



Clatsop County

Community Development
800 Exchange Street, Suite 100
Astoria, Oregon 97103

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Variance

Fee: \$1,652 (Double if a violation exists)

Applicant Name: _____ Email: _____

Mail Address: _____ City/State/Zip: _____

Phone: _____ Phone: _____

Owner Name: _____ Email: _____

Mail Address: _____ City/State/Zip: _____

Phone: _____ Phone: _____

Agent Name: _____ Email: _____

Mail Address: _____ City/State/Zip: _____

Phone: _____ Phone: _____

This is a request for a variance to the : _____ **requirement/standard to allow** _____

Existing Zoning: _____ Overlay District: _____

Property Description: Township _____ Range _____ Section _____ Tax Lot(s) _____

Directions to the property from Astoria: _____

What is the nearest "Community" (i.e. Svensen, Arch Cape, Westport)? _____

General Property Description: Include a map of the property and adjacent parcels. The map should indicate existing structures, uses, proposed development and other pertinent information.

Existing Structures and Uses: _____

Topography: _____

Proposed Development: _____

Adjoining Property Description:

Existing Structures and Uses: _____

Topography: _____

The information contained in this application is in all respects true, complete and correct to the best of my knowledge.

Applicant's Signature: _____ Date: _____

Owner's Signature: _____ Date: _____
(Or notarized letter)

The following sections are from the Clatsop County Land and Water Development and Use Ordinance #80-14.

Section 5.130. Variance.

Section 5.132. Variance Procedure.

1. A hardship variance may be appropriate where: by reason of exceptional configuration, or by reason of other extraordinary and exceptional situations or conditions existing on a piece of property, the strict application of any regulations enacted under this Ordinance would result in peculiar, exceptional and undue hardship upon the owner of such property for which a variance is requested. Undue hardship upon adjacent property owners may also be considered. The Hearings Officer may vary or adopt the strict application of any of the requirements of this Ordinance.
2. Variances will be considered under a Type IIa procedure pursuant to Section 2.025. An applicant may request a variance whether before or after the denial of a development permit.

**Please address the following standards on a separate sheet of paper. Be as specific as possible.
"Yes" and "No" responses are not sufficient.**

3. **Standards for a Hardship Variance.** The requirements for a Variance are listed below. It is the intent of this Ordinance that a variance only be granted to overcome some exceptional physical condition related to a parcel of land posing practical difficulty to development and preventing the owner from using the property as intended by the Zoning Ordinance. Any variance granted shall be the minimum adjustment necessary for the reasonable use of the land.
 - (A) There must be proof of exceptional and extraordinary circumstances which apply to the property And which do not apply to other properties in the same zone or vicinity, and result from lot size or shape legally existing in accordance with land use laws prior to September 30, 1980, topography, geology, or other circumstances over which the applicant has no control. These circumstances or conditions must be such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of the land and/or structure.
 - (B) The granting of a variance shall neither be injurious to the neighborhood or community nor otherwise detrimental to the public welfare or to public safety.
 - (C) The granting of the variance will not permit the establishment of any development or use which is not permitted by the Ordinance, nor confer upon the applicant any special privilege that is denied by this Ordinance to other lands, structures or buildings in the area.
 - (D) There must be proof of significant hardship. It is not sufficient proof of hardship to show that a greater profit would result if a variance were granted. Nor shall loss of value be a valid reason to grant a variance. Furthermore, the hardship cannot be self-created or self-imposed. The hardship must result from the strict application of this Ordinance, and be suffered directly by the property in question. Evidence of a variance granted under similar circumstances shall not be considered as a solely sufficient cause to grant hardship relief.
 - (E) The granting of a variance is necessary for the reasonable use of land or building, and the variance granted by the hearing body is the minimum variance that will accomplish this purpose.
 - (F) The hardship does not arise from a violation of the provisions of this Ordinance.
 - (G) The development will occur on a parcel of land that in conjunction with adjacent land in the same ownership is not otherwise reasonably capable of development and use under the provisions of this Ordinance

The following is provided for your convenience. You need not address these sections.

Section 5.133. Notification. In addition to the notice required to be sent to property owners pursuant to Section 2.025 and Section 2.110, notice of variances to yard setbacks and height variances shall be sent to the fire district in which the property is served for review and comment. If a response is not received by the Community Development Department within 20 days of the notice it will be assumed that the District has no negative concerns regarding the request.

Section 5.134. Expiration/Extension. Authorization of a variance shall be void after one year unless substantial construction or action pursuant thereto has taken place. However, the County may, at the discretion of the Community Development Director, extend authorization for an additional six (6) months upon request, provided such request is submitted in writing at least 10 days and not more than 30 days prior to expiration of the variance.