



GUNNISON COUNTY, COLORADO SIGN PERMIT VARIANCE APPLICATION

GUNNISON COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING OFFICE

221 N. WISCONSIN ST, STE D., GUNNISON, CO 81230

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Application Fee: \$155

DATE RECEIVED BY PLANNING OFFICE: ___/___/___
APPLICATION FEE PAID : ___/___/___

OWNER: _____

MAILING ADDRESS: _____

PHONE: HOME: _____ WORK: _____ CELL: _____

LEGAL DESCRIPTION OF PARCEL AND/OR EXISTING ADDRESS (if the property is located in a subdivision, include Lot and Blk) _____

CONTRACTOR: _____ PHONE: _____

PRIMARY CONTACT PERSON: _____ PHONE: _____

REASON FOR VARIANCE REQUEST:

- _____ Non-Compliant Sign
- _____ Off-Premise Sign
- _____ Projecting Roof-Mounted Sign
- _____ Signs Advertising Lots in Proposed Developments
- _____ Condominium and Townhome Advertisement
- _____ Oversize Home Occupation Sign

THE FOLLOWING INFORMATION IS NEEDED FOR THE SUBMITTAL OF ALL SIGN VARIANCE APPLICATIONS:

- _____ **One Site Plan** showing location of sign on the parcel
- _____ A copy of the recorded **Warranty Deed** is required for proof of ownership. This may be obtained from the Recorder's Office, first floor of the Blackstock's Government Center.
- _____ **Compliance with Criteria of Decision**, An explanation of how the variance meets the requirements of Section 13-109:M.4.: *Criteria of Board Decision*
- _____ **Sign Design**, include a drawing to scale with square footage

Building Inspector: _____ Date: ___/___/___

Board Action: _____ Permit Number Issued: _____

The following, from Section 13-109 of the *Gunnison County Land Use Resolution* addresses those signs that are allowed only by a variance from the Board of County Commissioners, and the process by which a Sign Permit Variance Application s reviewed and acted on:

- L. SIGNS ALLOWED ONLY BY VARIANCE BY THE BOARD.** The following signs are not permitted, except by variance issued by the Board, pursuant to Section 13-109: M: *Variances from the Requirements of this Section*:
1. **NON-COMPLIANT SIGNS.** Any sign not in compliance with the provision of these regulations.
 2. **OFF-PREMISE SIGNS.** Off-premise signs except public directional signs, and those signs permitted pursuant to Gunnison County Resolution Series 1989 No. 42: *Concerning Placement of Tourist-Oriented Directional Signs*, which are allowed without a variance.
 3. **PROJECTING ROOF-MOUNTED SIGNS.** Roof-mounted signs that project above the highest point of a roofline or fascia of a building.
 4. **SIGNS ADVERTISING LOTS IN PROPOSED DEVELOPMENTS.** Signs promoting lots or units for sale in a proposed development after approval of Preliminary Plan, but before approval of the Final Plan. A variance for this type of sign may be granted for up to one year. The sign shall include language that the development is pending approval.
 5. **SIGNS ADVERTISING CONDOMINIUM AND TOWNHOMES.** Signs advertising condominium and townhouse construction may be posted after approval of Preliminary Plan, but before approval of the Final Plan. A variance for this type of sign may be granted for up to one year.
 6. **OVERSIZE HOME OCCUPATION SIGN SIGNS.** Signs of more than six sq. ft. identifying a home occupation.
- M. VARIANCES FROM THE REQUIREMENTS OF THIS SECTION.** The Board may authorize a variance from this Section, in accordance with the following process:
1. **SUBMITTAL OF REQUEST BY APPLICANT.** The Planning Department shall provide the appropriate application form that shall, at a minimum, include the following:
 - a. **APPLICANT.** The name, address, telephone and fax numbers, and e-mail address for the applicant, or if the applicant is to be represented by an agent, a notarized letter signed by the applicant authorizing the agent to represent the applicant and stating the same information for the agent.
 - b. **PROPERTY OWNER.** Name of the owner of the property; if other than the applicant, notarized letter from the owner consenting to the application, must be submitted.
 - c. **PROPERTY LOCATION.** The legal description (referencing lot and block or tract numbers, homesteads, or metes and bounds), property address and common description of the parcel on which the sign is proposed to be located. A copy of the recorded deed to the property should be included.
 - d. **COMPLIANCE WITH CRITERIA OF DECISION.** An explanation of how the variance meets the requirements of Section 13-109: M. 4: *Criteria for Board Decision*.
 2. **BUILDING INSPECTOR REVIEW.** The Building Inspector shall prepare a written report that includes:
 - a. **SIGN PERMIT APPLICATION.** A copy of the Sign Permit application as submitted by the applicant.
 - b. **DETERMINATION OF NON-COMPLIANCE.** Reference to the specific subsections of this Section with which the application does not comply.
 3. **BOARD MEETING.** The request for variance shall be scheduled on the next available agenda of the Board.
 - a. **BUILDING INSPECTOR'S REPORT.** The Building Inspector shall explain the sign application's noncompliance with the applicable standards of this Section.
 - b. **APPLICANT'S PRESENTATION.** The applicant may present his request, including the reasons that the request complies with Section 13-109: M.4: *Criteria for Board Decision*.

4. **CRITERIA FOR BOARD DECISION.** The Board shall consider the Building Inspector's report, the information included in the request for variance, and the presentation of the applicant. A variance shall be granted only upon a demonstration by the applicant by a preponderance of the evidence that the literal enforcement of this Section would cause unnecessary or undue hardship to the applicant, and that there will be no adverse impact to adjacent land uses or the general public; and upon written finding by the Board that all of the following criteria have been met:
- a. **HARDSHIP NOT SELF-IMPOSED.** That the hardship has not been created by the applicant, or his/her predecessor;
 - b. **NO HARM TO PUBLIC SAFETY.** That there is no detriment to the public health, safety and welfare;
 - c. **DEMONSTRATION OF NEED.** That there exists a clear and reasonable need for the sign at the proposed location;
 - d. **CONSISTENCY WITH NEIGHBORHOOD.** That the type, style, size and other characteristics of the proposed sign are consistent with the character of the proposed location;
 - e. **COMPLIANCE WITH ALL OTHER STANDARDS.** That the location, character and format of the proposed sign are not in conflict with the purposes of this Section, or of this *Resolution*.
 - f. **PUBLIC BENEFIT OUTWEIGHS IMPACTS.** That the benefits that the sign would provide to the public and county visitors would outweigh any adverse aesthetic or other impacts caused by the proposed sign.
- N. **RECORD OF DECISION.** The record of the Board's decision shall be included within the Board's meeting minutes.
- O. **VIOLATIONS AND ENFORCEMENT OF THIS SECTION.**
- 1. **TYPES OF VIOLATIONS.** Any sign or sign structure erected, constructed, reconstructed, altered, maintained or used in a manner not in compliance with this Section shall be considered in violation.
 - 2. **ENFORCEMENT.** Enforcement of this Section shall comply with the requirements of Article 16: *Enforcement*. To initiate enforcement, the Building Inspector shall notify the sign owner of the violation by certified mail at their last known address, citing portions of this Section that the sign specifically violates.
- P. **FEES.** The cost of Sign Permits shall be as delineated in a schedule of fees charged for permits available in the Planning Department, and adopted and amended by the Board.