

VARIANCE APPLICATION

OWNER: _____

PROPERTY ADDRESS: _____

Provide a brief description of the proposed project, specifically noting the element(s) subject to a Variance:

In order to approve a Variance, the Planning Commission is required by law to make the following three findings. Please explain why these findings can be made for your proposed project.

1. There are special circumstances attached to, the property referred to in this application or motion, which do not apply generally to the properties in the same district.

2. The granting of such variance is necessary to do substantial justice, and to avoid practical difficulty, unnecessary hardship or results inconsistent with the City Municipal Code.

3. That the granting of the variance will not result in material damage or prejudice to other properties in the vicinity, nor be detrimental to the public safety or welfare.

**CITY OF PALOS VERDES ESTATES
REQUIRED PLAN CHECK INFORMATION**

THE FOLLOWING INFORMATION IS MANDATORY AND MUST BE SUBMITTED WITH THE PLAN CHECK APPLICATION

OWNER/APPLICANT: _____
PROJECT ADDRESS: _____
LEGAL DESCRIPTION: LOT _____, BLOCK _____, TRACT _____
APPLICANT'S AGENT: _____ PHONE: _____
DATE: _____

LOT SIZE: _____ square feet

ALLOWABLE FLOOR AREA: _____ equals the smaller of 30% (lot size) + 1750 or 50% (lot size)

EXISTING LOT COVERAGE:
_____ sq. ft. _____% BUILDING
_____ sq. ft. _____% HARDSCAPE (pool, patio, deck, driveway, etc.)
_____ sq. ft. _____% TOTAL

PROPOSED LOT COVERAGE: (include only added lot coverage)
_____ sq. ft. _____% BUILDING
_____ sq. ft. _____% HARDSCAPE (pool, patio, deck, driveway, etc.)
_____ sq. ft. _____% TOTAL

TOTAL LOT COVERAGE: (sum of existing and proposed)
_____ sq. ft. _____% BUILDING (Not to exceed 30%)
_____ sq. ft. _____% HARDSCAPE (pool, patio, deck, driveway, etc.)
_____ sq. ft. _____% TOTAL

EXISTING FLOOR AREA:
_____ sq. ft. FIRST FLOOR _____ sq. ft. MEZZANINE
_____ sq. ft. SECOND FLOOR _____ sq. ft. GARAGE
_____ sq. ft. BASEMENT _____ sq. ft. TOTAL*

PROPOSED FLOOR AREA: (include only added floor area)
_____ sq. ft. FIRST FLOOR _____ sq. ft. MEZZANINE
_____ sq. ft. SECOND FLOOR _____ sq. ft. GARAGE
_____ sq. ft. BASEMENT _____ sq. ft. TOTAL

TOTAL FLOOR AREA: (sum of existing and proposed)
_____ sq. ft. FIRST FLOOR _____ sq. ft. MEZZANINE
_____ sq. ft. SECOND FLOOR _____ sq. ft. GARAGE
_____ sq. ft. BASEMENT _____ sq. ft. TOTAL

GRADING INFORMATION*

PREVIOUS GRADING: (any movement of earth on this site prior to this application)

CUT _____ cubic yards

FILL _____ cubic yards

TOTAL _____ cubic yards

PROPOSED GRADING: (movement of earth required for this project)

CUT _____ cubic yards

FILL _____ cubic yards

OVEREXCAVATION _____ cubic yards

RECOMPACTION** _____ cubic yards

TOTAL _____ cubic yards

*** GRADING APPLICATION AND PLANNING COMMISSION REVIEW IS REQUIRED IF:**

1. The building official has required an engineering geology report or soils engineering report.
2. Any project resulting in a cut or fill in excess of ten feet in depth or height.
3. Any project where the quantity of cut and fill exceeds two hundred fifty cubic yards.
4. Any lot where the quantity of cut and fill exceeds one hundred cubic yards of grading exterior to the dwelling unit foundation, garage, and driveway.
5. There has been grading or a grading application on the property within twenty-four months preceding the date of the current application which would, when combined with the current application, require grading permit approval.

**** THE CITY OF PALOS VERDES ESTATES DOES NOT ACCEPT SHRINKAGE FACTORS OR OTHER METHODS OF GRADING DATA CALCULATION.**

OWNER'S AFFIDAVIT

State of California
County of Los Angeles

I, (We,) hereby declare under the penalty of perjury, that I (We) am (are) the owner(s) of the property involved in this request and that the foregoing statements and the information submitted herewith are true and correct.

Owner(s)

Signature Signature
Address

Telephone () ()

Subject Address: Legal Description:

Subscribed and sworn to before me this day of , 20.

Notary Public

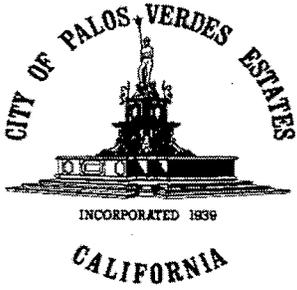
TO ALL APPLICANTS

Employees of the City of Palos Verdes Estates will give every possible assistance to anyone who desires to utilize the remedies provided by the City's zoning ordinance. However, the burden of proof is on the applicant to make the showing necessary before any of the described permits can be granted. Also, there is no guarantee - expressed or implied - that any permit will be granted by whatever agency or individual has authority in the matter.

The applicant shall understand also that each matter must be carefully investigated and, after a staff investigation has been made or a public hearing has been held, the staff's recommendation or decision may be contrary to a position taken in any preliminary discussions.

The staff is not permitted to assist the applicant or any opponents of any applicant in preparing arguments for or against a request. I have read the forgoing and understand that I HAVE THE BURDEN OF PROOF in the matter arising under the application made by me.

Applicant/Owner Signature Date



City of Palos Verdes Estates
Request for Preparation of Mailing Matrix for
Planning Application

Fee Paid: _____ MR #: _____ Date: _____

Applicant: _____

Application No.: _____

Project Address: _____

APN (required for vacant lots): _____

Once you have submitted this request for preparation of a mailing matrix, City staff will prepare the pertinent documents, according to City standards and provide a copy for you.

How do you wish to be notified when the mailing matrix is ready?

Call me and I will pick it up. Phone: _____

Contact name: _____

Mail it to me. Phone: _____

Name and Address: _____

Fax it to me. I will be responsible for printing it on labels.

Fax: _____ Phone: _____

Contact name: _____

For Staff Use Only

Mailing matrix prepared

Date: _____ Staff initials: _____

Applicant contacted/ package mailed

Date: _____ Staff initials: _____

STANDARD URBAN STORMWATER MITIGATION PLAN (SUSMP) CHECKLIST FOR DEVELOPMENT PLANNING PRIORITY PROJECT CATEGORIZATION

Application No.: _____

Project Location: _____

Project Description: _____

Part A. Planning Priority Projects Subject to SUSMP: <i>Does the proposed project involve any of the following?</i>	YES	NO
1. Single-family hillside development that contemplates grading on any natural slope that is 25 percent or greater and where grading contemplates cut or fill slopes. [Subject to Numerical Design Criteria if development is one acre or more]		
2. Home subdivisions of ten or more housing units. [Subject to Numerical Design Criteria]		
3. Industrial/commercial development that disturbs one acre or more of surface area must comply with all the SUSMP requirements. [Subject to Numerical Design Criteria]		
4. Automotive service stations. [Subject to Numerical Design Criteria if it creates 5,000 sq. ft. or more of surface area]		
5. Retail gasoline outlet. [Subject to Numerical Design Criteria if it creates 5,000 sq. ft. or more of impervious surface area and with projected Average Daily Traffic (ADT) of 100 or more vehicles]		
6. Restaurants. [Subject to Numerical Design Criteria if it creates 5,000 sq. ft. or more of surface area]		
7. Parking lot 5,000 sq.ft. or more of surface area or with 25 or more parking spaces. [Subject to Numerical Design Criteria]		
8. Redevelopment projects in subject categories that meet Redevelopment thresholds. [Subject to Numerical Design Criteria]		
9. Project located in, adjacent to or discharging directly to an Environmentally Sensitive Area (ESA) where the discharge is likely to impact a sensitive biological species or habitat and create 2,500 sq. ft. or more impervious surface area. [Subject to Numerical Design Criteria] See ESA Map.		

If all answers to Part A are NO, continue to Part B.

Part B. Project features subject to Site Specific Mitigation: <i>Does the proposed project involve any of the following?</i>	YES	NO
10. Vehicle or equipment fueling areas		
11. Vehicle or equipment maintenance areas, including washing or repair		
12. Commercial or industrial waste handling or storage		
13. Outdoor handling or storage of hazardous materials		
14. Outdoor manufacturing areas		
15. Outdoor food handling areas or processing		
16. Outdoor animal care, confinement, or slaughter		
17. Outdoor horticulture activities		

Planning Priority Project If any question in Part A and/or Part B is answered “YES”, the project is a planning priority project subject to the Development Planning Program of the SQMP and will require post development storm water quality mitigation, either SUSMP or site-specific.

Planning Exempt Project If every question in Part A and Part B is answered “No”, project is exempt from Development Planning but must still submit the “Owner’s Certification of Compliance with Minimum Requirements” and comply with construction requirements.

DEFINITIONS

“Best Management Practice (BMP)” means methods, measures, or practices designed and selected to reduce or eliminate the discharge of pollutants to surface waters from point and nonpoint source discharge including storm water. BMPs include structural and non structural controls, and operation and maintenance procedures, which can be applied before, during, and/or after pollution producing activities.

“Hillside” means property located in an area with known erosive soil conditions, where the development contemplates grading on any natural slope that is twenty-five percent (25%) or greater.

“Numerical Design Criteria”

A. Mitigate (infiltrate or treat) storm water runoff volume from either:

1) The 85th percentile 24-hour runoff event determined as the maximized capture storm water volume for the area, from the formula recommended in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87, (1998); or

2) The volume of annual runoff based on unit basin storage water quality volume, to achieve 80 percent or more volume treatment by the method recommended in California Storm water Best Management Practices Handbook – Industrial/Commercial, (1993); or

3) The volume of runoff produced from a 0.75 inch storm event, prior to its discharge to a storm water conveyance system; or

4) The volume of runoff produced from a historical-record based reference 24-hour rainfall criterion for “treatment” (0.75 inch average for the Los Angeles County area) that achieves approximately the same reduction in pollutant loads achieved by the 85th percentile 24-hour runoff event

OR

B. Mitigate (infiltrate or treat) storm water runoff flows from either:

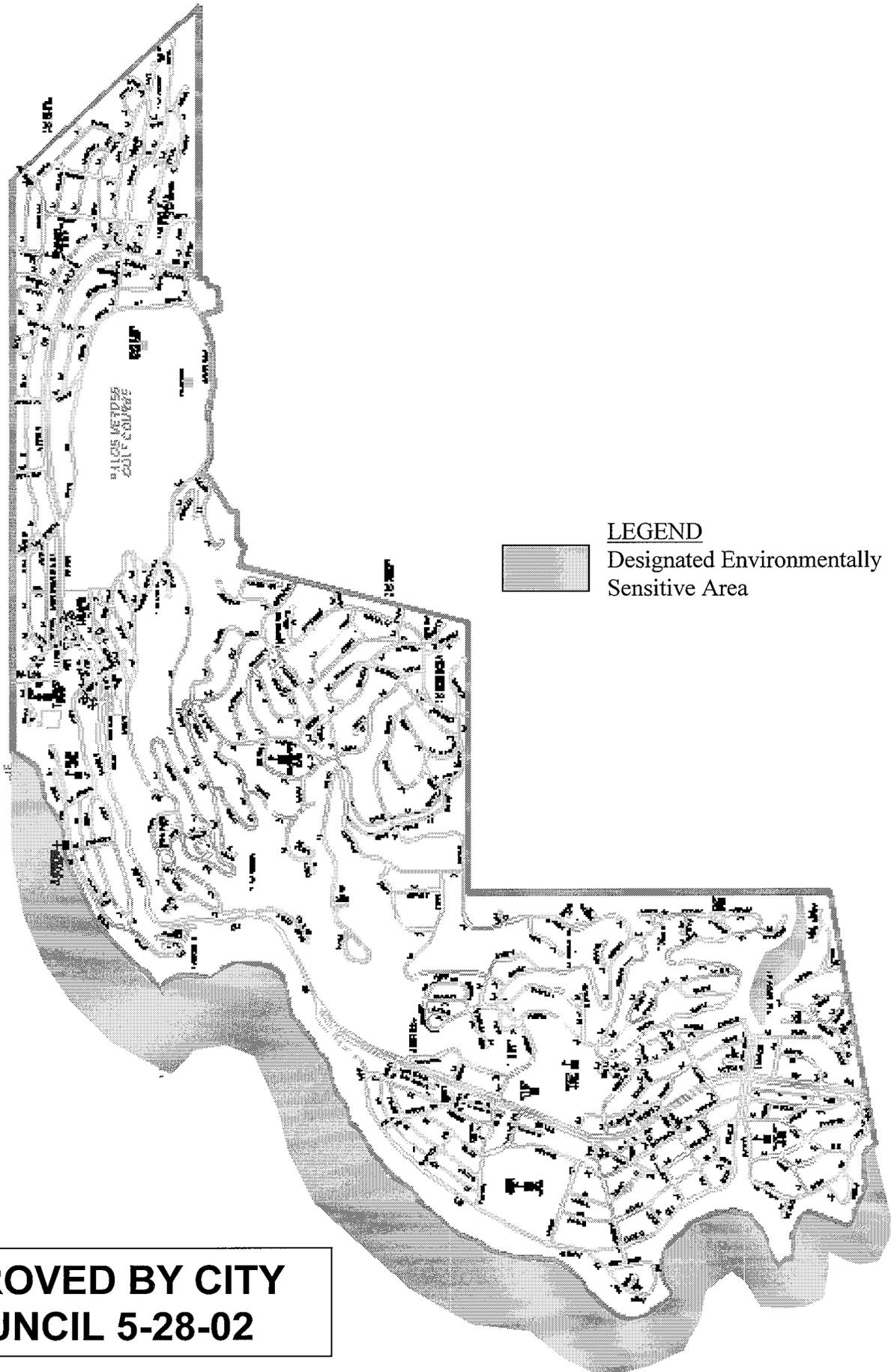
1) The flow of runoff produced from a rain event equal to at least 0.2 inches per hour intensity; or

2) The flow of runoff produced from a rain event equal to at least two times the 85th percentile hourly rainfall intensity for Los Angeles County; or

3) The flow of runoff produced from a rain event that will result in treatment of the same portion of runoff as treated using volumetric standards above

“Redevelopment” means (a) land-disturbing activity that results in the creation, addition, or replacement of 5,000 square feet or more of impervious surface area on an already developed site. Where Redevelopment results in an alteration to more than fifty percent of impervious surfaces of a previously existing development, and the existing development was not subject to post development storm water quality control requirements, the entire project must be mitigated. Where Redevelopment results in an alteration to less than fifty percent of impervious surfaces of a previously existing development, and the existing development was not subject to post development storm water quality control requirements, the alteration must be mitigated, but not the entire development (b) Redevelopment does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety (c) Existing single-family structures are exempt from Redevelopment requirements.

City of Palos Verdes Estates ENVIRONMENTALLY SENSITIVE AREAS



**APPROVED BY CITY
COUNCIL 5-28-02**

RESOLUTION NO. PCR-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALOS VERDES ESTATES, CALIFORNIA, APPROVING AN APPLICATION FOR A VARIANCE AT _____.

WHEREAS, on _____, an application for a Variance was submitted for the property located at Lot of Block ____ of Tract Number . _____ in the City of Palos Verdes Estates, County of Los Angeles, State of California, commonly known as _____, Palos Verdes Estates, California ("the Property"). The application sought approval of _____; and,

WHEREAS, on _____, the Planning Commission conducted a public hearing on the matter, which hearing was duly and properly noticed. At such hearing the Commission received and considered documentary evidence including, but not limited to, a staff report, site plans and photographs and received and considered oral testimony from the applicant and others. The Commission further received information and considered information regarding environmental review of the application and the determination that the project is categorically exempt from the California Environmental Quality Act; and,

WHEREAS, following the conclusion of the public discussion and thorough deliberation of the subject matter, the Planning Commission determined by a vote of ____ to _____, that Variance Number _____, should be conditionally approved as set forth herein below:

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF PALOS VERDES ESTATES, DOES HEREBY RESOLVE, AS FOLLOWS:

Section 1. Based upon the evidence presented, the Planning Commission hereby finds and determines as follows:

1. Each fact set forth in the recitals above is true and correct.
2. Each fact set forth in the memorandum for Agenda Item Number ____, Meeting Date, _____, from Planning staff, presented to the Planning Commission on said date, is true and correct.

Section 2. Pursuant to the foregoing recitations, the following findings are made:

1. That there are special circumstances attached to the property referred to in the application or motion, which do not apply generally to other properties in the same district;
2. That the granting of such variance is necessary to do substantial justice, and to avoid practical difficulty, unnecessary hardship, or results inconsistent with the general purposes of Titles 17 and 18 of the Municipal Code; and
3. That the granting of the variance will not result in material damage or prejudice to other property in the vicinity, nor be detrimental to the public safety or welfare.

Section 3. Pursuant to the foregoing recitations and findings, the Planning Commission approves Variance Application Number _____, subject to the following conditions:

1. This approval is granted for the land or land use as described in the application and any attachments thereto, and as shown on the plot plan submitted, attached hereto as Exhibit A.
2. Prior to obtaining a building permit and within 30 day hereof, the applicant and property owner shall file with the Secretary of the Planning Department written acknowledgment of the conditions stated herein on forms provided by the Planning Department.
3. All buildings, fences, signs, roadways, parking areas, and other facilities or features shall be located and maintained as shown on the approved plans.
4. All buildings and structures shall be of the design as shown on the approved plans.
5. Compliance with and execution of all conditions listed herein shall be necessary prior to obtaining final building inspection clearance and/or prior to obtaining any occupancy clearance. Deviation from this requirement shall be only by written consent of the Director of Planning.
6.
 - a. The applicant shall have a maximum of one year, after approval of a Variance Application, within which to apply for and be issued a grading or building permit. The approval shall expire in the event such grading or building permit has not been issued within the prescribed one-year time period, or in the event such grading or building permit terminates or expires under any other provision of the Municipal Code or of the law of this State.
 - b. The Planning Director may approve a six month extension to the approval if an application for extension is filed prior to the expiration of the initial one year time period. Such an extension cannot be transferred to a new owner. Any subsequent extension applications must be made with the City Council.
7. All requirements of any law, ordinance, or regulation of the State of California, City of Palos Verdes Estates, and any other governmental entity shall be complied with.
8. This approval is subject to the applicant paying all fees and assessments to the City of Palos Verdes Estates, as required by Ordinance.
9. In the event the City determines that it is necessary to take legal action to enforce any of the provisions of these conditions, and such legal action is taken, the applicant shall be required to pay any and all cost of such legal action, including reasonable attorney' s fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amiably resolved, unless the City should otherwise agree with the applicant to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails in the enforcement proceeding.
10. The applicant shall defend, indemnify, and hold harmless the City and its officers, agents, and employees from any claim, action or proceeding against the City or its officers, agents or employees to attach, set aside, void, or annul approval of this application. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense.

11. An approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction. An appropriate permit issued by the Department of Building and Safety must be obtained prior to construction, enlargement, relocation, conversion, or demolition of any building or structure within the City.

APPROVED AND ADOPTED this ____ day of _____, 20 .

CHAIRMAN

ATTEST:

SECRETARY

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)SS
CITY OF PALOS VERDES ESTATES)

I, Vickie Kroneberger, Planning Commission Minutes Secretary of the City of Palos Verdes Estates, California, do hereby certify that the foregoing Resolution No. PCR-_____ was regularly approved and adopted at the regular meeting of the Planning Commission on the ___ day of _____, 20__ by the following vote, to wit:

AYES: COMMISSIONERS: _____

NOES: COMMISSIONERS: _____

ABSENT: COMMISSIONERS: _____

Vickie Kroneberger
Planning Commission Minutes Secretary