



INFORMATION BULLETIN No. 34

City of Blaine

Updated
March 2009

VARIANCE

WHAT IS A VARIANCE?

A Variance is permission to not comply with the standards of development on a particular site. It is permission to “vary” from the general rules and regulations that apply to construction of buildings or improvements on the site.

A VARIANCE CAN BE USED TO:

Construct a building closer to the property line than is usually allowed by reducing the setback.

Construct a building that is taller than usually allowed.

Change the requirements for a physical aspect of site development, such as landscaping, lot coverage or parking, that is required by the zoning standards for your site or use.

A VARIANCE CAN NOT BE USED TO:

Change the permitted uses on a site. For instance, a Variance cannot make a business permitted on a property designated for residential uses, or a factory permitted on a property designated for retail uses.

HOW IS THE APPLICATION PROCESSED?

The application is processed as Type II-PC application. It involves a public hearing at the Planning Commission. The Planning Commission makes the final decision on a variance application.

Refer to the Informational Bulletin describing the process. **See IB#8.**

Be advised that there is a separate permit entitlement called a “Plat Variance” that is specifically associated with land division applications and differs from the Variance described here.

HOW DO I APPLY?

1. A pre-application conference is recommended, but not required.
2. You must submit a Land Use Master Invoice and a Variance Application.
3. Many Variance Applications will also require a site plan drawing demonstrating why a variance is needed.
4. You must pay the applicable fees

Applications are submitted by appointment.

MORE QUESTIONS?

For further information, please call the Community Development Services Department at the City of Blaine (360) 332-8311.

WILL MY VARIANCE REQUEST BE GRANTED?

There is no simple answer to this question, but a Variance is granted or denied based on a set of criteria. These criteria are listed on the back of this page.

Usually, a variance has a good chance of being granted when it is a reasonable solution to a truly unique situation that is the result of things outside the property owner’s control.

The City of Blaine’s Community Development Department has created customer information bulletins to inform the general public about the effect of codes and regulations on their projects. These bulletins are not intended to be complete statements of all laws and rules and should not be used as substitutes for them. If conflicts and questions arise, current codes and regulations are final authority. Because the codes and regulations may be revised or amended at any time, consult City of Blaine, CD staff to be sure you understand all requirements before beginning work. It is the applicant’s responsibility to ensure that the project meets all requirements of applicable codes and regulations.

(See reverse)

APPROVAL CRITERIA

The following criteria are used to judge if a Variance may be approved by the Planning Commission:

All of the following must apply:

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same district;
2. That literal interpretation of the provisions of this division would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this division;
3. That the special conditions and circumstances do not result from the actions of the applicant; and
4. That granting the variance requested will not confer on the applicant any special privilege that is denied by this division to the other lands, structures or buildings in the same district.