



LAND MANAGEMENT DIVISION

TYPE II LAND USE APPLICATION – DIRECTOR Variance: Chapter 16

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97401 Planning: 682-3577

For Office Use Only: FILE #

FEE:

Applicant (print name):

Mailing address:

Phone: Email:

Applicant Signature:

Agent (print name):

Mailing address:

Phone: Email:

Agent Signature:

Land Owner (print name):

Mailing address:

Phone: Email:

Land Owner Signature:

LOCATION

Township Range Section Taxlot

Site address

PROPOSAL: A request for Type II (Director) Approval of a Variance to Chapter 16, pursuant to Lane Code 16.256.

**NOTICE:** The Applicant is responsible for providing enough information in this application for staff to make reasonable findings.

**ADJOINING OWNERSHIP** Is any adjacent property under the same ownership as the subject property? List the map and tax lot(s).

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**SITE PLAN** A site plan must be included. Refer to the handout entitled "How to prepare your plot plan". Identify nearby driveways. Driveways spacing standards are contained in Lane Code 15.138.

**ZONING:** \_\_\_\_\_ **ACREAGE:** \_\_\_\_\_

**DESCRIBE THE ACCESS TO THE PROPERTY** (circle the answer):

State Hwy                      County Rd                      Public Rd                      Private Easement (provide a copy)

Road name: \_\_\_\_\_

Does a railroad or highway crossing provide the only access to the property (circle)?      Yes    No

**PRIOR DECISIONS:** Provide information demonstrating compliance with any applicable prior decisions and conditions of approval for the subject property.

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**EXISTING IMPROVEMENTS:** What structures or development does the property contain? Will any structure be removed/demolished?

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**PHYSICAL FEATURES:** Describe the site.

- The Vegetation on the property: \_\_\_\_\_

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- The Topography of the property: \_\_\_\_\_

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- Any Significant Features of the property (steep slopes, water bodies, etc.): \_\_\_\_\_

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**APPROVAL CRITERIA**

**16.256 Variances.**

**(1) Scope. Variances to a requirement of this chapter with respect to dimensions, setback, yard uses, lot coverage, height of structures, vision clearance, fences and walls, and other quantitative requirements may be approved by the Planning Director if:**

- (a) An application is submitted pursuant to Type II application requirements of LC Chapter 14.**
- (b) The application is reviewed pursuant to Type II procedures of LC Chapter 14.**
- (c) The application complies with the criteria of LC 16.256(2) below.**

**(2) Criteria.**

**(a) Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity which result from lot size or shape, topography or other circumstances over which the property owner, since the enactment of this chapter, has had no control.**

Describe the special circumstances that apply to your property that do not apply to other properties in the vicinity.

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**(b) The variance is necessary for the preservation of a property right of the applicant which is the same as that enjoyed by other property owners in the same zones in the area.**

Explain how the requested variance complies with this criterion.

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**(c) The variance would conform with the purposes of this chapter and would not be materially detrimental to property in the same zone or vicinity in which the property is located, or otherwise conflict or reasonably be expected to conflict with the Rural Comprehensive Plan.**

If the variance is granted, how would it affect your neighbors and other properties in the vicinity? Would it result in a conflict with the Rural Comprehensive Plan?

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**(d) The variance requested is the minimum variance which would alleviate the difficulty.**

Are you requesting a greater variance than what is necessary to complete your project?

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**(e) The variance is not the result of a self-created hardship.**

Why are you asking for this variance?

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**(f) The variance would not have the effect of rezoning and granting a special privilege not shared by other property in the same zone.**

If the variance is granted, would you have a special privilege that is not shared by your neighbors or other properties in the same zone?

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