

## **CITY OF HOOD RIVER PLANNING DEPARTMENT APPLICATION INSTRUCTIONS**

1. The attached application is for review of your proposed development as required by the Hood River Municipal Code (“Code”). Review is required to make sure that your proposal complies with the applicable standards and criteria of the Code and that there are adequate public facilities to meet the needs of your development.
2. Prior to submitting your application, you may be required to attend a pre-application conference with Planning Department staff to discuss the applicable standards and criteria of the Code, and the submittal requirements to make your application complete. You also may be required to conduct a neighborhood meeting (mandatory for Subdivisions and Planned Developments).
3. Applications may be mailed or presented in person to the City of Hood River Planning Department at City Hall, 211 2<sup>nd</sup> Street, Hood River, OR 97031. The following *must* be included in your application packet:
  - Completed application form
  - All required materials listed in the application form
  - Application fee
  - Appropriate number of copies of application and all support materials
4. Following submittal of your application it will be reviewed for “completeness.” Completeness review is based upon the requirements of State law (ORS 227.178) and the requirements of the Code for your development proposal. It is the applicant’s responsibility to provide persuasive evidence that the application complies with the approval criteria and applicable standards.
5. If the Planning Department determines that your application is incomplete, you will be informed in writing and provided with a list of missing or incomplete materials and options for completing the application. Refusal to submit all or some the missing information could result in denial of the application. Incomplete applications become void 181 days after submittal.
6. If the Planning Department determines that your application is complete, you will be informed in writing and the review process will begin. Review of your application may be administrative, with no public hearing, or it may be quasi-judicial, with a public hearing. For quasi-judicial review, applicants are required to attend the public hearing. All land use decisions are subject to an appeal process.
7. If you have questions about this process, please call the Planning Department at (541) 387-5210. Application forms, the City’ Code and other useful information are available on the Planning Department’s webpage: <http://www.ci.hood-river.or.us/planning>



File No.: \_\_\_\_\_

Fee: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

## CITY OF HOOD RIVER VARIANCE APPLICATION

Submit the completed application form **with three (3) paper copies of all application materials including full- and reduced sized plans and written analysis, one electronic copy (original .pdf) and appropriate fees** to the City of Hood River Planning Department, 211 2<sup>nd</sup> St., Hood River, OR 97031. Additional paper copies may be required as determined by staff. If you have any questions, please contact the Planning Department at (541) 387-5210.

### **APPLICANT:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
(physical) \_\_\_\_\_

(mailing) \_\_\_\_\_

(email) \_\_\_\_\_

Telephone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Signature: \_\_\_\_\_

### **PARCEL OWNER:** (if different than applicant)

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
(mailing) \_\_\_\_\_

Telephone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Signature: \_\_\_\_\_

*\*Authorization of parcel owner required.*

### **PARCEL INFORMATION:**

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Tax Lot(s) \_\_\_\_\_

Current Zoning: \_\_\_\_\_ Parcel Size: \_\_\_\_\_

Property Location (cross streets or address): \_\_\_\_\_

### **REQUEST:**

Type of:  Interpretation  Administrative relief  Dimensional variance  Inability to use land  
Variance

Brief Explanation of Request: \_\_\_\_\_

**REQUIRED WRITTEN ANALYSIS: (See Next Page)**

**WRITTEN ANALYSIS REQUIRED:**

On a separate sheet of paper, please provide a detailed analysis demonstrating how your proposal addresses each of the applicable approved criteria. **Each of the four criteria (in bold below) must be satisfied.** Please refer to the attached variance standard 17.18.

- 1. There are unique or unusual circumstances which apply to the site which do not typically apply elsewhere.**

Examples of unique or unusual circumstances include, but are not limited to: extreme narrowness or shallowness, irregular shape, unusual topographical characteristics (e.g. wetlands, flood plains, ravines), unusual development on adjacent property. Note: while support by owners of neighboring properties is taken into consideration, neighbor support is not sufficient in itself to warrant granting a variance.

- 2. The proposal's benefits will be greater than any negative impacts on the development of the adjacent lawful uses; and will further the purpose and intent of this title and the Comprehensive Plan of the City.**

Economic gain or benefit to the applicant or financial savings in construction costs are not sufficient causes to grant a variance. Explain how this application is consistent with and does not violate other provisions of Title 17 or the City's Comprehensive Plan. Explain how the nature of your property does not allow you to do what other property owners in the same zoning district are rightfully able to do.

- 3. The circumstances or conditions have not been willfully or purposely self-imposed.**

Examples of self-imposed circumstances or conditions include, but are not limited to: purchasing nonconforming property, the effects of a previously granted variance, previous placement/construction of structures on the property which now hinder future construction plans.

- 4. The variance requested is the minimum variance which would alleviate the hardship. Provide an explanation indicating what measures you have explored as possible alternatives to the variance.**

Approval will be granted only for the minimum variance necessary to provide relief and only if it is determined that the applicant can not make legal use of the parcel without a variance and all other options have been explored and ruled out or exhausted. "For the convenience of the applicant" is not sufficient grounds to grant a variance.

## CHAPTER 17.18 VARIANCES

*Legislative History: Ord. 1774 (1999);*

### SECTIONS:

|           |                                  |
|-----------|----------------------------------|
| 17.18.010 | Purpose                          |
| 17.18.020 | Procedure                        |
| 17.18.030 | Criteria for Granting a Variance |
| 17.18.040 | Time Limits                      |
| 17.18.050 | Limitations of Reapplication     |

#### **17.18.010 Purpose**

Where physical difficulties, unnecessary hardship, and results inconsistent with the general purpose of this Title may result from the strict applications of certain provisions thereof, a variance may be granted as provided in this Chapter. This Chapter may not be used to allow a use that is not in conformity with the uses specified by this Title for the zone in which the land is located. In granting a variance, the City may impose conditions similar to those provided for conditional uses to protect the best interests of the surrounding property and property owners, the neighborhood, or the City as a whole.

#### **17.18.020 Procedure**

The procedure for taking action in a variance application shall be as follows:

1. The property owner may initiate a request for a variance by filing an application with the Planning Director. The applicant shall submit a complete application as specified in the *Application and Plan Requirements* (Section 17.06.020).
2. The application shall include a statement and evidence showing that all of the criteria in Section 17.18.030 are met.
3. Before the Planning Commission may act on a variance application, it shall hold a public hearing following procedures established in *Review Procedures: Quasi-Judicial Actions* (Section 17.09.040).

#### **17.18.030 Criteria for Granting a Variance**

A variance may be granted if it meets all of the following criteria:

1. There are unique or unusual circumstances which apply to the site which do not typically apply elsewhere.
2. The proposal's benefits will be greater than any negative impacts on the development of the adjacent lawful uses; and will further the purpose and intent of this title and the Comprehensive Plan of the City.
3. The circumstances or conditions have not been willfully or purposely self-imposed.
4. The variance requested is the minimum variance which would alleviate the hardship.

#### **17.18.040 Time Limits**

A variance is valid for a period of two (2) years from the written Notice of Decision, or the decision on an appeal, whichever is later.

A single one (1) year extension may be granted by the Director prior to the expiration date if the applicant can demonstrate that circumstance or conditions, not known or foreseeable at the time of original application, warrant an extension of the permit. The extension request must be received by the department no later than thirty (30) days prior to the expiration of the permit.

#### **17.18.050 Limitations of Re-application**

No reapplication of a property owner for a variance shall be considered by the Planning Commission within a six (6) months period immediately following a previous denial of such request.