



Administrative Adjustment Applicant Guide

Town of Bennett
207 Muegge Way
Bennett, CO 80102
townofbennett.colorado.gov

(January 2021)

Town of Bennett Administrative Adjustment Process

Purpose

This guide contains the basic procedures and requirements for an Administrative Adjustment. An Administrative Adjustment is a means of correcting errors, including but not limited to typographical and spelling errors or transpositions, incorrect seal, incorrect dates, monumentation incorrectly noted or drawn, incorrect or missing interior dimensions on the drawing and missing or incorrectly displayed arrows or symbols, or making minor adjustments to an approved and recorded subdivision plat that do not create additional lots. See Section 16-4-330 of the Bennett Municipal Code for more details and conditions.

Process

The Administrative Adjustment process consists of the following basic steps. Once the Administrative Adjustment application is submitted and found to be complete, an Administrative Adjustment will be either approved or denied within 30 days.

Step 1 – Pre-Application

The applicant completes the Pre-Application process, in which the proposed Administrative Adjustment is reviewed by the Town's Development Review Committee (DRC). The DRC will make recommendations to the applicant on how the formal application might be structured to enhance chances the project will ultimately be approved by the Town Zoning Administrator. The DRC will highlight issues of particular concern and refer the applicant to the applicable Town standards and regulations.

Step 2 – Applicant Submits Formal Application

Applicant submits to the Town the complete application package.

Step 3 – Staff Reviews Application for Completeness

Town Staff reviews the application for completeness.

Step 4 – Referral Agencies

The applicant may be required to submit referral packets for referral agencies.

Step 5 – Zoning Administrator and Referral Agencies Review

The Zoning Administrator and the applicable referral agencies will review the application within 15 business days. The Zoning Administrator will compile comments and return them to the applicant for review and revision within 3 business days.

Step 6 – Resubmittal (if required)

The applicant will revise and resubmit to the Zoning Administrator any needed revisions or changes per the Zoning Administrator's or Referral comments.

Step 7- Resubmittal Review

Staff and the Zoning Administrator will review the re-submitted application.

Step 8- Approval or Denial

The application for Administrative Adjustment is either approved or denied by the Zoning Administrator.

Step 9 – Recording

If approved, the applicant shall prepare the revised plat map mylars, along with appropriate signatures. Town Staff will record the document. Minor amendments to correct minor survey or drafting errors on a recorded plat shall be prepared in the form of an affidavit or, where deemed necessary for clarity, a revised plat certified by a land surveyor licensed with the State of Colorado.

Step 10 – Right to Appeal

If the Administrative Adjustment is denied, the Applicant has 15 days after the date of the Zoning Administrator's denial. The applicant must file a written notice of appeal with the Town Clerk.

Administrative Adjustment Submittal Requirements

(Town of Bennett|Revised January 4, 2021)

The following elements constitute an acceptable application for Administrative Adjustment. An application is not considered submitted until all items are included in the application. (Note that depending on the size, scale and complexity of a proposal, some of the requirements below may be waived by Town Staff.)

APPLICATION DOCUMENTS			
Required if Checked	Submitted by	Project Name: _____	
		Case No.: _____	
		Land Use Application Form (must be signed by Property Owner)	
		Application Fees (see below)	
		Cost Agreement	
		Funds Deposit Agreement	
		Title Commitment (current within 30 days of application)	
APPLICATION FEES			
		1. Engineering: \$800	\$
		2. Attorney: \$750	\$
		3. Traffic Engineer:	\$
		4. Other: e.g. Water Engineer Review, Special Utility Review, Landscape Arch. Review: \$215	\$
			Subtotal
		5. Administrative Fee: 20% of Project Total	\$
		(Additional fees may be required, depending on the number of resubmittals or changes by applicant, or if a Subdivision Agreement, Development Agreement or Construction Document Review is required.)	Total
			\$
		Recording fees will also be required when the final documents are recorded with Adams or Arapahoe County. (See below)	
ADMINISTRATIVE ADJUSTMENT APPLICATION SHALL INCLUDE:			
		1. Letter of Intent. The applicant shall provide a letter of intent addressed to the Zoning Administrator to serve as a cover letter to the formal application, introducing the applicant(s) to the Zoning Administrator, requesting an Administrative Adjustment of the property and describing the Minor Adjustment that is requested.	
		2. Administrative Adjustment Application. The Town's Land Use Application Form shall be completed, signed and dated.	
		3. Agreement for Payment of Development Review Expenses Incurred by the Town. The application shall be accompanied by signed standard Cost Agreement and Funds Deposit Agreement for the payment of development review expenses incurred by the Town.	
		4. Written Consent. This must include signatures of all of the owners of all properties affected by the proposed Administrative Adjustment or their duly authorized agents.	
		5. Revised Plat Map or Affidavit of Correction. A revised plat map, (18" X 24" if in Adams County, 24" x 36" if in Arapahoe County), showing the existing plat notes, property lines, setbacks, easements, legal descriptions or other elements of the recorded plat and the proposed changes, along with the appropriate certificates and signature blocks, as directed by Town Staff. If the purpose of the administrative plat amendment is to correct one (1) or more minor errors or omissions in an approved plat, e.g., a name or an internal dimension, and such correction can be accomplished by a narrative statement, in lieu of submitting a plat the applicant may submit an affidavit of correction prepared, signed and stamped by a professional land surveyor and signed by the owner, which fully and adequately describes each error and each correction to be made, by specific reference to the approved plat. Upon approval of the administrative plat amendment, the affidavit of correction shall be recorded in lieu of a plat, along with appropriate evidence of approval thereof by the Town.	
		6. Affected Properties. The legal descriptions of the properties affected by the adjustment, describing such properties before and after the proposed adjustment, and a legal description of the area subject to the adjustment.	

	<p>7. Title Commitment. The applicant shall submit proof of ownership in the form of a current title commitment, issued by a title insurance company licensed by the State of Colorado, whose effective date shall be less than (30) thirty days prior to the date of submittal of the application. Ownership must match the ownership listed in the petition. If the legal description of the area subject to the Administrative Adjustment as shown on the Site Plan. If the applicant is not the owner, there shall be provided in addition to the title commitment naming the owner as the insured, a notarized affidavit by the owner stating the applicant is authorized by the owner to make application for Administrative Adjustment. The applicant is to provide a word processing file of the legal description contained in the title commitment.</p>
	<p>8. Property Tax Statement. A copy of the prior year's property tax statement for all properties affected by the Administrative Adjustment.</p>
	<p>9. Instruments of Conveyance. If appropriate, the proposed deeds or other instruments of conveyance to be used to effectuate the adjustment, together with legal descriptions.</p>
	<p>10. Mailing List and Envelopes. for County, Special Districts, Irrigation Ditch Companies, Mineral Interest Owners and Adjacent Property Owners that will be affected by the Administrative Adjustment if approved.</p>
	<p>11. Other Information Requested by the Zoning Administrator. Any other information required by the Zoning Administrator necessary for the review of the application.</p>