



County of San Diego, Planning & Development Services

VARIANCE APPLICANT'S GUIDE

ZONING DIVISION

This guide provides information on how to apply for both the Administrative and Standard Variance. Please be sure to read all of the information in this guide and the associated Permit Coversheet.

PERMIT APPLICATIONS AND PERMIT COVERSHEETS: Discretionary Permit Applications are listed on this webpage: <http://www.sandiegocounty.gov/content/sdc/pds/zoning/ZoningPermits.html>. Each link opens a specific Permit Coversheet that provides important information on fees and deposits, links to forms, specific instructions and submittal requirements for that Permit Application. We suggest that you refer to these Permit Coversheets frequently when preparing and/or applying for a permit as they are regularly updated.

PART I – FORMS AND DOCUMENTS

Please refer to the Permit Coversheet at the webpage listed above under “VARIANCE”. The direct links to the Permit Coversheets are below for your convenience.

ADMINISTRATIVE VARIANCE:

http://www.sandiegocounty.gov/content/dam/sdc/pds/zoning/formfields/ESUB_VAR_Admin.pdf

STANDARD VARIANCE:

http://www.sandiegocounty.gov/content/dam/sdc/pds/zoning/formfields/ESUB_VAR_Std.pdf

IMPORTANT: The purpose of the Variance Supplemental Application (PDS-346V) is to provide a precise description of the proposed Variance(s). Therefore, it is important that the applicant be thorough in completing form (PDS-346V). Include the number of The [Zoning Ordinance](#) Section that specifies the requirement, the Development Regulation requirement and the Variance requested.

APPLICANT'S STATEMENT OF JUSTIFICATION

Section 7107 of The Zoning Ordinance requires that all six (6) findings (a. thru f.) be made before a Variance can be granted. If any of the six findings cannot be made, the Variance must be denied.

- a. There are special circumstances applicable to the property, including size, shape, topography, location or surroundings that do not apply generally to property in the vicinity and under identical zoning.**

Describe conditions which are special to this property in comparison to other properties under identical zoning in this vicinity. These special circumstances can relate to problems involving topography, legally imposed encumbrances such as easements and roads, unusual size and configuration of the property, and areas of inundation including watercourses, swamps and streams. Special circumstances do not include development designs which represent a self-imposed hardship.

- b. That, because of those special circumstances, the strict application of the Zoning Ordinance deprives the property of privileges enjoyed by other property in the vicinity and under identical zoning classification.**

Describe the privileges enjoyed by other property in the vicinity under identical zoning that are being deprived by the strict application of the Zoning Ordinance. **Do not include** structures or activities that are operating without permits (illegally).

- c. That granting the variance or its modification is 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.**

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Describe how the requested variance will not constitute a grant of special privileges inconsistent with the limitations on other properties in the vicinity

- d. That the variance will not authorize a use or activity which is not otherwise expressly authorized by the applicable use classification.**

Describe how the use or activity is expressly authorized by the applicable use classification.

- e. That granting the variance or its modification will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements in the vicinity and zone in which the property is located.**

Describe how the requested Variance will not be detrimental to the public health, safety or welfare or injurious to property in the vicinity. This description may include the assurance of adequate sight distance for traffic, adequate separation of the proposed project from other properties or structures, concurrences of other public agencies such as the Department of Environmental Health and adequate screening such as vegetation and topography.

- f. That granting of the Variance will not be incompatible with the San Diego County General Plan.**

The granting of Variances relating to setbacks, heights and vehicle/bicycle parking are not subject to General Plan conformance and requests for such Variances should state that they are exempt.

PART II – PLOT PLANS

All plot plans should contain sufficient information to describe the project. The following is a list of information pertinent to a Variance plot plan. All of this information may not be pertinent to every proposal, but where applicable it should be included.

- **Size** - Plot Plans must be 11" x 17" (folded to 8½" x 11") with the lower right-hand corner exposed. Multiple sheets must be stapled into sets. See Permit Coversheet for the number of sets needed.
- **Dimensions** - Show the following dimensions: Exterior property lines, widths of roads and easements, size of structures, setbacks from property lines and centerlines to existing and/or proposed structures, distances between detached structures.
- **Structures** - Show all existing and proposed structures and their dimensions and floor area, including buildings, sheds, storage areas and recreation facilities such as swimming pools and playgrounds. Indicate number of stories of buildings. Indicate if structures are existing, or proposed. Label buildings and open areas as to their use. Show fences, walls, trash enclosures or dumpster locations.
- **Pedestrian and vehicular circulation and parking (commercial/ industrial/ multi-family only)** - Show walkways, driveways, entrances, exits and parking lots areas with all dimensions. Label handicapped parking. Show contiguous streets with centerlines and all easements. Show parking for service and delivery vehicles and loading and unloading areas.
- **Drainage** - Indicate any natural drainage (including streams) and any proposed drainage systems. Show the slope of the property and any proposed grading.
- **Existing natural features** - Indicate trees with over a 6" trunk diameter, streams, rock outcroppings and locations of flood zones. Extensive natural features may be shown on a separate drawing.



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- **Signs** - Show all proposed and existing signs that will remain. Include elevation drawings with dimensions (area and height) and construction materials indicated and proposed method of illumination.

PART III – PUBLIC NOTICE

Administrative Variance application must contain all of the following items:

- **Consent to Granting of Variance** (PDS-384) completed and signed. With all owner's names, signatures and Assessor's Parcel Numbers. Cross-check between the owner's names, APNs and the Assessor's map(s).
- Assessor's map(s) with parcel numbers colored and labeled with property owner's names.

ZONING STAFF ONLY:

- Label the type of Administrative Variance by percentage (50%, 75%) in the top right corner.

OR

Standard Variance application must contain all of the following items:

- **Public Notice Certification** (PDS-514) completed and signed.
- Typed list of owner's names, addresses and APNs within 300' (feet) of the site.
- Assessor's map(s) with parcel numbers colored and labeled with property owner's names.
- One (1) set of stamped (use only USPS "Forever" Stamps) and addressed business sized envelopes for each owner listed. PDS will provide the return address.
- One set of peel and stick labels on 8½" x 11" sheets containing the names, addresses and Assessor Parcel Numbers of all property owners. The names on these labels must match the typed list. These labels are necessary for a possible appeal.