

**Department of Permitting and Environmental Review (Permitting)**

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# Road Variances

**• FREQUENTLY ASKED QUESTIONS •**

*Visit the Permitting Web site at  
[www.kingcounty.gov/permits](http://www.kingcounty.gov/permits)  
for more information*

Permitting Customer  
Information Bulletin #**34A**

King County Permitting 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 King County 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.

For alternate formats, call 206-296-6600.

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**How to request a variance from road standards**

This bulletin provides information about when and how customers should apply for a road variance when a proposed project cannot be designed and built entirely in conformance with King County standards. Approval of a road variance allows applicants to depart from required standards according to a specified description. All roads and facilities required as part of a development proposal in unincorporated King County must be designed and built according to King County Road Standards (KCRS).

Technical information about the road variance process is contained in Section 1.08 of the King County Road Standards, in Administrative Rule PUT 10-2 (PR), and in Chapter 14.41, *Procedures for Requesting Variances*, of the King County Code (KCC). These documents are available online:

- King County Road Standards at [www.metrokc.gov/kcdot/roads/eng/kcrs93](http://www.metrokc.gov/kcdot/roads/eng/kcrs93)
- King County Administrative Public Rules at [www.metrokc.gov/recelec/archives](http://www.metrokc.gov/recelec/archives)
- King County Code at [www.kingcounty.gov/council/legislation/kc\\_code.aspx](http://www.kingcounty.gov/council/legislation/kc_code.aspx).

To purchase the KCRS, contact the KCDOT Map Center at 206-296-6548 or see more information at [www.metrokc.gov/kcdot/roads/rwmap.cfm](http://www.metrokc.gov/kcdot/roads/rwmap.cfm). For additional assistance, call Permitting Services Center at 206-296-6600.

### When should customers apply for a road variance?

Property owners have to apply for a road variance when one of the following applies to a proposed project:

1. Proposed road and/or drainage improvements are not prescribed in the standards;
2. Adopted standards do not address particular site conditions, or product specifications called for by the designer;
3. The proposed plan does not to meet an applicable requirement of the standards;
4. Application of the standards may deny reasonable use of a proposed property;
5. Property owners appeal the preliminary approval conditions relating to roads for short plats; and
6. Customers want to vest a proposed project to the most current adopted road standards.

Generally, a road variance is not needed if the design improvements exceed the standards for those improvements.

Requests for a road variance must be submitted after the preliminary project application is submitted. If, however, the feasibility of the entire project depends on approval of a road variance decision, applicants will be allowed to request the road variance before submitting the project application.

Road variances must be approved before construction. Property owners face the risk of costly reconstruction or removal of substandard work if the road variance request is denied, or if it is approved on the condition that specific work must be done.

### How do customers apply for a variance?

Separate applications are required for road variances. Permitting application forms are available via the Permitting Web site at [www.kingcounty.gov/permits](http://www.kingcounty.gov/permits), in the Permitting Services Center, 35030 SE Douglas Street, Suite 210, Snoqualmie, WA 98065-9266 or by calling Permitting Services Center at 206-296-6600.

The Design Engineer for a proposed project should complete the application forms for a road variance. To help expedite the review process, include the following information with a proposed application:

- Identification of the specific sections and requirements of the King County standards that will be varied;
- A detailed justification for requesting a road variance; i.e. that the proximity of existing development and limited Right-of-Way makes it necessary. (See the King County Road Standards to review the criteria for granting a road variance.);
- All relevant review information, such as preliminary approval conditions, vicinity maps, photographs, engineering plans, or sketches to illustrate the impact of applying King County standards to the project;
- A description of any proposed work designed to mitigate impacts created by the road variance;
- This must show that the proposal provides a public benefit that is equal to or better than that which would result without a road variance;
- Photographs of existing conditions;
- An Assessor's map with the boundaries of the proposed parcel highlighted; and
- Payment of the required fees.

Note: Financial costs associated with meeting standards will not be considered by King County as sufficient justification for granting a road variance or adjustment.

There is no guarantee that a proposed request will be approved. King County may grant a road variance if applicants are able to show the following:

1. The road variance is in the public interest;
2. Design meets the objectives of safety, function, fire protection, appearance, and maintainability; and
3. Design is based on sound engineering judgment.

### **What happens to an application after it is submitted?**

A Road Variance Review Committee consisting of engineers from Permitting will review the application. A field inspection may be made to determine the accuracy and completeness of a proposed application, as well as to check existing site conditions. In some cases, the committee may ask for additional studies or more information.

The committee will review proposed alternative designs and evaluate an application, taking into consideration public interest and design considerations. Permitting staff will make a recommendation to the Department of Transportation, which may adopt, deny, or modify the Permitting recommendation.

If the road variance involves road standards, the King County Road Engineer at the Department of Transportation will make the final determination.

If there is an experimental adjustment to the requirements of the Surface Water Design Manual, the Department of Natural Resources and Parks (DNRP) will make the final determination.

If there is a standard, complex, or pre-application adjustment to the current Surface Water Design Manual, the Permitting Director, or designee, will make the final decision.

Many road variance requests that are approved contain conditions. Such conditions then become part of the approved plan and must be adhered to.

The road variance request becomes part of a permanent development record, whether it is approved or denied.

### **Appeal process**

If a proposed request for a road variance is denied, applicants should reconsider and redesign proposals to meet the standards. If customers are not satisfied with the determination made by the King County Road Engineer, or if redesign is not possible, they may appeal a decision of the King County Road Engineer to the Director of the Department of Transportation who issues the final decision. Once an appeal has been made, there is no further appeal process to the Director's decision.

If applicants have further questions regarding the appeal process, please contact the Permitting Services Center 206-296-6600.

**For additional information**

For information regarding road variances, contact the following:

Commercial Permit Review Coordinator	206-296-6600
Residential Permit Review Coordinator	206-296-6600
Permitting Services Center	206-296-6600

For information on road standard variances routed to the King County Department of Transportation, call the Road Standards Engineer in Public Works at 206-296-3783 and the Variances Engineer in the Road Services Division at 206-263-6109.

**Other variances**

Permitting also deals with requests for variances from requirements other than those relating to roads and drainage. Often, proposals involve encroachments into building setback requirements, restrictions in critical areas, or development in floodplain hazard areas. Please note that such proposals require a shoreline variance from the Shoreline Master Program or variances from the Zoning Code, rather than from road standards. The Department of Permitting staff reviews these other types of variances. For more information on such variances, call Permitting Services Center at 206-296-6600.

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King County complies with the Americans with Disabilities Act (ADA). If you require an accommodation to attend a meeting (two weeks' notice) or require this information in Braille, audiocassette, or large print, please call 206-296-6600 or TTY 206-296-7217.