



CITY OF PALM SPRINGS

Department of Planning Services
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
Tel 760-323-8245 – FAX 760-322-8360

For Staff Use Only

Case Number: _____

In-Take Planner: _____

Date: _____

VARIANCE

PLANNING / ZONING GENERAL INFORMATION FORM

PLANNING ENTITLEMENTS REQUESTED:

Administrative Minor Modification
HSPB Action
Parcel Map / Tract Map
Variance

Change of Zone
Major Architectural
Planned Development District

Conditional Use Permit
Minor Architectural
Single-Family Architectural

TO THE APPLICANT: Please fill out information requested below and attach the appropriate supplemental application.

Project Site Information:

Project Address: _____ APN: _____ \

Project Name: (Name of Condo or HOA) _____

Zone: _____ General Plan: _____ Section/Township/Range: _____ / _____ / _____

Description of Project:

Property Owner Information:

Property Owner's Name: _____

Property Owner's Signature: _____

Property Owner's Address: _____

Property Owner's Phone #: _____ FAX: _____

Property Owner's Email: _____

Project Manager, Contractor, Owner's Representative:

Company / Agent's Name: _____

Agent's Signature: _____

Agent's Mailing Address: _____

Agent's Owner's Phone #: _____ FAX: _____

Agent's Owner's Email: _____

**CITY OF PALM SPRINGS
PLANNING DEPARTMENT APPLICATION
VARIANCE**

APPLICANT'S REQUIRED MATERIAL CHECKLIST

The following items must be submitted before a Variance application will be accepted. Please check off each item to assure completeness.

Applicant <u>Only</u>	City Use <u>Only</u>
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Application Information:

- General Information Form + Variance Form
- Justification Letter
- Written statement listing all officers of a Corporation/Partnership/LLC.

Site Information:

- Site Plan: 24" x 36" (13 copies folded, 1 color rolled)
- Site photographs: 8 ½" x 11"

Architectural Information:

- Building Elevations: 24" x 36" (13 copies folded, 1 color rolled)
- Color and material sample board
- Electronic copy of plans and color exhibits in PDF image format (max 5 MB)

Miscellaneous Exhibits:

- Public hearing labels (3 sets)
- Project sponsor labels (if any – 3 sets)



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PLANNING DEPARTMENT APPLICATION VARIANCE

TO THE APPLICANT: Fill out a General Information Cover Form first and attach this supplemental information sheet.

General Information:

Describe Variance request:

The Zoning Ordinance Section 94.06.00 requires that the following four (4) conditions be established and considered by the Planning Commission before a Variance can be granted. Please respond to each of them by indicating how they are applicable to the property in question.

1. The special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, and the strict application of the Zoning Ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

2. Any Variance granted shall be to conditions that will assure the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitation upon other properties in the vicinity and zone which the subject property is situated.

3. The granting of the Variance will not be materially detrimental to the public health, safety, convenience, or welfare or injurious to the property and improvements in the same vicinity and zone in which the subject property is situated.

4. The granting of such Variance will not adversely affect the General Plan for the City.

The following information is required for the City to process your application properly:

Company Name: _____

Address: _____

Phone #: _____ Web Site: _____

OFFICERS

Name: _____ Title: _____

Address: _____

Phone #: _____ Email: _____

Name: _____ Title: _____

Address: _____

Phone #: _____ Email: _____

Name: _____ Title: _____

Address: _____

Phone #: _____ Email: _____

ARCHITECT

Name: _____ Title: _____

Address: _____

Phone #: _____ Email: _____

ENGINEER

Name: _____ Title: _____

Address: _____

Phone #: _____ Email: _____

LANDSCAPE ARCHITECT

Name: _____ Title: _____

Address: _____

Phone #: _____ Email: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of _____)

On _____ before me, _____,
Date Here Insert Name and Title of the Officer

personally appeared _____
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

Corporate Officer — Title(s): _____

Partner — Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____

Signer's Name: _____

Corporate Officer — Title(s): _____

Partner — Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____



California All-Purpose Acknowledgment

The so-called “all-purpose” acknowledgment wording, as prescribed in California Civil Code Section 1189(a), is mandatory for all acknowledgments taken in the state, whether the acknowledger is signing as an individual or a representative (partner, corporate officer, attorney in fact, trustee, etc.).

Law permits California Notaries to use an out-of-state acknowledgment form on a document that will be filed in that other state or U.S. jurisdiction, but only if “the form does not require the Notary to determine or certify that the signer holds a particular representative capacity or to make other determinations and certifications not allowed by California

law” (Civil Code Section 1189(c)).

Still, however, any acknowledged document notarized and filed or recorded in California must bear only an all-purpose certificate.

State law requires the “all-purpose” certificate wording to be used exactly as it appears in statute.

The optional section at the bottom can deter alteration of the document or fraudulent reattachment of this form to an unintended document. The insertions in this section are not required by law. Failure to fill out this section will not affect the validity of the certificate.

Instructions:

- 1 NAME OF COUNTY** where Notary performs notarization.
- 2 DATE OF NOTARIZATION.** Actual month, day and year on which signer(s) appear(s) before Notary.
- 3 NAME & TITLE OF NOTARIZING OFFICER.** In the case of a Notary, “Notary Public” would be the title.
- 4 NAME(S) OF SIGNER(S)** appearing before Notary. Initials and spelling of names should agree with name(s) signed on document and ID card.
- 5 NUMBER AND GENDER OF SIGNER(S).** **Cross out** letters and words that do not apply — person(s), name(s), is/are, he/she/they, his/her/their, capacity(ies), signature(s) — or **circle** words that apply, to agree with number and gender of signer(s) in space 4.
- 6 SIGNATURE OF NOTARY** exactly as name appears on commissioning papers, in space 3 and in seal.
- 7 NOTARY SEAL IMPRINT,** clearly and legibly affixed.

SPACES 8–15 ARE OPTIONAL.

Omission of information here will not affect the document’s validity. However, completing these spaces can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

- 8 TITLE OR TYPE OF DOCUMENT** notarized, such as “Grant Deed.”
- 9 DATE OF DOCUMENT** notarized. Most but not all documents will have a date, usually at the top or following the signature. If none, insert “No Date.”
- 10 NUMBER OF PAGES** in the notarized document. This may point out fraudulent addition or removal of pages. Do not count the certificate as a page. However, the certificate will be regarded as a page by recording officials in assessing recording fees.

- 11 SIGNER(S) OTHER THAN NAMED IN SPACE 4.** Since all signers might not be named on the same notarial certificate, insert name(s) of signer(s) here that appear(s) or will appear on other certificates — as many as space allows. If there are a large number of signers, a notation such as “Mary Smith and 28 other signers” will suffice. If none, insert “no other signers.”
- 12 NAME(S) OF SIGNER(S)** from space 4 whose capacity and represented entity follow.
- 13 CAPACITY CLAIMED BY SIGNER.** **Check appropriate box** to indicate whether signer is signing as individual (on his or her own behalf), or as corporate officer (indicate corporate title), partner (indicate whether “limited” or “general” partner), attorney in fact, trustee, guardian/conservator, or in another capacity.
- 14 DESCRIPTION OF OTHER CAPACITY(IES).** A single capacity, such as “executor,” may be indicated here; or a multiple capacity, such as “corporate officer signing for partnership in which corporation is partner.”

- 15 NAME OF PERSON OR LEGAL ENTITY** that signer is representing. It could, for example, be the name of an absent person represented by attorney in fact. It could be the name of a condominium association, such as “Blue Lagoon Condo Assn.” Or it could be multiple entities, such as “XYZ Corp., partner in Mutual Enterprises, a partnership.”

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Los Angeles)

On July 19, 2012 before me, Pat R. Jones, Notary Public
Date Here Insert Name and Title of this Officer
personally appeared Michael T. Smith
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person~~s~~ whose name~~s~~ is/are subscribed to the within instrument and acknowledged to me that he~~she/they~~ executed the same in his~~her/their~~ authorized capacity~~(ies)~~, and that by his~~her/their~~ basic signature~~s~~ on the instrument the person~~s~~ or the entity upon behalf of which the person~~s~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Pat R. Jones
Signature of Notary Public

7 
Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document: Grant Deed Document Date: July 19, 2012

Number of Pages: One Signer(s) Other Than Named Above: No other signers

Capacity(ies) Claimed by Signer(s)

Signer's Name: Michael T. Smith Signer's Name: _____

Corporate Officer — Title(s): _____ Corporate Officer — Title(s): _____

Partner — Limited General Partner — Limited General

Individual Attorney in Fact Individual Attorney in Fact

Trustee Guardian or Conservator Trustee Guardian or Conservator

Other: _____ Other: _____

Signer Is Representing: _____ Signer Is Representing: _____

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JUSTIFICATION LETTER VARIANCE

A Justification Letter explaining your application will be included in the materials reviewed by the Planning Commission; multiple related applications may be addressed in a single comprehensive letter. This letter may be prepared by the applicant or a representative. The following format is provided to assist you in the preparation of this letter.

Project Description:

Please provide a detailed description of the project. Include items such as intended use of the property; possible environmental impacts; and architectural changes.

Information:

Please provide the following information and any other that will assist the Planning Commission in making their decision:

- Number of employees / residents
- Hours of operation
- Any existing similar uses owned or operated by the applicant and their location
- Any required state licenses specific to the use requested

Findings:

Please describe in detail how the project meets/supports existing City regulations for ALL of the findings of approval of each application type per the Palm Springs Zoning Ordinance.

The Justification Letter must have original signature of named owner, applicant or representative identified as such.

Note: Palm Springs Zoning Code (PSZC) Finding Sections as follows:

- Administrative Minor Modification: 94.07.00(B)(2)
- Change of Zone: 94.07.00(A)
- Conditional Use Permit: 94.02.00(B)(6)
- Minor / Major Architectural: 94.04.00(D)
- Planned Development District: 94.02.00(B)(6)
- Variance: 94.06.00(B)

PSZC can be found on the Planning Services web page at www.palmspringsca.gov



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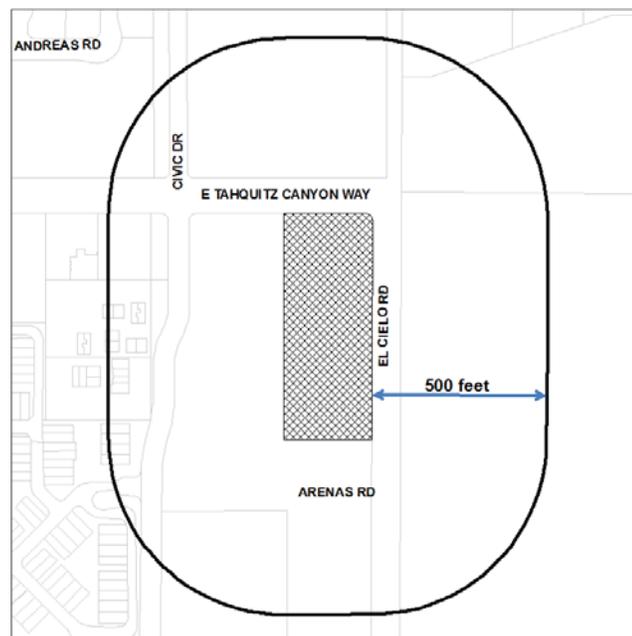
PUBLIC HEARING NOTICE REQUIREMENTS

This project requires a public hearing.

The applicant is required to obtain the following information from a certified title company. Incorrect or insufficient information may delay the development proposal.

1. Three (3) sets of typed, self-adhesive labels including assessor's parcel number and mailing addresses for properties within a 500-foot radius of the subject property and one copy of the list on plain white paper.
2. All mailing addresses of owners within a condominium project must be included in the three (3) sets of labels if any portion of the complex is affected by the 500-foot radius.
3. A list of parcels owned by Tribal Indian members owners if applicable. Contact the Bureau of Indian Affairs for information.
4. Labels for the project owner, engineer, architect, etc.
5. Assessor's parcel maps showing the 500-foot radius drawn neatly and accurately with the subject property identified.
6. A certified letter from the title company verifying property owner accuracy.

Example of required map:



Note: Palm Springs Zoning Code Public Hearing notice:

Conditional Use Permit – 94.02.00(B)(5)
Planned Development District - 94.02.00(B)(5)
Variance - 94.02.00(B)(5)
Change of Zone 94.07.00(B)(4)