



# FRANKLIN COUNTY

## PLANNING AND BUILDING DEPARTMENT

### ZONING CODE - VARIANCE (VAR) APPLICATION PACKET

#### *FREQUENTLY ASKED QUESTIONS:*

##### **What is a variance?**

A variance is a modification to specific zoning regulations that apply to a particular piece of property. A variance may only be granted when there are exceptional circumstances that apply to the property that are beyond the control of the applicant and where the granting of the variance will not detrimentally affect other nearby properties.

Variances are limited to zoning requirements such as yards (such as setbacks to front, rear, and side yards), lot dimension/coverage, heights, and parking areas.

##### **What is an exceptional or extraordinary circumstance?**

A situation that is beyond the control of the applicant and does not generally apply to other properties in the same zoning district or vicinity and is a result from lot size, shape, topography or other circumstance.

##### **How do I know if I require a variance?**

When you visit the Planning and Building Department, staff will point out the requirement of the zoning ordinance and tell you how and where your plan does not comply.

##### **How do I obtain a variance?**

The Planning and Building Department staff will assist you through the application and review process of a variance application. The County Planning Commission will review and make a recommendation regarding the variance request. The Board of County Commissioners will make the final decision. In this land use decision-making process, all established standards, criteria, and policies regarding the proposed variance request within the zoning district will be reviewed.

##### **What criteria are used to evaluate a variance request?**

1. That exceptional or extraordinary circumstances apply to the property which does not apply generally to other properties in the same zoning district or vicinity and result from lot size, shape, topography, or other circumstances over which the applicant has no control;
2. That the variance is necessary for the preservation of a property right of the applicant, which is the same as is possessed by owners of other property in the same zoning district or vicinity;
3. The granting of the variance will not materially affect the health and safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood;
4. That the variance would not be materially detrimental to the intent of the ordinance, or the property in the same zoning district or vicinity in which the property is located, or otherwise conflict with the objectives of any County plan or policy and the variance requested is the minimum variance which would alleviate the hardship.



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### How do I apply for a variance?

1. General Land Development Application;
2. Fees (see application checklist);
3. Written detailed description explaining:
  - a. The present use of the land/structures
  - b. The purposed use and variance request
  - c. Description of any zoning violations on the property, and
  - d. Any other pertinent information deemed necessary
4. Site Plan.

### What happens after I apply?

During the time prior to the public hearing, the Planning and Building Department staff will notify in writing (copy of public hearing notice) all the property owners of record within 500 feet of your property (if within an Urban Growth Boundary) or 1 mile of your property (if located outside an Urban Growth Boundary).

Additionally, the staff will conduct a review of your request and will do the following:

1. Establish a hearing date for the request
2. Send notification of the hearing to local newspapers
3. Send notification of the request to applicable technical agencies for comments
4. Send notification of the request to neighboring landowners (see above)
5. Compile public and agency comments to help develop a Staff Report for the hearing.

### What happens at the public hearing?

An open record hearing (public hearing) is held to review your request. The applicant or representative is encouraged to be present to discuss and answer any questions the Board of County Commissioners or public may have. Anyone who wants to testify for or against your request will be allowed to do so.

### When do I find out if my request was approved or denied?

At conclusion of this public hearing, the Planning Commission will make a recommendation to the County Commissioners to approve, approve with conditions, or deny the request. This recommendation is processed through an appeal time period prior to appearing before the Board of County Commissioners for a final decision. For additional information regarding the timely filing of an appeal, closed record hearings, Commissioner review and decision, please see Chapter 17.82 of the Franklin County Code or contact the Planning and Building Department for details and specifications. Please note that the decision-making process and appeal process for variance applications is the same as those for Conditional Use Permits/Special Use Permits.

*- Keep this section for your records -*

*- Return the following completed pages with your application -*



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### ZONING CODE – VARIANCE (VAR) APPLICATION SUPPLEMENT

#### Submittal Checklist:

- |                          |  |
|--------------------------|--|
| <input type="checkbox"/> | <b>Zoning Code - Variance Fee: \$400.00</b><br>Check made payable to the Franklin County Planning and Building Department  |
| <input type="checkbox"/> | <b>Variance Report Fee: \$80.00</b><br>Check made payable to the Franklin County Planning and Building Department.<br><br>This report includes (and is mailed to) the adjoining Property Owner's names and addresses (500 feet within an Urban Growth Area or one (1) mile outside an Urban Growth Boundary).<br><br><i>Please note: the typical thirty (30) day review period requirement <b>will not begin</b> until this Variance Report is completed.</i>  |
| <input type="checkbox"/> | <b>Certified Title Report</b><br>Applicant must obtain this report from a licensed title company within thirty (30) days.  |
| <input type="checkbox"/> | <b>General Land Development Application</b> – See last two pages of packet   |
| <input type="checkbox"/> | <b>Site Plan</b><br>On a sheet of 8.5"x11" or 11"x17" paper, drawn neatly and to scale, please provide the following: <ul style="list-style-type: none"><li>• North arrow</li><li>• Legend, must state the Owner/Applicant name, date the site plan was drawn, tax parcel number, and scale</li><li>• Exterior property lines and any adjacent public street or alley rights-of-way</li><li>• Existing and proposed buildings, and other structures</li><li>• Existing and proposed retaining walls or fences<ul style="list-style-type: none"><li>○ Indicate material, if the fencing provides visual screening, the height of the fence, and if there is barbed wire</li></ul></li><li>• Existing and proposed points of ingress and egress, drives and driveways, and circulation pattern</li><li>• The location of existing and proposed parking areas with each parking space shown and surface type indicated and lighting noted</li><li>• Existing and proposed open spaces and landscape areas</li><li>• Water<ul style="list-style-type: none"><li>○ Location of well or water systems within 100 feet of the subject property or within a 100 foot well control zone and the distance from any structures within the well control zone</li></ul></li><li>• Sewerage facilities<ul style="list-style-type: none"><li>○ Location of proposed or existing drain field area, extension area, and tank area as well as replacement areas and distances to structures and property lines</li></ul></li><li>• Storm water drainage</li><li>• Sidewalks and streetlights</li><li>• Fire protection devices; along with sufficient water storage and flows</li><li>• Facilities or improvements to address compatibility with adjacent dissimilar land uses</li></ul> |



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- Location of structures on the adjoining lots, which may cause compatibility issues
- All major man-made and natural physical features such as:
  - Railroads, canals, streams, creeks, drainage ditches, hills, depressions, steep slopes, lakes, shorelines, floodplains, floodways, the 100-year base flood elevations, etc.
  - Features must be on-site or adjacent to the site
- Proposed contours and grading as they affect lot layout, streets, and drainage ways
- Location of proposed or existing drain field area, extension area, and tank area as well as replacement areas and distances to structures and property lines

**Written narrative addressing the following:**

- What standard (code) are you requesting a variance from?
  - Provide the specific Section and/or subsection of the Franklin County Code (FCC)
    - Example: FCC 8.40.080 Franklin County Fire Code – Land development fire suppression standards
- What is your requested variance (exception or relief) from that requirement?
- What are the exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zoning district or vicinity, and result from lot size, shape, topography?
- Are the special circumstances a result from the actions of the applicant/property owner?
- How is the variance necessary for the preservation of a property right of the application substantially the same as is possessed by owners of other property in the same zoning district or vicinity?
- Explain how the granting of this variance will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.
- Explain how the variance would not be materially detrimental to the intent of this chapter, or the property in the same zoning district or vicinity in which the property is located, or otherwise conflict with the objectives of any county plan or policy and the variance requested is the minimum variance which would alleviate the hardship.
- Is the proposal the minimum variance needed in order to make possible the reasonable use of the land, building or structure? If so, explain.
- How will the proposed variance meet the general intent of the zoning district in which the property is located?



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### Zoning Code - Variance Supplemental Information

<b>Current Zoning:</b>	<b>Parent Lot/Parcel Size (Gross Acreage):</b>
<b>Is the property located within a floodplain?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Is the property located within an Airport Safety Overlay?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Irrigation Source:</b>	<input type="checkbox"/> SCBID <input type="checkbox"/> FCID <input type="checkbox"/> Private <input type="checkbox"/> None
<b>Domestic Water Supply:</b>	<input type="checkbox"/> On-Site Well <input type="checkbox"/> City Water <input type="checkbox"/> Farm Exempt Well (provide documentation) <input type="checkbox"/> Community Well (Well ID # and location):
<b>Sewage Disposal:</b>	<input type="checkbox"/> On-Site Septic <input type="checkbox"/> City Sewer <input type="checkbox"/> Other (Specify):
<b>List Existing or Proposed Utility Providers:</b>	
Power:	Cable/Broadband:
Natural Gas:	Landline Phone (if applicable):
Sanitary Waste Disposal:	Other (if not listed):
<b>Present use of the land and structures, if any:</b>	
<b>Detailed description of the proposed use/development proposal:</b> (Attach additional sheets if necessary)	
<b>Proposed measures to ensure compatibility with permitted uses in the surrounding zone:</b> (Example: fences, landscape buffers, berms, etc.)	
<b>Describe any existing zoning ordinance violation(s):</b>	



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I, the undersigned, hereby authorize the filing of this application and certify under penalty of perjury that the information contained in this application is complete and correct to the best of my knowledge. Further, I hereby grant Franklin County staff or representatives to enter my property during the course of this review to inspect my property as needed.

- This authorizes the designated Applicant's representative (if applicable) to act on behalf of the applicant for the processing of this request.**

\_\_\_\_\_  
Owner (signature)

\_\_\_\_\_  
Applicant/Representative (signature)

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_ 20\_\_\_\_\_  
Date signed

\_\_\_\_\_ 20\_\_\_\_\_  
Date signed



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### GENERAL LAND DEVELOPMENT APPLICATION

<b>FOR STAFF USE ONLY</b>	<b>FILE #:</b>	<i>S T A M P   H E R E :</i>
	Total Fees:	Date deemed complete:
	Receipt #:	Pre-App Meeting Date:
	Reviewed By:	Hearing Date:

<b>CHECK ALL THAT APPLY AND ATTACH SUPPLEMENTAL FORM(S):</b>	<input type="checkbox"/> Alteration/Vacation of Easement	<input type="checkbox"/> SEPA – Environmental Checklist
	<input type="checkbox"/> Appeal (File # of item appealed: _____)	<input type="checkbox"/> Shoreline Permit
	<input type="checkbox"/> Binding Site Plan	<input type="checkbox"/> Shoreline – Conditional Use Permit
	<input type="checkbox"/> Boundary Line Adjustment	<input type="checkbox"/> Shoreline – Exemption
	<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Shoreline – Non-Conforming
	<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Shoreline – Substantial Development
	<input type="checkbox"/> Critical Areas Determination/Review	<input type="checkbox"/> Shoreline – Variance
	Reasonable Use Determination	<input type="checkbox"/> Short Plat
	<input type="checkbox"/> Home Occupation	<input type="checkbox"/> Subdivision (Long Plat)
	<input type="checkbox"/> H2A Farm Worker Housing (Zoning Review)	<input type="checkbox"/> Temporary Use Permit
	<input type="checkbox"/> Lot Segregation Request	<input type="checkbox"/> Variance
	<input type="checkbox"/> Non-Conforming Use Determination	<input type="checkbox"/> Zone Change (Rezone)
	<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Zoning Interpretation/Administrative Decision
	<input type="checkbox"/> Other:	

**CONTACT INFORMATION** (Please provide all necessary information and checkmark the primary contact)

<input type="checkbox"/>	<p><b><u>Property Owner</u></b></p> <p>Name: _____ Mailing Address: _____</p> <p>Phone Number: _____</p> <p>E-mail Address: _____</p>
<input type="checkbox"/>	<p><b><u>Applicant/Agent/Contractor (if different)</u></b></p> <p>Contact Name: _____ Business Name: _____</p> <p>Phone Number: _____ Business Address: _____</p> <p>E-mail Address: _____</p>
<input type="checkbox"/>	<p><b><u>Surveyor/Engineer</u></b></p> <p>Contact Name: _____ Business Name: _____</p> <p>Phone Number: _____ Business Address: _____</p> <p>E-mail Address: _____</p>



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### PROPERTY INFORMATION

Parcel Number(s) (9-digit tax number):
Legal Description of Property:
Site Address: (describe location if no address is assigned)

### BRIEF DESCRIPTION OF PROJECT OR REQUEST

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- All appropriate fees must accompany this application. Fees are non-refundable and subject to change. Please contact the Planning Department for current pricing of fees.
- This application, including attachments, must be completed in its entirety for all items applicable to your project.
- Supplemental information is generally required for land use approvals. Please ensure that all required information is submitted along with this application form.
- If the property is owned by a trust, corporation, or LLC, please attach documentation showing that the person signing as the “owner” has the authority to sign on behalf of the trust, corporation, or LLC. If there are multiple owners, provide an attachment in the same format and with the same declarations.

I, the undersigned, hereby authorize the filing of this application and certify under penalty of perjury that the information contained in this application is complete and correct to the best of my knowledge. Further, I hereby grant Franklin County staff or representatives to enter my property during the course of this review to inspect my property as needed.

I understand that any information submitted to the Franklin County Planning and Building Department is subject to public records disclosure laws for the State of Washington (RCW Chapter 42.17) and all other applicable laws that may require the release of the documents to the public.

**This authorizes the designated Applicant’s representative (if applicable) to act on behalf of the applicant for the processing of this request.**

_____	_____	_____	_____
Owner (Signature)	Date	Applicant/Representative (Signature)	Date

_____	_____	_____	_____
Owner (Print Name)	Date	Applicant/Representative (Print Name)	Date