

Purpose of Checklist

This checklist will help to assure that your submitted application is consistent with City of Centennial regulations. On the attached checklist, please check the box when the requirement has been met. When all items are complete, please read and sign the checklist at the bottom and submit it with your application and submittal materials.

Purpose of Variance

A variance application is required to propose a variation from the strict application of the requirements of the Land Development Code (LDC). Variances are granted only in the exceptional circumstances described in the LDC and require the approval of the Planning and Zoning Commission. Variances are not required for development proposals that adhere to the alternative development standards established in Section 12-9-301, *Establishment of Alternative Standards* of the LDC.





**Land Development Code
Variance Application**

Applicant: _____

Property Owner: _____

Property Address: _____

City: _____ State: _____ Zip: _____

Home/Cell Phone: _____ Work Phone: _____

Fax Phone: _____ E-mail: _____

Legal Description of Property: _____

Current Zoning: _____ Surrounding Zoning: _____

Variance Request (giving dimensions where applicable): _____

Property Owner's Signature: _____ Date: _____

Applicant's Signature: _____ Date: _____

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Planning and Zoning Commission hearings are held on the second and fourth Wednesday of each month and require a 14-day notice of public hearing posting on the site. The deadline to be placed on an agenda is the corresponding meeting of the prior month (e.g. the deadline to be placed on the agenda of the second meeting in October is the second meeting in September).

Application Fee: \$125.00

FOR STAFF USE ONLY			
_____	_____	_____	_____
Date Received	Date of Hearing	Case Manager	Case #

Variance Checklist

Please check off the following items to assure your application is complete. Sign and submit this checklist with your application.

Applicant Staff

		<p>Plot Plan. A dimensioned plot plan that provides a graphic representation of the subject property and the adjacent streets and properties, showing all of the following:</p> <ol style="list-style-type: none"> 1. The boundaries of the parcel proposed for a variance, based on the legal description, and using a scale of one inch equals 100 feet or larger; 2. Any existing buildings and structures on the parcel, including all property line setback measurements; 3. Related physical conditions that may influence the variance request; 4. Adjacent properties and parcels, including information on their existing zoning, existing land use(s), and existing project/ property names, if known; and 5. Adjacent streets, including street names, street classification, right-of-way widths, and existing level of improvement.
		<p>Description of Variance. A statement describing the nature and purpose of the requested variance (including specific reference to the LDC sections from which variance is sought), and the grounds on which the variance is requested.</p>
		<p>Demonstration of Compliance with Approval Standards. A statement describing how the proposed variance meets the standards established in Section 0-14-801(F), <i>Approval Standards</i> of the LDC (see attached). All standards must be addressed.</p>
		<p>Certificate of Posting. Upon posting of the property, a signed 'Certificate of Posting' form, including a legible photograph of the sign (see attached). The posting of the property for Public Hearing will be the responsibility of the applicant. All signs must be posted 14 days prior to the scheduled hearing date. The City of Centennial will have the Notice of Public Hearing Sign available for pick-up prior to the mandatory posting date. The sign must be erected outside on posts no lower than four (4) feet above natural grade. The sign must be legible from the nearest public right-of-way or local street.</p>
		<p>Other Items. Other items, including pictures, drawings, or information, to substantiate the variance request.</p>

**Land Development Code
Variance Checklist**

I _____ state that the above submittal requirements have been provided in completion of the requirements for submission as required by the City of Centennial, and that all documents provided have been submitted in accordance with the requirements and guidelines of the City of Centennial.

I also understand that submitting erroneous information or an incomplete submittal may delay the processing of my application.

Signature

Date

Sec. 12-14-801 Variances

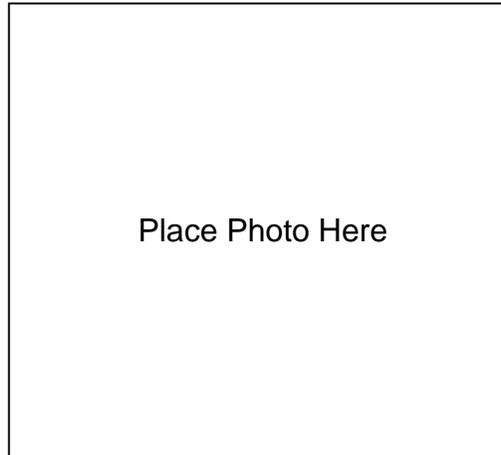
- A. **Generally.** Variances are variations from the strict application of the requirements of the LDC.
- B. **Applicability.** Variances are granted only in the exceptional circumstances that are set out in Subsection F. An applicant for a variance is not required to have an application denied before seeking the variance.
- C. **Required Approval.** A variance requires the approval of the Planning and Zoning Commission.
- D. **Application Materials.** Applications for variances to the terms of this LDC shall be submitted on a form approved by the Director. The application form shall include, at a minimum, the following substantive information:
1. The name of the applicant and contact information, including mailing address and telephone number;
 2. The address of the property for which the variance is sought;
 3. The legal description of the property for which the variance is sought;
 4. The nature and purpose of the requested variance (including specific reference to the Code sections from which variance is sought), and the grounds on which the variance is requested; and
 5. A statement regarding how the proposed variance meets the standards set out in Subsection F.
- E. **Decision.** The Planning and Zoning Commission shall conduct a public hearing and shall approve, approve with conditions, or deny the variance. Decisions regarding variances shall be reduced to writing, and executed by the Chair of the Planning and Zoning Commission. The written decisions shall include the factual basis for the decision and a record of the vote on the decision by the Planning and Zoning Commission.
- F. **Approval Standards.** A variance shall be granted only if it is demonstrated that all of the following conditions exist:
1. Strict compliance with the terms of this LDC would result in unreasonable hardship;
 2. There are extraordinary and exceptional conditions pertaining to the parcel proposed for development because of its size, shape, or topography that are not applicable to other lands or structures in the same district;
 3. The need for a variance or the extraordinary and exceptional conditions do not result from the actions of the applicant;
 4. Granting the variance will not confer on the applicant any special privilege that is denied to other lands or structures in the same district;
 5. A literal interpretation of the provisions of this LDC would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located;
 6. The variance will not adversely affect the public health, safety or welfare;
 7. Granting of the variance will be in harmony with the general purpose and intent of this LDC, will not injure the neighborhood, and is not otherwise detrimental to the public welfare;
 8. The variance requested is the minimum variance that will make possible a permitted use of the land, building, or structure;
 9. The variance will not permit a use of land, building, or structure that is not otherwise permitted in the applicable district;
 10. Development or use of the property for which the variance is sought, if limited by a literal enforcement of the provisions of this zoning ordinance and regulations, cannot yield a reasonable return in service, use or income as compared to adjacent conforming property in the same district (however, an economic hardship and/or the desire by an applicant or owner to increase or maximize the economic value of construction do not constitute grounds for the granting of a variance);

Land Development Code Section 12-14-801, Variances

11. The variance will not alter the essential character of the district in which the property is located for which the variance is sought;
 12. The variance is not inconsistent with the City's Comprehensive Plan and any applicable Sub-Area Plans; and
 13. No other relief is available through the application of alternative development standards or an alternative development configuration that is allowed by this LDC.
- G. **Conditions of Approval.** The Planning and Zoning Commission may condition approval of the variance as necessary to protect the public health, safety, and welfare.
- H. **Record of Approved Variances.** The Community Development Department shall maintain a record of approved variances.
- I. **Expiration of Variances.** Any variance automatically expires one year after the date the variance was granted or within such other time as the Planning and Zoning Commission prescribes, unless a building permit for the variance is obtained within such one year period for the improvement contemplated by the application. The Director may grant extensions of time for good cause shown, but only if an application for such extension is made prior to the expiration of the variance.



**Land Development Code
Certificate of Posting**



I, _____, do hereby certify that the Notice of Public Hearing Sign was posted on the property located at: _____ at least 14 days prior to the hearing on (Month) _____ (Day) _____ (Year) _____.

Signature: _____ Date: _____