



PLANNING DIVISION INFORMATION FOR VARIANCE REQUESTS

The following is an overview of the information required for Town of Frisco review of a proposed variance. The Planning Commission may grant a variance from the Town Code on a case by case basis when strict application of the regulations would cause exceptional practical difficulties or 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.

To help answer questions related to the Town Code, contact a planner to review the proposal prior to the submission of any plans. Code regulations can be found on-line at www.frisco.gov.

Submittal Requirements

Complete the variance request (on reverse of this sheet). Submit the application, supporting documents and plans to the Frisco Community Development Department. Within two days of receipt of the application, staff will determine if the application is complete, and ready for review. **Confirmation by Planning Division staff that the application has been found to be complete in no way implies that the submitted materials meet the requirements of the Town Code.**

1. Submit 15 copies of the Variance Request and associated documents to the Planning Division. *(Note: One copy may be submitted initially for completeness check; a total of 15 copies will be required at the end of the completeness check.)*
2. All requests for variance shall be addressed to the Planning Commission and shall include the following information:
 - a. The Section of the Town Code for which a variance is requested, and the requirements of that Section.
 - b. A detailed explanation of the nature and extent of the variance requested and a written response to the seven criteria on the variance request form.
 - c. Supporting documents (maps, plans, etc.), which demonstrate the unique situation and hardship.
3. An application fee of \$900 and \$50 public noticing/publication fee are required for review. Major revisions to the original submittal will require an additional fee.
4. A Development Review Account (DRA) of at least \$800 is required for technical review. Please refer to the DRA information sheet for more details.

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.

Expiration and Termination of Right

A non-use variance, together with the accompanying site or development plan granted shall expire within two years from the date of final approval if no action has been taken. If the petitioner can show due cause, this time may be extended with the approval of the Planning Commission or Town Council. Action means obtaining a building permit or other applicable Town permit/license pursuant to the granting of the variance, or the right that is granted pursuant to the variance is put to use.



**PLANNING DIVISION
Variance Request**

File Number _____

APPLICANT INFORMATION

Applicant _____

Email Address _____

Mailing Address _____

Street/P.O. Box _____

City _____

State _____

Zip Code _____

Telephone Number _____

Home _____

Work _____

Fax _____

Note: If applicant is other than the owner(s), a statement by the owner(s) consenting to this application must be submitted with the application.

Name of Engineer/Surveyor/Agent _____

Email Address _____

Mailing Address _____

Street/P.O. Box _____

City _____

State _____

Zip Code _____

PROJECT INFORMATION

Name of Development (if applicable) _____

Property Address _____

Legal Address of property: Lot _____ Block _____ Subdivision _____

In addition to this request form, the applicant must submit information showing that all of the following

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

Applicant's Signature _____ Date _____