



City of

# HUNTINGTON PARK california

COMMUNITY DEVELOPMENT DEPARTMENT

6550 MILES AVENUE

HUNTINGTON PARK, CA 90255

TEL: (323) 584-6210 FAX: (323) 584-6244

## **VARIANCE APPLICATION GUIDELINES**

Applications for a Variance are processed by the Community Development Department, Planning Division.

### **I. Preliminary Review**

Prior to applying for a Variance, it is highly recommended that a Preliminary Review be submitted and checked. This procedure notifies the potential Variance applicant, in advance, of Planning Division requirements and recommendations to the Planning Commission. The Preliminary Review consists of three (3) sets of plans which include the site plan, floor plan(s), and elevations, along with a completed application, environmental checklist and a review fee of \$930.00. The Preliminary Review is designed to allow applicants to be informed of the Planning Division's recommendations and requirements prior to preparing the complete Variance package and paying the required fees. This review may not include recommendations and requirements of other Departments or Agencies (e.g. Building and Safety, Fire, County Health, etc.).

### **II. Complete Variance Package**

Materials necessary to process a Variance include:

1. Ten (10) copies of proposed and/or existing plans. All plans should be submitted on 24" x 36" paper and folded to 8 ½" x 11". Set of plans should include the following:
  - A. Floor Plan (all buildings)
  - B. Site Plan
  - C. Elevations (all)
2. Two (2) copies of reduced plans, either 8 ½" x 11" or 11" x 17".
3. One (1) CD Rom containing all files in digital PDF or JPEG formats.
4. Two (2) sets of 300 foot Public Notice Radius Maps and Mailing Labels (see attached example)
5. Variance Application (fully completed, see attached).
6. Environmental Checklist Form (fully completed, see attached).
7. Photographs of Site and Adjacent Properties.
8. Required Fees:
  - A. \$4,972.00 for Variance
  - B. \$ 285.00 for Environmental Review (minimum)

**\$5,257.00 Total**

### **How is the application processed?**

Variances are approved based upon the discretion (subject to appeal) of the Planning Commission. Upon the submittal of the above mentioned materials and payment of fees, the proposal will be given a case number (e.g.1741-VAR), and be scheduled for the earliest appropriate Planning Commission meeting. Assuming the materials submitted are accurate and complete, Planning Division staff can process the application and present it to the Planning Commission within approximately one month from the formal submittal date. The processing includes the notification of all property owners within 300 feet of the site (or as required by the California Environmental Quality Act if applicable), a notice of the request advertised in a newspaper of general circulation and the preparation of a staff report (subject to environmental analysis and findings as required by the California Environmental Quality Act) for the Planning Commission.

It is recommended that the applicant, property owner, and /or representative attend the meeting, and be prepared to answer questions and present evidence supporting the requested Variance. In order for the Planning Commission to approve a request for a Variance, the Commission must find that based upon the information contained in the application and the testimony given at the public hearing, the following circumstances (findings) apply:

1. That there are special circumstances applicable to the property, including location, shape, size, surroundings, or topography so that the strict application of the Code denies the property of privileges enjoyed by other property in the vicinity and under identical zoning district classification;
2. That granting the Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zoning district and unavailable to the property for which the Variance is sought;
3. That granting the Variance will not be detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and zoning district in which the property is located;
4. That granting the Variance does not constitute a special privilege inconsistent with the limitations upon other property in the vicinity and zoning district in which the property is located;
5. That granting the Variance does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel; and
6. That granting the Variance will not be inconsistent with the General Plan.

The Planning Commission is interested in hearing all views concerning the proposed Variance, and how it applies to the required findings. It is suggested that the applicant prepare themselves to answer questions pertaining to the required findings during the public hearing.

A staff report will be available at the Community Development Department public counter on the Monday before the Planning Commission meeting. A copy of the report will also be provided to the applicant prior to the meeting.

### **What happens after the Planning Commission's decision?**

After publicly discussing the case, the Planning Commission may approve, deny, or continue the case to a later meeting for further study.

It is important to know that if an application is approved, it does not become final until fifteen (15) days after the date of approval. During this time an appeal may be filed by the applicant or anyone requesting that the City Council reverse or modify the decision of the Planning Commission. An appeal may be filed and paid for at the City Clerk's Office in City Hall. The appeal will then be scheduled to be heard by the City Council which may affirm, modify or overturn the Planning Commission action.

### **What are "conditions" of approval?**

If the application is approved, the Variance may contain certain conditions affecting the proposed use/development. The Planning Division recommends conditions to the Planning Commission for the mitigation and/or improvement of the individual circumstances to ensure the compatibility of the use with surrounding land uses.

For further information, please contact the Planning Division by calling (323) 584-6210 between 7:00 a.m. and 5:30 p.m. Monday through Thursday.

**Attachments: Variance Application  
Environmental Checklist Form  
Radius Map Guidelines**



In order for the Planning Commission to approve a Variance, the Huntington Park Municipal Code requires that all of the following findings be made:

1. That there are special circumstances applicable to the property, including location, shape, size, surroundings, or topography so that the strict application of this Code denies the property of privileges enjoyed by other property in the vicinity and under identical zoning district classification;
2. That granting the Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zoning district and unavailable to the property for which the Variance is sought;
3. That granting the Variance will not be detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and zoning district in which the property is located;
4. That granting the Variance does not constitute a special privilege inconsistent with the limitations upon other property in the vicinity and zoning district in which the property is located;
5. That granting the Variance does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel; and
6. That granting the Variance will not be inconsistent with the General Plan.

In order for the Planning Commission to determine if these findings are present in your case, the following questions must be answered by the **applicant**:

1. The site for this proposed use is adequate in size and shape. (Explain)

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2. The site has sufficient access to street and highways that are adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use. (Explain)

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3. The proposed use will not be materially detrimental, nor have an adverse effect upon adjacent uses, buildings, or structures. (Explain)

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4. The proposed Variance will not be in conflict with the General Plan. (Explain)

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**CERTIFICATE AND AFFIDAVIT OF APPLICANT:** I/We certify that all statements made on this application are true and complete to the best of my knowledge. I/We understand that any false statements may result in denial of the requested permit or revocation of any issued permit. I/We further certify that I am, or have permission by, the property owner to conduct the proposed development applied for herein.

\_\_\_\_\_  
Applicant Signature (Required)

Date\_\_\_\_\_

\_\_\_\_\_  
Print Name

*Note: If the applicant is not the property owner, the owner of the property must sign the application or a written authorization must be submitted so that the applicant may file the application.*

\_\_\_\_\_  
Property Owner Signature (Required)

Date\_\_\_\_\_

\_\_\_\_\_  
Print Name