



City of Aurora Planning & Business
Development

**APPLICATION TO THE BOARD OF ADJUSTMENT &
APPEALS**

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**INFORMATION FOR RESIDENTIAL
VARIANCE**

Introduction:

1. A variance is a request to deviate from a development standard required by the City's Unified Development Ordinance (UDO).
2. Current City code requirements are located on the City's website at www.auroragov.org
3. The Board of Adjustment hears variance requests for single-family residential properties uses only. All other land uses must follow the adjustment process through the Planning Commission.

General Notes:

1. A variance is granted to a specific property and will run with the land, regardless of ownership.
2. The variance process cannot be used to allow a use of land that is not authorized by the applicable zoning classification, also known as a use variance.
3. The final approval or denial of a variance is determined by the Board of Adjustment at a public hearing.

Process and Timeframe:

1. The Planning Division would prefer the application be submitted via email with electronic plans in PDF format.
2. Once submitted, the planning staff will review the application for completeness. After the completeness review, the application will be reviewed for compliance with the UDO. Occasionally, additional questions or clarification will be needed and updates to the plans may be required. A meeting with City staff can also occur to go over any comments or questions prior to the Board meeting.
3. In general, a resident can expect the process to take between 5-8 weeks from submittal to the Board meeting for decision.
4. In order to maximize the efficient processing of an application, it is in the applicant's best interest to ensure that a complete and thorough application has been submitted and that any subsequent resubmittals adequately address comments that were provided.
5. No building permit may be approved until the BOA has reviewed and approved the variance request. Likewise, approval of a request does not replace the need for acquiring the appropriate building permits, site plan approval, or any other

permit required by the City.

6. Although the actual Board meeting is in a hybrid (virtual and in-person) format, the applicant or representative is strongly encouraged to attend the meeting in person and be prepared to respond to questions from the Board concerning the variance. Failure to show up may result in the deferral or continuance of the request.

Submittal Requirements:

1. Please note that incomplete submittals will not be accepted for review. Any inaccurate or incomplete information provided by the applicant may cause the application to be returned to the applicant and/or delay the schedule of the review and hearing.
2. Please type or print clearly when filling out the application. After completing the application, schedule an appointment by emailing boaplanning@auroragov.org. In addition, you can also attach the application materials to this email and submit electronically.
3. When meeting with the applicant, staff will review the application for completeness and will provide instruction on the procedures and schedule of the hearing.
4. At the time of application submittal, a non-refundable application fee of \$157.00, payable to the City of Aurora, will be required. The application review will not begin until all fees have been paid.
5. Close to the public hearing, the case planner will prepare a public hearing sign for the applicant to post at the property a minimum of ten days prior to the hearing. **(Do not remove the sign prior to the hearing.)** The sign must be posted through the entire hearing process. In addition, notice of the request and public hearing will be sent to abutting properties to inform them of the variance request and opportunity to comment on the proposal.
6. Final submittal package to include the following:
 - a. Signed Application and the non-refundable review fee.
 - b. Narrative for the request (questions are found at the end of the application form).
 - c. Site Plan or Plot plan (no larger than 11 x17) Scaled drawing and include the following:
 - i. north arrow, scale, and property lines;
 - ii. location of existing and proposed dimensions of structures and buildings,
 - iii. existing and proposed setbacks,
 - iv. public or private easements,
 - v. location of existing and proposed driveways and sidewalks,
 - vi. label adjacent streets (names), alleys and sidewalks,
 - vii. location of trees and other major landscaping,
 - viii. and any other information to assist in the consideration of the request.

- ix. Staff can provide an example if requested.
- d. Building plans, diagrams, or details showing the exterior elevations of the proposed structure, including materials, height, and size.
- e. Photographs and/or drawings to support the request and;
- f. Additional support information as requested by City staff

APPLICATION TO THE BOARD OF ADJUSTMENT & APPEALS

Property Information:	
Case # (entered by staff)	
Address of Subject Property:	
Zone District:	
Variance Requested:	
The above request does not conform to Section(s): _____ of the Aurora Unified Development Code, which requires: _____ _____ _____	

Property Owner Information:	
Name:	
Address:	
Phone:	
Email:	

Does the applicant need translation services? Yes _____ No _____

If yes, what language? _____

Applicant/Representative Information:

If an applicant/representative on behalf of the owner of the property, please complete the following information:

Name:	
Address:	
Phone:	
Email:	

I hereby certify that the above information provided to the City of Aurora is true and accurate.

Applicant/Representative/Owner Signature:

Date: _____

I hereby authorize the person named above to act as my applicant/representative in processing this application before the Board of Adjustment for the City of Aurora (only needed if name is different):

Owner's Signature: _____

Date: _____

To Be Completed by City:

Staff Review Information:
Case Number:
Case Manager:
Date Received:
Date Application Complete:
BOA Meeting Date:
Application Fee Paid Date:

VARIANCE NARRATIVE

General Property Information:	
1.	Property Address:
2.	Applicant's Name:
3.	Property Owner's Name:
4.	Current Zoning of the Subject Property:

Background Information		Yes	No	
1.	Is this request an amendment to an existing variance?			If yes, what was the previous case number? Case# _____
2.	Is this application an attempt to correct a code violation of some kind?			If yes, please attach a copy of the violation notice.

Section 5.4.4.B.3 of the UDO stipulates specific criteria for the approval of variances. No application for a variance shall be approved unless the BOA finds that the following criteria are met.

- a. The proposed variance results in improved design;
- b. The proposed variance does not adversely affect the character of the lower density residential area;
- c. The proposed variance will result in development that is compatible with adjacent land development;
- d. The proposed variance will not result in undue or unnecessary burdens on existing infrastructure and public improvements, or arrangements have been made to mitigate those impacts;
- e. The proposed variance results in development that achieves internal efficiency for its residents and does not endanger public health or convenience; and
- f. The proposed variance results in development that controls external effects on nearby land uses, movement and congestion of traffic, noise generated, arrangement of signs and lighting to prevent nuisances, landscaping, and features to prevent detrimental impacts on public health, welfare, safety, or convenience.

The following pages contain specific questions about the nature of your request. Therefore, it is in your best interest to answer them in as much detail as possible to help limit the number of questions and advance the application. Please do not simply answer with yes or no.

1. Describe in detail the nature of this request and why you are asking for this variance.

2. Describe in detail all efforts made to comply with the requirements of the regulation or ordinance and why, in this particular case, that was not possible?

3. Describe how the proposed variance results in an improved design in comparison to what would be allowed under the code.

4. Does the proposed variance result in development that is not compatible with adjacent land development?

5. Will the proposed variance have any burdens on existing infrastructure or future public improvements in the area?

6. Does the proposed variance create greater efficiency, convenience, and public health?

7. Will the proposed variance affect traffic, noise, signage, lighting, or landscaping in the area?
