



LINN COUNTY PLANNING AND BUILDING DEPARTMENT

Robert Wheeldon, Director

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CONDITIONAL USE
TEMPORARY CARETAKER RESIDENCE

Application Fee \$750.00

Application Check List (for department use)

- A. Complete application Site plan Ownership
B. Environmental health division approval
1. Existing system has been checked
2. New site has been approved
3. New site has been requested but not reviewed
C. Property development standards can be met:
1. Width Depth Frontage Coverage Setbacks
2. Legal lot Area
D. Proposal is located within:
1. UGB Planning area Greenway A.O. Zone
2. S.B.H.O. Habitat Floodplain Historic
E. Application accepted by: Date Receipt No.
Refer to: Staff P.C.

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I. Background Information (to be completed by applicant)

- A. Applicant's name Address City State Zip Code Phone number (home) (work)
B. Property owner (if different than applicant) Address City State Zip Code Phone number (home) (work)
C. Applicant's representative (if any) Address City State Zip Code Phone number (home) (work)
D. Legal description of property Township Range Section Tax Lot(s) Site Address (if any)
E. Zoning designation Comp Plan
F. Size of current parcel

G. Additional parcels in contiguous ownership:  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Tax Lot(s) \_\_\_\_\_

H. What type of access does the property have?

County road name \_\_\_\_\_

Public road name \_\_\_\_\_

Easement \_\_\_\_\_

If there is a maintenance agreement, please attach a copy. Please attach a copy of the recorded document.

II. Verification of Ownership

If the person submitting the application and the owner of the property are not the same, then only the owner of the property should complete this section.

A. The application does not violate any recorded codes, covenants or restrictions that are attached to the subject property.

B. I have the following legal interest in the property: owner of record \_\_\_\_\_, land sales contract purchaser \_\_\_\_\_, holder of a recorded exclusive option to purchase \_\_\_\_\_.

Owner/applicant signature \_\_\_\_\_

Owner/applicant signature \_\_\_\_\_

PLEASE NOTE: County ordinance does not allow an application to be reviewed unless the owner has first authorized it. The assessor's office records are used to verify the ownership. Please contact the assessor's office (Room 215, Linn County Courthouse) to complete this section.

The Linn County Assessor's Office verifies that Township \_\_\_\_\_, Range \_\_\_\_\_, Section \_\_\_\_\_, Tax Lot(s) \_\_\_\_\_, is owned or is being purchased by: \_\_\_\_\_  
If more than one owner is included on your records, please list all persons involved.

Other owners: \_\_\_\_\_

\_\_\_\_\_  
Signature of Assessor's Representative

Date \_\_\_\_\_

III. Please answer these questions which are based upon the decision criteria (see Section V). It is necessary for you, the applicant, to respond to these issues.

A. The property is presently used for: (If more than one use, give number of acres for each use.)

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B. Will this use change if this application is approved? \_\_\_\_\_ If yes, describe the changes that will occur.

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C. Describe the operating characteristics of the intended use as they relate to the need for a caretaker residence:

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D. What are the land uses in the general area? In what ways will the location of a caretaker residence affect adjacent properties and the surrounding neighborhood?

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E. Discuss the reasons why this proposal represents the best method of providing protection for the property.

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F. Section 20.120(2) of the Linn County Zoning Ordinance requires written documentation from the Linn County Sheriff's Department or an insurance carrier/agent that an on-site residence is needed to provide security from criminal activity. In addition to such written verification, please discuss the nature and frequency of criminal activity in your area, and the measures you have employed to reduce this activity, such as lighting, fencing, alarms, etc.

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G. This caretaker residence will consist of a:

\_\_\_\_\_ manufactured home or \_\_\_\_\_ site-built residential structure

H. If this request is for a site-built residential structure, please discuss why this represents a more suitable alternative to a manufactured home.

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I. Discuss any additional conditions or considerations that have not been adequately summarized above, if any.

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#### IV. SUPPLEMENTAL INFORMATION

In addition to the written application, the following supplemental information is required:

- A. A development plan showing the entire property and its dimensions and the specific siting of all structures, including the proposed residence, approved septic system, and the various setbacks and locational measurements. At the discretion of the planning staff, a more detailed drawing of the site area of the residence may be required. A sample drawing is attached.
- B. Evidence of approval from the Department of Environmental Quality or its authorized agent to connect the residence to an approved septic system.
- C. Written verification from the Linn County Sheriff's Department or an insurance carrier/agent documenting that an on-site residence is needed to provide security from criminal activity.

#### V. DECISION CRITERIA

When all conditions of the application have been met, the following criteria shall be applied to determine whether a permit to site a temporary caretaker residence shall be issued.

- A. That the parcel is within the Rural Center (RCT), Rural Commercial (RCM), Freeway Interchange Commercial (FIC), Agribusiness (AB), Limited Industrial (LI), or Heavy Industrial (HI) district.
- B. That the parcel meets or exceeds the minimum development standards or meets the definition of a lot of record in the zone.
- C. That only one permit be issued per contiguous unit of ownership.
- D. That the parcel has received approval from the Department of Environmental Quality for a residence to connect to an approved septic system.
- E. That the applicant has complied with all conditions of the application procedure.

#### VI. SECTION 20.130 -- ISSUANCE, RENEWAL, AND CESSATION OF PERMIT

The following provisions shall apply to all conditional use permits issued for caretaker residences:

- (1) The conditional use permit shall remain valid until July 1 of each subsequent year following approval. A permit issued after April 1 but before July 1 shall be valid until July 1 of the following year.
- (2) A permit may be renewed provided that none of the following circumstances have occurred:

- (A) The sale, transfer, or change in the lease of the property;
  - (B) A change of ownership of the property;
  - (C) The applicant has failed to comply with the conditions of issuance of the permit;
  - (D) The applicant has failed to comply with applicable state and county building or mobile home siting codes and regulations; or
  - (E) A significant change has occurred in the conditions upon which the permit was approved.
- (3) The permit renewal fee established by the board of commissioners shall be submitted with the renewal request.
  - (4) Whenever any of the circumstances stated in Section 20.130(2) have allegedly occurred, the department shall follow the procedures specified in Section 2.230 to suspend the permit. If the permit is suspended, the conditional use permit holder shall remove the residence within 70 days of the effective date of decision.
  - (5) Failure to remove the residence shall constitute a violation of this ordinance.

## STANDARD SITE PLAN DRAWING

For a complete and accurate evaluation of your proposal by the planning and building department, it is necessary to include sufficient information and detail on a site plan drawing. An example is provided as a guide to the preparation of your plan. The site plan you submit will constitute the formal development plan upon which your request is based.

You may submit separate plans to show details of particular aspects of your proposal, landscaping, off-street parking, topography and drainage.

Any public or semi-public use or activity will require written detail and description of such use, i.e. number of employees, hours of operation, unusual equipment or activities that may produce noise, odor, glare, vibration, etc., equipment storage areas, guard or watchman requirements, aerial hazards and road access needs.

This site plan requirement is in addition to any other requirements for zoning, building, sanitation or other governmental permits or standards compliance.

### SITE PLAN REQUIREMENTS:

- (1) Indicate scale (for example, 1" = 200').
- (2) North arrow--indicating direction of North on the map.
- (3) Completed information block at bottom of page, containing your name, and address.
- (4) Dimensions of the property. These may be taken from surveys, deeds and assessor's records.
- (5) Names of roads adjacent to property.
- (6) Approximate distance to nearest city or town.
- (7) Dimensions and distance from property lines to all structures, both existing and proposed, as well as fences, culverts, light standards and signs on the property and adjacent properties.
- (8) Location of existing and proposed access ways, parking and loading areas, approaches and barriers. Type of surfacing should be indicated.
- (9) Location of significant land features, such as streams or creeks, drainage areas and slope of land.
- (10) Location of existing and/or proposed septic tanks, repair areas and wells. If known, indicate any wells or septic systems on adjacent properties if they are within 10 feet of this property.
- (11) Indicate existing uses of land (cultivation, pasture, timber and brush). Indicate type of crops, pasture grass and timber species.

Attach sample plot plan (see sample plotplan on Planning and Building webpage)