

Douglas County Sanitary Code

Variance Application and Guidance Information

What is a variance?

A variance is a departure from the provisions of the *Douglas County Sanitary Code*.

What are the requirements for a variance application?

In general, the property owner makes a request because of special circumstances unique to the property, such as size, shape, topography, location or surroundings that would make the strict application of the *Douglas County Sanitary Code* impractical or impossible. Any variance granted shall be subject to such conditions as will assure the health safety, comfort and general welfare of the people of Douglas County.

How do I obtain a variance?

To start the process, a completed application must be submitted to the Health Department. Variance applications are available at the Health Department or can be downloaded from our website at www.ldchealth.org. The property owner must sign the application. The complete application is then reviewed by the Health Department prior to being placed on the Board of Health agenda. You will be notified of the date and time of the variance hearing and are encouraged to attend the hearing.

Application instructions

In order to assure timely processing of your application, we ask your cooperation in the following matters:

- 1) Your application must be complete and legible, incomplete applications will not be processed. If you are unable to provide requested information, please talk to an environmental health specialist to determine a proper course of action. You are responsible for providing sufficient information to the Health Department to allow proper review of your application. If you are unable or unwilling to supply adequate information your application will, of necessity, be denied.
- 2) Specify what section of the Sanitary Code for which a variance is being requested and why.
- 3) Identify the special circumstances or conditions affecting the property such that
 - A) the variance would not constitute a grant of special privilege; and
 - B) the granting of the variance would not be injurious to other properties in the vicinity or detrimental to the public interest; and
 - C) unnecessary hardships inconsistent with the purposes of the Sanitary Code would result through the strict and literal interpretation and enforcement of the provisions of the Sanitary Code.
- 4) Supply an accurate plot plan showing all parcel property lines, buildings (proposed and existing), water and wastewater systems (proposed and existing) and all other relevant information.
- 5) Acceptance of your application by the Health Department does not guarantee your application will be approved by the Board of Health. Nothing stated to any person by any employee of the Health Department can be construed in any way as speaking for the Board of Health with regards to your application.

