



PLANNING + NEIGHBORHOOD SERVICES

Land Use Review

Waiver of Replat Application Requirements

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This checklist is intended to assist in preparing a complete plan that will address all City development standards, requirements, and review criteria. The following information must be included with the plan submittal. If justified, the City may except any requirement. The Land Use Review Division may require additional information in accordance with City Code Section 7.5.403: *All documents should be neat and legible; inaccurate, incomplete, and poorly completed documents may be rejected.*

Please submit via the Planning Department's [online submittal system](#).

Submittal Checklist

General Requirements

- [General Applicant and Owner Acknowledgement Form](#)
- Project Statement that includes a clear description of the proposal
- Proof of the Date of Creation of the current legal description (i.e. a copy of the oldest deed recorded which contains the current legal description).
- The date of annexation of the parcel
- Recorded Subdivision Plat. This copy can be obtained from the El Paso County Clerk and Recorder's office located at 1675 Garden of the Gods Road, 1st Floor, Colorado Springs, CO 80907.
- A Legal Description of the proposed project on a separate document. Subdivision names must be as shown on the recorded plat and include the Book and Page and/or Reception Number. Any exception must be completely written out in metes and bounds. Easements not on the parcel should not be included.
- A Vicinity Map showing the parcel outlined with the adjacent streets noted on a separate 8 1/2" x 11" page
- Site Plan showing all plan content requirements identified below
- Owner Signature and Notarization Statement on submitted site plan

Plan Content Requirements

Site Plan Components

- Indication of standardized scale, both fractional and bar (i.e. 1" = 20')
- Property address, lot size, and dimensions of lot
- All existing lot boundaries with dimensions and easements of the ownership configuration. The drawings must include the entire ownership configuration along with any remainder of a platted lot and/or lots.
- All of each platted lot of which the parcel is a part
- Location, dimensions, and setbacks of all existing structures on both lots



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- Names, addresses, and phone numbers of the applicant and/or property owner

- Show and clearly label existing utilities located on the site

- Location, names, and rights-of-way widths of all adjacent streets and alleys

- All access points on the property adjacent to or across the street from the subject property

- The legal description of the parcel, taken from the deed to the property, and the recording information (book and page or reception number of that deed).

- Book and page and/or reception number of the recorded plat of which the parcel is a part

- The City file number related to the waiver of replat in the lower right-hand corner within the border;

- The title centered at the top of the page is 'Waiver of Replat for (property address)'

- A one-inch (1") margin at the top and bottom of the page

- The owner's name, address, and phone number.

- The City file number related to the waiver of replat in the lower right hand corner within the border

- The book and page and/or reception number of the recorded plat of which this parcel is a part.

The following note if applicable:

- "This waiver of replat has been surveyed and/or prepared by... (Individual or firm)... for the purpose of the depiction of the improvements and property lines of this document. All monuments shown on said waiver of replat are for informational purposes only and do not represent a land survey plat or improvement survey plat and no stamp or signature by the surveyor is necessary."

- Owner Signature and Notarization Statement (example below)



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Owner Signature and Notarization Statement

Copy the complete statement below onto the site plan, insert the legal description, and notarize the statement.

STATE OF COLORADO)

) ss.

COUNTY OF EL PASO)

I _____ being the owner of the property contained in the following legal description:

Legal Description

do hereby agree that said property shall henceforth be considered a ONE LOT for purposes of the City Code (Chapter 7 of the City Code). I acknowledge that while the legal description of the property described above remains unchanged, the property is now consolidated for zoning purposes. I may not dispose of any portion thereof in such a way as to cause a violation of the- City Code. I hereby certify that the information provided on this form and on the accompanying site plan is in all respects true and accurate to the best of my knowledge and belief.

Owner's Signature

Date

Subscribed and sworn to me before me this _____ day of _____, 20_____.

My Commission Expires: _____

Notary Public

STAFF USE

Under the provisions of 7.5.523 of City Code, the following legal description is henceforth considered as one lot for the purposes of the Zoning Ordinance (Chapter 7, Articles 1-6 of the City Code), one lot for the applicable provisions of the City Code and/or including applicable codes, rules and regulations adopted pursuant to the City Code.

Staff Signature

Date



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Review Criteria

7.5.523 Waiver of Replat Review Criteria:

The purpose of this Section is to allow the requirement for a replat to be waived in single-family developments within older subdivisions in order to alleviate the time and expense platting in areas where original platting information may be hard to obtain or inaccurate. It is not the purpose of this Section to promote the subdivision or resubdivision of lots without filing a Final Plat.

Properties eligible to apply for waiver of replat must satisfy the following criteria:

1. The current legal description comprises one of the following:
 - a. A Lot of Record;
 - b. The consolidation of multiple whole platted lots;
 - c. Portions of one (1) or more platted lots and the parcel contains the minimum lot area and minimum width for the zone district in which the property is located; or If the legal description of the subject property consists of a portion of one or more platted lots, proof must be provided that the current property owner of the subject property was not involved in the illegal subdivision of said parcel.
 - d. A platted lot and an unplatted portion of vacated right-of-way.
2. If the legal description of the subject property consists of a portion of one (1) or more platted lots, proof must be provided that any illegal subdivision of the property was completed at least eighteen (18) years before submission of the waiver of replat.
3. The owner agrees to convey any rights-of-way that would normally be required as a condition of a replat. If this is required, the owner must convey the right-of-way by a separate deed and pay for the preparation and recording of the deed after the deed is approved by City Real Estate Services.
4. No major public improvements such as drainage structures are required.
5. Approved direct access to an acceptable, existing public street exists.
6. The applicant agrees to pay applicable fees that would normally be paid prior to recording of the replat.
7. The applicant agrees to convey easements required for utilities and access.
8. No structures exist across external property lines of the ownership configuration.

Manager's Action

The Manager shall either approve, approve with conditions, or deny the request based upon compliance with the criteria in this Section. If the Manager approves the request, the site plan shall be recorded with the El Paso County Clerk and Recorder's Office. If the Manager approves the request with conditions, the applicant shall fulfill the conditions of approval prior to the issuance of Certificate of Occupancy. If the Manager denies the request, the Manager shall provide notification to the applicant with all reasons for denial clearly specified.