

- (3) Variance to residential yard/setback requirements of up to 20 percent, provided that no side yard shall be less than five feet.
- (4) Variance to nonresidential yard/setback requirements of up to 10 percent.
- (5) Variance to lot area requirements of up to 5 percent.
- (6) Variance to fence height requirements of up to 20 percent.

A complete application must include a separate written submittal that includes a detailed description of the proposed variance and adequately addresses each of the Minor Variance approval criteria from MCC Section 18.20.040. It is the sole responsibility of the applicant to provide adequate evidence upon which the City Planner can base a decision.

18.20.040 Minor Variance Criteria

(1) The City Planner may allow a minor variance from those development standards as defined in Section 18.20.030 if the Planner finds that the variance meets all of the following standards.

(a) The property is currently developed such that development of a permitted use is impractical; or the variance is needed to allow the applicant to enjoy a substantial property right possessed by a majority of property owners in the same vicinity.

(b) The request is the minimum variance that would alleviate the hardship.

(c) The variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity or be otherwise detrimental to the objectives of any City development, plan, or policy.

(d) No practical alternatives have been identified, which would accomplish the same purpose and not require a variance.

(e) There has not been a previous land use action approved on the basis that a minor variance would not be allowed.

(2) If the City Planner determines that a minor variance application raises public concerns that are best addressed by the whole Planning Commission, the City Planner may refer a minor variance application to the Planning Commission for their review as a Type I action.

(3) When a minor variance application is submitted concurrently with an application requiring a Type II review, such as a major partition, subdivision or planned unit development, the City Planner may refer the minor variance application to the Planning Commission for their review in conjunction with the concurrent application.

(4) Variances to the required right-of-way width for local streets shall only be approved upon recommendation by the Public Works Director.

I HEREBY CERTIFY THAT ALL STATEMENTS CONTAINED HEREIN, ALONG WITH THE EVIDENCE SUBMITTED, ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Applicant's Signature

Date

Applicant's Signature

Date

Title Holder's Signature

Date

Title Holder's Signature

Date

NOTE: ALL OWNERS MUST SIGN THIS APPLICATION OR SUBMIT LETTERS OF CONSENT. INCOMPLETE OR MISSING INFORMATION MAY DELAY THE APPROVAL PROCESS.

City of Monmouth Community Development Dept.
151 Main St W
Monmouth, OR 97361
503-751-0147