

LAND MANAGEMENT DIVISION

Date Received:



LAND USE APPLICATION

Rural Residential Zone: Verification of Replacement Rights for 2 or more Dwellings

PUBLIC WORKS DEPARTMENT 125 E 8th AVENUE, EUGENE OR 97401 PLANNING: 682-3807

For Office Use Only: FILE #

CODE: AVRR

FEE:

Applicant (print name): _____

Mailing address: _____

Phone: _____ Email: _____

Applicant Signature: _____

Agent (print name): _____

Mailing address: _____

Phone: _____ Email: _____

Agent Signature: _____

Land Owner (print name): _____

Mailing address: _____

Phone: _____ Email: _____

Through applying for this application I authorize the Lane County Planning Director, designee, or hearings official to enter upon the property subject of the application to conduct a site visit necessary for processing the requested application. Lane County shall contact the Land Owner prior to the site visit to arrange an appropriate time for the site visit.

Land Owner Signature: _____

LOCATION

Township - Range - Section - Taxlot

Site address

PROPOSAL: A Request for Administrative Approval of a replacement dwelling in the RR (Rural Residential) Zone when the site contains two or more existing dwellings, pursuant to Lane Code 16.290(2)(b).

This application is not a land use decision; therefore, it is not subject to public notice and may only be appealed by the applicant.

NOTICE: The Applicant is responsible for providing enough information in this application for staff to make reasonable findings or conclusions.

ADJOINING OWNERSHIP Is any adjacent property under the same ownership as the subject property? List the map and tax lot(s).

SITE PLAN A site plan must be included. Refer to the handout entitled "How to prepare your plot plan". Identify nearby driveways. Driveways spacing standards are contained in Lane Code 15.138.

ZONING _____

ACREAGE: _____

DESCRIBE THE ACCESS TO THE PROPERTY (circle the answer): Access to the homesite must comply with the Lane Code Chapter 15.

State Hwy County Rd Public Rd Private Easement/Private Road (submit a copy)

Road name: _____

NUMBER OF EXISTING DWELLINGS ON PARCEL: _____

"Dwelling. A building or portion thereof which is occupied in whole or in part as a residence or sleeping place, either permanently or temporarily, but excluding hotels, motels, auto courts, mobile homes and camping vehicles. Where the term, "dwelling," is used in Lane Code Chapter 16, it shall mean a single-family dwelling unless otherwise noted. "

What evidence are you submitting that the existing structures meets this definition? Your evidence can include pictures, utility bills, etc.

EXISTING IMPROVEMENTS: What structures or development does the property contain? Will any structure be removed/demolished besides the existing dwelling?

PHYSICAL FEATURES: Describe the site.

- The Vegetation on the property: _____

- The Topography of the property: _____

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- Any Significant Features of the property (steep slopes, water bodies, etc.): _____
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APPROVAL CRITERIA

Lane Code 16.290(2)

Permitted Uses. The following uses and activities are allowed subject to the general provisions and exceptions specified by this chapter of Lane Code:

(b) When there are two or more lawfully (not in violation of LC Chapter 16) existing dwellings or manufactured dwellings on a lot or parcel, then the alteration, restoration, or replacement of these dwellings or manufactured dwellings shall be allowed subject to compliance with these requirements:

____ (i) **The property owner shall submit to the Director building permit records from the Lane County Land Management Division indicating that the existing dwellings or manufactured dwellings were lawfully constructed or placed on the subject property pursuant to a building permit and the required building inspection approvals; or**

NOTE: If you have a copy of a building permit for the existing dwelling, you do not need to submit this application. Bring the building permit with you to the permit meeting.

____ (ii) **The property owner shall submit to the Director a verification of replacement rights application containing records from the Lane County Assessment and Taxation Office indicating that the dwelling or manufactured dwelling has existed on the property and has been taxed on a continuous annual basis from a date that predates the initial zoning of the subject property. The Director shall determine when the property was initially zoned based upon the official zoning records on file with the Department.**

Explain the evidence you are submitting. Your evidence must show when the dwellings were lawfully built. If the dwellings are manufactured dwellings, please provide evidence when they were lawfully placed and that they have continued to remain on the property. Indicate if you are submitting building permit/land use records, or records from the Assessment and Taxation Office.

You must comply with (iii) and (iv).

(iii) Replacement dwellings or manufactured dwellings shall be located on the same foundation footprint as the removed or destroyed dwelling or manufactured dwelling, or shall be located in compliance with LC 16.290(7)(a) through (d) below.

Will the proposed dwelling to be replaced be located on the same foundation footprint? Yes No

If no, refer to the siting criteria below.

(iv) In the case of replacement, the dwelling or manufactured dwelling to be replaced shall be removed, demolished, or converted to an allowable use within three months of the completion of the replacement dwelling.

What will you do with the existing dwelling to be replaced? (circle your answer)

Remove

Demolish

Convert

Explain your answer:

The Siting Criteria below is not applicable if the replacement dwelling is going to be located in the same foundation footprint as the previous dwelling.

SITING CRITERIA

Lane Code 16.290(7) Property Development Standards. All uses or development permitted by LC 16.290(2) through (4) above, except as may be provided therein, shall comply with the following development standards:

(a) Property Line Setbacks. Structures other than a fence or sign shall be located:

- (i) At least 20 feet from the right-of-way of a State road, County road or a local access public road specified in LC Chapter 15;
(ii) At least 10 feet from all other property lines; and
(ii) Notwithstanding LC 16.290(7)(a)(ii) above, a structure that contains less than 120 square feet of floor area and that is located more than 10 feet from other structures may be located in the 10 foot setback otherwise required by LC 16.290(7)(a)(ii) above provided it complies with LC 16.290(7)(d) below.

Does the property front County Right-of-way? Yes No

If yes, what is the distance from the proposed dwelling to the County Right-of-way? _____ Feet

How far is the proposed dwelling from the northern property line? _____ Feet

How far is the proposed dwelling from the eastern property line? _____ Feet

How far is the proposed dwelling from the southern property line? _____ Feet

How far is the proposed dwelling from the western property line? _____ Feet

(b) The setback for property lines other than front-yard shall be five feet, except as provided below, for any lot or parcel containing less than 1 acre and created prior to March 30, 1984.

Are you proposing setbacks of less than 10 feet? Yes No

If yes, provide evidence that the parcel is less than 1 acre and was created prior to March 30, 2984.

(c) For mobile homes to be located in lawfully existing mobile home parks, the setbacks from a projected or existing right-of-way of a County or local-access public road shall be the same as required above, and lesser setbacks from all other mobile home lot lines are permitted if in compliance with Oregon Administrative Rules, Chapter 814, Division 28 -- Department of Commerce, effective on April 1, 1986.

This only applies to mobile homes within mobile home parks.

(d) Riparian Setback Area. Except for property located between the Eugene-Springfield Metropolitan Area General Plan Boundary and the Eugene and Springfield Urban Growth Boundaries, where setbacks are provided for in LC 16.253(6), the riparian setback area shall be the area between a line 50 feet above and parallel to the ordinary high water of a Class I stream designated for riparian vegetation protection in the Rural Comprehensive Plan. No structure other than a fence shall be located closer than 50 feet from the ordinary high water of a Class I stream designated for riparian vegetation protection by the Rural Comprehensive Plan. A modification to the riparian setback standard for a structure may be allowed provided the requirements of LC 16.253(3) or LC 16.253(6), as applicable, are met.

Is there a designated Class 1 stream on the property? Yes No

If yes, how far will the dwelling be from the Class 1 stream? _____ Feet