



VARIANCE APPLICATION

448 East First Street, Suite 112
Salida, CO 81201
Phone: 719-530-2626 Fax: 719-539-5271
Email: planning@cityofsalida.com

A. TYPE OF VARIANCE REQUESTED (Fill In Applicable Requests)

1. **Variance from Maximum Height:** Existing Height (in feet): _____ Proposed Height (in feet): _____
2. **Minimum Variance from Floor Area:** Required Floor Area: _____ Proposed Floor Area: _____
3. **Variance from Maximum Lot Coverage:** Allowed Lot Coverage: _____ Proposed Lot Coverage: _____
4. **Variance from Parking Requirements:** Existing Spaces: _____ Required Spaces: _____
Total Spaces Proposed: _____ Percent Reduction Proposed: _____
5. **Variance from Minimum Setback Requirements**
 - a. Setback Variance Information:
 - i. Type of setback: Front yard Rear yard Side yard
 - ii. Which direction: North South East West
 Northeast Northwest Southeast Southwest
 - iii. Type of Building: Principal Accessory Building
 - iv. Current Setback: _____
 - v. Proposed Setback: _____
 - vi. Required Setback: _____
 - b. Second Setback Variance Information (if applicable):
 - i. Type of setback: Front yard Rear yard Side yard
 - ii. Which direction: North South East West
 Northeast Northwest Southeast Southwest
 - iii. Type of Building: Principal Accessory Building
 - iv. Current Setback: _____
 - v. Proposed Setback: _____
 - vi. Required Setback: _____
6. **Variance from Land Use Code Section:** _____

B. DEVELOPMENT PROCESS (City Code Section 16-4-180)

1. Pre-Application Conference. Optional.
2. Submit Application.
3. Staff Review. Schedule Hearing. Forward Report to Applicant and Board.
4. Public Notice Provided For Hearing.
5. Public Hearing Conducted by Board and Action Taken.



C. APPLICATION CONTENTS

Twelve (12) copies are required of all application materials.

- 1. **General Development Application**
- 2. **Site Plan.** A site plan of the subject property, showing existing and proposed features, buildings, etc. which are relevant to the review of the application. **The copies shall only be accepted on 8½" x 11", 11" x 17" or 24"x 36" paper.**
- 3. **Required Showing.** The applicant shall indicate the way the proposal meets the required showing as outlined in the application.
- 4. **Public Notice**
 - a) List. A list shall be submitted by the applicant to the city of adjoining property owners' names and addresses. A property owner is considered adjoining if it is within 175 feet of the subject property regardless of public ways. The list shall be created using the current Chaffee County tax records.
 - b) Applicant is responsible for posting the property and mailing public notice to adjoining property owners. Return Address shall be: City of Salida, 448 E. First Street, Suite 112, Salida, CO 81201.
 - c) The applicant must submit notarized affidavits for proof of posting and mailing of the public notice.
- 5. **Application Fee.** \$400 cash or check made out to City of Salida.
- 6. **Special Fee and Cost Reimbursement Agreement completed.**
- 7. **Outside Review Deposit.** In the event the City must retain professional services to process or evaluate an application, the applicant shall bear the costs for the review, including consultants and attorney review time. A deposit of \$400.00 to cover the reasonable anticipated costs for outside professional services may be required from the applicant at the time of the application.

D. VARIANCES FOR HISTORIC NEIGHBORHOODS

1. **Existing Primary Structure.** The Board of Adjustment may grant a variance from a setback requirement for an addition to a primary structure if it continues the existing building line. The Board of Adjustment shall only consider allowing the encroachment into the setback if it can be shown that maintenance of the building addition can be provided on the subject property and that it is not injurious to adjacent neighbors.
2. **Traditional Neighborhood Setbacks.** The Board of Adjustment may grant a variance from a front

setback requirement for a primary structure if the neighboring properties encroach into the front setback. The variance shall not permit the structure to encroach further into the front setback than the neighboring primary structures. The Board of Adjustment shall only consider allowing the encroachment into the setback if it can be shown that such encroachments are the existing development pattern of the block on which the subject property is located and that the encroachment would not be injurious to adjacent neighbors.

D. REQUIRED SHOWING (If necessary, attach additional sheets)

The applicant shall demonstrate the following to the Board of Adjustment before a variance may be authorized:

1. Special Circumstances Exist. There are special circumstances or conditions which are peculiar to the land or building for which the variance is sought that do not apply generally to land or buildings in the neighborhood.

2. Not Result of Applicant. The special circumstances and conditions have not resulted from any act of the applicant.

3. Strict Application Deprives Reasonable Use. The special circumstances and conditions are such that the strict application of the provisions of this Land Use Code would deprive the applicant of reasonable use of the land or building.

4. Variance is Necessary to Provide Reasonable Use. The granting of the variance is necessary to provide the applicant a reasonable use of the land or building.

5. Minimum Variance. The granting of the variance is the minimum necessary to make possible the reasonable use of the land or building.

6. No Injury to Neighborhood. The granting of the variance will not be injurious to the neighborhood surrounding the land where the variance is proposed, and is otherwise not detrimental to the public welfare or the environment.

7. Consistent with Land Use Code. The granting of the variance is consistent with the general purposes and intent of the City's Land Use Code.

8. Existing Primary Structure. If the proposal is an addition to a primary structure which continues the existing building line the applicant must demonstrate that maintenance of the addition on the subject property is feasible and not injurious to adjacent neighbors.