



Accessory Dwelling Units (ADU)

Edited 10/22

Instructions for Owner Occupancy and Prohibition of Subdivision and Separate Sale Affidavits

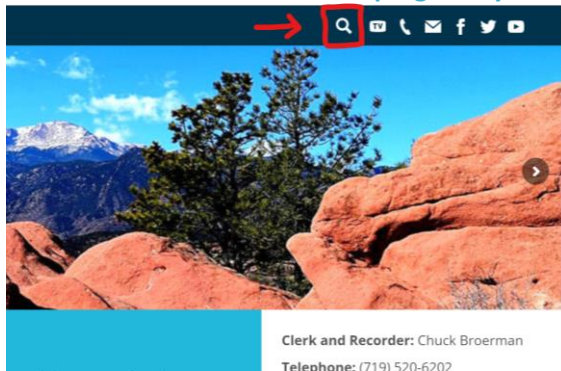
When should these documents be used?

When a single-family property has a separate living space that is intended to be rented or functionally separate from the main living space – meeting the definition of an ADU – these documents shall be required. The ADU can be utilized if all requirements in City Code Subsection 7.3.105.M are met. For more information on these requirements, please view the applicable City Code section at <https://codelibrary.amlegal.com/codes/coloradospringsco/>.

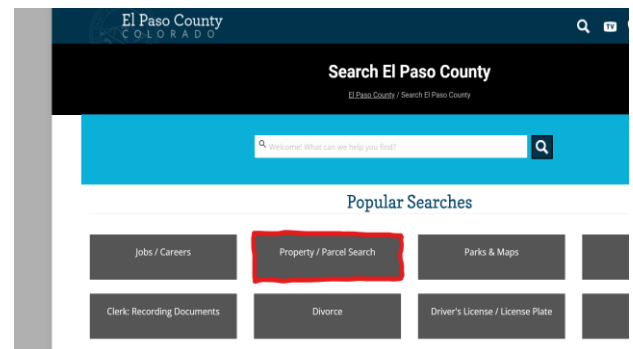
What is the process to submit the documents into a building permit application?

1. Confirm that the documents are needed for the building permit submittal. If you have question about what documents are required, contact the Development Review Enterprise at **719-385-5982** or DREPlanningInfo@coloradosprings.gov.
2. Fill out the **Owner Occupancy and Prohibition of Subdivision and Separate Sale Affidavits** included in this packet. The property’s legal description can be found online through the El Paso County Clerk and Recorder at <https://clerkandrecorder.elpasoco.com/> by following the steps below –

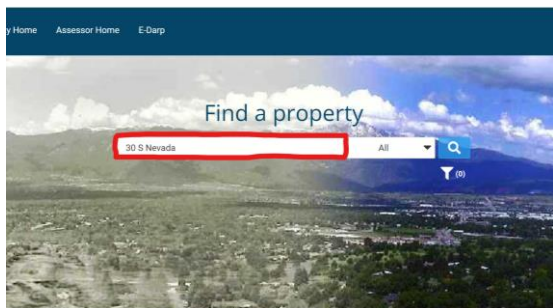
1. Click on the search icon at the top right of your screen.



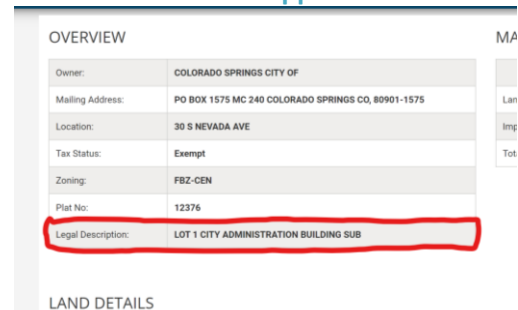
2. Click “Property / Parcel Search”.



3. Enter the address in the search bar.



4. The legal description should be entered exactly as it appears.



3. Sign the document in the presence of a notary.
4. Record the documents at the El Paso County Clerk and Recorders Office located at 1675 W. Garden of the Gods Road, Suite 2201, Colorado Springs, CO 80907. **Please call ahead to check for availability at 719-520-6202.**
5. Include the recorded documents as part of the building permit submittal.

What happens if a property is used as an ADU without proper affidavits?

A code enforcement case may be opened on the property. If a case is opened, the site will be required to come into compliance with current code.

