

# VARIANCE

## APPLICANT'S GUIDE TO PROCEDURES

### WHAT IS A VARIANCE?

Variations 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, one of two fees will be charged depending on whether the Negative Declaration is prepared by staff in the Planning & Building Services Department or by a consultant. These fees, including required Fish & Game filing fees, are listed in the attached fee schedule. After the document is prepared it is circulated for public review for a period of 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, including required Fish & Game filing fees, are listed in the attached fee schedule. After preparation, the EIR is 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 on Planning & Building Services' fee schedule.

## **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.

**DEPARTMENTAL USE ONLY**

Initial Completeness Verified by \_\_\_\_\_

Date Recv'd \_\_\_\_\_

Receipt No \_\_\_\_\_ \$ \_\_\_\_\_

File No. \_\_\_\_\_

**DEVELOPMENT PERMIT APPLICATION**

**VARIANCE**

Instructions to applicant(s):

1. Complete the form and mail or take to:      Planning & Building Services  
555 Main Street  
Quincy, CA 95971
2. Use additional sheets of paper if necessary to complete the information requested.
3. Pay the filing fee set forth in the fee schedule.
4. Make the check payable to Planning & Building Services.
5. Attach Hazardous Waste Certificate.

**A. Applicant(s)**

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Telephone \_\_\_\_\_

Interest in Property (Owner, Agent\* or Purchaser\*) \_\_\_\_\_

**B. Owner(s)**

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Telephone \_\_\_\_\_

**C. Property**

Street Address \_\_\_\_\_

Nearest Town \_\_\_\_\_

Assessors Parcel Number \_\_\_\_\_

Present zoning \_\_\_\_\_

\*If agent or purchaser is making application, attach letter of authorization signed by the owner.

**D. Variance Applied for**

<b>ITEM</b>	<b>ZONING CODE REQUIREMENTS</b>	<b>REQUESTED BY APPLICANT(S)</b>
Changes in: (circle one)		
Building Site Area	_____	_____
Front Yard (from centerline of street or property line)	_____	_____
Side Yard (note which side _____)	_____	_____
Side Yard (note which side _____)	_____	_____
Rear Yard	_____	_____
Other (_____)	_____	_____

**E. Evidence**

The Zoning Code requires an applicant for a Variance to provide evidence as to the following:

1. What are the special circumstances applicable to the property under which strict application of the provisions of the Zoning Code would deprive the property owner of privileges enjoyed by other property owners in the vicinity?
  
  
  
  
  
  
  
  
  
  
2. How are these special circumstances not applicable generally to other properties in the same zone?
  
  
  
  
  
  
  
  
  
  
3. Why is the Variance necessary for the preservation and enjoyment of substantial property rights of the applicant?
  
  
  
  
  
  
  
  
  
  
4. How would granting the Variance not result in material damage or prejudice to other properties in the vicinity nor be detrimental to the public health, safety, and general welfare?

