



VARIANCE APPLICATION TOWN OF GYPSUM

(Revised 12/29/2015)

Lana Gallegos, Senior Planner 970-524-1729
Cindy Schwartz, Assistant Planner 970-524-1750

DATE: _____

NAME OF APPLICANT: _____

PHYSICAL ADDRESS OF SITE: _____

MAILING ADDRESS OF APPLICANT: _____

EMAIL ADDRESS OF APPLICANT: _____

PHONE: _____

PERMIT FEE: \$250 DEPOSIT: \$250

TOTAL FEE PAID: \$_____

CHECK #:_____ **DATE:**_____

Payment of fees:

1. Town Manager, or their authorized designee, has authority to increase or decrease the deposit amount required according to project complexity and estimated costs required for outside services, including but not limited to, general counsel and water attorney fees, engineering fees, plat check fees, recording fees, and publication fees.
2. Deposits may be required to be increased prior to proceeding with processing of application if it is determined costs will exceed said deposit.
3. All fees incurred above deposit amounts are still the responsibility of the applicant as required by the Gypsum Municipal Code even if approval is denied or application is withdrawn.
4. Permit fees cover town planning staff review time and all Planning Commission and Town Council hearings.
5. Deposit cover items, including but not limited to, town engineer review times, outside engineer review times, general counsel and water attorney fees, publication notices, postage/ mailing notices, plat check fees, updates to GIS system, and updates to the town zoning map.

6. Any outstanding fees due to the Town must be paid before any additional land use applications will be accepted.

7. Combined submissions, such as annexation and sketch plans, or preliminary and final, shall be accompanied by a combined fee. (Ord. 2010-23)

Please initial that the item has been submitted and/or acknowledged:

_____ Site Plan

_____ Summary letter including the following information (Section 18.13.020):

- The name and address of the applicant
- The legal description and street address of the subject property
- Confirmation that the applicant is the owner of the subject property or has the written permission of the owner (copy to be enclosed), to make the application
- The nature of the proposed use, or other item proposed, which is not permitted by this Title
- The nature of the hardship which would be created by a strict interpretation of this Title
- The justification for the applicant being granted a variance
- One (1) 11" x 17" copy of the site plan with full dimensions

_____ Two sets of mailing labels of all adjacent property owners within three hundred feet (300') of all sides of the property.

_____ Existing zoning (include any pre-existing or non-conforming uses)

_____ Provide a parking sketch, if applicable.

POSTING NOTICE

18.16.060 - Notice requirements

Certain zoning actions require a public hearing, notice of which shall be given in the manner and within the times set forth in the following notice requirements:

Type of Action	Hearing Requirement	Notice in Newspaper	Service or Mailing	Posting
Planned Unit Development (PUD)				
PUD Preliminary Plan (18.08.150)	Town Council	15 days	15 days	15 days
Amendments to PUD (18.08.180)	Town Council	15 days	15 days	15 days
Maintenance of Common Property (18.08.030)	Town Council	N/A	15 days	N/A
Conditional Use Permit	None	N/A	N/A	N/A
Suspension/Revocation (18.12.050)	Planning and Zoning Commission	No	10 days	No
Revocation (18.16.040(c))	Town Council	Optional	7 days	Optional
Special Use Permit (18.12.040)	Planning and Zoning Commission	10 days	10 days	10 days
Suspension/Revocation (18.12.050)	Planning and Zoning Commission	No	10 days	No
Revocation (18.16.040(c))	Town Council	Optional	7 days	Optional
Variance (18.13.030)	Planning and Zoning Commission	10 days	10 days	10 days
Appeal	Board of Adjustment	10 days	10 days	10 days
Revocation (18.16.040(c))	Town Council	Optional	7 days	Optional
Location and Extent (18.14)	None	N/A	N/A	N/A
Zoning Code and Map Amendments (18.15.040)				
Text, Not Site Specific	Planning and Zoning Commission	15 days	None	None
Site Specific Amendment	Planning and Zoning Commission	15 days	15 days	15 days
Text, Not Site Specific	Town Council	15 days	None	None
Site Specific Amendment	Town Council	10 days	10 days	10 days
Notice of Violation/Corrective Action Order, Nonemergency (18.16.040(c))	None	None	30 days	30 days (alternative)
Revocation of Building Permit (18.16.040(c))	Town Council	Optional	10 days	Optional
Stop Work Order (18.16.040(c))	None	None	Immediate	Immediate
Appeals (18.16.050)	Board of Adjustment	10 days	10 days	10 days

18.16.070 – Posting

- (a) **Responsibility.** Posting of a sign on the property giving notice of any public hearing shall be the responsibility of the applicant. Staff shall advise the applicant in writing within five business days of receipt of the application of this posting requirement and the location and number of signs required for the application. All signs must be prepared by or for the applicant at the applicant's expense. All signs must be posted on the property not less than 15 or not less than ten days prior to the scheduled public hearing as set forth in section 18.16.060. The applicant must take a clear and distinct photograph of the sign(s) and submit the photograph(s) to the planning department immediately upon posting the property. No later than noon on Friday prior to the scheduled public hearing, the applicant shall present a certificate of posting in the following form to the planning department.

(b) **Certificate of posting.**

Certificate of Posting

I hereby certify under oath that a sign (or signs (_____)) was posted on the property known by street and number as _____ on _____, 20_____, at least ten days prior to the public hearing on the Application for _____ for this property as shown in the photograph(s) submitted in support of this Certificate as notice of this public hearing before the Planning and Zoning Commission/Board of Adjustment/Town Council on _____, 20_____ at _____ .m.

Dated this _____ day of _____, 20_____.

Applicant

State of Colorado)

) ss.

County of Eagle)

Subscribed and sworn to before me this _____ day of _____, 20_____ by _____ as Applicant.

My commission expires _____.

Notary Public

Failure to present the certificate of posting and submit the photograph(s) will result in a rescheduling of the public hearing and require a new posting of the property.

- (c) **Sign specifications.** A sign not less than three feet by four feet in size erected on posts no lower than four feet above natural grade and legible from the nearest dedicated public right-of-way. Title of sign shall be in letters not less than five inches high. Said sign shall be removed by the applicant within two weeks of the conclusion of the public hearing. A sample format for the sign is as follows:

** A sign may also be purchased from the town for a fee of \$100.

**NOTICE OF PUBLIC HEARING
(CASE NUMBER)**

Notice is hereby given that the property upon which this sign is posted shall be considered for approval of a _____ at a public hearing pursuant to the Town of Gypsum Zoning Code. Further information concerning this application or proposal may be obtained by calling the Planning Department Office at (970) 524-7514.

The hearing is to be held before the _____ on the _____ day of _____ (Month), (Year), in the Council Chambers, 50 Lundgren Boulevard, Gypsum, Colorado at 7:00 p.m., or as soon thereafter as the matter may be heard. The general public may attend the public hearing to hear issues and to express their opinions.

I understand that applying for this Variance does not guarantee that the permit will be approved. The application fee is not refundable.

I understand that I must have an appropriate representative attend all meetings in order to be considered.

I acknowledge that I am the owner of the subject property or have the permission of the owner to make application for a Variance.

Signature (Must be signed by owner)

Date

Print Name