

## When Is A Variance Needed?

Any property owner may apply for a variance from size, dimension, setback or design requirements of a zoning district. A variance can be approved in situations where unusual physical conditions of the property, such as size, shape or topography, make it impossible or unduly difficult to meet requirements of the zoning district. Variance requests in both the urban and rural County are subject to the provisions outlined in TCC 20.52.

The fact that property may be utilized more profitably is not an element of consideration in the review of a variance request.

## How Do I Apply?

Submit a completed application package to the Building Development Center with the applicable fee. Complete package requirements are outlined in the application.

## Review Process and Timing

Variance applications are reviewed under the Type III procedure. The review time can be up to 148 days. The review time may take longer if a request for additional information is required. This process requires public notification and a public hearing. The approval authority is the Hearing Examiner for Thurston County. Workload may affect the review time.

## To Grant A Variance The Hearing Examiner Must Find That:

1. The variance does not constitute a rezone; that is, it must not be for a use not permitted in the zoning district.
2. Special physical conditions exist on the property which makes literal application of zoning requirements impossible to meet, or would cause undue hardship.
3. The special conditions peculiar to the

property are not the result of actions of the applicant.

4. The variance does not confer a special privilege that is denied to other properties in the same district.
5. The granting of the variance will not be detrimental to the neighborhood or injurious to the public welfare and properties or improvements in the vicinity.
6. The variance is the minimum that will make possible the reasonable use of the land.
7. The variance is in harmony with the purpose and intent of the Zoning Ordinance.

## Appeals

All decisions may be appealed. Variance decisions are considered final if not appealed to the Board of County Commissioners within 14 calendar days of the date of the decision. There is a fee for an appeal.

## Expiration

If a building permit has not been issued, or if construction activity or operation has not commenced within three years from the date of final approval, the variance shall expire. The variance shall also expire when the use or activity for which the variance was granted is vacated for a period of three years.

## I Still Have Questions....

The information in this bulletin is a general guideline of the procedures and rules. You should not rely on this bulletin to identify the specific requirements for your project. For additional information, speak with a staff member at the Building Development Center. Contact information is listed below. You may also review all Thurston County Codes online on the County website referenced at the bottom of this page.

### Building Development Center

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