



**CITY OF SONORA
PLANNING COMMISSION
VARIANCE PERMIT APPLICATION**

APPLICANT: _____ PHONE: _____

MAILING
ADDRESS: _____

APPLICANT'S EMAIL: _____

OWNER'S
NAME: _____ PHONE: _____

ADDRESS OF PROPERTY INVOLVED: _____

ASSESSORS PARCEL NUMBER OF PROPERTY
INVOLVED: _____

PRESENT USE: _____ PRESENT BUILDINGS: _____

REQUEST: _____

PREREQUISITES BEFORE APPLICATION CAN BE CONSIDERED COMPLETE:

1. Completion of application form and payment of fees: **\$902.00**
2. Submittal of twenty (20) copies of complete site plan showing the size and location of the parcel; placement of existing and proposed structures with dimensions from property lines and other structures; parking area; walkways and driveways.
3. One (1) copy of legal description of property deed records.
4. One (1) copy of reduced site plan and elevations plan.
5. Other information may be required upon review by the Community Development Department.

I certify that the foregoing is true and correct to the best of my knowledge and belief.

Signature: _____

Date: _____

FOR CITY USE ONLY

Received by: _____ Title: _____

Date: _____

VARIANCE

PURPOSE - Variances are granted to waive certain requirements which, if adhered to, would create unintended or unfair restrictions or hardships when compared to other similar properties. Occasionally, a property will be found which has unique characteristics which cause such conditions.

PROCESS - The applicant will be required to provide data showing that other similar properties exist which have the right or benefit requested. As such variance application is an individual need, discussion between the applicant and Planning Department staff is necessary.

The Planning Commission may grant a variance if it finds that strict adherence to a regulation may cause unnecessary hardship, and that all of the following exist:

1. Exceptional or extraordinary circumstances or conditions, not resulting from any act of the owner or applicant, apply to the property and not generally to other properties in the vicinity or the same zone.
2. The exception does not constitute a special privilege in-consistent with the limitations upon other properties in the vicinity or the same zone.
3. The exception is the minimum necessary for the reasonable use of the property.
4. The exception is not injurious to the neighborhood, is consistent with the intent of Chapter 17 of the Sonora Municipal Code, and with the purposes of the zone in which the variance is requested.

THE ABOVE FINDINGS MUST BE SUPPORTED BY DATA SUPPLIED BY THE APPLICANT:

The applicant will provide 20 copies of the required submittals, along with a completed application and fee as set by the City Council. The Community Development Director will review the application, location for completeness and advise the applicant of date of Planning Commission action. The Planning Commission meets on the second Monday of each month (if that date is a holiday, the meeting will be held on Tuesday). The applicant will receive, by mail, a copy of the agenda, and any staff reports prepared.

At the Planning Commission meeting, the Chairman will open the public hearing and ask staff to present its report. The Chairman will then call for those in favor of the request, then those opposed to the request. After receiving all public input, the hearing is closed, and the Planning Commission will make its decision.

APPEALS: After the Planning Commission's decision on any item, there is a required ten (10) day calendar day appeal period to allow the applicant, or interested party, to appeal the decision to the City Council. After the appeal period is passed, the applicant may obtain any further permits or licenses that may be required by the City.

City of Sonora Indemnification Agreement

Pursuant to Sonora Municipal Code Chapter 17.69 (Ordinance 776, Effective November 16, 2007); authorized applicant (or authorized agent), property owner, their successors and assigns, hereby agree to defend, indemnify and hold harmless the City of Sonora, its officers, attorneys, agents, and employees:

- I. From any claims, actions, proceedings or liability of any nature (collectively referred to as proceeding) brought against the city or its officers, attorneys, agents or employees, to attack, set aside, void, or annul any action or decision by city staff, any city planning or advisory agency, any city appeal board, the Sonora City Council, Sonora Planning Commission or other city entity including, but not limited to, any action or decision approving any development or planning permit, license, approval, authorization, general plan amendment, zoning amendment, approvals or certifications under the California Environmental Quality Act (CEQA) and/or any mitigation monitoring program; but excluding any subdivision approval governed by Government Code Section 66474.9. This indemnification shall include damages, fees and/or costs awarded against the city, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by applicant, the city, and/or the parties initiating or bringing the proceeding; and

From any proceeding seeking damages for property damage or personal injuries resulting from development authorized by the city pursuant to this application; and

For all costs incurred in additional investigation and/or study of, or for supplementing, preparing, redrafting, revising or amending any document (e.g., a negative declaration, EIR, specific plan or general plan amendment), if made necessary by the proceeding and if applicant desires to pursue securing these approvals, after initiation of such proceeding, which are condition on the approval of such documents; and

- II. Applicant (or authorized agent), property owner, their successors and assigns, hereby agree to indemnify the City of Sonora for all of the city's costs, fees, and damages which the city incurs in enforcing the indemnification provisions set forth herein.
- III. In the event of a proceeding, the city retains the right to approve counsel to defend the city, all significant decisions concerning the manner in which the defense is conducted, and any and all settlements, which approval shall not be reasonably withheld. The city has the right not to participate in the defense, except that the city agrees to cooperate with the applicant in the defense of the proceeding. If the city chooses its own counsel to defend the city, the fees and expenses of the counsel selected by the city shall be paid by the city. Notwithstanding the above, if the city attorney's office participates in the defense, all city attorney fees and costs shall be paid by the applicant.

Property Owner:

Print Name

Signature

Date

Authorized Applicant:

Print Name

Signature

Date

Authorized Agent:

Print Name

Signature

Date