



CHELAN COUNTY INFORMATION MATERIALS FOR A RIPARIAN VARIANCE APPLICATION

This packet is designed to assist you in preparing your application for a Riparian Variance Permit. Applications may be submitted to the Chelan County Community Development Department, 316 Washington St., Suite 301, Wenatchee, WA 98801, Monday through Friday between 8 a.m. and 5 p.m, except holidays.

Contact the Planning Division to determine land use zoning and setbacks. At the time of submittal the following information is required. If any of this information is not provided, we may be unable to take in your application.

- ❑ **A completed Riparian Variance application form – this permit is required for any proposed development within the required setback of a critical area.**
- ❑ **Site plan, to a scale no larger than 1" = 100 ft on 8 ½" x 11" or 11" x 17" paper. This drawing should include the riparian buffer and all structures existing on the property, as well as the proposed location of the new development.**
- ❑ **Variance criteria answers – these are a requirement of Chelan County Code (11.78.230 and 11.95) and should be provided in narrative form.**
- ❑ **Applicable non-refundable fees – in cash or check only**

Chelan County Code Section 11.95.010: The hearing examiner is authorized to grant variances from the requirements of this title where it can be shown that, owing to special and unusual circumstances related to a specific property, the literal interpretation or specific application of this title would cause undue or unnecessary hardship. No variance shall be granted to allow the use of property for purposes not authorized in the district in which the proposed use would be located, increase densities above that established for the district, or reduce/eliminate standards of other titles of the Chelan County Code.

NOTE: APPLICATION FEES ARE NON-REFUNDABLE. THERE ARE NO GUARANTEES THAT YOUR APPLICATION WILL BE APPROVED.

Upon receiving a complete application, a file will be setup. Within 28 days the applicant will receive a written Determination of Completeness. After issuing the Determination of Completeness, the Department will issue a Notice of Application and appropriate application materials will be routed to all agencies with jurisdiction. Each agency will have fourteen (14) days to review the application materials and to provide the Planning

Division with comments and/or suggested conditions needed in order to obtain their approval of the permit. A Notice of Application will be posted at the site by the applicant, published in the newspaper by the Department, and sent to surrounding property owners within 300 feet of the project. The public will also be given a fourteen (14) day comment period.

An open record hearing date will be set before the Chelan County Hearing Examiner and the applicant and all parties of record will be notified of the date, time, and place of the hearing. Testimony both for and against the proposal will be taken and the applicant will be able to provide a rebuttal to all testimony presented. Upon closing the public hearing, the Hearing Examiner will then have ten working days to approve, approve with conditions, or deny the application. The Hearing Examiner decision can be appealed.

Any questions regarding this process should be directed to the Chelan County Community Development Department, (509) 667-6225. Our office hours are 8 a.m. to 5 p.m. Monday through Friday, except holidays.

NOTE: IT IS THE APPLICANT'S RESPONSIBILITY TO SUBMIT APPLICATION MATERIALS TO OTHER REGULATORY AGENCIES AS MAY BE REQUIRED.

FOR DEPARTMENTAL USE ONLY

Date Received: _____	Date Stamp: _____
Received By: _____	
Received via US Mail: _____	
Accepted: _____	
Returned: _____	
Fees Paid: _____	
Receipt No: _____	

RIPARIAN VARIANCE APPLICATION SUPPLEMENTAL INFORMATION
(Rev. 12/11/09)

This application shall be subject to all additions to and changes in the laws, regulations and ordinances applicable to the proposed development until a Determination of Completeness has been made pursuant to CCC 14.08.030, except variance, planned development, and rezone requests.

SECTION I: APPLICANT INFORMATION

1. If an amendment, relate to Application/File # _____

2. Identify Use or Activity for which the permit is requested: _____

3. **Owner:** _____ Phone: _____
Address: _____ Bus. Phone: _____
City & State: _____ Zip Code: _____

4. **Agent:** _____ Phone: _____
Address: _____ Bus. Phone: _____
City & State: _____ Zip Code: _____

5. **Contractor:** _____ Phone: _____
Address: _____ Bus. Phone: _____
City & State: _____ Zip Code: _____

6. Please reference any other associated Chelan County permits in conjunction with this Riparian Variance application: _____

SECTION II: PARCEL/SITE INFORMATION

* Please contact or come in to the Planning Division with an assessor's parcel number and map to determine this information.

7. Site Address: _____

8. Assessor's Parcel Number(s): _____

9. **Location:** Section: _____ Township: _____ Range: _____

Related Parcels: _____

10. Please give detailed driving directions to the site:

11. Legal Description (Attach legal description unless lot and block): Attach a copy of the **Assessor's Parcel Map**. _____

12. Zoning Designation: _____

13. * Comprehensive Plan Designation: _____

14. Are you located in an urban growth area? _____

15. What is the current use of the site? _____

16. Identify existing structures, improvements, and/or easements on site: _____

17. Is the site near an airport? _____

18. Is the site within a 100-year flood plain? _____

19. Are there wetlands, water bodies, rivers or streams on the site or within 200 feet of the site?
If yes, identify: _____

20. Are there any springs, seeps, ponds or wetlands on the site? _____

21. * What is the Shoreline Environment Designation? _____

22. Are there steep slopes on the site? _____

23. * Is the site in a Fish and Wildlife Habitat Conservation Area? _____

If so, which one? _____

24. Are there any known cultural or archeological resources on the site? _____
25. Will landfill be required? _____ If yes, Approximate cubic yards _____
26. Will excavation be required _____ If yes, approximate cubic yards _____
27. Are there drainage ways on site or within 1000 feet of the site? _____
28. Are there any geologically hazardous areas on the site or within 1000 feet of the site including the following:
 Snow avalanche areas _____
 Areas susceptible to erosion _____ Landslide hazardous areas _____
 Areas of Historic slope failure _____ Seismic hazard areas _____
29. Is the site located on an alluvial fan or within 1000 feet of any alluvial fan? _____
30. Are slopes on site in excess of 45 percent or is the site within 1000 feet of any area with a slope of forty five percent or steeper? _____
31. Identify the Fire District in which the property is located: _____
32. Identify the Irrigation District within the site is located: _____
33. Please describe adjacent land uses in all directions around the subject property:
- North: _____
 South: _____
 East: _____
 West: _____
34. Roads: Name of the road the property fronts _____
 (contact the Public Works department if you have any questions)
Identify type of Road:
 County Road Primitive County Road Private Road
 Driveway Forest Service Road State/US Highway
 Access Easement
- Width of existing road surface:** _____
 Type of existing road surface: Paved/two shot Asphalt Gravel Dirt
35. Lot Size and Dimensions: _____

SECTION III: UTILITIES

The site/proposal will be or is served by (please circle):

36. Water:

Well Private System Public System City System

Identify Provider: _____

Is site in a water district? _____ If yes, identify _____

37. Sanitation:

Septic Sewer System

Identify Provider: _____

38. Power:

Is electrical power available to the site? _____

If yes, identify provider: PUD REA

39. Natural Gas: Yes No Name of utility: _____

40. Irrigation: Yes No Name of Provider: _____

41. Private Irrigation Yes No

42. Number of water shares _____ Are water shares to be divided? _____

43. Nearest town or city: _____

SECTION IV: GENERAL INFORMATION

44. Has site preparation been started on the site? If so, explain to what extent. _____

45. If the proposal is commercial or industrial, what are the hours of operation? _____

46. Do you have any plans for future additions, expansions, or further activity related to or connected with the proposal? Explain. _____

47. Are there any other applications pending for governmental approvals for this or other proposals affecting the property covered by this proposal? _____ If yes, please list. _____

48. Please provide a development schedule with the approximated dates that you propose to commence and complete construction. _____

SECTION V: VARIANCE CRITERIA

General Variance Criteria:

Description of proposed variance (include an explanation of the hardship).

Section 11.95.030(1) of the Chelan County Code states that no variance shall be granted unless it can be shown that all of the following conditions exist:

1. Please explain how the variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same neighborhood or district and shall not constitute a grant or special privilege.

2. Please explain how the plight of the applicant is due to unique circumstances such as topography, lot size or shape, or size of buildings, over which the applicant has no control.

3. Please explain how the hardship asserted by the applicant is not the result of the applicant's or the owner's action.

4. Please explain how the authorization of the variance shall not be materially detrimental to the public welfare and safety, to the purposes of this title, be injurious to property in the same district or neighborhood in which the property is located, or be otherwise detrimental to the objectives of the comprehensive plan.

5. Please explain how the hardship asserted by the application results from the application of this title to the property.

Section 11.95.030(3) of the Chelan County Code states the granting of a variance should not:

1. Please explain how the proposal is not substantially based upon precedent established by illegal or nonconforming circumstances.

2. Please explain how the proposal is not substantially based upon lack of reasonable economic return or a claim that the existing/proposed structure is too small.

3. Please explain how the proposal is not based on the fact that the condition for which the variance is requested, existed at the time the applicant acquired the property.

4. Please explain how the proposal will not result in a de facto zone reclassification.

5. Please explain how the proposal is not substantially for the purpose of circumventing density regulations.

In addition to the requirements of Chapter 11.95 *Variances* of the Chelan County Code, the following conditions and requirements must be met in order to grant a variance from the provisions contained in Chapter 11.78.230:

1. Please explain how significant impacts to the fish and wildlife habitat functions as stated in Chelan County Code Section 11.06.020(27) would be mitigated by the applicant by addressing with conditions of approval where practical:

Purpose. To identify and protect fish and wildlife habitat conservation areas as required by the Growth Management Act and to maintain the present high quality of Chelan County's fish and wildlife habitat conservation areas. The intent of this district is also to protect the structure, value, and function of fish and wildlife habitat conservation areas. In order to protect and maintain fish and wildlife habitat conservation areas, the following fish and wildlife habitat functions shall be considered:

- (i) Erosion control and shoreline stabilization;

- (ii) Stream temperature control;

- (iii) Water purification;

- (iv) Water storage and conservation;

- (v) Nutrient and food input to the aquatic system;

- (vi) Instream structure by provision of large woody debris;

- (vii) Moderate micro-climate;

- (viii) Diverse and productive habitat for riparian and upland wildlife;

(ix) Habitat continuity and travel corridors for wildlife in a fragmented landscape;

(x) High fish and wildlife density and diversity;

(xi) Seasonal ranges;

(xii) Breeding habitat; and

(xiii) Food and cover.

Fish and wildlife protection is also intended to mitigate impacts from development in fish and wildlife habitat conservation areas and to enhance fish and wildlife habitat for water quality, fish and wildlife. Mitigation measures may provide the opportunity to improve degraded fish and wildlife habitat conservation areas.

2. Please explain how no other reasonable use with less impact is possible; and

3. Please explain how impacts to fish and wildlife habitat cannot be lessened through location or design changes to the proposed use.

SECTION VI: AUTHORIZATION

I hereby certify that this application has been made with the consent of the lawful property owner(s) and that all information submitted with this application is complete and correct. False statements, errors, and/or omissions may be sufficient cause for denial of the request. This application gives consent to the county to enter the properties listed above.

Owner Name: _____ Parcel # _____

Owner Signature: _____ Date: _____

Note: If person other than property owner has signed the application, an ownership certificate by the owner and an authorized agent form must be signed, and notarized.

SECTION VII: OWNERSHIP CERTIFICATION

IF A PERSON OTHER THAN THE PROPERTY OWNER IS SIGNING THIS APPLICATION, AN OWNERSHIP CERTIFICATION MUST ALSO BE SUBMITTED.

I, _____ here by certify that I am the major property owner, authorized agent, or officer of the corporation owning property described in the attached application and I have familiarized myself with the rules and regulations of Chelan County with respect to making this application and that the statements, answers and information contained therein are in all respects true and correct to the best of my knowledge and belief. Further, I posses full legal authority and rights necessary to exercise control over the subject property.

I certify or declare under penalty of perjury under the lows of the State of Washington that the foregoing is true and correct.

Address _____

City and State _____ Zip Code _____

Phone _____ Signature _____

Date _____ for _____

(Give corporation or company name)

At _____

(Here signator must state place of signing
which may be different than address.)

ACKNOWLEDGEMENT

State of Washington }
 }
Chelan County }

On this day personally appeared before me _____ to be known the individual described in and who executed within and foregoing instrument and acknowledge to me that _____ signed the same as _____ free and voluntary act and deed for the uses and purposed therein mentioned.

NOTARY PUBLIC in and for the
State of Washington
Residing in _____
Date: _____

SECTION VIII: AGENT AUTHORIZATION

IF A PERSON OTHER THAN THE PROPERTY OWNER IS SIGNING THIS APPLICATION, AN OWNERSHIP CERTIFICATION MUST ALSO BE SUBMITTED.

I, _____, hereby certify that I am the property owner of record and possess the full legal authority and rights necessary to exercise control over the property, described as Chelan County Tax Parcel No(s)._____.

I am authorizing _____, to act as my agent, on my behalf, for the purpose of _____.

I certify or declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Address _____

City and State _____ Zip Code _____

Phone _____ Signature _____

Date _____ for _____

(Give corporation or company name)

At _____

(Here signator must state place of signing which may be different than address.)

ACKNOWLEDGEMENT

State of Washington }
 }
Chelan County }

On this day personally appeared before me _____ to be known the individual described in and who executed within and foregoing instrument and acknowledge to me that _____ signed the same as _____ free and voluntary act and deed for the uses and purposed therein mentioned.

NOTARY PUBLIC in and for the
State of Washington
Residing in _____
Date: _____

SITE PLAN CHECKLIST

- Must be drawn to a standard engineering scale not to exceed 1" = 100'. Indicate the scale used. Must include North arrow.
- Boundaries (all property lines), dimensions, and area of lot/parcel (square feet or acreage).
- Land features such as top and bottom of slopes, direction of slope, ravines, location of wetlands, streams, lakes, rivers, ordinary high water mark of shoreline areas, fish and wildlife habitat.
- Location, size, and purpose of all existing structures (temporary or permanent) and proposed structures. Label each as existing or proposed.
- Locations, dimensions and volume of all existing and proposed propane tanks, fuel tanks, etc.
- Location and dimensions of all decks, roof overhangs, porches, cantilevers, bay windows, retaining walls, patios, and chimneys.
- Distance between property lines and existing/proposed structures and distances between structures.
- Location and width of existing and proposed driveways/accesses serving each structure and any parking area.
- Width and name of roads bordering the property and indicate whether they are public or private.
- Indicate any and all easements (access, utility, drainage, etc.) on the property including their width. Label them with intended use and the Auditor's File number.
- Indicate location of septic tank, drainfield, reserve area and tightline between house and septic tank. Show distance between drainfield and reserve area to property lines and any water body or wetland area.
- Indicate location of water lines, well, and sanitary control radius. Note: A sanitary control radius around an off-site well may impact your project if it overlaps onto your parcel.

I hereby certify that the information on this site plan is accurate and complete. I further understand if the information is incomplete, incorrect, or not provided the application will not be accepted as a complete application.

Applicant Name: _____ Parcel #: _____

Applicant Signature: _____ Date: _____