

**CITY OF GILROY  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION**

**Instructions for filing a MINOR DEVIATION APPLICATION:**

No application will be accepted as complete without all of the following:

- 1. Filing Fee.....**\$1440.00**  
An applicant's appeal of the Zoning Administrator's decision..... **\$2860.00** (plus publishing costs)
- 2. Publishing Costs & postage..... **\$220.00** deposit
- 3. Application.....1 copy
- 4. Plot Plan (including location map)..... 8 copies
- 5. Elevations of structures..... 8 copies  
(photographs will be accepted)
- 6. (Optional) Letters stating adjacent neighbor's opinions regarding the minor deviation request.
- 7. (Optional) Any other displays or information which the applicant believes may support the request.

**MAPS AND PLANS MUST BE PUT INTO COLLATED INDIVIDUAL SETS, STAPLED AND FOLDED TO A SIZE NOT TO EXCEED 8 ½ X 14 IN ORDER TO FIT INTO FILE FOLDERS OR THEY WILL BE RETURNED TO THE APPLICANT.**

NOTE: Prior to submitting this application, the project proposal should be reviewed by the Planning Division. City staff includes the City Attorney and any delegates from their firm, and any fees incurred

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A. The Plot Plan shall include:

- 1. Dimensioned parcel boundaries, existing and proposed structures (such as buildings, parking areas, fences and signs) drawn to a scale adequate to clearly show the property and adjacent streets or properties which may be affected by the Minor Deviation.
- 2. A small location map clearly locating the property relative to the streets in a 4 to 5 block area around the site.
- 3. A north arrow.
- 4. Any additional information which would illustrate the Minor Deviation request.

**COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION  
VARIANCE - MINOR DEVIATION  
APPLICATION**

**City of Gilroy**

7351 Rosanna Street  
Gilroy, CA 95020  
(408) 846-0440

File No. V-MD \_\_\_\_\_ Project # \_\_\_\_\_

Please type or print the following information:

Applicant's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_ E-Mail \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_ E-Mail \_\_\_\_\_

Address: \_\_\_\_\_

(The contact person should be an individual with adequate responsibility for the project to carry out all project negotiations with the City).

Owner's name, address and telephone number if different from applicant:

Name	Address	Telephone #
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A. The applicant requests a Minor Deviation from Section \_\_\_\_\_ of the Gilroy Zoning Ordinance to allow:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B. Property is located at: \_\_\_\_\_

C. Santa Clara County Tax Assessor's Parcel Number(s): \_\_\_\_\_

D. Present zoning classification of parcel: \_\_\_\_\_

E. Dimensions of property are: \_\_\_\_\_ x \_\_\_\_\_  
(width) (depth)

Total area of parcel in square feet or acres: \_\_\_\_\_

F. Explain any special circumstances of this property (including size, shape, topography, location or surroundings) which deprive it of privileges enjoyed by other properties in the vicinity and under identical zoning classification: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

G. Give reasons why the Minor Deviation for this property would not be harmful to the general welfare of people and property in the vicinity:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Any false or inaccurate information in this application shall be grounds for denial of the request and shall void any approval based on such false or inaccurate information.

PROPERTY OWNERS SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_  
APPLICANT'S SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

If you have any questions during the processing of this application, please contact the City of Gilroy, Planning Division at (408) 846-0440.

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**IF YOU REQUIRE ACCOMMODATIONS OR ASSISTANCE TO COMPLETE THIS APPLICATION PROCESS, DUE TO A DISABILITY AS DEFINED BY THE AMERICANS WITH DISABILITIES ACT, PLEASE DESCRIBE THE ACCOMMODATIONS YOU NEED:** \_\_\_\_\_  
\_\_\_\_\_

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DEPARTMENT OF COMMUNITY DEVELOPMENT - PLANNING DIVISION

Date application received: \_\_\_\_\_ Fee: \_\_\_\_\_

Received:  
by: \_\_\_\_\_

## *Required Minor Deviation Findings*

Where an application is being made for a building permit for the construction or installation of a building or structure which is prohibited unless there first be obtained a variance in the setback, yard, parking or building site area requirements applicable to such building or structure, the applicant for such building permit may file with the Zoning Administrator an application for such variance. The application for the variance shall be made on a form supplied by the Zoning Administrator and shall be set forth or be accompanied by such information and evidence as the Zoning Administrator shall require, including the evidence required by Section 50.21 of this Ordinance, and may include or be accompanied by a written consent to the granting of the variance signed by the owner or owners of each lot or parcel adjoining the site of the proposed building or structure and the owner or owners of land across any street from such site. At the time of filing such application for a minor deviation from this Ordinance, the applicant shall pay any fee which may be established from time to time by resolution of the City Council.

A minor deviation, in whole or in part, or subject to conditions may be approved by the Zoning Administrator if, from the information presented in the application it appears that the following findings have been made:

1. That there are exceptional or extraordinary circumstances applying to the property involved or to the proposed use.
2. That because of such exceptional or extraordinary circumstances, the literal enforcement of specified provisions of this ordinance would result in practical difficulty or unnecessary hardship such as to deprive the applicant of a substantial property right possessed by other owners of property in the same class or district.
3. That the allowance of the variance will not, under the circumstances of the particular case, be materially detrimental to the public welfare or materially injurious to persons or property in the vicinity.
4. That the results of allowing the variance as specified will be in harmony with the general intent of the Zoning Ordinance.
5. That the granting of a variance will not constitute the granting of a special privilege greater than that provided for by the standard provisions of this Ordinance for other properties in the vicinity and in the same zoning district