



# City of Calistoga Planning & Building Department

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FOR DEPARTMENT USE ONLY

FILE# \_\_\_\_\_

IS# \_\_\_\_\_

AP# \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

APPLICANT \_\_\_\_\_

## VARIANCE

Variances provide flexibility from the strict application of development standards in limited cases. Variance applications require a public hearing before the Planning Commission who may authorize variances only when it can be shown that, owing to special and unusual circumstances related to a specific piece of property, the literal interpretation of the development standards would cause an undue or unnecessary hardship.

Variances can only be approved when the Planning Commission can make the findings of fact under Section 17.42.020 of the Zoning Ordinance (see below).

In granting a variance, the Planning Commission may attach conditions that it finds necessary to protect the best interests of the surrounding property or neighborhood.

Within 30 days of receipt of an application, the City must notify the applicant in writing as to whether the application is complete. If the application is incomplete, the applicant will be advised what additional information is needed to process the application. Upon receipt of the additional materials, a new 30-day period review for completeness begins. Once the application is determined to be complete, it will take approximately six - eight weeks to complete the process. This time frame may increase if the project is subject to environmental review or an appeal is filed by the applicant or others.

## APPLICATION CHECKLIST

Staff has checked the information required to be submitted with the variance application based on preliminary information. Since variances are usually requested as part of another development application, please see other related checklists as applicable. Additional information may be required after the application materials have been reviewed. A complete application will ensure its prompt processing. If you have any questions, please contact the Planning Division.

### Application Submittal Requirements

- \_\_\_\_\_ 1. A completed Planning Division Application signed by all property owners holding a title interest
- \_\_\_\_\_ 2. A completed Environmental Information Form as provided by the Planning Department for all projects requiring environmental review in accordance with the California Environmental Quality Act (CEQA)
- \_\_\_\_\_ 4. 15 copies of plan sets folded to 8 ½ by 11" (24" by 36" is the maximum size accepted). Provide reduced paper (11" x 17") and digital copies of all plans
- \_\_\_\_\_ 5. Application fee
- \_\_\_\_\_ 6. A list of and mailing labels for property owners within a 300' radius of the project site with an affidavit from the title company certifying that the mailing list is current
- \_\_\_\_\_ 7. A detailed project description explaining in detail what development standard(s) needs to be waived. Attach statements in support of required findings (see below)

**Site Plans** – The applicant is encouraged to have a licensed civil engineer, surveyor, licensed architect, landscape architect and/or building designer prepare the plans.

- \_\_\_\_\_ 8. Property address
- \_\_\_\_\_ 9. Owner's address and phone number
- \_\_\_\_\_ 10. North arrow
- \_\_\_\_\_ 11. Drawing scale: Use a scale of 1" = 10', 1" = 20' or 1/8" = 1'0" for Site Plan and 1/4" = 1'0" for elevations
- \_\_\_\_\_ 12. Property lines and dimensions
- \_\_\_\_\_ 13. Location and type of all easements
- \_\_\_\_\_ 14. Show existing and proposed building locations: dimension all required front, back and side yard setbacks; show actual building setbacks from property lines and outline of structures on adjacent parcels
- \_\_\_\_\_ 15. Dimensions of all parking area driveways, parking spaces and landscaped areas
- \_\_\_\_\_ 16. Calculations for site area and building coverage
- \_\_\_\_\_ 17. If applicable to the requested variance, show existing and proposed contours and/or finished elevations, existing trees and shrub masses, site features including creeks and adjacent riparian vegetations, wetlands, major rock outcroppings, landslides, flood zones, earthquake faults and related setbacks. Note diameter of trees at breast height (dbh)
- \_\_\_\_\_ 18. Illustrate roof overhangs, porches, stairs, decks, or other architectural features

**Required Findings**

In order to approve a Variance, the Planning Commission must make the findings listed on the next page pursuant to Section 17.42.020. Please submit written statements in support of the findings.

Please submit written statements in support of the following findings:

1. Conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size or shape, topography, or other circumstances over which the applicant has no control.

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2. The variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same zone or vicinity.

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3. The authorization of the variance will not be materially detrimental to the purposes of this title, be injurious to property in the zone or vicinity in which the property is located, or otherwise conflict with the objectives of City development plans for policies.

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4. The variance requested is the minimum variance that will alleviate the hardship.

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