

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2080

AN ORDINANCE relating to the jurisdiction of the Board of Adjustment, and further amending section 4 of Ordinance No. 48 and Section 3.54.040 of the Bellevue City Code.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON DOES ORDAIN AS FOLLOWS:

Section 1. That Section 4 of Ordinance No. 48 and Section 3.54.040 of the Bellevue City Code are each hereby further amended to provide as follows:

3.54.040 Jurisdiction. The Board of Adjustment shall have the following powers:

(a) To make and permit, subject to reasonable conditions and restrictions, certain variances to land use regulations or restrictions when:

(1) Such variances are in harmony with the general purpose and intent of the City ordinances and the comprehensive plan; and

(2) Owing to special circumstances, a literal enforcement of the provisions of the zoning ordinance or other land use regulatory ordinances of the City will result in unnecessary hardship; and

(3) Practical difficulties render it-difficult to-comply compliance with the provisions of these ordinances materially, substantially and unnecessarily burdensome; and

(4) The requirements of Section 3.54.060 are met.

The board shall not have jurisdiction to grant a variance which would:

(1) Have the effect of, or result in changing the essential-zoning system, design, plan or scheme of the any zoning ordinances or the essential characteristics of the particular zoning district or districts involved, or in which the land for which the variance is sought is located; or

(2) Permit, allow or encourage buildings, structures, businesses, activities or uses prohibited in, or not expressly permitted in, the zoning district in which the land for which the variance is sought is located;

(b) To hear and grant applications for: (1) exceptions to the terms of any ordinance upon which the board is required to make a determination; for and, (2) permits for special property uses;

(c) To hear and decide appeals when it is alleged that there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of the zoning ordinance or other ordinances granting an applicant a right to a review of the action of the city official administering such ordinance;

The Board shall not have jurisdiction to grant any exception, application or permit, nor make any other decision which would:


(1) Have the effect of or result in, changing the system, design, plan or scheme of any zoning ordinance, or the characteristics of the particular district or districts involved in which the property is located; or

(2) Permit, allow or encourage buildings, structures, businesses, activities or uses prohibited in, or not expressly permitted in, the zoning district in which the property involved is located.

Section 2. This ordinance shall take effect and be in force five days after its passage, approval and legal publication.

PASSED by the City Council this 27 day of May, 1974, and signed in authentication of its passage this 27 day of May, 1974.

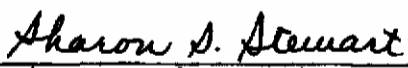
(SEAL)


Richard M. Foreman, Mayor

Approved as to Form


Lee Kraft, City Attorney

Attest:


Sharon S. Stewart, Deputy City Clerk

Published June 6, 1974