



Scappoose Planning Department
33568 E. Columbia Ave. Scappoose, OR 97056
Phone: 503-543-7184
www.scappoose.gov

VARIANCE APPLICATION

NOTICE TO APPLICANT: On original application form, please print legibly using black/dark blue ink or type. Applicants are advised to review the list of submittal requirements and recommendations indicated on each land use application form and in the applicable Ordinance prior to submitting an application. **INCOMPLETE APPLICATIONS WILL NOT BE SCHEDULED FOR PUBLIC HEARING OR PROCESSED UNTIL THE PLANNING DEPARTMENT RECEIVES ALL REQUIRED SUBMITTAL MATERIALS. REFER TO SUBMITTAL CHECKLIST PAGE.**

TRACKING INFORMATION (For Office Use Only)

☐ 2 Hard Copies Required (*initial submittal*) ☐ Electronic Submittal ☐ Fee
☐ 7 Hard Copies Required (*final submittal, once deemed complete by City Planner*)

Date Submitted with payment: _____

Receipt #: _____

SITE LOCATION & DESCRIPTION

Tax Map #(s) _____ Tax Lot #(s) _____

Frontage Street or Address _____

Nearest Cross Street _____

Plan Designation _____ Zoning _____ Site Size _____ (acres or sq. ft.)

Dimensions _____

SUMMARY OF REQUEST

Proposed Project Name _____ Estimated Valuation: \$ _____

Project Type/Narrative Summary: (*Provide a brief summary of variance requested and specify project type: Single-family Residential (SFR) Multi-family Residential (MFR), Commercial, Industrial, Mixed Use*)

Subject to previous Land-use approval? ☐ Yes ☐ No

File No. _____ (*attach copy of Notice of Decision*)

NOTE: The summary provided above must be part of a more extensive written narrative that describes the project and justifies the requested variance based on the approval criteria. For more information review the Approval Criteria and Submittal Requirements attached.

VARIANCE APPLICATION (CONTINUED)

DETAILED SITE INFORMATION

Are any of the following present on the site? If so, please specify number of acres and/or percentage of site affected.

Floodplain _____ Wetlands _____ Significant Natural Resources _____

Cultural Resources _____ Airport Noise Contours _____ Slopes Greater than 15% _____

Water Provider: ☐ City of Scappoose ☐ Well ☐ Other: _____

Does the site have access to City street(s) ☐ Yes ☐ No *(Please explain)* _____

Does the site have access to County road(s) ☐ Yes ☐ No *(Please explain)* _____

Are there existing structures on the site? ☐ Yes ☐ No *(If Yes, briefly explain future status of structures.)* _____

OWNERSHIP AND APPLICANT INFORMATION (Property owner signature must be a wet-ink signature. If the property is under-going a change of ownership, proof of purchase or purchase contract must be provided if property owner of record is not the signing party.)

Property Owner(s): Name(s) _____

Business Name _____

Mailing Address _____ City _____ State _____ Zip _____

Phone # _____ Fax # _____ Email Address _____

Does the owner of this site also own any adjacent property? ☐ Yes ☐ No *(If Yes, please list tax map and tax lots)* _____

Property Owner(s) Signature(s) _____ Date: _____

(If more than one property owner, please attach additional sheet with names and signatures.)

Applicant: Name _____

Business Name _____

Mailing Address _____ City _____ State _____ Zip _____

Phone # _____ Fax # _____ Email Address _____

Applicant's Signature _____ Date: _____

Applicant's interest in property _____

VARIANCE APPLICATION

(CONTINUED)

ADDITIONAL PROJECT TEAM MEMBERS

Applicant's Representative: Contact Name _____
Business Name _____
Mailing Address _____ City _____ State _____ Zip _____
Phone # _____ Fax # _____ Email Address _____

Civil Engineer: Contact Name _____
Business Name _____
Mailing Address _____ City _____ State _____ Zip _____
Phone # _____ Fax # _____ Email Address _____

Architect: Contact Name _____
Business Name _____
Mailing Address _____ City _____ State _____ Zip _____
Phone # _____ Fax # _____ Email Address _____

Landscape Architect: Contact Name _____
Business Name _____
Mailing Address _____ City _____ State _____ Zip _____
Phone # _____ Fax # _____ Email Address _____

Additional Personnel:
Role _____ Contact Name _____
Business Name _____
Mailing Address _____ City _____ State _____ Zip _____
Phone # _____ Fax # _____ Email Address _____

APPROVAL CRITERIA AND REVIEW STANDARDS (VARIANCE)

The approval criteria and requirements for a **Variance** application are listed in Chapter 17.134 of the Scappoose Development Code (SDC) as follows:

17.134.020 Administration and Approval Process.

A. The applicant for a variance shall be the recorded owner of the property or an agent authorized in writing by the owner.

B. Minor variance. The planner may approve, approve with conditions, or deny any application for a minor variance in accordance with Chapter 17.162. The planner shall apply the standards set forth in Section 17.134.030, when reviewing an application for a variance. Minor variances are small changes from the title requirements and which will have a minor impact on adjacent property owners.

Specifically, minor variances include:

1. Deviation from any minimum property development standard or equal area by not more than ten percent;
2. Expansion of a conditional or nonconforming use by not more than fifteen percent of the gross building volume.

C. The planning commission shall approve, approve with conditions, or deny any application for a major variance in accordance with Chapter 17.162. The planning commission shall apply the standards set forth in Section 17.134.030 when reviewing an application for a variance. Specifically, a major variance is any variance not defined as a minor variance.

17.134.030 Criteria for Granting a Variance. The planning commission or planner shall approve, approve with conditions, or deny an application for a variance based on finding that the following criteria are satisfied. Minor variances shall satisfy criteria (A) through (C) and a major variance shall satisfy criteria (A) through (E):

A. The proposed variance will not be materially detrimental to the purpose of this title, be in conflict with the policies of the comprehensive plan, to any other applicable policies and standards, and to other properties in the same zoning district or vicinity;

B. The use proposed will be the same as permitted under this title and city standards will be maintained to the greatest extent that is reasonably possible while permitting some economic use of the land;

C. Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic land forms, or parks will not be adversely affected any more than would occur if the development were located as specified in this title; and

D. Exceptional or extraordinary conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of the lot size, shape or topography or other circumstances over which the applicant has no control; and

E. The hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship.

17.134.040 Extension of Approval.

A. Approval of a variance shall be void if:

1. Substantial construction of the approved plan has not been completed within a one-year period;
or
2. Construction on the site is a departure from the approved plan.

B. The planner may, upon written request by the applicant, grant an extension of the approval period; not to exceed one year; provided that:

1. No changes are made on the original approved variance;
2. The applicant can show intent of initiating construction on the site within the one year extension period; and
3. There have been no changes to the applicable comprehensive plan policies and ordinance provisions on which the approval was based.

C. Notice of the decision regarding the extension shall be provided to the applicant.

17.134.060 Application Submission Requirements.

A. All applications shall be made on forms provided by the planner and shall be accompanied by:

1. Copies of the variance proposal and necessary data or narrative which explains how the proposal conforms to the standards;
2. For major variances, a list of the names and addresses of all persons who are property owners of record within two hundred feet of the site;
3. If applicable, a copy of all existing and proposed restrictions or covenants;
4. Site development plans drawn to a standard engineering scale and including the following information:
 - a. The proposed site and surrounding proximities,
 - b. The location, dimensions and names of all existing streets,
 - c. The location and dimensions of:
 - i. Entrances and exits on the site,
 - ii. Parking and circulation areas,
 - iii. Loading and service areas,
 - iv. Pedestrian and bicycle circulation,
 - v. Outdoor common area,
 - vi. Above ground utilities,
 - vii. Existing landscaping;
 - d. The location, dimensions and setback distances of all existing structures, improvements and utilities which are located within twenty-five feet of the site and are on adjoining property, and
 - e. Proposed structures, improvements, landscaping and utilities on the site.

B. In the case of a request for a variance to the building height provisions, the following additional information is required:

1. An elevation drawing of the structure and the proposed variance; and
2. A drawing(s) to scale showing the impact to adjoining properties.

C. The required information may be combined on one map.

SUBMITTAL REQUIREMENTS CHECKLIST (VARIANCE)

Pre- Submittal Requirement;

☐ Applicants are required to schedule a pre-application meeting with Planning staff to discuss application prior to submittal of land use application. **Incomplete applications will not be accepted. No loose pages will be accepted, all submittal-sets must be bound with page numbers.**

Application Submittal Requirements:

The following is a summary of the minimum application submittal requirements that must be received by the City. **Incomplete applications will not be accepted. No loose pages will be accepted, all submittal-sets must be bound with page numbers. Refer to first page for required number of submittal-sets for distribution.**

☐ **Application Form, (Completed, Signed):** the original completed, signed application which must include a “wet ink” signature from the property owner or owner’s authorized agent. This will be the cover sheet of each submittal-set.

☐ **Application fees:** the appropriate application fee **PAYABLE TO CITY OF SCAPPOOSE**. Please consult the fee schedule for current fees.

☐ **Narrative:** Copies of the variance proposal and necessary data or narrative which explains how the proposal conforms to the standards.

☐ For **Major Variances**, a list of the names and addresses of all persons who are property owners of record within 200 feet of the site; and If applicable, a copy of all existing and proposed restrictions or covenants.

☐ **Site development plans** drawn to a standard engineering scale and including the information listed in Section 17.134.060.

☐ In the case of a request for a variance to the building height provisions, the following additional information is required:

1. An elevation drawing of the structure and the proposed variance; and
2. A drawing(s) to scale showing the impact on adjoining properties.

***NOTE:** *The required information may be combined on one map.*