

Non-Conforming Use of Structures Submittal Checklist

Items required for submittal

- _____ Original Nonconforming Use of Structures Questionnaire
- _____ An 8-1/2 inch by 11 inch map drawn to include the following items:
 - _____ Boundary of property
 - _____ Boundary of proposed Use
 - _____ North arrow
 - _____ Name of existing roads or highways abutting the property
 - _____ Easements and/or rights-of-way (if applicable)
 - _____ Existing structures including: dwellings, mobile homes, outbuildings, pens, irrigations ditches, oil and gas well production facilities.
- _____ Documentation substantiating longevity of the Structure

*****NOTE:** There is no fee for this questionnaire.

Non-Conforming Use or Structure: A use or structure that does not conform to a provision or requirement of this Chapter, but was lawfully established prior to the time of its applicability.
(Weld County Code: Chapter 23, Article I, Section 23-1-90 Definitions)

Weld County Department of Planning Services
1402 N 17th Ave, P.O. Box 758, Greeley CO 80632
Phone (970) 400-6100 | Fax (970) 304-6498

Non-Conforming Use of Structures Information Questionnaire

Important - Complete all items on both pages. Mark boxes where applicable.

Owner: _____
Phone: _____ Email: _____
Address: _____
City/State/Zip Code: _____
Legal Description: _____ Section _____, Township _____ N, Range _____ W
Total Acreage of Property: _____ Total Acreage of Proposed NCU: _____
Parcel #: _____

Specifically (explain):
Date Nonconforming Use of Structure Began?

List the attached documentation substantiating the Nonconforming Use of Structure:

How many employees, animals, items, etc.?

How long have you had these many employees, animals, items, etc.? (Attach tax records, time cards, vet bills, sales receipts, pay stubs with dates, etc.)

List the attached documentation substantiating the date:

The following conditions must be met prior to determining a Structure as being considered a Nonconforming. I, the undersigned, understand and agree to the following conditions of this Nonconforming Structure as stated in the Weld County Code, Chapter 23, Article VII(7), Section 23-7-50:

Please read and initial each item:

If a lawful use of a structure or structure and premises in combination exists on the effective date of adoption of the ordinance codified herein or amendment of this Chapter that would not be allowed in the zoning district under the terms of this Chapter, the use of such structure or structure and premises may be continued so long as it remains otherwise lawful, subject to the following provisions:

Repair and Restoration

_____ I verify that an existing structure devoted to a use not permitted by this Chapter in the zoning district in which it is located which is destroyed by any means to an extent greater than fifty percent of its replacement cost at time of destruction shall not be restored, except to gain conformance with all provisions of this Chapter 23 of the Weld County Code. The nonconforming use will not be reestablished after restoration. Ordinary repairs, the value of which does not exceed fifty percent of replacement cost of the structure, may be permitted.

Expansion or enlargement

_____ I verify that the nonconforming use will be extended only throughout any parts of a structure which were manifestly arranged or designed for such use at the time of adoption of the ordinance codified herein or amendment of Chapter 23 of the Weld County Code, but no such use shall be extended to occupy any land outside such structure without first having received a Special Review Permit pursuant to the procedures established in Article II, Division 4 Chapter 23 of the Weld County Code.

_____ I verify that the nonconforming use shall not be extended or enlarged after adoption of the ordinance codified herein or amendment of Chapter 23 of the Weld County Code by erection or attachment of additional signs intended to be seen off the premises, or by the addition of other uses which would be prohibited in the zoning district involved.

_____ I verify that no such nonconforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use on the effective date of adoption of the ordinance codified herein or amendment of Chapter 23 of the Weld County Code.

Substitution

_____ I understand that a nonconforming use may, as a Use by Special Review, be changed to another use which does not conform to the uses allowed in the zoning district. However, the Board of County Commissioners shall find that the proposed use is equally appropriate or more appropriate to the zoning district and neighborhood than the existing nonconforming use. In permitting such change, the Board of County Commissioners may require appropriate conditions and safeguards in accordance with the provisions of this Chapter.

_____ I understand that whenever a nonconforming use is replaced by a permitted use, the nonconforming use may not be reestablished. The permitted use shall thereafter conform to the provisions of Chapter 23 of the Weld County Code.

Abandonment

_____ I verify that when the nonconforming use of the structure or structure and premises is discontinued or abandoned for any reason for a period of more than one year, any subsequent use of such structure or structure and premises will conform to the regulations specified by Chapter 23 of the Weld County Code for the zoning district in which such structure or structure and premises are located. (Weld County Codification Ordinance 2000-1)

Print Name: _____

Property Address: _____

Mailing Address: _____

City _____ State _____ Zip Code _____

Signature: _____

Date: _____

SUBSCRIBED AND SWORN to before me this the _____ day of _____, 20_____.

WITNESS my hand and official seal.

My Commission Expires:

Notary Public