

18.58.170 Adjustment to Height Standards

Where the Hearing Examiner finds that extraordinary hardships, practical difficulties, or unnecessary and unreasonable expense would result from strict compliance with the height limitations, or the purpose of these regulations may be served to a greater extent by an alternative proposal, it may approve an adjustment to these regulations; provided that the applicant demonstrates that the adjustments are consistent with the values, objectives, standards, and requirements of this Chapter, TMC Title 18, and the Comprehensive Land Use Plan, and demonstrate the following:

1. A particular and identifiable hardship exists or a specific circumstance warrants the granting of an adjustment. Factors to be considered in determining the existence of a hardship shall include, but not be limited to:

- a. Topography and other site features;
- b. Availability of alternative site locations;
- c. Geographic location of property; and
- d. Size/magnitude of project being evaluated and availability of co-location.

2. In approving the adjustment request, the Hearing Examiner may impose such conditions as it deems appropriate to assure consistency with the objectives of the values, objectives, standards and requirements of this Chapter, TMC Title 18, and the Comprehensive Land Use Plan.

3. A petition for any such adjustment shall be submitted, in writing, by the applicant with the application for Hearing Examiner review. The petition shall state fully the grounds for the adjustment and all of the facts relied upon by the applicant. (Ord. 2251 §72, 2009; Ord. 2135 §1 (part), 2006)

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