

CITY OF PULLMAN, 325 SE PARADISE ST., PULLMAN, WA 99163

INFORMATION REQUIRED WHEN APPLYING FOR A ZONING CODE VARIANCE

APPLICATION

A complete application must be filed with the Planning Department in sufficient time to allow for staff to review the application and give public notification of the hearing before the Board of Adjustment. An application will not be accepted until complete, as determined by the Planning Department. A complete application must include:

1. Application Form and Findings of Fact (attached).
2. Adjacent Property Owners List. The applicant shall provide a list of names and mailing addresses, as shown on the records of the County Assessor, of the owners of property, and the street addresses of the property, within 300 feet of the boundaries of the property for which the variance is requested.
3. Plot Plan. A scaled drawing is required that shows the proposed layout of site development, including the following:
 - a) dimensions and orientation of the property;
 - b) location and dimensions, including heights, of existing and proposed structures;
 - c) location and layout of parking and loading areas, access points, pedestrian walkways, and landscaping.
4. Legal Description. The applicant shall submit a complete legal description that adequately describes the property for which the variance is requested. This legal description will be checked and verified by the City engineering division; inadequate descriptions will be returned for correction.
5. Proof of Ownership/Permission from Owner. The applicant must submit proof of ownership of the property for which the variance is requested. All owners must join in or be represented in the application. If the applicant is not the owner of the property, written consent must be submitted by the owner granting the applicant permission to act as his or her agent.

FEES

Zoning Code Variance Fee\$ 250.00

ASSISTANCE

The Planning Department is available to answer any questions about an application by phoning (509) 338-3213.

APPLICANT'S PROPOSED FINDINGS OF FACT

Prior to making a decision regarding a request for a variance from the Zoning Code, the Pullman Board of Adjustment must adopt "Findings of Fact." These Findings of Fact are factual statements which the Board relies upon in reaching its conclusions and decisions. The burden of proving that a variance should be granted under the provisions of the Pullman Zoning Code rests with the applicant. Thus, it is necessary for the applicant to present facts in brief written form which will make it possible for the Board to conclude affirmatively that all of the following criteria can be met.

- (1) Special Circumstances. That because of special circumstances relating to the property, the strict enforcement of the Zoning Code would deprive the owner of development rights and privileges permitted to other properties in the vicinity with the same zoning.
 - (a) Special circumstances include the size, shape, topography, location of the property and surrounding property, and environmental factors such as vegetation, streams, ponds, and wildlife habitats.
 - (b) Special circumstances should not be predicated upon any factor personal to the owner/applicant such as age or disability, extra expense which may be necessary to comply with the Zoning Code, the ability to secure a scenic view, the ability to make more profitable use of the property, or any factor resulting from the action of the owner/applicant.
- (2) Special Privilege. That approval of the variance is not a grant of a special privilege to the property in comparison with the limitations upon other properties in the vicinity with the same zoning.
- (3) Comprehensive Plan. That approval of the variance is consistent with the Comprehensive Plan.
- (4) Zoning Code. That approval of the variance is consistent with the purposes of the Zoning Code and the zone district in which the property is located.
- (5) Not Detrimental. That the variance as approved or conditionally approved will not be significantly detrimental to the public health, safety, and welfare, or injurious to the property or improvements in the vicinity and same zone.
- (6) Minimum Variance. That the approved variance is the minimum necessary to allow the owner the rights enjoyed by other properties in the vicinity with the same zoning.

**ANSWERS SHOULD BE PREPARED
ON SEPARATE PAPER AND ENTITLED,
"APPLICANT'S PROPOSED FINDINGS OF FACT".**



CHECKLIST

ZONING CODE VARIANCE

- ___ 1. Application filed with Planning Department.
- ___ 2. Application reviewed for completeness by Planning Department.
- ___ 3. Legal description checked by Engineering Division.
- ___ 4. Application accepted as complete by Planning Department.
- ___ 5. Date set for Board of Adjustment public hearing (meets third Monday of the month - date must be within 90 days of date of filing).
- ___ 6. Notice of Public Hearing filed by Planning Department with official newspaper of the city (Notice must appear at least 10 days prior to the hearing).
- ___ 7. Notice of Public Hearing posted at subject property and mailed to surrounding property owners (Notice must be distributed at least 10 days prior to the hearing).
- ___ 8. Notice of Public Hearing published.
- ___ 9. Staff report prepared by Planning Department and mailed to applicant and Board of Adjustment, and made available for public review prior to the public hearing.
- ___ 10. Public hearing conducted by Board of Adjustment.
- ___ 11. Applicant notified in writing of Board of Adjustment's decision.