

LICENSED SURVEY POLICY

COMMUNITY DEVELOPMENT DEPARTMENT • BUILDING AND PLANNING DIVISION 10300 TORRE AVENUE • CUPERTINO, CA 95014-3255 (408) 777-3228 • building@cupertino.org (408) 777-3308 • planning@cupertino.org

BACKGROUND

This policy is created to protect the property rights of the owner of a property where work is being done as well as the owners of adjacent properties by ensuring that setback requirements are being enforced. Accurately locating buildings and structures within the required setbacks mandated by the Building and Zoning codes is difficult to achieve and causes significant time-consuming problems. In order to properly enforce setback and height requirements, the following matrix will be applied to all new construction and additions to existing buildings and structures.

DEFINITIONS

BOUNDARY SURVEY - A Survey prepared and signed by a Licensed Land Surveyor or qualified Civil Engineer allowed to practice "Engineering Surveying" showing property lines, dimensions & bearings, existing found property boundary monument(s), basis of bearings used to prepare the survey, existing easements, and existing buildings and structures on the property.

TOPOGRAPHIC SURVEY - A Survey prepared and signed by a Licensed Land Surveyor or qualified Civil Engineer allowed to practice "Engineering Surveying" which includes drainage patterns, lot corner elevations and spot elevations of adjacent lots, existing fence locations, tree locations, and other physical site attributes.

LOT SURVEY – A combined Boundary and Topographic Survey. A sample of a Lot Survey is shown on next page.

HORIZONTAL CONTROL PLAN – A plan prepared on the LOT SURVEY described above that shows ALL of the following elements: the property boundaries with bearing and distances, existing found property boundary monument(s), existing easements, all proposed buildings and/or structures, existing fences, and building setbacks with dimensions to property lines. The HORIZONTAL CONTROL PLAN shall be stamped and signed by a licensed professional.

REQUIRED PRIOR TO PLAN SUBMITTAL

PROJECT SCOPE	Lot	Boundary	Horizontal
	Survey	Survey Only	Control Plan
New Residential or Commercial Construction	X		\boxtimes
Residential or Commercial Additions, Non-Hillside Areas		X	
Residential or Commercial Additions, Hillside Areas	X		X
Site Retaining Walls	X		X

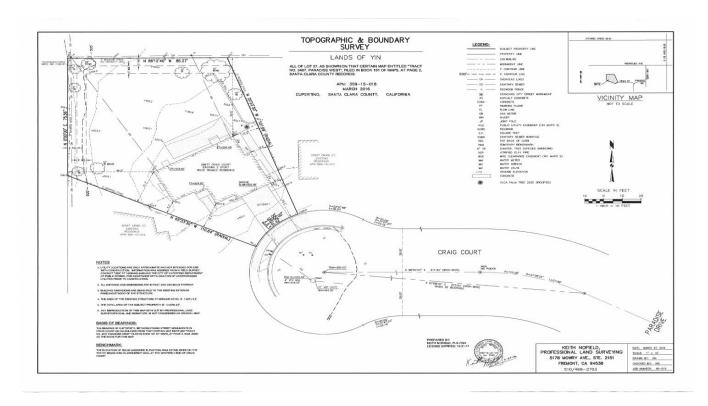
Due to irregular shaped lots, site conditions, or other unforeseen circumstances, the Chief Building Official or Planning Manager may determine that a Horizontal Control Plan and/or a Lot Survey is necessary even though one was not required for permit issuance. If this determination is made after permit issuance, it shall be submitted and approved **prior to approval of foundation inspection**.

REQUIRED PRIOR TO FOUNDATION INSPECTION

The following items will be required **prior to foundation inspection**.

- Property Boundary or Foundation Staking The marker(s) shall be installed in the ground under the direction of the licensed land surveyor or qualified Civil Engineer to accurately locate property corners or at Foundation Corners (offsets are acceptable) per the approved Horizontal Control Plan. Property boundary or foundation staking must be visible at the project site for inspection purposes, and must be labeled to indicate any offsets. When a project is located in a FEMA special flood hazard area, staking shall also be labeled with elevation marks.
- Survey Letter A letter certifying all proposed building and/or structures and property boundary lines are located and staked per the approved Horizontal Control Plan and all pad, floor, and/or retaining wall elevations are consistent with the approved plans. The Survey Letter shall be accompanied with the approved Horizontal Control Plan.

SAMPLE LOT SURVEY



EXCEPTION

The Licensed Survey requirement can be waived if the property line setback for addition(s) is 10% greater than what is required by code. For example, if the zoning code requires a 5′-0″ side yard setback and the setback for the proposed addition is 5′-6″, a waiver for the required licensed survey may be considered. If the waiver is approved, a condition will be placed on the approval that a Licensed Survey will be required prior to final inspection if there is a property line dispute with the adjacent neighbor.