

Checklist for Variance Application

1. Fill out form completely.
2. Return form with appropriate materials attached.
3. The application then goes to the Planning Commission where a public hearing will be set.
4. The landowner will then put a public hearing notice in a newspaper of record. Proof of publication will be returned to the City Clerk.
5. The landowner will send certified mail a notice to all adjoining property owners. The returned signature cards will then be returned to the City Clerk.
6. The Plan Commission will review the application and recommendation will then be made to the City Council.
7. The City Council will then take action on the application at the next scheduled meeting.

Application for Variation

1. Applicant's name _____
2. Applicant's address _____
3. Applicant's phone number _____
4. Address of property for which variance is being requested

5. Nature of variance _____

6. Charges and fees:

Residential	Non-refundable fee: \$100.00 but not more than \$500.00
Commercial Commercial Business District Industrial Any other type of zoning	Non-refundable fee: \$500.00 but not more than \$2,500.00

The amount of the variance will be determined by the Public Health & Safety Commissioner and the Building Inspector, based upon the expected complexity of the proposed application.

7. A drawing to scale – to include lot dimensions, location & size of all buildings on lot, set backs, unusual characteristics, and variation as requested. The Plan Commission has the right to request a survey at the land owner's expense if so needed.

Section 7. APPLICATION FOR VARIATIONS

The City Council, upon recommendation of the Plan Commission may vary regulations imposed by this Code in harmony with the general purpose and intent of the article, but only in specific instances herein described. No variation shall be permitted unless the council shall make a finding of fact based upon the standards herein prescribed, that there are difficulties or hardships involved in the strict application of these regulations.

1. **Application of Variation.** An application for variation shall be made in duplicate and filed with the City Clerk and shall include:
 - a. Applicant's name.
 - b. Applicant's address and phone number.
 - c. Address of property for which variance is being requested.
 - d. Nature of variance.
 - e. A drawing to scale – to include lot dimensions, location & size of all buildings on lot, set backs, unusual characteristics, and variation as requested. The Plan Commission has the right to request a survey at the landowner's expense if so needed.
 - f. Signed affidavit from adjoining landowners stating their position with regard to the variance request.

2. **Charges and fees.** The following fees are for variances, special uses, zoning change, map amendments, Planned Unit Development, and/or text amendments:

Residential	Non-refundable fee: \$100.00 but not more than \$500.00
Commercial Commercial Business District Industrial Any other type of zoning	Non-refundable fee: \$500.00 but not more than \$2,500.00

The amount of the variance will be determined by the Public Health & Safety Commissioner and the Building Inspector, based upon the expected complexity of the proposed application.

3. **Public Hearing.** The City Clerk shall refer all such applications to the Plan Commission and the Plan Commission shall cause a public hearing to be held as set by ordinance in the City of Oregon Municipal Code. The landowner shall place a public hearing notice in one (1) or more newspapers of record for the City not more than thirty (30) days nor less than fifteen (15) days before the date of such hearing. The land owner shall also send certified notice to all adjoining property owners and shall return the signature cards to the City Clerk for public record.

4. **Standards.** The Plan Commission and the City Council shall not vary the regulations of this article unless both bodies find that based upon the evidence presented to them, the plight of the owner is due to unique circumstances and the variation, if granted, will not alter the essential character of the locality or cause substantial injury to the value of the property in the area of the city in which it is located.

(SAMPLE ONLY)

Public Notice

Notice needs to be published one (1) time in newspaper of record for the City (Oregon Republican Reporter) not more than 30 days or less than 15 days before the date of the hearing.

Adjoining property owners also need to be informed. This information is on the application.

The Oregon Plan Commission will be holding a public hearing (date & time) at City Hall Council Chambers 115 N. 3rd Street in regards to a variance or special use, submitted by (whom) who resides at (address & pin number) to construct (what) (how many) feet or foot from (which lot line back, front, or side). Lot line information is dependent on the type of structure(s) and location.

Need proof of publication from newspaper & the green certified signature cards from the adjoining property owners brought to the Public Hearing.