



CITY OF MERCER ISLAND, DEVELOPMENT SERVICES GROUP

9611 S.E. 36 ST., MERCER ISLAND WA 98040 (206) 275-7605 FAX: (206) 275-7725

Application for Variance

A VARIANCE is a modification of standard Development Code provisions based on special circumstances and complying with the City's variance criteria. No use Variances shall be allowed. The decision authority is the Code Official, Hearing Examiner or Planning Commission as outlined in the Mercer Island Unified Land Development Code, Section 19.15.015(E), **Administration**. The decision will be made following mailing of a public notice to residents within 300' of the property and posting of the site with a City furnished sign in a location that is visible to the public right-of-way. **Please use the separate Shoreline Variance Application if you are submitting a shoreline variance.**

PRE-APPLICATION: Applicants are encouraged to participate in informal meetings with City staff. Call Development Services Staff to schedule a pre-application meeting. Meetings with the staff provide an opportunity to discuss the proposal in concept terms, identify the applicable City requirements and the project review process. Meetings or correspondence with the neighborhood serve the purpose of informing the neighborhood of the project proposal prior to the formal notice provided by the City.

APPLICATION: All applications for permits or actions to the City shall be submitted on forms provided by the Development Services Group. An application shall contain all information required by the applicable development regulations, and shall include the following general information.

1. A verified statement by the applicant that the subject property is in the exclusive ownership of the applicant, or that the applicant has submitted the application with the consent of all owners of the property.
2. A legal description of the site and parcel number.
3. Site Survey done by a Washington State licensed surveyor (showing property lines, adjacent right-of-ways, and location of structures on the subject property).
4. Three copies of a detailed site plan (and elevations, if applicable) clearly detailing the requested variance. If site plan (or elevations) submitted are larger than 11" X 17" the applicant shall submit a reduced copy 8 ½" X 11".
5. The applicant's response to the Variance criteria.
6. Photographs of existing conditions.

DETERMINATION OF COMPLETENESS: An application is not accepted by the City for submission unless the application has been determined to be complete. If upon review, the City determines that the application information provided is incomplete, the City shall mail or personally provide a written determination to the applicant stating the inadequacies of the application within twenty-eight (28) days after receiving an application. If the applicant fails to provide the required information within 90 days of notification of incompleteness, the application shall lapse. The applicant may request a refund the application fee minus the City's cost of determining the completeness of the application.

FILING REQUIREMENTS:

- For Filing Fees, see attached Development Application:
 - **Critical Areas (SEPA checklist --additional)**
 - **Parking Lots**
 - **Setbacks or Height**
 - **Shoreline (*please use the separate Shoreline Variance Application Form*)**
 - **Watercourses (alteration)**
 - **Watercourse (structure encroachment)**
 - **Wireless Communications**
 - **All Other Variances**

- **\$200.00**-fee for posting of sign (refundable upon return of sign)

- Cover Sheet (narrative description of request)
- Criteria Sheet
- Elevations
- Site Survey
- Site Plan
- Vicinity Map
- Photographs of Existing Conditions
- Legal Description of the Site

**CRITERIA FOR APPROVAL OF ZONING VARIANCE
DEVELOPMENT CODE, CHAPTER 19.15.020 (G)**

Your answers to the following questions will be used in the decision on your application. Please respond fully to all of the following questions (attach extra sheets, if necessary). It is the applicant's burden of proof to show the Code Official that all five of the variance criteria are satisfied. **Please attach extra sheets if needed.**

- A. Is your request for a change in the type use allowed in the zoning district? YES / NO

- B. Describe the special circumstances applicable to the particular lot such as the size, shape, topography, or location of the lot; the trees, ground cover, or other physical conditions of the lot and its surroundings; or factors necessary for the successful installation of a solar energy system such as a particular orientation of a building for the purposes of providing solar access.

- C. Explain why the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the property is situated.

- D. Explain how granting of the variance will not alter the character of the neighborhood, nor impair the appropriate use or development of adjacent property.

- E. Explain how the variance is consistent with the policies and provisions of the Comprehensive Plan and the Development Code.

<i>Application for a deviation or variance involves substantial time, expense, and risk for a property owner. Application does not guarantee approval. Request must meet difficult criteria, and applicants are proceeding "at their own risk".</i>	
_____ Signature of Property Owner	_____ Date
_____ Site Address	