



Lewis County

Community Development

125 NW Chehalis Ave, Chehalis, WA 98532
Phone: (360) 740-1146 • www.lewiscountywa.gov

VARIANCE

Type III Application

Because of special circumstances, including the size, shape, topography, location, or surroundings of a property, variances can be applied for. A variance is for hardships that deprive the subject property of a reasonable use or improvement that is generally allowed in the zone. The variance standards can be found in the Lewis County Code Chapter 17.162.

Variances are processed as a Type III application. Type III applications require public notice, a comment period, and a public hearing with the Lewis County Hearing Examiner. The Lewis County Hearing Examiner makes the final decision.

The following items are required to be submitted for the Variance application to begin the process:

STAFF APPLICANT

'Variance' application form

Site plan meeting the 'Site Plan Requirements' handout

Application fees
Fee \$2,100

Other: _____

For Official Use Only:

Date of Received: _____

Application Number: _____

Associated Permits: _____

Permit Technician: _____

Lewis County Public Services

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SITE PLAN REQUIREMENTS

This checklist is intended to give a general idea of the information required for a site plan. The application should NOT be submitted unless all points below are addressed. The checklist must be submitted with the application. Submit multiple maps if necessary. Additional information may be requested. Any additional information which the applicant feels will assist in evaluating the proposal is encouraged. Minimum size is 8.5x11-Maximum size is 11x17

STAFF APPLICANT

North arrow

Vicinity map with location and name of all roads surrounding the property

All property lines (if the parcel is large, provide a close up)

Setbacks from property lines for all proposed structures if an accurate scale is not provided

Location and identification of all existing and proposed structures with dimensions.

Examples including, but not limited to: houses, sheds, barns, fences, culverts, bridges, retaining walls, and decks

Distance from other structures if within 10 feet

Test holes, septic tanks, septic lines, drainfields, and reserve areas

Wells, well circles with a 100-foot radius, water lines, etc. and all utility easements

Distance between existing and proposed septic, wells, and buildings

Location of all existing or proposed driveways and dimensions, easements, access roads etc. If there is an access easement, please provide a copy

Location and identification of any known critical areas on site. Examples including, but not limited to, wetlands, streams or other surface waters, steep slopes, etc.

Location of any known and proposed stormwater facilities

Location, depth, and extent of any clearing, grading and filling

For all projects other than a single family dwelling, a description of the proposed use is required. Examples include, but are not limited to: personal storage, commercial uses, agricultural uses, garage, etc.

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VARIANCE Type III Application

Applicant Information

Name: _____

Mailing Address: _____

Phone Number: _____ E-mail: _____

Property Information

Tax Parcel # _____ Site Address _____

Owner's Name: _____

Mailing Address: _____

Phone Number: _____ Email: _____

Is this variance for the Airport Obstruction Zone Standards? Yes No

If yes, please submit a copy of the Airport Obstruction Zone Permit Application

Full description of variance request (attach additional sheets or drawings if necessary):

Reason for variance request and how the proposal meets the criteria for a variance in the Lewis County Code Chapter 17.162. (attach additional sheets if necessary):

By my signature below, I affirm that I have read and understand the limitations and conditions in the Lewis County Code and agree to comply with all conditions upon approval of this request. Further, that all information and documents provided with this application are true and accurate to the best of my knowledge.

Signature of Applicant

Date Signed

Signature of Property Owner (if different from applicant)

Date Signed

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VARIANCE

Variance Criteria in the Lewis County Code

17.162.010 Variances

Variances shall be processed as a Type III application per Chapter 17.05 LCC. Variances may be granted that are in harmony with the general purposes and intent of this title; provided, that no variance shall be granted which authorizes a use which is not permitted by the underlying zoning.

(1) Conditions for Variances from General Zoning Regulations. Before any variance may be granted, it shall be shown that the following circumstances are found to apply:

(a) That any variance granted shall not constitute a grant of special privilege, be based upon reasons of hardship caused by previous actions of the property owner, nor be granted for pecuniary reasons alone.

(b) Because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of this title is found to cause a hardship and deprive the subject property of a reasonable use or improvement generally allowed in the zone classification. Aesthetic considerations or design preferences without reference to restrictions based upon the physical characteristics of the property do not constitute sufficient hardship under this section.

(c) That the granting of the variance will not be detrimental to the public welfare or injurious to other property in the vicinity.

(2) Conditions for Airport Variances.

(a) Variances shall be required for any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use property, not in accordance with the regulations prescribed within an airport overlay zone established in Chapter 17.80 LCC.

(b) Application for a variance request shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe and efficient use of navigable airspace.

(c) Standards of Review. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in practical difficulty or unnecessary hardship and the relief granted will not create a hazard to air navigation and will not be contrary to the public interest, but will do substantial justice, and will be in accordance within the spirit of this chapter.

(3) Conditions of Approval. Any variance granted may be subject to any reasonable conditions that the hearing examiner may deem necessary to effectuate the purposes of this chapter.

(4) Review of Variance Request by Airport Board. No application for a variance to the requirements of this chapter may be considered by the hearing examiner unless a copy of the application has been furnished to the respective airport board for advice as to the aeronautical effects of the variance. If the airport board does not respond within 15 days after receipt, the hearing examiner may act on his/her own to grant or deny said application. [Ord. 1269 §41, 2016]