

## GENERAL INSTRUCTIONS FOR APPLYING FOR AN EXEMPTION FROM COUNTY SUBDIVISION APPROVAL PROCEDURES

This instruction kit includes both a sample of a satisfactorily completed exemption request and one application form for your use in applying for an exemption.

In completing the application, please recognize that some items may not apply to your particular situation. When an item does not appear to apply to you, please write N/A in the appropriate section. Please do not leave any items blank.

Upon completing the application form, please detach it from the accompanying instructions and submit it to the address below.

### **FEES:**

- A check for **\$60.00** made out to **Phillips County** must accompany the application for the subdivision. (Please do not send cash.)
- You **must** also enclose a check or money order made out to **Phillips County Clerk** in the amount of **\$18.00** to cover the cost of recording your application. (Please do not send cash.)

The County will require an 8 ½" x 14" or 8 ½" x 11" copy of the survey of the property to be sold before approval will be granted for a subdivision exemption.

(By statute, a Mylar of the survey must **also** be filed in the Phillips County Clerk's Office by the **surveyor**. This is the responsibility of the seller of the land or the surveyor. Make checks payable to Phillips County Clerk in the amount of \$21.00 for recording large Mylar 32" x 56" or \$11.00 for a 8½" x 14" size Mylar.)

In most cases, approximately four weeks will be required to process your application. However, every effort will be made to render a decision as quickly as possible.

### **Send your form, checks or money orders to:**

Laura Schroetlin  
Phillips County Planning Commission  
Phillips County Courthouse  
221 S Interocean Ave  
Holyoke, CO 80734

## **Subdivision Exemption**

Any sale of land in Colorado of less than 35 acres must either be in an approved subdivision plot or receive a subdivision exemption from the Board of County Commissioners. Phillips County typically allows exemptions if the necessary services are available for the location.

The proposed seller needs to submit a subdivision exemption application, to include a sketch of where the proposed tract is located.

The application is reviewed by the Planning Commission and then forwarded to the County Commissioners for final action. We do require a licensed survey of the tract. The survey can be completed while the application is being reviewed. If the exemption is approved, it cannot be recorded until we receive a copy of the survey.

Local surveyors who are licensed:

1) Dickinson Land Surveyors, Inc  
212 S Interocean Ave  
Holyoke, CO 80734  
Josh Skelton  
970-854-8440 or 308-350-1326  
josh@rls554.com

2) Liebert-McAtee & Associates  
910 Division  
Sterling, CO 80751  
970-522-1960

3) Forty North, LLC Land Surveying  
53575 County Road NN  
Wray, CO 80758  
John Thompson  
970-466-0552

## **PHILLIPS COUNTY, COLORADO SUBDIVISION EXEMPTION CRITERIA**

1. Exemptions granted pursuant to 30-28-101, (10)(b), C.R.S., from the County Subdivision Regulations, shall meet the following minimum criteria:
  - a. No more than five (5) lots of interests may be created from any parcel;
  - b. No dead-end streets will be allowed;
  - c. No double-frontage lots will be allowed;
  - d. Each lot shall have its own survey metes and bounds;
  - e. Suitable monumentation must be provided;
  - f. No dedications, without written approval of the Board, to the public in any form shall be acceptable;
  - g. Domestic well permits to adequately supply water, or a public water source, must be provided by the developer;
  - h. Lots must be 2.5 acres or larger, unless served by a municipal water system or both municipal water and sewer;
  - i. No final sloped exceeding ten (10%) may exist in greater than twenty five (25%) if any lot in any proposed development and any changes in the proposed lot grading must be mitigated for wind erosion and sedimentation;
  - j. Sewage disposal site approval from the Northeast Colorado Health Department or taps must be provided by the developer;
  - k. Known floodplain, areas of expansive soils, or excessive slopes will not be granted exemptions;
  - l. Compliance with the Phillips County Master Plan must be met;
  - m. A statement indicating compliance with any Municipal Master Plan from any incorporated Municipality within two (2) miles must accompany the exemption application;
  - n. If the proposed development is contiguous with any corporate limit of any incorporated Municipality, no exemptions will be allowed, unless in compliance with all Master Plans;
  - o. No exemptions shall be granted where on-site water systems are proposed with septic tanks, where the septic tank could infiltrate into a high water table;
  - p. Acceptable lot restrictions or covenants for the use of each lot consistent with the development permit controlling the installation of non-similar uses;
  - q. No roadways shall be allowed on property lines without adjacent property owner(s) written approval.
  - r. A method of street maintenance and snow removal shall be provided which is acceptable to the Phillips County Board of Commissioners.

**PHILLIPS COUNTY APPLICATION FOR EXEMPTION FROM SUBDIVISION APPROVAL REGULATIONS**  
**Application Fee: \$60.00**

1. Date of Application \_\_\_\_\_, 20\_\_\_\_\_
2. Name of Subdivision (if any)\_\_\_\_\_
3. Location of Subdivision: Qtr\_\_\_\_\_ Section\_\_\_\_\_ Township\_\_\_\_\_ Range\_\_\_\_\_
4. Distance and Direction of Nearest Community:\_\_\_\_\_
5. Seller of land \_\_\_\_\_  
 Address\_\_\_\_\_ Tele:\_\_\_\_\_
6. Buyer of Land \_\_\_\_\_  
 Address\_\_\_\_\_ Tele:\_\_\_\_\_
7. Registered Engineer or Surveyor \_\_\_\_\_  
 Address\_\_\_\_\_ Tele:\_\_\_\_\_
8. Type of Subdivision (Check appropriate type): Non-Farm Residential\_\_\_\_\_ Farmstead\_\_\_\_\_  
 Mobile Home \_\_\_\_\_ Commercial\_\_\_\_\_ Industrial\_\_\_\_\_ Other\_\_\_\_\_
9. Amount of Land in Tract Before Subdivision \_\_\_\_\_ acres.
10. Total acres Seller is Presently Planning to Sell \_\_\_\_\_ acres.
11. Availability of Utilities to Subdivision:  
Water supply: Public System\_\_\_\_\_ Existing On-Lot System\_\_\_\_\_ Proposed On-Lot System\_\_\_\_\_  
Sewage: Public System\_\_\_\_\_ Existing On-Lot System\_\_\_\_\_ Proposed On-Lot System\_\_\_\_\_  
Electricity: Currently Available\_\_\_\_\_ Proposed in Future\_\_\_\_\_  
Gas: Natural\_\_\_\_\_ Bottled\_\_\_\_\_
12. Linear feet of proposed new streets or roads:\_\_\_\_\_
13. General Description of Project:\_\_\_\_\_
14. Individual preparing Application forms:\_\_\_\_\_

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

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

Signature \_\_\_\_\_  
 (Must be signed by Seller)

County Use Only

ACTION: Planning Commission Recommendation  
 Approval { }  
 Disapproval { }  
 Remarks: \_\_\_\_\_

File No: \_\_\_\_\_

DATE: \_\_\_\_\_ 20\_\_\_\_\_

Board of County Commissioners' Recommendation  
 Approval { }  
 Disapproval { }  
 Remarks: \_\_\_\_\_

DATE: \_\_\_\_\_ 20\_\_\_\_\_

**SAMPLE PHILLIPS COUNTY, COLORADO SAMPLE**  
**APPLICATION FOR EXEMPTION FROM SUBDIVISION APPROVAL REGULATIONS**

1. Date of Application May 1, \_\_\_\_\_, 2011\_\_\_\_\_
2. Name of Subdivision (if any) N/A \_\_\_\_\_
3. Location of Subdivision: Qtr NW Section 14 Township 8N Range 44W
4. Distance and Direction of Nearest Community: \_\_\_\_\_
5. Seller of land Mr. & Mrs. Joe Public  
Address 25575 Co. Rd. 57 Holyoke, CO 80734 Tele: 970-854-8225
6. Buyer of Land Mr. Scott Free  
Address 1767 Smith Road Haxtun, CO 80734 Tele: 970-774-6123
7. Registered Engineer or Surveyor Land of the Free Survey Company  
Address 1643 E. Elm Lakewood, Co 80215 Tele: 303-232-0406
8. Type of Subdivision (Check appropriate type): Non-Farm Residential  Farmstead \_\_\_\_\_  
Mobile Home \_\_\_\_\_ Commercial \_\_\_\_\_ Industrial \_\_\_\_\_ Other \_\_\_\_\_
9. Amount of Land in Tract Before Subdivision 160 acres.
10. Total acres Seller is Presently Planning to Sell 10 acres.
11. Availability of Utilities to Subdivision: **SAMPLE**  
Water supply: Public System \_\_\_\_\_ Existing On-Lot System \_\_\_\_\_ Proposed On-Lot System \_\_\_\_\_  
Sewage: Public System \_\_\_\_\_ Existing On-Lot System \_\_\_\_\_ Proposed On-Lot System   
Electricity: Currently Available  Proposed in Future \_\_\_\_\_  
Gas: Natural \_\_\_\_\_ Bottled  **SAMPLE**
12. Linear feet of proposed new streets or roads: N/A
13. General Description of Project: New Home & Garage
14. Individual preparing Application forms: Mr. & Mrs. Joe Public

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

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

Signature SAMPLE  
(Must be signed by Seller)

↓ County Use Only ↓

ACTION: Planning Commission Recommendation  
Approval { }  
Disapproval { }  
Remarks: \_\_\_\_\_

File No: \_\_\_\_\_

DATE: \_\_\_\_\_ 20\_\_\_\_\_

Board of County Commissioners' Recommendation  
Approval { }  
Disapproval { }  
Remarks: \_\_\_\_\_

DATE: \_\_\_\_\_ 20\_\_\_\_\_