

MAJOR VARIANCE APPLICATION

CITY OF HUBBARD

3720 2nd Street (P.O. Box 380)
Hubbard, OR 97032
Phone: (503) 981-9633; Fax: (503) 981-8743
<http://www.cityofhubbard.org>

To Be Filled Out by Staff:

FILE: _____

DATE: _____

FEE: _____

RECEIPT NO: _____

APPLICANT: _____

PHONE: _____ EMAIL ADDRESS: _____

ADDRESS: _____

OWNER(S): _____

PHONE: _____ (If different from above)
EMAIL ADDRESS: _____

ADDRESS: _____

REQUEST: _____

PROPERTY DESCRIPTION:

ADDRESS: _____

MAP PAGE AND TAX LOT NUMBERS: _____ ZONE: _____

CURRENT USE/STRUCTURES: _____ SQUARE FOOTAGE OF SITE: _____

FINDINGS:

Hubbard Development Code Section 3.104.03 specifies that the following approval criteria that must be addressed before granting a major variance. Applicants are responsible for providing information demonstrating the following: (if necessary, please use additional page(s) for your response):

A. Compliance with the applicable requirement or standard of the Ordinance would create a hardship due to one or more of the following conditions:

1. The physical characteristics of the land, improvements or uses on the subject property are not typical of conditions in the zoning district.

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2. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or district.

3. Compliance with the requirement or standard (without a variance) would eliminate a significant natural feature of the property.

4. The special conditions and circumstances on which the application is based do not result from the negligent or knowing violation of this Ordinance by the applicant.

B. Strict adherence to the requirement or standard is unnecessary because the proposed variance will reasonably satisfy both of the following objectives:

1. Granting the variance will not create significant adverse affects to the appearance, function or safety of the use or uses on the subject property; and

2. Granting the variance will not impose limitations on other properties in the area, including uses which would be allowed on vacant or underdeveloped properties.

C. Approval of this application will allow the property to be used only for purposes authorized by the zoning district.

D. Approval of the application does not conflict with policies and objectives of the Comprehensive Plan.

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ATTACHMENTS:

Please submit one paper copy and one (1) electronic copy (PDF format preferred of the following application materials:

1. A legible **site plan** drawn to scale on 8 ½ x 11 or 11 x 17 inch paper, or eight (8) full size copies (typically 18 x 24 inches or larger) that shows the following information:
 - existing and proposed structures,
 - driveways and vehicular circulation,
 - parking,
 - landscaping, and
 - significant natural features.

I HEREBY CERTIFY THAT ALL STATEMENTS CONTAINED HEREIN, ALONG WITH THE EVIDENCE SUBMITTED, ARE IN ALL RESPECTS TRUE AND CORRECT; AND THAT THE REQUEST DOES NOT VIOLATE ANY DEED RESTRICTIONS THAT MAY BE ATTACHED OR IMPOSED UPON THE SUBJECT PROPERTY. (NOTE: ALL OWNERS MUST SIGN THIS APPLICATION OR SUBMIT LETTERS OF CONSENT. INCOMPLETE OR MISSING INFORMATION MAY DELAY THE APPROVAL PROCESS.)

Date

Applicant

Date

Owner(s)

Date

Owner(s)

DATE: 9/19/08

MAJOR VARIANCE INFORMATION SHEET

A variance is a grant of relief from certain zoning requirements when a strict application of the requirements for lot width, lot depth, lot area, building height setback, access or other dimensional requirements in any zoning classification would cause an undue or unnecessary hardship.

VARIANCE REGULATION

Variances are regulated by the City of Hubbard's Development Code. Section 3.104 of the Development Code contains the variance procedures. The Planning Commission has the authority to approve or deny major variances where strict application of the ordinance would result in an extreme hardship. However, no variance can be granted to allow a use of property not permitted in a zone.

APPLICATION PROCESSING

Once an application is submitted, along with all pertinent filing information, City staff will review it for completeness. If additional material is necessary, you will be contacted. Once the application is determined to be complete, staff will prepare a report for Planning Commission review. The staff report is available seven days prior to the Planning Commission meeting. You will have the opportunity to testify on behalf of your application at the Planning Commission meeting. The Planning Commission decision can be appealed to the City Council.

CONDITIONS ON VARIANCES

The Planning Commission may impose such limitations, conditions and safeguards as it may deem appropriate so that the intent of the ordinance will be observed, public safety secured and substantial justice be done. The Planning Commission may limit the time or duration of a variance. If the variance is granted, the applicant will exercise the rights granted in accordance with the terms and subject to all the conditions and limitations of the approval by the Planning Commission. A violation of any such condition or limitation shall constitute a violation of the zoning ordinance.

EFFECTIVE DATE OF APPROVAL

The variance shall be effective 12 days after the date of the notice of the decision.

ADDITIONAL INFORMATION

For additional information on variances, call Hubbard City Hall at (503) 981-9633.

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