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VARIANCE PERMIT GUIDELINES (For complete details see IMC 15.52)

Background

Requirements for obtaining variance permits are outlined in Ilwaco Municipal Code Chapter 15.52. A variance is permission to build something in a way that is otherwise not allowed by code. A variance is used to deviate from zoning standards, not from the type of use allowed. A variance gives private property owners relief from the city's zoning requirements when special circumstances are present. A variance can be applied for when unusual physical conditions of a specific property make it impossible for the owner to meet the requirements of that zone, and therefore the owner needs to vary the size, dimension or design requirements of that zone. Variances are only used to mitigate hardships caused by topography or location of existing buildings.

Application Process

- Applicant requests a **pre-application conference** (optional) with the city planner to discuss requirements and the review process before submitting a permit application and fees.
- If an applicant requests **consolidated permit processing**, a pre-application conference is required.
- Applicant **submits the application**, all related materials and application fees to the city clerk/treasurer, who forwards items to **city planner**.
- City planner makes **Determination of Completeness** within 28 days. If the information is not complete, applicant will have 90 days to submit the required information. If it is not submitted within 90 days, the application will lapse. If it is submitted within 90 days, the city planner will issue a letter to applicant within 14 days indicating whether or not the application is complete.
- City planner prepares a **report summarizing findings, conclusions and recommendations** and forwards report to the planning commission.
- **Planning commission** makes a recommendation on the variance permit to the city council.

- City clerk/treasurer publishes a **city council Public Hearing Notice** in the newspaper at least 15 days before the hearing and mails notice to neighbors within 300'.
- City council holds **public hearing** and receives testimony or comments by the public relevant to the matter.
- City council **approves, approves with conditions or denies** the application.
- City council **reports decision** within 120 days (*see 15.08.120 & 130*). The report will serve as the permit.
- City planner forwards report of decision to the **building inspector**.
- A variance permit, if not exercised, will expire one year after the decision of the city council.
- Decisions of the city council may be appealed to the Pacific County Superior Court.

Application Packet

- Master Planning Permit Application Form.
- Site plan with information as specified on the Permit Submittal Checklist (*see reverse side of this page*).
- Application Fees (*see Ilwaco Fee Schedule*).

VARIANCE PERMIT SUBMITTAL CHECKLIST

Master Planning Permit Application Form

Vicinity Map

- Owner's name and mailing address.
- Contact person's name, mailing address and phone number.
- North arrow, scale and date.
- Proposed name of project.
- Location of any other permanent features in the area that could be affected, such as existing streets, platted but not constructed streets or any waterways, including wetlands and drainage ways.

Site Plan

Existing conditions:

- Topography at two-foot contour intervals, or other intervals if not available from a public source.
- Water courses.
- FEMA floodplain and floodway.
- Designated shorelines.
- Wetland boundaries.
- Configuration, dimensions and areas of all parcels.
- Location, dimensions and use of all buildings on site.
- Location, dimensions and use of all easements.
- Name, location and width of all adjacent rights-of-way.
- Location of existing on-site driveways, those across the street and on adjacent properties.
- Location of fire hydrant nearest the subject property.

Proposed improvements:

- Configuration and dimensions of project boundaries, including open space, drainage tracts and easements.
- Location (distance to property line) dimensions, floor area and proposed use of all existing buildings to remain and the

same information for all proposed buildings.

- Location and width of all driveways.
- Location and width of all proposed rights-of-way.
- Location of pedestrian and transit facilities.
- Location and design of all off-street parking and loading areas.
- Location of landscaped areas showing the variety and size of plants and method of maintenance.
- Location, size and height of all signs.

Narrative

- Briefly describe the proposed project and identify the specific section(s) of the zoning ordinance from which you are requesting a variance.
- Explain how special conditions and circumstances exist that are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same district.
- Explain how the literal interpretation of the provisions of the code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the code.
- Explain how the special conditions and circumstances do not result from the actions of the applicant.
- Explain how granting of the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures or buildings in the same district.
- Explain how granting of the variance will be in harmony with the general purpose and intent of the code, will not be injurious to the neighborhood, or otherwise detrimental to public welfare.

Application fees (see Ilwaco Fee Schedule)