



Environmental Health – Land Use Services Planning

(909) 387-8311

(760) 995-8140

www.sbcounty.gov/ehlus

MINOR VARIANCE

FEES:	MINOR VARIANCE(L678)(L697):	\$1,515.00
--------------	------------------------------------	-------------------

A Minor Variance is a modification of the following requirements or standards specified in the San Bernardino County Development Code.

	Types of Minor Variances Allowed*	Maximum Variance
1	Area requirements. Excluding parcel area requirements.	30%
2	Distance between structures. Up to 40 percent, but no closer than 6 feet.	40%
3	Fence or wall heights. Up to 30 percent, but no higher than 6 feet in the front or street side yard setback.	30%
4	Floor width requirements. Of the single-family residential design standards.	20%
5	Gross floor area requirements.	10%
6	Height requirements. Except that any height adjustment not exceeding two feet in total height shall also be considered a Minor Variance.	30%
7	Off-street parking requirements. Parking and loading space requirements, not to exceed two spaces. Parking area/lot improvements.	30%
8	Overlay District requirements. Of the standards identified in the overlay districts.	30%
9	Setback requirements. a. Front setbacks. But no closer to the nearest property line than 15 feet in the valley and desert areas and 10 feet in the mountain region. b. Side setbacks. But no closer than three feet from the nearest property line, except in a Fire Safety Overlay District in which case no closer than five feet. c. Rear setbacks. But no closer than 10 feet from the nearest property line.	40% 40% 30%
10	Sign requirements. a. Sign area limitations. b. Sign height and setback limitations.. c. Sign number limitations: Not to exceed four signs.	10% 30% 100%

(*) Administrative criteria for Minor Variances for these structures shall be established by the Environmental Health - Land Use Services Director. Architectural design and construction materials shall be compatible with the visual setting of the surrounding area. Variances to the requirements of Section 83.02.030 regarding "clear sight triangles" shall not be evaluated with a Minor Variances.

CHECKLIST OF SUBMITTAL MATERIALS

Please use this checklist as you assemble the materials for the submittal of your application. County staff will use the checklist to determine whether your application is acceptable for submission. **If your submittal package does not contain all of the information listed below, your application will not be accepted for processing.** If you have any questions about the items requested or if you wish to obtain information on processing schedules, please call one of the numbers listed above.

Section A – Fees

1. _____ Check or money order made payable to San Bernardino County in the amount of **\$1,515.00**.

Planning Review Fee (L646)	\$1490.00
Records Media Conversion for Job Closure Fee (L697)	25.00
TOTAL	\$1515.00

Section B - County Documents

2. _____ **One copy** of the completed Minor Variance Application Form.

Section C1 - Other Documents

3. _____ **Mailing Labels** – **One set of adhesive labels and one reproducible copy** for all property owners who own property that is contiguous to the subject parcel. Contiguous properties are those parcels which touch property lines at any point, including those properties which touch the property lines of the subject parcel when projected across roads or streets.
4. _____ **Surrounding Property Owner Certification** sheet signed by the person who prepared the list and labels.
5. _____ **One copy** of the completed **Facts of Findings Necessary for the Granting of a Variance** form (attached).
6. _____ **One copy** of the **completed conditions from the County Public Works Department**. (This item only applies to garages and carports in the mountain region where the 10' clear sight distance will not exist or on corner lots when less than 10' to property line.)
7. _____ **Two copies** of a **Plot Plan**. Please refer to the Plot Plan Checklist for additional information.

Section D – Plot Plan: Use the following checklist to be sure that your plans include all of the required elements. The plot plan is a drawing, to scale, on one sheet of paper (minimum size of 11" x 17"). Remember that the staff is not familiar with the property and will need this information to evaluate your project. **If the plans are not legible or do not contain the information listed below, your application will be returned.**

Section D (continued)

1. _____ Name, address and telephone number of the record owner, applicant and the person preparing the map (if different than owner).
2. _____ Complete legal description and Assessor's Parcel Number of the property involved.
3. _____ Identify the type of project, as well as the Variance requested.
4. _____ North point, date of drawing and engineer's scale (suggest 1:20).
5. _____ Location, width and names of streets and recorded easements on property. Locate all existing and proposed road improvements and driveway locations.
6. _____ Dimension of property lines or boundary of project.
7. _____ Location, size and use of all existing and proposed structures (including buildings, fences, trash enclosures, towers, signs, paved areas, curbs and driveways, underground utilities, septic tank and sewage disposal system), including dimensions, height, number of stories (including basements), square footage, distance from property lines and building separations. **Identify any projections from the building, such as fireplaces, bay windows, etc.** Indicate doors that open onto a street or property line.
8. _____ Land Use (Zoning) District classification and the type of development on all adjacent properties, including across any streets. Show distance of structure(s) on adjacent properties from the project property lines.
9. _____ Vicinity map showing location of project.
10. _____ Compute all building coverage, open space and sign area requirements as established by Land Use District or Planning Areas.
11. _____ Indicate existing native trees six inches or greater in diameter or if none exist, a statement **MUST** be placed on the plot plan. EXAMPLE: "No Native Trees six inches in diameter exist on this site".
12. _____ Grading/Topographic Information:
 - _____ Show existing contours and proposed finish contours.
 - _____ Show finish elevations at lot corners and graded areas. Show typical lot drainage and swales.
 - _____ Show finish grades for all structures, pads and parking surfaces.
 - _____ If no grading is proposed, state "No *grading proposed*."

Multiple-Residential, Commercial or Industrial Variance Requests Will Include (in addition to above items):

13. _____ Show parking spaces in detail (each space to be 9' X 19'). Refer to the County Development Code for detailed information regarding parking requirements for your use and for disabled access requirements. Show paving or surfacing as required by the Development Code.
14. _____ Show loading zone space(s) at 10' X 20'.
15. _____ Indicate any unusual drainage or hilly terrain that might affect the building site, parking area or access by flowline arrows and contour lines.
16. _____ If signs are proposed or exist, plot their location on the site and include a side elevation showing the face dimensions, overall height and height above grade from bottom of sign. Include distance from both top and bottom of sign to grade.

GENERAL INFORMATION

1. Staff will review your application in the field, may ask other agencies to comment and will mail a "Notification Letter" to contiguous property owners soliciting their comments on the requested Variance.
2. A decision by the Environmental Health - Land Use Services Director or his/her designated deputy is based upon the answers to the "**FACTS OF FINDINGS**" required by State law and County Ordinance. The answers must be found to be "true" in order to approve the Variance request. Comments from the contiguous property owners are also taken into consideration in determining a decision.
3. The owner/applicant will be notified in writing of the decision. The decision becomes effective (unless appealed, see APPEALS below) **11 days after the written notice of decision has been deposited in the U.S. mail**, except when the 10th such day is not a County business day. In such instances the land use decision shall become effective on the second consecutive County business day following such 10th day. All conditions (if applicable) imposed must be complied with and/or the occupancy, use of the land, and use of the proposed or existing structures must take place within 36 months of the approval date or the approval action **SHALL BECOME NULL AND VOID**.
4. **APPEALS:** The decision of the Environmental Health - Land Use Services Director or his/her designated deputy MAY be appealed to the Planning Commission by the owner/applicant or any other interested individual. An appeal will automatically delay the effective date of a Variance decision until a decision is rendered by the Planning Commission.
 - a. An appeal **MUST** be filed within ten calendar days after the written decision has been mailed and the appropriate fee paid in order to become an accepted filing (per County Ordinance).
 - b. The owner/applicant and the appellant (if other than the owner/applicant) will be notified of the Planning Commission Hearing Date approximately ten calendar days prior to the meeting. A Planning Commission Agenda and Staff Report will be mailed to all parties. The Planning Commission will render a decision at the Hearing after considering staffs recommendation and the facts presented by the owner/applicant and the appellant (if other than the owner/applicant).



County of San Bernardino
Environmental Health - Land Use Services Department
PLANNING DIVISION

MINOR VARIANCE APPLICATION FORM

Complete all sections of this application. If you believe a question does not apply, mark it "N/A". Do not leave any blank spaces. If you have any questions about items requested on this form, please call Current Planning at the appropriate office listed at the top of the cover page.

Section 1 - Applicant Data.

Applicant Name _____

Mailing Address _____

City _____ Zip _____

Phone _____ FAX No. _____ E-Mail _____

Section 2 – Property Owner Data (If same as above check)

Property Name Owner _____

Mailing Address _____

City _____ Zip _____

Phone _____ FAX No. _____ E-Mail _____

Section 3 – Property Data

1. Assessor's Parcel Number (APN): _____ Tract _____ Lot _____

Site Address _____

City _____ Zip _____

2. Complete Legal Description of Site: _____

Section 4 – Describe Minor Variance Requested:

FACTS OF FINDINGS NECESSARY FOR THE GRANTING OF A VARIANCE

Prior to approving a request for a Variance, the reviewing authority shall find that the following "Facts of Findings" are true as required per Section 83.030905(f), County Development Code.

It is the owner/applicant's responsibility to provide specific justification for each of the four following findings. Specific evidence, details and/or qualities of the proposed use, structure or other project should be provided. Additional pages or supporting documentation (photos, previous variance approvals, etc.) may be attached.

1. The granting of such variance will not be materially detrimental to other properties or land uses in the area and will not substantially interfere with the present or future ability to use solar energy systems because:

2. There are exceptional or extraordinary circumstances or conditions (size, shape, topography, location or surroundings) applicable to the property or to the intended use that do not apply to other properties in the same district or vicinity because:

3. The strict application of the land use district deprives such property of privileges enjoyed by other properties in the vicinity or in the same land use district because (state the specific right or rights):

4. The granting of the variance is compatible with the objectives, policies, general land uses and programs specified in the County General Plan and any applicable plan because:

CERTIFIED PROPERTY OWNER'S LIST DECLARATION

I CERTIFY UNDER THE PENALTY OF PERJURY that to the best of my knowledge, the list below contains the names and address of all **contiguous property owners*** as they appear on the latest available County assessment role.

*Those properties which touch property lines at any parcel, including those properties which touch the property lines of the subject parcel when projected across roads or streets.

Signature: _____

Date: _____

APN: 0235-091-25-0000 Name: JOHN DOE Address: 1653 Outside Land City/State/Zip: San Bernardino, CA 92404

APN: Name: Address: City/State/Zip:	APN: Name: Address: City/State/Zip:	APN: Name: Address: City/State/Zip:
APN: Name: Address: City/State/Zip:	APN: Name: Address: City/State/Zip:	APN: Name: Address: City/State/Zip:
APN: Name: Address: City/State/Zip:	APN: Name: Address: City/State/Zip:	APN: Name: Address: City/State/Zip:
APN: Name: Address: City/State/Zip:	APN: Name: Address: City/State/Zip:	APN: Name: Address: City/State/Zip:
APN: Name: Address: City/State/Zip:	APN: Name: Address: City/State/Zip:	APN: Name: Address: City/State/Zip:
APN: Name: Address: City/State/Zip:	APN: Name: Address: City/State/Zip:	APN: Name: Address: City/State/Zip:
APN: Name: Address: City/State/Zip:	APN: Name: Address: City/State/Zip:	APN: Name: Address: City/State/Zip:

