

FILE NO.: LA 2009-01

ASSESSOR'S PARCEL NO.: 011-433-004

FINAL ACTION & DATE: _____

City of Calistoga

Planning & Building Department

Application Form

1232 Washington Street

Calistoga CA 94515

707.942.2827

707.942.2831 fax

PLANNING APPLICATION FORM

Applicant Information

Applicant's Name: <u>MARGARET LAW</u>	Phone: <u>707 942-5004</u>	Fax: <u>707-942-9156</u>	E-Mail Address: <u>MARGITLAW@MAP.COM</u>
Applicant's Mailing Address: <u>1143 MITZI DR.</u>	City: <u>CALISTOGA</u>	State/Zip Code: <u>CA 94515</u>	
Property Owner's Name: (if different from Applicant)	Phone:	Fax:	E-Mail Address:
Property Owner's Mailing Address:	City:	State/Zip Code:	
Agent's Name: (if different from Applicant)	Phone:	Fax:	E-Mail Address:
Agent's Mailing Address:	City:	State/Zip Code:	
Other Representative: (Engineer/Architect)	Phone:	Fax:	E-Mail Address:
Representative's Mailing Address:	City:	State/Zip Code:	

Property Information

Project Name and Address: MARGARET LAW 1143 MITZI DR CALISTOGA CA 94515

Assessor's Parcel Number(s): 011-433-004

Site of site (acreage and/or square footage): _____

General Plan designation: MDR Zoning: R1

Growth Management Allocation number or exception status: _____

Application Type (For Staff Use)

<input type="checkbox"/> Appeal	<input type="checkbox"/> General Plan Amendment	<input type="checkbox"/> Subdivision
<input type="checkbox"/> Certificate of Compliance	<input type="checkbox"/> Lot Line Adjustment	<input type="checkbox"/> Tentative Map
<input type="checkbox"/> CEQA Compliance	<input type="checkbox"/> Municipal Code Amendment	<input type="checkbox"/> Tentative Parcel Map
<input type="checkbox"/> Conceptual Design Review/Pre-Application Conference	<input type="checkbox"/> Planned Development Plan	<input type="checkbox"/> Amendment Tentative Map
<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Public Convenience and Necessity	<input type="checkbox"/> Amendment Tentative Parcel Map
<input type="checkbox"/> Administrative	<input type="checkbox"/> ABC License	<input checked="" type="checkbox"/> Variance <u>PARKING IN FRONT YARD</u>
<input type="checkbox"/> Amendment	<input type="checkbox"/> Rent Vehicles	<input type="checkbox"/> Voluntary Merger
<input type="checkbox"/> Major	<input type="checkbox"/> Rezone	<input type="checkbox"/> Zoning Ordinance Amendment
<input type="checkbox"/> Design Review	<input type="checkbox"/> Sign Permit	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Development Agreement		

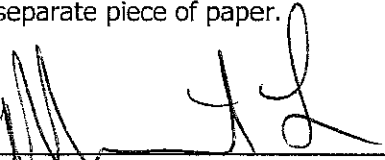
Detailed Project Description (required): A typed, detailed project description is required that describes the proposed development or use(s); the existing site conditions/uses; the number, size, type and nature of any proposed residential dwelling units or total amount of new non-residential square-footage by type of use. Please see specific submittal handouts for details to describe.

Conditions of Application

1. All materials and representations submitted in conjunction with this form shall be considered a part of this application.
2. The owner shall inform the Planning Division in writing of any changes.
3. Agent authorization: The property owner authorizes the listed agent(s) and/or other representative(s) to appear before staff, the Planning Commission and City Council to file applications, plans and other information on the owner's behalf.
4. Indemnification: The applicant agrees to defend, indemnify and hold the City, its agents, officers and employees harmless from any claim, action or proceeding to attack, set aside, void or annul and approval of the City concerning the project, as long as the City promptly notifies the applicant of any such claim, action or proceedings and the City cooperates fully in the defense.
5. Fees: The applicant agrees to pay the City any and all processing fees imposed by City Council Resolution No. 96-23, including the establishment and use of a Developer Deposit Account. Applicant understands that fees include, but not limited to: staff time billed at an hourly rate; required Consultant and City Attorney service billed rates; production or reproduction of materials and exhibits; public notice advertisements; and postage. In the event the property owner is different than the applicant, the property owner must sign to indicate consent to the filing and agreement to pay fees in the event of the applicant's failure to pay said fees. Failure to pay all accumulated fees by the time of public hearing will result in a continuance.
6. I hereby authorize employees of the City of Calistoga to enter upon the subject property, as necessary, to inspect the premises and process this application.

I have read and agree with all of the above. The above information and attached documents are true and correct to the best of my knowledge. All property owners holding a title interest must sign the application form. If there are more than two property owners, list their names, mailing addresses, phone numbers and signatures on a separate sheet of paper.

If you wish notice of meetings/correspondence to be sent to parties other than those listed on Page 1, please list them on a separate piece of paper.

 4/1/09

 Property Owner's Signature and Date

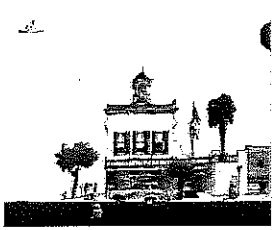
 Property Owner's Signature and Date

Applicant/Agent Statement

I am authorized and empowered to act as an agent on behalf of the owner of record on all matters relating to this application. I declare that the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application.

 Applicant's Signature and Date

Date Received/Staff Initials: 04/28/09	Application Fees	
	DDA Account # & Deposit Amount	..
	Total Fees Due	\$ 500 ⁰⁰ new DDA
	Check No.	3509



City of Calistoga Planning & Building Department

1232 Washington Street
Calistoga CA 94515
(707) 942-2827 phone (707) 942-2831 fax

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.

Variance Application Checklist (continued)

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.

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.

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.

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

~~PLEASE SEE ATTACHED PAGE~~

Statements supporting questions 1-4 on Variance Application

1. Lot sizes restrict the ability to more intensely develop additional living space and second stories are not allowed.
2. The variance preserves the right to park on private property while retaining pre-existing living space that could provide quality housing if the potential need arises.
3. Not materially, the revised floor plan enhances the value the of property. The existing layout does not infringe or negatively impact properties in the immediate vicinity or the surrounding neighborhood. The existing layout retains the original architectural integrity and does not introduce any infringement on neighbors (i.e., shade, increased sound or obstruction of views). The current configuration is consistent with the development objectives of the city through more intense use of existing structure for housing, and green objectives by reducing reliance on motor vehicles.
4. Yes. The variance is a minor adjustment for parking that does not increase any burden on public space. Eliminates need to destroy pre-existing living space to unnecessarily add additional parking space