

Town of Georgetown
Adopted by Board of Selectmen on January 11, 2005

PROCEDURE FOR REVIEWING ENCROACHMENT AGREEMENTS

Purpose:

This explains submission requirements and review criteria for licenses to encroach into the public right-of-way in the Town of Georgetown. All encroachment requests shall meet the following requirements prior to use of the public right-of-way.

1. Submittal Requirements-Applications for encroachment licenses shall be submitted to the Town of Georgetown Clerk and shall include the following:
 - A. Letter of Application - All applications shall include fifteen (15) copies of a letter addressing the following:
 - i) Name and address of applicant or representative.
 - ii) Location of encroachment shall include as much as is feasible: the street address; the block and lot number, etc.
 - iii) Name and address of abutting property owners affected by the area of the encroachment.
 - iv) An explanation of the nature of the encroachment requested. State the purpose for which the encroachment is needed.
 - B. Completed, signed Encroachment Agreement - this must be included in the packet which is submitted to the Board of Selectmen for their approval.
 - C. Scaled site plan or copy of most recent survey, with a minimum scale of one inch equals twenty feet-All applications shall include fifteen (15) copies of a scaled site plan or copy of most recent survey showing the following:
 - i) An 11x17 vicinity map showing the area relative to the request for encroachment.
 - ii) Property boundaries of all properties adjoining the area of the encroachment. All boundary lines should show bearings and dimensions.
 - iii) Existing structures, improvements and landscaping features, including trees greater than six (6) inches in diameter, in the area of the encroachment. Show all existing fences, irrigation and drainage improvements, curbs, gutters, and sidewalks.
 - iv) Show the boundary of the encroachment that defines the subject area.
 - v) Show all existing utility lines and any utility easements in the right-of-way where the encroachment is requested.
 - D. If the scaled site plan or most recent survey is larger than 11x17, the applicant must also submit fifteen (15) copies depicting the encroachment on paper 8.5x11 or 11x17. This is needed for submittal to the Board of Selectmen and the Planning Commission.
 - E. Processing Fee - A \$200.00 processing fee is required upon submission of an application for an encroachment license.
 - F. Recording fees.
 - G. The applicant shall seek a recommendation of approval to the Board of

Selectmen from the Planning Commission.

2. Review Criteria - Following submission of an application for an encroachment license, the application shall be referred to the various town departments and referral agencies that may be affected. Following review and comment by town departments and referral agencies, the Town of Georgetown shall consider the request in light of the following:

A. Circulation - Does the proposed encroachment cause a potential problem with regard to accessing property in the area? Could the request hinder area circulation or prevent service vehicles, emergency vehicles, or utility companies from accessing facilities or other structures? (Referral comments will be requested from the Fire Department and the Town of Georgetown Road and Bridge Department).

B. Street Maintenance - Does the proposed encroachment create a possible problem for street maintenance or snow removal operations? (Referral comments will be requested from the Town of Georgetown Road and Bridge department).

C. Utilities - Could the proposed encroachment interfere with existing or future utility needs for the area? (Referral comments will be requested from all known utility companies that may be affected by this request).

D. Enforcement- Could the proposed encroachment create or compound problems with traffic control, City Police, or fire department personnel? (Referral comments will be requested from the Fire Department and Georgetown Police Department).

E. Expansion - Does the proposed encroachment provide the opportunity for expanding the floor area of structures? (Floor area expansions are not permitted due to the revocable nature of the encroachment license).

F. Income Space - Is the encroaching space intended for commercial or other income-producing space? If so, it may require a rental agreement with the Town of Georgetown.

G. Adopted plans - Is the proposed encroachment consistent with any adopted plan such as the Georgetown Comprehensive Plan, Clear Creek County Greenway Master Plan, and the Georgetown Gateway Master Plan?

H. Benefit - Is the encroachment beneficial to the Town of Georgetown? As a general policy, it is not in the Town's interest to grant encroachments, thereby granting public property to private use. New structures should be located within the confines of their property boundaries and required setbacks. Granting of encroachments should generally occur under one of the following conditions:

i) To acknowledge an existing condition and outline the owner's liability and responsibility for maintenance and removal of the encroaching structure.

ii) To license an encroachment that is a public amenity. Examples may include: Public and private buildings.