



COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION

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VARIANCES

The Planning Commission shall hear and make determinations regarding applications for variances from the strict interpretation of the Zoning Ordinance. The Commission shall grant variances only when the following findings can be made:

1. That a hardship peculiar to the property and not created by any act of the owner exists. In this context, personal, family or financial difficulties, loss of prospective profits and neighboring violations are not hardships justifying a variance. Further, a previous variance can never have set a precedent, for each case must be considered only on its individual merits;
2. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other conforming property in the same vicinity and that a variance, if granted, would not constitute a special privilege of the recipient not enjoyed by his/her neighbors;
3. That the granting of the variance will not be materially detrimental to the public health, safety, or welfare, or will not impair an adequate supply of light and air to adjacent property;
4. That the conditions upon which the requested variance is based would not be applicable, generally, to other property within the same zoning classification.
5. That the condition upon which the requested variance is based is an unusual factor that was not anticipated or discussed in detail during any applicable Specific Plan process.

These issues are to be addressed by the applicant as to how they apply to the requested variance. Statements addressing these issues shall be submitted with the variance application on a separate sheet of paper. State in detail the manner in which you believe each of these findings can be made in this case. For more information about variances, please review the Zoning Ordinance, Chapter 16.82, Section VI.

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