



# ADMINISTRATIVE ADJUSTMENT FOR PATIOS IN R-1(SL) ZONES

PLANNING DIVISION  
COMMUNITY DEVELOPMENT DEPARTMENT  
5111 BENITO STREET, P.O. BOX 2308, MONTCLAIR, CA 91763  
(909) 625-9477  
www.cityofmontclair.org

Case No. \_\_\_\_\_

Applicant(s) \_\_\_\_\_

Phone (     ) \_\_\_\_\_

Address \_\_\_\_\_

City/Zip \_\_\_\_\_

Subject Property Address (if different) \_\_\_\_\_

Subdivision/Tract Name \_\_\_\_\_

APN \_\_\_\_\_

Zone \_\_\_\_\_ Lot dimensions \_\_\_\_\_ Lot area \_\_\_\_\_ s.f. Corner lot? \_\_\_\_\_

Building square footage \_\_\_\_\_ No. of stories? \_\_\_\_\_ Year dwelling constructed \_\_\_\_\_

Alley access? \_\_\_\_\_ Any freestanding structure, garage, pool/spa, etc. presently located or being proposed in the rear yard? (If "yes," please describe) \_\_\_\_\_

Net area of outdoor open space behind front setback line \_\_\_\_\_ s.f.

## **DESCRIPTION OF PROPOSED PATIO ENCROACHMENT**

Type of patio (wood/solid roof, wood/trellis roof, aluminum, etc.) \_\_\_\_\_

Enclosed? \_\_\_\_\_ Patio setbacks @ side yard(s) \_\_\_\_\_ @ rear yard \_\_\_\_\_

Comments \_\_\_\_\_

## **SUBMITTAL REQUIREMENTS**

- ❖ Complete this application form.
- ❖ Prepare 3 copies of a scaled plot plan and elevation drawing of the proposed patio on sheets no larger than 11"x17" in size. Please indicate all relevant dimensions and building materials on the proposed patio and its relationship to the existing dwelling, property line fences, and other improvements such as pool, spa, tool shed, gazebo, or other detached, accessory structures. Also show utility easements, if applicable.
- ❖ Obtain signatures of all abutting property owners, consenting to this patio encroachment request.
- ❖ Submit all of the above along with a non-refundable filing fee of \$25.00 to the Planning Division during regular counter hours.

## **Signatures of Abutting Property Owners of Record**

I hereby understand the aforementioned information on this application and do not object to this administrative adjustment.

	Name	Address	Signature
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____

**Findings**

No administrative adjustment will be granted unless the Director of Community Development makes the following four (4) findings:

1. Because of special circumstances applicable to the subject property, the strict application of the zoning provisions is found to deprive the subject property of privileges enjoyed by properties in the vicinity under an identical zoning classification.
2. That such an administrative adjustment is necessary for the preservation and enjoyment of a substantial property right enjoyed by other property owners in the vicinity and under an identical zoning classification.
3. That the granting of the administrative adjustment will not be materially detrimental to the public welfare.
4. That the granting of the administrative adjustment is not contrary to the adopted General Plan.

**Conditions of Approval**

If an administrative adjustment is granted, Section 11.76.060.B of the Montclair Municipal Code allows the Director of Community Development to impose appropriate conditions of approval and performance standards to ensure that the patio will not be detrimental to the public safety or welfare, and will present an attractive appearance so as not to degrade property values of adjoining properties.

I hereby certify that all of the information contained herein, including all attached drawings and supporting documents, are true and accurate to the best of my knowledge, and that consent (or the lack of such consent) by abutting property owners will not necessarily result in final approval or disapproval of this request, or the issuance of a building permit by the City. Further, I have read and understand this entire application and fully agree to abide by the conditions of approval as may be imposed by the Director of Community Development.

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

\_\_\_\_\_  
Date

***PERMIT FEE: \$150.00***

APPROVED

DENIED by: \_\_\_\_\_

Date: \_\_\_\_\_

**CONDITIONS OF APPROVAL**

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**CASHIER VALIDATION**