



**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**

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

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

Administrative Review

## VARIANCE TO ZONING REGULATIONS APPLICATION

### APPLICANT

### LANDOWNER

Name \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Address \_\_\_\_\_

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

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

Email \_\_\_\_\_

Email \_\_\_\_\_

### TECHNICAL INFORMATION

Address or general location of property \_\_\_\_\_ Zone District \_\_\_\_\_

Size of property (Sq. Ft. or Acres) \_\_\_\_\_

Complete Legal Description of property. If not enough space, attach to application and label "Exhibit 2". \_\_\_\_\_

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

### APPLICANT'S STATEMENT

It is acknowledged that any drainage associated with this property in the past, present or future is the responsibility of the landowner and not that of Morgan County. I/we certify that the information and exhibits I/we have submitted are true and correct to the best of my knowledge. Application must be signed by landowner.

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

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

OFFICE USE ONLY:	<input type="checkbox"/> Administrative	<input type="checkbox"/> Board of Adjustments	<input type="checkbox"/> Board of County Commissioners
Date Received _____	Received By _____	Fee Payment _____	Check # _____
Fee Paid By _____			
Comments / Other Permits Required _____			
ZV permit # _____			



# REQUEST FOR VARIANCE

- ADMINISTRATIVE
- BOARD OF ADJUSTMENTS
- BOARD OF COUNTY COMMISSIONERS

## TYPE OF VARIANCE

- \_\_\_\_\_ Minimum Area of Lot (see list of additional attachments)
- \_\_\_\_\_ Minimum Width of Lot
- \_\_\_\_\_ Maximum Height of Fence, Sign or Structure
- \_\_\_\_\_ Minimum Front Yard
- \_\_\_\_\_ Minimum Side Yard
- \_\_\_\_\_ Minimum Rear Yard
- \_\_\_\_\_ Other: Variance from Section # \_\_\_\_\_ of Morgan County Zoning Regulations.

## LIST OF ATTACHMENTS

- \_\_\_\_\_ Exhibit A: Proof of ownership; title insurance, attorney’s title opinion, Deed of Trust (Minimum lot size variance must have current title insurance, within the last 6 months).
- \_\_\_\_\_ Exhibit B: Site plan prepared to appropriate scale showing the location of existing structures, fences, natural features, streets, rights-of-way, easements, greenbelt areas, boundary lines and lot lines. The site plan will graphically display the design standards, such as setbacks, which are the subject of application request. Minimum lot size variance requires a survey as per Sections 8-175 and 8-180 of the Morgan County Subdivision Regulations.
- \_\_\_\_\_ Exhibit C: A statement that encompasses the following concepts:
  - (1) Demonstrate that special conditions and circumstances exist which are peculiar to the lot, structure, or building involved and which are not applicable to other lots, structures, or buildings in the same zoning district.
  - (2) Demonstrate that literal interpretation of the provisions of the Zoning Regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.
  - (3) Demonstrate that the special conditions or circumstances do not result solely from the action of the applicant.
  - (4) Demonstrate with evidence that the variance requested is the minimum variance that will make possible the use of the lot, building, or structure.
- \_\_\_\_\_ Exhibit D: Approval of project from adjoining landowners (administrative review only).



# REQUEST FOR VARIANCE

- \_\_\_\_\_ Exhibit E: Approval of project from Property Owners Association and/or Home Owners Association.
- \_\_\_\_\_ Exhibit F: Morgan County Right to Farm Policy
- \_\_\_\_\_ Exhibit G: Non-refundable application fee of \$500.00 for Board of Adjustments review.
- \_\_\_\_\_ Exhibit H: Non-refundable application fee of \$250.00 for Board of County Commissioners review.
- \_\_\_\_\_ Exhibit I: Non-refundable application fee of \$150.00 for administrative review.
- \_\_\_\_\_ Exhibit J: Additional information as required by staff.

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## ADDITIONAL ATTACHMENTS FOR MINIMUM LOT SIZE

- \_\_\_\_\_ Exhibit K: “Will Serve Letter” for waste disposal system.
- \_\_\_\_\_ Exhibit L: Contract for service for public water system; or copy of well permit.
- \_\_\_\_\_ Exhibit M: Legal access - copy of permit for driveway from state highway department or from Morgan County Road and Bridge Dept. (and other easements/right-of-ways as applicable) required for new and existing access.
- \_\_\_\_\_ Exhibit N: Soil map from Morgan County Soil Conservation Service.
- \_\_\_\_\_ Exhibit O: Revegetation plan.
- \_\_\_\_\_ Exhibit P: Names and address’ of all mineral rights owners and/or lessees’.
- \_\_\_\_\_ Exhibit Q: Restrictive covenants.  
(Recording fee for covenants: \$13.00 for first page, \$5.00 for each additional page)

*Property taxes must be current at the time of processing.*



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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



**MORGAN COUNTY**  
**Road and Bridge Department**

**REQUEST FOR DRIVEWAY ACCESS LETTER**

Requested By: Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Present Driveway Location: \_\_\_\_\_

New Driveway Location: \_\_\_\_\_

If this letter is to be mailed to an address different from above indicate:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Submit this request to: Morgan County Road and Bridge Department  
Attn: Richard Early – Bridge Manager  
17303 Co Rd S  
P.O. Box 516  
Fort Morgan, CO 80701  
(970) 542-3560

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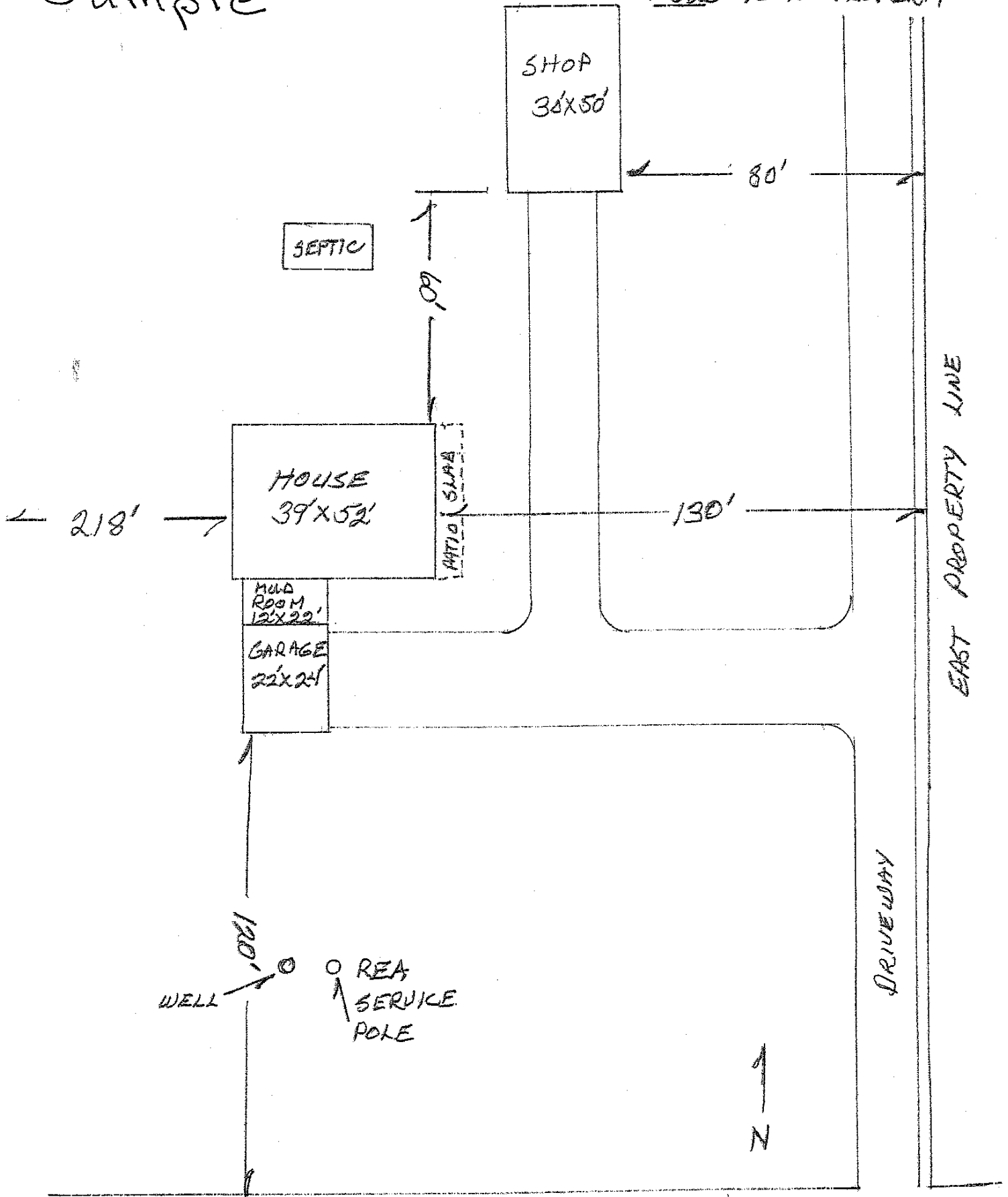
**For Office Use Only**

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Sample

↑ 326' TO N. PROPERTY



ROAD 5

1 SQUARE = 4 FEET