

VARIANCE

APPLICANT'S GUIDE TO PROCEDURES

WHAT IS A VARIANCE?

Variances modify the strict application of provisions of the Zoning Code. A Variance may be granted only if the following can be determined:

1. That there are special circumstances applicable to the property under which strict application of the provisions of the Zoning Code would deprive the property of privileges enjoyed by other property in the vicinity and that those circumstances do not apply generally to other properties in the same zone.
2. That the Variance is necessary for preservation and enjoyment of substantial property rights of the applicant.
3. 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, or general welfare.
4. That the Variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the same vicinity and zone.
5. That the Variance will not permit uses not permitted by the zone.

A Variance may be granted with the requirement that certain conditions be met. One of these conditions is that construction shall commence within nine months, and work shall be completed within eighteen months of the issuance of the permit.

In order for the determinations to be made, an application for a Variance is investigated by the Zoning Administrator, which investigation may include preparation of an environmental document, and is subject to a public hearing. If your project is determined to have no significant environmental effect or to be exempt, no further review is required. If it is determined that a Negative Declaration is required, an additional fee set forth in Planning & Building Services' fee schedule will be charged to the applicant, and the document will be prepared and filed for public review. The public review period is 30 days. If an Environmental Impact Report (EIR) is required, one of two fees will be charged depending on whether the EIR is prepared by staff in the Planning & Building Services Department or by a consultant. These fees are listed in the fee schedule (attached).

After preparation, the EIR is also circulated for public review for a period of 45 days.

WHERE TO FILE?

Planning & Building Services (530) 283-7011
555 Main Street
Quincy, CA 95971

WHAT TO FILE?

1. The completed application and fifteen (15) copies of a plot plan drawn at an appropriate scale showing the nature of the variance requested.
2. The filing fee set forth in Planning & Building Services' fee schedule (attached).

PROCEDURE

Your application is investigated and a staff recommendation is prepared and mailed to you. A public hearing before the Zoning Administrator is scheduled. Prior to this hearing, notices are sent to owners of property within 300 feet. In addition, a notice of the public hearing is published in the newspaper not less than 10 days prior to the date of the hearing. It is recommended that the applicant or a representative be present at the hearing. The date of the hearing is normally determined within 30 days of receipt of a complete application, and the total processing time is usually two to three months from start to finish.

The decision of the Zoning Administrator is made at the public hearing. Appeals must be filed within 10 days from the date of the decision to be considered by the Board of Supervisors. The filing fee, paid to Planning & Building Services, is set forth in the fee schedule (attached).

For additional information, contact Planning & Building Services at (530) 283-7011.

