



City of

HUNTINGTON PARK california

COMMUNITY DEVELOPMENT DEPARTMENT

6550 MILES AVENUE

HUNTINGTON PARK, CA 90255

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

MINOR VARIANCE APPLICATION GUIDELINES

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

I. Preliminary Review

Prior to applying for a Minor Variance, it is highly recommended that a Preliminary Review be submitted and checked. This procedure notifies the potential Minor Variance applicant, in advance, of Planning Division requirements and recommendations to the Director of Community Development. 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 Minor 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 Minor Variance Package

Materials necessary to process a Minor 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 and JPEG formats.
4. Two (2) sets of 300 foot Public Notice Radius Maps and Mailing Labels (see attached example)
5. Minor Variance Application (completely filled).
6. Environmental Checklist Form (completely filled).
7. Photographs of site and adjacent properties.
8. Required Fees:
 - A. \$2,200.00 for Minor Variance
 - B. \$ 285.00 for Environmental Review (minimum)
 - C. \$ 650.00 for Publication Fee**\$3,135.00 Total**

How is the application processed?

Minor Variances are approved based upon the discretion (subject to appeal) of the Director of Community Development. Upon the submittal of the above mentioned materials and payment of fees, the proposal will be given a case number and be scheduled for a public hearing. Assuming the materials submitted are accurate and complete, Planning Division staff can process the application and present it to the Director of Community Development within approximately one (1) 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 Director.

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 Minor Variance. In order for the Director of Community Development to approve a request for a Minor Variance, the Director 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 Minor 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 Minor Variance is sought;
3. That granting the Minor 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 Minor 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 Minor 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 Minor Variance will not be inconsistent with the General Plan.

The Director is interested in hearing all views concerning the proposed Minor 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 scheduled meeting. A copy of the report will also be provided to the applicant prior to the meeting.

What happens after the Director's decision?

After publicly discussing the case, the Director 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 else requesting that the Planning Commission reverse or modify the decision of the Director of Community Development. 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 Planning Commission which may affirm, modify or overturn the Director's action.

What are "conditions" of approval?

If the application is approved, the Minor Variance may contain certain conditions affecting the proposed use/development. The Planning Division recommends conditions to the Director 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: Minor Variance Application
Environmental Checklist Form
Radius Map Guidelines**

In order for the Director to approve a Minor 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 Minor 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 Minor Variance is sought;
3. That granting the Minor 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 Minor 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 Minor 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 Minor Variance will not be inconsistent with the General Plan.

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

1. Is the site for this proposed use adequate in size and shape? (Explain)

2. Does the site have 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)

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

4. The proposed Minor Variance will not be in conflict with the General Plan. Does the proposed use follow the General Plan? (Explain)

CERTIFICATE AND AFFIDAVIT OF APPLICANT: I/We certify that all statements made on this application are true and complete to the best of my/our 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/we are, or have permission by, the property owner to conduct the proposed development applied for herein.

Applicant's 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's Signature (Required)

Date

Print Name