



**CITY OF BLACK
DIAMOND**
Community Development Dept.
24301 Roberts Drive / PO Box 599
Black Diamond, WA 98010
(360) 851- 4567

VARIANCE CHECKLIST

ABOUT VARIANCES:

A variance is a mechanism whereby the City may allow variations to the provisions of the zoning code applicable to a specific property where unique conditions exist and make compliance with zoning standards impractical or an unnecessary hardship.

A variance is not appropriate, and shall not be granted, to change a use or to allow establishment of a use that is not otherwise permitted in the zone in which the proposal is located. Granting of a variance shall not relieve an applicant from complying with any other standard or requirement of this title unless and only to the extent that such standard or requirement is specifically addressed as part of the decision on the requested variance.

There are two types of variances, an Administrative Variance may be granted by the Director, a Variance may be granted by the Hearing Examiner after a public hearing.

Public notice is required for both types of variance applications. Once the application has been determined to be complete, City staff will issue a formal notice of application to property owners within 300-feet of the property, publish it in the paper, online, and post on site. A fourteen-day public comment period will follow. For a variance that requires a public hearing, notice will be provided no less than fourteen days prior to the hearing, through use of the same methods indicated for notice of application.

REVIEW PROCESS:

A **pre-application meeting** is recommended prior to the formal variance submittal.

A Variance is a Type 3 decision made by the Hearing Examiner and may be granted if the application complies with the following criteria:

1. Granting of the proposed variance would not allow a use which is not classified as a permitted, accessory, or conditionally permitted use in the applicable zoning district.
2. The variance is necessary because of special circumstances relating to the unique size, shape, topography, location, or surroundings of the subject property.
3. The need for the variance and the special circumstances applicable to the subject property are not the result of deliberate actions of the applicant or property owner.
4. Strict enforcement of the requirements of this title creates an unnecessary hardship to the property owner or would deprive the property owner of the rights commonly enjoyed by others in the same area.
5. The variance does not create health or safety problems, will not be injurious to the public welfare, and does not grant a special privilege to the property owners.
6. The variance from height or setback requirements does not infringe upon or interfere with the requirements of any easement or covenant.
7. The variance is the minimum necessary to grant relief to the applicant.

Code References

Variances
Chapter 18.12.030 BDMC

Zoning and Procedures
Title 18 BDMC

Environment
Title 19 BDMC

Resources

King County iMap
Black Diamond Zoning Map

Questions?

Planning Division
Permit Status

City of Black Diamond

24301 Roberts Drive
PO Box 599
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www.blackdiamondwa.gov



An Administrative Variance is a Type 2 decision made by the Director and may be granted if the application complies with the following criteria:

1. The variance would not decrease by more than twenty percent any required front, side, or rear yard between buildings;
2. The variance would not increase by more than ten percent any permitted projection of cornices, sills, eave projections, fences or structures, maximum permitted lot coverage, and unenclosed and uncovered decks into a front, side, or rear yard; or
3. The variance would not increase by more than ten percent the permitted height of a structure.
4. Strict enforcement of the requirements of this title creates an unnecessary hardship to the property owner or would deprive the property owner of the rights commonly enjoyed by others in the same area;
5. The variance would not create health or safety problems, will not be injurious to the public welfare, and does not grant a special privilege to the property owner;
6. The variance is the minimum necessary to grant relief to the applicant.

SUBMITTAL REQUIREMENTS

1. ☐ Completed, signed Master Application Form - Planning Division
2. ☐ Narrative, which states:
 - a. The specific variance that is being requested.
 - b. The purpose for which the variance is requested.
 - c. Addresses each of the criteria listed above.
3. ☐ Vicinity map
4. ☐ Site plan of subject property in a scale of 1" = 20'