



Variance Application

Date Received 11-26-25
 By Even
 Fee \$1,507.00
 Case # V04-25

General Information

APPLICANT VB BTS III, LLC Phone See Representative

Mailing Address 22 W Atlantic Ave, Ste 310 Email See Representative

City Delray Beach State FL Zip 33444

REPRESENTATIVE Assurance Development Phone 310 488 6237

Mailing Address 1499 Huntington Dr, Ste 305 Email sherrmann@assurance-group.com

City South Pasadena State CA Zip 91030

PROPERTY OWNER Thong Por Phone 951 378 2951

Mailing Address 9580 Spyglass Ave Email HengLoan@gmail.com

City Hot Springs State CA Zip 92240

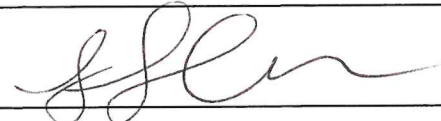
Project Information

Project address or location None

Assessor Parcel Number(s) 0587-011-04

Description of variance being requested Applicants request a deviation from the setbacks depicted in Section 9.44.070 (D) and the maximum height limit detailed in 9.07.050/9.31.050.

The facility exceeds the standards of a maximum height of 52.5' and does not meet the setbacks of 275' from residential properties.

Applicant Signature  (Representative)

Property Owner Signature Please see LOA and owner/applicant authorization

Town of Yucca Valley
 Community Development Department
 Planning Division
 58928 Business Center Drive
 Yucca Valley, CA 92284
 760 369-6575 Fax 760 228-0084
www.yucca-valley.org

VARIANCE FINDINGS

Please respond to each question in as much detail as you possibly can.
(Attach additional pages if necessary)

- 1) Will the granting of this variance be detrimental to other properties or land uses in the area or substantially interfere with the present or future ability to use solar energy systems?

This project is not detrimental to other properties or land uses in the area. It is located entirely within private property. A Shade and Shadow Study will be provided to show that there will no substantial impact on solar energy on the surrounding properties.

- 2) Are there exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply to other properties in the same district or vicinity?

This property, which is zoned RS-2, is currently vacant and provides ample space for the proposed facility. This parcel exceeds the average parcel size of surrounding properties, allowing the installation of the new facility to be less detrimental to the area. The surrounding parcels are also undeveloped, and the development of the proposed facility will not impede on these surrounding properties.

- 3) Will the strict application of the land use district regulations deprive such property of privileges enjoyed by other properties in the vicinity or in the same land use district?

The proposed Tower will provide the surrounding community with increased wireless coverage, a need determined by T-Mobile RF Engineers to fill gaps in coverage in the residential areas of Yucca Valley. T-Mobile has existing facilities at 7248 Joshua Ln, 57373 Joshua Ln, and 54072 Homestead Trl, which serve the surrounding residential and commercial properties, including those zoned RS2. There is a significant gap in coverage between these facilities, which the proposed tower will fulfill for the surrounding residential properties. Strict interpretation of the RS2 regulations would deprive the surrounding properties of reliable wireless coverage.

- 4) Is the variance request in conformance with the objectives, policies, and programs specified in the General Plan and any applicable plan?

The variance request for the height and the setbacks of the tower are in compliance with the General Plan and applicable plans, as the tower will be designed as a faux windmill. The tower is permitted within the RS2 Zone. Applicants are requesting approval of this variance and the associated Conditional Use Permit for this project. As per section 9.44.070.D, this tower will be a non monopole and the Applicants hereby request reduced setbacks. Applicants are requesting an increased height based on the carrier's coverage objectives, exhaustion of alternative options, and the tower's compatibility with the surrounding area.

Agreement to Pay All Development Application Fees

In accordance with Town Council Resolution 04-38 the Town collects certain fees based on the actual cost of providing service. The application deposit for this project (as indicated below) may not cover the total cost of processing this application. I/We are aware that if the account has 25% or less remaining prior to completion of the project, staff will notify the undersigned in writing, of the amount of additional deposit required to complete the processing of the application, based on Staff's reasonable estimate of the hours remaining to complete this application process.

Further, I understand that if I do not submit the required additional deposit to the Town within 15 business days from the date of notification by the Town, the Town will cease processing of the application and/or not schedule the project for action by the Planning Commission or Town Council until the fees have been paid.

Any remaining deposit will be refunded to me at time of closeout after I have submitted any required approved project plans and forms, including signed conditions of approval, or upon my written request to withdraw the application.

As the applicant, I understand that I am responsible for the cost of processing this application and I agree that the actual costs incurred processing this application will be paid to the Town of Yucca Valley.

Deposit Paid: \$ \$1507.00-

Applicant Signature 

Applicant Name Samantha Herrmann (Representative)
(Please print)

Remaining balance refunded to:

Assurance Development

1499 Huntington Dr, Ste 305

South Pasadena, CA 91030

Property Owners Mailing List

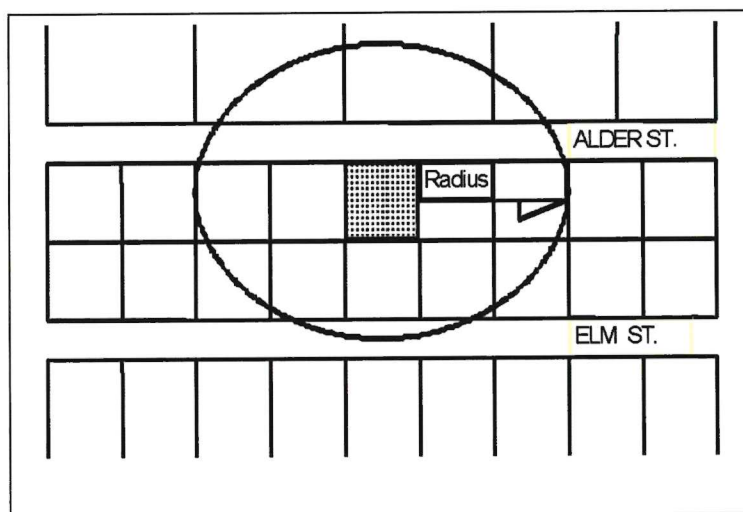
All applications that are subject to a Public Hearing require the applicant to submit a list of property owners who own property contiguous to and within 300 feet of the project site. This process is required by Section 83.010330 of the Development Code to notify residents and property owners in the immediate vicinity. Staff will send public notices to these individuals informing them of the proposed project and scheduled public hearings.

The surrounding property owner information must be obtained from the most current San Bernardino County Assessor's roll or shall be prepared and verified by a title company doing business in San Bernardino County. A County Assessor's office is located at 63665 Twentynine Palms Highway in Joshua Tree. The general telephone number for the Assessor's office is 760-366-1420.

MATERIALS REQUIRED:

- Two (2) sets of adhesive labels containing the mailing address of the owner(s), applicant(s) and of all surrounding property owners, including vacant properties. Mailing labels must contain: Assessor's Parcel Number, property owner's name, address, and zip code.
- One (1) copy of the label sheets.
- One (1) radius map showing the subject property and all surrounding properties. The appropriate radius shall be drawn from the exterior boundaries of the subject property as shown in the sample below. The scale of the radius map shall be large enough to clearly show all surrounding properties.
- One (1) electronic copy of all submitted materials.

Sample Vicinity/Radius Map

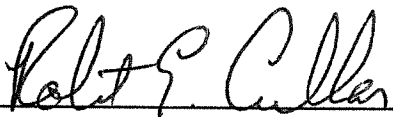


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SURROUNDING PROPERTY OWNERS LIST CERTIFICATION
(To be submitted with application)

I, ROBERT E. CUELLAR, certify that on 10-27-2025 the attached property owners list was prepared by GC MAPPING SERVICE INC pursuant to the requirements of the Town of Yucca Valley. Said list is a complete compilation of the owner(s), applicant(s) and representative of the subject property and all owners of surrounding properties within a radius of 300' feet from all exterior boundaries of the subject property and is based on the latest equalized assessment rolls of the San Bernardino County Assessor's Office dated 10-27-2025. I further certify that the information filed is true and correct to the best of my knowledge; I understand that incorrect and erroneous information may be grounds for rejection or denial of the development application.

Signed: 

Print Name: ROBERT E. CUELLAR Date: OCTOBER 27, 2025



VARIANCE APPLICATION AND INFORMATION OUTLINE

This outline provides you with information on how to apply for a Variance. We hope that the information will be beneficial in instructing you on what information is required and what steps must be taken to review your application. The more thorough and complete the application submitted to the Town, the better we are able to serve you and help you achieve your goals.

Included is the **VARIANCE APPLICATION**. Should you have any questions, please contact the Planning Division at (760)369-6575 x317. The Planning Division is located in the Community Development/Public Works Department building at 58928 Business Center Drive off of Indio and Yucca Trail, north of the Monterey Business Center. You may visit our website for additional information at: <http://www.yucca-valley.org/departments/planning.html>

What is a Variance?

A Variance is a modification to existing requirements of the Development Code, such as regulations on setbacks or height limits, which may be granted to property owners if certain findings can be satisfied. By State law, variances can only be granted when a property has special circumstances such as size, shape, topography, location, or surroundings that deprive the property owner of privileges enjoyed by other property owners in the vicinity under identical zoning classifications.

Who approves the Variance?

The Variance application is reviewed by the Planning Commission at a public hearing.

Fees

The deposit fee for processing a Variance is \$1,507. The fee must be paid to the Town at the time the application is filed.

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Submittal Requirements

The following information shall be submitted along with the completed application form:

- Property Owners List-A list of all property owners and mailing addresses within 300 feet of the exterior boundaries of the property in question. This list will be used for public notification. This information shall be provided on mailing labels. Provide two sets of adhesive labels, one photocopy of labels, and one radius map.
- Five (5) copies of a site plan of the property, showing all improvements on the property. At a minimum, a site plan shall include the following information:
 - Scale, north arrow, and vicinity map.
 - Location and size of existing and proposed buildings.
 - Number of parking and loading spaces required and provided.
 - Footprint of all existing and proposed structures on the site and within twenty-five feet (25') of the boundaries of the site.
 - Required setbacks and distances between buildings and/or structures.
 - Location and heights of all walls or fences with details, materials, construction, and height differentials from abutting property if fence/wall is located on a property line.
 - Utility locations including easement dimensions and drainage courses.
 - Septic location.
- Building elevations, if required for height deviations.
- Variance findings, required per state law.
- Preliminary Title Report, prepared within 60 days of application submittal
- Electronic copy of all material