



## - VARIANCE - SUPPLEMENTAL APPLICATION FORM

12835 Newcastle Way, Suite 200  
Newcastle, WA 98056  
Phone 425.649.4143 Fax 425.649.4363  
www.newcastlewa.gov

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### OFFICE USE ONLY

Application No: LUP \_\_\_\_\_ Is a Master Land Use Application form attached?  Yes  No

If no, do not accept this form.

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**Name of Applicant or Project:** \_\_\_\_\_

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#### **Definition:**

A variance is defined as “an adjustment in the application of standards of a zoning code to a particular property.” (NMC 17.10.690)

A variance will either be a Type II application that is approved by the Community Development Director as an administrative variance defined in NMC 18.44.045, or a Type III general variance that is approved by the Hearing Examiner, as specified in NMC 19.07.030.

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#### **Variance Type:**

Does the requested variance pertain to a site with an existing residence?  Yes  No

If yes, check the Type II Administrative Variance box; if no, check the Type III General Variance box:

- Type II Administrative Variance
  - Type III General Variance
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#### **Pre-application Conference:**

As a Type II or III application, has a pre-application conference been held with the City of Newcastle within the past 12 months pertaining to this proposal as required by NMC 19.09.010(A)?

Yes  No\*

If no, do not submit this application; apply for a pre-application conference.

Date of Pre-application Conference: \_\_\_\_\_  
month    date    year

Does this proposal reflect the comments provided by the City at the pre-application conference?  Yes  No

If you answered “No” to the above question, please explain:

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**Variance Request:**

Please describe the requested variance including the specific code sections from which you are requesting the variance (attach additional sheet if necessary):

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**Additional Required Submittals:** Please respond to the following questions and confirm that the related materials and information are included with this variance application:

**Site Plan:** Does the variance request pertain to the location of site improvements or site features?  Yes  No

If no, skip to Structures and Building section, below. If yes, complete the following site plan questions:

Is a scaled site plan submitted with this application?  Yes  No\*

Does the site plan include the following information?

1. The boundaries of existing and/or proposed lots, tracts and easements associated with the site;  Yes  No\*
2. Existing and proposed site improvements and structures;  Yes  No\*
3. The location and identification of critical areas (e.g., wetlands, streams, steep slopes);  N/A  Yes  No\*
4. Adjacent streets, access easements and locations and dimensions of driveways providing access to the site;  Yes  No\*
5. The location of proposed or existing parking areas on the site;  Yes  No\*
6. The location of utilities and drainage systems that serve the site;  Yes  No\*
7. The location and size of water bodies and drainage features on the site;  N/A  Yes  No\*

8. Locations of significant trees identified to be retained per NMC 18.16.130.

N/A  Yes  No\*

**Structures or Buildings.** Does the variance request pertain to the height, scale, bulk, or architectural features of a structure or building?

Yes  No

If yes, a scaled drawing of the structure or building as seen in elevation view (elevation drawing) must be provided. Is an elevation drawing submitted with this application?

N/A  Yes  No\*

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**Variance Statement Letter:**

This application requires that you include a statement letter addressing the decision criteria for a variance as defined in NMC 18.44.040 and as stated below. Is a statement letter addressing the variance criteria submitted with this application?

Yes  No\*

Variance Decision Criteria:

- A. The variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and land use district of the subject property;
- B. The variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property to provide it with use rights and privileges permitted to other properties in the vicinity and in the land use district of the subject property;
- C. 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 land use district in which the subject property is located;
- D. The variance is not inconsistent with city of Newcastle comprehensive plan; and
- E. The variance is the minimum necessary to grant relief to the applicant.

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*Note: All fields must be completed, including blank lines and check boxes. Any check box marked "no" that is demarcated by an asterisk could result in the application being deemed incomplete.*

**Applicant's Statement:** I \_\_\_\_\_ (name) hereby affirm, under penalty of perjury, that I am the applicant of this proposal and that the property(ies) affected by this application, including any easements, is(are) under my exclusive ownership, or that this application has been submitted with the consent of all owners of the affected property(ies), including any easements. I further hereby affirm that the foregoing statements and answers are in all respects true and correct as to my understanding and belief as to those matters.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_