



TOWN OF BLUE RIVER

PLANNING AND ZONING COMMISSION

REQUEST FOR HEARING AND VARIANCE

CASE NO. _____

The following person, group or firm hereby requests a hearing for a variance in accordance with Title 6, the Zoning Ordinance of the Town of Blue River.

Applicant: _____ Phone: _____

(If applicant is not the legal owner of the property, a notarized letter from the property owner granting permission for the variance request must be attached.)

Mailing Address: _____

Legal Description: _____

Street Address: _____

Give section of Zoning Ordinance to which variance is requested, and specify the nature of the variance requested: _____

State if the variance requested meets each of the follow six (6) conditions. Please explain for each one:

1) That the granting of the variance will not authorize a use not permitted by the zoning regulations of the Town: _____

2) That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties having the same classification in the same zone district : _____

3) That the granting of the variance will not be detrimental to the public health, safety or welfare, materially injurious to properties or improvements in the vicinity, or prevent the proper access of light and air to adjacent properties: _____

4) That the strict, literal interpretation and enforcement of the specified regulation would result in unnecessary hardship inconsistent with the objectives of the Title: _____

5) That the circumstances found to create a hardship were not created by the owner, and are not due to, or the result of, general conditions in the zone district and cannot reasonable be corrected: _____

6) That the variance would not be out of harmony with the intent and purpose of the zoning code: _____

NO VARIANCE AUTHORIZING A CHANGE IN THE PERMITTED USE OF PROPERTY SHALL BE GRANTED.

The following documents are submitted herewith for the Commission's information and review:

(1) _____

(2) _____

(3) _____

(4) _____

I/We the applicant named herein, understand the following:

1) That the main function of the Planning and Zoning Commission is to provide for reasonable interpretations of codes and ordinances with relation to their intent, so that the spirit of the ordinance(s) shall be observed, public safety and welfare secured and justice adhered to.

2) Notice of hearings to be given at the expense of the applicant by publication in a newspaper of general circulation within the Town by posting on the premises and by mailing to all property owners within three hundred (300) feet of the property in question. Notices shall be posted, published and mailed at least ten (10) days before the hearing date and shall contain the time and date of the hearing, the name of the applicant, a general description of the property indicating its location (which may be shown by map), what relief is being sought and the grounds on which the relief is being sought. The applicant will submit a notarized letter certifying to the Commission that all property owners within three hundred (300) feet of the affected property were notified of the variance request. This letter shall contain all the names and addresses of those notified, and shall be submitted to the Building Department at least ten (10) days prior to the scheduled hearing. The application must be submitted to the Building Department at least twenty (20) days prior to the date of the hearing.

3) I/We (the applicant) shall be notified of the Commission's decision within thirty (30) days after the date of the hearing.

4) That any decision made by the Planning and Zoning Commission is not binding as to covenants, which apply to the property in question. Applicant is responsible for obtaining any necessary approvals from the Homeowners Associations or Committees, which administer the covenants within the subdivision where the property is located.

5) Within seven (7) days following action by the Planning and Zoning Commission, written findings and decision, in the form of a resolution, shall be transmitted to the applicant and to the Board of Trustees. Such decision of the Planning and Zoning Commission, with respect to variances, is final and is subject to appeal only through a court of competent jurisdiction pursuant to §31-23-307, C.R.S.

Signature: _____
Applicant Date

Received by: _____
Building Official Date

Fee (\$25.00) received: _____
Date

Findings of the Planning and Zoning Commission: _____
