



Snohomish County
Planning and Development
Services

Visit us at :

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ONLINE INFORMATION
www.snohomishcountywa.gov/1190



This Assistance Bulletin only applies to property within unincorporated Snohomish County and does not apply to property within incorporated city limits.

Assistance Bulletin

#9

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WWW.SNOCO.ORG

Keyword: Assistance Bulletins

Q: What is a variance?

A: A variance is an adjustment to specific regulations that apply to a particular piece of property. A variance is permission to modify certain development standards including bulk regulations or standards such as building setbacks, building height, etc. A variance may be granted only when there are special circumstances that apply to the property that are beyond the control of the applicant and where granting will not detrimentally affect other nearby properties.

The variance process cannot be used to allow the use of property in a manner not permitted by zoning regulations. For example, you cannot apply for a variance to permit an apartment complex in a zone that does not allow apartment uses.

Q: What are “special circumstances?”

A: Situations beyond the control of the applicant in which uniform code requirements would unduly burden one property more than other properties in the area. For example, if the rear portion of your lot is extremely steep and the only way you can construct a home on the property is to build part of the structure within a portion of the front-yard setback, you will need a variance to change the setback regulations.

Q: How do I know if I need a variance?

A: When you visit the PDS customer assistance counter on the 2nd Floor, Robert J. Drewel Building, 3000 Rockefeller Avenue, in downtown Everett, staff will point out the requirements of the zoning ordinance and tell you how and where your plan does not comply. If your plans are not in compliance, you will then alter your plans to meet code requirements before you can get a building permit.

Q: What if I can't alter my plans?

A: If you cannot alter your project to meet code, you may consider the possibility of obtaining a variance. Review the variance application, criteria, and related materials to determine if you may be eligible. The application contains four questions known as the “variance criteria” that must be answered by you about the request:

- Describe the special circumstances applicable to the subject property or the intended use, such as size, shape, topography, location or surroundings, that do not apply generally to other properties or classes of use in the same vicinity and zone.

This bulletin is intended only as an information guide. The information may not be complete and is subject to change. For complete legal information, refer to Snohomish County Code.

- Describe why a variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other properties in the same vicinity and zone but which because of special circumstances is denied to the property in question.
- Describe how the granting of the variance will not be materially detrimental to the public welfare or injurious to the properties or improvements in the vicinity and zone in which the subject property is located.
- Describe how the granting of the variance will not adversely affect the comprehensive plan.

You are responsible for submitting complete responses to the above criteria as part of the variance application.

Q: How do I get a variance?

A: First, complete the application at MyBuildPermit.com. You will choose the following path;

Application Type: Land Use

Project Type: New

Activity Type: Deviations, Modifications, Variances, and Waivers

Scope of Work: Variance—Single Family OR Variance

(If you are submitting a shoreline variance, you will need to schedule a submittal appointment.) You will be billed a filing fee to help defray the processing costs. You will be given Pending Land Use Action signs and posting instructions for placement of the signs on the property.

PDS is responsible for application review and issuing a decision on a variance request. A variance decision is a Type 1 administrative decision that is made using the procedures of chapters 30.70 and 30.71 SCC. Public notice of a variance application will be provided by mail to all property owners within 500 feet of your property. Published notice and property posting are also required.

Q: When will a decision be made on my variance application?

A: PDS will render a written decision on your variance application within 120 days from when the permit application is determined to be complete. This decision will contain findings of fact and conclusions. Appeal instructions are in the decision document for anyone who wishes to appeal the decision to the hearing examiner.
