

JACKSON COUNTY, OREGON

VERIFICATION OF NONCONFORMING STATUS TYPE 2 APPLICATION

OFFICIAL USE ONLY	
FILE NO.	_____
FEE PAID:	_____
RECEIPT NO.	_____
APPLICATION TYPE:	_____
APP. RECEIVED BY:	_____
DATE RECEIVED:	_____
ZONING:	_____

(Please print in black ink, or type all information except where a signature is required)

Legal description of subject property:

Township____ Range____ Section____ Tax Lot____ Acreage_____

Township____ Range____ Section____ Tax Lot____ Acreage_____

Street Address of the Property: _____

What is the Zoning of the Subject Property? _____

Is the purpose of this application to complete a Measure 49 Approval? YES NO

NOTE: Applications for review and approval of all development proposals may be initiated by the property owner, purchaser under a recorded land sale contract, condemner who has been granted immediate possession by a court of competent jurisdiction, agent duly authorized in writing, or a public agency.

PROPERTY OWNER:

AT TIME APPLICATION IS SUBMITTED

NAME: _____

MAILING ADDRESS: _____

CITY: _____

STATE: _____ ZIP: _____

DAYTIME PHONE: _____

EMAIL ADDRESS: _____

AGENT:

IF OTHER THAN APPLICANT

NAME: _____

MAILING ADDRESS: _____

CITY: _____

STATE: _____ ZIP: _____

DAYTIME PHONE: _____

EMAIL ADDRESS: _____

APPLICANT:

IF OTHER THAN PROPERTY OWNER

NAME: _____

MAILING ADDRESS: _____

CITY: _____

STATE: _____ ZIP: _____

DAYTIME PHONE: _____

EMAIL ADDRESS: _____

OTHER:

SPECIFY: _____

NAME: _____

MAILING ADDRESS: _____

CITY: _____

STATE: _____ ZIP: _____

DAYTIME PHONE: _____

EMAIL ADDRESS: _____

IF AN AGENT, APPLICANT, OR "OTHER" IS ACTING ON BEHALF OF THE OWNER OR PURCHASER, A SIGNED STATEMENT OF OWNER AUTHORIZATION MUST BE SUBMITTED WITH THIS APPLICATION. THIS APPLICATION MUST BE ACCOMPANIED BY AN ACCURATE PLOT PLAN (MAP).

SEE USER'S GUIDE FOR ASSISTANCE. THE BURDEN OF PROOF FOR APPROVAL OF AN APPLICATION RESTS WITH THE APPLICANT. YOU MUST PROVIDE DOCUMENTATION REGARDING THE PROPERTY AND APPLICATION CRITERIA IN SUFFICIENT DETAIL AND ACCURACY TO ENABLE THE DEPARTMENT TO FIND THAT YOUR APPLICATION COMPLIES WITH ALL APPLICABLE APPROVAL CRITERIA.

On the following pages, describe how your application complies with the criteria identified as applicable below:

Public Utilities: Tax lot(s) _____ is served by:

- an on site septic system public sewer (RVSS) community sewer
- an on site well municipal water community water
- phone service electric service other utilities (e.g., gas)
- _____ Irrigation District serves the property.

Please list any easements for access or utilities that benefit or cross the property (attach copies of all applicable easements to your application)

PLEASE NOTE: All easements must be identified on plot plans and land division plans submitted for zoning permit review.

APPLICANT SUPPORTING INFORMATION

Describe your proposal: _____

Please describe the existing uses on adjacent properties (livestock, orchard, or residential, etc.):

North: _____

East: _____

South: _____

West: _____

.....

Type 2 Applications Within Resource Zones (EFU, FR, WR, OSR, AR) (LDO Section 4.2.3)

- APPLIES DOES NOT APPLY - GO TO "Additional Criteria"

Note: Additional information may be submitted on 8 1/2 x 11 inch white paper

A) If the subject property is within a resource zone, explain why the proposal will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use;

ANSWER: _____

B) If the subject property is within a resource zone, explain why the proposal will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.

ANSWER: _____

Forest Resource Zone (FR, WR, OSR) (LDO Section 4.3.4) Dwellings and Structures must also comply with the siting standards of LDO Section 4.3.12.

APPLIES **DOES NOT APPLY - GO TO "Additional Criteria"**

If the subject property is within a forest zone, explain why the proposal will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel. Further, it must be demonstrated that the use will comply with the fire safety requirements of Section 8.7.

ANSWER: _____

ADDITIONAL CRITERIA

List any additional Criteria, specific to type of use. (Attach extra pages as needed)

Additional criteria findings attached (list): _____

No additional criteria are applicable to this application

THIS APPLICATION WILL NOT BE OFFICIALLY ACCEPTED UNTIL DEPARTMENT STAFF DETERMINES THE APPLICATION HAS BEEN COMPLETELY FILLED OUT, ALL APPLICABLE CRITERIA HAVE BEEN ADDRESSED, THE PLOT PLAN MAP IS CONSISTENT WITH THE REQUIREMENTS LISTED IN THE USER'S GUIDE, AND ALL FEES ARE PAID. THE DEPARTMENT WILL ADVISE IN WRITING IF THE APPLICATION AND/OR MAP IS UNACCEPTABLE.

THIS APPLICATION IS HEREBY SUBMITTED AND THE STATEMENTS AND INFORMATION HEREIN CONTAINED ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

APPLICANT(S):

Print Name: _____

Signature: _____

Date: _____

AGENT:

Print Name: _____

Signature: _____

Date: _____

OWNER or CONTRACT PURCHASER:

(See Attached Form)

TYPE 2 REVIEW: VERIFICATION OF NONCONFORMING STATUS

(LDO Section 11.8.1)

APPLICANT'S SUPPORTING INFORMATION

On the following pages, describe how your application complies with the applicable criteria.

Process

Owners of nonconforming uses, structures, or signs may request a "verification of lawful nonconforming status" by filing an application with the Director in accordance with Type 2 decision-making procedures. In cases of nonconforming lots or parcels, determinations regarding lawful lot creation may be made in accordance with the provisions of Section 10.2.1. *(Amended by Ordinance 2004-12, effective 2-6-2005)*

- A) The application must be accompanied by documentation that establishes the approximate date that the use, structure, or sign was established; proof that the use, structure, or sign was lawfully established at the time it became nonconforming; and proof that the use has not been discontinued or abandoned, except as provided in Section 11.8.2. The Director may require or provide additional information if deemed necessary to permit an accurate determination.

ANSWER: _____

- B) Notwithstanding subsection (A) above, the applicant will not be required to prove the existence, continuity, nature, and extent of the use for more than a consecutive 10-year period immediately preceding the date of application. Documentation showing the use existed and was continued during this time period creates a rebuttable presumption that the use, as proven, lawfully existed at the time the applicable zoning ordinance or regulation was adopted and has continued uninterrupted until the date of application. *[ORS 215.130]*

ANSWER: _____

- C) Once issued, a County provided verification will be recorded in the County deed records by the applicant. Such verifications will run with the land, and their status will not be affected by changes of tenancy, ownership, or management.

ANSWER: _____

APPLICANT SIGNATURE: _____

AGENT SIGNATURE: _____

DEPARTMENT FILE NUMBER: _____



LETTER OF AUTHORIZATION

DEVELOPMENT SERVICES
10 South Oakdale, Room 100
Medford, Oregon 97501
Phone: 541-774-6900
Fax: 541-774-6948

LET IT BE KNOWN THAT _____
has been retained to act as Agent to perform all acts for development on my property identified below.
These acts include: Pre-application Conference, Filing applications and/or other required documents
relative to all Zoning Applications, Sewage Disposal Permits and Inspections, Assigning an Address,
Road Approach Permits, Manufactured Dwelling Permits, Building Permits, and Mechanical Permits
(authorization not useable for Plumbing or Electrical Permits per State regulations).

(Address or Road)

AND DESCRIBED IN THE RECORDS OF JACKSON COUNTY AS:

TOWNSHIP _____, RANGE _____, SECTION _____, TAX LOT(S) _____

TOWNSHIP _____, RANGE _____, SECTION _____, TAX LOT(S) _____

THE COSTS OF THE ABOVE ACTIONS, WHICH ARE NOT SATISFIED BY THE AGENT, ARE THE
RESPONSIBILITY OF THE UNDERSIGNED PROPERTY OWNER.

PROPERTY OWNER:

This authorization is valid for [] 1 year; [] 2 years; [] Other _____ (Must select one)

SIGNATURE: _____ DATE: _____

PRINTED NAME: _____

ADDRESS: _____ PHONE: _____

CITY/STATE/ZIP: _____ FAX: _____

CHECK ONE: [] APPLICANT [] AGENT

SIGNATURE: _____ DATE: _____

PRINTED NAME: _____

ADDRESS: _____ PHONE: _____

CITY/STATE/ZIP: _____ FAX: _____

Additional, if necessary - CHECK ONE: [] APPLICANT [] AGENT

SIGNATURE: _____ DATE: _____

PRINTED NAME: _____

ADDRESS: _____ PHONE: _____

CITY/STATE/ZIP: _____ FAX: _____

Plot Plan Instructions

A Resource for Jackson County Residents



We look forward to reviewing your permit application and appreciate you taking the time to complete a plot plan. Complete plot plans are essential for the timely review of your application. A plot plan is needed to evaluate your development proposal for zoning, addressing, sanitation and building requirements. Please refer to the checklist and sample plans.

Incomplete plot plans are the #1 reason for delays in applications.

Here are some tips before you start:

1) TALK TO A JACKSON COUNTY PLANNER

Before submitting a development application, come in and consult with a Planner to discuss potential land use issues and minimum setbacks. Planners are available for general questions Monday, Tuesday, Thursday, and Friday 8am - 11:30am; or by scheduled appointment for a fee. Or call (541) 774-6907 Monday through Friday 12:30pm - 4pm.

2) CHECK YOUR RECORDS

To help you create your plot plan, get a copy of the Assessor's tax map showing your property configuration. Utilize other sources such as deed and title records, an appraiser's report, or surveys.

3) TOOLS YOU WILL NEED

Before beginning, please read through the checklist. You will need a good ruler, preferably an engineer's scale, for measuring distances, scaling your plot plan, and to serve as a straight edge. Use a pen and print clearly.

4) DRAW TO SCALE DIVISIBLE BY 10

A uniform drawing scale is important to accurately display how various elements of your development proposal fit together.

An example of a drawing scale is 1" = 50' (one inch on your plan will represent 50 feet on your property). This allows you to measure distances on your property and draw them proportionately on your plot plan. You must use a scale divisible by 10 (1" = 10' or 20' or 60', etc.).

5) KEEP A COPY

Once your plot plan drawings are complete, make a copy for your personal records. The same plot plan may be used each time you apply for new development projects.

Plot Plan Checklist

The plot plan map should be drawn on white paper that is 8.5" x 11.0".

Larger plot plans will be rejected. See additional pages for examples of correctly prepared plot plans.

THE FOLLOWING ELEMENTS MUST BE ON YOUR PLOT PLAN MAP:

1. Check that the size of your plot plan is on paper no larger than 8.5" x 11." If you have a large property you may want to use Option 2 to get the plan to fit on one sheet of paper.
2. Indicate map scale in units divisible by 10 (ex: 1" = 10'; 1" = 20'; 1" = 50', etc.). Provide the most detail possible on one sheet of paper.
3. Accurate shape and dimensions of the entire property. Draw the property lines in a solid black line.
4. Name, township, range, section and tax lot number(s).
5. North arrow (pointing up).
6. Any adjacent public or private roads, access easements and/or driveway locations.
7. Location of all buildings (existing, proposed or to be removed). Show distances to at least 2 of the closest property lines (ex: north and east; south and west, etc). Proposed construction can be indicated by dashed lines. Indicate dimensions of the structures.
8. Location and direction of all water courses and drainage ways (such as rivers, intermittent streams, creeks, irrigation canals, ponds, lakes, wetlands, etc.).
9. Distance of the proposed structure from primary dwelling (main house).
10. Distance of the proposed structure from all natural waterways (see above for types).
11. Direction of downward slopes.
12. Location, dimensions and capacities (size of tank) of existing septic tank and/or drop box or other sewage disposal facilities, if applicable.
13. Location and dimensions of existing or proposed waste lines and sewage disposal facilities, including location and dimensions (including distance between lines and elevation) of drainfield and replacement drainfield, if applicable.
14. Location of all existing or proposed soil test pits, even if backfilled, from the plot evaluation. Show usable area as depicted on the soil worksheet.
15. Location of existing or proposed water well (or source of water) and water lines.
16. Distance of the proposed structure from the septic system (tank, lines and replacement area).
17. Check that all minimum setbacks have been met for proposed projects.

MINIMUM BUILDING & SANITATION SETBACKS

(Zoning setbacks also apply)

100 feet from well to any drainfield
or approved septic area

50 feet from well to any septic tank,
effluent or sewer line

5 feet from house to septic tank

10 feet from house to drainfield

5 feet from septic tank to drainfield

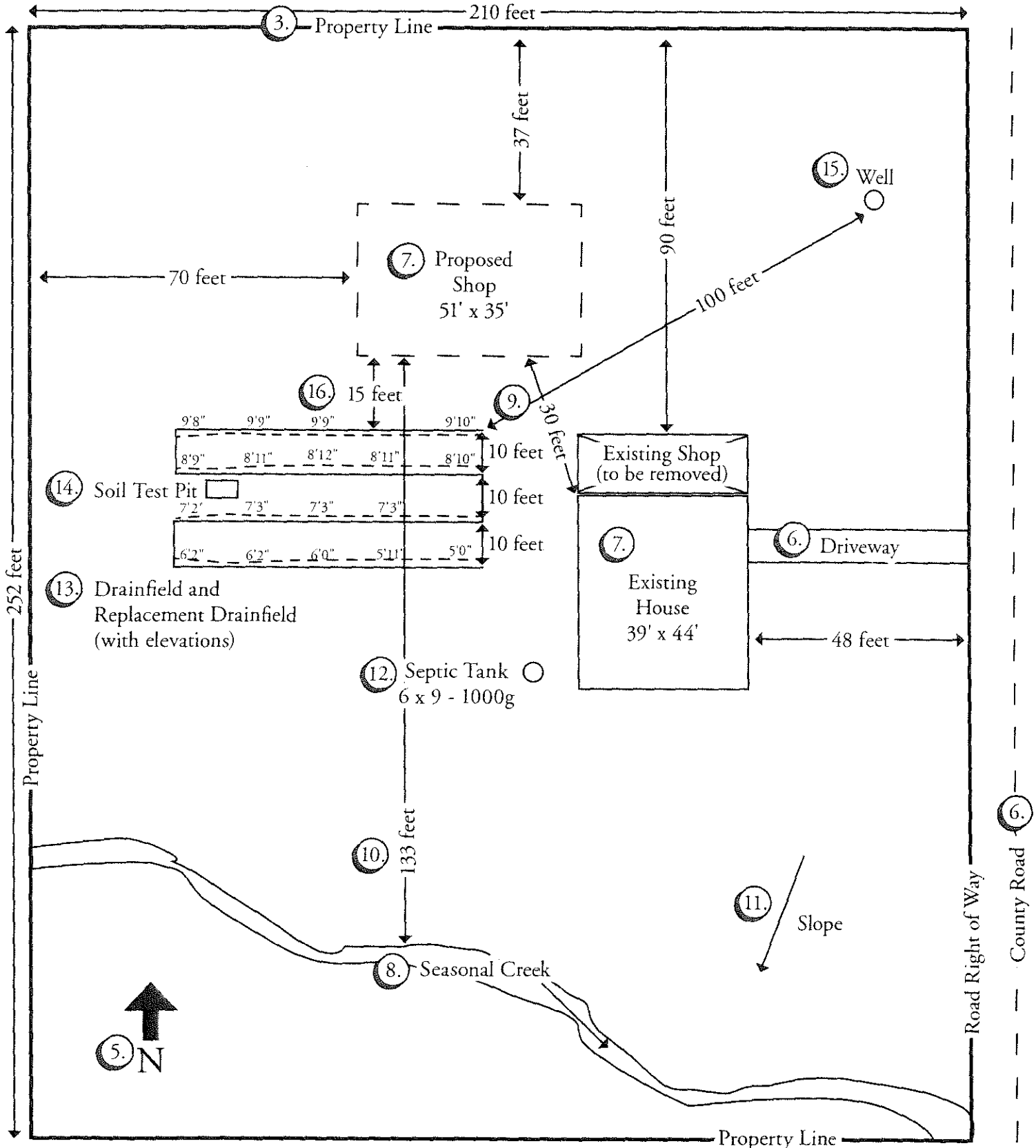
10 feet from property line to drainfield

Sample Plot Plan, Option 1

1. Remember your plan must fit on a 8.5" x 11" sheet of paper. If it is hard to fit your entire parcel on one sheet, use Option 2.

4. JOE SMITH
33 - 1W - 17 - 3500

2. SCALE 1 INCH = 30 FEET



Sample Plot Plan, Option 2

1. If you have a large parcel of land you may wish to submit a plot plan showing an inset of your development as shown below. Remember your plan must fit on a 8.5" x 11" sheet of paper.

4. JOE SMITH
33 - 1W - 17 - 3500

