

CITY OF HERMISTON

VARIANCE PROCEDURES

BACKGROUND

If a proposed development does not conform to City specifications for some reason, a variance may be obtained to allow the development to continue. When applying for a variance, the applicant must be able to show that:

- Exceptional circumstances apply to the property which do not apply to other properties in the vicinity
- The variance is necessary for the property right of the owner that is the same as rights held by other owners in the vicinity
- The variance will not be detrimental to the ordinance, the property concerned and surrounding properties, and to the overall development pattern
- It is impractical to maintain the ordinance requirements and build or use the structure as desired

There are three types of variances within the City of Hermiston. Applicants may apply for a minor variance, major variance, or a middle housing land use adjustment. A minor variance and middle housing land use adjustment is a deviation for a development standard of not more than 10 percent. A variance which does not meet any of the criteria for a minor variance or middle housing land use adjustment is treated as a major variance.

MINOR VARIANCE & MIDDLE HOUSING LAND USE ADJUSTMENT PROCEDURES

Applicants interested in obtaining a minor variance or middle housing land use adjustment are encouraged to meet with planning staff in city hall prior to application. After discussing the proposal with staff, the applicant may wish to obtain an application for a minor variance or a middle housing land use adjustment from the planning department. Complete the application and submit it along with a completed site plan and the application fee to the City planning department. Minor variances and middle housing land use adjustments may be handled administratively by City staff. All property owners within 100 feet of the proposed variance will be notified by mail and a sign will be placed on the property. After the 14 day comment period is over staff will render a decision.

MAJOR VARIANCE PROCEDURES

Applicants interested in obtaining a major variance are encouraged to meet with planning staff in city hall prior to applying for a variance. After discussing the proposal with staff, the applicant may wish to obtain an application for a major variance from the planning department. Complete the application and submit it along with a completed site plan and an application fee to the City planning department. All property owners within 300 feet of the proposed variance will be notified by mail and a sign will be placed on the property. The planning commission will hold an evidentiary hearing to consider the application. The planning commission may then either grant or deny a variance. If the variance is denied, an appeal to the city council may be filed. If the variance is granted, a building permit may then be obtained.