

JACKSON COUNTY, OREGON

TYPE 2 APPLICATION Property Line Adjustment on Resource Lands

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

OFFICE USE ONLY	
File N°	_____
Fee Pd	_____
Receipt N°	_____
App. Type:	_____
App. Received by	_____
Date Received	_____
Zoning Confirmed by Staff:	_____

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 37 Claim? 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: _____
 E-Mail Address: _____

APPLICANT:

If Other than Property Owner

Name: _____
 Mailing Address: _____
 City: _____
 State: _____ Zip: _____
 Daytime Phone: _____
 E-Mail Address: _____

AGENT:

If Other than Applicant

Name: _____
 Mailing Address: _____
 City: _____
 State: _____ Zip: _____
 Daytime Phone: _____
 E-Mail Address: _____

OTHER:

Specify: _____

Name: _____
 Mailing Address: _____
 City: _____
 State: _____ Zip: _____
 Daytime Phone: _____
 E-Mail 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.

Property line adjustments allow the relocation or elimination of all or a portion of a common property line between abutting lots or parcels that does not create an additional lot or parcel. Property line adjustments may be permitted in any zoning district or across zoning districts, or between subdivision lots.

Legal description of subject property:

Township _____ Range _____ Section _____ Tax Lot _____

Acreage **before** adjustment _____

Acreage **after** adjustment _____

Township _____ Range _____ Section _____ Tax Lot _____

Acreage **before** adjustment _____

Acreage **after** adjustment _____

These properties are zoned _____

Zoning minimum lot size requirement: _____

Zoning minimum lot width requirement: _____

If you are unsure of the zoning, Department Staff can assist you.

Application

- A) A scaled plot plan will be submitted that shows: (1) all existing property lines; (2) the proposed location of the adjusted property line; (3) the location of existing above ground structures; (4) septic systems and wells and their distances from existing and proposed property lines and easements; and (5) the amount of land area in square footage or acres being added or subtracted, along with the approximate location of areas subject to inundation or storm water overflow, all areas covered by water, and the location, width and direction of flow of all water courses.

Plot Plan attached. _____ **YES** _____ **NO**

Note: Additional information may be submitted on 8½ x 11 inch white paper.

- B) The owners of both properties that will be modified by the property line adjustment must sign the application form or a letter of authorization. Signed authorization from all property owners is attached. **YES** **NO**

Approval Criteria: In nonresource districts, a property line adjustment may be approved if it complies with (A through F) below. In resource districts, a property line adjustment may be approved if it complies with all of the following:

- A) Both properties are lawfully established units of land. Referencing the above tax lot numbers, list the document recording numbers and the date the documents were recorded that created these parcels in their current configuration: Attach copies of these documents.

Tax Lot: _____ Tax Lot: _____

- B) No new parcels will result from the adjustment. Please confirm by signature below that you are not intending to create new parcels or lots through this proposal.

SIGNATURE _____ **PRINT NAME** _____

- C) Except as provided by (F) and (G) below, and provided the standards of Section 10.4.4 are met, for properties located entirely outside the corporate limits of a city:

1) Where one or both of the abutting properties are smaller than the minimum lot or parcel size for the applicable zone before the property line adjustment, after the adjustment one is as large as or larger than the minimum lot or parcel size for the applicable zone; or
 YES **NO, GO TO ITEM (2)**

2) Both abutting properties are smaller than the minimum lot or parcel size for the applicable zone before and after the property line adjustment. [2008 HB 3629]
 YES **NO**

- D) All buildings and improvements (e.g., septic systems, wells, etc.) will comply with the minimum setback requirements from the adjusted property line, unless a building or improvement does not currently comply with the minimum setback, in which case such building or improvement will not be made more nonconforming by the adjustment. Additionally, conforming onsite characteristics (e.g., landscaping or access) will not be made nonconforming;

1) Do either of these parcels have improvements as noted above:
 YES **NO**

2) If you answered **YES**, these improvements will comply with the zoning minimum setback requirements.
 YES **NO**

3) If you answered **NO**, the property line adjustment will not result in the improvement setback becoming more nonconforming.
 YES **NO**

4) If you answered **NO**, the property line adjustment will not result in conforming onsite characteristics (e.g., landscaping or access) becoming nonconforming.
 YES **NO**

Note: Additional information may be submitted on 8½ x 11 inch white paper.

E) The adjustment will not result in parcel(s) that overlap a city limit, county, or State line. The parcels will not overlap a city limit, county or State line after the adjustment.

___ YES ___ NO

F) The adjustment will not result in a parcel being made buildable that was not capable of being developed prior to the adjustment for reasons such as being too small or narrow. However, a parcel that cannot be developed for residential purposes because it lacks access may acquire road frontage and be made buildable through a property line adjustment.

ANSWER: _____

G) In resource districts:

1) A property line adjustment will not:

a) Decrease the size of a lot or parcel that, before the relocation or elimination of all or a portion of the common property line, is smaller than the minimum lot or parcel size for the applicable zone and contains an existing dwelling or is approved for the construction of a dwelling, if the abutting vacant tract would be increased to a size as large as or larger than the minimum tract size required to qualify the vacant tract for a dwelling;

ANSWER: _____

(b) Decrease the size of a lot or parcel that contains an existing dwelling or is approved for construction of a dwelling to a size smaller than the minimum lot or parcel size, if the abutting vacant tract would be increased to a size as large as or larger than the minimum tract size required to qualify the vacant tract for a dwelling; or

ANSWER: _____

(c) Allow an area of land used to qualify a tract for a dwelling based on an acreage standard to be used to qualify another tract for a dwelling if the land use approval would be based on an acreage standard. [2008 HB 3629]

ANSWER: _____

Note: Additional information may be submitted on 8½ x 11 inch white paper.

H) A property line adjustment for the purpose of adjusting percentages of nonproductive soils on a vacant parcel for a zone change to a non-resource zone [are] is prohibited.

ANSWER: _____

I) In resource districts, a property line adjustment for the purpose of transferring a dwelling from one parcel to another may be approved provided the parcel receiving the dwelling qualifies for a homesite.

ANSWER: _____

ADDITIONAL CRITERIA

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

Additional criteria findings attached (list): _____

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: _____

Print Name: _____

Signature: _____

Signature: _____

Date: _____

Date: _____

AGENT:

OWNER or CONTRACT PURCHASER:

Print Name: _____

(See Attached Form)

Signature: _____

Date: _____

Note: Additional information may be submitted on 8½ x 11 inch white paper.