

VARIANCE/DESIGN REVIEW/DEMOLITION FACT SHEET

Applicability

Variance

A variance is required in order to allow relief from physical standards established by the Town of Ross Zoning Ordinance.

Design Review

Design review *is not required* for repainting existing structures involving no exterior remodeling resulting in additions, extensions, or alteration. Whether or not a building permit is required, design review *is required* for:

- All new buildings and for all exterior remodeling resulting in additions, extensions, or enlargements to existing buildings exceeding two hundred (200) square feet, including enclosing existing open areas.
- All building relocations.
- All fences, gates, or walls, or a combination of these, greater than forty-eight inches (48") in height in any yard adjacent to a street or right-of-way. Fences, gates, or walls greater than seventy-two inches (72") in height within any required setback also require a variance.
- The construction of any retaining wall greater than forty-eight inches (48") in height as measured from bottom of footing to top of wall or any terraced retaining walls totaling more than forty-eight inches (48") in height.
- The construction of any retaining wall or retaining walls totaling more than 100 linear feet.
- Any project resulting in the removal or alteration of more than twenty five percent (25%) of the exterior walls or wall coverings of a residence, as determined by the Planning Department.
- Any activity or project resulting in more than fifty (50) cubic yards of grading or filling.
- Any construction, improvements, grading/filling, or other site work within twenty five feet (25') from the top of bank of a creek, waterway, or drainage way.

Demolition Permit

A demolition permit is required to demolish greater than 25% or 1,000 square feet (whichever is smaller) of any residence, commercial, or institutional building, or to alter more than 25% of the exterior walls of a structure.

Definitions

Basement means a space partly or wholly underground. A finished basement is defined as a space used in conjunction with daily household activities. It includes recreation rooms, wine cellars, laundry rooms and/or any space which is seven feet six inches (7'6") or more in height or has sheet rock or paneled walls. If the finished floor level directly above a basement is six feet (6') or more above natural grade for more than twenty-five percent (25%) of the basement perimeter, such basement shall be considered as a story.

Building Coverage means the land area covered by all buildings on a lot, including all projections (such as the roof overhang). The area of any wooden, concrete, or masonry deck, porch, or patio area that is at ground level or not over eighteen inches (18") from ground level shall not be so included provided such structure is not roofed.

Building Height means the vertical distance as measured in a straight line from any point of the roof to either existing or finished grade, whichever is greater.

Floor Area Ratio means the floor area of the building or buildings on a lot, divided by the area of that lot. For the purpose of determining the allowable floor area of a lot, the floor area is the sum of the gross horizontal areas of the several floors of the building or buildings measured from the exterior faces of the exterior walls. Floor area also includes mezzanines, finished basements and attics, garages, carports, porches which are screened or otherwise enclosed, the entirety of porches which have a depth greater than 10 feet, and other detached structures which are accessory to a dwelling.

Porch means a roofed structure projecting from the exterior wall of a dwelling for the purpose of providing shelter for an entrance. Porches provide an architectural transition between the interior of a residence and a yard and may not be used as living space.

Slope means percent slope determined by the difference between the minimum and maximum elevations, divided by the horizontal distance between these respective elevations, times one-hundred (100).

Story means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

Walkway means a path less than or equal to four feet (4') in width, less than or equal to eighteen inches (18") above grade, serving a circulation function.

Time Frame for Processing

The Variance/Design Review/Demolition Application will first be reviewed for completeness. This review will not exceed 30 days. Once an application has been determined to be complete, the application will be placed on the next available agenda space for a hearing before the Ross Town Council. The Town Council ordinarily meets the second Thursday of each month at 7 p.m.

Submittal Requirements

The following items are required for all applications. Failure to provide all required materials in a timely manner will delay review and may result in administrative denial.

1. **A complete Variance/Design Review/Demolition Application.**
2. **Filing fee.**
3. **One full-size copy and six half-sized copies**, drawn to scale, of the following items:
 - a. A site plan (survey may be required) that shows:
 - name, address, and phone number of the owner of record, applicant, engineer, architect, and other project consultants;
 - north arrow (north should be at the top of the sheet) and scale;
 - date (*revised copies must be clearly indicated with a new date and marked "revised"*);
 - all dimensions of the property and the footprint of the proposed structure in relation to the property;
 - distance of proposed structures/additions to the property line(s);
 - structures on the neighboring parcels that are closer than 25' to project property line(s);
 - existing and proposed topography in two foot contours (If excavation, grading or filling are to be performed, include a section which shows the percentage of slope of the property and the extent of the proposed excavation, grading or fill);
 - inundated areas, streams, culverts, and drainage swales as well as their top of bank;

the location, length, and height from existing grade, of existing and proposed fences, gates, walls, and retaining walls;

all existing and proposed easements;

the location, names and existing widths of all adjoining and contiguous streets and ways;

ingress, egress, and off-street parking sites;

all existing trees with a diameter greater than or equal to six inches (6"), indicating those that are proposed for removal.

- b. If tree removal, relocation, or alteration is proposed, a completed tree removal application and the payment of applicable fees.
 - c. Floor plans showing existing and proposed floor areas for each level with complete dimensions. The plan must clearly identify existing walls to remain, as well as new construction.
 - d. A full set of existing and proposed building elevations including complete dimensions, exterior materials, and colors. Existing and proposed elevations should be arranged such that existing and proposed elevations for each side are shown on the same sheet.
 - e. Building sections including a section sufficient to clearly show the building's maximum height *from existing grade*.
 - f. Marked-up floor plans showing existing and proposed floor area, lot coverage, and verification of lot area.
 - g. Calculations of the amount of proposed cut and/or fill in cubic yards.
 - h. An 8½ by 11 inch material and color board suitable for filing with official town records; a larger presentation-sized board may also be submitted if deemed necessary by the applicant.
 - i. A window and door schedule clearly indicating specifications for all proposed new or replacement windows and/or doors (including garage doors.)
 - j. Elevations, clearly indicating materials, for all proposed new or replacement retaining walls, fences, gates, and gateposts.
- 4. Story poles connected by ribbons indicating ridgelines, building corners, and exterior walls along with any proposed fencing adjacent to a right-of-way must be in place at least 10 days prior to the hearing date. *If required story poles are not***

installed on-time, the application may be deemed incomplete and removed from the Council agenda.

5. **Written acknowledgement of the proposed development is required from the owners, lessees, and occupants of all abutting property, including property across any street, lane, roadway, or highway. Names and addresses may be obtained from the Clerk's office. If written acknowledgements are not obtained, a statement stating the reason or reasons therefore must be submitted. The Planning Department will mail notice of the proposed variance to property owners within 300 feet of the subject property. *If required neighbor acknowledgements are not submitted, the application may be deemed incomplete and removed from the Council agenda.***
6. The house address must be clearly marked and visible from the street in order to facilitate onsite review by Town staff and Councilmembers.
7. Every person who engages in any business, trade or occupation within the Town is required to obtain a business license from the Town. A license is required even if the primary place of business is not located within the Town of Ross. All professionals associated with planning applications must obtain required business licenses in conjunction with the planning review of their application.

Alternate Format Information

The Town of Ross provides written materials in an alternate format as an accommodation to individuals with disabilities that adversely affect their ability to utilize standard print materials. To request written materials in an alternate format please contact us at (415) 453-1453, extension 105.