



## Variance Application

City of Indian Wells  
Community Development Department  
44-950 Eldorado Drive  
Indian Wells, CA 92210  
760.776.0229 (V) 760.346.0407 (F)  
[www.CityofIndianWells.org](http://www.CityofIndianWells.org)

# VARIANCE

**VARIANCE.** The purpose of this application is to consider a variance from the terms of the zoning code because of special circumstances applicable to the property. The applicable code section dealing with variances is 21.06.050 and should be consulted for complete information.

Variances can be permitted only if granted by the Planning Commission and City Council in a public hearing and when certain findings in accordance with the Municipal Code and State Law can be made. Such findings include:

(1) The strict application of this Zoning Code deprives the property of privileges enjoyed by other property in the vicinity and under identical zoning classification because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings.

(2) The granting of the Variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

(3) The granting of the Variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and same zoning classification.

(4) The granting of the Variance does not authorize a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.



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**Date Received:** \_\_\_\_\_  
**Case Number(s):** \_\_\_\_\_

**1. Property Location**

Address of Subject Property: \_\_\_\_\_  
 Zone District: \_\_\_\_\_ Assessors Parcel Number: \_\_\_\_\_

**2. Project Description**

Project Description: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**3. Applicant**

Name: \_\_\_\_\_ E-mail: \_\_\_\_\_  
 Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Fax: \_\_\_\_\_

**4. Property Owner**

Name: \_\_\_\_\_ E-mail: \_\_\_\_\_  
 Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Fax: \_\_\_\_\_

I hereby certify that I am the owner of record of the property described in Box #1 above and that I approve of the requested action herein and that the foregoing statements and answers herein contained and the information herein submitted are in all respects true and correct to the best of my knowledge and belief.

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_

**City Staff will complete all items below in boxes #5 and #6.**

**5. Application Type**

- |   |   |
|---|---|
| <input type="checkbox"/> Staff ALC Review           | <input type="checkbox"/> Parcel Map                               |
| <input type="checkbox"/> Full ALC Review            | <input type="checkbox"/> Planned Sign Program/Sign Permit         |
| <input type="checkbox"/> Administrative Relief      | <input type="checkbox"/> Tentative Tract Map                      |
| <input type="checkbox"/> Conditional Use Permit     | <input type="checkbox"/> Temporary Use Permit – No Public Hearing |
| <input type="checkbox"/> Environmental Assessment   | <input type="checkbox"/> Temporary Use Permit – Public Hearing    |
| <input type="checkbox"/> General Plan Amendment     | <input type="checkbox"/> Use Determination                        |
| <input type="checkbox"/> Municipal/Zoning Amendment | <input type="checkbox"/> Variance                                 |
|   | <input type="checkbox"/> Other _____                              |

**Application Fee**

**Fee(s): \$** \_\_\_\_\_

**Receipt #:** \_\_\_\_\_

**6. Needed Action**

	Date of Action	Action Taken
ALC		
Planning Commission		
City Council		
Comm. Development Director		
Other		

The project must comply with the requirements of ALL applicable City Codes and Ordinances.  
 Please contact Staff with any questions regarding your application.  
 Information and fees are subject to change.

# VARIANCE

## SUBMITTAL REQUIREMENTS CHECKLIST

- Application form with owner's and applicant's signature.
- Application fee as per the current fee schedule.
- Location and use of proposed project with detailed plans as required by the Community Development Department. The diagram and/or plans must provide sufficient detail to adequately describe and show the variance request. For example, for setback encroachments on a residential property, the following items should be shown: property lines, location of existing and proposed structure, the necessary dimensions and distances describing the variance request, and the effect of granting the variance on adjacent properties.
- Photographs of the existing property conditions.
- Letter of justification for the proposed variance with required findings outlined in the letter.
- Approval of any applicable homeowners' association.
- Environmental application.
- Information as required for a public hearing contained in Section 21.06.100(a) of the Municipal Code.
- Other information as required per the request of the Community Development Director.