

VARIANCE

Before you file a request for a Variance, you must discuss your preliminary plans with one of the planners in the Community Development Department. In most cases, you must also complete the City's Environmental Assessment Questionnaire. Such an assessment is used to determine whether the project's impacts are sufficient to require a full Initial Study. You will be notified when the environmental assessment procedures have been completed and if further environmental analysis is required.

In completing the Variance application, you should take particular care in answering the "Burden of Proof" statements. In order for the Planning Commission to grant a Variance, it must make four findings. It is these findings to which the Burden of Proof statements refer:

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, which do not apply generally to other property in the same zoning district.
2. That such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the same zoning district.
3. That the granting of the variance will not be materially detrimental to the public welfare or injurious to property and improvements in the area in which the property is located.
4. That the granting of such a variance will not be contrary to the objectives of the General Plan.

Please direct your responses to questions #1, 2, 3 and 4 to these findings. If you have any questions about the Burden of Proof statements, please contact one of our staff members. It is very important that these questions be answered thoroughly and accurately; by doing so, you will enable the staff and Planning Commission to better assess the merits of your proposal.

When you are ready to file your application, make certain the entire application is completed and that you have all the required materials. This will allow us to process your application without unnecessary delay.

Submittal Requirements:

- Residential Planning Application, completed and signed by the property owner
- Burden of Proof Statements
- Three (3) copies of a site plan showing boundaries of the property all easements, all existing and proposed structures and improvements, and accurate contours of existing topographic conditions.
- Three (3) copies of elevations of all structures, including section drawings, indicating:
 - The maximum height of any proposed structure, measured from the highest point of existing grade covered by the structure to the ridge of the structure (including any roof

tiles, roof shingles or other proposed roof material), and measured from the finished grade adjacent to the lowest foundation to the ridge.

- If determined necessary by the Director, three (3) copies of a grading plan.

All plans must be assembled in complete sets and folded no larger than 9 1/2" X 14". If so desired by the applicant, only one copy of the site plan, elevation drawing and floor plan may be submitted as part of the initial application package. Once it is determined by the Director that the submitted plans contain all the necessary information described in this application, then the appropriate number of plans (12 copies) will be requested from the applicant. Three (3) reduced copies (no larger than 11" X 17") of all regular sized plans must also be submitted (Note: For applications that are to be reviewed by the Planning Commission, once the application has been deemed complete, you will be required to submit an electronic version of the plans).

- Two (2) copies of a "vicinity map", prepared to scale, which shows all neighboring properties within a **500 foot radius** of the subject property (applicant). The "Vicinity Map" must be prepared exactly as described in the attached instruction sheet.
- Two (2) sets of self-adhesive mailing labels and one (1) photocopy of the labels which list the property owner of every parcel which falls within a **500 foot radius** of the subject property (applicant). The name and address of every property owner (including applicant) and the local Homeowners' Association, if any, must be typed on 8 1/2" X 11" sheets of self-adhesive labels. The mailing labels must be keyed to the corresponding lots, as shown on the vicinity map described above. The property owners mailing list must be prepared exactly as described in the attached instruction sheet. If the property owners mailing list is not prepared by a Title Company or other professional mailing list preparation service, the applicant must sign and submit the attached "Certification of Property Owners Mailing List" form.
- Filing fee: \$4,209 plus a \$4 Data Processing Fee = **\$4,213**
In addition to the above filing fee, the following fee may be assessed if applicable:
\$18 Historic Data Entry Fee (one time fee per property)

Please remember that if all of these materials are not submitted, **the application cannot be accepted for filing.**

Once the application has been accepted, staff will evaluate your project in preparation for a public hearing before the Planning Commission. If staff determines that further information is necessary, you will be contacted. It is your responsibility to provide the additional information.

You will than be notified of the date of the public hearing on your project. Staff will prepare a report and recommendation to the Commission. It is important that you plan to attend the hearing so that you may answer any questions the Planning Commission may raise.

(More detailed information regarding variance is contained in Section 17.60 of the Rancho Palos Verdes Development Code.)

➤ Important ◀

- Notice: CC&R's are private restrictions or agreements. Therefore the City is not responsible for a property owner's compliance with any CC&R's that may govern their property and the City does not enforce private CC&R's. The City recommends that property owners review their title report to see if any CC&R's govern their property, and if so, consult such CC&R's prior to submittal of their application. Additionally, property owners should review their title report for any other private property restrictions (Deed Restriction, Private Easement, etc.) that may govern their property.

BURDEN OF PROOF STATEMENTS

1. Explain why the variance is necessary because of exceptional or extraordinary circumstances or conditions which are applicable to the property or to the intended use of the property, but which do not apply generally to other property in the same zoning district.

2. Explain why the variance is necessary for the preservation and enjoyment of a substantial property right which is enjoyed by other property owners under similar conditions in this zoning district. Be specific.

3. Granting this variance will not be materially detrimental to the public welfare or injurious to property and improvements in the area because:

4. Granting this variance will not be contrary to the objectives of the General Plan because:

**CITY OF RANCHO PALOS VERDES
INSTRUCTIONS FOR PREPARING A VICINITY MAP AND PROPERTY OWNERS LIST**

In order to satisfy public noticing requirements, certain planning applications require the submittal of a vicinity map and accompanying property owners list. The size of the vicinity map varies by application and may involve either adjacent properties, a 100' radius, or a 500' radius. Please check on the application form you are submitting for the vicinity map size you must submit.

With the exception of "Adjacent Properties" maps, a vicinity map and property owners list must be prepared by a Title Company or other professional mailing list preparation service. The mailing labels must be certified as accurate by the agent preparing the mailing list. Attached is a list of firms that provide services in preparation of vicinity maps and certified mailing labels. This is not intended to be an exhaustive list and the cost of the services provided will vary.

If you have any questions regarding properties of the vicinity map or property owners list, as described below, please contact a planner at (310) 544-5228.

VICINITY MAP

The purpose of the vicinity map is to clearly show all properties within the required radius of the subject lot (applicant). The vicinity map must clearly show the required radius line, dimensioned and drawn from the exterior boundaries of the subject lot, as shown below. All neighboring properties (including lots outside R.P.V. city limits) which fall completely within, partially within or are just touched by the radius line, must be consecutively numbered and the names and the addresses of the owners provided to the City as described below. Please devise your own consecutive numbering system on the map and ignore the lot number, Assessors number, or any other number already found on the lots on the vicinity maps. An "adjacent properties" vicinity map does not involve a set radius but rather needs to identify all properties behind, beside, and in front of the proposed project site, as shown below. The city's planning staff can provide the base map for preparing the vicinity map for a nominal charge. Applicants may also prepare their own maps, at a clearly marked scale of not less than 1" = 200'.

PROPERTY OWNERS MAILING LIST

The property owner of every parcel (even if vacant, rented or government owned), which falls completely or partially within the required radius on the vicinity map must be identified, placed on a mailing list and submitted to the City. The name and address of every property owner along with the assigned lot identification number, which corresponds to the vicinity map, must be neatly typed on 8 1/2" x 11 sheets of Xerox or Avery self-adhesive labels, as shown below. Two (2) sets of self-adhesive labels and a Xerox copy of the list must be provided to the City with your subject application. These labels will be used by the City to mail notice of your subject application to neighboring property owners. The property owners list must be obtained from the most current L.A. County Tax Assessor's roll. The City does not provide this service. The Assessor's office located at 500 W. Temple Street, Room 205, Los Angeles, CA 90012. Office hours are 8:00 am to 4:30 pm Monday-Friday. The telephone number is (213) 974-3441.

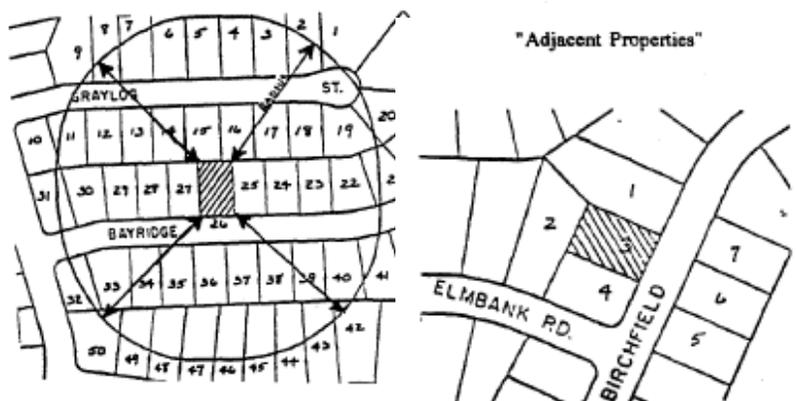
SAMPLE MAILING LABELS

Assigned Lot I.D. Number
Property Owner Name
Address
City, State, Zip Code

1
Harold Jackson
773 Graylog
RPV, CA 90275

2
Malcolm Hill
4117 Greenwood Meadow
Torrance, CA 90503

SAMPLE VICINITY MAPS



CERTIFICATION OF PROPERTY OWNERS' MAILING LIST

Application(s) _____

Applicant Name _____

Subject Property Address _____

Notice Radius Required _____

Number of property owners to be notified _____

I certify that the property owners' mailing list submitted with the application(s) listed above includes all of the persons listed on the latest adopted LA County Tax Roll as the legal owners (and if applicable occupants) of all parcels of land within _____ feet of the subject property noted above. I certify that the property owners' mailing list has been prepared in accordance with the City of Rancho Palos Verdes Development Code and "Vicinity Map Instructions Sheet." I also understand that if more than 20% of the notices are returned by the post office after mailing due to incorrect address information, or if the address information is not complete, that I will have to submit a new property owners' list that has been prepared and certified as accurate by a Title Company or other professional mailing list preparation service, and the project notice will have to be re-mailed.

Property Owner (Applicant) Signature

Date

Name (Please Print)

***Map Makers and Ownership Listing Services
that may prepare radius maps and mailing lists***

G.C. Mapping
711 Mission St., Suite D
So. Pasadena, CA 91030
(626) 441-1080
Attn: Gilbert Castro

JPL Zoning Services, Inc.
6263 Van Nuys Blvd.
Van Nuys, CA 91401-2711
(818) 781-0016
(818) 781-0929 (FAX)
Attn: Maria Falasca

Kimberly Wendell
P.O. Box 264
Los Alamitos, CA 90720
(562) 431-9634
(562) 431-9634 (FAX)

Nieves & Associates
115 So. Juanita Ave.
Redondo Beach, CA 90277
(310) 543-3090

NotificationMaps.com
23412 Moulton Parkway, Ste. 140
Laguna Hills, CA 92653
(866) 752-6266
www.notificationmaps.com
Attn: Martin Parker

Srouer & Associates, LLC
1001 Sixth Street, Suite 110
Manhattan Beach, CA 90266
(310) 372-8433
Attn: Elizabeth Srouer

Susan W. Case
917 Glenneyre St., Ste. 7
Laguna Beach, CA 92651
(949) 494-6105
(949) 494-7418

T-Square Mapping Service
969 So. Raymond Ave., Floor 2
Pasadena, CA 91105
(626) 403-1803
(626) 403-2972 (FAX)
Attn: Darla Hammond

Robert Vargo
5147 W. Rosecrans
Hawthorne, CA 90250
(310) 973-4619

City Radius Maps
300 E. Bonita #3641
San Dimas, CA 91773
(818) 850-3382
Attn: Robert Simpson

DENN Engineers
3914 Del Amo Blvd., Suite 921
Torrance, CA 90503
(310) 542-9433
maria@denn.com
Attn: Maria Islas