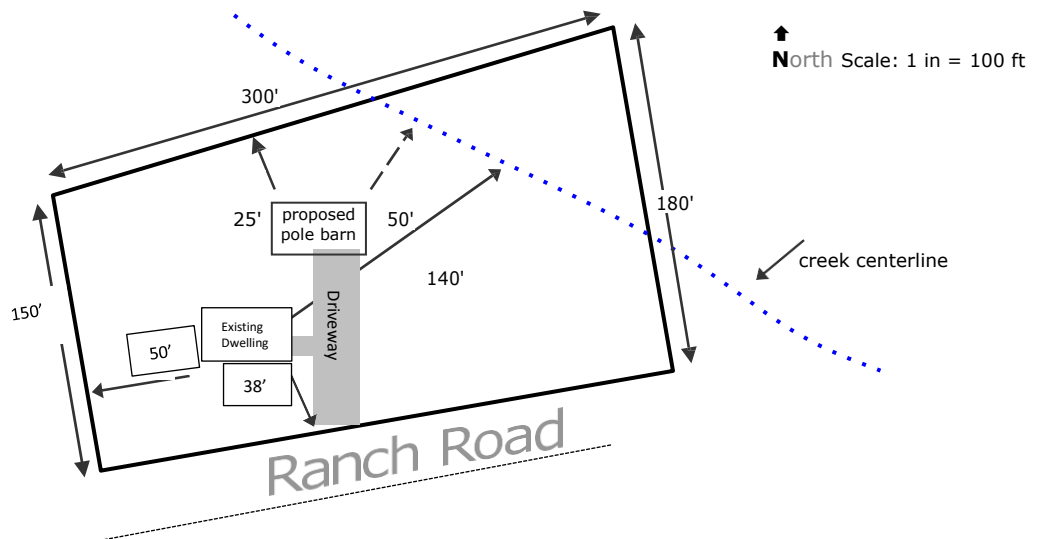
2. Setback for 'nonconforming' buildings from County Roads

The required setback from this County Road 'ROW centerline' is 100'. The property owner is proposing an addition to a 'nonconforming' building that will be 80' from the ROW centerline.



3. Setback from streams, creeks and rivers –

The required setback from the centerline of a creek is 100'. The property owner is proposing a setback for a pole barn that will be 50' from the creek centerline.





O&E REPORT

Property Information

Owner: NA

Address: NA

County: Larimer

Parcel: XXX

Effective Date: May 27, 2020

Legal Description

COMMENCING at the Northwest corner of said Southwest One-Quarter of Section....

County of Larimer, State of Colorado

Ownership

Document Type	Date	Sales Price	Reference Number
Quit Claim Deed	4/26/2010	\$X	
Warranty Deed	9/1/2017	\$X	

Encumbrances

Document Type	Date	Payable to	Amount	Reference Number
Deed of Trust	9/1/2017	Elevations Credit Union		

Please see attached documents

This information is deemed reliable, but not guaranteed. No insurance product is associated with this information and Unified Title Company does not certify the information contained in this report and assumes no liability as to loss, consequence or damage resulting from the use of this information.



LAND USE APPLICATION

Applicant Information

Applicant Name:

Applicant Company:

Address:

City:

State:

ZIP Code:

Telephone:

Email Address (required):

Property Owner Information

Property Owner Name:

Property Owner Address:

City:

State:

ZIP Code:

Telephone:

Email Address (required):

Property Owner Information

Property Owner Name:

Property Owner Address:

City:

State:

ZIP Code:

Telephone:

Email Address (required):

Engineer/Surveyor Information (please list which profession)

Name:

Company:

Address:

City:

State:

ZIP Code:

Telephone:

Email Address (required):

Assessor's Parcel Number(s): _____

SIGNATURES REQUIRED BY ALL PROPERTY OWNERS AND THE APPLICANT

I hereby certify that I am the lawful owner of the parcel(s) of land that this application concerns and consent to the action. I hereby permit county officials to enter upon the property for the purposes of inspection relating to the application. Building Permits will not be processed while this application is in process.

Property Owner(s) Printed Name

Date: _____

Property Owner(s) Signature

Date: _____

Property Owner(s) Printed Name

Date: _____

Property Owner(s) Signature

Date: _____

In submitting the application materials and signing this application agreement, I acknowledge and agree that the application is subject to the applicable processing and public hearing requirements set forth in the Larimer County Land Use Code (which can be viewed at larimer.org)

Applicant Signature

Date: _____

PRE-APPLICATION WORKSHEET

Project Case Number: _____

Project Address (if available): _____

Assessor's Parcel Numbers (list all parcels that pertain to the project): _____

Pre-Application Conference Date: _____ Planner: _____

Pre-Application Conference attended by: _____

Proposed Request: _____

Plan Area (if applicable): _____

Lot Size(s): _____

Related Files: _____

Current Zoning: _____

Setback Information:

Zoning Setbacks: _____

Highway or County Road Setback(s): _____

Streams, Creeks, or River Setback(s): _____

Building Envelope: _____ Flood: _____

Plat Notes: _____

Utilities: Water: _____ Sewer: _____ Fire: _____

Any Additional Information: _____

Development Review Process: _____ Application Review Phase: _____

Received By: _____	Date: _____	Sign Given: _____	Paid \$: _____	Check #: _____
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