

A GUIDE TO THE BOARD OF ADJUSTMENT

WHAT IS THE BOARD OF ADJUSTMENT?

The Board of Adjustment (BOA) is a seven member board made up of Arvada citizens appointed by the City Council to serve for a period of three years.

WHAT ARE THE DUTIES OF THE BOARD?

The Board has the duty to review and decide, at a public hearing, all appeals concerning any requirement of the Land Development Code that you cannot meet. This includes, but is not limited to setbacks, lot coverage, fences, or signs.



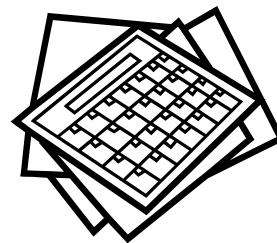
WHEN AND WHERE IS THE BOA MEETING?

The Board meets twice a month at 7:00 p.m. on Tuesday nights and are held at City Hall, 8101 Ralston Road in the City Council Chambers, which is located just inside the southeast entrance.



IS THERE A FEE TO GO TO THE BOARD OF ADJUSTMENT?

A filing fee of \$100.00 for fence variance requests and \$250.00 for all other variance requests is required with the application. This charge includes the cost of publishing the required legal notice in the local newspaper and the cost associated with posting the property for a public hearing.



WHEN CAN I GO TO THE BOA?

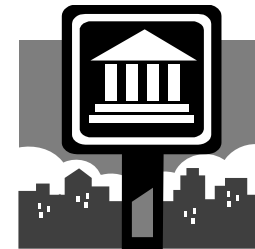
It takes thirty days to process an appeal to the Board of Adjustment. In order to appeal to the Board the applicant must have been denied a building permit and

have it reviewed by the Community Development Department.



WHAT INFORMATION DO I NEED TO PROVIDE FOR THE BOARD'S REVIEW?

In addition to the application form, you should provide a site plan that will show where you propose to construct the improvement on your property, including mature landscaping. Remember to provide the Board with all the information you can so they may determine if a practical difficulty exists with your property which does not exist elsewhere in your neighborhood.



WHAT ABOUT THE WHITE SIGN WITH THE RED & BLACK LETTERING I SEE AROUND TOWN?

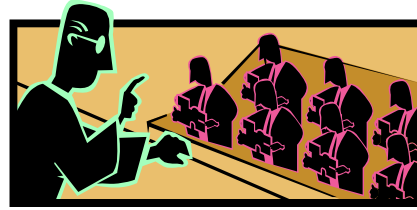
Cases brought before the Board of Adjustment are public hearings and require notification in the local

newspaper and posting of a sign on the property for which the request is being made. The sign is prepared by the Community Development Department and should be picked up on the Friday before the posting date. The sign must be posted for fifteen days prior to the meeting date and the applicant must keep a log showing that the sign was on the site for the full time required. If the sign is damaged or missing, a replacement is available from the Community Development Department. Signs must be replaced within 48 hours. The posting log should be brought to the Board meeting and must be presented to the recording secretary when your case is called. The sign can be removed after the hearing and it is not necessary to bring it back to City Hall.



WHAT IF MY NEIGHBORS SUPPORT THE VARIANCE REQUEST?

Support from your neighbors does not assure that your request will be approved by the BOA; however, it does indicate that you are concerned about the impact your request will have on others and have notified them of your proposal and reasons for the request.

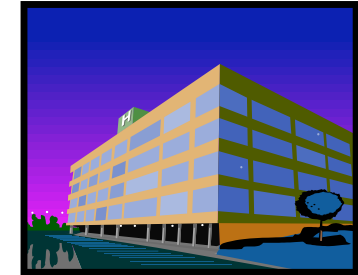


WHAT HAPPENS AT THE PUBLIC HEARING

When the Chairperson calls your case, you will be asked to step to the lectern and present your request. At this time you should present all of the facts that you believe support your case. Tell the Board exactly why you need a variance from the requirements of the Land Development Code. Give as much detail as you can. Support your case by showing a practical difficulty or something that is unique to your property. Relax during your presentation; the Board understands that for most people this will be the first time before the BOA. After your comments are heard, the Chairperson will ask if there is anyone in opposition to your request. If so, they will be given an opportunity to speak. Then the hearing will be closed and the Board will ask questions of the applicant, any opponent and members of the Staff. Following the questions, a motion will be made to either approve, deny or postpone your request. If your request is postponed, it will most likely be moved to the next meeting date. Most cases are postponed to allow the applicant time to provide more information. They can also be postponed at the request of the applicant. If your case is denied, your appeal is through the District Court.

If your case is approved, you may continue to process your building permit through the Building Department the following day. It should also be noted that the

Board of Adjustment may place conditions on your approval. If they do so, these conditions will be made a part of the approval for your building permit by the Community Development and Building Departments.



WHERE CAN I GET AN APPLICATION AND ADDITIONAL QUESTIONS ANSWERED?

Applications and more information about the Board can be obtained at the Community Development Department, Arvada City Hall, 8101 Ralston Road or by calling (720) 898-7450.

Applications can also be obtained online at www.arvada.org then go to "online services", "Board of Adjustment Packets", and "Board of Adjustment Information".