

Chapter 16.84

VARIANCES

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- 16.84.010 Purpose.**
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16.84.010 Purpose.

It is the purpose of this Chapter to provide a means of altering the requirements of this Title in specific instances where strict application of those requirements would deprive a property privileges enjoyed by the other properties in the vicinity and under identical zoning district standards because of special circumstances applicable to the property involved. (Ord. 606, 1999; Ord. 758, §2 (part), 2007)

16.84.020 Permitted District.

Applications for variances may be accepted in all districts, unless otherwise specified. (Ord. 606, 1999)

16.84.030 Requirements for Application.

A. Applications for variances may be initiated by the property owner(s) or the property owner’s authorized agent. Applications are filed with the Planning Department. A request for a variance must include a site plan that clearly describes the location

and the extent of the regulation to be varied.

B. A fee, as specified by resolution of the City Council is required with the application (Ord. 606, 1999)

16.84.040 Review Procedures.

Variances shall be reviewed by the planning commission using the Public Hearing Review Procedure in Section 16.08.040, with modifications as provided in this Section. (Ord. 606, 1999)

16.84.050 Findings.

Before approving an application for a variance, the review authority shall find that all of the following are true:

A. Special Circumstances. Because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the regulation deprives the property of privileges enjoyed by other property in the vicinity and under the identical zoning district classification;

B. No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone district in which the property is situated;

C. Use Authorized. The variance will not authorize a use or activity that is not otherwise expressly authorized by regulation governing the parcel of property. (Ord. 606, 1999)