

**INFORMATION REQUIRED WHEN APPLYING FOR A ZONING CODE VARIANCE**

**APPLICATION**

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

1. Application Form (attached).
2. Findings of Fact (see attached for explanation).
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.

**FEES**

Zoning Code Variance Fee .....\$ 250.00

**ASSISTANCE**

The Planning Division is available to answer any questions about an application by phoning (509) 338-3220.

RECEIPT NO.: \_\_\_\_\_  
DATE APPLICATION RECEIVED: \_\_\_\_\_  
DATE APPLICATION ACCEPTED AS COMPLETE: \_\_\_\_\_

CITY OF PULLMAN  
**ZONING CODE VARIANCE APPLICATION**  
Pullman City Code 17.130

**APPLICANT:**

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
EMAIL ADDRESS: \_\_\_\_\_  
TELEPHONE: \_\_\_\_\_  
STATUS (property owner, lessee, agent, purchaser, etc.): \_\_\_\_\_

**PROPERTY OWNER** (if different than applicant):

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
EMAIL ADDRESS: \_\_\_\_\_  
TELEPHONE: \_\_\_\_\_

**PROPERTY LOCATION** (general or common address):

\_\_\_\_\_  
\_\_\_\_\_

**VARIANCE REQUESTED:**

State Pullman City Code section(s) involved, and give description of and reason for request.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**All information provided in this application is said to be true under penalty of perjury by the laws of the State of Washington.**

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

\_\_\_ Initial here if you will accept email correspondence in lieu of hardcopy mail.

**This Zoning Code Variance Application is being submitted with my consent.**

\_\_\_\_\_  
Property Owner's Signature

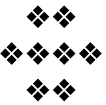
\_\_\_\_\_  
Date

## APPLICANT'S PROPOSED FINDINGS OF FACT

Prior to making a decision regarding a request for a variance from the Zoning Code, the Pullman Hearing Examiner 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 Division.
- \_\_\_ 2. Application reviewed for completeness by Planning Division.
- \_\_\_ 3. Legal description checked by Engineering Division.
- \_\_\_ 4. Application accepted as complete by Planning Division.
- \_\_\_ 5. Date set for Hearing Examiner public hearing (meets fourth Wednesday of the month - date must be within 90 days of date of filing).
- \_\_\_ 6. Notice of Public Hearing filed by Planning Division 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 Division and mailed to applicant and Hearing Examiner, and made available for public review prior to the public hearing.
- \_\_\_ 10. Public hearing conducted by Hearing Examiner.
- \_\_\_ 11. Applicant notified in writing of Hearing Examiner's decision.