

## **General Information VARIANCE**

### **What is the purpose of a variance?**

Variations are a "relief" given where the literal enforcement of the zoning ordinance would result in unnecessary hardship to a property owner. A variance is granted by the Planning Commission, serving as the zoning board of adjustment, on an individual basis and may be granted for such things as building, height, placement of buildings, yards, and other requirements when the variance is in conformance with the intent of the ordinance. The attached ordinance outlines criteria used by the Planning Commission in making a decision.

### **How do I apply for a variance?**

Only the owner(s) of the property may apply for a variance. A representative of the owner(s) may apply if the representative can produce a Power of Attorney to act on the owner's behalf.

Use the attached form to apply for a variance. Submit all the appropriate application materials, including a drawing of the existing situation and the proposed variance, with the \$50.00 non-refundable application fee to the Public Works Department.

Your request will be heard by the Planning Commission through a public hearing. The property will be posted at least 10 days prior to the meeting with information about the hearing, allowing interested parties to attend and voice any concerns. The hearing is advertised in the legal notice section of the local newspaper.

The applicant or authorized representative will be required to attend the meeting to present the request and answer questions of the Board. Any support for your project by other citizens must be in writing or given by them personally at the meeting to be considered by the Planning Commission.

### **How long does the process take?**

Planning Commission meets on the fourth Wednesday of each month. In order to meet advertisement requirements the application materials must be received by the Public Works office two weeks plus one day prior to the Planning Commission meeting.

This schedule is based upon the presumption that there are no delays. Meeting schedules may be affected by holidays or unforeseen circumstances which may lengthen the process. If application materials provide insufficient information, Planning Commission may table action until the information is provided.

### **Am I guaranteed a variance by applying for one?**

No. The Planning Commission evaluates each request based on the intent of the ordinance. If the variance request is unreasonable, changes the character of the neighborhood, impairs the use of adjacent property, or creates an unsatisfactory condition, then chances are your request will be denied. Keep in mind that a request will only be granted when abiding by the ordinance would inflict undue hardship to the property owner.

By submitting your application no later than \_\_\_\_\_, your request will be heard by the Planning Commission on \_\_\_\_\_ at 6:00 pm. The meeting will be held in City Council Chambers unless otherwise noted.

## Application for VARIANCE Checklist

The following must accompany all requests for consideration of variance:

- The name(s) and address of the property owner(s)
- The mailing address of the property owner(s)
- The phone number(s) of the property owner(s)
- A list of adjacent property owners for notification
- A description of the proposed relief in detail
- Include a site plan, drawn to scale, showing the dimensions of the lot and setback of proposed relief and any existing building or structures
- The legal description of the property including zoning, lot, block, and subdivision
- If applicant is different from owner, attach power of attorney
- Enclose a \$50.00 processing fee (non-refundable)

If any of the above information is missing, the application will be deemed incomplete and will not be considered.

Received by: \_\_\_\_\_

Date Received: \_\_\_\_\_

Date Reviewed: \_\_\_\_\_

Date of applicant notification of action: \_\_\_\_\_



**CITY OF ALAMOSA  
APPLICATION FOR A VARIANCE**

1. Name(s) of property owner(s): \_\_\_\_\_  
\_\_\_\_\_
2. Mailing address of owner(s): \_\_\_\_\_  
\_\_\_\_\_
3. Phone number(s)/E-mail: \_\_\_\_\_  
\_\_\_\_\_
4. Application information if different from owner. Attach Power of Attorney.  
    Name: \_\_\_\_\_  
    Mailing Address: \_\_\_\_\_  
    \_\_\_\_\_  
    Phone Number: \_\_\_\_\_
5. Legal description of property: \_\_\_\_\_  
\_\_\_\_\_
6. Street address of property: \_\_\_\_\_  
\_\_\_\_\_
7. Zoning: \_\_\_\_\_
8. Describe the proposed relief in detail: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
9. Attach a list of adjacent property owners and addresses for notification.  
    (Available at County Assessors Office)
10. Attach a plot plan showing dimensions (drawn to scale).
11. A \$50 non refundable fee enclosed.

OWNER(S)

APPLICANT(S)

\_\_\_\_\_  
Signature(s)

\_\_\_\_\_  
Signature(s)

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date