

P/C Hearing Date: _____
B/S Hearing Date: _____

File No. _____
Date Rec. _____

Department of Planning and Building Inspection
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ZONE VARIANCE APPLICATION

(Sierra County Code Section 15.24)

The County's land use regulations (zoning), contain standards that have been established to provide orderly community development. These standards include building setbacks from property lines and water courses, lot coverage standards, and other site development requirements. Variances from the terms of the zoning regulations are set up in order to allow reasonable development on lots that have unique hardships.

A variance is a method by which a property owner may seek relief from the strict terms of a comprehensive zoning ordinance. A variance is a permit issued to a landowner by an administrative agency, the Planning Commission, to construct a structure or carry on an activity in a manner not otherwise permitted under the zoning regulations. The justification for a variance is that the owner would otherwise suffer unique hardship under the general zoning regulations because a particular parcel of land is different from others to which the regulation applies due to size, shape, topography or location.

A variance cannot be granted to allow a use that is not already permitted within the zoning district, or to provide relief from a self-induced hardship, or solely based upon economic hardship. A variance must also be consistent with the County's General Plan. Variances sanction deviations from regulations applicable to such physical standards as lot sizes, floor area ratios for buildings, and off street parking requirements. The concept is not that the basic zoning provision is being changed, but that the property owner is allowed to use the property in a manner basically consistent with the established regulations with such minor variations that will place the property in parity with other properties in the same zoning designation.

APPLICANT: _____ PHONE: _____

ADDRESS: _____

E-MAIL ADDRESS: _____

STATUS OF APPLICANT INTEREST IN PROPERTY: _____

OWNER: _____ PHONE: _____

SITUS ADDRESS (Physical address of subject parcel): _____

ASSESSOR PARCEL NUMBER(s): _____

LEGAL DESCRIPTION OF PROPERTY INVOLVED (attach map): _____

EXISTING ZONING DISTRICT: _____

EXISTING GENERAL PLAN LAND USE DESIGNATION: _____

PROVISIONS OF COUNTY ORDINANCE FROM WHICH ZONING VARIANCE IS
BEING SOUGHT (Section No.): _____

FULLY DESCRIBE THE PROPOSED PROJECT : _____

A **PLOT PLAN** must be submitted with the application showing the following information and be sufficiently detailed to illustrate existing conditions, the nature of the variance requested, and the proposed development or use requiring the variance. At a minimum, the plot plan must illustrate:

- a) Property boundary lines, easements, and accurate setback distances from each.
- b) Ground plans showing locations of all existing and proposed structures, well and septic disposal areas on premises, and on adjacent properties (within 100 feet).
- c) All water features, drainages, and wet meadow areas; as well as steep slopes and other physical constraints that may potentially impact development of property. Include setback distances from each (existing and proposed).
- d) 100-year floodplain boundary, if applicable.
- e) Elevations of proposed buildings, alterations, or improvements in detail.

Plot plan/map need not be prepared by a licensed surveyor, however it should be legibly drawn and accurate, with scale clearly indicated.

Provide a single full-size map or an electronic copy reducible to that scale, which may be reproduced to facilitate routing to commenting agencies.

FINDINGS AND EVIDENCE. Variances are constitutional safety valves to permit adjustments when strict application of a general regulation would produce a unique hardship. The applicant must present statements of fact (written evidence) to the Planning Commission supporting the following legal standards. *The application may be denied action if the following information and written evidence is not presented with this application.* PLEASE PROVIDE EVIDENCE:

1. That there are special circumstances or conditions applying to the subject property which make compliance with this ordinance difficult and a cause of hardship to and abridgement of a property right of the owners of said property.

2. That such circumstances or conditions do not apply generally to other properties in the same land use district.

3. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the applicant.

4. That the granting of the variance will not result in material damage or prejudice to other properties in the vicinity nor be detrimental to the public health, safety, and general welfare.

APPLICATION CHECK LIST

- _____ Completed Application Form, signed by all vested property owners
- _____ Plot Plan (2 copies full size, and to scale)
- _____ Completed "Preliminary Environmental Questionnaire"
- _____ One (1) copy of Sierra County's "Indemnification Agreement". Must be returned with original signatures, including signatures by all vested property owners. Photocopies, faxes or electronic/scanned images will not be accepted.
- _____ Appropriate fees approved by the latest Board of Supervisor's Resolution
 - Initial review fee: \$100.00 [Project fee to be determined]

The above information and statements have been read, and written findings and evidence are certified by the undersigned to be correct. Applicant hereby certifies that he/she intends to proceed with actual construction within nine (9) months of filing of the application (ref. SCC §15.24.020[e]).

Signature of Applicant Date

Signature of Landowner Date
(if different from Applicant)

PLEASE NOTE: Submittal of an application does not imply application acceptance. Your application cannot be considered complete until all necessary information is submitted, which may include additional data, maps, pictures, or reports to supplement the above information. In addition, a deposit of the estimated processing costs (to be determined) is required before the application begins formal processing. If it is determined that your application is not complete, you will be notified of the deficiencies within thirty (30) days.

If it is determined to be complete, it will be reviewed by staff, duly processed under the requirements of the California Environmental Quality Act (CEQA) and other local, state and federal regulations as necessary, and scheduled for a public hearing at the earliest possible date. Under no circumstance will an application be heard sooner than three weeks following the determination of completeness. Some applications will take much longer.