



## VARIANCE APPLICATION INSTRUCTIONS

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**This application must be prepared and submitted by a Registered Civil Engineer,  
Licensed Land Surveyor, Licensed Architect or Professional Planner**

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### IMPORTANT NOTICE TO ALL APPLICANTS FOR A VARIANCE

To assure the most rapid processing of your application, we ask your cooperation in the following matters:

1. In order to be processed, your application must be complete. Planners have been instructed not to accept incomplete applications. If you are unable to provide required information, please talk to a planner to determine a proper course of action.
2. You must supply an accurate plot plan drawn to scale and reproducible, use bar scale. (See sample map, last page.) Show all proposed parcels and all other relevant information.

You must provide an accurate distance to the nearest 1/10 mile to the nearest readily identifiable road intersection or another common landmark.

3. Lot Flagging

You must flag the frontage and side lines of your proposed land division as follows:

- A. A distinct flag must be placed on each corner as it fronts on the road.
  - B. Flags must be placed on the side lines visible from the corners so that the approximate side lines can be determined. If you do not flag the lot and you haven't decided to meet on-site with City officials and your lot configuration cannot be determined, your application will be continued at the Planning Commission meeting.
4. **YOU ARE RESPONSIBLE FOR PROVIDING SUFFICIENT INFORMATION TO THE CITY TO ALLOW PROPER REVIEW OF YOUR APPLICATION. IF YOU ARE UNABLE OR UNWILLING TO SUPPLY ADEQUATE INFORMATION YOUR APPLICATION WILL, OF NECESSITY, BE DENIED.**
  5. All information required in the attached application form must be TYPED OR PRINTED NEATLY in black ink.
  6. Acceptance of your application by the Planning Department does not guarantee your application will be approved. Nothing stated to any person by any employee in City government can be construed in any way as speaking for the Planning Director, Planning Commission or City Council about your application.

## VARIANCE

### 1. **WHAT IS A VARIANCE?**

Each zoning classification within the City establishes specific development standards such as setbacks or building height. There are occasions, however, when the strict application of such standards may be inappropriate because of special characteristics of the property. The Variance procedure is 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 which prevent the property from being used to the extent intended by the zoning. Under the law, Variances are granted in general if the following conditions exist:

- a. There are exceptional or extraordinary circumstances or conditions applicable to the property, structure, or use referred to in the application, including location, shape, size, surroundings, or topography which do not apply generally to property, structures, or uses in the same zoning district, so that the strict application of this code denies the property owner privileges enjoyed by other property owners in the vicinity and under an identical zoning district.
- b. Granting the Variance is necessary for the preservation and enjoyment of substantial property rights.
- c. Granting the Variance does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel.
- d. Granting the Variance does not result in special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district in which the property is located.
- e. Granting the Variance will not, under the circumstances of the particular case, be materially detrimental to the public interest, health, safety, convenience, or welfare of the city or injurious to the property or improvements in the vicinity and zoning district in which the property is located.

### 2. **WHAT ARE THE REQUIREMENTS FOR A VARIANCE APPLICATION?**

A variance from the terms of the City ordinance shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of city code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. If this variance request also involves separate Health Department approval, you must obtain same prior to submitting this petition to the Planning Department.

Any variance granted shall be subject to such conditions as will assure that the adjustment, thereby authorized, shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

### 3. **HOW DO I OBTAIN A VARIANCE?**

To start the process to obtain a variance, a completed application must be submitted to the Planning Department. Variance applications are available in the City Planning Department. The application must be filled out by a Registered Civil Engineer, Licensed Land Surveyor or other professional as listed on the front of the application. The property owner must sign the application and have the signature notarized. The application is reviewed by the Planning Department, and either approved or denied by the Planning Director, the Planning Commission, or the City Council, depending on the variance requested. A planner can advise you which review will be required.

### 4. **WHAT KIND OF INFORMATION MUST I PROVIDE ON THE APPLICATION FORMS?**

Basic information is requested such as name, address, location, Assessor's parcel number, access, square footage or acreage of the parcel and existing utilities. You are also asked to describe your proposed use, provide photographs of the property, a location sketch and a full plot plan showing everything that exists on the parcel (buildings and uses, parking area, driveways, setbacks, lot dimensions) and the specific variance location and improvements including signs, exterior lighting and landscaping. Please give the dimensions of the requested setback, side yard, frontage or lot size variance. These requested dimensions should be shown on the plot plan.

5. **HOW MUCH WILL THIS COST?**

A variance is subject to certain processing fees. Engineering and planning consultant fees are assessed on a per hour basis. An initial fee, based on an estimated number of hours for the individual project will be determined at the start of the project, and must be paid by the applicant in addition to the application fee prior to commencement of the application process.

Environmental notices require posting and at the time of application a check in the amount of \$50.00 made payable to Siskiyou County Clerk must be submitted to the County Clerk upon approval of your project. Other environmental fees may apply.

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A \$30.00 incomplete application re-review fee is required upon resubmitting a revised application. Applicants must provide stamped envelopes for the mailing of the notices to surrounding property owners. The number of envelopes necessary will be determined by the Planning Department and reported to the applicant.

6. **HOW LONG WILL THIS TAKE?**

The process can take from 30 to 90 days, depending on the variance requested and on when the application is accepted for processing by the Planning Department. The City has 30 days to determine if the application is complete for processing.

7. **WHO REVIEWS AND WHO APPROVES THIS APPLICATION?**

The Planning Department reviews the application for completeness and mails it out for review by any interested agency; e.g., Fire, Police, and Public Works Departments. The hearing date is scheduled and notice to all neighbors within 300 feet of the parcel perimeter is provided. The application is then reviewed by the Planning Director or brought before the Planning Director or brought before the Planning Commission or City Council for public hearing, for consideration of approval, conditional approval or denial.

8. **WHEN WILL THE VARIANCE BECOME EFFECTIVE?**

If approved, the variance will become effective following the 10-day appeal period. Appeals on Planning Director approved variances are made to the Planning Commission. Appeals on variances approved by the Planning Commission are made to the City Council. The variance shall not have any force or effect until the permittee acknowledges receipt and acceptance of the variance conditions if any.

If not used, the variance becomes null and void in one year from date of approval.



**CITY OF WEED**  
P. O. Box 470, Weed, CA 96097  
530.938.5020  
530.938.5096 (FAX)

APN \_\_\_\_\_

PROJECT NO. \_\_\_\_\_

**Variance Application**  
(Print or Type in Black Ink Only)

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- |  |  |
|--|--|
| <ul style="list-style-type: none"><li>0 Conditional Use Permit \$150</li><li>0 Architectural Review / Design \$100</li><li>0 Subdivision (4 or Less) \$200*</li><li>0 Subdivision (5 or More) \$500*</li><li>0 Zone Amendment \$160</li><li>0 General Plan Amendment \$500</li><li>0 Home Occupation Permit \$75</li><li>0 Sign \$75</li></ul> | <ul style="list-style-type: none"><li>o Special Animal Permit \$25</li><li>o Second Dwelling Unit \$150</li><li>o Boundary / Lot Line Adjustment \$100</li><li>o <b>Variance \$150</b></li><li>o Tree Cutting Permit – Residential \$25 / Commercial \$75 / Home Firewood \$0</li><li>o If not listed, check with Planner for fees and description</li></ul> |
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In addition to the above fees, applicants shall be required to reimburse the City of Weed for any additional costs of issuing permit, including but not limited to, extraordinary fees for legal counsel and/or consultant costs.

\* Engineering and planning consultant fees are assessed on a per hour basis. An initial fee, based on an estimated number of hours for the individual project will be determined at the start of the project, and must be paid by the applicant in addition to the application fee prior to commencement of the application process.

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**VARIANCE APPLICATION**

**OWNER AND REPRESENTATIVE:**

**A. Landowner**

- 1. Name: \_\_\_\_\_
- 2. Address: \_\_\_\_\_
- 3. Phone Number: \_\_\_\_\_

**B. Representative**

- 1. Name: \_\_\_\_\_
- 2. Address: \_\_\_\_\_
- 3. Phone Number: \_\_\_\_\_

**LOCATION:**

- A. Township \_\_\_\_\_, Range \_\_\_\_\_, Section(s) \_\_\_\_\_
- B. Zoning \_\_\_\_\_ Deed Reference: \_\_\_\_\_
- D. Date property purchased: \_\_\_\_\_
- E. Assessor's Parcel Number(s) of properties to which this application applies:  
\_\_\_\_\_

**F. Location Detail:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

-----ATTACH A COPY OF YOUR GRANT DEED TO THIS APPLICATION-----

1. Specify what variance is being requested and why. For example, the variance is to a road setback, height limits, property line setback, depth to width ratio, etc., and why.  

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2. Variance applications shall be made stating fully the grounds for such request, and showing that:
  - A. There are special circumstances or conditions affecting the property such that the exception would not constitute a grant of special privilege:  

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  - B. Because of the unusual size, shape, topography, location, and surroundings, the strict application of the provisions of this chapter would deprive the property of privileges enjoyed by other property in the vicinity:  

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  - C. The granting of the exception would not be injurious to other properties in the vicinity or detrimental to the public interest:  

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  - D. Unnecessary hardships or results inconsistent with the purposes of the zoning chapter would result through the strict and literal interpretation and enforcement of the provisions of the Code.  

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3. **LOCATION MAP AND VARIANCE PLOT PLAN** (drawn to scale): Include exact distances between property boundaries and right-of-way centerlines and existing or proposed structures. Show all information (#1-8) requested on Plot Plan (sample attached).
4. **RADIUS MAP** (sample attached)

5. **PROPERTY OWNER SIGNATURE:**

I hereby certify that the facts, statements, and information presented within this application form are true and correct to the best of my knowledge and belief. I hereby understand and certify that any misrepresentation or omissions of any information required in this application form may result in my application being delayed or not approved by the City. I hereby certify that I have read and fully understand all the information required in this application form including the important notice to all applicants, which is contained on the first page of this application. I certify that I have read and understand Chapter(s) 12.04, 17.12, and 18.32 of the Weed Municipal Code regarding Variances.

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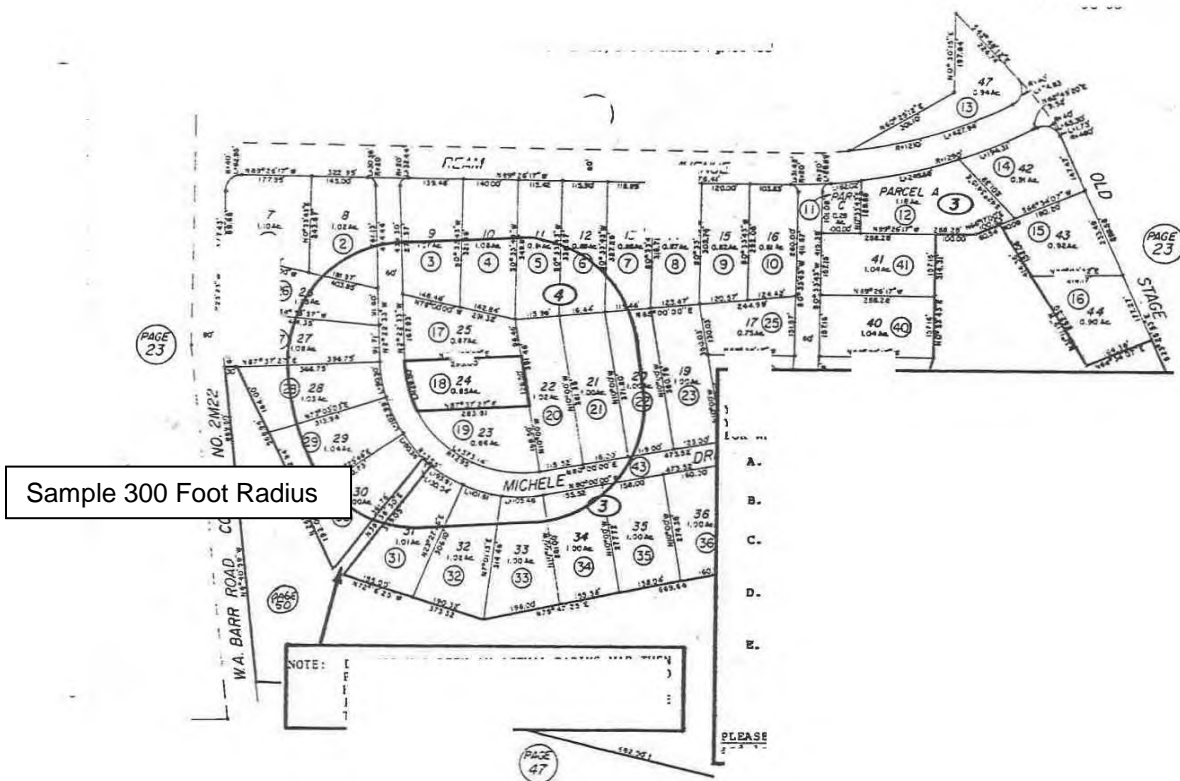
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Signature of Owner(s)

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Address



### 300 Foot Radius Map Specifications.

Current Assessor's Parcel Maps **MOST** be used for the 300-foot Radius Map

Label all streets, highways, alleys, easements and rights-of-way.

Please supply this department with a **PLAIN, BLANK**, stamped, legal size envelope for each parcel within 300 feet of the subject property.

On parcels served by private easements, a list of parcel numbers (as reflected on current Assessor Parcel Maps) and stamped envelopes for all parcels contiguous to the easements between the parcel and the nearest public road **MUST** be furnished.

**NOTE:** The 300 Radius Map is in addition to the Plot Plan and location map required for this application.

**YOU ARE REQUIRED TO SUBMIT A COUNTY ASSESSOR'S PARCEL MAP SHOWING YOUR PROPERTY LOCATION AND EACH PARCEL WITHIN 300 FEET OF THE PROPERTY FOR WHICH YOU ARE SUBMITTING THIS APPLICATION.**

### EXAMPLE OF PLOT PLAN

