



FREMONT COUNTY

DEPARTMENT OF PLANNING AND ZONING

615 MACON AVENUE, ROOM 210, CAÑON CITY, COLORADO, 81212

Telephone 719-276-7360 / Facsimile 719-276-7374

Email: Planning@fremontco.com

Board of Zoning Adjustment

Application Packet

Note: All applications prior to submittal must have gone through a pre-application meeting.

FREMONT COUNTY PLANNING & ZONING

Process & Requirements Overview

Any application which is not complete or does not include all minimum submittal requirements will be rejected by the Fremont County Department of Planning and Zoning (Department). The department requires one (1) hard copy of the application and all required submittals. Two (2) copies of a drawing shall be prepared to professional standards, minimum size 24" X 36", drawn at a common increment scale between or including 1" = 50' and 1" = 200' unless otherwise approved by the Department prior to submittal of the application, & two (2) reduced (to 11"x17") copies. One (1) electronic copy all items shall be labeled exactly as the required submittal.

Upon receipt of a complete application, the Department will review the application and all attachments and prepare a Department Submittal Deficiency and Comment Letter (D & C Letter), which will state the submittal deficiencies which must be addressed by the applicant, Department comments and/or questions about the application, and the number of revised application packets to be supplied to the Department for placement on an agenda of the Board of Zoning Adjustment (B.O.Z.A). An additional full application fee may be charged to the applicant, as per Resolution approved by the Board of County Commissioners (Board), if all deficiencies as per the initial D & C Letter are not adequately addressed or provided. Each subsequent D & C Letter, based on resubmitted items, will result in another full application fee. All such fees shall be paid along with the deficiency submittal, prior to any further review of the application.

The Department, and/or Board of Zoning Adjustment may require additional information at any time during the application process as may be deemed necessary for thorough consideration of the application and to enable an informed final decision.

In granting a variance, the BOZA may impose additional requirements on the applicant as a condition of approval.

All applicants and/or their representatives must attend the BOZA meeting at which their request is to be heard. In addition, the BOZA may require the presence of the applicant at its meeting for which a hardship waiver extension is to be considered.

Construction for all variances granted shall be completed within one (1) year after the date of approval of variance.

Any further appeal from the decision of the BOZA shall be made to the Court, as provided by court rule or state statute.

All questions must be answered, all appropriate attachments must be made and the non- refundable application fee provided at the time of submittal or the submittal will not be accepted and will not be placed on the Board of Zoning Adjustment Meeting Agenda.

All property owners of property adjacent to the variance property will be notified of this application by the Department.

Applicants shall pay all application fees to the Fremont County Treasurer's Office. Upon receipt of a complete application, a Department representative will provide the applicant with a payment check list to present to the Treasurer's Office with payment.



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Check the Applicable Application

	<input type="checkbox"/> B.O.Z.A. \$750.00	
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Property Information:

Property Address:	
Tax ID/Parcel Number:	Parcel size in Acres:
Zone District:	Proposed Land Use:

PROPERTY OWNER(S) INFORMATION: Indicate the person(s) or organization(s) who own the property proposed for development. Attach additional sheets if there are multiple property owners.

Name(s) (Individual or Organization):
Mailing Address:
Telephone:
Email Address:

AUTHORIZATION REPRESENTATIVE / AGENT / CONSULTANT: Indicate person(s) submitting the application if different than the property owner(s). Attach additional sheets if necessary.

Name(s) (Individual or Organization):
Mailing Address:
Telephone:
Email Address:

By signing this Application, the Applicant, or the agent/representative acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the application and any attachments to the Application, is true and correct to the best of Applicant’s knowledge and belief.

Fremont County hereby advises Applicant that if any material information contained herein is determined to be misleading, inaccurate or false, the Board of Commissioners may take any and all reasonable and appropriate steps to declare actions of the Board of Zoning Adjustment regarding the Application to be null and void.

Applicant understands that any required private or public improvements imposed as a contingency for approval of the application may be required as a part of the approval process.

Signing this Application is a declaration by the Applicant to conform to all plans, drawings, and commitments submitted with or contained within this Application, provided that the same is in conformance with the Fremont County Zoning Resolution.

I further understand that a notice of the Board of Zoning Adjustment Meeting for this item will be published in a local newspaper at my expense.

_____	_____	_____
Printed Name	Applicant Signature	Date

_____	_____	_____
Printed Name	Owner Signature	Date



Fremont County Planning & Zoning Department

Board of Zoning Adjustment (BOZA) Application

1. Provide a brief description of the variance request.

2. The Board of Zoning Adjustment shall have the power to grant variances from the Fremont County Zoning Resolution, but only where all of the following conditions are found to exist. The applicant shall provide “their” justification, finding each condition to exist.

- a. The variance would not authorize any use other than those enumerated as a “use-by-right” in the Zone District, and that the essential character of the Zone District would not be altered.

- b. An unnecessary hardship to the variance property owner could be shown to occur if the provisions of the Zoning Resolution were strictly interpreted.

- c. The circumstances found to constitute a hardship, requiring this variance, either were not created by the owner, or were in existence at the time of the passage of the Zoning Resolution and cannot be reasonably corrected, without variance.

- d. The variance, if approved, would not be inconsistent with the intent and purpose of the Zoning Resolution and would not prejudicially effect the health, safety and general welfare of the inhabitants of Fremont County,

REQUIRED EXHIBITS

The following items shall be attached to this application.

<input type="checkbox"/> EXHIBIT 3.1	A copy of the current deed of record
<input type="checkbox"/> EXHIBIT 3.2	An improvement location certificate, survey plat or certified plot plan for the variance property, evidencing the location and size of all existing and proposed improvements (<i>such as structures, wells, septic systems driveways etcetera</i>), along with any significant topographic features, performed, signed and sealed by a Colorado Registered Professional Land Surveyor.
<input type="checkbox"/> EXHIBIT 3.3	A complete building permit application.
<input type="checkbox"/> EXHIBIT 3.4	Water Source
<input type="checkbox"/> EXHIBIT 3.5	Sanitation source
<input type="checkbox"/> EXHIBIT 3.6	If the variance property gains access from a State or Federal Highway, documentation shall be attached to this application verifying legal access to the property.
<input type="checkbox"/> EXHIBIT 3.7	If applicable, documentation from the variance property owner allowing the application to be made.