



# COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION

## VARIANCE JUSTIFICATION FORM

PLEASE TYPE OR PRINT CLEARLY

Project Description: 56 single-family detached homes

Project Location: No address. Southeast corner of Tyler St. & Jurupa Ave.

Assessor's Parcel Number (APN): 155-441-023

**VARIANCES REQUESTED** – State variance(s) requested specifically and in detail. Please attach separate sheets(s) as necessary.

Reduction in setback requirement along street frontages with a PRD in the R-1-7000 zone from 20 feet to  
between 3 and 8 feet.

**REQUIRED FINDINGS** – Answer each of the following questions yes or no and then explain your answer in detail. Questions 1 and 2 must be answered “yes” and 3 and 4 “no” to justify granting of a variance. Attach written details if insufficient space is provided on this form. Economic hardship is not an allowable justification for a variance.

1. Will the strict application of the provisions of the Zoning Code result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Code? Explain in detail.

See attached response.

2. Are there special circumstances or conditions applicable to your property or to the intended use or development of your property that do not apply generally to other property in the vicinity and under the identical zoning classification? Explain in detail.

See attached response.

3. Will the granting of such variance prove materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which your property is located? Explain in detail.

See attached response.

4. Will the granting of such variance be contrary to the objectives of any part of the General Plan? Explain in detail.

See attached response.

**Variance Justification Form**  
**Riverpoint**

1. Will the strict application of the provisions of the Zoning Code result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Code?

The strict application of the provisions of the Zoning Code result in practical difficulties and unnecessary hardships due to the odd, triangular shape of the parcel, resulting in frontage on two arterial roadways. As a result, the 20-foot setback requirement along street frontages encumbers a significant portion of the site. The general purpose and intent of the Planned Residential Development (PRD) Permit, as described in the Zoning Code, is to "allow for flexibility and creativity in design of single-family residential developments, and for the application of unique development standards that reflect special property conditions." As described above, special property conditions would result in a substantial loss of developable area if the 20-foot setback requirement were implemented. In addition, the project is uniquely designed to connect with the surrounding community through the use of street-facing architecture, front doors located near Jurupa Avenue and Tyler Street rather than inward onto the community, no masonry screening walls along the street frontages, and entry portals that provide multiple access points to the community. Allowing a reduction in the setback requirement in order to accommodate these innovative design features is in line with the flexibility and creativity encouraged in areas within a PRD permit.

2. Are there special circumstances or conditions applicable to your property or to the intended use or development of your property that do not apply generally to other property in the vicinity and under the identical zoning classification?

Special conditions exist on the property due to the odd, triangular shape of the parcel, resulting in frontage on two arterial roadways. As a result, the 20-foot setback requirement along street frontages encumbers a much larger portion of the site than occurs for similarly-zoned parcels. In addition, nearby properties along Jurupa Avenue and Tyler Street were not constructed with 20-foot setbacks; masonry walls and other structures are present within 20 feet of the street right-of-way. Therefore, the implementation of a reduced setback on the project site would not result in any inconsistency or incompatibility with the adjacent developments.

3. Will the granting of such variance prove materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which your property is located?

The granting of this variance would not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which the property is located. The project will result in the improvement and beautification of a disturbed, vacant parcel. The variance allows the project to have street-facing architecture and landscaping that connects with the surrounding community, rather than being walled off from the community as is commonly the case with older developments. The variance does not affect sidewalks along the project frontage, which would remain in place and available for community use.

4. Will the granting of such variance be contrary to the objectives of any part of the General Plan?

The granting of this variance will not be contrary to the objectives of any part of the General Plan. The General Plan encourages the implementation of Smart Growth Principles, which include "compact building design," "walkable neighborhoods," and "distinctive, attractive communities with a strong sense of place." (p. LU-25) The project creates attractive frontages on Jurupa Avenue and Tyler Street, including structures with front doors and windows along or near the street, entry portals that provide multiple access points to the community, and no masonry screening walls to separate the new community from surrounding homes. The reduction in the setback requirement along the street frontages encourages the creation of an

attractive streetscape with connectivity between the new homes and the sidewalk, while retaining enough space to accommodate street trees and groundcover.