

# Outline Development Plan Minor Amendment



## Applicant's Guide

Town of Bennett  
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# Town of Bennett Outline Development Plan Minor Amendment Process

## Purpose

This guide contains the basic procedures and requirements for a minor amendment to an Outline Development Plan (ODP). The Zoning Administrator may authorize minor changes in the ODP that do not:

- (1) Alter the basic relationship of the proposed development to adjacent property;
- (2) Change the uses permitted;
- (3) Increase the height of building or structures;
- (4) Decrease the amount of required off-street parking; or
- (5) Reduce the minimum yards required at the boundary of the site.

## Process

The administrative process consists of the following basic steps. Once the ODP Minor Amendment application is submitted and found to be complete, the ODP Minor Amendment will either be approved or denied by the Zoning Administrator. If the authorized ODP Minor Amendment shall be transmitted to the Planning Commission and Board of Trustees by written communication from the Zoning Administrator.

### Step 1 – Pre-Application

The applicant completes the Pre- Application process, in which the proposed ODP Minor Amendment 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 (5 Business Days)

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 (15 Business Days)

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 with 3 business days.

### Step 6 – Resubmittal (if required) (Resubmit within 10 Business Days)

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 ODP Minor Amendment is either approved or denied by the Zoning Administrator.

#### Step 9 – Recording (10 Business Days)

If the Zoning Administrator approves the ODP Minor Amendment, the application shall be finalized, and the final documents will be recorded. The Zoning Administrator will notify the Planning Commission and Board of Trustees by writing notifying them of the authorized change.

#### Step 10 – Right to Appeal

If the ODP Minor Amendment is denied, the Applicant has 15 days after the date of the Zoning Administrators denial. The applicant must file a written notice of appeal with the Town Clerk.

# ODP Minor Amendment Submittal Requirements

(Town of Bennett | Revised January 4, 2021)

The following elements constitute an acceptable application for Outline Development Plan Minor Amendment. 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 Applicant	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: \$1,000
		2. Attorney: \$1,500
		3. Traffic Engineer: \$750
		4. Other: e.g. Water Engineer Review, Special Utility Review, Landscape Arch. Review: \$215
		Subtotal
		5. Administrative Fee: 20% of Project Total
		<b>Total</b>
		(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.)
		Recording fees will also be required when the final documents are recorded with Adams or Arapahoe County. (See below)
ODP Minor Amendment APPLICATION SHALL INCLUDE:		
		1. <b>Letter of Intent.</b> 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 a ODP Minor Amendment to the property and describing the proposed ODP Minor Amendment.
		2. <b>ODP Minor Amendment Application.</b> The Town's Land Use Application Form shall be completed, signed and dated.
		3. <b>Agreement for Payment of Development Review Expenses Incurred by the Town.</b> 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. <b>Written Consent.</b> This must include signatures by all of the owners of all of the properties that would be affected by the proposed Boundary Line Adjustment or their duly authorized agents.
		5. <b>Site Plan Drawing.</b> 18" X 24" or larger scaled site plan drawing showing the existing and proposed ODP Minor Amendment, Dimensions and bearings of the properties to be affected by the adjustment; the locations, dimensions and setbacks for all existing and proposed improvements, structures, easements and utilities; and the current zoning of the properties.
		6. <b>Outline Development Plan.</b> Must include ODP Maps, Drawings and Plan Text.

	<p><b>7. Title Commitment.</b> 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 ODP Minor Amendment Application. Ownership must match the ownership listed in the petition. If the legal description of the area subject to the ODP Minor Amendment 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 ODP Minor Amendment. The applicant is to provide a word processing file of the legal description contained in the title commitment.</p>
	<p><b>8. Property Tax Statement.</b> A copy of the prior year's property tax statement for all properties affected by the Boundary Line Adjustment.</p>
	<p><b>9. Instruments of Conveyance.</b> The proposed deeds or other instruments of conveyance to be used to effectuate amendment, together with legal descriptions.</p>
	<p><b>10. Technical Studies as Determined by the Town Engineer.</b></p> <ul style="list-style-type: none"> <li>a) Traffic Impact Analysis</li> <li>b) Drainage Study</li> </ul>
	<p><b>11. Other Information Requested by the Zoning Administrator.</b> Any other information required by the Zoning Administrator necessary for the review of the proposed ODP Minor Amendment.</p>