

Application Review Process
GUIDES

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customer service."*

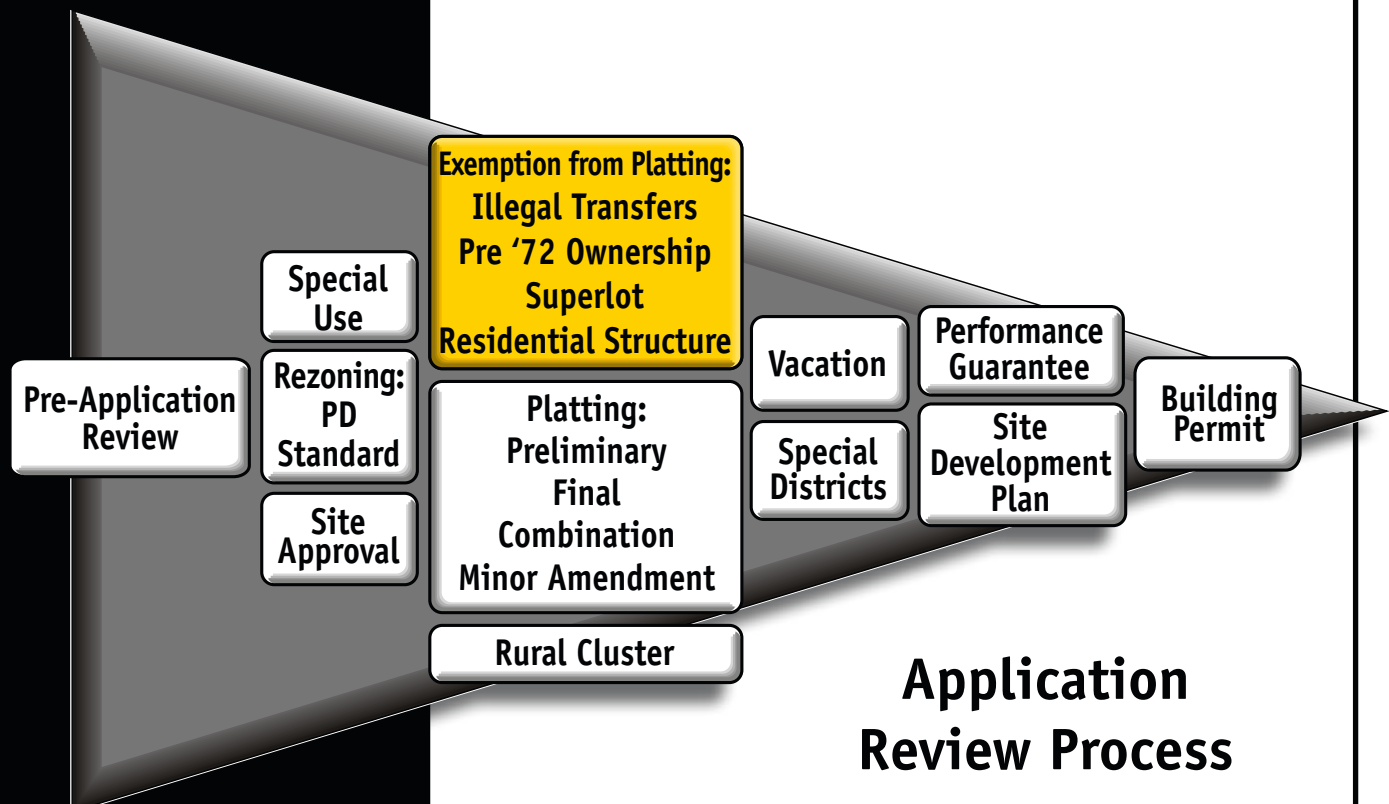
Exemption from Platting Process Residential Structure Exclusion

This guide describes the Residential Structure Exemption Process. Users should utilize this guide in conjunction with the Policy and Procedure Manual, Land Development Regulation and the Pre-Application Review guide.

State Statute requires that the Board of County Commissioner's approve any subdivision of land that creates a new parcel or increases or decreases the size of an existing parcel of land.

Specifically, Senate Bill 35 requires that any parcel of land less than 35 acres that was created after May 1972 must have been approved by the Board of County Commissioners to be considered "valid" and legal. The Bill also allows the Board of County Commissioners to exempt from the definition of the terms "subdivision" or "subdivided land" certain cases if specific requirements are met.

The Residential Structure Exclusion (RSE) was created as an administrative process to approve the illegal transfer for those properties that meet specific criteria.



Residential Structure Exclusion Criteria

To qualify for a Residential Structure Exclusion, all of the following criteria must be met:

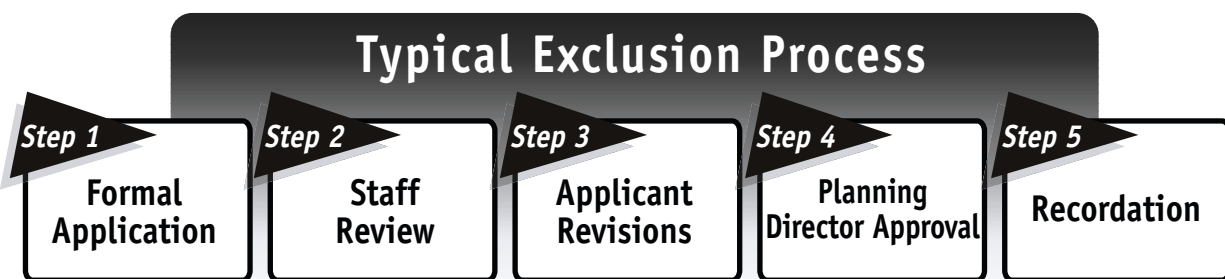
1. A residential structure exists on the lot or parcel created by the illegal division of land
2. The current owner of the residential structure did not create the illegal lot or parcel and the owner affirms that they were unaware of the illegality of the sale at the time of transfer.
3. The illegal lot or parcel was created before September 10, 2002. (The date of the adoption of the Residential Structure Exclusion Process)
4. The lot or parcel size complies with the zone district minimum land area requirements that existed at the time the lot or parcel was subdivided. If the lot or parcel size did not comply with the zone district requirements, the owner must obtain a variance for the lot or parcel size to be eligible for this Exclusion.
5. The type of system and the minimum lot or parcel size complied with Jefferson County Health and Environment's requirements that existed at the time the lot or parcel was subdivided when an individual sewage disposal system serves the residential unit. If the type of system or the lot or parcel size did not comply with Health and Environment's minimum requirements, the owner must obtain a variance from Health and Environment for the type of system or the lot or parcel size to be eligible.
6. The residential structure is served by a public or private central water system or by a lawful in-place well.
7. Appropriate permits were obtained for the residential structure, including without limitation, building, sewage disposal system, well, access, and driveway.
8. An Exemption Survey is submitted that shows the parcel size and the location of the residential structure in relationship to the lot or parcel boundaries. When an individual well and/or an individual sewage disposal system serves the residential unit, the survey must show the location of the well and/or sewage disposal system in relationship to the lot or parcel boundaries, unless waived by Jefferson County Health and Environment. Prior to recording, all structures, wells and sewage disposal systems may be removed from the survey.

The Process

The Exclusion process to legalize an illegal transfer of land is a 5-step process.

Please note that actual review times may vary based upon the specifics of the application and upon the responsiveness of the applicant in providing information and corrections. If you have

any questions regarding the Exclusion process, please contact the Jefferson County Planning and Zoning Division.



Step 1 Formal Application

The applicant shall submit the completed application form, fees and support documents in the manner and quantity identified by their Case Manager.

A complete description of the materials required for submittal with the exemption application is provided in the next section of this guide.

Step 2 Staff Review:

The Case Manager will refer the application, referral fees and support documents to the county divisions and other agencies identified by the Case Manager.

The Case Manager will coordinate the staff review and provide the applicant the Staff Comments.

Step 3**Applicant Revisions**

The applicant should work with the Case Manager to resolve all issues and finalize the application. Depending on the extent and substance of the required revisions, subsequent referrals may be necessary. The Case Manager will determine the need for additional referrals.

If there is no written response to staff comments within 60 calendar days after referral comments are provided to the applicant, the application will be considered withdrawn. The applicant will then have to file a new application with the required fee and documents. The Planning and Zoning Director may extend this 60 day maximum response deadline for additional 60 day periods if, in their opinion the delay in response is out of the control of the applicant.

Step 4**Planning Director Decision**

Following the submittal of all required documents, staff will present the Exclusion application to the Planning and Zoning Director.

The Planning and Zoning Director will review the request, staff report, and survey. The Planning Director will render a decision which approves, approves with conditions, or denies the Exclusion.

Step 5**Completion of Conditions of Approval/Recordation**

The Case Manager will notify the applicant of the conditions of approval. Applicants may be required to provide additional information depending on the specific nature of their application.

Submittal Requirements

The items indicated below must be submitted to the Case Manager in order to process your request.

**1. Application Form and Fee(s)**

Completed application form, balance of processing fee and referral fee(s).

2. Proof of Ownership

A copy of the current recorded deed (available in the Record Room, second floor of the Jefferson County Administration and Courts Building). Deeds of trust are not acceptable.

3. Proof of Water

The applicant must provide one of the following:

- A. A written statement from the appropriate water district, verifying that all necessary water taps have been issued.
- B. A valid well permit issued by the state. Permit information can be obtained from the Colorado State Division of Water Resources.

4. Proof of Sewer

The applicant must provide one of the following:

- A. A written statement from the appropriate sanitation district, verifying that all necessary taps are available or have been issued.
- B. A copy of the approved septic permits from Jefferson County Health and Environment.

5. Proof of Access

If the property does not have direct access to a county, state, city or town maintained street or road, the owner must provide at a minimum, a copy of an easement of record, at least 20 feet in width, proving access from a dedicated or maintained county, city, state, or town maintained street or road.

6. Deeds

Any deeds for dedications of rights-of-way.

7. Exemption Survey

An Exemption Survey in a format acceptable to the county (see Exemption Survey Format section of this guide for format and required elements).

Other

Other reports, studies, or plans deemed necessary by the Planning and Zoning Division to address issues unique to the application. These items may be determined during the Review Process or identified in the referral to other agencies.

Residential Structure Exclusion Survey Requirements

Residential Structure Exclusion Surveys are subject to the regulations and policies of:

- Jefferson County Policy and Procedure 5.5
- Jefferson County Land Development Regulation
- Colorado State Statutes regulating the Practice of Surveying.
- Colorado State Board of Licensure for Professional Engineers and Professional Land Surveyors policies, bylaws and rules.

Certificates, Restrictions And Notes

The following certificates, acknowledgments, restrictions and notes shall be placed, when applicable, and appropriately signed and sealed on the final plat. With the approval of the Jefferson County Attorney's Office, the language of these certificates, restrictions and notes may be modified based on unique situations provided such modification protects the interests of Jefferson County.

Acceptance Certificate:

THE FOREGOING EXEMPTION SURVEY IS APPROVED FOR FILING BY THE COUNTY OF JEFFERSON, STATE OF COLORADO, THIS ___ DAY OF _____ 20__.

DIRECTOR OF PLANNING AND ZONING DIVISION,
PURSUANT TO JEFFERSON COUNTY POLICY AND PROCEDURE MANUAL,
SECTION 5.5.4.6

Surveyor's Certificate:

I, _____, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE EXEMPTION SURVEY (PLACE TITLE HERE) WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION, AND THE ACCOMPANYING MAP ACCURATELY AND PROPERLY SHOWS SAID RESIDENTIAL EXCLUSION SURVEY.

NAME _____
REGISTERED COLORADO LAND SURVEYOR NUMBER _____
DATE _____

Purpose of Survey (place in note column):

THE PURPOSE OF THIS SURVEY IS TO LEGALIZE A LOT OR PARCEL CREATED BY AN ILLEGAL DIVISION OF LAND PURSUANT TO SECTION 5.5.4.6 OF THE JEFFERSON COUNTY POLICY AND PROCEDURES MANUAL.

Metes and bounds note:

THIS RESIDENTIAL STRUCTURE EXCLUSION EXEMPTION CASE DESCRIBES ONE PARCEL. THE PARCEL IS COMPRISED OF ____ PREVIOUSLY DESCRIBED CONTIGUOUS METES AND BOUNDS LEGAL DESCRIPTIONS. THE PARCELS SHALL BE COMBINED AND SHALL BE AND FOREVER REMAIN A SINGLE PARCEL UNLESS THE PARCEL IS SUBSEQUENTLY SUBDIVIDED PURSUANT TO JEFFERSON COUNTY REGULATIONS.
THE SUBJECT PROPERTY SHALL BE KNOWN AS LOT 1 OF (PLACE TITLE HERE) AND SUPERCEDES ANY PRIOR LEGAL DESCRIPTIONS.

Metes and bounds title:

SEC. __, T __ S, R __ W, 05-100100EX
A RESIDENTIAL STRUCTURE EXCLUSION IN A PORTION OF THE W ½ OF THE SW ¼ OF SECTION __, TOWNSHIP __ SOUTH, RANGE __ WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO

Recorded subdivision (combining lots) note:

THIS RESIDENTIAL STRUCTURE EXCLUSION EXEMPTION CASE DESCRIBES ONE PARCEL. THE PARCEL IS COMPRISED OF ____ PREVIOUSLY DESCRIBED CONTIGUOUS MULTIPLE LOTS AND/OR PARTIAL LOTS IN A RECORDED SUBDIVISION. THE PARCELS SHALL BE COMBINED AND SHALL BE AND FOREVER REMAIN A SINGLE PARCEL UNLESS THE PARCEL IS SUBSEQUENTLY SUBDIVIDED PURSUANT TO JEFFERSON COUNTY REGULATIONS.
THE SUBJECT PROPERTY SHALL BE KNOWN AS LOT 1 OF (PLACE TITLE HERE) AND SUPERCEDES ANY PRIOR LEGAL DESCRIPTIONS.

Recorded subdivision (combining lots) title:

PROJECT NAME – UNIT 2, EXEMPTION 1
A RESIDENTIAL STRUCTURE EXCLUSION OF LOTS 5 AND 6, AND PORTIONS OF LOT 1, LOT 2, LOT 3 AND LOT 4, BLOCK 7, MOUNTAIN VIEW LAKES – UNIT 2 BEING A PORTION OF THE SOUTHWEST ¼ OF SECTION 31, TOWNSHIP 6 SOUTH, RANGE 71 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORAD

Recorded subdivision (portion of a lot) note:

THIS RESIDENTIAL STRUCTURE EXCLUSION EXEMPTION CASE DESCRIBES ONE PARCEL. THE PARCEL IS COMPRISED OF A PORTION OF A PREVIOUSLY DESCRIBED LOT IN A RECORDED SUBDIVISION. THE PARCEL SHALL REMAIN A SINGLE PARCEL UNLESS THE PARCEL IS SUBSEQUENTLY SUBDIVIDED PURSUANT TO JEFFERSON COUNTY REGULATIONS.
THE SUBJECT PROPERTY SHALL BE KNOWN AS LOT 1 OF (PLACE TITLE HERE) AND SUPERCEDES ANY PRIOR LEGAL DESCRIPTIONS.

Recorded subdivision (portion of a lot) title:

LOCHWOOD FILING NO. 8 EXEMPTION 1
A RESIDENTIAL STRUCTURE EXCLUSION OF APORTION OF LOT 14, BLOCK 4, LOCHWOOD FILING NO. 8 BEING A PORTION OF THE SOUTHWEST ¼ OF SECTION 31, TOWNSHIP 6 SOUTH, RANGE 71 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORAD

Recorded subdivision with additional metes and bounds note:

THIS RESIDENTIAL STRUCTURE EXCLUSION EXEMPTION CASE DESCRIBES ONE PARCEL. THE PARCEL IS COMPRISED OF ____ PREVIOUSLY DESCRIBED CONTIGUOUS MULTIPLE LOTS AND/OR PARTIAL LOTS IN A RECORDED SUBDIVISION AND __ CONTIGUOUS METES AND BOUNDS PARCEL(S). THE PARCELS SHALL BE COMBINED AND SHALL BE AND FOREVER REMAIN A SINGLE PARCEL UNLESS THE PARCEL IS SUBSEQUENTLY SUBDIVIDED PURSUANT TO JEFFERSON COUNTY REGULATIONS.
THE SUBJECT PROPERTY SHALL BE KNOWN AS LOT 1 OF (PLACE TITLE HERE) AND SUPERCEDES ANY PRIOR LEGAL DESCRIPTIONS.

Recorded subdivision with additional metes and bounds title:

(PROJECT NAME) EXEMPTION 1
A RESIDENTIAL STRUCTURE EXCLUSION OF PORTIONS OF LOTS 1 THROUGH 4 INCLUSIVE, BLOCK 5, SUBDIVISON NO. 4 CLEAR CREEK HEIGHTS LOCATED IN SECTION 5 AND A PORTION OF THE SE1/4 OF THE SE1/4 SECTION 6, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO

Recorded exemption note:

THIS RESIDENTIAL STRUCTURE EXCLUSION EXEMPTION CASE DESCRIBES ONE PARCEL. THE PARCEL IS COMPRISED OF ____ PREVIOUSLY DESCRIBED CONTIGUOUS MULTIPLE LOTS AND/OR PARTIAL LOTS IN A PREVIOUSLY APPROVED EXEMPTION SURVEY. THE PARCELS SHALL BE COMBINED AND SHALL BE AND FOREVER REMAIN A SINGLE PARCEL UNLESS THE PARCEL IS SUBSEQUENTLY SUBDIVIDED PURSUANT TO JEFFERSON COUNTY REGULATIONS.
THE SUBJECT PROPERTY SHALL BE KNOWN AS LOT 1 OF (PLACE TITLE HERE) AND SUPERCEDES ANY PRIOR LEGAL DESCRIPTIONS.

Recorded exemption title:

SEC. 27, T6S, R71W, 02-120072EX
A RESIDENTIAL STRUCTURE EXCLUSION OF TRACT 1, EXEMPTION FROM
PLATTING
E56-7-77 (if recorded add reception number and book and page here) BEING A
PORTION OF THE W 1/2 OF THE SW 1/4 OF SECTION 27, TOWNSHIP 6 SOUTH,
RANGE 71 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF
COLORADO

Recorded exemption with additional metes and bounds note:

THIS RESIDENTIAL STRUCTURE EXCLUSION EXEMPTION CASE DESCRIBES
ONE PARCEL. THE PARCEL IS COMPRISED OF ___ PREVIOUSLY DESCRIBED
CONTIGUOUS MULTIPLE LOTS AND/OR PARTIAL LOTS IN A PREVIOUSLY
APPROVED EXEMPTION SURVEY AND ___ METES AND BOUNDS PARCEL(S). THE
PARCELS SHALL BE COMBINED AND SHALL BE AND FOREVER REMAIN A SINGLE
PARCEL UNLESS THE PARCEL IS SUBSEQUENTLY SUBDIVIDED PURSUANT TO
JEFFERSON COUNTY REGULATIONS.
THE SUBJECT PROPERTY SHALL BE KNOWN AS LOT 1 OF (PLACE TITLE HERE)
AND SUPERCEDES ANY PRIOR LEGAL DESCRIPTIONS.

Recorded exemption with additional metes and bounds title:

SEC. 27, T6S, R71W, 02-120072EX
A RESIDENTIAL STRUCTURE EXCLUSION OF TRACT 1, EXEMPTION FROM
PLATTING
E56-7-77 (if recorded add reception number and book and page here) AND A PORTION
OF THE W 1/2 OF THE SW 1/4 OF SECTION 27, TOWNSHIP 6 SOUTH, RANGE 71
WEST OF THE 6TH P.M.,
COUNTY OF JEFFERSON, STATE OF COLORADO

Recorded subdivision (combining lots) and vacated ROW note:

THIS RESIDENTIAL STRUCTURE EXCLUSION EXEMPTION CASE DESCRIBES
ONE PARCEL. THE PARCEL IS COMPRISED OF ___ PREVIOUSLY DESCRIBED
CONTIGUOUS LOTS AND/OR PARTIAL LOTS IN A RECORDED SUBDIVISION AND
PREVIOUSLY VACATED RIGHTS-OF-WAY . THE PARCELS AND VACATED RIGHTS-
OF-WAY SHALL BE COMBINED AND SHALL BE AND FOREVER REMAIN A SINGLE
PARCEL UNLESS THE PARCEL IS SUBSEQUENTLY SUBDIVIDED PURSUANT TO
JEFFERSON COUNTY REGULATIONS.
THE SUBJECT PROPERTY SHALL BE KNOWN AS LOT 1 OF (PLACE TITLE HERE)
AND SUPERCEDES ANY PRIOR LEGAL DESCRIPTIONS.

Recorded subdivision (combining lots) and vacated ROW title:

(PROJECT NAME) – FILING NO. 1, EXEMPTION 1
A RESIDENTIAL STRUCTURE EXCLUSION OF LOT 6, BLOCK 1, A PORTION OF LOT
5, BLOCK 1 AND A PORTION OF VACATED BROOK FOREST WAY, ALL IN BROOK
FOREST - FILING NO. 1
BEING A PORTION OF THE SOUTH 1/2 OF SECTION 30,
TOWNSHIP 5 SOUTH, RANGE 71 WEST OF THE 6TH P.M.,
COUNTY OF JEFFERSON, STATE OF COLORAD

Owners Certificate

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING THE
OWNER OF THOSE LANDS DESCRIBED HEREON, HAS LAID OUT THE SAME INTO
(LOTS, TRACTS, PARCELS, BUILDING ENVELOPES, AND EASEMENTS) (DELETE ANY THAT
ARE NOT APPLICABLE) AS SHOWN HEREON.

OWNER : _____
(NAME PRINTED)

NOTARY PUBLIC:
STATE OF COLORADO)
) SS
COUNTY OF JEFFERSON)
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 20____ BY _____ (NAME PRINTED)____.
WITNESS MY HAND AND SEAL.
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

Exemption Survey Format

The following graphic indicates the required layout of an exemption survey. All surveys must be submitted in a 24" x 36" size format, multiple pages are acceptable when necessary. All paper surveys must be folded by the applicant to 9" x 12" in size. *Unfolded paper surveys will not be accepted.* The graphic shown below is provided for general reference only and should not be duplicated.

When the final Exemption Survey is submitted for recordation, the survey mylar must meet the following standards:

1. 24" X 36" in size (multiple sheets can be used).
2. Produced on mylar a minimum of three one-thousandth (0.003) of an inch in thickness, black line, with a matte finish on both sides.
3. Lettering a minimum of 0.10".
4. Survey must be free of corrections and erasures.
5. All signatures must be original on the mylar, affixed with black acetone based ink.



Fees are on-line at our web site or call 303-271-8700. Make checks payable to Jefferson County Treasurer.