



## CITY OF PALOS VERDES ESTATES VARIANCE APPLICATION

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Applicants desiring to deviate from the regulations mandated by the zoning code, must first receive approval from the Planning Commission for a Variance. In order to grant a Variance, the Planning Commission is required by law to make the following findings:

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 this title and Title 18; 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.

Applicants contemplating a Variance are advised to carefully consider these findings and discuss the project with staff.

Variances may be reviewed concurrently with other Planning applications such as Neighborhood Compatibility and Grading applications. The following items must accompany the initial submittal for a Variance:

- All application documents contained in this package
- Two sets of plans
- Applicable fee

## STANDARD CONDITIONS OF APPROVAL

The following is a list of standard conditions of approval applied to all **Variance** request applications. The conditions may be modified, deleted or added to by the Planning Commission on a case-by-case basis. For final conditions for a specific project, please contact the Planning Department.

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.

## 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 IS MANDATORY AND MUST BE SUBMITTED WITH THE APPLICATION

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

LOT SIZE:  
\_\_\_\_\_ sq. ft.

ALLOWABLE FLOOR AREA:  
\_\_\_\_\_ sq. ft. Equals the lesser of 30% (lot size) + 1,750 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 (Not to exceed 65%)

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

(Cannot exceed Allowable Floor Area)

**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 10 feet in depth or height.**
3. Any project where the quantity of cut and fill **exceeds 250 cubic yards.**
4. Any lot where the quantity of cut and fill **exceeds 100 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  
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: \_\_\_\_\_  
Lot Block Tract

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: \_\_\_\_\_

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### *For Staff Use Only*

Mailing matrix prepared

Date: \_\_\_\_\_ Staff initials: \_\_\_\_\_

Applicant contacted/ package mailed

Date: \_\_\_\_\_ Staff initials: \_\_\_\_\_