

Variance Application



(Please see the Town of Windsor [Fee Schedule](#) for Application Fees)

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____ Please review Sec. 14-2-140 and 14-2-150 of Chapter 14 of the [Town of Windsor Municipal Code](#) for variance requirements and procedures.

____ Variance requests are considered by the Board of Adjustment, which meets on the fourth Thursday of every month.

____ Prior to submitting an application, a pre-application meeting with Planning Department staff is required. In order for an item to be placed on a given month's agenda, a complete application and fee must be received no later than the 1st day of that month. Incomplete applications will not be scheduled for consideration.

____ Scaled drawings necessary for the proper consideration of this variance shall be submitted with this application. With new construction projects, building additions or remodels, you must contact SAFEbuilt Colorado, Inc. (970-686-7511) to determine compliance with applicable building codes.

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A request is hereby made for a variance of the Town of Windsor ordinances due to special conditions where a literal enforcement of the ordinance would result in unnecessary hardship.

Property Address: _____

Lot: _____ Block: _____ Subdivision: _____

A variance is being requested from the following Municipal Code section(s):

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Owner Name(s): _____

Address: _____

Phone #: _____ Email: _____

Applicant or Representative:

Name: _____

Address: _____

Phone #: _____ Email: _____

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[Municipal Code Section 14-2-150\(a\)](#) states, in part:

Variances are intended to alleviate practical difficulties or hardship arising from the strict application of the provision of Chapters 15 and 16 of the Municipal Code to a specific property. Variances address extraordinary, exceptional, or unique situations that were not caused by the applicant's act or omission.

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Unnecessary hardship is defined by the Municipal Code as enumerated in items 1-9 below. Please describe how each item is met in the space provided. Applications will be deemed complete once *all* criteria have been addressed. You may attach additional sheets if necessary.

1. Where, special circumstances exist, that strict application of the standards adopted in this development code would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the property owner. For the purposes of this Section, undue hardship and practical difficulties means a situation where the property cannot be reasonably used under the conditions allowed by this Code, and are neither a result of a situation created by the property owner, nor exclusively due to economic or cost considerations. The situation shall result from circumstances unique to the property, such as, exceptional narrowness, shallowness, or shape of a specific piece of property, topographic conditions, existing lot configuration, existing building locations on or adjacent to the property or other extraordinary and exceptional situation or condition of such piece of property that would result in peculiar and exceptional practical difficulties to, or exceptional undue hardship. Relief by variance may be granted if there is no substantial detriment to the public good and if it does not substantially impair the intent and purpose of the Comprehensive Plan and this Code.
The variance, if granted, shall not alter the essential character of the surrounding neighborhood. Economic considerations alone shall not constitute an undue hardship if a reasonable use for the property exists under the provisions of this Code. It is the responsibility of the landowner to prove that an undue hardship exists.

2. The applicant cannot derive beneficial use of the property without the variance.

3. The purpose and intent behind the regulation would be maintained by granting the variance.

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4. Granting the variance will not be detrimental to any adjacent properties or the surrounding area.

5. Granting the variance will not be detrimental to public health, safety, or welfare.

6. Adequate relief cannot be reasonably obtained through a different procedure, such as a waiver or alternative compliance standards, if applicable.

7. Granting the variance will not create a building or fire code violation or other safety hazard.

8. The need for the variance is not created by a self-imposed hardship.

9. A variance shall allow only the least deviation from the standard that will afford relief.

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I hereby depose and state under the penalties of perjury that all statements, proposals, and/or plans submitted within this application are true and correct to the best of my knowledge.

Signature: _____ Date: _____
(Proof of owner's authorization is required with submittal if signed by Applicant)

Printed Name: _____

Date Submitted: _____

(Please email completed application and materials to planningtechs@windsorgov.com)