



# AMENDED PLAT | PLAT NOTE - BUILDING ENVELOPE

## COMMUNITY DEVELOPMENT | PLANNING

### **Purpose of an Amended Plat:**

The Amended Plat process can be used to modify an existing building envelope or remove a plat note from a previously approved and recorded plat.

### **Process Overview:**

#### **1. Pre-application Meeting**

#### **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 4 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 this process.*

#### **4. Review and Decision:**

*Once all comments have been received and adequately addressed, a decision will be made at a Board of County Commissioner Hearing.*

### **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.

### **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>

### **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 application is pending.

### **Hearings (if applicable):**

Hearings are held with the Board of County Commissioners on select Monday's of each month (no hearings are held on the 5th Monday of a month). These hearings are held in the Commissioner's Hearing Room, beginning at 3:00 p.m. Notification of the hearing date will be mailed to all parties listed on the application form. Note: All proceedings are recorded. Hearing dates are not guaranteed.



# THINGS TO CONSIDER

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### **Amended Plats Changing Plat Conditions:**

The Planning Department will publish notice of the hearing once in a newspaper serving the area of the requested change at least 14 days prior to the hearing date. Notice by first-class mail will also be sent to property owners in the vicinity of the proposal informing them of the hearing.

### **Conditions of Approval:**

The Board of County Commissioners may impose conditions on an amended plat that are necessary to accomplish the purpose and intent of the Land Use Code and Master Plan and to prevent or minimize adverse impacts on health, safety and welfare of property owners and area residents.

### **Public Notice:**

Colorado Statutes require that the Planning Department publish notice of the hearing once in a newspaper serving the area of the requested easement or right-of-way vacation at least 14 days prior to the hearing date. Notice by first-class mail will also be sent to property owners in the vicinity of the proposal informing them of the hearing.

### **Lien Holder Signature:**

If there is a lien on the property(s), please be aware that that the lien holder will be required to sign the final plat before it can be recorded. Please check with the mortgage company to determine if they approve of the proposed BLA/amended plat, and who at the company will be responsible for signing the plat.

### **Property Taxes:**

Prior to recording the final plat, all prior year property taxes must be paid. Pursuant to state law, no subdivision plat can be recorded until proof has been provided that all current and prior year taxes have been paid.



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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 <span style="float: right;">See Fee Schedule</span>   | Yes        |
| 3.   | <b>Additional Fees</b> - Fire District, Appeal, Etc.   | N/A        |
| 4.   | <b>Project Description</b> – detailed description of the proposed project, include review criteria from Article 6.5.7 or 6.5.8 of the Land Use Code. Please see following pages for Project Description requirements           | Yes        |
| 5.   | <b>Existing Structures</b> – detailed description of the type, size, and location of any existing structures on all lots (it may be in written form or as a map)   | Yes        |
| 6.   | <b>Plat Exhibit</b> – drawing showing existing and proposed building envelopes with dimensions. The approval/recorded document will be a Findings and Resolution with the Plat Exhibit attached.                               | Yes        |
| 7.   | <b>Utility Checksheet</b> - signed by all applicable utility providers.<br><a href="https://www.larimer.gov/sites/default/files/utility_checksheet.pdf">https://www.larimer.gov/sites/default/files/utility_checksheet.pdf</a> | Yes        |
| 8.   | <b>Easement / Right-of-Way Legal Description*</b> (if applicable) – the legal description of the proposed easement(s) to be vacated  | N/A        |
| 9.   | <b>Ownership &amp; Encumbrance**</b> - contact a Title Company for this information.   | Yes        |
| 10.  | <b>Consent of Lienholder Form ***</b> - <a href="https://www.larimer.gov/sites/default/files/lienholder_consent_form.pdf">https://www.larimer.gov/sites/default/files/lienholder_consent_form.pdf</a>                          | If Applic. |
| 11.  | <b>Submittal Checklist</b> - one copy of this page   | Yes        |

#### Please Note:

\*The easement/right-of-way description can be taken from the subdivision plat if the width is noted. Otherwise, please seek the help of a surveyor for this information. This is only required if you are requesting to vacate an easement with this project.

\*\*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.

\*\*\*Prior to submitting an application, please reach out to any applicable lienholders and complete the Consent of Lienholder form.

### PLAT EXHIBIT REQUIREMENTS

| Element                                  | Description  |
|--|--|
| Project Name & File Number               | Example: Amended Building Envelope of Lot 4, Meadow Subdivision 5th Filing #24-LAND0000  |
| North Arrow and Scale                    | Boundaries of the total area with dimensions   |
| Existing Location of:<br>(if applicable) | <ul style="list-style-type: none"> <li>Buildings</li> <li>Structures (i.e. retaining walls, drainage structures, etc.)</li> <li>Utilities (gas, electric, water, sewer, well and/or septic system, etc.)</li> <li>Roads</li> <li>Easements</li> </ul>                              |
| Engineering Items                        | Access (existing, proposed, and emergency) <ul style="list-style-type: none"> <li>Vehicular access</li> <li>Current and proposed width, name, type, and location of adjacent rights-of-way and easements</li> <li>Proposed easement(s) or right-of-way(s) to be vacated</li> </ul> |



## PROJECT DESCRIPTION REQUIREMENTS

The project description is the applicant's opportunity to explain what is being proposed. The project description should be a narrative and on its own page(s). It should touch on all the review criteria outlined below. **PLEASE INCLUDE WHO YOUR WATER AND SEWER PROVIDERS ARE IN THE PROJECT DESCRIPTION.**

### Review Criteria (Article 6.5.7.D):

*To approve an amended plat, the Director shall consider the following review criteria and find that each criterion has been met or determined to be inapplicable:*

- a. No additional lots will be created by the amended plat.*
- b. The resultant lots will meet the required minimum lot size of the applicable zoning district. If any of the lots are nonconforming with regards to the minimum lot size, the amended plat must not increase the nonconformity.*
- c. The amended plat will not create a nonconforming setback for any existing building;*
- d. The amended plat will not adversely affect access, drainage or utility easements, or rights-of-way serving the property or other properties in the area; and*
- e. Any covenants, deed restrictions, or other conditions of approval that apply to the original lots must also apply to the resultant lots and be noted on the final plat.*

**IF YOU ARE PROPOSING AN EASEMENT VACATION, PLEASE ALSO INCLUDE THE REVIEW CRITERIA BELOW IN YOUR PROJECT DESCRIPTION:**

### Vacation of Right-of-Way or Easement:

In reviewing a proposed plat modification, the County Commissioners shall consider the general approval criteria in §6.3.8.D, General Review Criteria and the following:

- a. Approval of the vacation request will not leave any land adjoining the right-of-way without an established public road or private access easement connecting the land with another established public road, or without utility or drainage services;*
- b. The recommendations of referral agencies have been considered;*
- c. Any right-of-way that is vacated will be divided equally between the lots on each side, unless it can be demonstrated that all of the right-of-way was originally taken from one parcel. In that case, the right-of-way will be returned to that parcel. Property owners on each side of the right-of-way may agree to divide the vacated right-of-way differently but must sign deeds to transfer ownership after the County Commissioners approve the vacation; and*
- d. Right-of-way vacations must also meet requirements of C.R.S. § 43-2-303.*