

**GUNNISON COUNTY, COLORADO**  
**APPLICATION for VARIANCE FROM SETBACK REQUIREMENTS**

Gunnison County Planning Department: 221 N. Wisconsin St., Ste. D, Gunnison, CO 81230  
 Telephone: 970-641-0360 FAX: 970-641-8585 Website: www.gunnisoncounty.org

DATE RECEIVED BY PLANNING DEPT.: \_\_\_\_/\_\_\_\_/\_\_\_\_  
 APPLICATION FEE PAID(\$200): \_\_\_\_\_

<b>APPLICANT :</b>		
<b>MAILING ADDRESS:</b>		
<b>CITY:</b>	<b>STATE:</b>	<b>ZIP:</b>
<b>PHONE (day):</b>		<b>(Cell or evening):</b>
<b>FAX:</b>		<b>E-MAIL ADDRESS:</b>
<b>PROPERTY OWNER</b> (If other than applicant, a notarized letter from the property owner consenting to this application, must be submitted.): <b>NAME:</b>		
<b>MAILING ADDRESS:</b>		
<b>CITY:</b>	<b>STATE:</b>	<b>ZIP:</b>
<b>PHONE (day):</b>		<b>(evening):</b>
<b>FAX:</b>		<b>E-MAIL ADDRESS:</b>
<b>PRIMARY CONTACT PERSON and AUTHORIZED REPRESENTATIVE</b> (The person the Planning Department should contact regarding scheduling of meetings and information for this application. A <b>NOTARIZED LETTER</b> from the property owner authorizing the representative must be submitted. ) <b>NAME:</b>		
<b>MAILING ADDRESS:</b>		
<b>CITY:</b>	<b>STATE:</b>	<b>ZIP:</b>
<b>PHONE (day):</b>		<b>(Cell or evening):</b>
<b>FAX:</b>		<b>E-MAIL ADDRESS:</b>

**PROPERTY LOCATION and LEGAL DESCRIPTION OF PROPERTY:**

1. **Legal Description.** Cite lot and block or tract numbers, mining claim or homestead references; attach copy of deed and/or metes and bounds description(s):

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2. **Property Address:**

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3. **Common Description** (include mileage from highway or County road, or other recognized landmarks):

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4. **Directions to the Site:**

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**ADJACENT LANDOWNERS.** List all landowners whose properties are adjacent to any property line setback from which the Variance is sought. The best-available, most current information of this listing of current owners is in the Gunnison County Assessor’s Office:

ADJACENT OWNER NAME	PARCEL LOCATION RELATIVE TO THE PARCEL ON WHICH THE VARIANCE IS SOUGHT	CURRENT LAND USE ON ADJACENT PARCEL

**AGREEMENT WITH ADJACENT LANDOWNER(S):** Include a notarized letter of consent from the landowner(s) whose property is immediately adjacent to the property line affected by the proposed reduced setback(s).

**SITE PLAN/LAYOUT.** This is a drawing; the attached sample site plan can be used as a guide. This can be a simple, hand-drawn layout, but it must be legible, clearly marked, drawn to scale, and signed and dated by the person who drew it. The attached sample vicinity map can be used as a guide.

1. **PARCEL WITH ALL SETBACKS.** Include the parcel on which the Variance(s) is proposed, and show all existing setbacks on the parcel
2. **ACREAGE.** Total acreage
3. **MEASUREMENTS FROM PROPERTY LINES.** Include all measurements between property lines and a proposed structure.
4. **PROPOSED STRUCTURES.** Locations of proposed structures.
5. **EXISTING STRUCTURES.** Locations of existing structures on the property.
6. **ADJACENT LANDOWNERS.** Indicate on the plan the names and actual land uses of adjacent landowners (including Forest Service and Bureau of Land Management lands) adjacent to any property line setback from which the Variance is sought.

7. **UTILITY LOCATIONS.** Locations of utilities (septic tanks, wells, electric, gas, telephone or cable lines) located on the property, and locations of easements in which they are located.
8. **DITCHES.** Existing irrigation and drainage ditches

**VICINITY MAP:** The attached sample vicinity map can be used as a guide. Minimum scale of 1"=100' is preferred. . The following are required to be included on a vicinity map:

1. **PROPERTY LOCATION:** Location of the property on a U.S. Geological Survey quadrangle map or on a recorded plat, if the proposed development is within an approved subdivision. Highlight the property location.
2. **TOPOGRAPHIC FEATURES:** Features such as streams, lakes, ponds, wetlands, contour lines and elevations that affect where structures may be located on the property, and have caused the Variance to be requested.
3. **ROADS:** All U.S., state highway and nearest County, Forest Service or Bureau of Land Management, and/or subdivision/private roads that cross or provide access to this parcel.
4. **EASEMENTS.** Easements recorded or historically uses that provide access to or across, or other use of the property (including power line, irrigation ditch, or drainage easements).

**VARIANCE REQUESTED:**

This application requests approval of a Variance from the *Gunnison County Land Use Resolution*, specifically Section 13-104: *Setbacks from Property Lines and Road Rights-of-Way* (Add the number of the specific subsection from which you are requesting the Variance:

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**REASONS THAT THE VARIANCE IS BEING REQUESTED:** Describe how each of the following applies to the Variance that is being requested:

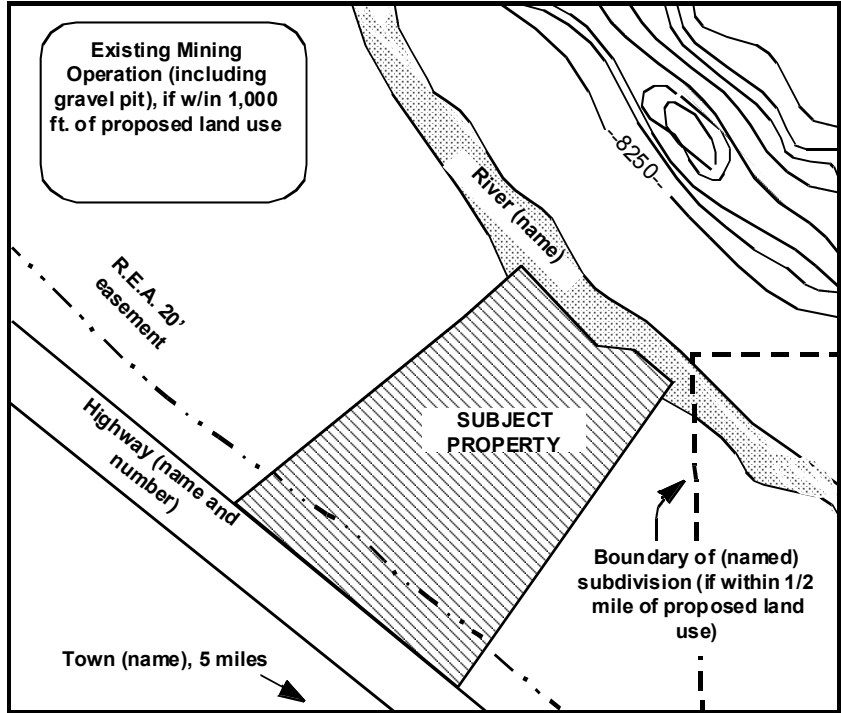
1. **SPECIAL CIRCUMSTANCES EXIST.** There are special circumstances or conditions, including exceptional topography, or the narrowness, shallowness, or shape of the property, that are unique to the land or structure for which the applicant is requesting the Variance, and that do not apply generally to land or structures in the neighborhood; and
2. **SITUATION IS NOT A RESULT FROM ACTION OF APPLICANT.** The special circumstances and conditions have not resulted from ANY act of the applicant; and
3. **STRICT APPLICATION CAUSES PRACTICAL DIFFICULTIES.** Strict application of the requirements of the setback requirements of the *Gunnison County Land Use Resolution* would result in peculiar and

exceptional practical difficulties for, or create an exceptional and undue hardship on the owner of the land.

**4. NECESSARY TO RELIEVE PRACTICAL DIFFICULTIES.** The granting of the Variance is necessary to relieve the applicant of the peculiar and exceptional practical difficulties or the exceptional and undue hardship, and there is no other way to resolve the problem.

**5. DOES NOT ADVERSELY AFFECT NEIGHBORHOOD.** The granting of the Variance will not change the character or otherwise adversely affect the neighborhood surrounding the land where the Variance is proposed, will not have a substantially adverse impact on the enjoyment of land abutting on or across the road from the property in question, will not impair an adequate supply of light or air to adjacent property, and will not increase the danger of fire, or otherwise endanger public safety or the public interest.

**VICINITY MAP EXAMPLE**



**SITE PLAN EXAMPLE**

