



CITY OF MURRIETA

Planning Department

1 Town Square
24601 Jefferson Avenue
Murrieta, CA 92562

Application for Variance

For Planning Office Use Only

Case Number: _____ Date Submitted: _____ Received by: _____

PROJECT INFORMATION

PROJECT DESCRIPTION (describe proposed changes)

Project Name/Name of Center: _____

Related cases filed in conjunction with this request (Is this part of a larger project?): _____

PROPERTY INFORMATION

Assessor's Parcel Number(s): _____

Approximate Gross Acreage/Net Acreage: _____ Current Zoning: _____

Property Address: _____

RDA Project: Yes No

APPLICANT/PROJECT MANAGER/OWNER INFORMATION

PLEASE INDICATE WHICH OF FOLLOWING WILL FUNCTION AS THE CONTACT PERSON FOR THIS PROCESS (SELECT ONLY ONE): Applicant/Developer Project Manager Property Owner Prospective Owner

APPLICANT

Contact Name: _____ **E-Mail:** _____

Company Name: _____ **E-Mail:** _____

Mailing Address: _____

Street

City

State

ZIP

Daytime Phone No.: () _____ Fax No.: () _____

PROJECT MANAGER (Representative for Developer)

Contact Name: _____ E-Mail: _____

Company Name: _____ E-Mail: _____

Mailing Address: _____

Street

City

State

ZIP

Daytime Phone No: () _____ Fax No: () _____

PROPERTY OWNER

Name: _____ E-Mail: _____

Mailing Address: _____

Street

City

State

ZIP

Daytime Phone No: () _____ Fax No: () _____

If the property is owned by more than one person, attach a separate page that references the application case number and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

PROSPECTIVE PROPERTY OWNER (If applicable)

Name: _____ E-Mail: _____

Mailing Address: _____

Street

City

State

ZIP

Daytime Phone No: () _____ Fax No: () _____

ACKNOWLEDGMENT OF DEPOSIT BASED PROCESSING OF APPLICATIONS

The signature below acknowledges that the City operates on the basis of full cost recovery for the processing of Planning projects. Deposits made at the time of application may not be sufficient for the processing of the application and additional deposits may be required to cover the cost of reviewing the project. If at any time deposits are insufficient to cover the processing of the application, processing will be stopped until sufficient additional funds are deposited with the City. Lack of sufficient funds on deposit will suspend any required processing time frames.

All signatures must be originals (“wet-signed”). Photocopies of signatures are **not** acceptable.

PRINTED NAME OF APPLICANT

SIGNATURE OF APPLICANT

OWNER CERTIFICATION

I CERTIFY UNDER THE PENALTY OF THE LAWS OF THE STATE OF CALIFORNIA THAT I AM THE PROPERTY OWNER OF THE PROPERTY THAT IS THE SUBJECT MATTER OF THIS APPLICATION AND I AM AUTHORIZING AND DO HEREBY CONSENT TO THE FILING OF THIS APPLICATION AND ACKNOWLEDGE THAT THE FINAL APPROVAL BY THE CITY OF MURRIETA, IF ANY, MAY RESULT IN RESTRICTIONS, LIMITATIONS AND CONSTRUCTION OBLIGATIONS BEING IMPOSED ON THIS REAL PROPERTY.

All signatures must be originals (“wet-signed”). Photocopies of signatures are **not** acceptable.

PRINTED NAME OF OWNER	SIGNATURE OF OWNER
PRINTED NAME OF OWNER	SIGNATURE OF OWNER

Written authorization from the legal property owner is required. An authorized agent for the owner must attach a notarized letter of authorization from the legal property owner.

If the property is owned by more than one person, attach a separate page that references the application case number and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

See attached sheet(s) for other property owner’s signatures.

FILING INSTRUCTIONS FOR VARIANCE APPLICATION

In compliance with Government Code Section 65906, a variance may be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated. A variance shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

The following instructions are intended to provide the necessary information and procedures to facilitate the processing of a Variance application. Your cooperation with these instructions will insure that your application can be processed in the most expeditious manner possible.

THE VARIANCE FILING PACKAGE MUST CONSIST OF THE FOLLOWING:

PLEASE NOTE: If you are applying for a use which is completely interior, requiring no revisions to the exterior grounds, building architecture, parking or landscaping, you may not need to provide Grading, Landscaping, or Exterior Elevation plans. Please contact the Planning Department to verify submittal requirements.

INITIAL SUBMITTAL:

1. One complete and signed application form.
2. One complete and signed Depositor Application (if a depositor ID has not been previously established).
To download this form, go to
<http://www.murrieta.org/uploads/forms/finance/Depositor%20Application.pdf>.
3. The appropriate deposit fee for the application type or types.
To view the Fee Schedule, go to
<http://www.murrieta.org/uploads/forms/planning/08-09%20fees.pdf>
This is a deposit based application and is billed on a time worked basis. Additional funds may/will be requested to cover costs of public hearings, staff reports, etc.
4. Complete the “Environmental Setting” section of this application.
5. A written statement detailing the precise nature of the variance requested, the hardship or practical difficulty that would result from the strict interpretation and enforcement of the City Development Code, and, most importantly, how the property meets the hardship findings required in section 16.72.040 of the City of Murrieta Development Code. The burden of proof to establish the evidence in support of the findings is the sole responsibility of the applicant.
6. Ten (10) full size (24”x 36”) copies of the following exhibits. The exhibit must include the information described in the Variance Matrix.
 - a. Site plan.
 - b. Exhibits showing nature of variance request.All exhibits must be folded no larger than 8 ½” x 11”.
7. Four (4) full-size (24”x 36”) copies and six (6) reduced (11”x 17”) of building floor plans and elevations (if any buildings or structures exist and are to remain, or are proposed.) The exhibits shall also include the information described the Variance. All exhibits must be folded no larger than 8 ½” x 11.”
8. One (1) copy of reduced (11” x 17”) of the following exhibits.
 - c. Site planAll exhibits must be folded no larger than 8 ½”x 11”.

PRIOR TO SCHEDULING A PUBLIC HEARING:

1. Project Plans - Twelve (12) copies of:
 - a. Site plan (full size 24" x 36")
 - b. Building plans (floor plans, roof plans, elevations, appropriate detail and/or sections) (2 copies full size 24" x 36" and 10 copies reduced 11" x 17")

The exhibits shall also include the information described in the Variance. All exhibits must be folded no larger than 8 ½" x 11."

2. 1 set of ALL plans reduced to 8 1/2 " x 11" size.
3. Digital images of the aerial photograph, Site Plan, Building Elevations & Building Floor Plans, the U.S.G.S. Map, and the panoramic photographs of the site in a format acceptable to the Planning Department (e.g. TIFF, GIF, JPEG, PDF).
4. In order to facilitate mailing of public hearing notices to affected properties a complete noticing package is required. The required radius is 500 feet from the exterior boundaries of the property for which the application is filed. For a Minor Variance, the required radius is reduced to 100 feet from the exterior boundaries of the property for which the application is filed. The Director may require additional noticing if determined necessary or desirable or to comply with the "expanded notice" requirements of the Development code. **Please Note:** Property owner noticing requirements may vary based on the location of the proposed project site.
 - a. An assessor's Parcel Map(s) illustrating the required radius as measured from the exterior boundaries of the subject site, Include all parcels within the radius and all those that touch the radius line. Preferred scale of the map is 1-200 feet, 300 feet, or 400 feet.
 - b. If more than one (1) Assessor's Parcel Map is required to show all of the affected parcels then an index map must be included. The index map must show the entire area affected on ONE SHEET. The required radius boundary line must be drawn on the map and be clearly visible (Preferably in red line). Index map(s) from the Riverside County Tax Assessor's Office may be used for this purpose.
 - c. Two (2) sets of gummed or adhesive labels with the name, address and assessor's parcel number for every parcel within the required radius. These labels must be based on the latest equalized tax roll from the Riverside County Tax Assessor's Office.
 - d. Include mailing labels for the property owner, applicant, and representative.
 - e. A Signed certification letter from the person(s) preparing the list certifying that the information contained therein is accurate and is from the latest Riverside County Tax Assessor's Rolls. A sample "Public Noticing Certified Property Owner's List Affidavit" is included at the back of this application.

Information to prepare the above may be obtained from the Riverside County Tax Assessor's Office. Also, local Title Companies offer this service.
5. Additional deposit, if necessary. There shall be no outstanding fee balance prior to scheduling a hearing.

VARIANCE MATRIX

The following table lists the minimum information required on the site plan, grading plan, and landscape plan exhibits. IF ANY REQUIRED INFORMATION IS NOT APPLICABLE TO A SPECIFIC PROJECT, A SIGNED LETTER SHALL BE PROVIDED EXPLAINING WHY THE INFORMATION IS NOT NECESSARY. All exhibits must be clearly drawn and legible.

Note: Additional information may be required during review of the proposed Variance application, including information not specifically required by this checklist.

ALL PLANS: (SITE, CONCEPTUAL LANDSCAPE, FLOOR)
1. Name, Address, and telephone number of applicant.
2. Name, address, and telephone number of land owner.
3. Name, address, and telephone number of exhibit preparer.
4. Assessor's Parcel Numbers and, if available, address of the property.
5. Scale (number of feet per inch) of 1" = 20' or 1" = 40'. Use Engineer's Scale for all maps/exhibits. Architect's scale is only acceptable for floor plans, elevations, and landscape plans.
6. North Arrow
7. Date Exhibit Prepared.
8. Title of Exhibit (i.e. "Development Plan", "Revised Permit", "Landscaping Plan", "Conceptual Landscape plan for Dev. Plan", etc.)
9. A detailed project description, including proposed and existing buildings, structures and uses.
10. Complete legal description of property.
11. Overall dimensions and total net and gross acreage of property.
12. Vicinity map, showing site relationship to major highways and cities, and two access roads. (Proposed and existing paved roads will be indicated by heavy lines or noted as paved).
13. Exhibit revision block.
14. Location of adjoining property and lot lines.
15. Existing and proposed zoning and land use of property.
16. Existing use and zoning of property immediately surrounding subject property.
17. If project is within a Specific Plan, indicate the Specific Plan Planning Area number and the land use designation of subject property and all surrounding property.
18. Label and describe any land or right-of-way to be dedicated to public or other uses.
19. Location, dimensions, arrangement, and numbering of parking spaces for existing and/or proposed parking, loading and unloading facilities, identifying ADA spaces.
20. Location and dimensions of existing and proposed ingress and egress, and methods of vehicular circulation.
21. Location and dimensions of existing dwellings, buildings or other structures, labeled as existing and indicating whether they are to remain or be removed.
22. Location, dimensions, and height of proposed dwellings, buildings, or other structures, labeled as proposed.
23. Setback dimensions of proposed structures and paved areas.
SITE PLAN:
1. Names of utility purveyors and school district(s) including providers of water, sewer, gas, electricity, telephone, and cable television.
2. Names, locations, right-of-way widths, and improvements of adjacent existing and proposed streets and the approximate grades of proposed and existing streets and approximate street centerline radii of curbs. If private streets are proposed, they shall be noted on the tentative map.
3. Typical street improvement cross-section and City standard #.

4. Square footage calculations per floor and total for each building shown, and per dwelling unit, as applicable.
5. Shaded path of travel for Fire/Emergency access.
CONCEPTUAL LANDSCAPING:
1. It is highly recommended that plans be prepared by a licensed landscape architect in the state of California.
2. Location, widths, and improvements of existing and proposed public utility, easements, transmission lines, power and telephone poles, and underground utilities on or abutting the property.
3. List and accurately show all easements of record (by map or instrument number).
4. Irrigation and landscaping plans, including size, plant species, spacing proposed, planters and irrigation systems. Incorporate drip irrigation, smart irrigation controller, and plant materials with low-water requirements (hydro-zoned).
5. Identify the square footage of landscape: <ul style="list-style-type: none"> a. Overall b. Within the right-of-way c. Within bumper overhang
6. Label existing trees to be preserved and/or removed under 16.42 Tree Preservation. Provide detailed information regarding site constraints and protection for all trees to be preserved in place or moved.
7. Indicate that the landscape plans shall comply with all applicable codes of the Murrieta Municipal code – Titles 16.27 and 16.28 and other codes required (16.42).
8. To show compliance with the Water Quality Management Plan, water quality features or a note describing the site’s water quality features shall be shown.
EVEVATIONS/FLOOR PLANS:
Dimensioned elevations, including details of proposed materials for elevations, type of construction and occupancy classification per the current Uniform Building Code and floor plans for each building. (Attach to site plan).
Architectural elevations shall include scaled drawings of all sides of all buildings with dimensions indicating proposed and existing heights and any proposed or existing wall signs, HVAC equipment, solar equipment or other equipment mounted on exterior walls or roof. Roof plans must include the height of the parapet, roof height, highest roof deck height and lowest parapet height. Also indicate the height of the tallest equipment. Conceptual sign locations, colors & materials should be identified. No landscaping, figures, or other presentation decorations shall be illustrated on the building elevations.

Additional copies of this application may be obtained from the Planning Department’s Web Page at <http://www.murrieta.org/dev/planning/index.asp>.

ENVIRONMENTAL SETTING

Approximate Gross Acreage/Net Acreage: _____

General location (nearby or cross streets): North of _____, South of _____, East of _____, West of _____.

Precisely describe the existing use and condition of the site: _____

Existing zoning of adjacent parcels: _____

Precisely describe existing uses adjacent to the site: _____

MSHCP Number (if applicable): _____

Describe the plant cover found on the site, including the number and type of all trees:

NOTE: EXPLAIN ANY "YES" RESPONSES IN AN ATTACHMENT.

Is the site on filled land, slopes in excess of 10% or located in a canyon? If yes, a geological and/or soils investigation is to accompany this application. Yes No

Has the site been surveyed for historical, paleontological, or archaeological resources? If yes, a copy of the survey is to accompany this application. Yes No

Does the site contain any unique natural, ecological or scenic resources? Yes No

Do any drainage swales or channels border or cross the site? Yes No

Has a traffic study been prepared? If yes, a copy of the study is to accompany this application. Yes No

Is the site in a flood plain? Yes No

If "Yes", a copy of a drainage plan is to accompany this application.

Have any special studies or reports, such as a traffic study, biological report, archaeological report, geological or geotechnical reports, been prepared for the subject property? Yes No

If yes, indicate the type of report(s) and provide a copy: _____

RESIDENTIAL PROJECTS:

Number and type of dwelling units proposed: _____

Density of the proposed project (# of units per net acreage): _____

Type and size of households expected: _____

Will any multi-story units be located adjacent to a highway or freeway? _____

If yes, a noise study is to accompany this application.

COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL PROJECTS:

Indicate specific type of use proposed: _____

List the gross square footage by each type of use: _____

List the gross square footage and number of floors for each building: _____

Estimate employment by shift: _____

Identify any planned outdoor activities: _____

What percentage of the project site will be covered by:

Paving _____% Building _____% Landscaping _____%

ALL PROJECTS

The maximum height of structures _____

Describe the amount and type of off-street parking proposed _____

Describe how drainage will be accommodated _____

Identify any off-site construction (public or private) required to support this project _____

Preliminary grading plans estimate _____ cubic yards of cut and _____ yards of fill.

Give time estimated dates for the following:

- A. Rough Grading _____
- B. Final Grading _____
- C. Start Construction _____
- D. Complete Construction _____
- E. Describe any Project Phasing _____

List all other permits or public agency approvals required of this project _____

NOTE: EXPLAIN ANY "YES" RESPONSES IN ATTACHMENTS:

DURING CONSTRUCTION, WILL THE PROJECT:

- A. Emit dust, ash, smoke, fumes or odors? Yes No
- B. Alter existing drainage patters? Yes No
- C. Create a substantial demand for energy or water? Yes No
- D. Discharge water of poor quality? Yes No
- E. Increase noise levels on site or for adjoining areas? Yes No

- F. Generate abnormally large amounts of solid waste or litter? Yes No
- G. Use, produce, store, or dispose of potentially hazardous materials such as toxic or radioactive substances, flammables or explosives? Yes No
- H. Require unusually high demands for services such as police, fire, sewer, schools, water, public, recreation, etc.? Yes No
- I. Displace any residential occupants? Yes No

Is water service available at the project site?: Yes No

If "No", how far must the water line(s) be extended to provide service?
(No. of feet/miles) _____

Is sewer service available at the project site?: Yes No

If "No", how far must the sewer line(s) be extended to provide service?
(No. of feet/miles) _____

Is a reclaimed water service available at this site? Yes No

If "No", how far must reclaimed water line(s) be extended to provide service (# of feet) _____

Will the proposal result in cut or fill slopes steeper than 2:1 or higher than 10 feet?
Yes No

Does the project need to import or export dirt? Yes No

Import _____ Export _____ Neither _____

What is the anticipated source/destination of the import/export?

What is the anticipated route of travel for transport of the soil material?

How many anticipated truckloads? _____ Truck loads.

What is the square footage of usable pad area? (area excluding all slopes) _____sq. ft.

HAZARDOUS WASTE SITE DISCLOSURE STATEMENT

Government Code Section 65962.5 requires the applicant for any development project to consult specified state-prepared lists of hazardous waste sites and submit a signed statement to the local agency indicating whether the project is located on or near an identified site. Under the statute, no application shall be accepted as complete without the signed statement.

To search the hazardous waste list go to www.geotracker.swrcb.ca.gov.

I (we) certify that I (we) have investigated our project with respect to its location on or near an identified hazardous waste site and that my (our) answers are true and correct to the best of my (our) knowledge. My (our) investigation has shown that:

- The project is not located on or near an identified hazardous waste site.
- The project is located on or near an identified hazardous waste site.
Please list the location of the hazardous waste site(s) on an attached sheet.

Owner/Representative (1) _____ Date _____

Owner/Representative (2) _____ Date _____

