

READ INSTRUCTIONS CAREFULLY

1. Please fill out Application for Improvement Variance completely. Omission of information will delay the processing of your request and could lead to an erroneous decision based on incomplete information. Applicant must sign the Application for Improvement Variance.
2. Include a complete description of the proposed variance. Include maps, drawings or sketches to describe completely the existing situation and what is proposed.
3. Include a complete and detailed justification for the variance requested. Attach additional sheets if necessary. The justification must provide the basis for making the variance findings as required by Santa Rosa City Code Section 18-12-040. (See below.)

PROCEDURE

1. The completed application is filed with the Community Development Project Engineer.
2. The variance is reviewed for substance and forwarded to the City Engineer for final review for public improvements. (Water, sewer and landscape improvements are not included in the variance process.)
3. The City Engineer approves or denies the variance.
4. The application is returned to the Community Development Department Project Engineer for return to the applicant. A copy of the application, approved or denied, is retained by the Community Development Department.

APPEALS

The decision of the City Engineer may be appealed to City Council. The appeal must be made within 15 days of the date of the City Engineer's decision. The appeal is made by filing with the City Clerk (Room 10-City Hall) a written notice of appeal on a form provided by the City Clerk, together with any applicable fees as determined by the Council. (Refer to City Code, Chapter 1-20.)

VARIANCE FINDINGS REQUIRED

(Excerpted from Santa Rosa City Code, Section 18-12.040)

1. That there are special circumstances applicable to the subject property such as size, shape, topography, location, existing improvements, or surrounding structures, and that the strict application of requirements under this chapter would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of this chapter; or
2. That the nature and extent of the dedication, improvements or both, as required in this chapter, do not bear a reasonable relationship to the proposed use or uses of the property such that the exactions required would exceed the demand or burdens upon traffic, circulation and other factors justifying public improvements.
3. In either case, 1 or 2 above, the City Engineer must also find that the granting of such variance will not be materially detrimental to the public welfare or injurious to the property in the same zone and vicinity in which the property is located.