

TEMPORARY USE PERMIT APPLICATION
TEMPORARY TOWERS

1. Project Name: _____
2. Applicant: _____ Address: _____
City: _____ State: _____ Zip Code: _____
Telephone #: _____ Facsimile #: _____ email: _____
3. Owner: _____ Address: _____
City: _____ State: _____ Zip Code: _____
Telephone #: _____ Facsimile #: _____ email: _____
4. Consultant: _____ Address: _____
City: _____ State: _____ Zip Code: _____
Telephone #: _____ Facsimile #: _____ email: _____

Please read the entire application form prior to completion of this application.

A temporary tower which is to be constructed within Fremont County (*non-incorporated areas*) shall be required to be issued a Temporary Use Permit (TUP) in accordance with the Fremont County Zoning Resolution (FCZR) which can be viewed on the Internet at:

<http://www.fremontco.com/planningandzoning/zoningresolution.pdf>

An application fee as adopted by resolution of the Fremont County Board of County Commissioners (Board) shall accompany this application.

The applicant shall provide two (2) copies and one (1) original document of the application and all of its attachments to the Fremont County Department of Planning and Zoning (Department). After submittal, the Department will review the application and all attachments and prepare a Department Submittal Deficiency and Comment Letter (D & C Letter) within twenty (20) working days after a complete application (*all information required in the application is provided at the time of filing*). The D & C letter will state the submittal deficiencies, Department comments and or questions about the application, which must be addressed by the applicant.

The Department shall be entitled to refuse any application for a TUP which is not made on the form provided by the Department or which is incomplete.

Once the Department has determined that the application is complete, the Department will either issue the TUP administratively, if it meets the requirements for the administrative issuance, or will schedule the item on an agenda of the Board for their consideration of approval. Prior to issuance of a TUP the application shall be approved by the Department or the Board and all contingencies or requirements shall be met or provided. The Board does have the right to request review and recommendations from the Fremont County Planning Commission (Commission) and/or other pertinent entities, if the Board determines that it is necessary for its review. The Board may require professional review at the applicant's expense if deemed necessary by the Board. The Board may require the applicant to provide various professional studies and/or statements concerning the event in order to fully understand the impact of the proposed event. This could result in a longer review

process and require more time to complete. Construction and or placement of a temporary tower could require the issuance of a building permit by the Fremont County Building Department.

Attachments can be made to this application to provide expanded narrative for any application item including supportive documentation or evidence for provided application item answers. Please indicate at the application item that there is an attachment and label it as an exhibit with the application item number, a period and the number of the attachment for that item (i.e. the first attached document providing evidence in support of the answer given at application item number 12 would be marked - Exhibit TUP-12.1).

5. Provide a detailed statement describing the proposed use of the temporary tower, number of towers, type of tower, height, lighting, type of supports, general design and any other information that is pertinent. Describe the operation as to what it will be at its start and at full capacity, the general types and numbers of equipment, the number of employees, and the number of employee shifts, proposed structures, and all other pertinent operational information. The more information provided, the easier it will be for the Department, Commission, Board and Public to understand and review the request.

6. What is the legal description of the proposed TUP boundary? _____

If the legal description is too long an attachment can be made marked as Exhibit TUP-6.1.

An exhibit has been attached.

7. Is the property to be contained in the TUP boundary the total property legally described in the current deed of record (most recent deed of the property recorded in the Fremont County Clerk & Recorder's Office)? Yes --- No If **no**, please explain: _____

(NOTE: If the property to be contained in the TUP is a portion of the total property in the current deed of record, then a subdivision or exemption process may be required as a contingency item, if this request is approved. All subdivisions or exemptions must comply with the development requirements of the zone district in which the property is located. A contingency item is being requested)

8. A copy of the current deed of record for the subject property shall accompany this application marked as Exhibit TUP-8.1. An exhibit has been attached.
- a. If the owner is not the applicant, either the owner shall sign the application form in addition to the applicant or a copy of the documentation providing the applicant with the right to occupy the site for the proposed use and make this application shall be attached marked as Exhibit TUP-8.1.a An exhibit has been attached.
- b. In the circumstance of corporate ownership, documentation evidencing whom is eligible to execute documents on behalf of the corporation, shall be attached to this application. Attachments for this application item shall be marked as Exhibit TUP-8.1.b An exhibit has been attached.
9. What is the total acreage of the property in the TUP boundary? _____
10. What is the total acreage of the property that contains the TUP boundary? _____
11. What is the current zoning of the property? _____
12. Will the proposed use require a zoning change of the subject property? Yes --- No If **yes**, to what district? _____
13. Is the proposed use specifically allowed by TUP in the Zone District? Yes --- No If **yes**, please provide the FCZR citing that allows the proposed use: _____
If **no**, please provide the FCZR citing for the TUP use that the applicant feels is most similar in use and neighborhood impact to the proposed use and provide a detailed explanation as to why this use is similar. _____

14. What is the current land use of the subject property? _____

Is the current use proposed to remain on the property? Yes --- No
This current land use of the subject property is - conforming - non-conforming with the current zone district requirements. Please explain: _____

If the current land use will remain a non-conforming use after the TUP is approved and proposed to remain on the subject property, an application for “non-conforming use status”

shall be filed with the Department and copy shall be attached to this application as Exhibit TUP-14.1. An exhibit has been attached. (**NOTE:** *If this use is determined not to be a non-conforming use, said use shall be removed from the subject property.*)

15. What is the general location of the proposed TUP site? _____

16. What is the proposed access from the subject property to a public roadway? _____

If access is by lease, easement, deed or the like, the applicant shall provide documentation as to proof of access from the subject property to a public road marked as Exhibit TUP-16.1. An exhibit has been attached.

17. Will the proposed TUP require the issuance of an access permit by any governmental entity?

Yes --- No Please explain: _____

If **yes**, a copy of the access permit shall be attached to this application as Exhibit TUP-17.1.

18. A list identifying all agencies of local, state and/or federal government that will require a permit, license or the like to be issued for all or part of the activity that comprises the proposed use and a summary of the status of all applications, along with copies of such applications, permits, licenses or the like and contact names at the respective agencies, packaged as one item and marked as Exhibit TUP-18.1. An exhibit has been attached. (**NOTE:** *The Owner, Applicant and/or Operator, if granted TUP approval, shall comply with all laws and regulations of the County of Fremont, its agencies or departments, the State of Colorado, its agencies or departments, and the United States of America, its agencies or departments, as now in force and effect or as the same may be hereafter amended. Further, the Owner, Applicant and/or Operator shall obtain and keep in effect all other permits, licenses or the like, required by any other governmental agency and as otherwise may be required by Fremont County. Revocation, suspension or expiration of any such other permits, licenses or the like, shall revoke, suspend or terminate the TUP, as the case may be.*)

19. Three (3) copies of a site plan, drawn to professional standards, minimum sheet size of 8½" X 11" and a maximum sheet size of 24" X 36", at a scale appropriate to determine size, and location of all items shown and which is legible, which shall include the following: (*More than one sheet may be used if it is easier to express the required information, provided they are adequately labeled for identification.*)

a. Site plan shall contain a title, (*Name*) Temporary Use Permit for a Temporary Tower.

b. Legal description of the subject property.

- c. Boundary description of the area which describes the TUP boundary, if different than the subject property.
 - d. Written and graphic scale.
 - e. North arrow.
 - f. Vicinity map locating the TUP boundary in relation to the surrounding area, streets, natural features, etcetera.
 - g. All adjacent property owners' names, addresses, and zip codes shall be shown on the site plan.
 - h. Setback dimensions from the tower to the front, sides, rear and closest point of the property lines.
 - i. Tower height and other pertinent dimensions.
 - j. Labels or notes to identify any proposed accessory structures.
 - k. Dimensions to size and locate any proposed accessory structures.
 - l. Identify, locate and dimension any parking spaces.
 - m. Location and dimension(s) of all access points from the subject property to the public roadway system. Locate each access point by providing dimensions from property lines from a known point.
 - n. Locate all drainageways including FEMA flood areas, by dimensions from property lines and or other natural features having an effect on or which would be affected by the proposed use.
 - o. Zoning classification for subject property and all adjoining lots, parcels or tracts.
20. The Department may require additional information as necessary to insure an administrative review is adequate to provide neighborhood land use compatibility.
21. If the application is does not qualify for an administrative approval by the Department the application will be placed on the next appropriate agenda of the Board for their consideration. The Board shall have the right to require any of the following **“ADDITIONAL REQUIREMENTS or ADDITIONAL CONSIDERATIONS”**.
22. **ADDITIONAL REQUIREMENTS**
- a. The Board shall have the right to require public notice in a newspaper of general circulation for any meeting being held to consider the issuance of a TUP by the Board.
 - b. The Board may require notice by United States Postal Service certified mail, return receipt requested to property owners within five-hundred (500) feet of the subject property of any public meeting being held to consider the issuance of a TUP by the Board.
 - c. The Board may require notice by posting of the subject property of any public meeting being held to consider the issuance of a TUP by the Board.
 - d. The Board may refer any application for TUP to the Commission requesting its review at a Commission regular meeting and further requesting its recommendations concerning the application.

- e. The Board may refer any application for TUP to any entity the Board deems could have significant input regarding the potential impacts of the proposed TUP.
 - f. The Board shall have the right to obtain professional review, at the applicant's expense, for any aspect of the proposed TUP as deemed necessary by the Board.
23. **ADDITIONAL CONSIDERATIONS:** The Board may require the applicant to submit the following information if in their opinion it is necessary, to fully understand the impacts of the proposed TUP:
- a. An environmental impact study/statement;
 - b. A detailed utility plan showing the proposed location of all utilities (*water, sewer, electric, gas, cablevision lines, irrigation ditches and lines, horizontal and vertical*), as proposed by the developer, if applicable. The plan shall include the signatures of all the utility companies noting their approval of the plan
 - c. A fire protection plan addressing method of fire protection, location of fire hydrants or other means of fire protection. If project is located within a fire protection district, the fire protection plan shall be approved by the Fire Protection District having authority over the site.
 - d. A Drainage Plan and Report;
 - (1). Property owner shall execute a Quit Claim deed to the County with a deed restriction addressing the maintenance of any required drainage facilities, easements, right-of-ways, related structures and/or facilities. (*County will not accept maintenance of these facilities*). Such deed may be recorded at the time of issuance of the temporary use permit. If non-applicable, provide a justification statement as to why such regulations are non-applicable.
 - e. A socioeconomic impact study/statement;
 - f. Studies, comments, referrals to agencies or professionals whose area or jurisdiction of expertise is applicable and germane to the use being proposed.

By signing this Application, the Applicant, or the agent/representative acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the application and any attachments to the Application, is true and correct to the best of Applicant's knowledge and belief.

Applicant understands that any required private or public improvements imposed as a contingency for approval of the application may be required as a part of the approval process.

Fremont County hereby advises Applicant that if any material information contained herein is determined to be misleading, inaccurate or false, the Board of Commissioners may take any and all reasonable and appropriate steps to declare actions of the Board regarding the Application to be null and void.

Signing this Application is a declaration by the Applicant to conform to all plans, drawings, and commitments submitted with or contained within this Application, provided that the same is in conformance with the Fremont County Zoning Resolution.

Applicant Printed Name

Signature

Date

Property Owner Printed Name

Signature

Date