



# Variance Application

Date Received	<u>10/17/24</u>
By	_____
Fee	_____
Case #	<u>V 03-23</u>

## General Information

**APPLICANT** VB BTS II, LLC (Vertical Bridge) Phone N/A

Mailing Address 750 park of Commerce Dr, Ste 200 Email N/A

City Boca Raton State FL Zip 33487

**REPRESENTATIVE** Samantha Herrmann/Assurance Development Phone 310 488 6237

Mailing Address 1499 Huntington Dr, Ste 305 Email sherrmann@assurance-group.com

City South Pasadena State \_\_\_\_\_ Zip \_\_\_\_\_

**PROPERTY OWNER** Synod of Southern California Phone N/A

Mailing Address 1875 N D St. Email N/A

City San Bernardino State CA Zip 92405

## Project Information

Project address or location 56750 Mountain View Trail, Yucca Valley, CA 92284

Assessor Parcel Number(s) 0587-411-42

Description of variance being requested The applicants are requesting a deviation from the setbacks depicted in Section 9.44.070 (D) and the maximum height limit detailed in 9.07.050/9.31.050.

The requested height exceeds the standards of a maximum height of 52.5' and the setbacks of 275' from residential properties.

Applicant Signature *Samantha Herrmann* obo VB BTS III, LLC

Property Owner Signature \*See Entry Agreement

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)

## VARIANCE FINDINGS

Please respond to each question in as much detail as you possibly can.  
(Attach additional pages if necessary)

- 1) Will the granting of this variance be detrimental to other properties or land uses in the area or substantially interfere with the present or future ability to use solar energy systems?

This project is not detrimental to other properties or land uses in the area. It is located entirely within private property. The included Shade and Shadow Study shows that there will no substantial impact on solar energy on the surrounding properties.

- 2) Are there exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply to other properties in the same district or vicinity?

This property, which is zoned RS-2, is not used for residential purposes, as it used as a church and community gathering space. This parcel exceeds the average parcel size of surrounding properties, allowing the installation of the new facility to be less detrimental to the area. The existing parcel serves the community, as is the intent of the proposed Tower and facility.

- 3) Will the strict application of the land use district regulations deprive such property of privileges enjoyed by other properties in the vicinity or in the same land use district?

The proposed Tower will provide the surrounding properties with increased wireless coverage, a need determined by T-Mobile RF Engineers to fill gaps in coverage in the residential area of Yucca Valley. T-Mobile has existing facilities at 7248 Joshua Ln and 57373 Joshua Ln, which serve the surrounding residential and commercial properties, including those zoned RS2. There is a significant gap in coverage between these two towers, which the proposed tower will fulfill for the surrounding residential properties. Strict interpretation of the RS2 regulations would deprive the surrounding properties of quality wireless coverage.

- 4) Is the variance request in conformance with the objectives, policies, and programs specified in the General Plan and any applicable plan?

The variance request for the height and the setbacks of the tower are in compliance with the General Plan and applicable plans, as the tower will be disguised as a faux pine tree and the equipment area will be screened by a redwood fence with faux vines. The tower is permitted within the RS2 Zone. Applicants are requesting approval of this variance and the associated Conditional Use Permit for this project.

The proposed tower complies with the Town's General plan in that it provides a valuable service to the community and its people. In increasing the quality and coverage of wireless service to the Town of Yucca Valley, the Tower is providing for current and future community members. It equips first responders with dependable communication services and, in the long term, will allow for more growth within the Town while maintaining its small town atmosphere.

**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: Samantha Herrmann

Name: Samantha Herrmann obo VB BTS III, LLC

Date: 8/21/2024

**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: \*See Entry Agreement

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: \_\_\_\_\_

**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: \$ TBD

Applicant Signature *Samantha Herrmann*

Applicant Name Samantha Herrmann obo VB BTS III, LLC  
(Please print)

Remaining balance refunded to:  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_