



VARIANCE INFORMATION SHEET

This type of development case is specified by the Zoning Ordinance to allow flexibility in certain cases where the strict application of a regulation may not be appropriate. According to state law, the justification for a Variance is that you as a property owner would suffer a unique hardship if the zoning regulation were strictly applied. The concept of a Variance is to place you in parity with other property owners in the same zone. Note that a variance may not be approved to allow land uses otherwise prohibited in

a Zoning District. The Zoning Administrator reviews variance requests. However, if your request accompanies another development case, for example a Master Plan, to be reviewed by the Planning Commission, the Planning Commission will also review the Variance.

The cost of processing your Variance request is charged according to the hours spent by staff in checking plans, writing a staff report, preparing an environmental analysis, notifying the public and attending the public hearing. You will also be billed for project related costs such as public notice advertising, postage and City Attorney fees if these are required for your project. Total cost *may vary widely* according to the size of the project and the complexity of the issues. You must first open a Developer Deposit Case account with an *initial deposit* to which project costs are charged. See Developer Deposit form for more specific information. At the close of your case, any remaining funds will be returned to you. At the City's sole discretion, a planning consultant may process your application.

Please use this information sheet as a checklist to assemble the materials required for your Variance request, and bring it with you when you submit your application. Be sure the appropriate person has signed all letters and forms. If you have any questions about the items requested or if you wish to obtain information on processing schedules, please call the Development Assistance Center at (949) 724-6308.

SECTION A - City Documents

- _____ Development Case Application
- _____ Developer Deposit Case Setup Form

SECTION B - Letter of Justification

_____ This letter should be addressed to the City. It should state the specific zoning regulation from which you are requesting a variance, and explain why the regulation is inappropriate in the case of your project. As a guideline, use the findings from the Variance section of the Zoning Ordinance listed below. These will assist you in preparing your explanation:

- A. The strict application of the Zoning Ordinance deprives the property of privileges enjoyed by other property in the vicinity and in an identical land use category because of special circumstances applicable to the property such as size, shape, topography, location or surroundings.
- B. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the same land use category.
- C. The granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to the properties or improvements in the vicinity.

- D. If located within the coastal zone, the granting of the variance will not adversely affect access to or along a shoreline, including physical, visual and psychological qualities of access, and will carry out the local coastal program.

SECTION C - Deposit Check payable to the City of Irvine

_____ A deposit of \$1500.00 is required.

SECTION D - Project Plans These must be legible and must be drawn to scale to clearly illustrate the components of the project. Remember that the staff, Planning Commission and Zoning Administrator are not familiar with the property and will need this information to evaluate your project. **If the plans are not legible, or do not contain the information listed below, your application will not be accepted for processing.** Submit ten sets of project plans, folded to approximately 8 1/2" x 14". Use the checklist to be sure your plans include the following **required** elements:

- _____ scale (for example 1:20, or 1/8" = 1')
- _____ vicinity map
- _____ north arrow
- _____ building location(s) ("footprints") showing floor plan and access points
- _____ building elevations (new construction only) (Note that your case planner may require elevations if necessary to understand the project as indicated in section F below.)
- _____ dimensioned setbacks
- _____ dimensioned property lines
- _____ notes labeling existing and proposed on-site uses
- _____ notes labeling surrounding land uses
- _____ easement locations (if any)
- _____ parking lot layout and circulation, showing dimension of parking spaces and drive aisles
- _____ existing and proposed pavement striping and signage (directional arrows, drop off zones, etc.)
- _____ turning radii of trucks expected to use the project (including trash trucks)
- _____ loading, service areas
- _____ location of trash enclosures
- _____ controlled access gate locations (if any)
- _____ ultimate street right-of-way property lines (if these are different from existing)
- _____ adjacent streets, street names and intersections, showing striping and medians
- _____ existing and proposed bus turn-out locations (if any)
- _____ all access points (driveways), existing or proposed; label access type (i.e. curb return or apron)
- _____ note distance from each driveway to the nearest access of adjacent properties
- _____ sidewalks
- _____ "line of sight" (per City Standard Plan 403) at all access points on a curved roadway or at access points where buildings, landscaping or signage may obscure a driver's view
- _____ turning radii and ramp grades of parking structures, if proposed
- _____ site and parking summary table
- _____ one set of 11" x 17" reduced project site plan

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SECTION E - Public Notice Materials Please note that the homeowners' associations which govern property in the vicinity will be notified of your project as required by the City's Zoning Ordinance. Staff suggests that you advise them of your intent to develop a project as soon as possible to receive their comments and address their concerns. Should you wish City staff to generate the mailing labels; staff time will be charged at the hourly rate to the project case.

_____ An electronic list of all names and addresses for all of the following:

- a. Each property owner and residential tenant, and all homeowners' and community associations governing property within five hundred (500) feet of the property line of the proposed project. Commercial tenants within 500 feet shall be included in the following instances only: 1) the subject of the application is a residential development which is proposed within 1000 feet of where businesses use, store, transport and/or manufacture hazardous materials or waste; or 2) the subject of the application is a heavy manufacturing use which involves the use, storage, transportation, and/or manufacture of hazardous materials or waste. This information shall be provided from the latest equalized assessment roll of Orange County.
- b. Each local agency expected to provide water, sewage, schools, or other essential facilities or services to the project.
- c. The property owner or the owner's duly authorized agent.
- d. The project applicant.

_____ A map which is keyed to the above labels (stet).

_____ Electronic mailing (stet labels) may be submitted in any one of the following formats:

- Excel TEXT format with separate fields of information on a CD, **or**
- Excel with separate fields of information on a CD.
NOTE: MSWord, Word Perfect, and other common formats will not work
- Each field of information (assessor's parcel number, complete name, complete street address, city, state, zip code) must be separated by a tab key, tab delimited (preferred), or comma, comma-delimited.
- Project number and number of entries on the above list should be printed on the disk label.

Example of Preferred Format:

Cell 1 APN	Cell 2 Attention	Cell 3 Name	Cell 4 Company	Cell 5 Complete Address	Cell 6 Complete Address	Cell 7 City	Cell 8 State	Cell 9 Zip Code
123	J Jones	Payroll	Alton Ctr	567 Alton PkwY	PO Box 19575	Irvine	CA	92623

For information or questions on formatting, please call the City Mail Center (949) 724-6012.

SECTION F - Additional Materials

_____ Technical studies for noise, traffic, parking, hazardous materials or other issues may be required according to City policy.

As stated in Chapter 2-37-3 of the Zoning Ordinance, the Director of Community Development may require additional materials to determine that your application is complete. You will be notified within 30 days of the date you submit your application if any additional materials will be necessary to complete this application.