

**PRELIMINARY FINDINGS OF FACT**  
**Major Variance Application**  
**V-N-030-17**

**REQUEST:** Request is for a variance to the manufactured home siting standards limiting installations to models that are no older than 10 years old. Specifically this request is to site a 1994 double-wide manufactured home.

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**APPLICANT:** Veronica Sanchez Mendoza  
78524 Parkside Rd.  
Boardman, OR 97818

**PROPERTY OWNER:** Same

**PROPERTY DESCRIPTION:** Property is described as tax lot 2900 of Assessor's Map 4N 25 20A

**LOCATION:** The subject property is located south of Kunze Lane within the West Glen Subdivision on the corner of Crest Lane and Parkside Road.

**I FINDINGS OF FACT:**

The Morrow County Zoning Ordinance requires a manufactured home placed in a residential zone outside of a manufactured home subdivision or a mobile home park meet the manufactured home siting standards outlined in Section 4.110(B) of the Morrow County Zoning Ordinance. The siting standards for manufactured homes in this Zone require that they be multi-sectional (double-wide or larger), a minimum of 1,000 square feet and be manufactured no more than ten years before the receipt date of the siting request. The applicant desires to place an approximately 1400 square foot double-wide manufactured home on this tax lot. This request would be a variance from the age requirement of Morrow County Zoning Ordinance Article 4 Supplementary Provisions Section 4.110(B) Manufactured Homes in a Rural Residential Zone.

The subject property is zoned Suburban Residential and is inside the Boardman Urban Growth Boundary. The existing manufactured home on the property is a 1975 singlewide that will be removed and according to the applicants the replacement home is older than 10 years but meets all other requirements. (see attached pictures). It does have a pitched roof, is multi-sectional and is at least 1,000 square feet. The manufactured home looks to have been well maintained (see attached pictures).

**II The applicant has filed under the Morrow County Zoning Ordinance ARTICLE 7 Variances.** Applicable Ordinance Criteria are listed below in **bold type** followed by a response in regular type.

**ARTICLE 7 Section 7.200 A Variance can serve multiple purposes and is designed to provide relief from the literal requirements of a regulation found within this Zoning Ordinance. The result of approving a Variance should result in improved**

planning that would benefit the applicant and the broader community, and it may be the first step in reevaluating requirements or allowed uses within a use zone.

**B. Major Variance.** The following are examples of Variances that could be considered: siting a manufactured home that is not in compliance with current manufactured home requirements, allowing for less frontage than required, allowing for a smaller lot size than required, approve a variance when a dimensional adjustment does not accomplish the needs of the property owner, and other similar or related instances. Use Variances amend or change the use of a property or structure. Area Variances tend to amend or change the area needed to validate a lot or parcel, or reduce necessary setbacks. Financial hardship does not qualify for a use or area Variance.

**APPROVAL CRITERIA.** The Planning Commission may grant a Major Variance upon finding that all of the following criteria are met. The burden is on the applicant to demonstrate compliance with the criteria.

1. **The variance relates to a specific lot or parcel of land.**  
The variance is requested for a specific individual parcel of land. This criteria is met.
2. **The Variance can be granted without substantial detriment to the public good. It would allow for a building or site plan that is more compatible with adjacent land and land uses, or it does not create a conflict with adjacent uses.**  
The site is in a residential area with a number of neighboring older manufactured homes. The siting of the 1994 double-wide is an improvement to the area. The land owners found a manufactured home in good condition that is affordable for them. The condition creating the difficulty, a financial means that precludes affording a manufactured home to meet the Zoning Ordinance requirement, may or may not be general through the surrounding area. This determination is beyond the scope of the Planning Department to ascertain, but it is probably not unique to the applicant's site or situation. Affordable housing is a subject the County will be addressing in the not-too-distant future.
3. **The Variance does not hinder compliance with applicable building code requirements or engineering design standards.**  
This variance request is for relief from the requirements of Article 4 Section 4.110(B)(1) which states that in a residentially zoned area manufactured homes be "multi-sectional (double-wide or larger); be a minimum of 1000 square feet; and be manufactured no more than ten years before the receipt date of the siting request application by the Planning Department." The design standards are consistent with applicable building code requirements and engineering standards.
4. **Approval of the Variance does not create a violation of this or any other adopted ordinance or code standard.**  
Approval of the Variance would not create a violation of any ordinance or code standard. The residential use of manufactured homes is a use allowed in the Suburban Residential zone. If approved the use would conform to the intent of

the Zoning Ordinance. The applicant needs to obtain the required Zoning Approvals and Building Permits as well as septic system approval from the Department of Environmental Quality. These are listed as a condition of approval.

**5. Application for a Variance should include all necessary Variances anticipated for the proposed development.**

No other variances are requested or anticipated for the proposed development. This criteria is met.

**6. Application for a Variance is limited to one per year.**

There are no previous variances approved for this property and none are anticipated within the next year. This application may be considered by the Planning Commission for a one-time variance to the age requirement based on this application.

This permit is valid for the length of time the manufactured home is in place and the time limit to initiate the permit is 2 years according to Morrow County Zoning Ordinance Section 7.700.

**III LEGAL NOTICE PUBLISHED:** February 8, 2017  
Heppner Gazette and East Oregonian

**IV AGENCIES NOTIFIED:** Linda Hayes-Gorman and Don Butcher, Oregon Department of Environmental Quality; Mike Gorman, Morrow County Assessor; Marc Rogelstad, Boardman Rural Fire Protection District; Bev Bridgewater, West Extension Irrigation District.

**V PROPERTY OWNERS NOTIFIED:** February 8, 2017

**VI HEARING DATE:** February 28, 2017  
Port of Morrow Riverfront Center  
Boardman, Oregon

**RECOMMENDED ACTION OF THE PLANNING COMMISSION:** Staff recommend approval subject to the following Condition of Approval:

1. Obtain the required Zoning Approvals and Building Permits as well as septic system approval from the Department of Environmental Quality.

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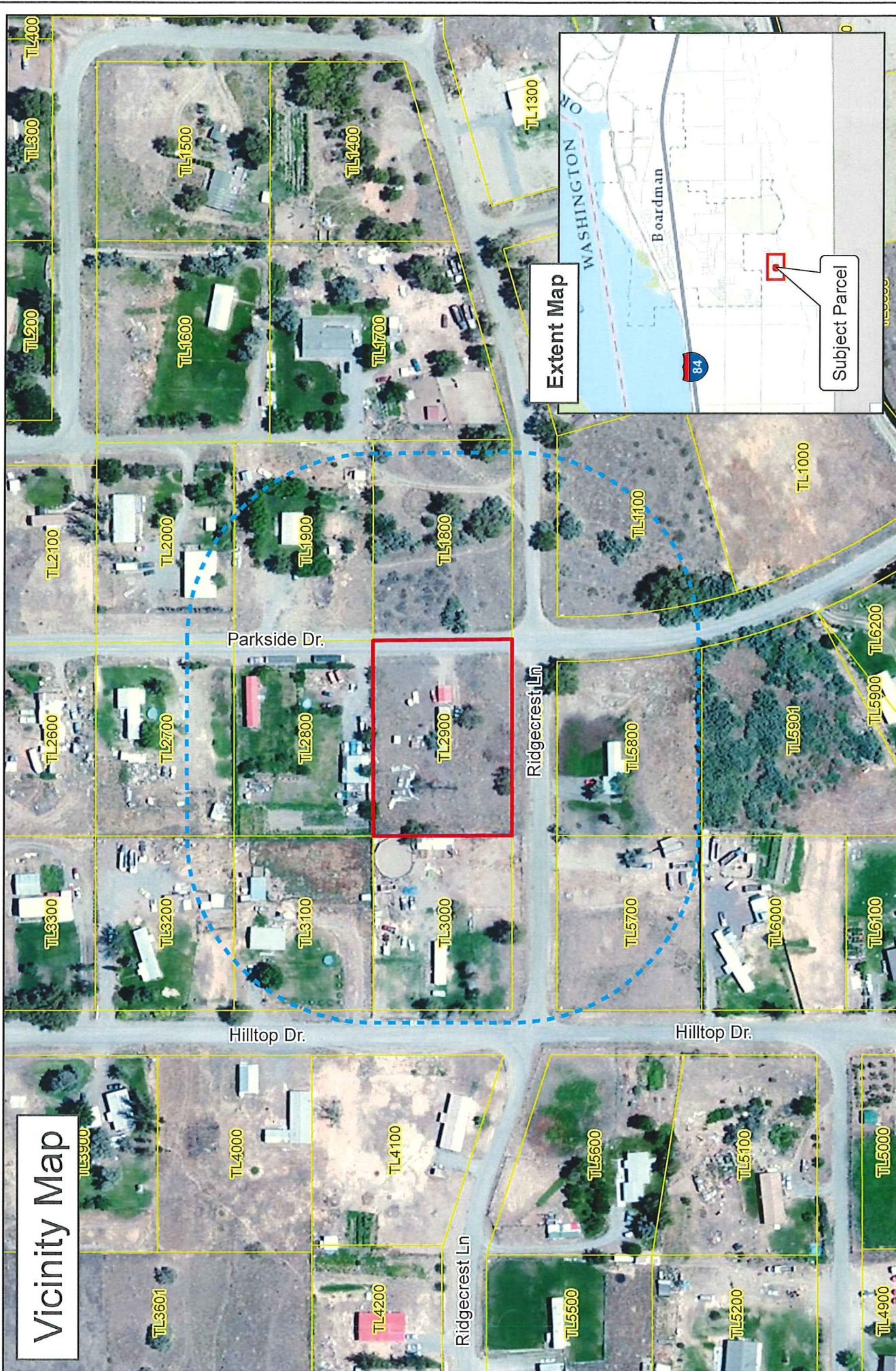
Jeff Wenholz, Chair

Date

**ATTACHMENTS:** Vicinity Map  
Photos



# Vicinity Map



Extent Map

Subject Parcel

600 Feet

300

150

0

TL555 Taxlots

Subject Parcel

250' Buffer



Morrow County Planning Department  
February 2017

Map for Reference Use Only

Cartography By: Stephen Wrecksics

Document Path: S:\Planning\Property Records\Northwind\_3164in\_206\_811\_1021p-4-157.mxd



V-N-030-17

4N 25E 20A TL2900











