



Town of Concrete

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VARIANCE APPLICATION

Purpose: The purpose of a variance is to obtain relief from certain provisions and dimensional standards of the Zoning Code, such as front, side, or rear building setbacks, as authorized by the town council after determining that the criteria established for the granting of variances have been satisfied, and where granting the variance would not result in a detriment to the public.

A variance will not allow a land use which is not permitted under the zoning district in which the property is located.

Variances may be subject to conditions imposed by the Town Council, following a public hearing, in order to meet the goals of the development regulations for which relief is being sought. Such conditions may include provisions for the location, character and other features of the proposed structure or use as deemed necessary to carry out the spirit and purpose of the Zoning Code and the public interest.

Complete Application Required: The Town will not accept an application that does not have all of the required items listed below. To accept your application, each of the numbered items below must be submitted at the same time. However, if you have received a prior written waiver of a submittal item(s), please provide the signed waiver form in lieu of any submittal item not provided.

1. Fees. Administrative \$255

Planning Commission \$510, plus publication fees, plus public notice sign.

2. **Master Land Use Permit Application.** Completed and signed
3. **Assessor Map.** Identify the parcel.
4. **Site Plan.** See Master Land Use Permit application for basic information to include on site plan.
5. **Detailed Narrative Statement.**
6. **Variance Criteria.**
7. **Pre-Addressed/Stamped Envelopes.** For Property owners and residents within 300 feet of the property boundary. Addresses should be obtained from the Skagit County Assessor records. These records are available at www.skagitcounty.net.

One set of envelopes for administrative variance.

Two sets of envelopes for planning commission variance.

Include a list of property owners and addresses.

GENERAL PROCESS: Once all of the materials outlined above have been submitted to the Town, staff will determine whether or not an application is technically complete. A letter will be sent to the applicant if the submittal is found to be technically incomplete and what additional items need to be submitted, or what corrections are needed to make the application complete. The applicant will be provided with a public notice sign that will need to be in place on the property on the date that the first public notice is issued.

An Administrative Variance application will be reviewed, and either approved or disapproved by the Town Planner.

Planning Commission Variance application: Once you submit your application it will be circulated for comment from Town Staff. A notice of application will be sent to all neighbors within 300 feet and a notice will be put in the newspaper. The comments will be reviewed and a staff report will be prepared, setting forth specific findings. A staff recommendation for approval or denial will be prepared based on the variance criteria. The staff report will be presented to the Planning Commission. You should plan to attend this hearing with any information you wish to present in support of your case.

At the hearing, the Planning Commission will review the application, the staff report and recommendation, and public testimony. Following the completion of the public hearing, the Planning Commission will render a recommendation to Town Council. There may be certain conditions included in the recommendation that, if approved by Town Council, are binding and will be enforced as part of the variance. The final decision on the variance will be made by the Town Council at a public meeting.

Variance Criteria

Please answer the following variance criteria. Attach a separate page if necessary.

- a. There are unique physical conditions, including narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to and inherent in the particular lot; and that as a result of such unique physical conditions, practical difficulties or unnecessary hardships arise in complying with the provisions of this title.

- b. Because of such physical conditions, the development of the lot in strict conformance with the provisions of this title will not allow a reasonable and harmonious use of such lot.

- c. If granted, the variance will not alter the character of the neighborhood, or be detrimental to surrounding properties in which the property is located.

- d. The special circumstances and conditions associated with the variance are not a result of the actions of the applicant or previous owners.

- e. Literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.

- f. The approval of the variance will be consistent with the purpose of this title and the zoning district in which the property is located.

- g. The variance will not allow an increase in the number of dwelling units permitted by the zoning district.

- h. The authorization of such variance will not adversely affect the comprehensive plan.

- i. The variance shall not allow a land use which is not permitted under the zoning district in which the property is located.

- j. The variance shall not change any regulations or conditions established by conditional use permits or contract rezones.
