



COMMUNITY PLANNING & DEVELOPMENT

206.275.7605

www.mercerisland.gov/cpd

CITY USE ONLY

PROJECT NO.	RECEIPT NO.	Fee
Date Received:		
Received By:		

VARIANCE

A Variance is a land use approval that is used to obtain approval from relief from specific bulk, dimensional, or performance standards established in Title 19 of the Mercer Island City Code (MICC) when extraordinary circumstances relating to the physical character or configuration of the property exist such that the strict implementation of the development regulations will impose unnecessary hardships on the applicant. An applicant or property owner may request a variance from numeric standards only. Variances cannot be used for numerical or other standards in Chapter 19.07 MICC, Environment.

REVIEW PROCESS – TYPE IV LAND USE REVIEW

Type IV reviews require discretion and may be actions of broad public interest. Decisions on Type IV reviews are only taken after an open record public hearing. Type IV reviews require a pre-application meeting, letter of complete application, notice of application mailing and posting, a 30-day public comment period, public hearing, notice of decision, and the decision is made by the Hearing Examiner, or in some cases, Ecology.

SUBMITTAL CHECKLIST

In addition to the items listed below, the code official may require the submission of any documentation reasonably necessary for review and approval of the land use application. An applicant for a land use approval and/or development proposal shall demonstrate that the proposed development complies with the applicable regulations and decision criteria.

- 1. Development Application Form.** Provide a completed and signed [Development Application Form](#).
- 2. Pre-Application Meeting.** [Pre-Application Meetings](#) are required for Type III & IV Land Use Permit Applications.
- 3. Project Narrative.** The project narrative should describe the proposed development, including any anticipated phases.
- 4. Code Compliance Matrix.** Detail how the application meets the review criteria for Variances in [MICC 19.06.110\(B\)](#). Refer to the [Code Compliance Matrix Tip Sheet](#) for preparing the narrative.
- 5. Title Report.** Less than 30 days old. Required unless waived by the code official.
- 6. Affidavit of Ownership.** An Affidavit of Ownership, signed before a notary. Required only if the Title Report does not clearly show ownership or authority to develop the property. Required unless waived by the code official.
- 7. Affidavit of Agent Authority.** An Affidavit of Agent Authority, signed before a notary. Required unless waived by the code official.
- 8. Development Plan Set.** Refer to the [Land Use Application Plan Set Guide](#) for preparing plans.
- 9. Optional: Concurrent Review Form.** Provide a completed [Concurrent Review Form](#) if consolidated review for two or more land use applications is requested. Refer to [MICC 19.15.030\(F\)](#) for land use application reviews that may be consolidated.

- 10. Critical Areas Study(s).** Critical areas studies prepared by a qualified professional, if the site is constrained by a critical area and if the proposed scope of work results in an alteration to a critical area. A separate Critical Area Review 2 permit may be required.
- 11. SEPA Checklist.** A SEPA Checklist and separate SEPA Review permit is required unless the project is categorically exempt per the criteria in [WAC 197-11-800](#).
- 12. Fees.** Payment of required fees. Refer to the City of Mercer Island [Fee Schedule](#) for current permit fees.

I HEREBY CERTIFY THAT I HAVE READ THIS APPLICATION AND SUBMITTAL CHECKLIST AND ALL REQUIRED APPLICATION MATERIALS ARE INCLUDED IN MY APPLICATION SUBMITTAL, UNLESS WAIVED BY THE CODE OFFICIAL. ALL INFORMATION SUBMITTED IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE. I ACKNOWLEDGE THAT WILLFUL MISREPRESENTATION OF INFORMATION WILL TERMINATE THIS APPLICATION. I UNDERSTAND THAT MY SUBMITTAL WILL BE REVIEWED FOR COMPLETENESS AND, IF FOUND TO BE COMPLETE, WILL BE PROCESSED PURSUANT TO THE PROVISIONS OF CHAPTER 19.15 MICC.

SIGNATURE

DATE