



*Dedicated to building a
desirable, resilient and safe
community*



Community Development Department
Frisco Town Hall * 1 Main Street
PO Box 4100 * Frisco, CO 80443
Phone: 970-668-5276 * Fax: 970-668-0677
Email: info@townoffrisco.com
<http://www.frisco.gov/>
Office Hours: Monday – Friday 8:00 a.m. to
5:00 p.m.

VARIANCE REQUEST

General Explanation

The Planning Commission may grant a non-use variance from the Town Code on a case by case basis when strict application of the regulations would cause exceptional practical difficulties, undue hardship to the property owner, and would not be contrary to the public interest.

Variations cannot be granted for a use not normally permitted in a zone. A zone change should be sought to permit such a use. No other applications may be submitted concurrently with a variance application. An applicant must have received approval of a non-use variance prior to submitting a development application or any other related application.

Submittal Deadlines

Complete applications must be submitted 52 days in advance of a Planning Commission meeting on which the application may be heard. Please contact the Planning Division for submittal deadlines.

Review Process

Requests are reviewed on a first come, first served basis. Staff will review the request and identify any missing items. Once the variance request is considered complete, the request will be scheduled for a public hearing before the Planning Commission. Staff will prepare a report to the Planning Commission. The applicant will also receive a copy of this report.

The Planning Commission will hold a formal public hearing on the variance request. The Planning Commission will approve, approve with conditions, or disapprove the proposal based on the information presented and their findings with regard to the review criteria.

Application Materials

1. Request Form

Include the name, address, and signature of the current owner. If applicant is not the owner, a statement by the owner consenting to this application must be submitted with the application.

2. Application Fee

- \$1000 fee plus a development review account (DRA) for technical review with an initial deposit of \$800 or \$1500 for large projects (See page 2 for more information).

3. Written Materials

Applicant must submit additional information showing that the conditions listed on page 2 exist on the property.

Submittal Requirements

- The property has extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zoning district.
- That the extraordinary or exceptional physical condition of the property will not allow reasonable use of the property in its current zone in the absence of relief.
- That the granting of the variance will not have an adverse impact on the surrounding properties, the neighborhood, or the community as a whole.
- The granting of the variance will not be detrimental to public health, safety, and welfare or injurious to surrounding property values and neighborhood character.
- The granting of a variance shall not be substantially inconsistent with any plans adopted by the Town of Frisco.
- The granting of the variance shall not materially weaken the general purpose of the Zoning Ordinance or its regulations.
- The variance, if granted, shall only be to the extent necessary to afford a reasonable use of the property.

DEVELOPMENT REVIEW ACCOUNT (DRA) INFORMATION

A development review account (DRA) is an account established for Planning Division applications that may incur legal, engineering or other similar technical fees for review and consultation incurred by the Town.

A DRA must be established at the time an application is filed, and an initial deposit of \$800 is required. For large project and annexation applications, a minimum deposit of \$1,500 is required. The initial payment to set-up a DRA is not a guarantee of the final cost for legal and/or technical fees; it is only the minimum amount required to establish a DRA. The Town will notify the applicant of any deficiency in the DRA account balance as often as applicable. No plan approval will be given if the applicant does not have the minimum DRA balance, and no application shall be scheduled on an agenda or reviewed until such payment has been made.

Once costs have been incurred, there will be approximately four months from the date of the review activity for the Town records to reflect the actual costs. Descriptions of all review activities are available upon request.

After final approval of an application, including all associated conditions that may require site inspections and/or other follow-up review, or upon a request for return of DRA funds, the Town will determine the balance remaining in the account. This amount can only be calculated after all bills associated with the application are submitted to the Town. All funds in the account over the costs incurred by the Town will be returned to the applicant.

