

November 30, 1995

Introduced by CHRISTOPHER VANCE

Proposed No.: **96-458**

ORDINANCE NO. **12479**

AN ORDINANCE relating to zoning; modifying criteria for variances; amending Ordinance 10870, Section 624 and K.C.C. 21A.44.030; all as amended.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 10870, Section 624, as amended and K.C.C. 21A.44.030 are hereby amended to read as follows:

Variance. A variance shall be granted by the county, only if the applicant demonstrates all of the following:

A. The strict enforcement of the provisions of this title creates an unnecessary hardship to the property owner;

B. The variance is necessary because of the unique size, shape, topography, or location of the subject property;

C. The subject property is deprived, by provisions of this title, of rights and privileges enjoyed by other properties in the vicinity and under an identical zone;

~~((D. The need for the variance is not the result of deliberate actions of the applicant or property owner;))~~

~~((E.))~~ D. The variance does not create health and safety hazards, is not materially detrimental to the public welfare or is not unduly injurious to property or improvements in the vicinity;

~~((F.))~~ E. The variance does not relieve an applicant from any of the procedural provisions of this title;

~~((G.))~~ F. The variance does not relieve an applicant from any standard or provision that specifically states that no variance from such standard or provision is permitted;

~~((H.))~~ G. The variance does not relieve an applicant from conditions established during prior permit review or from

1 provisions enacted pursuant to K.C.C. 21A.38, Property-Specific  
2 Development Standards;

3       (~~(F-)~~) H. The variance does not allow establishment of a  
4 use that is not otherwise permitted in the zone in which the  
5 proposal is located;

6       (~~(J-)~~) I. The variance does not allow the creation of  
7 lots or densities that exceed the base residential density for  
8 the zone by more than 10 percent;

9       (~~(K-)~~) J. The variance is the minimum necessary to grant  
10 relief to the applicant;

11       (~~(L-)~~) K. The variance from setback or height  
12 requirements does not infringe upon or interfere with easement  
13 or covenant rights or responsibilities; and

1 ((M-)) L. The variance does not relieve an applicant from  
2 any provisions of K.C.C. 21A.24 Sensitive Areas, except for the  
3 required buffer widths and building setbacks set forth in  
4 K.C.C. 21A.24.200, 21A.24.280, 21A.24.310, 21A.24.320, or  
5 21A.24.360.

6 INTRODUCED AND READ for the first time this 29<sup>th</sup> day  
7 of July, 19 96

8 PASSED by a vote of 12 to 0 this 7<sup>th</sup> day of  
9 October, 1996.

10 KING COUNTY COUNCIL  
11 KING COUNTY, WASHINGTON

12  
13 James Hague  
14 Chair

15 ATTEST:

16  
17 Janet Masano  
18 Clerk of the Council

19 APPROVED this 17<sup>th</sup> day of October, 1996.

20  
21 Jimmy Locke  
22 King County Executive  
23

24 Attachments:  
25 None  
26