



**ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS**  
**AGENDA COMMUNICATION FORM**

<b>ITEM DATE:</b> August 13, 2019	<b>ITEM TIME:</b> 1:15 pm

<b>FROM:</b>	Alan Goldich
<b>TODAY'S DATE:</b>	August 6, 2019
<b>AGENDA TITLE:</b>	Sublette Subdivision Exemption Fee Waiver Request

**CHECK ONE THAT APPLIES TO YOUR ITEM:**

**ACTION ITEM**

**DIRECTION**

**INFORMATION**

**I. DESCRIBE THE REQUEST OR ISSUE:**

The landowners in the Sublette Subdivision are requesting that the application fee be waived for their Subdivision Exemption application. They are also requesting that the County survey their properties for this application.

**II. RECOMMENDED ACTION (*motion*):**

Deny the request because a benefit to the citizens of Routt County has not been shown to exist.

**III. DESCRIBE FISCAL IMPACTS (VARIATION TO BUDGET):**

**PROPOSED REVENUE (*if applicable*):** \$

**CURRENT BUDGETED AMOUNT:** \$

**PROPOSED EXPENDITURE:** \$

**FUNDING SOURCE:**

**SUPPLEMENTAL BUDGET NEEDED:** YES  NO

*Explanation:* N/A

**IV. IMPACTS OF A REGIONAL NATURE OR ON OTHER JURISDICTIONS (IDENTIFY ANY COMMUNICATIONS ON THIS ITEM):**

N/A

**V. BACKGROUND INFORMATION:**

Planning has identified exchanges of land that did not go through the County process since the adoption of Subdivision Regulations in 1972. The exchanges of land were done to help solve survey errors that originate from the late 1960's.

**VI. LEGAL ISSUES:**

N/A



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**VII. CONFLICTS OR ENVIRONMENTAL ISSUES:**

N/A

**VIII. SUMMARY AND OTHER OPTIONS:**

1. Approve the request
2. Table the request

**IX. LIST OF ATTACHMENTS:**

- Request letter from landowners

August 5, 2019

To Routt County Commissioners:

We, the undersigned, are owners of five properties, of between 0.77 and 1.89 acres in size, on County Road 64 in North Routt, in what has been known as the Sublett Subdivision. We have come now to ask you for financial relief from the costs of compliance with regulations that the Planning Department now believes affect our properties.

Although the name "Sublett Subdivision" has commonly been used ever since the tract of fifteen 89-foot-wide lots was first parceled off in 1966 (prior to state and county subdivision regulations), the parcels have always been sold as tracts, with metes and bounds legal descriptions and with no reference in deeds to a named subdivision. Subsequently State and County subdivision regulations were created and took effect, but we have thought and have been told that we had legal non-conforming properties. Over time some of these 89-foot-wide tracts have been combined into larger parcels, in effect creating 7 parcels out of the original 15.

There were mistakes made in the original survey and boundaries had to be adjusted starting in 1995. The property owners involved at the time acknowledged there was a problem and, with the professional help of surveyors and attorneys, and at considerable expense, corrected the situation.

One of the properties is now for sale and the Planning Department has informed us that they believe these historical boundary adjustments are not valid. They state that our properties are now considered to be illegal non-conforming properties. And that our five involved properties will be locked for future building permit and variance applications, and possibly even loan approvals, until an Exempt Subdivision is formed.

We hope you will understand how unpleasantly surprised we were at being asked to go through the expensive process of creating an Exempt Subdivision to fix a possible problem that, until July 23<sup>rd</sup>, 2019, we did not know existed. We were only made aware that the Planning Department was going to require this when a potential buyer of one of the properties visited the Planning Department on that date. Two of our properties were successfully sold as recently as 2010 and 2013, one of which involved a mortgage. Now the Planning department is requiring our compliance with a regulation that they were not requiring as recently as 2010 and 2013, and which we certainly were not aware of starting in 1995 when, in good faith and with professional assistance, we made our boundary adjustments.

Therefore, we kindly request financial relief by the Commissioners in the waiving of the application fee of \$2,232.00 and the hourly rate charges of \$134.00 per hour which will be imposed by the Planning Department in creating this new Exempt Subdivision. Also, we kindly request that the Commissioners waive charges from the County Surveyor, since a resurvey of all our properties will be required as part of the Exempt Subdivision process. We have also been told by the Planning Department that each property owner will be individually responsible for the cost a new Title Insurance policy at considerable expense to each of us.

