



City of Biggs  
 Planning Department  
 465 C Street  
 P.O. Box 1134  
 Biggs, CA 95917

# Application for: Variance

## Applicant

Applicant:	Daytime Phone:	
Street Address:		
City:	State:	Zip:

## Property Owner

 Check box if same as applicant

Name:	Daytime Phone:	
Address:		
City:	State:	Zip:

## Property Location

Address of Subject Property:	
Assessor's Parcel Number(s):	Size (Acres or Sq. footage):
Present City Zoning:	General Plan Designation:

## Project Information

Describe the Request (Applicant must also provide information to support findings necessary to grant variance by completing attached Variance Justification Narrative form.)

Answer all that apply:  
 Day and Hours of Operation: \_\_\_\_\_ No. of Employees: \_\_\_\_\_  
 Number of Off-street Parking Spaces Proposed: \_\_\_\_\_

I hereby certify that this application and all other documents submitted are true and correct to the best of my knowledge and belief. I also certify that I am the owner of the above property or have attached the owner's written consent to file this application (Before signing, see note on page 2 of this application.)

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

## For Office Use Only

Submittal Information Application received by: _____ Date: _____	Planning Commission Action: Approved _____ Denied _____ Date _____ Vote _____
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Fees: Receipt No. _____	Application Fee \$ _____ Environmental Review \$ _____ Total Fee \$ _____	City Council Action: Approved _____ Denied _____ Date _____ Vote _____ Resolution No. _____
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### Requirements for a Variance Application

The following items are **required** for a complete application:

- Completed and Signed Application Form
- Variance Justification Narrative
- Completed Variance Justification Narrative
- 8 1/2" X 11" Site Plan of Proposed Development (indicate dimensions and all information pertinent to the proposed project, including existing and proposed structures, parking and other relevant features)
- Application and Environmental Fees

Additional information may be required to determine if significant adverse environmental impacts could result from the proposal.

### Time Limits

Pursuant to California Code Sections 65943 and 65950, the City has 30 days from the date of submittal to determine if an application is complete and six months from the date of acceptance of a complete application to take final action when a negative declaration is prepared.

If an Environmental Impact Report is required, the time limit is 90 days after certification of the EIR.

Any required public hearing must be held at least 60 days prior to the expiration of the time limit.

### Notice of Pending Amendments

Pursuant to California Government Code Section 65945, et seq., an Applicant can make a written request to receive notice of any pending amendments to: the General Plan, Specific Plans, the land use regulations, ordinances affecting building permits, or to regulations pertaining to development permits, if the amendment is reasonably related to the Applicant's project.

### Note

By signing the front of this application form, the applicant is indicating that the project site is not included on any state or local list of hazardous waste sites compiled pursuant to California Government Code Section 65962.5, as amended in January 1996.



**SITE PLAN CHECKLIST**

Applies	Doesn't Apply	Item
<input type="checkbox"/>	<input type="checkbox"/>	Vicinity map
<input type="checkbox"/>	<input type="checkbox"/>	Map/Drawing Scale / North arrow
<input type="checkbox"/>	<input type="checkbox"/>	Property lines
<input type="checkbox"/>	<input type="checkbox"/>	Dimensions of property lines, acreage and setbacks
<input type="checkbox"/>	<input type="checkbox"/>	Adjacent streets, alleys and properties
<input type="checkbox"/>	<input type="checkbox"/>	Existing features: structures and size, landscaping, utility poles, hydrants, street lights, trees (note whether to be retained or removed)
<input type="checkbox"/>	<input type="checkbox"/>	Footprint and location of new structures
<input type="checkbox"/>	<input type="checkbox"/>	Walkways
<input type="checkbox"/>	<input type="checkbox"/>	Parking stalls, driveways and dimensions (including handicapped stall and ramp as applicable)
<input type="checkbox"/>	<input type="checkbox"/>	New landscaping: perimeter and interior
<input type="checkbox"/>	<input type="checkbox"/>	Fence locations and height
<input type="checkbox"/>	<input type="checkbox"/>	Trash areas with screening
<input type="checkbox"/>	<input type="checkbox"/>	Location of utility company transformer boxes, fixtures, etc.
<input type="checkbox"/>	<input type="checkbox"/>	Bicycle racks/storage facilities
<input type="checkbox"/>	<input type="checkbox"/>	Street address/Assessor's Parcel Number(s)
<input type="checkbox"/>	<input type="checkbox"/>	Name of Applicant
<input type="checkbox"/>	<input type="checkbox"/>	Project title
<input type="checkbox"/>	<input type="checkbox"/>	Calculations: lot size, floor area, number of parking stalls, landscaped area, lot coverage, parcel size/area
<input type="checkbox"/>	<input type="checkbox"/>	Delineation of phasing, when applicable
<input type="checkbox"/>	<input type="checkbox"/>	Other appropriate information

### **VARIANCE JUSTIFICATION NARRATIVE**

Each zoning classification and land use has an associated set of development standards which are specified in the Biggs Municipal Code. The Code also establishes a procedure to grant variances from these standards where unique circumstances exist to warrant relief from the strict application of these standards.

A variance can be granted only if specific findings are made to indicate that unique circumstances do, in fact, exist. These special circumstances may include factors such as the size, shape, topography, location, and surroundings of a piece of property.

The Courts have clearly indicated that variances are not intended to rewrite the City Code and can only be granted if all of the findings listed below are made. Further, the Courts have indicated the actual factual basis for these findings must be stated.

#### **Note to Applicant:**

Please do **not** apply for a variance unless you can provide the necessary factual basis to grant the requested variance by making **all of the required Findings below**. All necessary application fees are non-refundable.

#### **Findings:**

Pursuant to Biggs Municipal Code section 14.70.030 – Decision and Findings - The planning commission may approve or conditionally approve a variance only when it finds, based on the evidence presented in the application and at the hearing that:

- (1) There are exceptional or extraordinary circumstances or conditions applying to the shape, size and topography of the property referred to in the application which do not apply generally to other properties in the same district;
  
- (2) The granting of the application is necessary for the preservation and enjoyment of substantial property rights possessed by other property in the same vicinity and zone denied to the property in question;
  
- (3) The granting of such application will not be materially detrimental to the public welfare or injurious to property or improvements in the vicinity;
  
- (4) The variance will be in general harmony with this title and the city of Biggs general plan;
  
- (5) Where a specific plan is applicable to the site, that the proposed use is consistent with the specific plan.