# COUNTY OF NAPA CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

#### **VARIANCE**

#### **APPLICATION PACKET**

- 1. Information/Application Procedures.
- 2. Application Completeness Checklist.
- 3. Application Form.
- 4. Indemnification Form.
- Site Location Map Blank.
- 6. Site Location Map/Plot Plan Requirements.
- 7. Adjoining Property Owner List Requirements.
- 8. Sample Graphics.

#### **PRE-SUBMISSION REQUIREMENTS**

Prior to the submission of your application materials, please call Planning Division Secretary at (707) 253-4417 to schedule a pre-submittal application review meeting (See Completeness Checklist). The purpose of the meeting is to review your application to make sure it is complete for submittal. According to state law, your application will receive a determination of completeness within thirty (30) days after submittal.

### NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

#### VARIANCE APPLICATION INFORMATION AND PROCEDURES

A VARIANCE is a procedure to be considered when the planned construction does not conform to established zoning requirements and where practical difficulties or unnecessary hardship results from the strict application of the standards and provisions of the Napa County Zoning Ordinance. Variances may be sought to such regulations as height and setbacks, but not to increase project density or use limitations.

A VARIANCE application must be supported by evidence of genuine hardship. Three (3) findings must be made to grant a variance:

- 1. That there are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not apply generally to other land, buildings and/or use in the same Zone or in the immediate area.
- 2. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner.
- 3. That the granting of such application will not, under the circumstances of the particular case, adversely effect, the health or safety of persons residing or working in the neighborhood of the property of the applicant, and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.

FOR ADDITIONAL OR DETAILED INFORMATION, WRITE OR CALL THE:

NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT 1195 Third Street, Suite 210 Napa, California 94559 (707) 253-4417

## **VARIANCE**

### **APPLICATION COMPLETENESS CHECKLIST**

1.		Completed <u>Signed</u> Application Form.
2.	_	<b>Site Location Map</b> (on 7" by 7 1/2" portion of 7 1/2 minute U.S. Geologica Survey Topographic map).
3.		To-Scale Plot Plan (including one black-line 8 1/2" by 11" reduction).
4.	_	Title Insurance Co. Certified List of Property Owners within 300 feet of the Subject Parcel, Specifying Name, Address, and Parcel Number.
5.		Assessor's Pages Used in Compiling Adjoining Property Owners List.
6.		Check for \$ (Fees to be determined) made out to County of Napa.
7.		Additional Information Required by Planning Director:

FILE #	
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# NAPA COUNTY CONSERVATION, DEVELOPMENT & PLANNING DEPARTMENT

1195 Third Street, Suite 210, Napa, California, 94559 • (707) 253-4417

#### **APPLICATION FORM**

FOR OFFICE USE ONLY						
ZONING DISTRICT:	Date Submitted:					
TYPE OF APPLICATION:	Date Published:					
REQUEST:						
	·					
TO BE COMPLETED BY AP PROJECT NAME:						
Assessor's Parcel #:	Existing Parcel Size:					
Site Address/Legation:						
Site Address/Location:  No. Street	City	State	Zip			
Property Owner's Name:						
Mailing Address:						
	City	State	Zip			
Telephone #:()Fax #: ()	E-Mail:					
Applicant's Name:						
Mailing Address:						
	•	State	Zip			
Telephone #:()Fax #: ()	E-Mail:					
Status of Applicant's Interest in Property:						
Representative Name:						
Mailing Address:						
	City	State	Zip			
Telephone # () Fax #: ()	E-Mail:					
I certify that all the information contained in this application, including a supply/waste disposal information sheet, site plan, floor plan, buildin			tem site			
plan and toxic materials list, is complete and accurate to the best of my	knowledge. I hereby authorize such	investiga	tions			
including access to County Assessor's Records as are deemed necessareports related to this application, including the right of access to the property of the p		tor prepar	ation of			
TO DE COMPLETED BY CONCEDIVATION, DEVELOPMENT AND DI ANNING DEDAR	PACE IT					
*Total Estimated Fees: \$ Receipt No		Date:				
	Received by	Daig				
*Actual Fees will be based on Time and Materials						

#### **REASONS FOR GRANTING A VARIANCE**

(including the	cribe what exceptional or extraordinary circumstances or conditions apply to your prope e size, shape, topography, location or surroundings), which do not apply generally to other lar use and because of which, the strict application of the zoning district regulations deprives yo
property of the	ne privileges enjoyed by other property in the vicinity and under identical zoning classification.
	why the granting of your variance request is necessary for the preservation and enjoyment of stial property rights.
	<u> </u>
residing or v	why the granting of your variance request will not adversely affect the health or safety of per vorking in the neighborhood of your property, and will not be materially detrimental to the piurious to property or improvements in your neighborhood.

#### INDEMNIFICATION AGREEMENT

Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

Applicant	Property Owner (if other than Applicant)
Date	Project Identification

### SITE LOCATION MAP (U.S. GEOLOGICAL SURVEY)

GEOLOGICAL SURVEY QUADRANGLE TITLE:	COUNTY FILE NO	
794 V		
8		
•	Affix 7" x 5½" Portion of 7.5 Minute U.S. Geological Survey Topographic Map Here	
.4.15		
(ME) 5.77		
· <del>· · ·</del>		
Very 1		
	LEGEND	
Show the following information on the topographic map:	Existing Proposed	
Parcel Boundary		
Structure		
Septic System		
Well	•	
Spring	•~	
Reservoir	€	
Road		
Parking Lot or Outdoor Storage Area		

APPLICANT NAME: John Doe

AP NO: 000-000-000 DATE: April 8, 1996

#### **PLAN REQUIREMENTS**

#### SITE LOCATION MAP REQUIREMENTS

One (1) copy of a site location map. Said map shall consist of a 7" by 5½" portion of the **7.5 minute** U.S. Geological Survey Topographic map that covers the project vicinity or an accurate reproducible copy thereof. This map section shall be pasted or taped (not stapled) in the space provided on the site location map blank contained in this application packet. The following information shall be **accurately** plotted thereon:

- a) The location of the boundary lines of all existing parcels involved and any new parcels to be formed.
- b) The location of all existing improvements to be used including but not limited to existing access roads.
- c) The location of all new improvements proposed including but not limited to buildings and access roads/driveways. For the purpose of this section proposed building sites on parcel/subdivision maps along with all the associated improvements necessary to put a home at the location selected shall be considered as "new improvements".

<u>The location of all boundary lines and improvements plotted must be accurate to within 50 feet (i.e., 1/20th of an inch)</u>

The symbols to be used in preparing this location map are specified in the legend on the site location map blank provided.

#### **PLOT PLAN REQUIREMENTS**

Four (5) copies of a plot plan drawn to scale showing the following information:

- a) Property lines of the subject parcel.
- b) Name of property owners and assessor's parcel numbers.
- c) Location and names of all streets and rights-of-way serving the parcel(s).
- d) Topography in sufficient detail to properly assess the relationship of the proposed project and/or use to the contour of the land.
- e) Location of any drainage courses, ponds or reservoirs on or adjoining the parcel(s).
- f) Location and setbacks of existing and proposed property improvements (structures, waste disposal systems, wells, access roads and parking, etc.) from the property line(s) of the subject parcel.
- g) North arrow, graphic map scale, date plan prepared, and applicant's name.

Plans on sheets larger than  $8\frac{1}{2}$  by 11" shall be accompanied by one (1) clear, clean, readable, black-line reduction on  $8\frac{1}{2}$  by 11" paper. A graphic scale of the reduced plan shall be indicated.

#### ADJOINING PROPERTY OWNER LIST REQUIREMENTS

All applications shall include a list of the current owners of all the properties whose outer perimeters are within **300 feet** of the property boundary of the project site. The list shall include the property owner's names, their addresses and the assessor's parcel numbers of the property owned.

Preparation, verification and submission of this list of property owners is the responsibility of the applicant. Lists of the property owners appearing on County tax rolls in the form required are available from all local title insurance companies. Each such list must be certified by a title insurance company as reflecting the most recent County tax roll information.

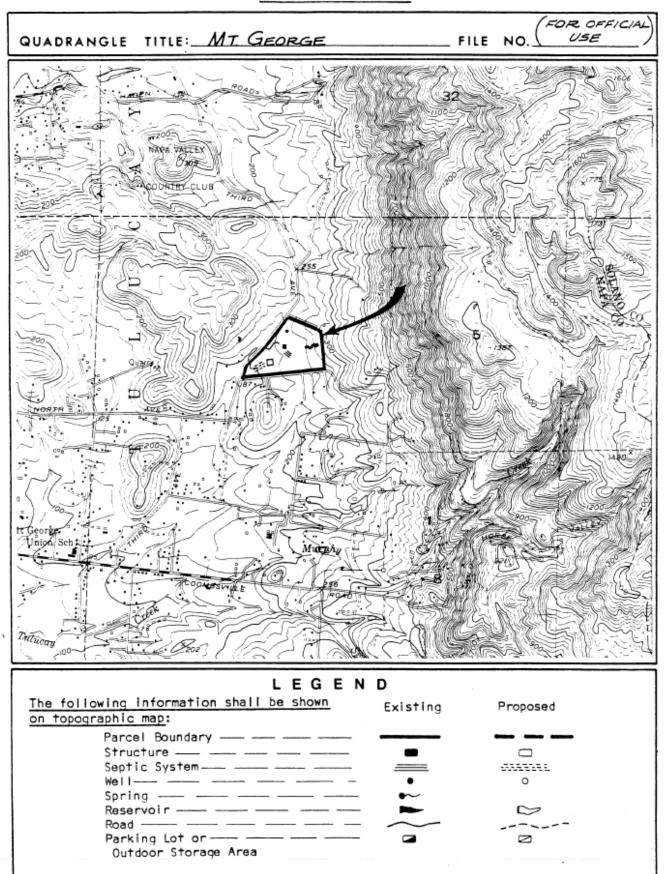
#### **INSTRUCTIONS TO TITLE COMPANY**

Please prepare the property owners' list as follows:

- 1. Type the property owners' names, parcel numbers and mailing addresses on an 8½" by 11" sheet of Avery #5160 Laser Labels so that this information can be readily used in mailing by the Conservation, Development and Planning Department.
- 2. Submit a full page copy of the assessors' parcel book page(s) and a copy of the latest equalized assessment roll used to compile the property owners' list. Please indicate the location of all parcels listed, by check mark or colored parcel number circled on the pages.

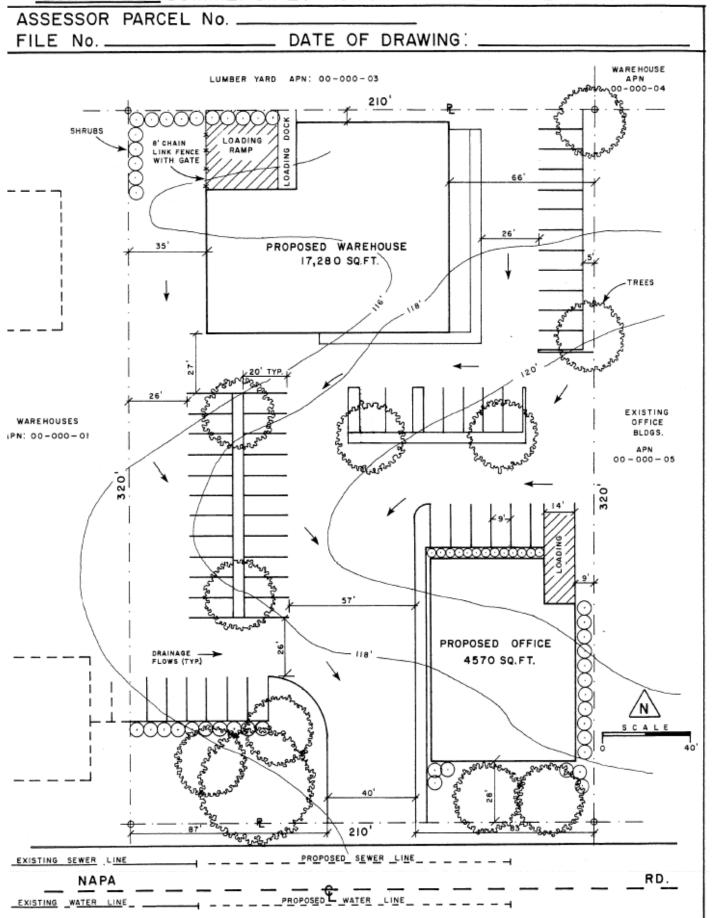
If you should have any questions, please contact the Conservation, Development and Planning Department at 707/253-4416.

## U.S. GEOLOGICAL SURVEY (USGS) TOPOGRAPHIC SITE LOCATION MAP (EXAMPLE MAP)



Jan'84

## EXAMPLE: COMMERCIAL / INDUSTRIAL PLOT PLAN - SMITH



## EXAMPLE: RESIDENTIAL PLOT PLAN - SMITH

