



NOISE ORDINANCE VARIANCE APPLICATION

**Applications will no longer be accepted by email or mail.
All applications must be submitted in person.**

Planning Division
5155 Silverton Rd. NE
Salem OR 97305
Ph. (503) 588-5038 Email: Planning@co.marion.or.us
<http://www.co.marion.or.us/PW/Planning>

**REQUIRES A PUBLIC HEARING WITH THE BOARD
OF COMMISSIONERS**

Noise variance applications must be submitted at least 35 days before the event will occur

CRITERIA: A variance to Marion County Code Chapter 8.45 shall be granted only upon finding that:

- A. The variance will provide a substantial benefit to the public generally;
- B. Denial would significantly delay, increase the cost, or impact the utility of the project or event; and
- C. Effective measures will be implemented to mitigate, to the extent feasible, significant noise impacts.

PROCEDURE:

- A. Once a complete application is received, the Planning Division will request comments from other County departments and affected agencies and special districts.
- B. A public hearing before the Board of Commissioners will be scheduled within 2-3 weeks. At least 20 days prior to the hearing, notice is mailed to the applicant and property owners within 1500 feet.
- C. Planning staff will review the application and prepare a staff report for the public hearing. A copy of the staff report will be mailed to the applicant prior to the hearing.
- D. After the public hearing, the Board will issue an order denying or approving the request and a copy is sent to the applicant and those testifying or requesting a copy.

APPLICATION REQUIREMENTS:

Do not double-side or spiral bind any documents being submitted as our office will be scanning this information.

Incomplete applications will not be accepted. A complete application consists of the following that must be submitted:

- A. The attached application form filled out in ink.
- B. Copy of the officially recorded title transfer instrument (deed, warranty deed, or contract) that shows the legal description for the subject parcel. Available at the Clerk's Office, 2nd floor, 555 Court St. NE, Salem.
- C. Site Plan (see attached example), **on 8½ x 11 paper**, drawn in ink, showing the location of the proposed use.
- D. A written statement that explains your reasons for the variance (see Criteria listed above) and how your request conforms to Marion County policies and regulations, specifically Code Chapter 8.45 (copy available from the Planning Division).
- D. Filing fee: Make check payable to Marion County.

Please note: Most applications are reviewed by a number of County offices. There may be several fees you will incur during the review process. Contact the Planning Division for more information. If an application is withdrawn after a file has been set up or fee deposited, the entire fee cannot be refunded. Partial refunds are at the discretion of the Planning Division based on the amount of staff work undertaken.

It is unlawful to disturb an archaeological site. In the event of unintentional discovery of an archeological site please stop work, protect the discovery site and contact the Oregon State Historic Preservation Office PH: 503-986-0690; Confederated Tribes of Grand Ronde PH: 503-879-5211; Confederated Tribes of Siletz Indians PH: 541-444-2532; Confederated Tribes of Warm Springs Reservation of Oregon PH: 541-553-3257. If human remains are encountered, do not disturb them in any way, instead please contact the Oregon State Police PH: 800-442-0776.



Marion County
OREGON

NOISE ORDINANCE VARIANCE APPLICATION

Application must be submitted at least 35 days prior to event date

Do not double-side or spiral bind any documents being submitted

Fee: \$500

\$0 if submitted in conjunction with a Mass Gathering Application

NAME OF EVENT OR USE:	DATE(s) AND TIMES FOR VARIANCE:
ADDRESS OF LOCATION:	NAME OF ORGANIZATION (if applicable):
NAME OF PERSON REQUESTING VARIANCE:	ADDRESS, CITY, STATE, ZIP
DAYTIME PHONE NO.:	E-MAIL:
EVENT EMERGENCY CONTACT NAME:	24-HOUR PHONE NO.:
PROPERTY OWNER(S) NAME:	MAILING ADDRESS, CITY, STATE, ZIP

REQUIRED INFORMATION

NATURE OF THE EVENT: Indicate what will happen at your event and the provision in the Noise Code for which the variance is requested (attach an additional sheet if necessary).

FOR OFFICE USE ONLY:

Township _____ Range _____ Section _____
 Tax lot number(s) _____
 Zone _____ /zone map number _____

Case Number NV- _____
TPA/header _____

Application elements submitted:

- ___ Title transfer instrument
- ___ Site plan
- ___ Filing fee
- ___ Applicant statement

Application accepted by _____ Date _____

HOW AND WHERE WILL SOUND AMPLIFICATION BE USED DURING THE EVENT? Include nature of the noise and location on the property.

AT WHAT TIME WILL THE NOISE BE CREATED AND FOR HOW LONG? (Time period for which the variance is to apply)

DESCRIBE THE EXTENT AND SCOPE OF MEASURES THAT WILL BE OR HAVE BEEN TAKEN TO REDUCE OR DIMINISH THE DISTURBANCE (attach an additional sheet if necessary):

THE APPLICANT(S) AND PROPERTY OWNERS SHALL CERTIFY THAT:

- A. If the permit is granted, the applicant(s) will exercise the rights granted in accordance with the terms and subject to all the conditions and limitations of the approval.
- B. I/We hereby declare under penalties of false swearing (ORS 162.075 and 162.085) that all the above information and statements and the statements in the site plan, attachments and exhibits transmitted herewith are true; and the applicants so acknowledge that any permit issued on the basis of this application may be revoked if it is found that any such statements are false.
- C. I/We hereby grant permission for and consent to Marion County, its officers, agents, and employees, law enforcement, public health and fire control officers to come upon the above-described property to gather information and inspect the property whenever reasonably necessary for the purpose of processing this application and/or monitoring the terms and conditions of the permit issued and any other applicable laws or ordinances.
- D. The applicants have read the entire contents of the application, including the procedures and criteria, and understand the requirements for approving or denying the application.

PRINTED NAME AND SIGNATURE of each owner of the subject property.

_____ Print Name	_____ Signature	_____ Print Name	_____ Signature
_____ Print Name	_____ Signature	_____ Print Name	_____ Signature

PRINTED NAME AND SIGNATURE OF THE APPLICANT/ORGANIZER (if different from property owner)

DATED this _____ day of _____, 20_____

INSTRUCTIONS FOR PREPARATION OF A NOISE VARIANCE SITE PLAN

Site plan must be **current**, drawn to scale, and **show all property lines**. If unable to draw to scale, property lines must still be shown noting actual dimensions or total acreage.

Failure to include all of the items listed below may delay the review necessary to obtain a permit

ITEMS THAT MUST BE SHOWN ON YOUR SITE PLAN:

- 1. NORTH ARROW.
- 2. SCALE OF DRAWING.
- 3. STREET NAME accessing the parcel.
- 4. ALL PROPERTY LINES AND DIMENSIONS.
- 5. DRIVEWAYS AND ROADS.
- 6. EXISTING STRUCTURES. Include dimensions and distance to all property lines and other structures.
- 7. FENCES, RETAINING WALLS
- 8. LOCATION OF SOUND AMPLIFICATION.

USE THE REVERSE SIDE OF THIS FORM TO DRAW YOUR SITE PLAN

Property Owner(s) Name: _____

Phone: _____

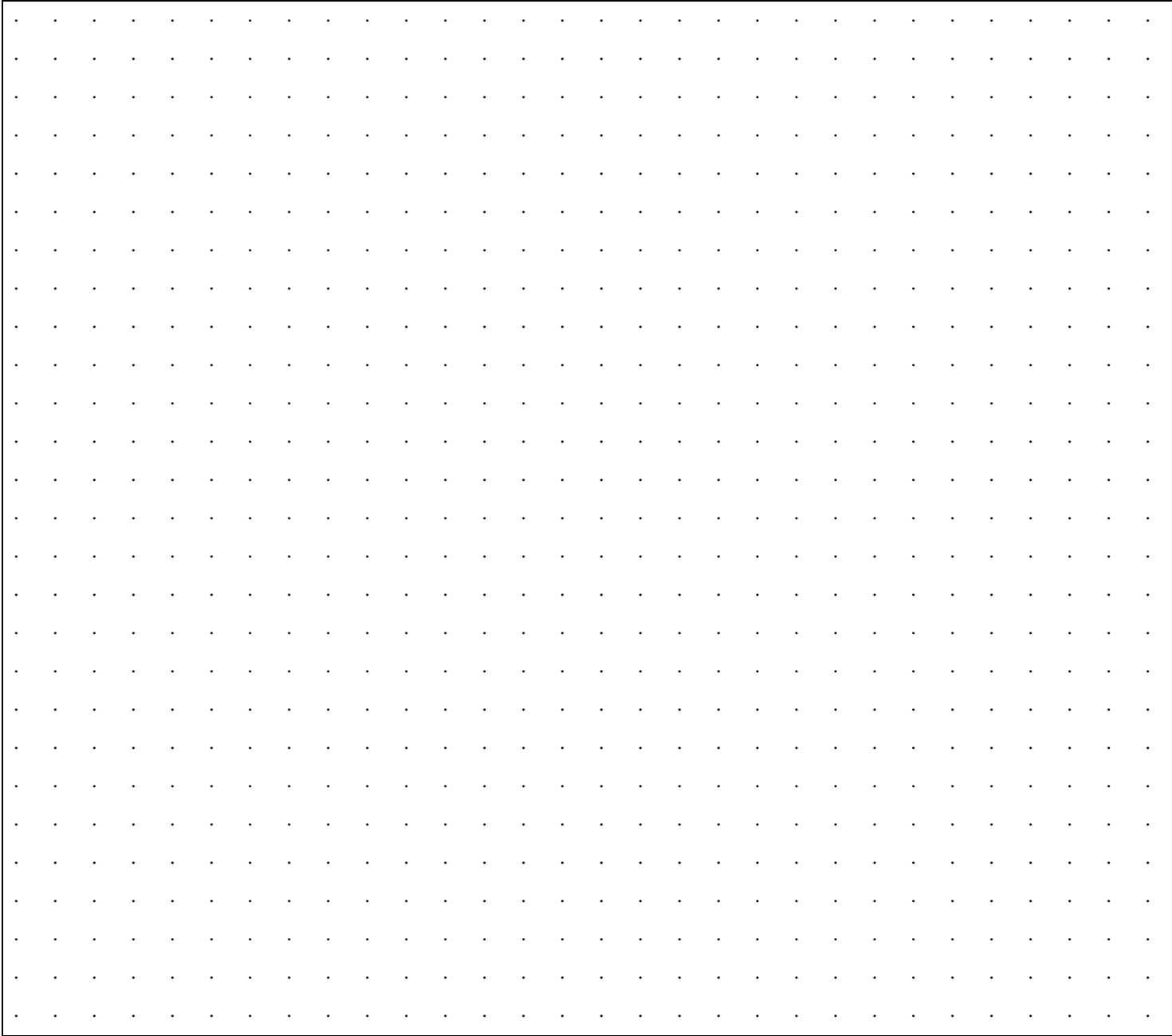
Site Address: _____ City: _____ Zip _____

Assessor Map # (T-R-Sec-TL(s)): _____ Total Acres: _____

Zoning Designation: _____ Planning Map _____

SITE PLAN MUST SHOW ALL PROPERTY LINES AND DIMENSIONS

- Drawn to Scale: 1 square = _____
- Feet Not Drawn to Scale: Total Acres _____



I certify that the above information is accurate to the best of my knowledge. I AM THE [] Owner [] Authorized Agent

NAME (please print): _____
My telephone number is: _____
Applicant's Signature: _____ Date: _____
Applicant's Mailing Address: _____ City: _____ Zip: _____

FOR OFFICE USE ONLY

PLANNING: _____ Date: _____
PUBLIC WORKS: _____ Date: _____
BUILDING INSPECTION: (Acceptable for Planning requirements only) _____ Date: _____