



# Variance Application

City of Klamath Falls Planning Department, 226 South 5<sup>th</sup> Street, Klamath Falls, OR 97601

**(TO BE COMPLETED IN INK)**

This is a Variance application supplement, required for all Minor or Major Variance applications. Attach additional sheets if necessary.

**REQUIREMENTS TO BE VARIED – Please answer the following questions.**

What is/are the Community Development Ordinance Section(s) you are requesting a Variance from:

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Explain the waivers or modifications of standards you are requesting and why the Variance is necessary:

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**REQUIRED FINDINGS – Please write a response (facts and findings) to each statement (criterion) explaining how your proposal meets that criterion.**

The Community Development Ordinance (Sections 11.200-11.275) allows the granting of a Variance only when certain findings can be made (i.e., criterion are met). Please complete the following to explain how you think the requested Variance will satisfy the criteria (1-3).

1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the same vicinity and zone.

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# Variance Checklist

City of Klamath Falls Planning Department, 226 South 5<sup>th</sup> Street, Klamath Falls, OR 97601

This checklist is a guide to what constitutes a complete **Variance** application. Applications found to be incomplete upon submittal will not be accepted or if an application is accepted and found incomplete, it will not be processed until the missing components are submitted.

Prior to applying, you have the option of requesting a pre-application meeting with City staff and other agencies to discuss and gain an understanding of the application process and the requirements you will need to meet to proceed with your proposal. Pre-application meetings cost 10% of the application fee, which will be credited toward the total fee should you choose to proceed. This fee is nonrefundable.

**THE FOLLOWING ARE REQUIRED AND SHALL BE SUBMITTED WHEN APPLYING FOR A MINOR OR MAJOR VARIANCE:**

- Completed General Review Application form (**TO BE COMPLETED IN INK**)
- Completed Variance Application form (**TO BE COMPLETED IN INK**)
- Completed Applicant and Owners Statement form and Copy of Deed
- **Site Plan** (Provide 10 copies. Use 8 ½” X 11” sheets for lots less than or equal to 10,000 square feet. Use a minimum of 11” X 17” & a maximum of 24” X 36” for larger lots or those requiring greater detail. At least one copy must be a maximum of 11” X 17” or smaller so it is easily reproduced) including, but not limited to:
  - Date of site plan
  - External lighting
  - Name of project
  - North arrow
  - Trash containers
  - Existing site features
  - Written & graphic scale
  - Location & type of fencing <sup>1</sup>
  - Location of adjacent streets
  - Location & type of handicap access
  - All existing & proposed improvements
  - Present zoning & intended use of the property
  - Location of existing & proposed signs <sup>1</sup>
  - Existing utilities including easements, poles, overhead or underground lines, etc.
  - Lot & building dimensions, setback dimensions & height of all existing and proposed structures.
  - Proposed layout of parking lot, including location & dimension of parking spaces, handicap parking spaces, curb islands, internal planter strips, maneuvering aisles & access driveways indicating directions of travel. Also note type of existing & proposed surface materials.
  - Location of all recreational amenities such as open play areas, swimming pools, tennis courts, tot lots, etc.
  - Site data in tabular form including: total area of property, building coverage, existing gross floor area, parking lot coverage, parking lot landscape coverage, and number of parking stalls required.
  - Finished floor elevations – show existing grade contours and finished grades or contours clearly.
  - Size & location of all existing and proposed public and private utilities, easements or rights-of-way.

(Continued)

- Location, dimensions and names of proposed internal streets showing center line radii and curb return radii (location and dimensions of existing & proposed sidewalks shall also be shown).
  - Proposed gross floor area and number of residential units as appropriate (in tabular form).
  - All applicable criteria in the current editions of the City Code, Community Development Ordinance (CDO) and Public Works Engineering Standards.
- **Diagram(s) as needed:** For example, if you are applying for a Variance to sign requirements, a diagram showing how the proposed sign varies from the City's sign code (with regards to height, size, setbacks, etc.) shall be submitted. In short, a diagram should illustrate the requested Variance. Actual pictures may also be used.
  - Vicinity map (indicating the relationship and forms of existing developments in the general area and zoning surrounding the subject property).
  - Application fee—\$250 for a Major Variance and \$125 for a Minor Variance

IN ADDITION TO THE ABOVE, THE FOLLOWING ARE REQUIRED AND SHALL BE SUBMITTED WHEN APPLYING FOR A **MAJOR VARIANCE**:

- List off all property owners within **250 feet** of the subject property and a completed Public Hearing Notice Mailing List form
- Mailing notice costs (current postage rate plus 10 cents, multiplied by the number of property owners required to be notified).
- Legal Notice costs (not required upon application submittal, but will be billed and shall be paid within 30 days of the final decision of the application, if applicable).

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<sup>1</sup> Fences and signs are not approved through the Variance process. A fence or sign permit must approve new or modified fencing or signage respectively.



# ***Applicant & Owner Statement***

City of Klamath Falls Planning Department, 226 South 5<sup>th</sup> Street, Klamath Falls, OR 97601

I (we) the undersigned applicant(s) and/or owner(s) of the parcel of land located at the address listed below; identified as the Tax Account Number(s) also listed below, realize that this application rests upon the above answers and accompanying data and do hereby affirm and certify under penalty of perjury, that the foregoing statements and answers are in all respects true and correct to the best of my/our knowledge. By submission of this application, the owner and developer hereby grant the City permission to erect a public notice sign on the subject property for public information purposes.

Subject Property Address: \_\_\_\_\_

Subject Property Tax Account Number(s): \_\_\_\_\_

## **APPLICANT(S):**

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

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

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

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

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

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

If the applicant listed on this application is not the sole deed holder of the property or properties described above, complete the following or submit a separate written authorization from the owner:

### **AUTHORIZATION TO ACT AS AGENT**

I (we) the undersigned, hereby certify that as deed holder(s) of record of property or properties described above, hereby authorize the person(s) listed as the applicant(s) on this application to act and appear as agent, with respect to this application.

## **LANDOWNER(S):**

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

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

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

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

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

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



# General Review Application

City of Klamath Falls Planning Department  
226 South 5<sup>th</sup> Street, Klamath Falls, OR 97601

File Number(s): \_\_\_\_\_

### OFFICIAL USE ONLY

Date Received: \_\_\_\_\_ Date Application Complete: \_\_\_\_\_

Hearing Date: \_\_\_\_\_ Date of Pre-App Meeting: \_\_\_\_\_

↓ DATE OF DLCD NOTICE—FOR ANNEXATION AND ZONE CHANGE ONLY ↓

Notice of Proposal: \_\_\_\_\_ Notice of Adoption: \_\_\_\_\_

### APPLICATION TYPE

↓ Applications processed through the City Planning Department – Check all that apply ↓

- Design Review—Major (\$300)
- Design Review—Minor (\$100)
- Conditional Use Permit (\$350)
- Variance—Major (\$250)
- Variance—Minor (\$125)
- Annexation (\$500)
- Land Partition—Tentative (\$250)
- Subdivision—Tentative (\$500)
- Zone Change (\$500)
- Nonconforming Use Exception (\$175)
- Other → Please Describe: \_\_\_\_\_

### APPLICANT INFORMATION

Please check primary contact person

**(TO BE COMPLETED IN INK)**

Landowner Name: \_\_\_\_\_ Daytime Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Applicant Name: \_\_\_\_\_ Daytime Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Agent (e.g. Architect, Engineer, Surveyor): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City Business License No: \_\_\_\_\_ Daytime Phone: \_\_\_\_\_

### SUBJECT SITE INFORMATION

Property Address: \_\_\_\_\_

Map & Tax Lot Number(s): \_\_\_\_\_

Subdivision, Lot & Block: \_\_\_\_\_

Current Zoning: \_\_\_\_\_ Total Size of Parcel(s): \_\_\_\_\_

Describe current uses, existing structures, other improvements and vegetation on the property: \_\_\_\_\_

Existing easements and/or deed restrictions—Purpose and Description: \_\_\_\_\_

Volume & Page Number: \_\_\_\_\_

(continued)

**PROJECT INFORMATION**

- Briefly describe the project & proposed use: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**TRAFFIC STATEMENT**

- Describe the amount of traffic the proposal will generate & its impact on local streets and traffic conditions: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**ENVIRONMENTAL IMPACTS**

- Describe any noise potentially generated by the proposed use (including during construction): \_\_\_\_\_  
 \_\_\_\_\_
- Describe pollution emissions that will be generated by the proposed use: \_\_\_\_\_  
 \_\_\_\_\_
- Describe the impact of the proposal on adjacent scenic views, historical resources or other environmental resources: \_\_\_\_\_  
 \_\_\_\_\_

**CONSTRUCTION IMPACTS**

- If excavation or fill is planned, explain the purpose, location and amount of each: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- If tree removal is planned, explain the purpose of removal and the location and number of trees to be removed: \_\_\_\_\_  
 \_\_\_\_\_

**ECONOMIC IMPACTS**

- New Business or Expansion: \_\_\_\_\_
- New Employment Positions: \_\_\_\_\_
- Estimated Valuation: \_\_\_\_\_
- Estimated Revenue: \_\_\_\_\_

**PLEASE NOTE**

- If driveways are planned as part of your proposal, please note the type (residential or commercial), width and location of each on the site plan.
- If sidewalks are planned, show the width and location on the site plan.
- If water and sewer are planned, show the main lines and service lines on the site plan.
- If storm water is planned, show the main lines and service lines or on-site detention/retention on the site plan.



# Public Hearing Notice Mailing List

City of Klamath Falls Planning Department, 226 South 5<sup>th</sup> Street, Klamath Falls, OR 97601

## INSTRUCTIONS FOR PROVIDING PUBLIC HEARING NOTICE INFORMATION FOR:

**Land Partition    Conditional Use Permit    Flood Hazard Permit    Variance    Nonconforming Use Exception**

When applying for any of the above, please provide the information necessary to notify the nearby property owners about all public hearings for your project. This information is to be provided in the following manner:

Obtain a current copy of the County Assessor map (tax maps) that include your project site and all parcels within **250 feet** of any part of the parcel on which your project is located, including public rights-of-way. The exterior property lines of the parcel(s) on which your project is located, even if your project will occupy only a portion of the parcel(s), must be clearly outlined on the map, and another line must be clearly drawn indicating a distance of **250 feet** from all exterior property lines you have outlined. Check the scale shown on each map (they may be different), and use the adjoining maps if necessary to include all property within **250 feet**. **The County Assessor Office may be able to print a list of addresses for you. If interested, you may inquire with them at the County Government Center at 305 Main Street, Klamath Falls, OR 97601.**

Obtain names, addresses and tax lot numbers of all owners of property within 100 feet, as listed on the last preceding tax roll of the Assessor of Klamath County. List the above information in the following order:

- Tax Account Number
- Property Owner Name
- Street Address
- City, State and Zip Code

NOTE: Type or print labels on the form provided or on a sheet of labels. Print them legibly or the mailing list will be returned. Typed mailing labels will speed the application process.

You are required to pay for the Mailing Notice costs (current postage rate plus 10 cents multiplied by the number of property owners to be notified) with your application fee.

You may also be required to pay for Legal Notice costs. These costs will be billed to you and shall be paid within 30 days of the final decision.

### ACKNOWLEDGMENT OF MAILING LIST

STATE OF OREGON  
 COUNTY OF KLAMATH  
 CITY OF KLAMATH FALLS

I, \_\_\_\_\_, do hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, I submitted with my application, such names, addresses and Tax Account Numbers as are listed on the last preceding tax roll of the Assessor of Klamath County.

That said list contains a true copy of all property owners within 500 feet of the subject property.

Applicants Signature \_\_\_\_\_ Date \_\_\_\_\_

Subscribed and Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_

Notary Public for Oregon  
 \_\_\_\_\_

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY.

# KLAMATH COUNTY

SEE MAP 38 09 334D



NORTH ARROW ↑

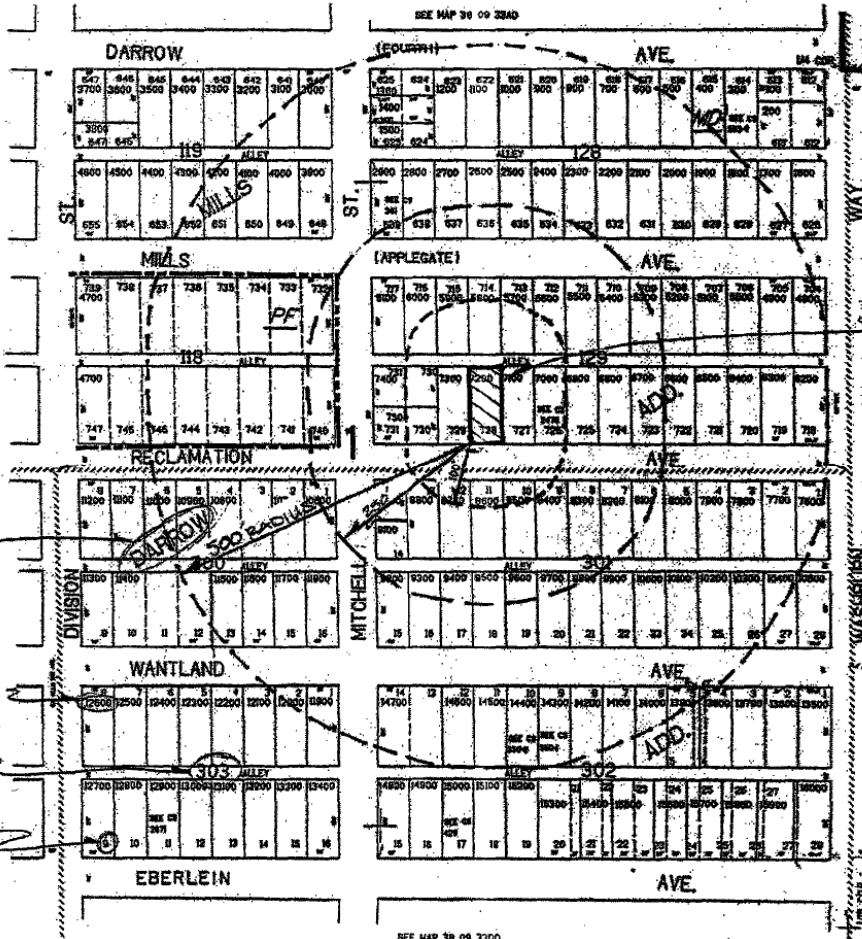
ADJOINING MAP →

SUBDIVISION NAME

TAX LOT NUMBER

BLOCK NUMBER

LOT NUMBER



KLAMATH FALLS CITY DATA

SUBJECT PROPERTY

SEE MAP 38 09 340B

NO LATERAL RETENTION

SEE MAP 38 09 3300

MAP NUMBER 38-09 33DA  
KLAMATH FALLS