

Variance

PJR-085

Purpose: The purpose of this form is to identify the information and materials required for a Variance from provisions of the Sonoma County Zoning Code.

Background: The Sonoma County Zoning Code sets forth the procedure for variance applications (Sec. 26-92-100). A variance may be granted to provide relief from specific numerical standards in the zoning code such as setback requirements from property lines. Variances cannot be granted for relief from “use” provisions in the zoning code. If a proposed use is not permitted in a given zoning district, a variance cannot be granted to allow it.

Sec. 26-92-100 states “Whenever, because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings which are unique to the subject property alone, where the strict application of this chapter is bound to deprive the property of privileges enjoyed by other properties in the vicinity and under identical zone classification, a variance may be granted. Justification for such a variance shall be based solely on comparative information describing the disparities between the subject property and surrounding properties and the burden of demonstrating that the above requirements are met shall be the responsibility of the applicant.”

Procedure: After a complete application is submitted, a project planner in the Project Review Division of the Permit and Resource Management Department (PRMD) is assigned to the project. Project applications are sent on referral to various PRMD divisions, County departments, and/or State agencies for review, comment(s) and condition(s). Additional information may be required to complete processing of the application. Variance applications are exempt from environmental review under the California Environmental Quality Act.

After review by the PRMD project planner, a public hearing will be scheduled before the Board of Zoning Adjustments. A notice of the public hearing is posted at the property and sent to owners of the property within 300 feet of the site. A copy of the staff report and recommended conditions is sent to the applicant prior to the hearing date. All interested persons are given an opportunity to comment on the proposed Variance at the public hearing. If the project is approved by the Board of Zoning Adjustments, there is a ten (10) day period for an appeal to the Board of Supervisors. For approved variance applications, the applicant has 24 months to comply with the conditions of approval and obtain required permits. The applicant may apply for a one year extension of time prior to the expiration of this 24 month period.

Required Application Materials: A complete application must include all of the following:

1. **Applications.** Planning application form [PJR-001](#), signed by all property owners and Indemnification Agreement form [PJR-011](#), signed by applicant.
2. **Proposal Statement.** Provide a complete and accurate written description of the current use(s) of the property and the proposed change(s) that require a variance. The proposal statement needs to identify the unique circumstances pertaining to the property in support of the variance request. The proposal statement also needs to compare and contrast the subject property to other properties in the neighborhood with regard to the variance requested.
3. **Site Plan.** Provide one 8 1/2 in. x 11 in. site plan which must include, at a minimum, the information required on the Minimum Standard Site Plan, Form [CSS-019](#). Clearly depict the proposed project on the site plan, including building dimensions and setbacks to property lines.
4. **Architectural Plans.** Provide one 8 1/2 in. X 11 in. copy of each architectural elevation and one copy of the floor plan of the proposed project. Structural plans are not required.

5. **Photographs.** Provide photographs of the subject property and the properties in the neighborhood used for comparative purposes.
6. **Location/Vicinity Map.** Provide one 8 1/2 in. X 11 in. location/vicinity map showing where the project is located in relation to nearby lots, streets, and highways.
7. **Assessor's Parcel Map.** Provide one 8 1/2 in. X 11 in. copy of the current Assessor's Parcel Map with the project site. Maps may be obtained from the County Assessor's Office.
8. **USGS Quad Map.** Provide one 8 1/2 in. X 11 in. excerpt of a USGS quad map with the project site identified. Maps may be obtained from PRMD. Contact mapping staff for current map fees.
9. **Stormwater Management Submittals.** Provide description of stormwater management including runoff, treatment, drainage, and flood control. If applicable, provide location of existing wetlands and measures to avoid. An alternative analysis should be required demonstrating why the wetlands cannot be avoided.
10. **Filing Fee.** See the current PRMD Project Review Fee Schedule.