



**Planning Division  
Community Development Department  
THE CITY AND COUNTY OF BROOMFIELD**

Property Address: \_\_\_\_\_ Case No.: \_\_\_\_\_

**CHECK-LIST: MINOR VARIANCE**

Please refer to Broomfield Municipal Code Section 17-50-090 for eligibility requirements. The requirements are available for review at: <http://www.ci.broomfield.co.us/code>

The estimated review time is approximately two weeks but may vary depending on case load, the need for additional information, or other factors. Below are the typical requirements for a minor variance.

- Staff Consultation**  
A consultation with a Planner is recommended prior to application submittal. The consultation may be by phone or in person.
- Completed Development Application**  
Signed by Owner and Notarized.  
Application attached and available on the Planning website at:  
<http://www.ci.broomfield.co.us/planning/development/index.shtml>
- No Fee**
- Two copies of plans (typically 8 ½ x 11 inch) showing proposed lot and improvements.**
- Please provide a written narrative explaining why the variance is requested.**

**Requested Variance (Please select the item that applies and provide required information)**

- Maximum lot area reduction of ten percent.  
Required lot area \_\_\_\_\_, Proposed lot area \_\_\_\_\_
- Maximum floor area reduction of five percent.  
Required floor area \_\_\_\_\_, Proposed floor area \_\_\_\_\_
- Reduction of yards and open areas by permitting portions of a building to extend into and occupy not more than ten percent of the distance of a required yard.  
Required yard \_\_\_\_\_, Proposed yard \_\_\_\_\_

Please note: Broomfield can only grant a minor variance if it is found that granting the variance conforms to the intent of subsection 2-40-070(B), which sets for the criteria for granting of variances (reprinted on following page).

For PUD Zoned Property: Variances that exceed the above requirements must be reviewed by the Planning & Zoning Commission and are not eligible for review as a "minor variance. Other modifications to site development plan requirements that are not listed above may qualify for review through a Minor Site Development Plan Amendment – Examples include minor changes to landscaping, grading, and architectural requirements.

For non-PUD Zoned Property (Examples: R-1, R-3, E-1, E-2): Any variance not listed above or variance that exceeds the above requirements must be reviewed by the Planning & Zoning Commission and is not eligible for review as a "minor variance."

APPLICATION COMPLETE

DATE: \_\_\_\_\_

**Broomfield Municipal Code**  
**Applicable Sections for Minor Variances**

**Section 17-50-190 Minor Variances**

(A) When in the public interest, the city manager or his or her authorized representative, without publishing, posting, or mailing of notice and without public hearing, may consider and render decisions on minor variances involving slight modifications to the provisions of this title, but being limited to the following:

(1) Reduction of lot area or minimum floor area by not more than the following amounts:

- a. Maximum lot area reduction of ten percent;
- b. Maximum floor area reduction of five percent;

(2) Reduction of yards and open areas by permitting portions of a building to extend into and occupy not more than ten percent of the distance of a required yard.

(B) In granting a minor variance, the city manager or his or her authorized representative shall make a finding that the granting of this variance conforms to the intent of subsection 2-40-070, which sets forth the criteria for the granting of variances.

**Section 2-40-070 Planning & Zoning Commission; Powers, duties, and procedures to grant variances and make adjustments to zoning**

The planning and zoning commission shall also have the following powers and duties:

(A) To hear and decide appeals from, and review any order, requirement, decision, or determination made by an administrative official charged with enforcement of the regulations established by this title.

(B) To authorize variances from the terms of title 17, B.M.C., where, by reason of exceptional conditions, the strict application of any regulation enacted in this title would result in peculiar and exceptional practical difficulties to, or undue hardship upon, the owner of such property, provided that such relief may be granted without substantial detriment to the neighborhood or to the public good and without substantially impairing the intent and purposes of title 17, B.M.C., and provided that no variance shall authorize any use other than the use permitted in the zoning district, except as authorized in subsection (C) below.

(C) To authorize, as variances, alterations in nonconforming buildings or uses, provided that the commission determines:

(1) That the total area (and volume in the case of buildings) devoted to the altered nonconforming use will not be greater than the total area devoted to the current nonconforming use, and

(2) The altered nonconforming building or use will not have any greater adverse impact on the neighborhood than the current nonconforming building or use. The factors which the commission may consider include, but shall not be limited to:

- a. The purpose of title 17, B.M.C.;
- b. Noise;
- c. Visual impact;
- d. Dust;
- e. Odors;
- f. Traffic; and
- g. Impact on public services.

(D) To perform each and all of the duties specified in section 31-23-307 C.R.S., together with all other duties or authority which may hereafter be conferred upon it by the laws of the state or ordinances of the city.

(E) The commission shall not be authorized to vary the terms of the sign code but may grant special exceptions as set forth in sections 17-44-320 through 17- 44-370.