



**Fremont County Colorado  
Department of Planning and Zoning**

615 Macon Ave., Cañon City, Colorado  
719-276-7360 PH / 719-276-7374 Fax  
Email: Planning@fremontco.com

**Accessory Dwelling Unit Application**

1. Project Name: \_\_\_\_\_ Fee: \$ 350.00
2. Owner(s) Name: \_\_\_\_\_
3. Site Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone #: \_\_\_\_\_ Facsimile #: \_\_\_\_\_  
Email Address: \_\_\_\_\_

**Land Description:**

Acreage: \_\_\_\_\_ Zone District: \_\_\_\_\_

**Utility Services – Provider/Source**

Water: \_\_\_\_\_ Sewer: \_\_\_\_\_

Gas: \_\_\_\_\_ Electric: \_\_\_\_\_

Phone: \_\_\_\_\_ Cable: \_\_\_\_\_

Fire Protection District / Source: \_\_\_\_\_

**Primary & Accessory Dwelling Information:**

Primary Structure Square Footage; \_\_\_\_\_ Accessory Dwelling Square Footage: \_\_\_\_\_

**Attachments:**

- A. Copy of the most recent recorded deed.
- B. Signed Declaration of Covenant & Restriction stating ADU restrictions.
- C. Written proof from the appropriate entity or service provider that water and sewer/septic services are adequate for all uses on the parcel.
- D. Certified mail receipts.
- E. Floor plan of ADU
- F. Plot Plan Showing:
  - a. All structures proposed or existing with dimensions to property lines & structures.
  - b. All utilities for the structures, including electric, gas, water, and sanitary sewer/septic.
  - c. All parking areas.
  - d. All exterior access points

\_\_\_\_\_  
Applicant Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**DECLARATION OF COVENANTS AND RESTRICTIONS  
TO REAL PROPERTY REGARDING AN ACCESSORY DWELLING UNIT**

This Covenant between (land owner) and the County of Fremont, State of Colorado, is hereby recorded and attached to that parcel of land as described in deed as recorded in the records of the Fremont County Clerk and Recorder's office under Reception Number \_\_\_\_\_, and described as follows:

(INSERT LEGAL DESCRIPTION)

I/We, herein, covenant and agree to the County of Fremont on behalf of ourselves and all heirs, assigns and successors of interest, into whose ownership the title to or interest in the above-described real property might transfer, as follows:

1. The owners are the sole and exclusive fee-simple owners of the above described parcel located within Fremont County, Colorado.
2. The owner(s) shall reside in the primary or accessory dwelling unit (ADU) as the principal and permanent residence at all times that the other dwelling unit is occupied. The owner(s) shall reside on the property for at least (6 months) out of the year, and at no time receive rent for, or otherwise allow a third party non-owner to reside in, the owner-occupied unit.
3. Sale of the ADU, separate from the primary dwelling, is prohibited.
4. Subdivision of the property in a manner that separates the ADU from the primary dwelling is prohibited.
5. Formal approval from Fremont County is required for modification of the size of the ADU.
6. These covenants and restrictions, shall run with the land and be binding and enforceable upon the owners and any and all of their heirs, assigns, grantees, and successors in interest into whose ownership title to the above-described real property may pass.
7. These covenants and restrictions will automatically terminate upon removal of the ADU from the parcel.
8. The provisions of these covenants and restrictions are enforceable in law or equity by Fremont County and its assigns. The Owner(s) expressly consent to and grant a private cause of action for enforcement, including damages and reasonable attorney fees, to any party is adversely affected by the failure to comply with the covenants and restrictions set forth herein.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Owner

State of Colorado  
County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ (date)  
by \_\_\_\_\_ (name of person acknowledged).

\_\_\_\_\_  
Notary Public

Print Name: \_\_\_\_\_

My commission expires: \_\_\_\_\_ (Seal)

Owner

State of Colorado  
County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ (date)  
by \_\_\_\_\_ (name of person acknowledged).

\_\_\_\_\_  
Notary Public

Print Name: \_\_\_\_\_

My commission expires: \_\_\_\_\_ (Seal)