

# *Applicants Guide to Submitting* **VARIANCE APPLICATIONS**

## **PURPOSE:**

The Zoning Ordinance establishes specific criteria which govern development throughout the City. These criteria are referred to as **development standards** and may include, but are not limited to, requirements for site area, building site coverage, building height, building setbacks and landscape setbacks. Occasionally, the strict application of these standards may be inappropriate because of special circumstances which are applicable to a particular site. When this is the case, the property owner may request that the Planning Commission grant a Variance for their proposed property improvements.

Some examples of special or unique circumstances are an oddly configured lot, limited access to a site or a unique site topography. The Zoning Ordinance does not allow for consideration of a Variance based upon financial considerations or other extraneous concerns. The Zoning Ordinance requires the Planning Commission make two specific findings prior to approving a Variance. They are as follows:

1. **Special Circumstances**: There are special circumstances applicable to the subject building site which, when applicable zoning regulations are strictly applied, deprive the subject building site of privileges enjoyed by other property in the vicinity and subject to the same zoning regulations.
2. **No Special Privileges**: Approval of the application will not constitute a grant of special privileges which are inconsistent with the limitations placed upon other properties in the vicinity and subject to the same zoning regulations, when specified conditions are complied with.

It is imperative that the applicant provide written justification indicating how the project or request will meet the above findings. Variance applications are subject to the review and approval of the City's Planning Commission. A Planning Commission action on a Variance may be appealed to the City Council.

Variance applications may be submitted to the Community Development Department Monday, Tuesday and Thursday 8:00 a.m. to 6:00 p.m., Wednesday


8:00 a.m. to 11:45 a.m., and Friday 8:00 a.m. to 5:00 p.m. The Community Development counter is closed for lunch between 11:45 a.m. and 1:00 p.m.

## APPLICATION SUBMITTAL REQUIREMENTS:

The following information is required upon submittal:

1. Completed Variance application (including property owner approval signature).
2. Application Processing Deposit: **\$5,000**; Check Payable to: **City of Lake Forest** (per fee schedule established by City Council Resolution No. 2019-19). The fee for a project application is based on the actual costs associated with staff time and resources. If the costs of processing the application is less than the submitted deposit, staff will refund the remaining balance when the project is finalized. Should the cost of processing the application exceed the deposit, staff will require additional funds from the applicant.
3. Completed Orange County Fire Authority (OCFA) Service Request Form and application/plan review fee: **\$558**; Check Payable to: **Orange County Fire Authority**.\*
4. Notice of Exemption Administrative Filing Fee: **\$50**; Check Payable to: **Orange County Clerk-Recorder**. This filing fee is applicable to projects deemed exempt (by the City) from the provisions of the California Environmental Quality Act (CEQA).
5. Environmental Information form.\*
6. Letter of justification, explaining in detail the specifics of the Variance request and identifying how the Variance will meet the required findings of “special circumstances” and “no special privileges.”
7. Public hearing notification materials:

- a. One set of postage-stamped (not metered) envelopes addressed to property owners of record (as shown on the latest Orange County Tax Assessment rolls) of all parcels located within 300 feet of the parcel of the project site. If the parcel is part of a shopping center, the 300 foot radius should be measured from the perimeter of the entire shopping center. Please also include any parcels within the shopping center. As shown in the adjacent graphic, each envelope shall include the City’s return address

City of Lake Forest Planning Division 100 Civic Center Drive Lake Forest, CA 92630	
APN: 123-456-78 Address for each property owner within 300 feet of the project site	

- and the mailing label shall include the corresponding Tax Assessor's Parcel Number (APN). One property owner mailing list, based on all parcels located within 300 feet of the project site.
- b. One copy of Orange County Tax Assessor's map(s) identifying the project site and all parcels located within 300 feet of the project site.
  - c. One copy of a signed and dated statement by the person who prepared the public notification materials certifying that the accompanying mailing list represents the names and addresses of the owners all property located within 300 feet of the perimeter of the project site, based on the latest Orange County Tax Assessment roll.
8. Five (5) sets of full-size, fully-dimensioned plans, one (1) set of plans reduced to 11" x 17", and one set of plans in digital form (.pdf format on flash drive). **All full-sized plans shall be folded to 8½" x 11"**. All plan sets shall contain the following information:\*\*
- a. Vicinity Map.
  - b. Site Plan depicting all proposed and existing improvements, including but not limited to: Property Lines; Buildings and Building Floor Area; Building Setbacks (from property lines); Parking Spaces (including Handicapped Accessible Parking Stalls), Drive Aisles, Driveways; Ultimate Street Right-of-way Lines, Striping, Street Names, Street Widths, Sidewalks, Accessible Path of Travel and other Right-of-way Improvements; Easements (Location, Dimensions, Purpose); Walls and Fences (Height, Type, Materials, Finish); Trash and Storage Areas and Method of Screening; On-site Lighting; Mechanical Equipment and Method of Screening;
  - c. Project Address on each sheet of the plan set .
  - d. Name and Address of Property Owner and Applicant on Title Sheet.
  - e. Drawing Scale.
  - f. North Arrow.
  - g. Drawn Date.
  - h. Conceptual Grading Plan (w/ Cross Sections)\*. Include total cubic yards of grading, cut and fill; existing and proposed grades and topography, grade differential with adjoining properties.\*
  - i. Parking tabulation (existing number of parking spaces and corresponding building floor area to parking space ratios).\*
9. Labeled photographs of the subject site and surrounding properties.
10. Sign Site Plan, Elevations and Details (including sign type, height, dimensions, copy, color, and type of illumination).\*

11. Homeowner or Business Association approval.\*
  12. Any other plans or materials determined necessary by Community Development staff to enable the complete review of the Variance request such as Building Elevations or a Landscape Plan.
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\* If Applicable

\*\* Other plans/ documents/ information may be required depending on the specifics and complexity of the project.\*\*