



## VARIANCE

The Planning Commission is authorized to grant variances in order to prevent or lessen practical difficulties and unnecessary physical hardships inconsistent with the objectives of the Land Use and Development Code. Variances may be granted with respect to fences and walls; site area, width, depth, and coverage; front, rear, and side yards; height of structures; distances between structures; and off-street parking and loading facilities.

In order to grant a variance, the Planning Commission must make seven (7) required findings, listed below. Additional findings of fact must be made for any parking variance requests.

### SUBMITTAL REQUIREMENTS

The master application must be completed and all fees paid at the time the application is filed.

#### Filing Fee

- \$6,356.00** For a single variance.  
 **\$3,126.00** For a time extension of a previously approved application (no changes).

#### Intake/Records Maintenance Fee

- \$62.00** Minor  
 **\$124.00** Major

#### Environmental Assessment

An application may be required which will require the submittal of an additional processing fee. Consult with staff to determine whether an application will be necessary.

#### Plot Plans

Five (5) \_\_\_\_\_ copies of an accurately drawn plot plan are required. Refer to **Plot Plans** in the master application for specific requirements.

#### Exterior Elevations and Floor Plans

Five (5) \_\_\_\_\_ copies of accurately drawn elevations and floor plans (minimum scale of 1/8" = 1') are required. All sides of each structure shall be shown, noting materials, treatment, colors, and details, including signage. **Sheets should be folded in sets with the site plans.**

#### Statement Letter

A letter addressing how the request meets each of the following findings which the Planning Commission is required to make before approving a variance must be submitted:

1. That 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 division;
2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or the intended use of the property which do not apply generally to other properties classified in the same zoning district;

3. That the strict or literal interpretation and enforcement of the specified regulation would deprive the property owner of privileges enjoyed by the owners of other properties classified in the same zoning district;
4. That the granting of the variance would not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district;
5. That the granting of the variance would not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity;
6. That the granting of the variance would not be inconsistent with the purposes, objectives, and policies of the General Plan and the Land Use and Development Code;
7. That the project requiring a variance has been designed to reasonably minimize any negative impacts on the site or adjacent properties.

**Reductions**

One 8.5"x11" paper form reduction is required for each sheet of plans submitted.

**Property Owner Notification List**

The standard 600' radius notification list is required. Refer to Mailing Notice Requirements in the master application packet for instructions on how to correctly prepare the mailing list and map.

**Supplemental Information**

If the variance request pertains to a zoning regulation related to off-street parking or loading facilities, the following findings must also be addressed in the Statement Letter:

1. That neither present nor anticipated future traffic volume generated by the use of the site or uses of sites in the vicinity reasonably require the strict or literal interpretation and enforcement of the specified regulation.
2. That the granting of the variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic on the streets.
3. That the granting of the variance will not create a safety hazard or any other condition inconsistent with the objectives of the Land Use and Development Code.