



Development Services Department • 69-825 Highway 111 • Rancho Mirage, CA 92270

Phone: 760-328-2266 • Fax: 760-324-9851

MAJOR VARIANCE APPLICATION

APPLICANT:

Mailing Address: _____ Phone: _____
City: _____ State: _____ Zip: _____ Email: _____
Fax: _____

LEGAL OWNER:

Mailing Address: _____ Phone: _____
City: _____ State: _____ Zip: _____ Email: _____
Fax: _____

REPRESENTATIVE/CONTACT PERSON:

Mailing Address: _____ Phone: _____
City: _____ State: _____ Zip: _____ Email: _____
Fax: _____

Please send correspondence to (check one) Applicant Property Owner Representative/Contact

BUSINESS LICENSE NUMBER (Required) _____
License Number Expiration Date

Project Address: _____ Name of Project: _____

Existing General Plan/Zoning: _____ Existing Land Use _____

Assessor's Parcel Number(s) _____ Acres/Sq.Ft. _____

Legal Description: _____

Project Summary: _____
(REQUIRED)

**Any false or misleading information shall be grounds for denial
If Not Legal Owner, Notarized Authorization From Owner of Record Must Be Attached.**

Wet Ink Signature _____ Print Name _____ Date _____

OFFICE USE ONLY

CASE NUMBER: VAR _____ RELATED CASE NUMBER: _____

FILING FEE: \$ _____ RECEIPT NUMBER: _____ CHECK NUMBER: _____

DATED SUBMITTED: _____ SUBMITTED TO: _____

Major Variance

The Community Development Department encourages all applicants to schedule a preliminary meeting with staff to review the proposed project prior to submittal of the application.

I. SUBMITTAL REQUIREMENTS

1. Application form completely filled out with all required signatures.
2. Application fees.
3. All required plans and exhibits as described in Section III.

Applications will not be accepted by mail, email or facsimile. All applications shall be submitted in person.

II. PROCEDURES

1. Submit a complete application with all required signatures, application fees, environmental assessment form, mailing labels and map (500' - 1000' radius) and exhibits as described in Section III.
2. Staff will review the application and determine if it is complete within 30 days from the date the project is submitted. The project applicant will receive a completeness letter stating that the project information has been determined sufficient for processing, or an incompleteness letter requesting corrections, clarification and/or additional information, which will provide the information necessary for staff, the Planning Commission and City Council to understand the application. **The application cannot be processed until all required submittal items are received.** Once the application is deemed complete, the project is circulated to other City Departments and local agencies for comments and conditions.
3. Once the project is deemed complete, if deemed necessary by staff, the project will be reviewed by the Architectural Review Board (meetings held on the 2nd and 4th Mondays at 12:30 p.m.) The Architectural Review Board may require revisions and additional review at a future meeting.
4. Once the project has been through the Architectural Review Board process, staff will prepare a written staff report and the project will be scheduled for Planning Commission review (meetings held on the 2nd and 4th Thursdays at 2:00 p.m.). A public hearing notice is mailed to property owners within the 500' – 1000' radius 15 days prior to the public hearing.
5. All Major Variances are also reviewed and approved by the City Council (meetings on the 1st and 3rd Thursdays at 1:00 p.m.) Staff prepares a written staff report and public hearing notices are mailed to property owners within the 500' – 1000' radius 15 days prior to the public hearing.
6. Once the project has been approved, an approval letter is sent along with the final Conditions of Approval to the applicant/property owner. This letter is required to be signed by the property owner(s) agreeing to the Conditions of Approval prior to issuance of any permits.

III. APPLICATION AND EXHIBIT CHECKLIST

A. INITIAL SUBMITTAL PRIOR TO PUBLIC HEARING

- ___ 1. Applicable fees.
- ___ 2. One completed application form, including wet ink signature(s) of property owner(s).
- ___ 3. Environmental Information form completed by applicant (form available at Planning Division).
- ___ 4. A written detailed project summary must be attached.
- ___ 5. All Plans shall contain a licensed architect's title block. As an alternative, a licensed architect's stamp and signature on each sheet will be accepted.
- ___ 6. Ten (10) copies fully dimensioned plans, drawn to scale, folded to 8 ½" x 11", showing the variance proposed.
- ___ 7. One 3" x 3" Vicinity Map.
- ___ 8. One copy of the preliminary title report(s).
- ___ 9. Three (3) sets of mailing labels for property owners within a 500-foot radius of the project. If the required 500 foot radius mailing list results in less than twenty-five properties, the mailing radius shall be increased to one thousand feet (1,000'). The labels need to include the assessor parcel number. Said labels shall be prepared and certified by a Title Insurance Company, Civil Engineer or surveyor. The applicant is responsible for the accuracy of the 500 or 1000-foot radius and address certification. An error may result in denial or continuance of the project by the reviewing authority. The list shall be prepared on 8 ½" x 11" sheets of self-adhesive labels.
- ___ 10. This application shall be accompanied by a Map showing every property within the radius of the subject property.
- ___ 11. A CD in low resolution **jpeg** format containing all plans and exhibits. Each **jpeg** file shall not be larger than 2,000kb. Please title each page.
- ___ 12. A photo essay is encouraged and may be required.
- ___ 13. Written documentation of compliance with the Findings noted below.
- ___ 14. A written discussion explaining the reason for the Variance.

Note: In an effort to assist applicants in reducing project costs and unnecessary paperwork due to incomplete or missing items in applications, we have devised a two tiered system for submitting project applications. By submitting A only, an applicant acknowledges that an insufficient quantity of exhibit copies have been submitted, and is permitted to submit the required quantity after completeness review and revisions.

B. SUBMITTAL REQUIREMENTS WHEN APPLICATION IS COMPLETE AND READY FOR REVIEW

Review by the Architectural Review Board

- ___ 15. Fifteen (15) copies 11" x 17" exhibit booklets in color that includes item #6 (reduced but legible)

Review by the Planning Commission and City Council

- ___ 16. Thirty (30) copies 11" x 17" exhibit booklets in color that includes item #6 (reduced but legible) **that include Architectural Review Board requested revisions.**

THE FOLLOWING FINDINGS NEED TO BE MET

- A. There are special circumstances applicable to the property, including location, shape, size, surroundings, or topography so that the strict application of this Ordinance denies the property of privileges enjoyed by other property in the vicinity and under identical zoning district classification;
- B. Granting the Variance:
 - 1. Is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zoning district and unavailable to the property for which the Variance is sought;
 - 2. Would not be detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and zoning district in which the property is located;
 - 3. Does not constitute a special privilege inconsistent with the limitations upon other property in the vicinity and zoning district in which the property is located;
 - 4. Does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel; and
 - 5. Would not be inconsistent with the General Plan and Specific Plan, if applicable.
- C. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA).

Any determination of action taken by the Planning Commission to approve or disapprove an application may be appealed to the City Council by the applicant, Rancho Mirage citizen, or any person having an interest. Appeals must be filed with the City Clerk on an application form with the appeal-filing fee within ten (10) days of the date of Planning Commission action. (Appeals cannot be filed if the City Council is the approving body.)