



## **Variance Submittal Requirements**

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### **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. Twenty (20) 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 11" X 17", 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. 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 may be required to illustrate site conditions.
- 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. Residential variances will require the following information:**

- 1. A legend including at least the following information:
  - a. Assessors parcel number
  - b. Address
  - c. Building and parking area
- 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, existing and proposed.
- 9. Setbacks.
- 10. For projects involving redesign of existing development, the site plan(s) must clearly show both the existing and proposed development.
- 11. If any portion of the site is within the 100-year flood zone or any floodway, depict flood zone/floodway boundaries on plan.

**II. For Non-Residential Variances, please see the Development Plan Review Submittal Requirements**

**ELEVATION REQUIREMENTS-VARIANCE**

- 1. Building elevations shall conform to the following requirements:
  - a. Dimension height of all structures.
  - b. Building elevations shall depict all sides of building.

**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 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 Board of Zoning Adjustment, and/or City Council. The Board of Zoning Adjustment, or City Council may deny, modify, or conditionally approve the application.

All entitlement decisions of the 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.

*In accordance with the requirements of Title II of the Americans with Disabilities Act ("ADA") of 1990, the Fair Employment & Housing Act ("FEHA"), the Rehabilitation Act of 1973 (as amended), Government Code section 11135 and other applicable codes, the City of Modesto ("City") will not discriminate against individuals on the basis of disability in the City's services, programs, or activities. For more information, please visit the City of Modesto website: <https://www.modestogov.com/865/Americans-with-Disabilities-Act-ADA>*