



## Albany County Planning Office

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planning@co.albany.wy.us  
www.co.albany.wy.us/planning.aspx

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### APPLICATION FOR VARIANCE

Incomplete applications will be returned

#### All Applications Must Include the Following:

- Application:** Fill out the attached application form completely.
- Fees:** All applicable fees. Check or cash only; we do not process credit cards.
- Site Plan:** Submit a complete site plan (see page 3).
- Easements:** Include any easements granting you legal access to the property.
- Proof of Ownership:** A copy of the deed, lease, or contract for deed as proof of ownership. This may be obtained from the Albany County Real Estate Office (located within the Courthouse).
- Variance Narrative:** A narrative stating the regulation from which a variance is requested, the reason the variance is requested, and an explanation of how the variance standards (see page 3) will be met.

#### Important Notices

A Variance Application is required to go through a public process which includes public hearings before the Planning and Zoning Commission and the Board of County Commissioners. Proper notice must be provided before both public hearings. Included in this application packet you will find the notice requirements and a chart that explains the application process.

It is recommended that you review the section of the Albany County Zoning Resolution pertaining to variances. The Albany County Zoning Resolution can be found online at:  
<http://www.co.albany.wy.us/regulations.aspx>

If the application requires the review of the County Engineer, the applicant is responsible for the cost of this review and will be billed appropriately.

**ONE APPLICATION PER STRUCTURE**

Incomplete applications will be returned

Applicant							
Mailing Address							
City		ST		ZIP			
Phone		Cell		Email			

Property Address/Legal Description							
City		ST		ZIP			

**APPLICATION SIGNATURES AND ACCESS PERMISSION**

**Right to ingress property for assessment, evaluation and inspections.**

I hereby grant authorized Albany County Personnel the right to enter onto this said land for any and all inspection purposes necessary to exercise this permit. I certify, to the best of my knowledge, that all information submitted with this application is true and correct.

Owner Signature ( <b>REQUIRED</b> ):		Date:	
Printed Name of Owner:			
Applicant Signature:		Date:	
Printed Name of Applicant:			

If you do not have full ownership of the property, you (as the applicant) and the owner must sign the application as proof of permission to build.

**APPLICATION FEES**

<b>Residential Structures:</b>		
<input type="checkbox"/>	Variance	\$200.00
<input type="checkbox"/>	Notice Fee	\$100.00

FOR OFFICE USE ONLY:

VAR-		TYPE:		RAA-		CHECK#	
PIN #	05-			ZONING:		RECEIPT#	
SITE ADDRESS						RECEIVED	
MAP REFERENCE	T-	R-	S-	Q-	of	APPROVAL DATE	

## NARRATIVE REQUIREMENTS

Provide a brief narrative that includes

1. **Variance Request:** State the regulation that you are seeking a variance.
2. **Reason for the Request:** Provide a detailed explanation of the reason for the variance request.
3. **Variance Standards:** Describe how your request will meet the variance standards (see below).

### Variance Standards

The following standards shall apply to all variance applications, as per the Albany County Zoning Resolution, Chapter 5:

1. The granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to other properties in the vicinity;
2. The granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on use of other properties in the district;
3. The hardship which is the basis for the variance application was not self-inflicted by the applicant;
4. The granting of the variance is justified for one or more of the following reasons:
  - a. Strict interpretation or enforcement of the development standards would result in practical difficulty or unnecessary physical hardship inconsistent with the purposes of this resolution;
  - b. Exceptional or extraordinary circumstances or conditions applicable to the site of the variance that do not apply generally to other properties in the same district;
  - c. Strict interpretation or enforcement of the development standards would deprive the applicant of privileges enjoyed by other property owners in the same district, or the variance will bring the applicant into substantial parity with other property owners in the same district.

## SITE PLAN REQUIREMENTS

You must include all of the following items

*Please attach a site plan (no larger than 11"x17")*

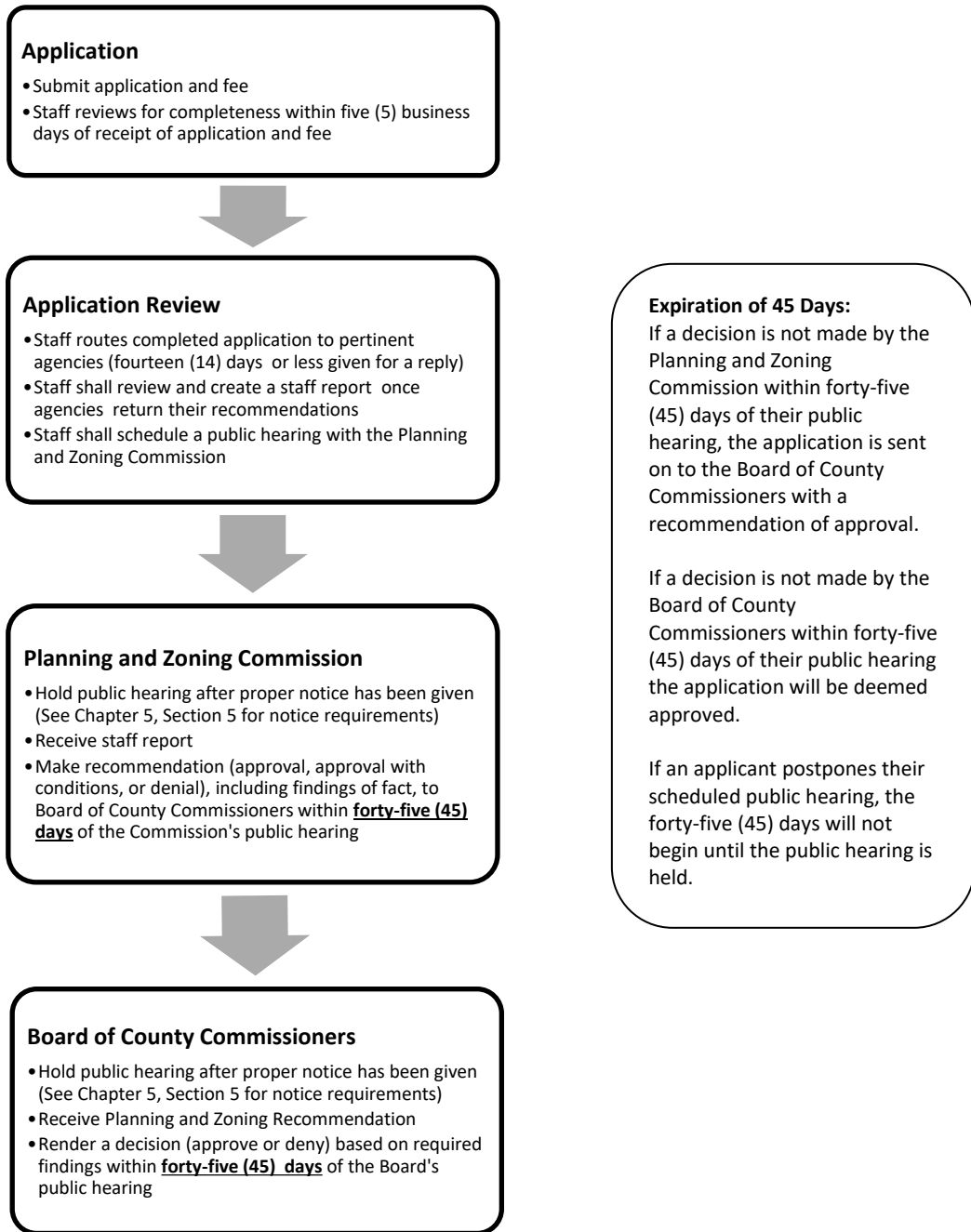
- Show the entire lot or parcel with dimensions and orient the drawing to the North Arrow.
- Indicate adjacent roads and their names.
- Indicate locations and outside dimensions of all existing or proposed buildings.
- Please show setbacks from property lines for all proposed pre-existing structures and provide the distances on the site plan.
- Indicate other significant features or improvements of the subject property, such as streams, ponds, irrigation ditches, wells, floodplains, septic systems, corrals, fences, towers, overhead power lines.
- Indicate driveway location and show the driveway's intersection with a named road.

## NOTICE REQUIREMENTS

- A. **Development Proposals:** The notice requirements shall apply to zoning changes, conditional uses, variances, and telecommunication and utility facilities.
- B. **Fee:** Applicant shall remit a fee in the amount of one hundred (100.00) dollars to cover notice expenses at the time of filing a development proposal. This fee shall be in addition to the application filing fee.
- C. **Notice Requirements:**
1. **Mail:** Applicant shall be responsible for mailing notice, by certified mail, to surrounding, contiguous property owners of the proposed development. If the applicant is not the property owner of the proposed development site, notice shall be sent in the described manner to the property owner(s). Notice of pending proposals for development shall be given before both the Planning and Zoning Commission and the Board of County Commissioners at least fourteen (14) days prior to consideration. Rights-of-way and easements shall not be considered as dividing properties. Names and addresses for the surrounding property owners shall be obtained from the real estate records filed with the Albany County Clerk's Office or the assessment records on file with the Albany County Assessor's Office. Use of any information which is not up-to-date shall not invalidate this notice requirement.
  2. **Affidavit of Mailing:** Applicant shall submit to the Planning Office both an affidavit of mailing of the certified mail notice and copies of the signed return by recipients of the notice. The affidavit and the receipt copies shall be submitted to the Planning Office at least five (5) days prior to the respective Planning and Zoning Commission and Board of County Commissioners meetings.
  3. **Publication:** The Planning Department shall propose and place in the local newspaper a legal notice of the proposed development. The publication shall provide at least fourteen (14) days notice of a development proposal before the Planning and Zoning Commission and fourteen (14) days notice prior to the Board of County Commissioners.
  4. **Signage:** The applicant shall obtain at the time of the application submission, one (1) sign to be placed along and clearly visible from each publicly used road abutting the property. The sign shall state the property is being proposed for development and shall give contact information for the Planning Department. The sign(s) shall be posted at least fourteen (14) days prior to consideration of a development proposal before the Planning and Zoning Commission and the Board of County Commissioners. Applicant is responsible for return of the signs in as good a condition as when obtained, except for reasonable wear and tear.
- D. **Contents of Notice:** All mailed and publication notices shall include a brief description of the development proposal including the owner, location and proposed use; contact information for the Planning Department; and the location, date and time, and reviewing body for the public meeting or hearing.

## Chart 5.1

### Approval Process for Zoning Change, Conditional Use Permits, Variances, and Tower Permits



Note: This chart contains the minimum standards for the public process. Please see the individual chapters and sections in this zoning resolution for all County requirements pertaining to these permits.