

**MINOR 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: \_\_\_\_\_

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APPLICANT: \_\_\_\_\_

PHONE: \_\_\_\_\_ EMAIL ADDRESS: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

OWNER(S): \_\_\_\_\_  
(If different from above)

PHONE: \_\_\_\_\_ EMAIL ADDRESS: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

REQUEST: \_\_\_\_\_

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**PROPERTY DESCRIPTION:**

ADDRESS: \_\_\_\_\_

MAP PAGE AND TAX LOT NUMBERS: \_\_\_\_\_ ZONE: \_\_\_\_\_

CURRENT USE/STRUCTURES: \_\_\_\_\_ SQUARE FOOTAGE OF SITE: \_\_\_\_\_

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**FINDINGS:**

Hubbard Development Code Section 3.104.04 specifies that the following approval criteria that must be addressed before granting a minor variance. Applicants are responsible for providing information demonstrating the following: (if necessary, please use additional page(s) for your response):

1. The intent and purpose behind the specific provision sought to be varied is either clearly inapplicable under the circumstances of the particularly proposed development; **OR**
2. The particular development as proposed otherwise clearly satisfies the intent and purpose for the provision sought to be varied;

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

3. The proposed development will not unreasonably impact adjacent existing or planned uses and development;

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4. The minor variance does not expand or reduce a quantifiable standard by more than twenty percent (20%) and is the minimum necessary to achieve the purpose of the minor variance; and

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5. There has not been a previous land use action approved on the basis that a minor variance would not be allowed.

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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 1/2 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)

## **MINOR VARIANCE INFORMATION SHEET**

A variance is a grant or 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 City Recorder or Recorder's designee has the authority to approve or deny minor variances as an administrative decision.

When a minor variance application is submitted concurrently with an application requiring Planning Commission review (such as a partition, subdivision, or planned unit development), the City Recorder or Recorder's designee may refer the minor variance application to the Planning Commission for their review.

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, City staff will prepare a report and decision. The City Recorder's decision can be appealed to the Planning Commission.

### **CONDITIONS ON VARIANCES**

The City Recorder or Recorder's designee 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 decision 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 City of Hubbard. 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.

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