



# ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS

## AGENDA COMMUNICATION FORM

<b>ITEM DATE:</b> August 9, 2022	<b>ITEM TIME:</b> 9:50 am

<b>FROM:</b>	Alan Goldich
<b>TODAY'S DATE:</b>	August 2, 2022
<b>AGENDA TITLE:</b>	Uhl Subdivision Exemption Fee Waiver Request
<b>CHECK ONE THAT APPLIES TO YOUR ITEM:</b>	
<input checked="" type="checkbox"/> <b>ACTION ITEM</b>	
<input type="checkbox"/> <b>DIRECTION</b>	
<input type="checkbox"/> <b>INFORMATION</b>	
<b>I. DESCRIBE THE REQUEST OR ISSUE:</b>	
Bill and Jodie Uhl have requested a waiver of the fees for a Subdivision Exemption application they intend to submit.	
<b>II. RECOMMENDED ACTION (<i>motion</i>):</b>	
I move to deny the Subdivision Exemption fee waiver request with the findings that it takes staff resources to process applications and that the general citizenry of the County should not be on the hook for rectifying due diligence oversights.	
<b>III. DESCRIBE FISCAL IMPACTS (VARIATION TO BUDGET):</b>	
<b>PROPOSED REVENUE (<i>if applicable</i>):</b> \$	
<b>CURRENT BUDGETED AMOUNT:</b> \$	
<b>PROPOSED EXPENDITURE:</b> \$	
<b>FUNDING SOURCE:</b>	
<b>SUPPLEMENTAL BUDGET NEEDED:</b> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
<b>Explanation:</b>	
<b>IV. IMPACTS OF A REGIONAL NATURE OR ON OTHER JURISDICTIONS (IDENTIFY ANY COMMUNICATIONS ON THIS ITEM):</b>	
<b>V. BACKGROUND INFORMATION:</b>	

The applicant's purchased a 60 acre parcel (PIN 939013001) located on CR 68 on August 31, 2021. In November 2016 their property had been involved in an illegal subdivision. This subdivision involved the division of an approximately 80 acre parcel into a 60 acre and 20 acre parcel. When the illegal subdivision occurred, the County notified the owner at the time (who sold the 20 acres) as well as the buyer of the 20 acre parcel, informing them that an illegal subdivision occurred and to contact the Planning Department to rectify the issue. This was never done. After the current owners purchased the property, and while discussing a Special Use Permit application with the County, the owners discovered that their property had been involved in an illegal subdivision. The Planning



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Department advised them of this and they chose to pursue a Special Use Permit (SUP). The SUP was approved on March 8, 2022 with the requirement that the approval is contingent upon compliance with all local laws. Since the property was illegally subdivided, the subdivision needs to be rectified before the SUP can be issued and building permits obtained for the use.

There are several ways that this can be rectified. The 20 acre parcel could be combined by the neighboring landowner with their other parcel or it could be sold back to the Uhls, but this has not happened. The other option would be to be approved for a Subdivision Exemption. Subdivision Exemptions have a \$2,000 application fee. The Uhl's are requesting that the application fee be waived. Their reasoning for their request is that they were told it had a free and clear title, the previous owner did not disclose the issuance of a letter, and that they have exhausted friendly requests to the neighbor to have him file the proper paper work to rectify the situation.

It is staff's opinion that the fees should not be waived. It is the responsibility of the purchaser to conduct due diligence prior to purchasing a property. It is not the County's responsibility to help resolve these oversights. Also, County taxpayers should not bear the cost of rectifying these issues.

<b>VI. LEGAL ISSUES:</b>
N/A
<b>VII. CONFLICTS OR ENVIRONMENTAL ISSUES:</b>
N/A
<b>VIII. SUMMARY AND OTHER OPTIONS:</b>
1. Deny 2. Table for additional information
<b>IX. LIST OF ATTACHMENTS:</b>
<ul style="list-style-type: none"><li>Uhl's request</li></ul>