



Resolution of Illegal Land Division (ILD) Procedural Guide

Department of Planning Services
1402 N. 17TH Avenue, P.O. Box 758, Greeley, CO 80632
(970) 400-6100 | www.weld.gov

Submit all the application components as separate documents, in PDF format, in the order outlined in the checklist below.

Submittal Requirements:

- _____ Application Form.
- _____ Authorization Form, if applicable. (See attached).
- _____ Resolution of Illegal Land Division Standards Certification that the application complies with the criteria per Section 24-12-20 of the Weld County Code. (See attached).
- _____ Deed identifying the surface estate ownership in the property and relevant lease documents.
- _____ Articles of Organization or Incorporation documents if the owner is a business entity. Include Statement/Delegation of Authority documentation.
- _____ Trustee documents if the owner is a Trust.
- _____ Questionnaire. (See attached).
- _____ Water Supply Documentation. Example: A letter or bill from a water district or municipality, or a well permit from the State Division of Water Resources.
- _____ Sewage Disposal Documentation. Example: A septic permit or bill from a sanitary sewer district.
- _____ Draft Resolution of Illegal Land Division land survey plat prepared according to the plat requirements per Section 24-7-50 of the Weld County Code, as amended.
- _____ A signed buffer report and affidavit of the names, addresses and parcel numbers of the surrounding property owners within 500 feet of the property. The buffer report shall expire thirty (30) days from preparation.
- _____ A title commitment, including Schedules A and B-2, issued by a title insurance company and prepared within thirty (30) days of the date of application.
- _____ A signed Statement of Taxes from the County Treasurer showing no delinquent property taxes for the subject property. The Statement shall be from the current tax year.
- _____ A Drainage Narrative shall be submitted in accordance with Section 24-3-200.A of the Weld County Code, as amended, if required.
- _____ A Traffic Narrative shall be submitted in accordance with Section 24-3-220.B of the Weld County Code, as amended, if required.
- _____ Any other item(s) deemed necessary by the Departments of Planning Services and Public Works.
- _____ Application fee.

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Fees

Application Type	Fee	Review by Staff	Processing Time
Resolution of Illegal Land Division	\$2,000.00	Staff Review or Board of County Commissioners*	60 days
Plat recording fee	\$43.00	Due with the final mylar	7 days

*If the Staff recommendation for the Resolution of Illegal Land Division application is for denial a meeting before the Board of County Commissioners will be scheduled.

Fees are non-refundable and due at time of application submittal. Fees are set by the Board of County Commissioners. County Staff is not authorized to negotiate fees and cannot, under any circumstance, change, reduce, or amend the fees set forth in the Weld County Planning Fee Schedule, per Chapter 5, Appendix 5-J of the Weld County Code.

Purpose

The purpose of this packet is to provide applicants with information regarding the Weld County Resolution of Illegal Land Division application process. It is the responsibility of the applicant to be knowledgeable of the specific requirements of the Resolution of Illegal Land Division application process. No Resolution of Illegal Land Division application shall be assigned a case number to be reviewed until all required items on Resolution of Illegal Land Division submittal checklist have been completed and submitted to the Department of Planning Services.

Code Requirements

Refer to the following code sections for detailed information, found in Chapter 24, Article XII of the Weld County Code. The Weld County Code is available online at www.weld.gov (Useful Links > Weld County Code).

- Section 24-12-10 of the Weld County Code: Resolution of Illegal Land Division Overview
- Section 24-12-20 of the Weld County Code: Resolution of Illegal Land Division Standards
- Section 24-12-30 of the Weld County Code: Resolution of Illegal Land Division Submittal Requirements
- Section 24-12-40 of the Weld County Code: Resolution of Illegal Land Division Procedure
- Section 24-12-50 of the Weld County Code: Resolution of Illegal Land Division Plat Requirements
- Section 24-12-60 of the Weld County Code: Resolution of Illegal Land Division Enforcement
- Section 24-12-70 of the Weld County Code: Resolution of Illegal Land Division Amendment
- Section 24-12-80 of the Weld County Code: Resolution of Illegal Land Division Correction
- Section 24-12-90 of the Weld County Code: Resolution of Illegal Land Division Vacation
- Appendix 24-H of the Weld County Code: Resolution of Illegal Land Division Plat Certificates

Contact Information and Office Locations

Weld County Planning, Building and Development Review

1402 N 17th Avenue

PO Box 758

Greeley, CO 80632

(970) 400-6100

www.weld.gov/Government/Departments/Planning-and-Zoning

www.weld.gov/Government/Departments/Building

Weld County Department of Public Health and Environment

Weld County Septic Permits

On Site Waste Water Systems (OWTS)

1555 N 17th Avenue

Greeley, CO 80631

(970) 304-6415

www.weld.gov/Government/Departments/Health-and-Environment

Colorado Department of Transportation (CDOT)

10601 W. 10th Street

Greeley, CO 80634

(970) 353-1232

www.codot.gov/

Division of Water Resources

Water Wells

1313 Sherman St. Ste. 821

Denver, CO 80203

(303) 866-3581 ext. 0

1809 56th Avenue

Greeley, CO 80634

(970) 352-8712

<https://dwr.colorado.gov/>

Well Permitting Information:

<https://dwr.colorado.gov/services/well-permitting>

Soil Conservation Districts

Boulder Valley and Longmont – (303) 776-4034

Brighton & Southeast Weld – (303) 659-0525

Centennial – (970) 522-7440 ext. 3

Greeley – (970) 356-6506

Larimer (Big Thompson & Ft. Collins) – (970) 295-5658

Morgan – (970) 867-9659 ext. 4

Platte Valley – (303) 857-6721

Southeast Weld – (303) 659-7004 ext. 101

West Adams – (303) 659-2080

www.coloradoacd.org

Colorado Geological Survey

Division of Minerals and Geology

1313 Sherman Street

Room 715

Denver, CO 80203

(303) 384-2643

www.coloradogeologicalsurvey.org

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Resolution of Illegal Land Division (ILD) Application

Planning Department Use: _____	Date Received: _____
Amount \$ _____	Case # Assigned: _____
Application Received By: _____	Planner Assigned: _____

Parcel # _____ **Legal Description:** _____

Parcel # _____ **Legal Description:** _____

Parcel # _____ **Legal Description:** _____

Parcel # _____ **Legal Description:** _____

(12-digit number – found on Tax I.D. information, obtainable at the Weld County Assessor's map found at www.weld.gov)

Section _____, Township _____ North, Range _____ West

Property Owner(s) *(Attach additional sheets if necessary.)*

Name: _____

Company: _____

Phone #: _____ Email: _____

Street Address: _____

City/State/Zip Code: _____

Applicant/Authorized Agent *(Authorization Form must be included if there is an Authorized Agent)*

Name: _____

Company: _____

Phone #: _____ Email: _____

Street Address: _____

City/State/Zip Code: _____

Last four digits of Parcel Number				
Property Owner (Last Name or Business Name)				
Address				
Well Permit # or Water District Tap #				
Septic Permit # or Sewer Tap #				
Existing Acreage				
Proposed Acreage				

I (We) request that the above described property be designated a Illegal Land Division by the Weld County Board of County Commissioners. I (We) hereby depose and state under penalties of perjury that all statements, proposals, and/or plans submitted with or contained within the application are true and correct to the best of my (our) knowledge. All fee owners of property must sign this application, or if an Authorized Agent signs, a letter of authorization from all fee owners must be included with the application. If a corporation is the fee owner, notarized evidence must be included showing the signatory has the legal authority to sign for the corporation.

Signature _____ Date _____ Signature _____ Date _____

Print _____ Date _____ Print _____ Date _____

Signature _____ Date _____ Signature _____ Date _____

Print _____ Date _____ Print _____ Date _____

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Departments of Planning
Building, Development Review
and Environmental Health
1402 North 17TH Avenue
P.O. Box 758
Greeley, CO 80632

Authorization Form

I, (We), _____, give permission to _____
(Owner – please print) (Authorized Agent/Applicant–please print)

to apply for any **Planning, Building, Access, Grading or OWTS** permits on our behalf, for the property located
at (address or parcel number) below:

Legal Description: _____ of Section _____, Township _____ N, Range _____ W

Subdivision Name: _____ Lot _____ Block _____

Property Owners Information:

Address: _____

Phone: _____ E-mail: _____

Authorized Agent/Applicant Contact Information:

Address: _____

Phone: _____ E-Mail: _____

Correspondence to be sent to: Owner _____ Authorized Agent/Applicant _____ by: Mail _____ Email _____

Additional Info: _____

I (We) hereby certify, under penalty of perjury and after carefully reading the entire contents of this document, that the information stated above is true and correct to the best of my (our) knowledge.

_____ Date _____ _____ Date _____

Owner Signature

Owner Signature

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

My commission expires _____

Notary Public

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**Resolution of Illegal Land Division (ILD)
Standards Certification**

Per Section 24-12-20 of the Weld County Code, all the foregoing standards shall be met to apply for a Resolution of Illegal Land Division. Please read and initial each item.

- ☐ The process defined in this Article is not being utilized for the purpose of evading the requirements and intent of Chapter 24 of the Weld County Code, as amended.
- ☐ It is not possible to restore the parcels back to the las legal configuration.
- ☐ There are no available land division options in Chapter 24 of the Weld County Code, as amended, to rectify the illegal land division.
- ☐ The property owner of the illegal parcel is not the one who caused the illegal land division and is otherwise not responsible for it.
- ☐ The property owner does not own a parcel of land adjacent to the subject parcel, whereby combining the lots would rectify the illegal land division.
- ☐ At least ten (10 years has passed since the illegal land division occurred.
- ☐ At least one of the illegal properties is less than thirty-five (35) acres or is comprised of platted lots which have been divided without an approved land division process.
- ☐ The properties shall have access to an adequate water supply.
- ☐ The properties shall have access to an adequate sewage disposal method.

Signature

Date

Signature

Date

Print

Print

State of Colorado)
) ss.
County of Weld)

The foregoing certification was acknowledged before me this ____ day of _____, 20____.

My commission expires _____.
Witness my hand and Seal.

Notary Public

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**Resolution of Illegal Land Division (ILD)
Questionnaire**

Answer the following questions per Section 24-12-30.G of the Weld County Code. Please type on a separate sheet.

1. Explain why this is the only option to remedy the illegal land division.
2. Explain how and why the illegal land division occurred.
3. Describe the existing and proposed uses of the property.
4. Describe the existing and proposed potable water source
5. Describe the existing and proposed sewage disposal system.
6. Describe existing and proposed improvements.
7. Describe the existing access to the site.
8. Describe any existing and proposed drainage, access and/or utility easements and rights-of-way. Provide written documentation of any recorded easement or right-of-way necessary to access the property from a publicly maintained right-of-way. A survey may be required beyond the boundary of the illegal parcel.
9. Describe the current irrigation practices occurring on the site.
10. Describe the unique physical characteristics of the property, including, but not limited to, topography, water bodies, CRP lands, vegetation, floodplains, geohazard areas, MS4 and airport overlay district.
11. Detail the location of any on-site oil and gas facilities, irrigation ditches/laterals, pipelines, overhead lines, railroads, etc. Provide the names and addresses of any owner or operator of any oil and gas facilities, irrigation ditches/laterals, pipelines, overhead lines, railroads, etc.