



## ZONING VARIANCE

Online application required. Submit online at [www.MyBuildingPermit.com](http://www.MyBuildingPermit.com).

Application Type: Land Use > Any Project Type > Deviations, Modifications, Variances or Waivers > Variance

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This checklist identifies minimum application elements necessary for the City to accept the application for further processing. Should any of the following minimum items not be provided, the application will not be accepted at the counter. Acceptance of an application DOES NOT guarantee completeness. The City will take up to 28 days to make a completeness determination.

### General Requirements:

Applicant	Staff
<input type="checkbox"/> A completed <a href="#">Development Review Billing Form (form D)</a> .....	<input type="checkbox"/>
<input type="checkbox"/> Application fee due at submittal: see <a href="#">Land Use and Planning Fees form C</a> .....	<input type="checkbox"/>
<input type="checkbox"/> Notes and determinations from pre-application conference .....	<input type="checkbox"/>

### Application requirements per 12.36.030

These application requirements are in addition to the minimum application requirements as set forth in BMC 11.06.002. The City's determination of completeness shall not preclude the City from requesting additional information or studies, either at the time of the notice of completeness or subsequently if new information is required or substantial changes in the application occur.

### A complete application shall contain:

Applicant	Staff
<input type="checkbox"/> <b>Site plan</b> depicting proposed and existing improvements on the property. The site plan shall contain the following:	<input type="checkbox"/>
1. Dimensions and shape of the lot and street names	
2. Location and dimensions of existing and proposed buildings including setbacks and requested variance(s);	
As applicable to the requested variance and subject site, also include:	
1. Circulation: Adjacent street improvements, curb cut locations for ingress and egress; parking layout	
2. Existing and proposed landscaping in accordance with 12.18 BMC	
3. Existing watercourses, sensitive areas (such as wetlands, geologically hazardous areas, etc.,) utility lines, easements, deed restrictions, structures, rockeries, and other manmade or natural features restricting use of the subject property;	
4. Preliminary grading plan depicting proposed and existing grades at five-foot contours, if grading is proposed in conjunction with proposed use; and	
5. Storm drainage, sidewalks, and exterior lighting	
<input type="checkbox"/> Building elevations depicting requested variances (if applicable) .....	<input type="checkbox"/>
<input type="checkbox"/> Necessary information for review of environmental impacts, in accordance with Title 14, Environment.	<input type="checkbox"/>
<input type="checkbox"/> Include with your online application: from which specific code(s) are you requesting a variance?	<input type="checkbox"/>

**NOTE:** The applicant is responsible for all notification (posting, publishing, mailing and other methods) as required by Title 11, Administration of Development Regulations.

Criteria for Approval per 12.36.040:

Development review staff request that the applicant submit responses to the following statements.

A variance shall be granted by the City only if an applicant demonstrates all of the following:

- A. The strict enforcement of the provisions of this title and, when applicable, the shoreline master program, creates an unnecessary hardship to the property owner;
B. The variance is necessary because of the unique size, shape, topography, or location of the subject property;
C. The subject property is deprived, by provisions of this title or, when applicable, the shoreline master program, of rights and privileges enjoyed by other properties in the vicinity and under an identical zone;
D. The need for the variance is not the result of deliberate actions of the applicant or property owner;
E. The variance does not create health and safety hazards or result in lowering of public capital facilities levels of service below the standards and guidelines set forth in the Imagine Bothell... Comprehensive Plan;
F. The variance does not relieve an applicant from any of the procedural provisions of this title or, when applicable, those in the shoreline master program;
G. The variance does not allow establishment of a use that is not otherwise permitted in the zone in which the proposal is located;
H. The variance is the minimum necessary to grant relief to the applicant;
I. The variance from setback or building height requirements does not infringe upon or interfere with easement or covenant rights or responsibilities;
J. The variance does not relieve an applicant from the provisions of the critical areas ordinance, except as provided therein; and
K. In the case of a waterward shoreline variance, the following additional criteria are met:
a. Strict application of the standards precludes a reasonable allowable use of the subject property; and
b. The public rights of navigation and use of the shoreline will not be adversely affected.

Demonstrate that, in addition to the above listed evaluation criteria, the following criteria will be met:

- The variance will not lower public capital facilities, level of service, below the standards and guidelines set forth in the Imagine Bothell... Comprehensive Plan.

Other Submittal Requirements, if applicable to your specific variance request:

- Tree retention plan consistent with BMC 12.18.030
Transportation Impact analysis per BMC 17.04.010

If any changes to utilities or roadways are proposed the following information is required:

- Site contours (maximum 5 foot contour interval) showing existing natural grade and proposed finished grades
Proposed public improvements, including proposed public rights-of-way, sidewalks, curb and gutter, planter strips, street trees, utilities to include, sanitary sewer, storm drainage facilities, domestic water lines
Road width and turning radii
Proposed sanitary, storm water and water systems plan(s) with points of connection, grades and sizes indicated

If critical Areas are located on or adjacent to the area to be altered is required:

Plan Sheet Number	Applicant	Staff
_____	<input type="checkbox"/> A wetlands delineation and categorization report (if wetlands present on or adjacent to the subject property)	<input type="checkbox"/>
_____	<input type="checkbox"/> A Stream Delineation and Assessment Study (if streams located on or adjacent to the subject property)	<input type="checkbox"/>
_____	<input type="checkbox"/> A Geological Hazards Report (Soils Report) (if steep slopes present on subject property)	<input type="checkbox"/>
_____	<input type="checkbox"/> An Aquifer recharge special report prepared by a Geologist (if aquifer recharge occurs on the adjacent to the subject property)	<input type="checkbox"/>
_____	<input type="checkbox"/> A special flood report prepared by a licensed engineer, (if the site within a frequently flooded area)	<input type="checkbox"/>
_____	<input type="checkbox"/> A Wildlife Inventory\Study (if site contains endangered, threatened, or sensitive species)	<input type="checkbox"/>
_____	<input type="checkbox"/> A Title Report prepared by a licensed Title Insurance Agency .....	<input type="checkbox"/>

**NOTE:** Other items may be required to be submitted for a Variance Application to be consistent with the Bothell Municipal Code. The Community Development and Public Works Director may require other information for the purposes of ascertaining ownership and the existence of easements or covenants affecting the subject property.