



VARIANCE APPLICATION INSTRUCTIONS AND REQUIREMENTS

Chapter 33 of the Tualatin Development Code regulates the variance process in the City. The City Council may grant variances from the requirements of the Tualatin Community Plan where it can be shown that, owing to special and unusual circumstances related to a specific property, the literal interpretation of the Plan would cause an undue or unnecessary hardship. However, no variance shall be granted for uses not allowed in the Planning District. If granted, the Tualatin Planning Commission may attach conditions that it finds necessary to protect the best interests of the surrounding property and to otherwise achieve the purposes and goals of the Tualatin Community Plan.

The following information is required with all variance applications. If any information is missing or incomplete, the application will not be accepted. Once a complete application is submitted, a public hearing will be scheduled.

1. Obtain application form and instruction sheet from the Community Development Department - Planning Division. An optional Scoping meeting is highly recommended prior to the required Pre-Application meeting. To schedule a scoping or a Pre-Application meeting with the Community Development Department - Planning Division you may contact Lynette Sanford, Office Coordinator at 503-691-3026 or lsanford@ci.tualatin.or.us. The pre-application meeting should occur as the earliest step of your project. The application to request a Pre-Application meeting is available on the city website along with the current fee schedule. The purpose is to answer all questions about the process and provide information about City requirements.
2. Hold a Neighborhood / Developer meeting pursuant to TDC 31.063.
3. Submit 13 copies of the application form and supporting materials to the Planning Division.
4. Include a non-refundable filing fee. The current fee schedule can be found on our web site.
5. Include a copy of the Washington and/or Clackamas County Assessor's Map(s) showing the subject property and properties within 1,000 feet of the subject property. If the 1,000-foot area includes lots within a platted residential subdivision the notice area shall extend to include the entire subdivision of which the lots are part and the applicant shall identify these subdivisions for staff as part of the mailing notification list. If the residential subdivision is one of two or more individually platted phases sharing a single subdivision name the notice area need not include the additional phases. (One set of maps is sufficient.)
6. Include the correct names and addresses of all owners of property within 1,000 feet of the subject property. If the 1,000-foot area (Ordinance No. 1304-10page 59 of 61) includes lots within a platted residential subdivision the notice area shall extend to include the entire subdivision of which the lots are part and the applicant shall identify these subdivisions for staff as part of the mailing notification list. If the residential subdivision is one of two or more individually platted phases sharing a single subdivision name the notice area need not include the additional phases. Also include the applicant(s), if different from the owners of the subject property. The Tax Lot number and Assessors Map number must be included with each name

and address. The Assessors numbers, names, addresses must be placed on the blank matrix or exact facsimile provided with the application materials. The spacing of the address on the matrix is critical because the addresses are reproduced onto pre-gummed address labels for mailing (one list of property owners is sufficient). Please include the map and tax lot number above each address so the list can be compared to the assessor's map obtained in #3 above, to ensure an owner is listed for each property. Pre-gummed labels are available for purchase at Washington and Clackamas counties. **All parties listed on the application form shall also be included on the mailing list.**

7. Include a legal description of the subject property as it appears on the deed (one copy is sufficient).
8. Include a site plan, drawn to scale, showing the dimensions and arrangement of the proposed development.
9. Include materials from the Neighborhood / Developer meeting.
10. The applicant carries the burden of proof that the requested change meets criterion A and three of the four remaining criterion (B-E) (Section 33.020 of the Tualatin Development Code) which are listed below. Address the criteria listed below and include a written statement explaining the facts that support your answer regarding each criterion.
 - A. A hardship is created by exceptional or extraordinary physical conditions applying to the property that do not apply generally to other properties in the same Planning District or vicinity, and the conditions are a result of lot size or shape, topography, or other physical circumstances applying to the property over which the applicant or owner has no control.
 - B. The hardship does not result from actions of the applicant, owner, or previous owner, or from personal circumstances or financial situation of the applicant or owner, or from regional economic conditions.
 - C. The variance is necessary for the preservation of a property right of the applicant or owner substantially the same as is possessed by owners of other property in the same Planning District or vicinity.
 - D. The variance shall not be detrimental to the applicable objectives of the Tualatin Community Plan and shall not be injurious to property in the Planning District or vicinity in which the property is located.
 - E. The variance is the minimum remedy necessary to alleviate the hardship.
11. A signed completed copy of the affidavit of sign posting.

A copy of Chapter 33 of the Tualatin Development Code is attached to these instructions. The above materials represent the minimum requirements for variance applications. All application forms and written material should be typewritten or printed in ink.

To avoid a possible legal conflict, the applicant should not discuss the request with any member of the Planning Commission outside the public hearing.

If you have any questions about the variance application procedures, or if you wish to arrange for a pre-application conference, please contact the City of Tualatin Community Development Department - Planning Division at 503-691-3026.



City of Tualatin

www.tualatinoregon.gov

APPLICATION FOR VARIANCE

Information			
Name:		Title:	
Company Name:			
Current address:			
City:		State:	ZIP Code:
Phone:	Fax:	Email:	
Applicant			
Name:		Company Name:	
Address:			
City:		State:	ZIP Code:
Phone:	Fax:	Email:	
Applicant's Signature:			Date:
Property Owner			
Name:			
Address:			
City:		State:	ZIP Code:
Phone:	Fax:	Email:	
Property Owner's Signature:			Date:
(Note: Letter of authorization is required if not signed by owner)			
Architect			
Name:			
Address:			
City:		State:	ZIP Code:
Phone:	Fax:	Email:	
Landscape Architect			
Name:			
Address:			
City:		State:	ZIP Code:
Phone:	Fax:	Email:	
Engineer			
Name:			
Address:			
City:		State:	ZIP Code:
Phone:	Fax:	Email:	
Project			
Project Title:			
Address:			
City:		State:	ZIP Code:
Brief Project Description:			
Proposed Use:			

Value of Improvements:

AS THE PERSON RESPONSIBLE FOR THIS APPLICATION, I HEREBY ACKNOWLEDGE THAT I HAVE READ THIS APPLICATION AND STATE THAT THE INFORMATION ABOVE, ON THE FACT SHEET, AND THE SURROUNDING PERTY OWNER MAILING LIST IS CORRECT. I AGREE TO COMPLY WITH ALL APPLICABLE CITY AND COUNTY ORDINANCES AND STATE LAWS REGARDING BUILDING CONSTRUCTION AND LAND USE.

Applicant's Signature:

Date:

Office Use		
Case No:	Date Received:	Received by:
Fee: Complete Review:	Receipt No:	
Application Complete as of:	ARB hearing date (if applicable):	
Posting Verification:	6 copies of drawings (folded)	
1 reproducible 8 ½" X 11" vicinity map	1 reproducible 8 ½" X 11" site, grading, LS, Public Facilities plan	
Neighborhood/Developer meeting materials		

VARIANCE CERTIFICATION OF SIGN POSTING



The applicant shall provide and post a sign pursuant to Tualatin Development Code (TDC) 31.064(2). Additionally, the 18" x 24" sign must contain the application number, and the block around the word "NOTICE" must remain **medium purple** composed of the **RGB color values Red 112, Green 48, and Blue 160**. Additionally, the potential applicant must provide a flier (or flyer) box on or near the sign and fill the box with brochures reiterating the meeting info and summarizing info about the potential project, including mention of anticipated land use application(s). Staff has a Microsoft PowerPoint 2007 template of this sign design available through the Planning Division homepage at <http://www.ci.tualatin.or.us/departments/communitydevelopment/planning>.

As the applicant for the _____ project, I hereby certify that on this day, _____ sign(s) was/were posted on the subject property in accordance with the requirements of the Tualatin Development Code and the Community Development Department - Planning Division.

Applicant's Name: _____
(PLEASE PRINT)

Applicant's Signature: _____

Date: _____

		LABEL TEMPLATE / EXAMPLE
	2S1 23 BC, 2000, 2100 PROPERTY OWNER'S NAME ADDRESS CITY STATE ZIP	