



## Variance Information and Submittal Requirements Checklist

City of Indian Wells  
Community Development Department  
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# 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.

# VARIANCE

## SUBMITTAL REQUIREMENTS CHECKLIST

Proof of Title and property owner'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.
- 3-sets of certified mailing labels with a radius map of all properties within 300-feet of the project site (may be extended to 500-feet).
- 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.