



EXCEPTION APPLICATION – Type III

1. APPLICANT INFORMATION:

Name _____

Company _____

Address _____

City _____ State _____ Zip Code _____

Email _____

Telephone (Primary): _____ (Secondary) _____

2. AGENT INFORMATION (Owner's consent required):

Name _____

Company _____

Address _____

City _____ State _____ Zip Code _____

Email _____

Telephone (Primary): _____ (Secondary) _____

3. OWNER INFORMATION:

Name _____

Company _____

Address _____

City _____ State _____ Zip Code _____

Email _____

Telephone (Primary): _____ (Secondary) _____

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4. PROJECT DESCRIPTION:

Project Name: _____ # Proposed Lots: _____

Project Address: _____

Map #: _____ Tax Lot #(s): _____

Existing Zoning: _____ GLUP Map Designation: _____

Southeast Plan Map Designation (if applicable): _____

List any land use application file numbers (including pre-applications) associated with this subject property:

5. REQUIRED SUBMITTALS:

- Application Form (signed)
- Assessor's Map with site highlighted (8 1/2 x 11)
- Site Plan, drawn to scale (4 copies)
- Building Elevations, drawn to scale (if applicable) (4 copies)
- Reduced copies (8 1/2" x 11" and 11" x 17") (1 each)
- Findings of Fact addressing approval criteria (Section 10.186)(Page 3)
- Additional Findings as required
- Typed Mailing Labels for all property owners within 200-feet of project site. Mailing Labels must follow the format illustrated above.
- Written Consent of Property Owner(s)(Page 5)
- Signed statement regarding posting of Public Hearing Signs (page 7)
- Fees:
 - o \$3500
 - o Fees are due at time of project submittal.
 - o Checks shall be made payable to *City of Medford*.

Mailing Label Format:

372W19DB Tax Lot 3700

Jane and John Jones
000 Delta Waters Road
Medford, OR 97504

6. I HEREBY STATE THAT THE FACTS RELATED IN THE ABOVE APPLICATION AND THE PLANS AND DOCUMENTS SUBMITTED HERewith ARE COMPLETE, TRUE, CORRECT, AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Signature _____ Applicant Agent Owner

Print Name _____

Date _____

If any wetlands exist on the site, it is the applicant's responsibility to apply for a permit to the Oregon Department of State Lands and U.S. Army Corps of Engineers before any site work begins.

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FINDINGS OF FACT

Findings of Fact are statements of the criteria, facts, and conclusions used in making a decision.

In order for the approval authority to approve a project, it must find that the proposal complies with the approval criteria and standards listed in the *Land Development Code*. No other considerations are allowed. The findings must demonstrate and lead to the conclusion, based on the facts of the case, that the criteria are being met.

Findings for approval must contain the following information.

1. The approval criteria from the *Land Development Code*.
2. A complete description of the project including all facts about the proposal which support approval.
3. An analysis and rationale of how the facts show that the project meets each of the criteria.

If the findings are not adequately written, any of the following may occur:

- Rejection of the application by the Planning Department;
- Disapproval of the project by the approval authority because it is not adequately demonstrated that the facts relied upon lead to the conclusion that the project meets the criteria; or
- Reversal of an approval on appeal.

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MEDFORD LAND DEVELOPMENT CODE SECTION 10.186, EXCEPTION

(A) Exception, Purpose.

The purpose of this section is to empower the approving authority to vary or adapt the strict application of the public improvement and site development standards as contained in Article III, Sections 10.349 through 10.361, and 10.370 through 10.385, as well as Articles IV and V of this chapter. Exceptions may be appropriate for reasons of:

- (1) exceptional narrowness or shape of a parcel; or
- (2) exceptional topographic conditions; or
- (3) extraordinary and exceptional building restrictions on a piece of property; or
- (4) if strict applications of the public improvement or site development standards in the above-referenced Articles would result in peculiar, exceptional, and undue hardship on the owner.

(B) Criteria for an Exception.

No exception, in the strict application of the provisions of this chapter, shall be granted by the approving authority having jurisdiction over the land use review unless it finds that all of the following criteria and standards are satisfied. The power to authorize an exception from the terms of this code shall be sparingly exercised. Findings must indicate that:

- (1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met.
- (2) The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.
- (3) There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.
- (4) The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.

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WRITTEN CONSENT OF OWNER

I/We, _____, the property owner(s)
of Tax Lot(s) _____ on Jackson County
Assessor Map(s) _____, hereby consent to
the filing of an application for _____ on said
property, and will allow _____ to represent
me before the City of Medford Approving Authority.

Signed: _____ Signed: _____
Print Name: _____ Print Name: _____
Date: _____ Date: _____

Signed: _____ Signed: _____
Print Name: _____ Print Name: _____
Date: _____ Date: _____

Signed: _____ Signed: _____
Print Name: _____ Print Name: _____
Date: _____ Date: _____

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Public Hearings Signs, Section 10.124 (B)

Public hearing signs shall be posted on the project site for any proposed Type II, III, or IV (minor) land use actions according to the following:

- (1) Contents of sign. Public Hearing signs shall include a description of the proposed land use action, the date of the public hearing, and the City of Medford file number for the proposed land use action.
- (2) Location and number of signs. A posted notice sign must be placed on each existing street frontage of the project site. If a frontage is over 600 feet long, a notice sign is required for each 600 feet, or fraction thereof. Notice signs must be posted within 10 feet of a street lot line and must be visible to pedestrians and motorists. Notice signs may not be posted in a public right-of-way, unless the land use action specifically pertains to a public right-of-way. If posting must occur in the right-of-way, care should be taken to comply with Section 10.735, Clear View of Intersecting Streets.
- (3) Sign posting schedule. The required sign(s) shall be posted as specified in Table 10.124-1. Posted signs shall be removed within 10 days following the final decision.
- (4) Consequences of failing to post the property as required. Failure to post the signs as required by this section is a violation of the Medford Municipal Code.

For the applicant's convenience, the Planning Department will provide the signs at the Land Development Committee Meeting. Should this meeting not be scheduled 21 days prior to the hearing, it is the applicant's responsibility to contact the Planning Department to pick up the sign(s).

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PUBLIC HEARING SIGNS

I/We, _____, the property owner(s) (or authorized agent) of Tax Lot(s) _____ on Jackson County Assessor Map _____, have read Medford *Land Development Code* Section 10.124 which specifies the posting requirements for the tax lot(s) noted above, agree to post the property according to those requirements, and understand the consequences for not doing so.

Signed: _____

Signed: _____

Print Name: _____

Print Name: _____

Date: _____

Date: _____

Signed: _____

Signed: _____

Print Name: _____

Print Name: _____

Date: _____

Date: _____

Signed: _____

Signed: _____

Print Name: _____

Print Name: _____

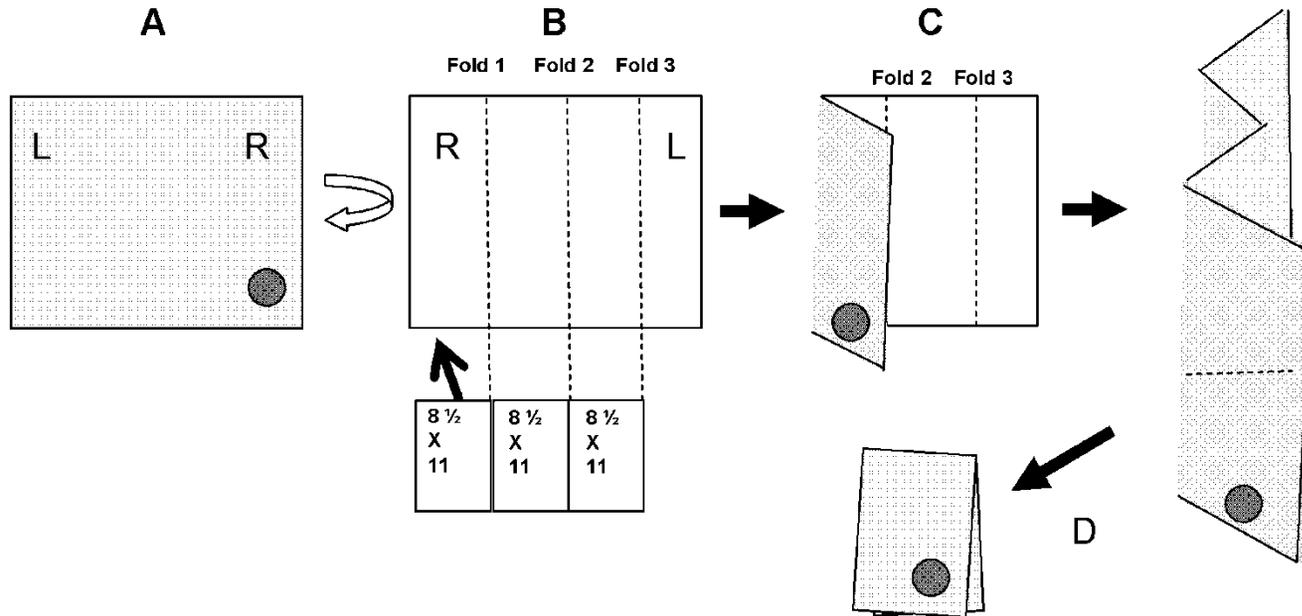
Date: _____

Date: _____

	PUBLIC NOTICE OF PROPOSED LAND USE ACTION
Proposed Land Use Action:	
Public Hearing Date: File No.:	
	For more information: Contact the City of Medford Planning Department at 774-2380

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PLAN FOLDING INSTRUCTIONS



- A. Lie map flat facing up.
- B. Flip the map over (the top right corner is now the top left corner). Using the width of an 8 ½ x 11 piece of paper as a guide, start with the left side of the map and fold the map over as wide as the guide (8 ½ inches).
- C. Repeat folding, no wider than the first fold (8 ½ inches), and continue in an accordion style until you no longer have any folds left to make.
- D. Fold the accordion map in half by folding the top edge behind the bottom edge so that the lower right corner of the map ends up on top.