



City of Tangent

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Tangent, Oregon 97389-0251

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APPLICATION FOR VARIANCE

(FOR CITY'S USE)

Date Received: _____

Fee Deposit: _____

File No.: _____

Application Date _____.

APPLICANT(S) INFORMATION

Applicant(s): Burz Construction _____

Mailing Address: 120 Sturdevant Rd., Lebanon. OR 97355

Primary Daytime Phone: 971-282-6634

Message or other Phone: 541-731-0513

Email for applicant, if available: paul.norberg@burzconstruction.com

Interest in Property (Owner, Purchaser, Lessee, etc): General Contractor

Property Owner (if different from applicant): M5 Enterprises LLC

SUBJECT PROPERTY INFORMATION

Property Address (if any): 33030 Highway 99E. Tangent. OR 97389

Linn County Tax Assessor's Map No. and Tax Lot Settlemeirs addition to Block 2, Lot 6.
Tax Lot# 00811-222972

Site Area: (in acres or square feet): 95.98 feet (East to West) by 50 feet North to South)= 4,799 SqFt

Existing Structures: Existing Building according to plans is 2,064 Sq Ft. **480ft** (East to West) x 43 Ft (North to South). Height is 26 Feet 2 Inches

Current Use(s) of the Property: Automotive and equipment service, and repair.

Please Briefly Describe the Proposed Variance:Exceeding the planned square footage of building to building lot surface area. Proposed Building according to plans is 108 Ft 4 Inches (East to West) x 43 Ft (North to South). Height is 26 Ft 2 In

SUBMITTAL REQUIREMENTS

Applicants are encouraged to review the underlying zone and applicable development standards, in Articles 4, 5 and 6 of the Tangent Development Code (LDC), including and not limited to building height, lot coverage, and landscaping standards, etc., prior to submittal. The Development Code is available at Tangent City Hall, or on line at www.cityoftangent.org.

Applications for land divisions or land use requests that require a site plan shall be consistent with this section. Three hard copies, including 3 11x17 inch site plans, and one electronic copy of all application materials should be submitted for staff's determination of whether the application is complete.

Once the application is deemed complete, the applicant shall submit a total of 8 copies of an 8 1/2 x 11 inch site plan, together with 3 master copies of an 11x17 inch (or 18 x 24 inch) version, and supplementary data for reproduction and distribution purposes, along with a completed application form and fee deposit as established by the City. Drawings shall indicate clearly and with full dimensioning the following information, as applicable, for all existing and proposed development. It is understood that some of the requested information may not apply to every application. The City Manager or their designee may waive non-applicable information.

- (1) The names of the owner(s) and applicant if different, and the name and address of project designer, engineer, surveyor, and/or planner.
- (2) The property address or geographic location and the Assessor Map number and Tax Lot number.
- (3) The date, scale and northpoint. Scale shall be one inch equal to a multiple of ten feet (e.g., 1 inch equals 10, 20, 30, 40, 100 feet, etc.).
- (4) A vicinity map showing properties within the notification area and roads. An Assessor Map, with all adjacent properties, is adequate.
- (5) Lot boundary dimensions and gross area of the subject property.
- (6) The location, size, height and uses for all existing and proposed buildings.
- (7) Yards, open space and landscaping, areas of hard surfacing or impervious cover.
- (8) Walls and fences: location, height and materials.
- (9) Off-street parking: location, number of spaces, dimensions of parking area and internal circulation patterns for vehicles as well as bicycles.
- (10) Access: pedestrian, vehicular, loading, service, points of ingress and egress.
- (11) Signs: location, size, height and means of illumination.
- (12) Loading: location, dimension, number of spaces, internal circulation, waste storage and removal areas.
- (13) Lighting: location and general nature, hooding devices.

- (14) The location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements;
- (15) Topographic features including existing and proposed grades, trees, and vegetation.
- (16) Water systems, drainage systems, sewage disposal systems and utilities.
- (17) Drainage ways, water courses, known or mapped wetlands, potential natural resource or hazard areas, including any areas identified as subject to a 100-year flood, areas subject to high water table, and areas mapped by the City, County or State as having a potential for geologic hazards.
- (18) Other information, as determined by the Planning Official. The City may require studies or exhibits prepared by qualified professionals to address specific site features
- (19) A written narrative shall accompany the site plan demonstrating how the application conforms with the applicable decision criteria for the specific application type, and also describing:
 - (a) The number of people that will occupy the site including family members, employees or customers.
 - (b) The number of generated trip-ends per day from each mode of travel by type: employees, customers, shipping, receiving, etc. A Traffic Impact Study may be required for some developments in conformance with Section 5.122(1)(f).
 - (c) Time of operation, where appropriate, including hours of operation, days of the week and number of work shifts.
 - (d) Specifications of the type and extent of emissions, potential hazards or nuisance characteristics generated by the proposed use. The applicant shall accurately specify the extent of emissions and nuisance characteristics relative to the proposed use. Misrepresentation or omission of required data shall be grounds for denial or termination of a Certificate of Occupancy.

Uses, other than residential uses, that possess nuisance characteristics or those potentially detrimental to the public health, safety and general welfare of the community including, but not limited to; noise, water quality, vibration, smoke, odor, fumes, dust, heat, glare or electromagnetic interference, may require additional safeguards or conditions of use as required by the Planning Commission or City Council.

All uses shall comply with the applicable standards and regulations of local, state or federal agencies having regulatory jurisdiction.

City approval of a land use application, shall be conditional upon evidence being submitted to the City indicating that the proposed activity has been approved by the regulatory agencies having jurisdiction on an issue.

- (e) Such other data or information as may be necessary to permit the deciding authority to make the required findings. The City may require studies or exhibits prepared by qualified

professionals to address specific site features (e.g. traffic, noise, environment features, natural hazards, etc.), in conformance with the Tangent Development Code.

- (f) Whenever possible, electronic versions of all application materials shall be submitted with the materials and information required by this section.

In addition to a complete site plan, please provide a written discussion of the following applicable decision criteria from LDC 2.500(2).

VARIANCE PROCEDURES

Variances require a quasi-judicial public hearing and must be decided following a public hearing by the Planning Commission with allowances for public input. All decisions must be based on the testimony directed toward the applicable criteria that are detailed below, from LDC 2.600(2).

Decision Criteria. Please address each question to the best of your ability on a separate sheet. Both the City's Comprehensive Plan and Development Code are available on line at: www.cityoftangent.org as well as at City Hall. All applications must address the decision criteria as enumerated below. More thorough responses will assist in the review and decision process.

A Variance may be granted if the following circumstances exist:

- (a) The property has unique or peculiar physical circumstances or conditions such as, irregular shape, width or depth; or exceptional natural or physical conditions such as topography, trees, native vegetation, wetlands, riparian areas, floodplain, wildlife habitat, or drainage ways; and
- (b) The requested **Variance** is the minimum necessary to address the peculiar or unusual conditions of the site; and
- (c) Any impacts resulting from the **Variance** are mitigated to the extent practical; and
- (d) The granting of the **Variance** will not be detrimental to the public welfare or injurious to other property in the area in which the property is situated; and
- (e) The granting of the **Variance** will not conflict with the purpose and intent of the district or zone or other related ordinances of the City.

Misrepresentation or omission of required data shall be grounds for denial and withholding of occupancy or future development approvals.

PLEASE SUBMIT ELECTRONIC COPIES OF ALL APPLICATION MATERIALS IF POSSIBLE

REQUIRED SIGNATURES

I Hereby Consent to the City of Tangent Accepting and Processing this Land Use Application for the purposes of reviewing the proposal as represented in the Application as submitted.



3/3/2022

Applicant Signature

Date

Property Owner Signature
(if different from applicant)

Date

City Hall office hours are 9 a.m. to 4 p.m. The address is 32166 Old Oak Drive, Tangent, Or 97389. Mail should be sent to P.O. Box 251, Tangent, OR 97389. Email can be directed to the Tangent City Manager at joesamaniego@cityoftangent.org