



LINN COUNTY PLANNING AND BUILDING DEPARTMENT

Robert Wheeldon, Director

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**NONCONFORMING USE REVIEW
APPLICATION CHECK LIST**

\$1000.00

Hearing Date _____ Filing Fee Receipt # _____ Application Accepted By: _____
Site Plan _____ EHD Approval _____ Recorded Documents _____ Certification of Owners _____
Verification of Owners _____

1. Applicant's name _____
Address _____
Telephone number _____

2. Township ___ Range _____ Section ___ Tax Lot(s) _____ Acreage _____

3. Current Zoning _____ Comp Plan _____

4. Additional parcels in contiguous ownership:
Township ___ Range _____ Section ___ Tax Lot(s) _____

5. What method of fire protection exists for the parcel?
Rural Fire District (Name) _____ State Forestry _____

6. How do/will vehicles get from the property to a county or public road? Access **must** be provided in one of the following ways: lot with existing frontage onto a county or public road _____ (provide the name of county or public road _____); road easement of record established before January 4, 1968 _____ (provide reference to recording volume and page _____); road easement of access recognized by Linn County _____ (provide reference to planning case number _____); access yet to be provided _____.

7. What is the nearest urban center? _____
How many miles? _____

RESTORATION OR REPLACEMENT OF STRUCTURES DAMAGED BY
FIRE, CASUALTY, OR NATURAL DISASTER

NOTE: the following questions are based upon the decision criteria. It is necessary for you, the applicant, to respond to these issues.

8. Please describe the size, type, and use of the structure that existed before it was damaged or destroyed?

9. Please describe how the structure was damaged or destroyed and give the date of the occurrence.

10. Are you proposing to restore or to replace the present structure? If you are proposing to replace the structure, describe the size, type and use of the replacement structure.

ALTERATIONS OR EXPANSION
NOT REQUIRED BY LAW

NOTE: The following questions are based upon the decision criteria. It is necessary for you, the applicant, to respond to these issues.

11. Please describe what alteration in the structure(s) or in the use(s) of the site is proposed.

12. Why is this alteration desired?

13. Will this alteration change the operating characteristics of the site in a significant manner? _____
If so, how?

14. Alterations or expansions of nonconforming uses may only be approved if the minimum development standards normally required are more closely adhered to after the alteration or expansion occurs. What site improvements will you provide to accomplish this?

CHANGING NONCONFORMING USES

NOTE: The following questions are based upon the decision criteria. It is necessary for you, the applicant, to respond to these issues.

15. Please describe the existing use of structures and the site.

16. Please describe the proposed use of structures and the site.

17. Will this proposal change the operating characteristics of the site in a significant manner? ___ If so, how?

18. Changes in nonconforming uses may only be approved if the minimum property development standards normally required of the proposed use will be more closely adhered to after the change in use. What site improvements will you provide to accomplish this?

ALTERATIONS OR EXPANSIONS REQUIRED BY LAW

NOTE: The following questions are based upon the decision criteria. It is necessary for you, the applicant, to respond to these issues.

19. Please describe what alteration is proposed.

20. What agency is requiring this alteration or expansion?

21. What legal requirement is being made?

22. What is the required alteration or expansion?

23. Please submit a statement from the agency that has required the alteration or expansion, verifying the requirement.

24. Does your alteration or expansion incorporate changes not required by the agency? _ If so, what additional changes are proposed?

25. Alterations or expansions of nonconforming uses may only be approved if the minimum development standards normally required are more closely adhered to after the alteration or expansion occurs. What site improvements will you provide to accomplish this?

Verification of Owner Statement.

The Linn County Assessor's Office verifies that Twnshp _____ S, Rnge _____, 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 or stamp

Date

I hereby certify that:

- a. The above request does not violate any recorded codes, covenants, and/or restrictions that are attached to the subject property.
- b. That all the statements, attachments, exhibits, plot plan, and additional oral testimony submitted are true and any approval granted based on this information may be revoked if it is found that such statements are false.
- c. That I have the following legal interest in the property:
owner of record _____ contract purchaser _____ lessee _____, holder of a recorded exclusive option to purchase _____, duly authorized to act for the person who has the following legal interest _____, and that the owner of record is knowledgeable of this application.

Applicant's signature: _____

Address: _____

Phone: _____

If different owner:

Owner's signature: _____

Address: _____

Phone: _____

Signature of other owners:

Date

Name

Address

STANDARD SITE PLAN DRAWING

For a complete and accurate evaluation of your proposal, 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, i.e. landscaping, off-street parking, topography and drainage plans.

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) The site plan must be submitted on paper no larger than 8½ inches by 14 inches and drawn to scale.
- (2) Indicate the scale (for example, 1" = 200') on the site plan.
- (3) Include a North arrow indicating the direction of North on the map.
- (4) Include the applicant's name and address in an information block at the bottom of the page.
- (5) Show the dimensions of the property. These may be taken from surveys, deeds and assessor's records.
- (6) Indicate the names of roads adjacent to the property.
- (7) Indicate the approximate distance and direction to nearest city or town.
- (8) Indicate the 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.
- (9) Indicate the location of existing and proposed access ways, parking and loading areas, approaches and barriers. The type of surfacing should be indicated.
- (10) Identify the location of significant land features, such as streams, creeks, drainage areas and slope.
- (11) Identify the 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.
- (12) Indicate existing uses of land (cultivation, pasture, timber, etc.). Indicate types of crops, pasture, grass and timber species.

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