



INFORMATION HANDOUT FOR VARIANCE APPLICANTS

This packet is designed to assist you in preparing your application for a Variance Request. Applications may be submitted to the Benton County Planning Department, P.O. Box 910, 1002 Dudley Avenue, Prosser, WA 99350 or to the Benton County Building Department, 5600 W. Canal Drive, Kennewick, WA 99336 between the hours of 8 a.m. and noon and 1 p.m. and 5 p.m., Monday thru Friday.

Please provide the following information at the time of submittal. If any of the following information is not available, we may not be able to process your application.

- 1. A completed application form and applicable non-refundable fee of \$700.00.** Please be as specific as possible with regard to your proposed use on the application, you may use an additional sheet, if necessary. **ALL persons with an ownership interest in the property on which the land use action is proposed must sign the application other than interests exclusively limited to ownership of the parcel's mineral rights.**
- 2. A detailed scaled drawing showing the following:** location of proposed and/or existing structure(s), access to the site, easements and the distance to the parcel lines and the area for which the variance is required. **Please see the attached sample site plan.**
- 3. Written approval from the respective municipality** if the property will be served by a public water and/or sewer system.

NOTE: THE APPLICATION FEE IS NON-REFUNDABLE. THERE ARE NO GUARANTEES THAT YOUR APPLICATION WILL BE APPROVED.

Any information submitted to the Benton County Planning Department is subject to public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.

THE FOLLOWING CRITERIA FOR A VARIANCE MUST BE MET:

Any variance granted shall be subject to such conditions as will ensure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated, and that the following circumstances are found to apply; (a) because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance is found to deprive subject property of rights and privileges enjoyed by other properties in the vicinity and under identical zone classification; (b) that 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 subject property is situated.

Upon determining that you have submitted a complete application, a file will be setup and the application routed to appropriate reviewing agencies. Each agency will review your application and

provide the planning department with their comments. A legal notice will be published in the paper and also sent to property owners within 300 feet of the proposed action.

The application will be heard at an Open Record Hearing before the Hearings Examiner. **The applicant or a representative must be present** to answer any questions the examiner may have relative to the proposed variance. You will be sent a staff memo and agenda notifying you as to what date your application will be heard.

After the open record hearing, the Hearings Examiner determines whether the variance request is to be granted, granted with conditions or denied. Written notification of the decision is sent to the applicant. Upon receipt of the written confirmation that the conditions of approval (if any) have been met your permit will be issued.

TIME FRAME: Once the application is deemed complete the review process will begin and provided there is no continuation of the application, a decision on the Variance request will be made within 120 days.

APPEALS: Decisions of the Hearing Examiner shall be final unless the original applicant or a party with standing makes an appeal to the Superior Court of Benton County per RCW 36.70C after the written notice of decision has been rendered.

Any questions regarding this process should be directed to the Benton County Planning Department, 786-5612 - Prosser or 736-3086 - Tri-Cities. The office hours are Monday through Friday, 8 a.m. to 5 p.m., closed noon to 1 p.m. and Holidays.

JURISDICTIONS TO BE CONTACTED

BENTON COUNTY PLANNING DEPT

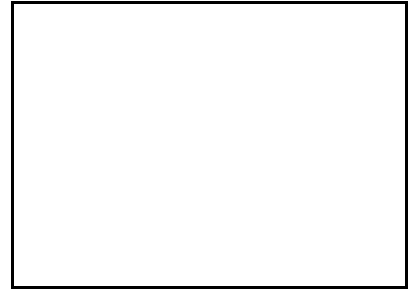
Planning Annex - 1002 Dudley Avenue
Prosser, WA 99350
Prosser: 786-5612
Kennewick: 736-3086

BENTON COUNTY BUILDING DEPT

5600 W. Canal Drive
Kennewick, WA 99337
Prosser: 786-5622
Kennewick: 735-3500

**BENTON COUNTY PLANNING DEPARTMENT
VARIANCE APPLICATION**

FILE NO. _____



1. Name and address of applicant: _____

Phone number: Home: _____ Work: _____

If you wish to be contacted via email please list your email address: _____

2. Legal owners name and address: _____

Phone number: Home _____ Work _____

3. Legal description or Parcel Number of property for which permit is for: _____

4. Section of the zoning ordinance under which it is claimed that a variance should be granted.(To be completed by the Planning Department). _____

5. A variance is being requested for the purpose of _____

6. What is the minimum variance that will alleviate hardship? _____

7. Are there special circumstances such as lot size, slope, topography or necessary size or shape of the building which prevent compliance with the zoning ordinance? If so, explain:

8. Does strict application of the zoning ordinance deprive subject property of rights and privileges enjoyed by other properties in the vicinity and under the same zoning classification? If so, explain:

Applicant's or Legal Owners Signature: _____,
(Signature) (Title)

The above signed officer of _____ (name of entity) warrants and represents that all necessary legal and corporate actions have been duly undertaken to permit _____ to submit this application and that the above signed officer has been duly authorized and instructed to execute this application.

Any information submitted to the Benton County Planning Department is subject to public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.

NOTE: THE VARIANCE REQUEST FEE OF \$700.00 MUST BE SUBMITTED WITH THE APPLICATION. THIS FEE IS NON-REFUNDABLE. PLEASE MAKE THE CHECK PAYABLE TO THE BENTON COUNTY TREASURER. THERE ARE NO GUARANTEES THAT YOUR APPLICATION WILL BE APPROVED.

FOR OFFICIAL USE ONLY:

Critical Area Review Completed by _____ on _____

Application approved for processing by _____ on _____

Zoning _____ Comp Plan designation _____

