



# VARIANCE

A variance is a means whereby the literal terms of these standards and regulations need not be applied if there are practical difficulties or unnecessary hardships associated with the subject site. In granting a variance, the spirit of these standards and regulations shall be observed, public safety and welfare secured, and substantial justice done.

Please include this page with your submittal. Submittal instructions and more information about checklist items can be found on page 2.

- Development Application Form (pg. 3)
- Written Narrative
- Site Plan
- Proof of Ownership (warranty deed or title policy)
- Proof of Water and Sewer Services
- Legal Description
- Statement of Taxes Paid

### Number of Variance Requests:

A variance may only be approved from the dimensional requirements, performance standards, and other special physical requirements contained in the Adams County development standards and regulations.

Type of Variance Request:	# of Requests:
Setback:	
Height:	
Lot Coverage:	
Other:	

Application Fees:	Amount:
Variance	\$500-residential \$700-non-residential <i>*\$100 per each additional request</i>

## Guide to Development Application Submittal

All applications shall be submitted electronically to [epermitcenter@adcogov.org](mailto:epermitcenter@adcogov.org). If the submittal is too large to email as an attachment, the application may be sent as an unlocked MS OneDrive link. Alternatively, the application may be delivered on a flash drive to the Community & Economic Development Department. Once a complete application has been received, fees will be invoiced and payable online at [www.permits.adcogov.org](http://www.permits.adcogov.org)

### Written Explanation:

- Answer the two questions on the attached Written Explanation for Variance Request form. Please answer these questions on a separate document and attach to your submittal.

### Scaled Site Plan:

- A site plan prepared to-scale showing at minimum: the request, any existing or proposed structures, existing and proposed setbacks of structures, any hardship, location of well, location of septic field, location of easements, surrounding rights-of-way, north arrow.
- Site plan may be hand-drawn.

### Proof of Ownership (warranty deed or title policy):

- A deed may be found in the Office of the Clerk and Recorder; or
- A title commitment is prepared by a professional title company

### Proof of Water and Sewer:

- Public utilities - A written statement from the appropriate water & sanitation district indicating that they will provide service to the property OR a copy of a current bill from the service provider.
- Private utilities - Well permit(s) information can be obtained from the Colorado State Division of Water Resources at (303) 866-3587. A written statement from Adams County Health Department indicating the viability of obtaining Onsite Wastewater Treatment Systems.

### Legal Description:

- Geographical description used to locate and identify a property.

### Statement of Taxes

- All taxes on the subject property must be paid in full. Please contact the Adams County Treasurer's Office.
- Or [adcotax.com](http://adcotax.com)



## DEVELOPMENT APPLICATION FORM

### APPLICANT

Name(s):  Phone #:

Address:

City, State, Zip:

2nd Phone #:  Email:

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### OWNER

Name(s):  Phone #:

Address:

City, State, Zip:

2nd Phone #:  Email:

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### TECHNICAL REPRESENTATIVE (Consultant, Engineer, Surveyor, Architect, etc.)

Name:  Phone #:

Address:

City, State, Zip:

2nd Phone #:  Email:

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**DESCRIPTION OF SITE**

Address:

City, State, Zip:

Area (acres or square feet):

Tax Assessor Parcel Number

Existing Zoning:

Existing Land Use:

Proposed Land Use:

Have you attended a Conceptual Review? YES  NO

If Yes, please list PRE#:

I hereby certify that I am making this application as owner of the above-described property or acting under the authority of the owner (attached authorization, if not owner). I am familiar with all pertinent requirements, procedures, and fees of the County. I understand that the Application Review Fee is non-refundable. All statements made on this form and additional application materials are true to the best of my knowledge and belief.

Name:

Date:

Owner's Printed Name

Name:

Owner's Signature

## Written Narrative for Variance Request

- Which dimensional standard(s), performance standard(s), or physical requirement(s) cannot be met? (Include code section reference from [Adams County Standards and Regulations](#))  
Reach out to the Planner of the Day ([cedd-plan@adcogov.org](mailto:cedd-plan@adcogov.org)) if you have any questions.

- Why are you unable to meet this standard?

## WHAT IS A VARIANCE *and when may it be requested?*

When a property owner cannot use their property in a way that meets the Adams County Development Standards & Regulations, a variance may be requested to allow the property owner to be exempt from one or more land use regulations.



### A VARIANCE MAY BE REQUESTED FOR:

- ✓ Dimensional requirements
- ✓ Performance standards
- ✓ Other special physical requirements



### A VARIANCE MAY NOT BE REQUESTED FOR:

- ✗ Change in use
- ✗ Change in zoning
- ✗ Amending a Planned Unit Development (PUD)
- ✗ Relief from airport overlays

## How long does a VARIANCE LAST?

A variance runs with the land. If a variance is granted, a building permit must be obtained within one year.

**1**  
YEAR

## VARIANCE APPLICATION

Contact the E-Permit Center at [epermitcenter@adcogov.org](mailto:epermitcenter@adcogov.org) or visit their website:

[epermits.adcogov.org](http://epermits.adcogov.org)

For more information, please contact:  
[cedd-pod@adcogov.org](mailto:cedd-pod@adcogov.org) | 720.523.6800

# VARIANCE REQUESTS *in Adams County*



## STAY CONNECTED

4430 S. Adams County Pkwy., Brighton, CO 80601

 /AdamsCountyGov  @AdamsCountyGov

 Public Agencies  /AdamsCountyCo

[Adcogov.org](http://Adcogov.org)



## What are the criteria for APPROVAL?

A variance application is evaluated based upon the following criteria of approval (Sec. 2-02-23-06):

- 1 There is a physical hardship specific to the lot.
- 2 The property owner is being deprived of a right that's commonly enjoyed by other lots in the same zone district.
- 3 The variance doesn't give a special privilege to the applicant.
- 4 The property cannot be reasonably developed in conformity of the regulations.
- 5 The circumstances that cause the need for a variance are not self-imposed.
- 6 The proposal is harmonious with the neighborhood and compatible with the purpose of the regulations.
- 7 The public good and safety is not impaired.
- 8 The proposed use is allowed in the zone district and doesn't further a non-conforming use.

## What is the variance REVIEW PROCESS?

### APPLICATION SUBMITTAL

Application is submitted to the E-Permit Center. You can contact this office at [epermitcenter@adcogov.org](mailto:epermitcenter@adcogov.org) or visit their website at [permits.adcogov.org](http://permits.adcogov.org).



### FIRST REVIEW

35 calendar days for staff review and agency referral (school districts, fire districts, Colorado Department of Public Health & Environment etc.). Neighbors are also notified of the application at this time and are given the opportunity to make comments. At the end of this review period, a meeting is scheduled with the applicant to go over the review comments.

**35** calendar days for the first review

### EACH ADDITIONAL REVIEW

21 days. If a resubmittal is required, the application will undergo an additional round of review. This may happen several times depending on the quality of each submittal.

**21** calendar days for each additional review

### BOARD OF ADJUSTMENT (BOA) HEARING

BOA hearings are scheduled on the first and third Thursday of every month at 6 p.m. and are scheduled four weeks in advance. All review comments need to be resolved prior to scheduling the public hearing.

**First & Third THURSDAY** of every month BOA hearings are scheduled

### BOA MAY VOTE TO...



#### Approve.

The variance is valid upon approval by the BOA.



#### Approve with conditions.

The BOA may attach special conditions to the variance to make sure no special privileges are being granted to the applicant.



#### Deny.

The variance process can take three months or longer, depending on the number of resubmittals and available Board of Adjustment hearing dates.

**3**  
MONTHS+

If a building permit is not issued within one year of the variance approval or the use associated with the variance has not been established, the variance will expire. Extensions may be requested — see Sec. 2-02-23-10.

**1**  
YEAR