



# CITY OF KEIZER

## VARIANCE

### INFORMATION SHEET

#### **PURPOSE OF A VARIANCE APPLICATION**

The development standards in the Development Code protect the public health, safety and welfare by establishing standard setbacks, maximum building heights and other development standards that apply to various uses. For lands or uses with unique characteristics the intent and purpose of the development standards may be maintained while allowing for a variance to quantifiable requirements only. A minor variance may be approved for those requests resulting in no more than a 20% change in a quantifiable standard. Otherwise, any change to a quantifiable standard greater than 20 % will require a major variance.

#### **APPLICATION SUBMITTAL REQUIREMENTS**

All of the following items must be provided at the time the application is submitted. If any item is missing, the application may not be accepted for processing. Please complete the application carefully and accurately. If there are any questions regarding the application or application requirements, call the Keizer City Planner at (503) 856-3441.

1. Site Plan (See [Site Plan Example](#)).
2. A written statement explaining your reasons for the proposed variance and how the proposed variance conforms to the criteria listed below. Please include any extraordinary circumstances, which might apply to the request.
3. A copy of the latest officially recorded title transfer instrument (deed, warranty deed, or contract) giving the legal description for each of the properties involved in the conditional use application.

#### **MINOR VARIANCE CRITERIA**

- A.
  1. The intent and purpose behind the specific provision sought to be varied is either clearly inapplicable under the circumstances of the particularly proposed development; or,
  2. The variance requested is consistent with the intent and purpose of the provision being varied; or
  3. The applicant in good faith is unable to comply with the standard without undue burden which is grossly disproportionate to the burden born by others affected by the specific provisions of the code sought to be varied;
- B. The impact of the development due specifically to the varied standards will not unreasonably impact adjacent existing or planned uses and development; and
- C. The minor variance does not expand or reduce a quantifiable standard by more than 20 percent and is the minimum necessary to achieve the purpose of the minor variance; and
- D. There has not been a previous land use action approved on the basis that a minor variance would not be allowed.

#### **MAJOR VARIANCE CRITERIA**

- A. The degree of variance from the standard is the minimum necessary to permit development of the property for uses allowed in the applicable zone; and
- B. The applicant in good faith is unable to comply with the standard without undue burden. The applicant must demonstrate that the burden is substantially greater than the potential adverse impacts caused by the proposed variance; and
- C. The variance will not be unreasonably detrimental to property or improvements in the neighborhood of the subject property; and
- D. There has not been a previous land use action approved on the basis that variances would not be allowed; and
- E. The variance will not significantly affect the health or safety of persons working or residing in the vicinity; and
- F. The variance will be consistent with the intent and purpose of the provision being varied.