



**MORGAN COUNTY**  
**PLANNING, ZONING & BUILDING DEPT.**  
 231 Ensign, P.O. Box 596  
 Fort Morgan, Colorado 80701  
 PHONE (970) 542-3526 FAX (970) 542-3509  
 E-mail: [pcherry@co.morgan.co.us](mailto:pcherry@co.morgan.co.us)

Filing Deadline \_\_\_\_\_

Meeting Date \_\_\_\_\_

Administrative Review

## AMENDED EXEMPTION FROM SUBDIVISION REGULATIONS

### APPLICANT

### LANDOWNER

Name \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Address \_\_\_\_\_

Phone (\_\_\_\_) \_\_\_\_\_

Phone (\_\_\_\_) \_\_\_\_\_

Email \_\_\_\_\_

Email \_\_\_\_\_

### TECHNICAL INFORMATION

Complete Property Legal Description and Parcel # of originating parcel: S\_\_\_\_ T\_\_\_\_ R\_\_\_\_ \_\_\_\_\_ 1/2 \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4

Parcel #: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Zone District: \_\_\_\_\_

Total acreage in parcel: \_\_\_\_\_ Acreage of parcel to be divided off: \_\_\_\_\_ or acres added: \_\_\_\_\_

Address/Location of Property: \_\_\_\_\_

Legal Description of designated 40 acre parcel Exemption is taken from: \_\_\_\_\_

Name, address and phone of professional land surveyor: \_\_\_\_\_

Present use of Property: \_\_\_\_\_ Proposed use of Property: \_\_\_\_\_

Is property located within 1320' (1/4 mile) of a livestock confinement facility? \_\_\_\_\_

### APPLICANT'S STATEMENT

I hereby certify that to the best of my knowledge, the information contained within this application package is true and correct. *Application must be signed by applicant and landowner as it appears in title insurance.*

\_\_\_\_\_  
 Applicant Signature Date

\_\_\_\_\_  
 Landowner Signature Date

\_\_\_\_\_  
 Applicant Signature Date

\_\_\_\_\_  
 Landowner Signature Date

OFFICE USE: Date Received: \_\_\_\_\_ Received By: \_\_\_\_\_ Fee Payment: \_\_\_\_\_ Check/CC #: \_\_\_\_\_

Fees Paid By \_\_\_\_\_ Recording Fee: \_\_\_\_\_ Check/CC #: \_\_\_\_\_

Comments \_\_\_\_\_

**PERMIT FOR USE AS SET FORTH IS HEREBY (GRANTED) (DENIED)**

Planning Administrator \_\_\_\_\_ Date \_\_\_\_\_

AEP permit # \_\_\_\_\_



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**AMENDED EXEMPTION ATTACHMENT SCHEDULE  
REQUIRED ATTACHMENTS**

- \_\_\_ Exhibit A Proof of ownership: current, within last 6 months, title insurance commitment or Ownership & Encumbrance (O&E) for all parcels being amended.
- \_\_\_ Exhibit B Plat map (survey) per requirements set forth in the Morgan County Subdivision Regulations adopted March, 1997. Plat map must show the original exempted parcel and the parcel being created through this amendment.
- \_\_\_ Exhibit C Improvement location certificate, including setbacks of existing structures, wells and septic system, per requirements set forth in the Morgan County Subdivision Regulations adopted March, 1997.
- \_\_\_ Exhibit D Right to Farm Policy signed by landowner.
- \_\_\_ Exhibit E In narrative form, prepare a proposal summary that addresses the need and purpose for the exemption and the reasons for the request. Also address any exemption criteria not otherwise covered in the application.
- \_\_\_ Exhibit F If an irrigation ditch is on or next to property – **proof of contact** with ditch company.
- \_\_\_ Exhibit G Non-refundable processing fee made payable to Morgan County Planning:
  - \_\_\_\_\_ \$100.00 Administrative Review – OR –
  - \_\_\_\_\_ \$150.00 Full Review
- \_\_\_ Exhibit H \_\_\_\_\_ # Application sets                    \_\_\_\_\_ Digital Copy of Application
- \_\_\_ Exhibit I Non-refundable recording fee for plat map of \$13.00 made payable to Morgan County Clerk & Recorder.

\* Title to the exempted parcel **cannot** transfer until all required documents have been recorded in the Morgan County Clerk and Records office. Property taxes must be current prior to processing.

\*\* Minimum lot size for property with a water well 2.5 acres, minimum lot size without a well and served by Quality Water-1 acre.



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**MORGAN COUNTY RIGHT TO FARM POLICY / NOTICE**

Morgan County is one of the most productive agricultural counties in Colorado. Ranching, farming, animal feeding, and all other manner of agricultural activities and operations in Morgan County are integral and necessary elements of the continued vitality of the county's economy, culture, landscape and lifestyle. Morgan County specifically recognizes the importance of agricultural operations as necessary and worthy of recognition and protection.

Landowners, residents and visitors must be prepared to accept as normal the effects of agriculture and rural living. These may include noise from tractors, equipment, and aerial spraying sometimes at night or in the early morning; dust from animal pens, field work, harvesting, and gravel roads; odor from animal confinement operations, silage and manure; smoke from ditch burning; flies and mosquitoes; the use of pesticides and fertilizers, including aerial spraying; and movement of livestock or machinery on public roads. Under the provisions of the State of Colorado's "Right to Farm" law (Section 35-3.5-101 and following, C.R.S.), all normal and non-negligent agricultural operations may not be considered nuisances.

Also public services in a rural area are not at the same level as in an urban or suburban setting. Road maintenance may be at a lower level, mail delivery may not be as frequent, utility services may be nonexistent or subject to interruption, law enforcement, fire protection and ambulance service will have considerably longer response times, snow may not be removed from county roads for several days after a major snow storm. First priority for snow removal is that school bus routes are normally cleared first.

Children are exposed to different hazards in a rural setting than they are in an urban or suburban area. Farm and oilfield equipment, ponds, and irrigation ditches, electrical service to pumps and oil field operations, high speed traffic, noxious weeds, livestock, and territorial farm dogs may present real threats to children. It is necessary that children's activities be properly supervised for both the protection of the children and protection of the farmer's livelihood.

All rural residents and property owners are encouraged to learn about their rights and responsibilities and to act as good neighbors and citizens of Morgan County. This includes but is not limited to obligations under Colorado State law and Morgan County Zoning Regulations regarding maintenance of fences, controlling weeds, keeping livestock and pets under control. There may be provisions of which you are unaware. For example, because Colorado is a Fence Law State, owners of property may be required to fence livestock out.

Information regarding these topics may be obtained from the Colorado State University Cooperative Extension Office, the County Planning and Zoning Department, and the County Attorney.

**RECEIPT AND STATEMENT OF UNDERSTANDING**

I hereby certify that I have received, read, and understood the Morgan County Statement of Policy and Notice regarding Right to Farm.

I further state that I am aware that the conditions of living in an unincorporated area are different than living in a town or city and that the responsibilities of rural residents are different from urban or suburban residents. I understand that under Colorado law that a pre-existing, non-negligent agricultural operation may not be considered a public or private nuisance.

***To Be Signed by Landowner***

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Address