The City of Santee

Variances

Purpose

Each zoning classification indicates specific development standards such as setbacks or parking requirements. There are occasions, however, when the strict applications of the standards may be inappropriate because of the special characteristics of the property. The Variance procedure was designed to permit minor adjustments to the zoning regulations when there are special or extraordinary circumstances applying to a parcel of land or a building that prevent the property from being used to the extent intended by the zoning.

The Director of Development Services may grant a Variance only if the following findings can be made:

a. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this Code.

b. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties in the same zone.

c. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zone.

d. That the granting of the Variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

The City Council will review and approve any Variance request that is required in conjunction with a Conditional Use Permit, Development Review Permit or Subdivision Map that requires Council approval.

Process

Step 1 - Pre-Application Conference

It is recommended that the applicant make an appointment with a staff person in the Department of Development Services prior to submitting an application to discuss the feasibility of the request. Staff and applicant can review the required data and procedures to be followed through the process.

Step 2 - Filing the Application

The following materials must be submitted for application:

1. Application form - completed and signed.

2. Application Fee. Make check payable to the City of Santee.

3. Six (6) copies of an accurate scale drawing of the project site and adjacent properties to be affected by the Variance request and floor plan of the building if needed. (**All plans must be folded in sets to 8 ½" x 11" or 8 ½" x 14**"). See *'Typical Plot Plan'* form for drawing format.

4. The applicant shall submit a signed statement indicating whether the project site is located on a site which is included on any of the lists related to hazardous waste sites pursuant to Sections 65962.5 of the Government Code. A copy of the list is available at the Department of Development Services.

5. Preliminary Title Report or Grant Deed showing the legal status of the lot.

6. For Public Hearing Variances submit a reduced colored site plan, landscape plans and elevations (no larger than 8 ½" x 14").

7. Two (2) copies of completed and signed Ownership Disclosure Statement forms.

After the submittal of the application, a public hearing date with the Director of Development Services or Principal Planner will be scheduled. Public hearings are held at City Hall during regular office hours.

Step 3 - Staff Review

The Planning Division staff will study the application and make an investigation of the site.

At least 10 days prior to the hearing, property owners within 300 feet of the subject property will be notified by mail of the forthcoming hearing. The notices will give the time, date, and place of the meeting, as well as identify the nature of the Variance request.

Step 4 - Public Hearing

At the public hearing, a Planning Division staff member will explain the nature of the Variance, and the way it relates to applicable Code provisions. The staff will then make a recommendation to the Director of Development Services to approve, deny, or continue the application. The applicant may then present testimony, giving reasons for the need of a Variance. Since the meeting is open to the public, neighbors or other interested parties are invited to testify in support of or against the request. The Director of Development Services may take several courses of action: 1) approve the request with or without conditions; 2) deny the request for a Variance; or 3) continue the public hearing to a later date. A Variance may be revocable or granted for a specific period of time. A Variance shall become effective upon the expiration of the ten day appeal period following the date on which the Variance as granted by the Director of Development Services has been typed and sent to members of the City Council (normally a few days after the public hearing).

Appeal of the Director of Development Services Decision

The Director of Development Services decision may be appealed within ten calendar days by anyone. The appeal shall be filed with the City Clerk. The appeal will be brought before the City Council which, after additional public testimony is heard, will reverse, affirm, or modify the decision of the Director of Development Services. The decision of the City Council is final and there are no appeals.

The City of Santee

☐ Application for

Variance

FOR DEPT. USE ONLY

NOTICE: THIS APPLICATION IS A REQUEST FOR APPROVAL OF A LAND USE PERMIT. DO NOT BEGIN CONSTRUCTION PURSUANT TO THIS APPLICATION UNTIL YOU HAVE RECEIVED WRITTEN APPROVAL OF YOUR REQUEST FROM THE CITY AND HAVE OBTAINED ANY REQUIRED BUILDING PERMITS.

1. Name of Applicant: _____

Address: _____

_____

Phone: _____

Signature: _____

Print Name: _____

2. Name of Property Owner : _____

Address: _____

_____

Phone: _____

Signature: _____
(**Authorizing Applicant to submit Permit**)

Print Name: _____

3. Applicants Representative: _____

Address: _____

_____

Phone: _____

Signature: _____

Print Name: _____

4. Site Address: _____

Assessor's Parcel Number(s): _____

Existing Land Use: _____

General Plan Designation: _____

Parcel Size: _____

Building Size: _____

<u>For Residential Projects:</u>

No. of Units: _____
No. of Lots: _____
Density: _____

VARIANCE REQUEST:

	Required	Requested
Setback		
front	_____	____
rear	_____	____
side	_____	____
Height	_____	____
Lot Size	_____	____
Other	_____	

BRIEF DESCRIPTION OF PROJECT:

NOTICE TO CONTIGUOUS PROPERTY OWNERS OF VARIANCE

We, the undersigned owners of property adjoining and across the street from the building site, certify that we have been provided notice of the Variance(s) requested (add additional sheets as needed).

Property Owner Name	Address
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

I hereby certify that the above signatures are the owners of all of the property adjoining and across the street from the building site described above.

_____ _____

Signature Date

1/07