

The **Land Development Application** form must be completed and accompany the following Planning applications:

- Conditional Use Permit
- Design Review – Minor Alterations
- Design Review – Major Additions
- Design Review – New Residences
- Lot Line Adjustment
- Minor Subdivision
- Precise Development Plan
- Precise Development Plan Amendment
- Tree Permit
- Secondary Dwelling Unit
- Sign Permit
- Variance
- Water Well

Additional information and other necessary forms for these Planning applications are available on the Town of Tiburon website under the **SERVICES** heading by clicking on the link to **FORMS**.



COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division (415)-435-7390
www.ci.tiburon.ca.us

APPLICATION FOR VARIANCE

A Variance is a form of regulatory relief available when a strict or literal application of zoning development standards would result in practical difficulties or unnecessary physical hardships for an applicant. These difficulties and/or hardships must be caused by physical conditions on, or in the immediate vicinity of, a site. Please refer to Section 16-4.3 of Chapter 16 (Zoning) of the Tiburon Municipal Code for additional information regarding Variances.

WHAT VARIANCE(S) ARE YOU REQUESTING?

<u>Condition</u>	<u>Zoning Requirement</u>	<u>Existing Condition</u>	<u>This Application Proposes</u>	<u>Magnitude Of Variance Requested</u>
Front Yard Setback	_____	_____	_____	_____
Rear Yard Setback	_____	_____	_____	_____
Left Side Yard Setback	_____	_____	_____	_____
Right Side Yard Setback	_____	_____	_____	_____
Lot Coverage	_____	_____	_____	_____
Height	_____	_____	_____	_____
Parcel Area Per Dwelling Unit	_____	_____	_____	_____
Usable Open Space	_____	_____	_____	_____
Parking	_____	_____	_____	_____
Expansion of Nonconformity	_____	_____	_____	_____
Other (Please describe):	_____			

REQUIRED FINDINGS

The Tiburon Municipal Code, Chapter 16 (Zoning), Section 16-4.3.5) and California State law (Government Code Section 65906) require that specific findings be made prior to granting of a variance. These findings must be supported by evidence presented to the decision-making body prior to granting of the variance.

Please respond to the following statements and describe or attach any evidence supporting your answers. Please prepare your responses on a separate sheet.

1. Describe what special circumstances apply to the property (such as size, shape, topography, location, or surroundings) that cause a strict application of the zoning regulations to deprive you of privileges enjoyed by other properties in the vicinity and same or similar zone.
2. Explain how granting of the variance would not result in a special privilege that is inconsistent with limitations on other properties in the vicinity and in the same or similar zone.
3. Explain how the strict application of the zoning regulations would result in practical difficulty or unnecessary physical hardship. Self-created hardships shall not be considered.
4. Explain how granting of the variance would not be detrimental to the public welfare or injurious to other property in the vicinity.

APPLICATION REQUIREMENTS

The following materials shall be required for a complete variance application. Some of these items may be waived if deemed unnecessary by Planning Division staff:

- (A) A completed Land Development Application along with the filing fee (See Fee Schedule).
- (B) Ownership, applicant and property identification:
 - (1) Names and addresses of all persons who own an interest in the subject property and identification of the interest (option, fee title, Trustee, etc.). Also include four sets of pre-printed mailing labels containing the name and current mailing address of the applicant, property owner, and representative (if any).
 - (2) Names and addresses of all representatives of the owners authorized to represent the project to the Town
 - (3) A legal description of the parcel and a statement of the area contained therein.

(4) A recent title report verifying the description and vestees.

(C) Plans and Drawings:

(1) Two full size and fourteen (14) reduced copies (11" x 17") of a site plan showing property lines, setbacks, building coverage, dimensions of the lot, contours at intervals of not more than five feet, location and elevations of all existing and proposed streets, driveways, pedestrian walks, off-street parking and loading facilities, signs, existing and proposed landscaping and major view angles for the subject and adjacent properties. The location of all easements or other encumbrances on the property shall be shown.

(2) Two full size and fourteen (14) reduced copies (11" x 17") of elevations showing existing and proposed building and building heights, exterior treatments, color and materials.

(3) Two full size and fourteen (14) reduced copies (11" x 17") of architectural floor plans showing all rooms, sizes, uses, and floor elevations. In addition, a roof plan and all connections to existing structures should be shown.

(4) Two full size and fourteen (14) reduced copies (11" x 17") of site cross sections showing through critical points the existing and proposed grade, floor elevations, and view angles from adjacent structures.

NOTE: The two full size plans must be signed by a registered architect, engineer, or building designer. If the boundaries of the property are uncertain, a survey may be required.

(D) Environmental Information and Fees:

(1) An Environmental Data Submission (unless the project is exempt) (See Environmental Review Handout).

(2) Initial Study/Negative Declaration Fee (Unless the project is exempt) (See Fee Schedule).