



BENTON COUNTY PLANNING DEPARTMENT

INFORMATION HANDOUT FOR VARIATION APPLICANTS

This packet is designed to assist you in preparing your application for a Variation request. Applications may be submitted to the Benton County Planning Department, P.O. Box 910, 1002 Dudley Avenue, Prosser, WA 99350 or to the Benton County Building Department, 5600 W. Canal Drive, Kennewick, WA 99336 between the hours of 8 a.m. and noon and 1 p.m. and 5 p.m., Monday thru Friday.

The Planning Manager may approve without notice a minor variation consisting of a reduction in setbacks not exceeding ten (10) percent of the standards of the zoning district in which the use is located. Minor variations may not allow an increase in the number of dwelling units on a parcel. If the Planning Manager denies a minor variation, the applicant may apply for a variance as provided in BCC 11.52.088.

Please provide the following information at the time of submittal. If any of this information is not provided, we may not be able to process your application.

1. A **completed application form** and applicable non-refundable fee of \$150.00. **ALL persons with an ownership interest in the property on which the land use action is proposed must sign the application other than interests exclusively limited to ownership of the parcel's mineral rights.**
2. A **scaled plot plan** that includes: dimensions of the property, locate and label the size of the proposed use, existing improvements, complete distance between buildings and all property lines, label all streets, roads, easements and rights-of-way on or adjacent to this property.
3. **Additional information** and/or permits may be required from other agencies such as, but not limited to; the Benton County Building Department, the Benton Franklin District Health Department, etc.

Any information submitted to the Benton County Planning Department is subject to public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.

Upon determining that you have submitted a complete application a file will be setup and the application routed to the appropriate reviewing agencies. Each agency will review your application and provide the Planning Department with their comments.

The Planning Manager may approve the variation only if the following findings are met:

1. Granting of the proposed variation will not permit a use that is not classified as an allowable or conditional use in the zoning district wherein the use would be located;
2. Special circumstances such as lot size, slope, topography or necessary size or shape of the building prevent compliance with the applicable property development standards;
3. Due to special circumstances applicable to the subject property, strict application of the zoning district property development standards would deprive the subject property of rights and privileges enjoyed by other properties in the vicinity and under the same zoning district classification;
4. The problem sought to be addressed by the variation is related to the physical features of the particular property or building and would exist regardless of the identity of the owner;
5. The problem sought to be addressed by the variation is not common for other property in the surrounding area;
6. The variation would not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity under the same zoning classification;
7. The variation will not adversely affect the health or safety of persons residing or working in the neighborhood in which the variation is being requested, and;
8. The variation would not deny the preservation and enjoyment of substantial property rights of those owning property in the vicinity.

ANY QUESTIONS REGARDING THIS PROCESS SHOULD BE DIRECTED TO THE BENTON COUNTY PLANNING DEPARTMENT, 786-5612 PROSSER OR 736-3086 TRI-CITIES. OUR OFFICE HOURS ARE 8 A.M. TO NOON AND 1 P.M. TO 5 P.M. MONDAY THRU FRIDAY, EXCEPT HOLIDAYS.

**BENTON COUNTY PLANNING DEPARTMENT
VARIATION APPLICATION**

FILE NO. _____



1. Name and address of applicant: _____

Telephone # Home: _____ Work: _____
If you wish to be contacted via email please list your email address _____

2. Legal owners name and address: _____

Telephone # Home: _____ Work: _____
3. Legal description or Parcel Number of property for which variation permit is for:

4. Section of the zoning ordinance under which it is claimed that a variation should be granted.
(To be completed by the Planning Department) _____
5. A variation is being requested for the purpose of _____

6. What is the minimum variation that will alleviate hardship? (Variations can be for only 10% of the standards of the zoning district in which the use is located.)

7. Are there special circumstances such as lot size, slope, topography or necessary size or shape of the building that prevent compliance with the zoning ordinance? If so, explain:

8. Does strict application of the zoning ordinance deprive subject property of rights and privileges enjoyed by other properties in the vicinity and under the same zoning classification? If so, explain:

9 Applicant shall attach a site plan of the property, drawn to a scale of one inch equals fifty feet (1"=50') unless otherwise specifically approved by the Planning Department, showing the following information.

PLEASE NOTE: See attached sample site plan.

- A. Dimensions of the property.
- B. Location and size of the proposed use complete with distances between buildings and all property lines.
- C. Location and size of existing improvements complete with distances, buildings, and all property lines.
- D. All streets, roads, easements, and rights-of-way located on or adjacent to this property. (Label structures and roadways)

10. Zoning classification of property involved: _____

11. Total acreage - lot size involved: _____

COMMENTS OR PERTINENT INFORMATION:

ALL persons with an ownership interest in the property on which the land use action is proposed must sign the application other than interests exclusively limited to ownership of the parcel's mineral rights.

I certify that the information given above is true and complete to the best of my knowledge.

Signature Block for individuals only.

_____ Applicant's Signature	_____ Print Name	_____ Date
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_____ Signature of Legal Owners	_____ Print Name	_____ Date
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_____ Signature of Person with additional ownership interest	_____ Print Name	_____ Date
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_____ Signature of Person with additional ownership interest	_____ Print Name	_____ Date
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If the applicant or legal owner is a corporation/partnership/LLC etc. please use the following signature block. Please copy this page if there is more than one corporation/partnership/LLC signature that is required.

Applicant or legal owner: _____

By: _____
(print name) (Title)

Signature: _____
(Signature) (Title)

The above signed officer of _____ (name of entity) warrants and represents that all necessary legal and corporate actions have been duly undertaken to permit _____ to submit this application and that the above signed officer has been duly authorized and instructed to execute this application.

NOTE: The Benton County Planning Department will process the variation application as an in-house review. It should be noted that variations would be for a reduction in the setback not exceeding ten (10) percent of the standards of the zoning district in which the use is located. Minor variations may not allow an increase in the number of dwelling units on a parcel. If the variation is denied the applicant may then apply for a variance as provided in Ordinance 369 - Section 1(d).

NOTE: THE APPLICATION FEE OF \$150.00 IS NON-REFUNDABLE; THERE ARE NO GUARANTEES THAT YOUR VARIATION APPLICATION WILL BE APPROVED

Any information submitted to the Benton County Planning Department is subject to public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.

FOR OFFICIAL USE ONLY:
Critical Area Review Completed by _____ on _____.
Application approved for processing by _____ on _____.
Zoning _____ Comp Plan Designation _____