



Variance Submittal Requirements

GENERAL REQUIREMENTS:

- 1. The Uniform Development Application must be typed or printed and filled in completely.
 - a. If the applicant is not the property owner, the property owner shall designate the applicant as the authorized agent to act on his or her behalf and both shall sign this application.
- 2. Completed **Variance Questionnaire**.
- 3. Financial Interest Disclosure Form.
- 4. Environmental Information Form if required as determined by the Planning Division per the California Environmental Quality Act. (not all Variances require this form, please inquire).
- 5. Evidence of property ownership, e.g. deed, title insurance policy.
- 6. Plans:
 - a. Thirty (30) sets of site plans (see Site Plan Requirements).
 - b. Two (2) sets of floor plans and building elevations. (See Elevation Requirements).
 - c. Size: sheets not less than 18" X 24", nor greater than 32" X 42" in size.
 - d. All plans shall be folded to a size of approximately 8½" X 11". *Plans will not be accepted for filing unless folded.*
 - e. Six (6) sets of plans reduced to 8½" X 11" and ten (10) sets reduced to 11" X 17".
 - f. One (1) set provided in electronic format on CD or DVD, AutoCAD or .jpg format.
- 7. Photographs of the project site and surrounding properties where needed to illustrate existing and proposed development.
- 8. All applicable filing fees (see adopted fee schedule).

SITE PLAN REQUIREMENTS-VARIANCE

The Modesto City Board of Zoning Adjustment requires that all applications for variances must be accompanied by site plans. The site plan is a part of the application and becomes part of the official record. It is usually reduced photographically and included in the agenda report. It is, therefore, necessary that the plan contain complete and clear graphic information relative to the application to assist the public, City staff, and Board of Zoning Adjustment in reviewing the proposal.

The site plan need not contain final construction details, but shall accurately show the location of existing and proposed on-site and off-site improvements and their relationship to streets and alley lines, property lines, and adjacent development where pertinent. The site plan must be legible and its information organized so that it is readily understandable. Additional information may be necessary under the circumstances of a particular application. In general, however, the site plan should be prepared in accordance with the following requirements:

I. Simpler applications (most single-family applications) will require the following information:

- 1. A legend including at least the following information:
 - a. Assessors parcel number
 - b. Address
 - c. Building and paved area coverage area and percent
 - d. Landscaping area and percent
- 2. Scale, north point, and date. (Plans shall be drawn to a scale sufficient to show required details).
- 3. Vicinity map.
- 4. Depict variance location and nature.
- 5. Identification of all multi-story construction (height and number of stories).
- 6. Location of existing and proposed structures and improvements in relation to street, alley, or property lines.
- 7. Property dimensions and lot size.
- 8. Building square feet and dimensions.
- 9. Setbacks.
- 10. For projects involving redesign of existing development, the site plan(s) must clearly show both the existing and proposed development.
- 11. Location and nature of proposed landscaping, and if landscaping is proposed to be used for storm drain treatment.
- 12. Location and detail nature of proposed walls, fences, or other screening structures.
- 13. For colored display plans, at least the following should be distinguished in color: buildings, landscaped areas, vehicular areas (parking and driveways).
- 14. Land uses and location of adjacent buildings on surrounding properties.
- 15. Location of all areas adjacent to inundation or storm water overflow and the location, width and direction of flow of all watercourses. If any portion of the site is within the 500-year flood zone or any floodway, depict flood zone/floodway boundaries on plan.

II. More complex applications may require the following information, please consult with a planner:

- 1. Area of parking lot, number of parking spaces.
- 2. Fire access turning radii.
- 3. Locations of all existing and proposed driveways on the project site and the location of all driveways on adjacent properties within 100' of the proposed project, and properties on the opposite side of all streets.
- 4. Layout of existing and proposed parking areas and driveways with pertinent dimensions including Driveway widths, location, and throat depth.
- 5. Size and location of trash enclosures, including provision for recyclables.
- 6. Names, existing widths and centerlines of all adjoining and contiguous streets, width of adjacent streets from centerline to edge of property line, and distance of property to nearby street intersections (if property is located mid-block).

- 7. Location and character of all existing and proposed street improvements, including curb and gutter, and sidewalk.
- 8. Identify traffic improvements needed as a result of the proposed project.
- 9. Existing and proposed street and alley lines, property lines, property dimensions and easements with pertinent dimensions. Indicate any grade differential between adjacent properties, alleys, or streets.
- 10. Existing traffic signals, traffic signs, and pavement markings adjacent to and 250' on either side of the proposed development.
- 11. Sufficient elevations or contours to determine the general slope of the land and the high and low point thereof where storm drain facilities are proposed. Elevation data for proposed and existing street improvements sufficient to establish vertical alignment.
- 12. Location and size of existing and proposed infrastructure, including sewer, water and storm drain lines in adjacent streets.
- 13. City limit boundary lines in the general vicinity of the project.
- 14. Sight line diagrams/analysis (multi-story construction adjacent to residences)

ELEVATION REQUIREMENTS-VARIANCE

- 1. Building elevations shall conform to the following requirements:
 - a. Dimension height of all structures from the highest adjacent curb to the top of slab and to the roof peak on all elevations.
 - b. Building elevations shall depict all sides of building and indicate colors and materials proposed.

Submittal Requirements for Revised Plans (after City has accepted the application and deemed it complete)

Submittals of revised plans shall include the following:

- 1. All changes shall be designated by deltas or clouds on the revised plans.
- 2. Notes describing all changes made to the plan, keyed to the deltas or clouds.
- 3. The date that the revisions were made.

Failure to include the above requirements on revised plan will be grounds for rejecting revised plans.

FOR YOUR INFORMATION: Staff may deem additional submittal information necessary to adequately analyze the project, complete environmental review for the project, or make recommendations to the Planning Commission, Board of Zoning Adjustment or City Council. Completion of the application does not presume approval nor staff support of the application. Such approval is discretionary with the Director, Board of Zoning Adjustment, Planning Commission, and/or City Council. The Board of Zoning Adjustment, Planning Commission, or City Council may deny, modify, or conditionally approve the application.

All entitlement decisions of the Planning Commission or Board of Zoning Adjustment are final unless appealed within fifteen (15) days of the date on which the decision is made. The appeal shall be in writing and filed with the City Clerk. The appeal must set forth the specific reasons for the appeal. All applicable fees must accompany appeals. Building permits, certificates of occupancy, or licenses will not be issued until the appeal period has elapsed. If the entitlement decision is appealed, building permits, certificates of occupancy, or licenses will not be issued until the final decision has been made on the appeal or the appeal is withdrawn.

Please note that for applications involving both discretionary approvals (such as rezonings and specific plan amendments) and quasi-judicial approvals (such as tentative subdivision or parcel maps), the quasi-judicial application cannot be scheduled for a public hearing until the discretionary application has been approved by the City Council and becomes effective (for actions requiring adoption of an ordinance, such as a rezoning, the action becomes effective 30 days after the second reading of the ordinance).