
VARIANCE

SUBMITTAL CHECKLIST

A variance is an authorization to depart from the strict application of standards in Title 18 of the Loveland Municipal Code, also known as the Unified Development Code (UDC). The following information is required in order for the application to be accepted. All documents must be submitted electronically to eplan-planning@cityofloveland.org and each document must be a separate pdf file.

1. **Planning Consultation Meeting Date:** _____

Prior to submitting a variance application, a consultation meeting with city planning staff is required. At the meeting, staff will review the application materials to ensure that the submittal is complete and answer questions about the variance process. Please call the Current Planning office at (970) 962-2525 to schedule the consultation meeting.

2. **Application fee:** An application fee of \$460.00 is required. The application fee must be paid prior to receiving the City's review comments for the variance.

3. **Application Checklist:** A copy of this checklist verifying items included with the submittal.

4. **Application:** Complete the application form provided in this checklist.

5. **Vicinity Map** identifying the property within the neighborhood context, including the nearest major cross streets and North arrow.

6. **Variance Report:** Complete the Findings Report provided in this checklist.

7. **Site Plan:** drawn to scale with lot dimensions, containing the following information:

- a. North arrow identified;
- b. Property lines;
- c. All easements shown and labeled as to width of easement and purpose;
- d. Footprint of all existing and proposed buildings and structures with square footages labeled. Proposed buildings and building additions must be identified as such;
- e. Setbacks to proposed building or structure improvements labeled from property lines and existing structures;

8. **Building Elevations:** Elevations for proposed structures associated with the variance request.

9. **Setback Certification** by a licensed, professional surveyor may be required if the property lines cannot be clearly identified and verified. The setback certification can be required prior to the acceptance of the variance application or during the review as requested by City staff. The Planning office may consider alternative evidence in lieu of a setback certification, which can include but is not limited to the following:
 - Demonstration of the location of property pin(s)
 - Approved building permit site plan showing surveyed property lines
 - Demonstration of the accurate location of relevant property lines
10. **Other Information Relevant to the Variance Request:** This could include supplemental drawings, photographs, HOA approval letter, letters of support from neighbors, or other information that you would like City staff and the Board of Zoning Adjustment to take into consideration in reviewing the variance request.
11. **List of Surrounding Property Owners:** Names and addresses of all surface owners of record property that fall wholly or partially within a 150-foot radius of the property. The names and addresses must be as listed on the latest records of the Larimer County Assessor. The list should be current within 2 months from the date of the required mailing.
12. **Affidavits of Notice** provided after the variance sign(s) have been posted and letters have been sent notifying the neighborhood of the public hearing date. *Affidavit Templates* are available on the City's Current Planning website. All notices must be completed at least 15 days prior to the meeting or hearing.

APPLICATION

Applicant Information

| | | | |
|----------------|-----------------------------|-----------|-------|
| Name: | | Phone: | |
| Address: | | | |
| City, State: | | Zip Code: | |
| Email Address: | Preferred Method of Contact | Phone | Email |

Variance Request

Address of Property in which the Variance is Requested (if different than above information):

| | | | |
|-----------------------------|---|--|-----------|
| Building Information | New Detached Structure Addition to Existing Structure | | |
| | Is the structure for which the variance is requested currently existing? | | Yes No |
| | Has a building permit been applied for? | | Yes No |
| | Building permit number, if applicable: | | |
| | Has a stop work order or violation been issued by the City for the structure? | | Yes No |

| | | |
|-------------------------|--------------------------------|--|
| Type of Variance | Setback | Type: Front Side Rear Required Setback: Proposed Setback: Specify how the property lines were determined in measuring the requested setback: |
| | Building Square Footage | Square footage of proposed structure: |
| | Sign | Type: Freestanding Wall Mounted Electronic Message Sign Proposed sign face square footage: |
| | Other: (Specify Type) | |

| | |
|----------------------------|--|
| Purpose of Variance | |
|----------------------------|--|

Applicant's Signature

By signing this application, I hereby acknowledge that the information provided is correct and complete.

Signature _____ Date _____.

Printed Name

Variance Report

For a variance to be approved, the Zoning Board of Adjustment must determine that there are unusual and exceptional circumstances creating an undue hardship, applicable to only the property involved. A detailed justification regarding the unusual and exceptional circumstance must be provided below. A separate document may be attached if additional space is needed.

| Criteria | Justification |
|---|---------------|
| <p>There are unusual and exceptional circumstances creating an undue hardship, applicable only to the property involved, which do not generally apply to other land areas within the same zone.</p> | |

In addition to the criteria above, the Zoning Board of Adjustment will consider the following factors in determining whether to grant a variance. A detailed justification on how the variance request is in compliance with the below criteria is required.

| Criteria | Justification |
|--|---------------|
| <p>1. Granting the variance will not substantially conflict with any adopted plans or policies of the City, or the purposes or intent of the Unified Development Code.</p> | |
| <p>2. Granting the variance will not set a precedent for other applications.</p> | |
| <p>3. Granting the variance will not be detrimental to any adjacent properties or the area.</p> | |

| | |
|---|--|
| <p>4. Granting the variance will not be detrimental to public health, safety, or welfare.</p> | |
| <p>5. Adequate relief cannot be reasonably obtained through a different procedure, such as the application of alternative compliance standards.</p> | |

Electronic Message Sign Variance. In addition to the criteria listed above, a variance requested for an electronic message sign must provide the following justifications:

| Criteria | Justification |
|---|----------------------|
| <p>6. The proposed area, setback and/or height of the electronic sign module is the minimum required to be fully visible from adjacent arterial or interstate roadway right-of-way.</p> | |
| <p>7. Traffic safety conditions will not be diminished by the increased sign face area, increased height, or decreased setback of the electronic message sign module.</p> | |
| <p>8. There are no reasonable alternatives to the increased sign face area, increased height, decreased setback, and/or design of the electronic message sign.</p> | |