

**MAJOR VARIANCE APPLICATION**

**CITY OF HUBBARD**

3720 2<sup>nd</sup> 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): \_\_\_\_\_

(If different from above)

PHONE: \_\_\_\_\_ 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.

\_\_\_\_\_  
\_\_\_\_\_

DATE: 9/19/08

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.**

---

---

DATE: 9/19/08

**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)

## **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**

Variations 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.

DATE: 9/19/08

EXHIBIT A

LAND USE FEE SCHEDULE ACKNOWLEDGMENT

as of 2/11/2020 (attachment to Resolution No. 686-2020)

Resolution No. 685-2020 requires land use applications to reimburse the City for the actual costs associated with their applications. The City requires a deposit for land use application as required in section 3.206.03 in the Hubbard Development Code. Staff collects the deposit at the time of application.

Costs and time are paid out of the deposit. If it appears the costs exceed the initial deposit, the Director of Administration/City Recorder may require an additional deposit for costs that may be incurred to complete the project. At the end of the project a final bill will be prepared, and the City will either request additional funds or issue a refund check.

The following are examples of the most common types of charges and amounts per hour that will be incurred for land use projects in the City. These rates are provided for example purposes only, and you will be charged the actual costs incurred by the City as required by Resolution 685-2020. These example rates will therefore be reviewed annually and updated as necessary. You may request a copy of the most recent example rates at any time by contacting the Director of Administration/City Recorder.

City Planner \$85.00
(The City Planner prepares staff reports, final actions, and makes presentations at Planning Commission and Council meetings.)

City Engineer \$165.00
(The City Engineer may be requested to investigate or review plans submitted by the applicant, and may make presentations at required meetings)

Director of Admin/Recorder \$90.00
Admin Assistant \$45.00
(The Planning Secretary prepares applicants files, prepares comments for other departments, prepares public hearing notices, posts and mails notices, answers applicants questions and attends all meetings)

Public Works Director/Superintendent \$84.00
Public Works Admin Manager \$68.00
Utility Worker II \$58.00
Utility Worker I \$37.00
Admin Assistant \$20.00
(The Public Works personnel reviews applications and comments regarding water, sewer, streets, backflow devices, and storm drain issues)

Police Chief \$83.00
(The Police Chief reviews plans and looks into safety concerns such as lighting and addressing issues)

City Attorney \$235.00
(Review of documents, negotiation of conflicts, litigation and enforcement issues)

Office Copies (Black & White 8 1/2 X 11) .25 per page
Color .35 per page
(Black & White 11X 17) .50 per page
Color .70 per page

Long Distance Phone Calls \$3.00 per call
Fax \$2.00 per fax + .50 per page

I have read this information and understand that the land use fee is a deposit and the application may cost more or less.

Applicants Signature Date