

**APPLICATION FOR EXEMPTION
FROM SUBDIVISION APPROVAL REGULATIONS**

**WASHINGTON COUNTY
150 ASH AVE, AKRON, COLORADO, 80720
970-345-2701 Fax 970-345-2702**

Permit Number EX _____

WASHINGTON COUNTY STATE OF COLORADO

Date _____ **Fee: \$100.00**

Name of Applicant _____ Email (optional) _____

Address _____ City, _____ St, _____ Zip _____

Telephone number (s) _____
Phone(1) _____ Phone(2) _____ Fax _____

Legal description as defined by the quarter/quarter section (**Example:** property located in SW1/4 of SW1/4 Section 21, Township 5 North Range 54 West)

Township _____ Range _____ Section _____ 1/4Section _____

Approximate location using existing County roads _____

Current landowner _____
(If different from applicant) _____ Phone _____

Address _____ City, _____ St, _____ Zip _____

Purchaser, if applicable _____
Phone _____

Address _____ City, _____ St, _____ Zip _____

Registered engineer/surveyor _____
Phone _____

Address _____ City, _____ St, _____ Zip _____

(a). It is mandatory that you supply a survey print of the proposed parcel for which the exemption is being sought. There are several survey companies that will develop such a document for this purpose. If you need assistance in contacting a surveyor, there is a list available within the County Commissioners' office. The County does not recommend any firm in particular. When your application is submitted you will be asked to also submit a survey print showing the following:

1. The location of all dwellings, structures, outbuildings
2. The access from the nearest public right of way
3. Wells
4. The approximate location of the septic system
5. A legal description is necessary

The County will require the following execution blocks as the only acceptable format for approvals:
the owner of the property **along with a notary block for the owner's signature;**

EXAMPLE of COUNTY SIGNATURE BLOCK FOR MYLAR ONLY – DO NOT FILL OUT

Recommended for approval by the Washington County Planning Commission on _____ 20_____.

Chairman, Planning Commission

Attest: _____
Recording Secretary

Approved by the Board of County Commissioners on _____ 20____ subject to an acceptable mylar being prepared with certain conditions for final approval as may be set forth within Resolution _____. Tendered to the Board with required changes for final execution and recording which completes the planning process on _____ 20_____.

Chairman, Board of County Commissioners

Attest: _____
Clerk to the Board

Recorded on the _____ day of _____ 20____ by Garland Wahl, Washington County Clerk and Recorder at _____ _M, in Book _____; Page _____; Reception Number_____.

You should title the print “_(see below)_ Subdivision Exemption Survey Plat”.

You may also title the document using personal information so long as you include the aforementioned language. For example:

If your name was Robert Johnson, the document could be titled “Johnson Subdivision Exemption Survey Plat”. Washington County prefers the name be included in the Subdivision Exemption title. **NOTE: Your application will not be processed unless and until you submit a survey print that complies with this section.**

(b). When the Planning Commission and/or the Board of County Commissioners considers your application, they may require that you add additional notes which will supplement your approval with certain conditions. These conditions may vary, for example, from requiring that you not allow commercial uses upon your property or that you not construct another residence upon the parcel. This is the reason why a survey print is required when you submit your application. When the final notes, if any, have been determined, they will be supplied to the person who prepared the survey for inclusion upon a final document to be recorded called a “mylar print”.

(c). The mylar print must be completed and forwarded to the County for recording. **Note: The exemption process is not complete until the County Clerk and Recorder records the final mylar document.** If you have scheduled a closing, most title companies will not complete the closing unless and until they have evidence that the mylar print has been recorded.

Date survey print received by County _____

Date final mylar print received (to be completed by County) _____

Reason for exemption: _____

Are your Real Property taxes current? _____ Yes _____ No _____
(If No, date taxes expect to be paid)

Total amount of land in tract before exemption: _____ acres

Total acreage for which the exemption is being sought: _____ acres

(a). Note: Washington County requires that a minimum of 2.5 acres is necessary for the installation of a septic system. Therefore, subdivision exemption requests cannot be processed for less than this parcel size. If there are public water and sewer systems in place, this requirement may be adjusted.

Availability of utilities to subdivision:

Water supply: public system _____ existing on-lot system _____
Proposed on-lot system _____ water well# _____
Sewage: public system _____ existing on-lot system _____
Proposed on-lot system _____ application attached _____

(a). If you are constructing a new septic system on the parcel, you will be required to show documentation of application and/or approval from Northeast Colorado Health Department. **NOTE: Your application will not be processed unless and until you submit proper documentation which complies with this section; unless you have an existing septic system or you are served by a public water and sewer system.**

(b). The Colorado State Water Engineer issues well permits for agricultural and residential uses within Washington County. If you are constructing a well upon the parcel, you will need to supply evidence that you have obtained a well permit. **NOTE: Your application will not be processed unless and until you submit a well permit which complies with this section, unless you have an existing well.**

Washington County has a Right to Farm Policy. The Board of County Commissioners is proud of the County's agricultural based economy. Based upon the rural nature of Washington County, persons living within the unincorporated areas will be subject to all aspects of farming and ranching activities. As a condition of approval of all subdivision exemptions, persons will be required to sign an acknowledgement that they have received and read a statement of understanding relating to farming and ranching operations within the County. This will be a condition of approval for all subdivision exemptions.

If the property is not currently served by an existing county road, and the county is required to construct access to the parcel, you will be required to bear the costs of road construction. The county cannot construct roadways unless and until they receive title to the proposed right of way. This will be a condition of approval for the exemption. The costs for construction will be determined on a case by case basis. This section is not applicable for subdivision exemptions that currently abut existing county roads. However, if culverts or other roadway design improvements must be made to meet county standards, those costs will be paid by you.

Linear feet of proposed new county roads if applicable _____
a. State/county road access: existing _____

Additional information you wish to submit regarding the exemption request: _____

Name, address and telephone number of person preparing this application:

Name		email (optional)	
Address			
City		State	Zip
Phone (1)	Phone (2)	Fax	

I hereby certify that to the best of my knowledge the above information is true and correct.

Signature of applicant (s)
(If not the property owner)

Date

Signature of applicant (s)
(If not the property owner)

Date

Signature of current property owner (s)
(Required)

Date

Signature of current property owner (s)

Date

(The following page is for County action)

COUNTY USE ONLY

Planning Commission Recommendation:

- Approved as submitted ()
- Approved with conditions ()
- Not Approved ()

Remarks: _____

Chairman _____ Date _____
 Planning and Zoning

Board of County Commissioners Recommendation:

- Approved as submitted ()
- Approved with conditions ()
- Not Approved ()

Remarks: _____

Chairman _____ Date _____
 Board of County Commissioners

WASHINGTON COUNTY RIGHT TO FARM POLICY

Washington 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 Washington County are integral and necessary elements of the continued vitality of the county's economy, culture, landscape and lifestyle. Washington 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, manure, smoke from ditch burning, flies, mosquitoes, the use of pesticides and fertilizers, including aerial spraying, and movement of livestock or machinery on public roads. Under the provision of the State of Colorado's "Right to Farm" law, C.R.S. 35-3.5-101 and following), 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 non-existent or subject to interruption, law enforcement, fire protection and ambulance service will have considerably longer response times, and 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 setting. Farm and oil field equipment, ponds and irrigation ditches, electrical services 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 Washington County. 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.

Any person purchasing property which has been granted a subdivision exemption will be required to sign an acknowledgment of the Washington County Right to Farm Policy before approval of the exemption.

8.202 (b) RECEIPT AND STATEMENT OF UNDERSTANDING

I hereby certify that I have received, read and understand the Washington County Statement of Policy regarding the Right to Farm.

I further state that I am aware that the conditions so 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.

Date: _____

Date: _____

Signature – Applicant(s)

Signature – Applicant(s)

Printed Name

Printed Name

Address

Address

Town, State, Zip Code

Town, State, Zip Code

Please list any additional applicant, trust or purchaser signatures below:

WASHINGTON COUNTY PLANNING DEPARTMENT
CHECKLIST FOR EXEMPTION FROM SUBDIVISION
REQUIREMENTS FOR YOUR PROPOSED PROJECT

1. Provide an official survey plat.
 - a. A preliminary copy provided by the surveyor will be adequate for the application hearing.
2. Sign a “Right to Farm Policy” statement of understanding.
3. Legal Access:
 - a. Show all accesses to new parcel on survey plat. Property cannot be denied access to a public right of way.
 - b. If easement is required, provide documentation of signed easement agreement if easement is crossing property other than that included in the subdivision exemption.
 - c. Show easement on the survey plat.
4. If There is a current residence on the property or
You intend to build a residence within 12 months of this subdivision exemption and know where the following locations can be shown on the survey then the following information needs to be included with your application:
 - a. Sewer or Septic System:
 - i. Provide documentation that the Health Department will issue a permit (for a new system) or
 - ii. Provide a diagram of any existing waste sewer or septic system.
 - iii. Any subdivision must be a minimum of 2.5 acres to have a septic system.
 - b. Water System:
 - i. Provide a copy of a well permit from the State of Colorado (for a new well) or
 - ii. Provide the well number for or a diagram of any existing well.
 - c. You must obtain a Washington County building permit if construction or improvements will occur. Access to public utilities (electricity) must be available.
 - d. Washington County application fees are non-refundable.

If you have any questions, please feel free to contact Val Foutz, Washington County Zoning Official at 970-345-2701

**LAND USE DEVELOPMENT GUIDELINES
FOR
WASHINGTON COUNTY, COLORADO
SUBDIVISION EXEMPTION**

The purpose of a subdivision exemption is to create a legal parcel within the unincorporated area of Washington County as required by law without zoning or platting of the property. It is important that you follow the guidelines so that your proposed exemption can be approved in a timely manner.

The Board of County Commissioners, as well as the Planning Commission has attempted to develop these guidelines to be straightforward in order to help you through the development process. If they are followed and the complete application is submitted, you can expect approval within 30 days from the date the application is filed.

The Planning Commission generally meets the third Monday of each month. The Board of County Commissioners will hear the exemption request on Tuesday, following the Planning Commission meeting the night before. Therefore, you should be able to calculate the exact date that your application will be formally considered. Under some circumstances, and at your request for an additional fee, the Planning Commission may hold a special meeting to accommodate your request. This fee is \$350.00. If such a special request is made, the Board will act on the application on the Tuesday following the special meeting of the Planning Commission.

The complete application will need to be submitted to the County Commissioners' office no later than the Wednesday before the third Monday of the month in order to be considered at that month's meeting.

If you have questions when you are completing the application, you may contact the County Commissioners' office for assistance prior to the actual submission of your application. The telephone number is 970-345-2701.

Approved by Board of County Commissioners June 28, 2002
Effective date July 1, 2002
Resolution No. 2002-59
Resolution No. 2004-83 (execution blocks)