



# AMENDED PLAT/BOUNDARY LINE ADJUSTMENT

## COMMUNITY DEVELOPMENT | PLANNING

### Purpose of an Amended Plat:

This procedure may be used for a) minor corrections to recorded plats that do not involve changing lot boundaries or lot consolidations, or b) reconfigurations of lot lines or lot consolidations in recorded subdivisions, planned unit developments, minor residential developments, minor land divisions, conservation developments, rural land plans, planned land divisions, as well as recorded or unrecorded exemptions.

### Purpose of a Boundary Line Adjustment:

The purpose of a boundary line adjustment is to reconfigure the common property lines between contiguous legal metes-and-bounds (not in a platted subdivision or approved exemptions) parcels that do not result in any additional lots.

### 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 administratively or 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>

### **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.

### **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 presubmittal 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

### **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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### **Combined Amended Plats/Boundary Line Adjustment**

#### **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	
3.	<b>Additional Fees</b> - fire district, appeal, etc.	
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</b> – size 24" x 36" Please see following pages for Plat requirements	YES
7.	<b>Closure Data</b> – one hard copy computer print out of plat boundary data (perimeter bearings, distances, closure and acreage information)	YES
8.	<b>Monuments</b> – Please see following pages for requirements	YES
9.	<b>Utility Checksheet</b> - signed by all applicable utility providers. <a href="https://www.larimer.gov/sites/default/files/utility_checksheet.pdf">https://www.larimer.gov/sites/default/files/utility_checksheet.pdf</a>	YES
10.	<b>Deeds</b> – a draft version, without signatures. See following pages for requirements.	YES
11.	<b>Easement / Right-of-Way Legal Description (if applicable)*</b> – the legal description of the proposed easement(s) to be vacated	IF APPLICABLE
12.	<b>Ownership and Encumbrance**</b> - contact a Title Company for this information.	YES
13.	<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 APPLICABLE
14.	<b>Evidence of Eligibility:</b> <i>For parcels greater than 35 acres:</i> One copy of deeds or other legal documents that created the subject parcels and evidence that no parcel less than 35 acres remains or resulted from the creation. <i>For parcels less than 35 acres:</i> One copy of deeds or other legal documents which clearly demonstrate that the subject parcels are the parcels that existed on May 5, 1972, or evidence that the subject parcels were previously approved by Larimer County. For more information: <a href="https://www.larimer.gov/sites/default/files/legal_lot_101.pdf">https://www.larimer.gov/sites/default/files/legal_lot_101.pdf</a>	YES
15.	<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 Lienholders form.



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### FINAL SUBMITTAL REQUIREMENTS

1. **Final Plat** - mylar copy (24" x 36") with all owners/leinholders signatures. Must have original signatures. See following pages for approval statement requirements if applicable.
2. **Deeds** - describing the resultant parcels, signed and dated by owners, and sealed by a Notary Public
3. **Recording Fees** - Please make checks out to the Larimer County Clerk & Recorder. (Staff will determine the fee amount at final submittal).

### 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,*

To approve a boundary line adjustment, the Director shall consider the following review criteria and find that each criterion has been met or determined to be inapplicable:

#### Boundary Line Adjustment

- a. The lots are "legal lots" as defined in Article 20.0, Rules of Interpretation and Definitions.*
- b. No additional lots will be created by the adjustment;*
- c. The lots are not in a subdivision, planned unit development, minor residential development, or exemption approved under previous subdivision regulations or in a minor land division, subdivision, conservation development, or planned land division;*
- d. The resultant lots will meet the required minimum lot size and lot width to depth ratio standards of the applicable zoning district. (If either or both lots are nonconforming with respect to minimum lot size or lot width to depth ratio, the adjustment must not increase the nonconformity); and*
- e. The adjustment will not create a nonconforming setback for any existing building.*



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**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.*

## LAND SURVEY REQUIREMENTS

1. The bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line. When the property is bounded by an irregular shore line or body of water, the bearings and distances of a closing meander traverse shall be given and notation made that the plat includes all land to the water's edge or otherwise. All blocks and all lots within each block shall be numbered consecutively and shown on the plat. (See following pages for information on naming standards.) On curved boundaries and all curves on the plat, sufficient data shall be given to enable the re- establishment of the curves on the ground. This curve data shall include the following for circular curves:

- a) Radius of curve.
- b) Central angle.
- c) Arc length.
- d) Chord length and bearing.
- e) Notation of non-tangent curves with radial bearings shown to all points of non-tangency

2. Excepted parcels shall be marked "not included in this subdivision" and the boundary completely indicated by bearings and distances. All streets, walkways and alleys shall be designated as such and streets shall be named. Bearings and dimensions shall be given. All easements shall be designated as to type and adequate bearings and dimensions shall be shown to develop their position in the field. All dimensions of irregularly shaped lots shall be indicated on each lot.

Bearings and lengths shall be given for all lot lines, except that bearings and lengths need not be given for interior lot lines where the bearings and lengths are the same as those of both end lot lines. Parcels not contiguous shall not be included in one plat, nor shall more than one plat be made on the same sheet. Contiguous parcels owned by different parties may be embraced on one plat, provided that all owners join in the dedication and acknowledgment.

Lengths shall be shown to hundredths of a foot, and angles and bearings shall be shown to seconds of arc.



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### PLAT REQUIREMENTS

Project Name & File Number	Example: Amended Plat/BLA of Lots 4 & 5, Meadow Subdivision 5th Filing #23- LAND0000
Site Data	<ul style="list-style-type: none"><li>• Boundaries of the total area with dimensions Section-Township-Range</li><li>• Zoning</li><li>• Lots proposed and resulting acreages (must be labeled as 'lots' not 'parcels' or 'tracts')</li><li>• Water supply/ sewage disposal</li></ul>
Existing Location of: (if applicable)	<ul style="list-style-type: none"><li>• Utilities (gas, electric, water, sewer, well and/or septic system, etc.)</li><li>• Roads</li><li>• Easements</li><li>• Natural or manmade features</li><li>• Hazard Areas - such as floodways and/or floodplains, slopes greater than 20%, geologic and wildfire hazards</li><li>• Adjacent development – (ie: subdivisions, exemptions, MRDs, metes and bounds property)</li></ul>
Engineering Items:	Access (existing, proposed, and emergency) <ul style="list-style-type: none"><li>• Vehicular access</li><li>• Emergency 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 Proposed road right-of-way dedications- See Article 5.7.9 Proposed right-of-way must meet currently adopted roadway classifications</li></ul>
Other	<ul style="list-style-type: none"><li>• Legal Description – typed in paragraph form and indicated along the site boundaries, including perimeter ties and monuments.</li><li>• Vicinity Map – scale of 1'=600', 1,200' or 2,000' showing and labeling the perimeter of the property &amp; significant features within one (1) mile.</li></ul>

### DEED REQUIREMENTS

#### Transfer of Ownership Deed -

Transfer of ownership deeds are required if there are different property owners on the two parcels. This deed will contain the legal description of the portion of land being transferred.

#### Resultant Deeds -

A deed with the legal description of the resultant parcel (obtainable from a surveyor) must be submitted as a part of this application. One deed for each parcel being adjusted is required. You may want to consider working with a Land Use Attorney for this requirement. We ask that you submit draft copies during the initial submittal. Please do not have the deeds signed and notarized until the final submittal phase.

### MONUMENT REQUIREMENTS

For subdivision or resubdivision, in regards to the survey, compliance with all the rules and regulations as set forth in Articles 51 & 53, Title 38, Colorado Revised Statutes, 1973 shall be required. The monumentation required shall be completed before final plat approval is given. In addition, the following shall be required:

1. A copy of each monument record the surveyor has filed with the State Board of Registration for Professional Land Surveyors, or if the surveyor has used an existing monument record, and the description of the monument and it's accessories substantially matches that of the one indicated on the plat, a copythereof is acceptable.
2. Any plat to be filed shall reference at least two (2) public land survey monuments in the section in which it is located.
3. All final plats shall be reviewed by the Larimer County Surveyor for compliance with the survey requirements of Larimer County and of state law pertaining to platting and monumentation.





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### FINAL PLAT STATEMENTS

#### 1. CERTIFICATION OF OWNERSHIP AND DEDICATION:

Know all men by these presents that \_\_\_\_\_, being the owner(s) of that part of the (described quarter- section, section, township, range), Larimer County, Colorado, being more particularly described as follows, to wit: Beginning at (complete legal description); containing (to nearest one-hundredth) acres more or less; have by these presents caused the same to be surveyed and subdivided into lots (and blocks as appropriate) to be known as the plat of (Land Division name), and do hereby dedicate and convey to and for public use forever hereafter the streets as are laid out and designated on this plat, and do also reserve perpetual easements for the installation and maintenance of utilities and for irrigation and drainage facilities as are laid out and designated on this plat, witness our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Owner(s)

The signature(s) shall be notarized as follows:

State of \_\_\_\_\_ )

) SS

County of \_\_\_\_\_ )

The foregoing dedication was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by

SEAL

Notary Public

My commission expires

#### NOTES:

(A) Where a mortgage or lienholder are involved, the dedication and signature block must be modified accordingly.

(B) Where private streets are allowed, the dedication must be modified accordingly.

#### 2. BOUNDARY LINE ADJUSTMENT AGREEMENT:

I, (We), the undersigned, warranting that we are the only rightful Owner(s) of certain parcels of land in Section, Township, Range , of the 6th P.M., Larimer County, Colorado, as more particularly described on this boundary survey, and acknowledging the mutual receipt of valuable consideration, do hereby make adjustments to the boundary lines of said parcels. The desired adjustments will not create any additional parcels. The boundary line adjustments and revised parcel descriptions are shown on this boundary survey.

\_\_\_\_\_  
Owner(s)

The signature(s) shall be notarized as follows:

State of \_\_\_\_\_ )

) SS

County of \_\_\_\_\_ )

The foregoing dedication was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by

SEAL

Notary Public

My commission expires

#### 3. SURVEYOR'S CERTIFICATE:

I, \_\_\_\_\_ (surveyor's name), a duly licensed Professional Land Surveyor in the State of Colorado, do hereby certify that this plat of (subdivision name/land description) was completed in accordance with the applicable standards of practice and truly and correctly represents the results of a survey made by me or under my direct supervision to the best of my knowledge. This document is based upon my knowledge, information, and belief and is not a guaranty or warranty, either expressed or implied.

\_\_\_\_\_  
Surveyor /Seal





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### FINAL PLAT STATEMENTS

#### ADDITIONAL PLAT NOTES -

Any covenants of the original plat shall be applicable on the amended plat. The wording for this statement shall be as follows:

"The new lots created by this action are subject to the same restrictions, covenants, and regulations as set forth in the plat of record of (Subdivision Name)".

#### 4. APPROVAL OF SURVEY PLAT

This plat has been reviewed and is hereby approved as to form as complying with all current survey requirements of Larimer County and of State law pertaining to platting and monumentation. This approval constitutes neither a warranty by Larimer County concerning such compliance, nor a release or indemnity of the subdivider and his surveyor concerning any noncompliance of this plat with current survey requirements.

Date: \_\_\_\_\_

\_\_\_\_\_, Colorado P.L.S. No. \_\_\_\_\_ (Signature)

\_\_\_\_\_, Larimer County Engineering Department (Printed Name)

#### 5. LARIMER COUNTY HEALTH AUTHORITY APPROVAL:

By the Larimer County Health Authority this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

All construction on this subdivision, or any lot therein, including the development of domestic water, and the provision of sewage treatment, shall be done in a manner which will meet all of the requirements of the Colorado Department of Health, and the Larimer County Public Health Department, and the officers authorized to enforce such requirements.

\_\_\_\_\_  
Larimer County Health Authority

#### 6. PLANNING DEPARTMENT APPROVAL:

Reviewed and Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the Larimer County Planning Department.

\_\_\_\_\_  
Community Development Director or Designee

#### OR FOR BOARD APPROVED AMENDED PLATS/BOUNDARY LINE ADJUSTMENTS:

#### 7. BOARD OF COUNTY COMMISSIONERS APPROVAL:

Approved by the Larimer County Board of County Commissioners this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. All dedications are hereby accepted on behalf of the public. This approval does not constitute acceptance of responsibility by the County for construction, repair, or maintenance of any streets, highways, alleys, bridges, rights-of-way or other improvements designated on this plat.

\_\_\_\_\_  
Chairman ATTEST

\_\_\_\_\_  
Clerk of the Board