



## Shoreline Variance

A shoreline variance is required to grant relief from the performance standards of the Shoreline Master program in cases of "extraordinary or unique circumstances relating to the property such that the strict implementation of the master program will impose unnecessary hardships on the applicant or thwart the policies of the Shoreline Management Act." This Type 4 land use decision is subject to a recommendation of the Director of Community Development to the Hearing Examiner, a public hearing, and a Hearing Examiner's decision. The Washington State Department of Ecology must also approve the variance.

Variances for development that will be located landward of the ordinary high water mark (OHWM), as defined in RCW [90.58.030](#) (2)(c), or within any wetland as defined in RCW [90.58.030](#) (2)(h), may be authorized provided the applicant can demonstrate adherence to all of the following criteria from WAC [173-27-70](#), to the extent known, in a Criterion Compliance Document:

- a) That the strict application of the bulk, dimensional or performance standards set forth in the applicable master program precludes all reasonable use of the property.
- b) That the hardship described in (a) is related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the master program and not, for example, from deed restrictions or the applicant's own actions
- c) That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and Shoreline Master program and will not cause adverse impacts to the shoreline environment.
- d) That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area.
- e) That the variance requested is the minimum necessary to afford relief; and
- f) That the public interest will suffer no substantial detrimental effect.

In addition to consistency with the criteria above, variances for development that will be located waterward of the OHWM or within any wetlands must also demonstrate adherence to the following criterion:

- g) That the public rights of navigation and use of the shorelines will not be adversely affected.

## Applicant Information

Name: \_\_\_\_\_ Owner Name (if different): \_\_\_\_\_  
E-mail: \_\_\_\_\_ Company (if applicable): \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_

## Property Information

Property Address: \_\_\_\_\_ Parcel Number(s): \_\_\_\_\_  
Total Square Feet: \_\_\_\_\_ Development Name: \_\_\_\_\_  
Current Zoning: \_\_\_\_\_ Proposed Use: \_\_\_\_\_  
Critical Areas on or near property: \_\_\_\_\_

## Required Documents

### Submittal Instructions

- If applying in person, applicants must [schedule an intake appointment](#).
- If applying in person, one paper copy of each document is required, including a signed version of this cover sheet, unless otherwise stated.
- A PDF version of all documents is required at time of submittal, either on a USB drive or CD. File names must contain the document type as listed on this form, the name of the applicant, and the submittal date. For example: *Project\_Narrative\_Smith\_01-18-2018*.

### Submittal Documents

- [Acceptance of Financial Responsibility Form / Affidavit of Applicant Status](#)
- Boundary, Topographic, Ordinary High Water Mark, and Land Features Survey
- Criterion Compliance Document (see above for requirements for this document)
- Critical Area Affidavit
- Critical Area Study (if applicable)
- [Eastside Fire & Rescue Plan Review Sheet](#)
- [Feasibility Form](#)
- FEMA BiOp Habitat Assessment
- Floodplain Compliance Narrative
- [Historic Resources Affidavit](#)
- [Joint Aquatic Resources Permit Application](#) Form (if any work is within water)
- Legal Description
- Mailing List ([Template](#)) and [Map](#)
  - a. Mailing list and map to include all property owners within 1,000 feet of the subject site (2,000 feet for properties within EHNSWB overlay).
- Neighborhood Land Development Analysis
- No Net Loss of Ecological Function Analysis
- Plan Set (3 copies)
- Pre-Application Conference Meeting Notes
- Project Narrative
- SEPA Checklist (if required)
- Signed Application Form
- Title Report (less than 30 days old)

## Fees

Type 4 Land Use Application Counter Service Intake Fee	\$569
Preliminary Review Deposit	\$3,300
Legal Notice Posting	\$315
Legal Notice Publication/Mailing	\$569
SEPA Determination (if required)	\$660

The listed fees are initial deposit amounts based on hourly rate. If the initial deposits have been exhausted before the project is completed an additional deposit will be required in the amount estimate by the Community Development Department round to the nearest 10-hour increment.

## Signatures

I certify that all of the information submitted in this application including any supplemental information is true and complete to the best of my knowledge and I acknowledge that willful misrepresentation of information will terminate this permit application. I have read this application in its entirety and understand that my submittal will be reviewed for completeness and, if found to be complete, will be processed in accordance with Chapter 20.05 SMC.

**Applicant, Representative, and/or Owner Signature:**

**Date:**

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