



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

APPEALS AND VARIANCES : CHECKLIST AND APPLICATION FORM

The Broomfield Municipal Code (BMC) addresses the procedure for appeals and variances by the Planning and Zoning Commission under Chapter 2-40. The public notice requirements are addressed in Chapter 17-52. The referenced BMC sections are attached.

Pre-Application Meeting

- Meet with Planning Division staff member to review application process and submittal.

Timing and Executed Forms

- Appeals must be filed no later than 30 days from the date of the decision/determination being appealed.
- Completed Development Application, signed and notarized by the property owner. See attached form.

Fee for Processing (payable to the City and County of Broomfield)

- \$ 25 application fee
- \$100 public notice fee
- \$ 50 optional fee for address records search service to facilitate public notification to surrounding properties within 500' of the subject property.

Supporting Documentation

- Plot plan or improvement survey plat for lot showing scaled drawing of the proposed improvements with dimensions noted.
- Recommend statement of approval or consent by adjacent property owner(s) and any homeowners association.

Written Justification

- Written description of proposal including the following information:
- A. Summary of variance or appeal request.
For example: The request is for a variance to reduce the required ___-foot rear yard setback by ___-feet for the purpose of constructing a _____.
- B. Summary description of the zoning requirement for which the variance is requested. You may wish to contact a planner to assist with this description.
For example: The rear yard setback requirement is ___-feet as set forth in _____ (document name or code reference).
- C. Summary justification/hardship. Explain why the request is needed.
- D. Summary statement regarding any negative impact on the neighborhood or public good.

Public Notice

- Applicant shall comply with Chapter 17-52 of the Broomfield Municipal Code regarding notices.

Public Hearing

- Hearings are typically scheduled for the second and fourth Mondays of the month.



Application for Development Review

This form is intended to be used along with additional
Information applicable to the particular request.

PROJECT CASE NO
DATE OF SUBMITTAL
FEE PAID:
PROJECT NAME

PLEASE TYPE

1. Applicant/Developer:

Person to Contact:
Address:
Telephone:
Fax Number:
E-Mail:

TYPE OF REQUEST

- Administrative (Eligible Minor Variance - no fee)
Administrative (Minor SDP Mod. or Eligible Wireless)
Appeals and Variances
Conceptual Review
Comprehensive Plan Amendment
Planned Unit Development - Plan
Planned Unit Development - PUD Plan Amendment
Rezoning
ROW / Easement Vacation, Easement Grant
Sign Code Exception
Site Development Plan - Plan with Agreement*
Site Development Plan - Plan Amendment

2. Property Owner (Per Current Title Policy):

Person to Contact:
Address:
Telephone:
Fax Number:
E-Mail:

3. Planner/Architect/Engineer:

Person to Contact:
Address:
Telephone:
Fax Number:
E-Mail:

- Subdivision - Final Plat with Agreement*
Subdivision - Preliminary Plat
Subdivision - Minor Plat
Subdivision - Replat
Use by Special Review (Various)
Urban Renewal Site Plan
Vesting Rights
Other

*Please consult the Owner/Developer Information Form
regarding (Subdivision) Improvement Agreements.

4. Property Address and General Location:

5. Legal Description (attach on disk Word 6.0 if longer than one page)

6. Area of Property: Acres/Square Feet

8. Current Land Use: 7. Current Zoning:

10. Summary of Proposal: 9. Proposed Zoning:

11. Estimated Project Valuation for land: \$ and new construction \$

As owner of the aforementioned property, I hereby consent to the submission of this Application for Development Review and authorize the applicant to act on my behalf with regard to this application.

12. Owner Please Print

Signature

STATE OF)
) ss.
COUNTY OF)

The foregoing instrument was acknowledged before me this day of , 20.

by _____.

Witness my hand and official seal.

Notary Public

Address

My Commission expires _____.

Public Notice Requirements**17-52-010 Uniform notice requirement established.**

Whenever, pursuant to this title 17 or pursuant to title 16, a public hearing before the city council, the planning and zoning commission, or the zoning board of adjustment is held, public notice shall first be given as provided in this chapter. Failure to give full notice as required by the terms of this chapter due to a clerical or administrative oversight or omission shall not affect the validity of any hearing or decision. The provisions of this chapter shall not apply to amendments to title 16 or title 17. (Ord. 516 §3, 1983; Ord. 769 §15, 1988; Ord. 1111 §47, 1995; Ord. 1935 §71, 2011)

17-52-020 Notice; contents.

At a minimum, every type of notice required by this chapter shall contain the following information:

- (A) The name of the body before which the hearing is to be held;
- (B) The date, time, and place that the hearing will be held;
- (C) The legal description of the property with regard to which the hearing will be held; and
- (D) The action or decision which is requested or proposed. (Ord. 516 §3, 1983)

17-52-030 Notice; publication.

Notice shall be given by publication one time in a newspaper of general circulation in the city at least five days before the hearing. (Ord. 516 §3, 1983; Ord. 1070 §2, 1994)

17-52-040 Notice; mail.

Notice shall be given by first-class mail to the record owners of the property with regard to which the action or decision is proposed or requested and to the record owners of property within 500 feet thereof. The record owners must be determined as of not more than sixty days prior to the date notice is sent. The notices shall be sent at least ten days before the hearing. The applicant shall obtain and submit to the city the names and addresses of the record owners of the property with regard to which the action or decision is proposed or requested and of property within 500 feet thereof. (Ord. 516 §3, 1983)

17-52-050 Notice; posting.

Notice shall be given by posting on the property or on a public right-of-way abutting the property. Each sign shall be at least twenty-two inches by twenty-eight inches in size. Posting shall be in at least one location, but the city manager or the director of community development may require such additional posting as they deem desirable. Posting shall be complete at least ten days before the hearing. Posting shall be the responsibility of the applicant, who shall submit an affidavit of posting immediately after posting the notice. All notices posted pursuant to this chapter shall be removed by the applicant within forty-eight hours after the hearing. (Ord. 516 §3, 1983; Ord. 1805 §1, 2005)

17-52-060 Notice; computation of time.

In computing any period of time prescribed for the giving of notice, the day of the hearing shall not be included. The day of the publication, mailing, or posting shall be included. Saturdays, Sundays, and legal holidays shall be counted as any other day. (Ord. 516 §3, 1983)

17-52-070 Notice; fees.

Fees for giving public notice as required by this chapter shall be \$100.00 per application or proposal and shall be paid by the applicant for, or proponent of, the action being requested or proposed. These fees are in addition to any application fees, and shall be paid at the time the application is presented to the city. (Ord. 812 §1, 1989)

17-52-080 Continuation of hearing.

A hearing, once commenced, may be continued to a date, time, and place certain by the body before whom it is being held without any additional public notice being required. (Ord. 516 §3, 1983)