

OFFICE USE ONLY  
 Date Received: \_\_\_\_\_  
 FILE NO. \_\_\_\_\_  
 120 DAY EXPIRATION  
 \_\_\_\_\_



# VARIANCE APPLICATION

## Purpose:

Regulations have been established to guide development in matters such as height, distances from lot lines and lot size but in some situations, there may be a unique or extenuating circumstance where the regulations create unreasonable or undue expectations for a property owner. The Variance is a decision process that allows the County to determine if the proposed use should be allowed to “vary” from the established regulations. Since the Variance is a discretionary matter there are no guarantees that the County will agree and grant the Variance. It may be in your best interest to speak with a private land use planner, surveyor or title company for guidance in pre-

## Applicable Regulation

Lake County Zoning Ordinance Article (s) 2 Exclusive Farm Use Zone., 3 Agriculture Use Zone., 4 Rural Center Zone., 5 Forest Use Zone., 6 Rural Residential Zone., 7 Farm Residential Zone., 8 Suburban Residential Zone., 9 Commercial Zone., 10 Light Industrial Zone., Heavy Industrial Zone. 27 Variance

## Applicant(s) Information

Name: \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
 Telephone:(H) \_\_\_\_\_ (C) \_\_\_\_\_ E-Mail: \_\_\_\_\_

## Property Owner(s) Information

Name: \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
 Telephone:(H) \_\_\_\_\_ (C) \_\_\_\_\_ E-Mail: \_\_\_\_\_

## Agent Information

Name: \_\_\_\_\_ NOTE: ATTACH COPY OF AGENT AUTHORIZATION  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
 Telephone:(H) \_\_\_\_\_ (C) \_\_\_\_\_ E-Mail: \_\_\_\_\_

## Property Identification

Address (If Assigned) \_\_\_\_\_ City or Rural Area \_\_\_\_\_  
 Assessment Information Township \_\_\_\_ Range \_\_\_\_ Section \_\_\_\_ TaxLot(s) \_\_\_\_\_  
 Assessment Account Number \_\_\_\_\_

## Proposed Use

On the subject property, I/We propose to vary from the regulations as described on the following page.

- |   |  |
|---|--|
| <input type="checkbox"/> <b>Required Enclosures</b>   | <input type="checkbox"/> Building Elevations, Renderings or Photos |
| <input type="checkbox"/> Assessment Map <a href="http://www.ormap.org">http://www.ormap.org</a> | <input type="checkbox"/> Site Plan Map                             |
| <input type="checkbox"/> Administrative Fee \$250.00  | <input type="checkbox"/> Applicant Findings (see page 2 and 3)     |
| <input type="checkbox"/> Agent Authorization Form   | <input type="checkbox"/> Applicant Certification (see page 4)      |

## Signatures and Authorization

I/We as the applicant (s), owner (s) or authorized agent for this application have provided the aforementioned information, certifications and forms to the best of our knowledge and will attend the Planning Commission meeting.

Applicant or Agent signature: \_\_\_\_\_ Date: \_\_\_\_\_

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## APPLICANT FINDINGS OF FACT

### Property Identification

Address (If Assigned) \_\_\_\_\_ City or Rural Area \_\_\_\_\_  
 Assessment Information Township \_\_\_\_ Range \_\_\_\_ Section \_\_\_\_ TaxLot(s) \_\_\_\_\_  
 Assessment Account Number \_\_\_\_\_

### Proposed Use

On the subject property, I/We are requesting to vary from the existing regulations which will allow us to \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### Findings of Fact

Relating to the subject property described on this application, I/We state the following facts to be true.  
 Note to preparer: **Circle responses as appropriate.**

The subject property is zoned: (Circle as appropriate) A-1, Exclusive Farm Use A-2, Agricultural Use A-3, Rural Center F-1, Forest Use R-1, Residential Use R-2, Farm Residential Use C-1, Commercial Use M-1, Light Industrial M-2, Heavy Industrial	The subject property has a Comprehensive Plan Designation as: (Circle as appropriate) A, Agriculture R, Range F, Forest RR, Rural Residential C, Commercial FR, Farm Residential RC, Rural/Recreation Center I, Industrial P, Public	The subject property has a Overlay Zone Designation as: (Circle as appropriate) A-A, Airport Approach Zone H-G, High Groundwater Zone R-A, Mobile Home Exclusion Zone  Not Applicable
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The existing conditions for surrounding properties are shown in the following table:

Direction	House		Barn/Shed		Farm Use?		Forest Use?		Commercial Use?		Zone/Acreage
North	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	/
South	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	/
East	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	/
West	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	/

The proposed setbacks and structure height as shown on the attached plot plan and elevations are:  
 Front Setback = \_\_\_\_\_ Feet, Left Side Setback= \_\_\_\_\_ Feet, Right Side Setback= \_\_\_\_\_ Rear= \_\_\_\_\_ Feet.  
 Height= \_\_\_\_\_ Feet

The proposed lot size and dimensions are:  
 Front Lot Width = \_\_\_\_\_ Feet, Left Side Lot Width = \_\_\_\_\_ Feet Right Side Lot Setback= \_\_\_\_\_  
 Rear Lot Width= \_\_\_\_\_ Feet.

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## APPLICANT FINDINGS OF FACT

I/We understand that there must be definitive findings that certain circumstances exist before a Variance can be granted. Therefore, I/We have included an explanation under each of the following criteria to show how my/our circumstances are unique and/or extenuating. These responses in my/our opinion justify why Lake County should allow me/us to vary from the existing Ordinance or regulations. (Note: Attach additional sheets of paper if needed.)

A. That the literal application of the specific Ordinance requirement would create practical difficulties resulting in greater private expense than public benefit because of the following factors or reasons:

B. That there are unique conditions such as size, location, configuration, physical limitations or obstructions that apply to the subject property that are not general throughout the surrounding area that create the difficulty and include the following:

C. That the condition creating the difficulty was not created by the applicant because of the following reasons:

And that in the case of a "Use" Variance, that the literal application of the specific Ordinance provision will result in an unnecessary hardship, in that, for the following reasons, the subject property cannot be put to any other identifiable beneficial use whatsoever:



# CERTIFICATION

## Property Identification

Address (If Assigned) \_\_\_\_\_ City or Rural Area \_\_\_\_\_  
 Assessment Information Township \_\_\_\_ Range \_\_\_\_ Section \_\_\_\_ TaxLot(s) \_\_\_\_\_  
 Assessment Account Number \_\_\_\_\_

## Acknowledgement

I/We agree that all approvals or permits from other local, state and/or federal agencies will be obtained and that any conditions of approval assigned by Lake County will be adhered to.

I/We understand that Lake County will review the submitted application materials and if deemed complete, Lake County staff will schedule the matter before the Planning Commission for review at its earliest convenience. A notice of the meeting will be mailed to surrounding property owners allowing public comment. The County under the provisions of Oregon Law, is required to render a decision on the matter within 120 days and I/We or our Agent will attend the scheduled meeting to answer any questions of the Planning Commission or Board of Commissioners.

I/We acknowledge that I/We are familiar with the standards and limitations specified by the amended Lake County Zoning Ordinance of 1980 as amended. I/We propose to meet the applicable standards as established by the Comprehensive Plan and Zoning Ordinance, as shown on the plans, specifications and other supplementary materials submitted with this application.

I/We understand the possibility that this development may result in increased property taxes under Oregon Law and/or other tax regulations.

I/We hereby certify that I/We have read and examined this application and know the same to be true and correct to the best of my/our knowledge. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not.

## Signatures

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date



## PLOT PLAN INSTRUCTIONS

### **Purpose:**

The plot plan is an important aspect of development as it provides a visual evaluation of the project and it is used to determine the impact of multiple factors on the environment and the surrounding neighborhood. The plot plan is part of the official record that will be associated with a property and for this reason, the quality of the document is essential.

### **Size Requirements For Plot Map:**

The map can be drawn on white paper which is either 8 1/2 x 11 or 8 1/2 x 14 inches in size. If another size is used, the applicant must include one copy of 8 1/2 x 11 inches as this will allow the drawing to be included in the Lake County record package.

### **Helpful Hints:**

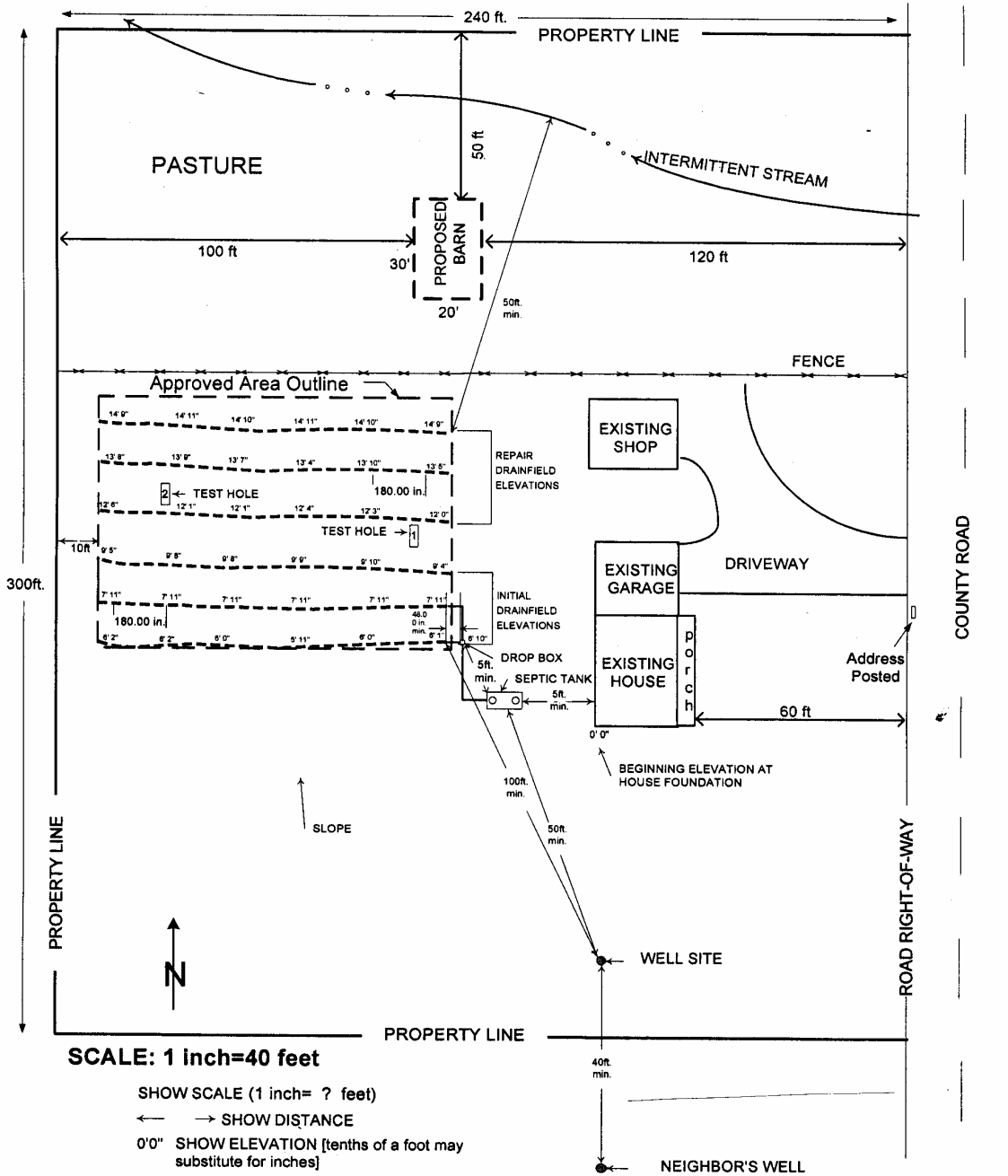
1. Use the Internet to collect preliminary information. <http://www.ormap.org/disclaimer.cfm> will allow you to find the tax assessment map with dimensions of your property. The Google Earth program will allow you to access an aerial photograph of your property. Print off copies of the Internet materials as these will be helpful when composing your plot plan. Visit your local library for Internet access.
2. Visit the site. Bring a clipboard, paper, pencil, camera and tape measure to document the activities of the parcel. Look at the ground level, trees, rock outcroppings or areas that might be susceptible to flooding. Observe and record the location of existing structures, roads, wells, septic and nearest electrical service. Measure and record the distances between the property lines and the existing and proposed structures and facilities.

### **Prepare the plot plan:**

1. A plot plan template is attached with this form. Using a standard ruler, determine which scale will work best for your development. You may decide that 1 inch on the ruler will best represent 50 feet on the paper or for larger projects 1 inch to 100 feet.
2. Add the following items to the plan:
  - The shape and dimensions of your property must be accurately drawn on solid black lines. Label adjacent roads.
  - Label the map with Map Township, Range, Section and Taxlot Number, North Arrow, Scale and Date.
  - Identify the location of existing structures and facilities. Used dashed lines for new construction. Write in setback distances.
  - Show the location and direction of all water courses and drainage ways (such as intermittent streams, creeks, irrigation canals, etc) as well as the 100-year floodplain, if applicable.
  - Identify the location of sewage disposal systems, well or public water connections, electrical service.
  - Identify the location of the address sign. If an address has not been assigned, show where sign will be located.



# PLOT PLAN EXAMPLE



Township 39, Range 16E, Section 13BA, Tax Lot 2300 Assessment Account 122345

Address \_\_\_\_\_ Permit No. \_\_\_\_\_



# PLOT PLAN TEMPLATE

[Large empty rectangular area for the plot plan drawing]

**NOTE: USE THE INFORMATION ON PAGES 1 AND 2 TO CREATE THIS PLOT PLAN**

DATE: \_\_\_\_\_

Township \_\_\_\_\_, Range \_\_\_\_\_, Section \_\_\_\_\_, Tax Lot \_\_\_\_\_ Assessment Account \_\_\_\_\_ **N**

Address \_\_\_\_\_ Permit \_\_\_\_\_ Scale 1 inch = \_\_\_\_\_ Feet



## AUTHORIZATION TO ACT AS AGENT

### Purpose:

When Lake County is asked to process application(s) for land use or construction, the property owner needs to give permission to perform the activity on their land. This permission is alternatively referred to as "consent" or knowledge that the activity is being requested or being performed on their property. The property owner is the party who holds the recorded deed for the subject property.

I/We the undersigned, hereby certify that I/We are the deed holder of record of the subject property which is located at \_\_\_\_\_ Street/Lane/Road, \_\_\_\_\_, Oregon; also known in the records of the Lake County Assessor as Account No. \_\_\_\_\_, Map \_\_\_\_\_, Taxlot \_\_\_\_\_.

I/We the undersigned, hereby certify that I/We hereby authorize \_\_\_\_\_ (Name) to act and appear as my agent in regard to the following proceeding:

- Address Assignment** (Note: An address application cannot be accepted without a previous land use approval.)
- Building/Plumbing/Electrical/Septic Permit and Inspections**
- Conditional Use Permit**
- Land Division**
- Variance**
- Lot Line Adjustment**
- Site Plan Review**
- Zone Permit**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

Signature \_\_\_\_\_

This consent valid for 6 months      12 months      Indefinitely (Circle the appropriate response)

### STAFF USE ONLY

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

Staff Name \_\_\_\_\_

Ownership verified by    Deed    Assessment records (Circle the appropriate response)