

**SUBMITTAL REQUIREMENTS
PLANNING AND ENVIRONMENTAL COMMISSION
VARIANCE REQUEST**

Variance Procedures

Applicants shall read and respond to each of the criteria and findings listed below in the project narrative. Before acting on a variance application, the Planning and Environment Commission shall consider the following factors with respect to the requested variance:

1. The relationship of the requested variance to other existing or potential uses and structures in the vicinity.
2. The degree to which relief from the strict or literal interpretation and enforcement of a specified regulation is necessary to achieve compatibility and uniformity of treatment among sites in the vicinity, or to attain the objectives of this title without grant of special privilege.
3. The effect of the requested variance on light and air, distribution of population, transportation and traffic facilities, public facilities and utilities, and public safety.
4. Such other factors and criteria as the commission deems applicable to the proposed variance.

The Planning and Environmental Commission shall make the following findings before granting a variance:

1. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone district.
2. That the granting of the variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
3. That the variance is warranted for one or more of the following reasons:
 - a. The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this title.
 - b. There are exceptional or extraordinary circumstances or conditions applicable to the site of the variance that do not apply generally to other properties in the same zone district.
 - c. The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zone district.

Sign Variances:

Sign Variances may be granted in order to prevent or to lessen such practical difficulties and unnecessary physical hardships inconsistent with the development objectives of the Town of Vail. A practical difficulty or unnecessary physical hardship may result from the size, shape, or dimensions of a structure, or the location of the structure, from topographic or physical conditions on the site or in the immediate vicinity, or from other physical limitations, street locations, or traffic conditions in the immediate vicinity. Cost or inconvenience to the applicant of strict compliance with the sign regulations shall not be a reason for granting a variance.

The Town of Vail offers two (2) methods for submittal of materials for review of applications. Materials can be submitted either digitally or on paper. Whichever method you select all materials shall be submitted in that format throughout the Design Review process. The Town encourages you to consider using the submittal of digital documents and plans.

If submitting digitally all elements of the application shall be uploaded to the Town's share file site as a complete set of materials. If submitting paper three (3) copies of the materials noted with an asterisk (*) and one (1) copy of all others are required. The materials necessary to have a complete application are as follows:

- Completed application form including:
 - Complete description of request
 - Ownership Information as recorded with Eagle County Assessor
 - Street Address, Unit #
 - Parcel Number
 - Owner's signature (cover sheet)
- Joint Property Owner Written Approval Letter, if applicable. If the property is owned in common (condominium association) and/or located within a Development Lot, the written approval of the other property owner, owners, or applicable owners' association shall be required. This can be either in the form of a letter of approval or signature on the application.
- Stamped, addressed envelopes and a list of the property owners adjacent to the subject property, including properties behind and across streets. The list of property owners shall include the owners' name (s), corresponding mailing address, and the physical address and legal description of the property owned by each. The applicant is responsible for correct names and mailing addresses. This information is available from the Eagle County Assessor's office.
- Application fee

- Title report, including Schedules A & B to verify ownership and easements.
- Project narrative describing the background, purpose and details of the proposal (Address To: Planning and Environmental Commission). Also include the following:
 - Describe the precise nature of the proposed use and measures proposed to make the use compatible with other properties in the vicinity.
 - The relationship and impact of the use on development objectives of the Town.
 - The effect of the use on light and air, distribution of population, transportation facilities, utilities, schools, parks and recreation facilities, and other public facilities and public facilities needs.
 - The effect upon traffic, with particular reference to congestion, automotive and pedestrian safety and convenience, traffic flow and control, access, maneuverability, and removal of snow from the streets and parking area.
 - The effect upon the character of the area in which the proposed use is to be located, including the scale and bulk of the proposed use in relation to surrounding uses.
- Plan Sheets (applies to all plan sheets)
 - Plan sheet size must be a minimum of 11" x 17" and the preferred size is 24" x 36". For large projects, larger plan size may be allowed.
 - 2" x 2" empty space in immediate upper right hand corner for Town approval/denial stamps
 - PDF Format
 - Landscape Orientation
 - Graphic bar scale (minimum scale is 1"=20').
 - North arrow.
 - Title block, project name, project address and legal description.
 - Indication of plan preparer, address and phone number.
 - Dates of original plan preparation and all revision dates.
 - Sheet labels and numbers in AIA ConDoc System
 - Plan legend.
 - Plan Set Cover Sheet
 - * Project name.
 - * Address and legal description.
 - * Sheet Index.
 - * Preparer's contact information and other relevant contacts (i.e. Owner, Surveyor, Contractor).
 - * Vicinity map or location map at a scale of 1"=1,000' or larger.
- Sun/Shade Analysis of the existing and proposed building for the spring/fall equinox (March 21/September 23) and winter solstice (December 21) at ten o'clock (10:00) AM and two o'clock (2:00) PM unless the Department of Community development determines that the proposed addition has no impact on the existing sun/shade patten. The following sun angle shall be used when preparing this analysis:

• <u>Spring/Fall Equinox</u>	<u>Sun Angle</u>
10:00 AM	40° east of south, 50° declination
2:00 PM	42° west of south, 50° declination
• <u>Winter Solstice</u>	<u>Sun Angle</u>
10:00 AM	30° east of south, 20° declination
2:00 PM	30° west of south, 20° declination
- Topographic survey:
 - Wet stamp and signature of a licensed surveyor
 - Date of survey
 - North arrow and graphic bar scale
 - Scale of 1"=10' or 1"=20')
 - Legal description and physical address
 - Lot size and buildable area (buildable area excludes red hazard avalanche, slopes greater than 40%, and floodplain)
 - Ties to existing benchmark, either USGS landmark or sewer invert. This information must be clearly stated on the survey
 - Property boundaries to the nearest hundredth (.01) of a foot accuracy. Distances and bearings and a basis of bearing must be shown. Show existing pins or monuments found and their relationship to the established corner.
 - Show right of way and property lines; including bearings, distances and curve information.
 - Indicate all easements identified on the subdivision plat and recorded against the property as indicated in the title report. List any easement restrictions.
 - Spot Elevations at the edge of asphalt, along the street frontage of the property at twenty-five foot intervals (25'), and a minimum of one spot elevations on either side of the lot.

- Topographic conditions at two foot contour intervals
- Existing trees or groups of trees having trunks with diameters of 4" or more, as measured from a point one foot above grade.
- Rock outcroppings and other significant natural features (large boulders, intermittent streams, etc.).
- All existing improvements (including foundation walls, roof overhangs, building overhangs, etc.).
- Environmental Hazards (ie. rockfall, debris flow, avalanche, wetlands, floodplain, soils)
- Watercourse setbacks, if applicable (show centerline and edge of stream or creek in addition to the required stream or creek setback)
- Show all utility meter locations, including any pedestals on site or in the right-of-way adjacent to the site. Exact location of existing utility sources and proposed service lines from their source to the structure. Utilities to include:

Cable TV	Sewer	Gas
Telephone	Water	Electric

- Size and type of drainage culverts, swales, etc.
- Adjacent roadways labeled and edge of asphalt for both sides of the roadway shown for a minimum of 250' in either direction from property.

□ Site and Grading Plan*

- Engineering Scale of 1"=20' or 1"=10' (The site and grading plan must be drawn at the same scale as the topographic survey).
- Lot size and buildable area (excludes red hazard avalanche, slopes greater than 40%, and floodplain).
- Property and setback lines.
- Existing and proposed easements.
- Existing and proposed grades. All disturbed areas must be returned to a 2:1 grade or PE stamped details of slope protection and/or stable soils are required.
- Existing and proposed layout of buildings and other structures including decks, patios, fences and walls. Indicate the foundation with a dashed line and the roof edge with a solid line.
- All proposed roof ridge lines with proposed ridge elevations. Indicate existing (natural grade prior to construction of structure) and proposed grades shown underneath all roof lines. This will be used to calculate building height.
- Proposed driveways: Site plan must show driveway type, finished surface, heated or unheated, grade, percent slope, dimensions, turning radii, site distance, required parking spaces with 9' x 19' surface parking spaces and 9' x 18' enclosed spaces, and spot elevations at the property line, garage slab and as necessary along the centerline of the driveway to accurately reflect grade.
- A 4' wide unheated concrete pan at the edge of driveway.
- Locations of all utilities including meter pits, existing sources and proposed service lines from sources to the structures.
- Proposed surface drainage on and off-site, including culverts.
- Location of landscaped areas.
- Location of limits of disturbance fencing.
- Names of all adjacent roadways.
- Snow storage must be shown within property boundaries adjacent to driveway (30% of driveway area if unheated, 10% of driveway area if heated).
- Proposed dumpster location and detail of dumpster enclosure.
- Retaining walls with proposed elevations at top and bottom of walls. A detailed cross-section and elevation drawings shall be provided on the plan or separate sheet. Stamped engineering drawings are required for walls between 4' and 6' feet in height and all combination walls.
- If less than one half acre is to be disturbed, proper erosion control devices need to be shown on the site plan. If more than one half acre is to be disturbed, then a separate professionally engineered and PE stamped Erosion Control Plan must be submitted.
- 100-year floodplain.
- Location of all geologic/environmental hazard areas.
- Delineate areas to be phased and appropriate timing, if applicable.

□ Landscape Plan*

- Engineering Scale of 1" = 20' or 1" = 10'
- Landscape plan must be drawn at the same scale as the site plan.
- Location of existing trees, 4" diameter or larger. Indicate trees to remain, to be relocated (including new location), and to be removed. Large stands of trees may be shown (as bubble) if the stand is not being affected by the proposed improvements and grading.
- Indicate all existing ground cover and shrubs.
- Detailed legend, listing the type and size (caliper for deciduous trees, height for conifers, gallon size for

shrubs and height for foundation shrubs) of all the existing and proposed plant material including ground cover.

- Delineate critical root zones for existing trees in close proximity to site grading and construction.
 - Indicate the location of all proposed plantings.
 - The location and type of existing and proposed watering systems.
 - Existing and proposed contour lines. Retaining walls shall be included with the top of wall and the bottom of wall elevations noted.
 - Landscaping summary, including the botanical and common names, size and quantity of trees to be removed and proposed trees. The minimum size for proposed trees is 2" caliper deciduous trees, coniferous trees that are six feet in height, and 5 gallon shrubs. Also specify types of groundcover and proposed square footage. Include a description of any other landscaping features (ponds, fountains, retaining walls, pools, etc).
- Architectural Elevations*
- Architectural Scale of 1/8" = 1' or larger; 1/4" = 1' is preferred.
 - All elevations, existing and proposed, of the proposed development shall be drawn to scale and fully dimensioned. The elevation drawings must show both existing and finished grades. Floor plans and building elevations must be drawn at the same scale.
 - Show all building faces including angles not represented well on the normal building elevations.
 - Elevations shall show proposed finished elevation of floors and roofs on all levels.
 - All exterior materials and colors shall be specified on the elevations.
 - The following shall be shown graphically and fully dimensioned: fascia, trim, railings, chimney caps, meter locations, meter screening methods and window details.
 - Show all proposed exterior lighting fixtures on the building.
 - Illustrate all decks, porches and balconies.
 - Indicate the roof and building drainage system (i.e. gutters and downspouts).
 - Indicate all rooftop mechanical systems and all other roof structures, if applicable.
 - Illustrate proposed building height elevation on roof lines and ridges. These elevations should coordinate with the finished floor elevations and the datum used for the survey.
 - Exterior color and material samples shall be submitted to staff and presented at the Design Review Board meeting.
- Architectural Floor Plans*
- Architectural Scale of 1/8" = 1' or larger; 1/4" = 1' is preferred.
 - All floor plans, existing and proposed, of the proposed development shall be drawn to scale and fully dimensioned.
 - Floor plans and building elevations must be drawn at the same scale.
 - Clearly indicate the inside face and outside face, of the sheathing, of the exterior structural walls of the building.
 - Label floor plans to indicate the proposed floor area use (i.e. bedroom, kitchen, etc.).
 - One set of floor plans must be "red-lined" indicating how the gross residential floor area (GRFA) was calculated. See Title 12, Chapter 15 – Gross Residential Floor Area for regulations.
 - Provide dimensions of all roof eaves and overhangs.
- Lighting Plan*
- Indicate type, location and number of fixtures.
 - Include height above grade.
 - Cut sheet(s) for proposed fixtures.
- Gross Residential Floor Area calculations (including allowable, existing, proposed, and total GRFA for all units in the development lot, including the other half of a duplex).
- Site Development Standards calculations (existing and proposed): landscape area, site coverage, building height, number of dwelling units and employee housing units, setbacks, number of enclosed and unenclosed parking spaces, driveway area, snow storage area etc.
- Exterior building materials list (also to be included on elevations and in materials samples), including location, type of material, and color. Please specify the manufacturer's name, the color name and number.
- Exterior color and material samples and specifications.
- Photos of the existing site and adjacent structures, where applicable.
- Site-specific Geological Hazard Report, if applicable - If a property is located in or adjacent to a mapped hazard area (i.e. snow avalanche, rockfall, debris flow, floodplain, wetland, poor soils, etc.), the Community Development Department may require a site-specific geological investigation. Must be submitted & reviewed prior to issuance of a building permit.
- The Administrator and/or PEC may require the submission of additional plans, drawings, specifications, samples and other materials (including a model) if deemed necessary to determine whether a project will comply with Design Guidelines or if the intent of the proposal is not clearly indicated.
- If this application requires separate review by any local, State or Federal agency other than the Town of Vail, the

application fee shall be increased by \$200.00. Examples of such review, may include, but are not limited to: Colorado Department of Highway Access Permits, Army Corps of Engineers 404, etc.

- The applicant shall be responsible for paying any publishing fees which are in excess of 50% of the application fee. If, at the applicant's request, any matter is postponed for hearing, causing the matter to be re-published, then, the entire fee for such re-publication shall be paid by the applicant.

Applications deemed by the Community Development Department to have design, land use or other issues which may have a significant impact on the community may require review by consultants in addition to Town staff. Should a determination be made by the Town staff that an outside consultant is needed, the Community Development Department may hire the consultant. The Department shall estimate the amount of money necessary to pay the consultant and this amount shall be forwarded to the Town by the applicant at the time of determination. Expenses incurred by the Town in excess of the amount forwarded by the applicant shall be paid to the Town by the applicant within 30 days of notification by the Town. Any excess funds will be returned to the applicant upon review completion.

Please note that only complete applications will be accepted. All of the required information must be submitted in order for the application to be deemed complete.