

CITY OF HOOD RIVER PLANNING 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 provisions of the Code and that there are adequate capacities of public facilities to meet the needs of your development.
2. Prior to filing your application you may be required to attend a pre-application conference with the Planning Department staff to discuss the requirements that your proposal will be required to meet, and what you will need to submit with your application to make it complete.
3. Once you have prepared and submitted your application, the application will first be reviewed for completeness. Completeness is based upon the requirements of State law (ORS 227.178) and the requirements in 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. Refusal to submit all or some of the missing information could result in a denial of the application.
4. When you are ready to submit your application, you may send it in to the Planning Department at P.O. Box 27, Hood River, OR 97031, or present it in person at the Planning Department at 301 Oak 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

If you have any questions about this process, please call the Planning Department at (541) 387-5210. Application forms, the City’s Code, public hearing timeline, and other useful information are available at the Planning Department’s website: <http://www.ci.hood-river.or.us/planning.html>

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. Incomplete applications become void 181 days after submittal.
6. If the Planning Department staff determines that an application is complete, the Planning Department will inform you that the application is “complete,” 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 decisions on applications are subject to appeal.

CITY OF HOOD RIVER VARIANCE APPLICATION

Submit the completed application **WITH TWELVE (12) ADDITIONAL COMPLETE COPIES** and appropriate fees to the City of Hood River Planning Department, 301 Oak Ave. (P.O. Box 27), Hood River, OR 97031. Please note the review criteria attached to this application. *Incomplete applications will not be accepted.* If you have any questions, please contact the Planning Department at (541) 387-5210.

The construction authorized by the issuance of a variance must be completed within 2 years of approval, or the variance shall become void.

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: _____

APPROVAL CRITERIA:

On a separate sheet of paper, provide a detailed explanation of your request and explain how your proposal meets all four of the variance 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

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.