



## VARIANCE APPLICATION AND INFORMATION OUTLINE

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This outline provides you with information on how to apply for a Variance. We hope that the information will be beneficial in instructing you on what information is required and what steps must be taken to review your application. The more thorough and complete the application submitted to the Town, the better we are able to serve you and help you achieve your goals.

Included is the **VARIANCE APPLICATION**. Should you have any questions, please contact the Planning Division at (760) 369-6575 x317. The Planning Division is located in the Community Development/Public Works Department building at 58928 Business Center Drive off of Indio and Yucca Trail, north of the Monterey Business Center. You may visit our website for additional information at: <http://www.yucca-valley.org/departments/planning.html>

### What is a Variance?

A Variance is a modification to existing requirements of the Development Code, such as regulations on setbacks or height limits, which may be granted to property owners if certain findings can be satisfied. By State law, variances can only be granted when a property has special circumstances such as size, shape, topography, location, or surroundings that deprive the property owner of privileges enjoyed by other property owners in the vicinity under identical zoning classifications.

### Who approves the Variance?

The Variance application is reviewed by the Planning Commission at a public hearing.

### Fees

The deposit fee for processing a Variance is \$865. The fee must be paid to the Town at the time the application is filed.

Town of Yucca Valley  
Community Development Department  
Planning Division  
58928 Business Center Drive  
Yucca Valley, CA 92284  
760 369-6575 Fax 760 228-0084  
[www.yucca-valley.org](http://www.yucca-valley.org)

## **SUBMITTAL REQUIREMENTS**

### **Plans shall include but are not limited to:**

- Scale, north arrow, and vicinity map.
  - Location and size of existing and proposed buildings.
  - Number of parking and loading spaces required and provided.
  - Footprint of all existing and proposed structures on the site and within twenty-five (25) feet of the boundaries of the site.
  - Required setbacks and distances between buildings and/or structures.
  - Location and heights of all walls or fences with details, materials, construction and height differentials from abutting property if fence/wall is located on a property line.
  - Utility locations including easement dimensions and drainage courses, etc.
  - Septic location/relocation.
- \_\_\_\_\_ Building elevations of all sides of all proposed structures, with dimensions (typicals may be used) which will illustrate the variance.
- \_\_\_\_\_ One (1) reduced (8 ½" x 11") site plan.
- \_\_\_\_\_ Three (3) copies of a detailed slope analysis if the project contains any slopes of fifteen (15) percent or greater.

Other planning approvals, such as a Conditional Use Permit, may be required and may be applied for at the same time. Building permits will probably be required.



## GENERAL APPLICATION

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**FOR TOWN USE ONLY**

Date Submitted: \_\_\_\_\_ Case No.: \_\_\_\_\_ Received By: \_\_\_\_\_

Planning Fee: \_\_\_\_\_ Other Fees: \_\_\_\_\_ Case Planner: \_\_\_\_\_

***Please type or print legibly in ink***

**TYPE OF APPLICATION:**

Conditional Use Permit \_\_\_\_\_ Specific Plan \_\_\_\_\_

Temporary Use Permit \_\_\_\_\_ Tentative Parcel Map \_\_\_\_\_

Modification or Amendments \_\_\_\_\_ Tentative Tract Map \_\_\_\_\_

General Plan Amendment \_\_\_\_\_ Variance \_\_\_\_\_

Special Use Permit \_\_\_\_\_ Zone Change \_\_\_\_\_

Other \_\_\_\_\_

Site Plan Review \_\_\_\_\_

Case No. (Staff) \_\_\_\_\_

Project Address/Location Description \_\_\_\_\_

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**APPLICANT INFORMATION:**

Property Owner: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Applicant: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Telephone: \_\_\_\_\_

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**PROJECT INFORMATION:**

Related Projects: \_\_\_\_\_

Assessor's Parcel No.(s) \_\_\_\_\_ Tract: \_\_\_\_\_ Lot: \_\_\_\_\_

Property Size: Gross Acres: \_\_\_\_\_ Net Acres: \_\_\_\_\_ Square Feet: \_\_\_\_\_

Total Square Footage of Proposed Building(s): \_\_\_\_\_ No. of Units: \_\_\_\_\_

General Plan Designation: \_\_\_\_\_ Zoning: \_\_\_\_\_

Proposed Use of Land/Building(s): \_\_\_\_\_

Detailed Description of Project (**Required**): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**OWNER'S AUTHORIZATION AND AFFIDAVIT:**

I am/We are the legal owner(s) of said property and do hereby certify that I am/we are the legal owner(s) of the property described in the project application and do hereby authorize the listed representative to filed this and represent my/our interest in the application.

Signature: \_\_\_\_\_

(A letter of authorization form may be submitted in lieu of the legal owner's signature.)

Signature of Representative: \_\_\_\_\_ Date: \_\_\_\_\_

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**SUPPLEMENTAL VARIANCE STATEMENT**

The applicant must provide detailed answers to the questions listed below. You should include specific evidence, details and/or qualities of the proposed structure or other project. Additional pages or supporting documentation such as photographs, previous variance approval, etc., may be attached.

1. Specific Development Code Section for which relief is being sought:

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2. Explain the hardship or practical difficulty that would result from the strict interpretation and enforcement of this Code.

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3. What is the alternative means of compliance being proposed?

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4. What are the special circumstances that apply only to the property to which the application pertains, and do not apply generally to the other properties in the vicinity?

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5. Explain how, if the Variance is approved, it will not constitute a granting of special privilege which will not be available to other properties in the vicinity?

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Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

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**FINDINGS REQUIRED TO GRANT A VARIANCE**

The applicant must provide specific justification for each of the findings listed below. You should include specific evidence, details and/or qualities of the proposed structure or other project. Additional pages or supporting document such as photographs, previous variance approval, etc., may be attached.

1. Special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the Town Development Code deprives such property of privileges enjoyed by other properties in the vicinity and under identical zoning classification.

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2. Granting the Variance will be consistent with the general intent and purpose of the Development Code provisions for the district in which the property is located.

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3. Granting of the Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zoning district and denied to the property for which the Variance is sought.

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4. Granting of the Variance will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements in such vicinity and land use district in which the property is located.

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5. Granting of the Variance does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and in the zoning district and General Plan land use designation such property is located.

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6. Granting of the Variance does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel.

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**Owner/Applicant Authorization**

**Applicant/Representative:** I/We have reviewed this completed application and the attached material. The information included with this application is true and correct to the best of my/our knowledge. I/We further understand that the Town may not approve the application as submitted, and may set conditions of approval. Further, I/We understand that all documents, maps, reports, etc., submitted with this application are deemed to be public records. This application does not guarantee approval or constitute a building permit application. Additional fees may be required depending on additional administrative costs.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

**Property Owner:** I/We certify that I/We are presently the legal owner(s) of the above described property (If the undersigned is different from the legal property owner, a letter of authorization must accompany the form). Further, I/We acknowledge the filing of this application and certify that all of the above information is true and accurate. I/We understand that I/We are responsible for ensuring compliance with conditions of approval. I/We hereby authorize the Town of Yucca Valley and or/its designated agent(s) to enter onto the subject property to confirm the location of existing conditions and proposed improvements including compliance with applicable Town Code Requirements. Further, I/We understand that all documents, maps, reports, etc., submitted with this application are deemed to be public records. This application does not guarantee approval or constitute a building permit application. Additional fees may be required depending on additional administrative costs. I am hereby authorizing

\_\_\_\_\_

to act as my agent and is further authorized to sign any and all documents on my behalf.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

The Town of Yucca Valley is granted release to copy and reproduce electronically, in whole or in part, drawings and all other materials submitted with this development application for the Town’s regulatory, administrative, and legal functions, including sharing of information with other governmental entities and for compliance with the California Public Records Act (CPRA). If any of these statements cannot be affirmatively acknowledged, please inform the planner before submitting a development application.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

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**Agreement to Pay All Development Application Fees**

In accordance with Town Council Resolution 04-38 the Town collects certain fees based on the actual cost of providing service. The application deposit for this project (as indicated below) may not cover the total cost of processing this application. I/We are aware that if the account has 25% or less remaining prior to completion of the project, staff will notify the undersigned in writing, of the amount of additional deposit required to complete the processing of the application, based on Staff's reasonable estimate of the hours remaining to complete this application process.

Further, I understand that if I do not submit the required additional deposit to the Town within 15 business days from the date of notification by the Town, the Town will cease processing of the application and/ or not schedule the project for action by the Planning Commission or Town Council until the fees have been paid.

Any remaining deposit will be refunded to me at time of closeout after I have submitted any required approved project plans and forms, including signed conditions of approval, or upon my written request to withdraw the application.

As the applicant, I understand that I am responsible for the cost of processing this application and I agree that the actual costs incurred processing this application will be paid to the Town of Yucca Valley.

Deposit Paid: \$ \_\_\_\_\_

Applicant Signature \_\_\_\_\_

Applicant Name \_\_\_\_\_  
(Please print)

Remaining balance refunded to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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## Property Owners Mailing List

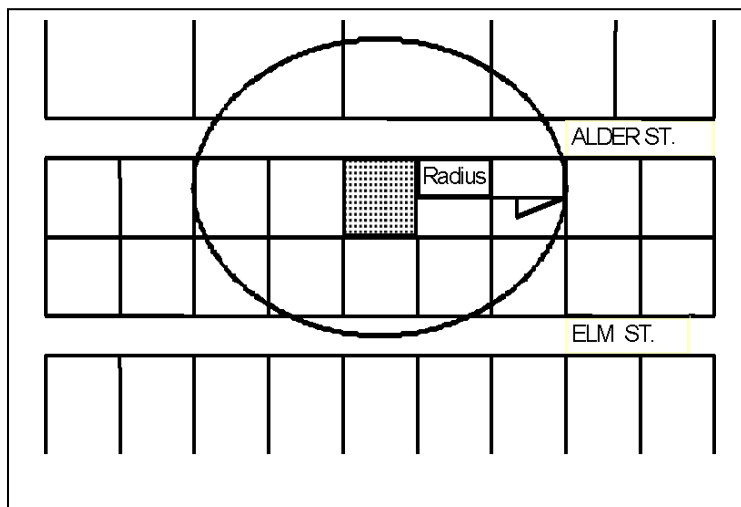
All applications that are subject to a Public Hearing require the applicant to submit a list of property owners who own property contiguous to and within 300 feet of the project site. This process is required by Section 83.010330 of the Development Code to notify residents and property owners in the immediate vicinity. Staff will send public notices to these individuals informing them of the proposed project and scheduled public hearings.

The surrounding property owner information must be obtained from the most current San Bernardino County Assessor's roll or shall be prepared and verified by a title company doing business in San Bernardino County. The County Assessor's office is located at 63665 29 Palms Highway in Joshua Tree. The general telephone number for the Assessor's office is 760-366-1420.

### MATERIALS REQUIRED:

- Two (2) sets of adhesive labels containing the mailing address of the owner(s), applicant(s) and of all surrounding property owners, including vacant properties. Mailing labels must contain: Assessor's Parcel Number, property owners name, address and zip code.
- One (1) copy of the labels sheets.
- One (1) radius map showing the subject property and all surrounding properties. The appropriate radius shall be drawn from the exterior boundaries of the subject property as shown in the sample below. The scale of the radius map shall be large enough to clearly show all surrounding properties.
- One (1) electronic copy of all submitted materials.

Sample Vicinity/Radius Map



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**SURROUNDING PROPERTY OWNERS LIST CERTIFICATION**  
(To be submitted with application)

I, \_\_\_\_\_, certify that on \_\_\_\_\_ the attached property owners list was prepared by \_\_\_\_\_ pursuant to the requirements of the Town of Yucca Valley. Said list is a complete compilation of the owner(s), applicant(s) and representative of the subject property and all owners of surrounding properties within a radius of \_\_\_\_\_ feet from all exterior boundaries of the subject property and is based on the latest equalized assessment rolls of the San Bernardino County Assessor's Office dated \_\_\_\_\_. I further certify that the information filed is true and correct to the best of my knowledge; I understand that incorrect and erroneous information may be grounds for rejection or denial of the development application.

Signed: \_\_\_\_\_

Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

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