



200 W. Oak Street, 3rd Floor  
 Fort Collins, CO 80521  
 (970) 498-7683 / larimer.org/planning

# ZONING VARIANCES

The submittal requirements listed in this packet are intended to collect all of the information required for Larimer County staff and review agencies to fully evaluate the proposal. Additional information may be requested from the applicant during the review process if necessary to address specific issues that arise.

**Please Note:** Once submitted to the County, all application materials become a matter of public record.

## SUBMITTAL REQUIREMENTS

The following item are required for all applications.				
Item #	Description:	Information Provided for:	Copies Required	✓
<b>One Electronic Set Of All Submittal Materials</b> (Flash/Jump Drive or CD)				
1.	<b>Application Form</b> – must be signed by <b>all</b> property owners and the applicant	File		
2.	<b>Application Fee</b> – current fee at the time of submittal	File	\$	
3.	<b>Project Description</b> – detailed description of what is being proposed, include review criteria from Section 4 of the Land Use Code. <b>Please see Page 3 for Project Description requirements</b>	File, All Referral Agencies		
4.	<b>Legal Description</b> – the legal description of the property	File		
5.	<b>Scaled Drawing</b> – size 8 ½ x 11 or larger as needed. (If larger, please provide 8 ½ x 11 copy) <b>Please see Page 4 for more information</b>	File, All Referral Agencies		
6.	<b>Vicinity Map</b> - illustrate roads and significant natural features near the project site. County and local roads must be labeled so that the site can be easily found (size should be 8 ½” x 11”)	File		
7.	<b>Ownership &amp; Encumbrance*</b> - contact a Title Company for this information	File		
8.	<b>Other</b> – information as deemed necessary by the project planner	TBD		
<b>The following items are required for the following requests:</b>				
<b>Height Variance:</b>				
<ul style="list-style-type: none"> <li>• Topographic lines shown on the drawing</li> <li>• Elevation drawings of the proposed structure</li> </ul>				
<b>Setback Variance:</b>				
<ul style="list-style-type: none"> <li>• Sight triangle at intersection of two roads (if applicable)</li> <li>• Setback and proposed setback – shown and labeled as such</li> </ul>				

**\*Ownership and Encumbrance:** A report that identifies the last recorded owner, legal description and recorded deeds of trust or mortgages of a particular real property address available from public records.

## **ADDITIONAL INFORMATION**

### **Building Permits:**

Building permits will **NOT** be accepted on the property while the application is pending.

**Submittal Dates** - Board of Adjustment applications can be submitted once a month. Please see Development Review Calendar for more information.

**Public Notice** - Colorado Statutes require that the Planning Department publish notice of the hearing once in a newspaper serving the area of the request at least 10 days prior to the hearing date. Larimer County will mail postcard notification to surrounding property owners 14 days prior to the hearing.

**Sign Posting** – A sign (given to applicant when application is submitted) should be posted on the site 14 days prior to the hearing. Please see instruction sheet given with the sign for more details.

**Hearings** - Hearings are held with the Board of Adjustment on the 4th Tuesday of each month. These hearings are held in the Commissioner’s Hearing Room, beginning at 6:00 p.m. All proceedings are recorded.

### **Conditions of Approval –**

- The Board of Adjustment may impose conditions on a zoning variance that are necessary to accomplish the purpose and intent of the Land Use Code and Master Plan and to prevent or minimize adverse impacts on health, safety and welfare of property owners and area residents.
- All approved zoning variances run with the land, unless conditions of approval imposed by the Board of Adjustment specify otherwise.
- All approved zoning variances automatically expire within one year of the date of approval, unless the applicant takes affirmative action consistent with the approval. “Affirmation action” is generally an application for a building permit.
- The Board of Adjustment may require, as a condition of approval, that the applicant sign a Development Agreement to ensure completion of any public improvements related to the approved zoning variance

**Setback Certification** – Required if variance is approved, to be completed after an application for a building permit

Certification, in the form of a letter or drawing, must be signed by and include the seal of a surveyor licensed to practice in the State of Colorado. The letter should include the building permit number for the property or project in question.

**\*\*This certification will be a condition on the building permit\*\***

**Decisions of the Board of Adjustment are final** – All board of adjustment decisions with regard to zoning variances are final. Decisions can be appealed to the District Court.

## ITEM# 3 & 5 DETAILS – PROJECT DESCRIPTION & SCALED DRAWING

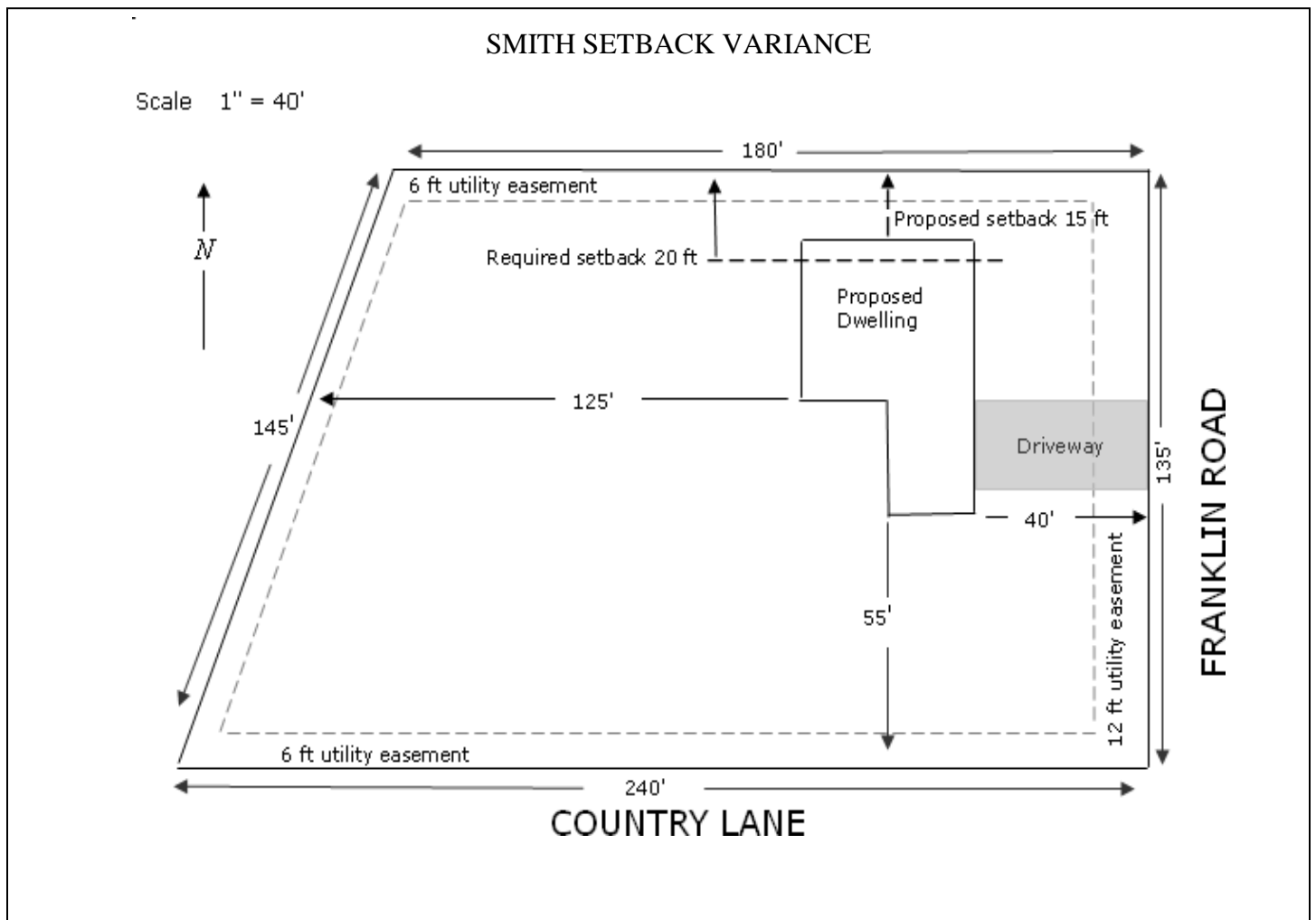
The purpose of a Zoning Variance is to grant a landowner relief from certain standards in the Land Use Code where, due to exceptional narrowness, shallowness or shape of a specific piece of property or by reason of exceptional topographic conditions or other extraordinary and exceptional situations or conditions of the property, the strict application of the standard(s) would result in peculiar and exceptional practical difficulties or exceptional and undue hardship on the property owner.

Element	Description
<b>1) Project Description</b>	The project description is the applicant’s opportunity to explain what is being proposed.
<b>Review Criteria Section 4</b>	<p>To approve a zoning variance application, the Board of Adjustment must find that A (1), (2), or (3), has been met and that B, C, and D have each been met:</p> <p>A. 1. Strict compliance with the standard sought to be varied will cause either (i) a peculiar and exceptional practical difficulty or, (ii) an exceptional and undue hardship on the owner by reason of: an exceptional physical condition of the property such as narrowness, shallowness, topography or location of the property, or other extraordinary and exceptional situation unique to the property provided the difficulty or hardship is not caused by the act or omission of the applicant, or</p> <p>2. The requested variance will promote or maintain the general purpose of the standard for which the variance is sought and will be equal to or better than the standard, or</p> <p>3. The requested variance will diverge from the standard only in a nominal, inconsequential way when considered in the context of property in the vicinity of the subject land or structure.</p> <p>B. Granting the variance will not result in a substantial adverse impact on other properties in the vicinity of the subject land or structure or be a detriment to the public good.</p> <p>C. Granting the variance will not substantially impair the intent and purpose of the Land Use Code and Master Plan.</p> <p>D. The recommendations of referral agencies have been considered.</p>
<b>Existing Conditions</b>	A written detailed description of the existing conditions, topographic constraints, floodplain, drainage or other natural or manmade features and impacts.
<b>2) Scaled Drawing</b>  (Also see site plan example attached)	<p>The scaled drawing should show all pertinent information, including but not limited to the following:</p> <ul style="list-style-type: none"> <li>• Required setback and proposed setback; labeled as such</li> <li>• Property lines with dimensions labeled</li> <li>• Existing structures labeled as “existing”</li> <li>• Proposed structures labeled as “proposed”</li> <li>• Any structures to be removed or replaced.</li> <li>• Distances between proposed structures and property lines labeled</li> <li>• Distances between proposed and existing structures labeled</li> <li>• Road rights-of-way</li> <li>• Easements (access, drainage, utility or any other easement)</li> <li>• Septic, well and utility locations (if applicable)</li> <li>• Streams, lakes, drainages, ditches and other natural or man-made features</li> <li>• Title of the request (Example: Smith Setback Variance)</li> <li>• North arrow and scale used for drawing (1”=100’, 1”= ½ “, etc.)</li> <li>• Any other information relevant to the variance request</li> </ul>

## SITE PLAN EXAMPLE

Please include the following information on your site plan as well as any additional information needed for specific variance types:

- Property lines with dimensions labeled
- Existing structures (labeled as “existing”)
- Proposed structures (labeled as “proposed”)
- Distances between proposed structures and property lines labeled
- Any structures to be removed or replaced.
- Distances between proposed structures and property lines labeled
- Distances between proposed and existing structures labeled
- Road rights-of-way
- Easements (access, drainage, utility or any other easement)
- Septic, well and utility locations (if applicable)
- Streams, lakes, drainages, ditches and other natural or man-made features
- Title of the request (Example: Smith Setback Variance)
- North arrow and scale used for drawing (1”=100’, 1”= ½ “, etc.)





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# Land Use Application

All applications must be complete. To be complete, the application must include all items identified on the submittal requirement checklist. Any application which is not complete will not be accepted, processed, or scheduled for review.

**Development Review Process**

- 1041
- Appeal
- Add-on Agreement
- Amended Plat
- Boundary Line Adjustment
- Condominium Map Review
- Extended Family Dwelling
- Farmstead
- Location & Extent
- Lot Consolidation
- Minor Land Division
- Minor Special Review
- Nonconformities
- Plat Vacation
- Public Site Plan
- Rezoning
- ROW or Easement Vacation
- Site Plan Review
- Special Exception
- Special Review
- Variance
- Wireless Facility
- Other:

**Application Phase**  
 What process phase are you applying for?

- Admin Review
- Sketch Plan Review
- Public Hearing

**REQUIRED INFORMATION**

**Property Owner**

Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email (required): \_\_\_\_\_

**Property Owner**

Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email (required): \_\_\_\_\_

**Applicant Company (if applicable)**

Name: \_\_\_\_\_  
 General Company Email (required): \_\_\_\_\_

**Applicant Contact Info**

Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email (required): \_\_\_\_\_

**Engineer/Surveyor**

Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email (required): \_\_\_\_\_

**PROJECT IDENTIFICATION** (list all parcel #'s that pertain to the project)

**Signatures required by ALL Property Owners and the Applicant**

I hereby certify that I am the lawful owner of the parcel(s) of land that this application concerns and consent to the action. I hereby permit county officials to enter upon the property for the purposes of inspection relating to the application. Building Permits **will not be accepted** while this application is in process.

\_\_\_\_\_  
 Date: \_\_\_\_\_

Property Owner(s) Printed Name

\_\_\_\_\_  
 Date: \_\_\_\_\_

Property Owner(s) Signature

\_\_\_\_\_  
 Date: \_\_\_\_\_

Property Owner(s) Printed Name

\_\_\_\_\_  
 Date: \_\_\_\_\_

Property Owner(s) Signature

In submitting the application materials and signing this application agreement, I acknowledge and agree that the application is subject to the applicable processing and public hearing requirements set forth in the Larimer County Land Use Code (which can be viewed at [larimer.org](http://larimer.org))

\_\_\_\_\_  
 Date: \_\_\_\_\_

Applicant Signature



**THIS SECTION IS FOR PLANNING STAFF TO COMPLETE AT  
THE PRE-APPLICATION CONFERENCE**



**PROJECT SITE INFORMATION**

Project Case Number: \_\_\_\_\_

Project Address (if available): \_\_\_\_\_

Assessor's Parcel Numbers (list all parcels that pertain to the project): \_\_\_\_\_

Pre-Application Conference Date: \_\_\_\_\_ Planner: \_\_\_\_\_

Pre-Application Conference attended by: \_\_\_\_\_

Proposed Request: \_\_\_\_\_

Plan Area (if applicable): \_\_\_\_\_

Lot Size(s): \_\_\_\_\_

Related Files: \_\_\_\_\_

**Setback Information:**

Zoning Setbacks: \_\_\_\_\_

Highway or County Road Setback(s): \_\_\_\_\_

Streams, Creeks or Rivers Setback(s): \_\_\_\_\_

Other Setbacks: \_\_\_\_\_

Building Envelope? \_\_\_\_\_

Utilities: Water: \_\_\_\_\_ Sewer: \_\_\_\_\_ Fire: \_\_\_\_\_

Current Zoning: \_\_\_\_\_

Any Additional Information: \_\_\_\_\_

**Received By: \_\_\_\_\_ Date: \_\_\_\_\_ Sign Given: \_\_\_\_\_ Paid \$: \_\_\_\_\_ Check #: \_\_\_\_\_**