



# CITY OF PORT ORCHARD

## Permit Center

Office located at 720 Prospect Street  
Mailing address: 216 Prospect Street  
Port Orchard, WA 98366  
(360) 874-5533 • permitcenter@cityofportorchard.us

### NONCONFORMING PERMIT APPLICATION (POMC 20.54)

For Staff Use Only

File #:

Receipt #:

***Incomplete Application Will Not Be Accepted***

#### **1. PROPERTY OR USE INFORMATION.**

**Describe the current use of the property or structure:**

#### **2. SUBMITTAL REQUIREMENTS.**

*Electronic submittals are required. Contact the Permit Center for formatting and resolution requirements.*

**Check the box for each item included with this application:**

This application shall include the following, unless specifically waived by DCD:

- The Master Permit Application Form**, completed.
- The Non-Conforming Permit Application** (*this form*), completed and signed.
- The Legal Description** of the property.
- A Description of the existing site conditions.**
- Photographs of existing site conditions.**
- Plans:**
  - Site plan showing existing conditions
  - Structural drawings, as applicable.
- Information demonstrating the legal nonconforming status of the use or structure:**
  - (1) the use or structure is not permitted outright under the City's Code, including, but not limited to, the use standards of the current zoning or applicable district;
  - (2) the current Zoning Code or Building Code standards for the use or structure are not met; and,
  - (3) for nonconforming use status, the use has not been abandoned or discontinued for the period identified in POMC Section 20.54.090(A)(2).
- Proof of legal nonconforming status**, including but not limited to (*check all that you are submitting*):
  - Planning permits/approvals.
  - Building permits.
  - Leases.
  - Aerial maps showing the structure and footprint.
  - Listings in business or phone directories (or directory with a list of businesses and residents referenced by address).
  - Other (list): \_\_\_\_\_

**Is this application for a remodel?** (check one):

**YES. If yes**, submit a complete description of the proposed remodeling relating to such section(s) of the structure or the entire structure.

**NO.**

**A Narrative Statement** describing how the application satisfies the criteria for approval in the applicable section of Chapter 20.54.090(A)(1-2):

1. The use or structure satisfies the definition for a legal nonconforming.

2. The use or structure has been in existence and maintained continuously, with no interruption that would constitute abandonment or discontinuance under either former or current city codes.

**SEPA Review.**

Environmental Review is required unless categorically exempt pursuant to POMC 20.160.080-090.

Check the box below that corresponds to the documents submitted with this application:

**The SEPA Checklist Application.** Use the SEPA application form for submittal requirements.

**A previously issued SEPA Determination for this project.**

**This project is exempt from SEPA review.**

Cite the reference for the categorical exemption from WAC 197-11-800:

\_\_\_\_\_

**Acceptable Documentation** of the existence of a use from a time when it would have been permitted outright, documenting its uninterrupted continuation: (check all types included with this application)

Signed written statements from persons having no financial interest in the property and who are not relatives of the applicant or property owner. Notarization is not required.

Occupancy listing from the Polk Directory or Reverse Telephone Directories.

Business and/or licensing records.

County records showing the previous permitted use if the property was formerly not part of the City.

Assessment records.

Evidence of more than one electric or gas meter or sewer hookup.

Other evidence (list): \_\_\_\_\_

Examples include, but are not limited to, photographs, U.S. Census reports, and signed written statements of experts.

It is the responsibility of the applicant to furnish at least **two** different types of documentation from the sources listed above. The City may, in its discretion, require further documentation if the documentation submitted by the applicant does not demonstrate the existence of the use from a time when it was permitted outright, or fails to show continuous, uninterrupted maintenance of the use. The City may also accept only one type of documentation from the sources listed above, if that documentation is particularly persuasive. Any number of written, signed statements, however, are not sufficient by themselves to document the existence of a use.

Other documentation may be required in addition to what is listed above.

This application and accompanying documentation are true and correct to the best of my knowledge.

I am authorized to submit this application as the property owner or on behalf of the property owner.

**Authorized Applicant Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Property Owner Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
(if different than the applicant)