



CITY OF ENCINITAS
Development Services Department
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VARIANCE APPLICATION SUPPLEMENT

Applications requesting a variance shall include the following information:

1. The Municipal Code requires that before certain permits may be granted or modified, the granting authority must make specific findings. Please attach a separate page showing how your project complies with the following variance findings as per Zoning Ordinance Section 30.78.030:
 - A. A variance from the terms of the zoning regulations shall be granted only when, because of the special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning regulations deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.
 - B. Any variances granted shall be subject to such conditions as will assure that the adjustment thereby authorized will 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.
 - C. A variance will not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zoning regulation governing the parcel of property. The provisions of this section shall not apply to conditional use permits.
 - D. No variances shall be granted if the inability to enjoy the privilege enjoyed by other property in the vicinity and under identical zoning classification:
 1. Could be avoided by an alternate development plan; which would be of less significant impact to the site and adjacent properties than the project requiring a variance.
 2. Is self-induced as a result of an action taken by the property owner or the owner's predecessor.
 3. Would allow such a degree of variation as to constitute a rezoning or other amendment to the zoning code.
 4. Would authorize or legalize the maintenance of any private or public nuisance.
2. For structural variances from development standards
 - a. Clearly show the area of the requested variance(s) on the site plan, floor plans, roof plans and elevations, as applicable with shading, hatching or other means.
 - b. Dimension the extent of the variance request into setbacks, over the height limit, etc., as applicable.
 - c. Include information regarding the variance in the project data table.
3. For use variances, provide a concise, clear discussion of the proposed use.