

SUPPLEMENTAL APPLICATION VERIFICATION OF A NONCONFORMING USE (November - 2008)

APPLICANT I	NFORMATION			
Name:		File #		
WHAT IS A NO	NCONFORMING USE?:			
structure, or landue to a change dwelling or othe established, but	ning & Development Ordinance and allowed by right when estable in the zone or zoning regulation structure(s), a commercial or is not now listed as a permitten portinuation of Nonconforming U	lished or that obtained a require ons, is now prohibited in the zonderial use, or any other used use or structure in the zoning	red land use approval when one." A Nonconforming Use in a zoning district that v ing district in which it is loca	n established but, se may be a vas permitted when
WHAT IS NEED	DED TO VERIFY NONCONFO	RMING USE STATUS?:		
applicant must to the adoption establishment capplicant must exceeding twelvers.	eture(s), or other physical improsubmit evidence to prove that to frestrictive zoning regulations of the use, structure(s) or other also prove that, once lawfully eve (12) consecutive months purport the decision. The applican Use status.	the use, structure(s), or other ps, or prior to a change in zoning physical improvements in the established, the Nonconforming rsuant to Subsec. 1206.02 of the stables in the stables.	physical improvements wering regulations, that had the zoning district in which the gUse has not been disconthe ZDO. The County mus	re established prior effect of prohibiting by are located. The tinued for a period t make written
WHAT ARE CH	IANCES FOR APPROVAL?:			
be made after the Planning staff.	edetermine the decision on this he complete application is proc This includes review of citizen sted in Sec. 1206 of the ZDO.	cessed, comments are sought,	and the application is revi	ewed by the
APPLICATION	PROCESS:			
the ZDO. Publi other interested to mitigate pote	lication is subject to the Admin c comments received from the parties may affect the decision ntial adverse impacts of the alt se Hearings Officer and to the son.	Community Planning Organiz n on the application. Special of teration or change. Any decision	ations (CPO), property own conditions may be attached on on this application can	ners, agencies and I to any approvals be appealed to the
STAFF WILL A	TTACH THE FOLLOWING PE	ERTINENT INFORMATION:		
	Land Use Application	CPO Information		
	Sample Plot Plan	Application Process	ZDO Sections	& 1206

HOW LONG WILL IT TAKE TO GET A FINAL DECISION ON THIS APPLICATION?:

Approximately 45 days for the initial staff decision. If the staff decision is appealed, the final County decision by the Land Use Hearings Officer may take an additional 8 to 10 weeks (approximate).

COMPLETE APPLICATIONS REQUIRE THE FOLLOWING:

- 1. <u>Land Use Application</u> Information about the applicant and land involved in the request.
- 2. <u>Supplemental Application</u> Information requested on this form. Please be as complete and thorough as possible. Use additional sheets of paper as necessary to completely describe your proposal and answer the questions contained herein.
- 3. <u>Application Fee</u> \$_____ (Fee is nonrefundable upon decision or staff report; partial refund if withdrawn after notice; full refund if withdrawn prior to notice.)
- 4. <u>Plot Plan</u> The site development plan must be drawn to scale on **8.5**" **x 11**" or **8.5**" **x 14**" paper. The plan must show and clearly identify the **existing** development of the property including all structures, parking areas, drain field locations, landscaping and/or significant vegetation, slope of the property, entrance/access location(s), north arrow, the scale of the drawing, dimensions of the property and structures.

CRITERIA FOR APPROVAL: SEE SEC. 1206 FOR SPECIFIC REQUIREMENTS, THEN ANSWER THE FOLLOWING:

1. When was the existing use, structures and/or physical improvements established? (please give specific dates if possible). Describe the buildings, vehicles, equipment and materials used, days and hours of operation, number of employees and other operational and physical information. Submit land use, building, septic, or other permit documents; utility records, dated photographs, County property tax appraisal information, dated aerial photographs, tax records, receipts, licenses, bills of sale, notarized affidavits, etc. to document the date of establishment of the use, structure(s) and/or physical improvements, and the continuity of the use since established.

Describe any changes in the existing use, structures and/or physical improvements since establishment.
 Describe the buildings, vehicles, equipment and materials used, days and hours of operation, number of employees and other operational and physical information as changes occurred. Provide documentation as described in No. 1 above if possible.

3.	An alternative process requires that you prove that the use, structure(s) and/or other physical improvements have been established for at least the ten (10) year period preceding the date of filing of this application. If you can do so, you may create a "rebuttable presumption" that a Nonconforming Use has been lawfully established prior to the date of restrictive zoning regulations, or change in zoning regulations, that had the effect of prohibiting the use or structure in the zoning district in which they are located. The same types of information described in No. 1 above may be used to prove this. Please be advised that if rebutting evidence is found or submitted to the Planning staff proving that the use, structure(s) and/or physical improvements were not established prior to the adoption of restrictive zoning regulations or applicable change of zoning regulations, your request may be denied.
Discos	direct questions to Dick Molntine. Sr. Dianner et 502,742,4546 er rickm@ee eleckemee er us
Please	direct questions to Rick McIntire, Sr. Planner at 503-742-4516 or rickm@co.clackamas.or.us