

Date Received:

LAND MANAGEMENT DIVISION



TYPE II LAND USE APPLICATION -
Legal Lot Verification (Research & Notice)

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY. EUGENE, OR. 97408 Planning: 682-3577

For Office Use Only: FILE #

DEEDS : _____

FEE*:

By signing this application, the applicant, agent, and property owner, as applicable, certify that all of the information provided in the application is factually accurate and all documents provided in support of the application are true and correct copies of the original documents. Further, by signing this application, the property owner consents to the County reviewing this application and issuing a decision.

Applicant (print name): _____

Mailing address: _____

Phone: _____ Email: _____

Applicant Signature: _____

Agent (print name): _____

Mailing address: _____

Phone: _____ Email: _____

Agent Signature: _____

Each Land Owner (print name): _____

Mailing address: _____

Phone: _____ Email: _____

Each Land Owner Signature: _____

LOCATION

Assessor's Map & Tax Lot Number

Site address

Is the Legal Lot a portion of one or multiple existing tax lots? ___Yes (If yes, please describe) ___No

Proposal: A request for a Type II (Planning Director) approval of a legal lot determination and notice, pursuant to Lane Code 13.140.

*The fee for the legal lot research is a base fee plus a fee for each of the deeds and other documents relied upon to make a determination. When additional documents are required, fees will be charged for each document.

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 assessor’s map and tax lot number(s).

ZONING _____

ACREAGE: _____

Please make all copies single sided on 8 ½" x 11", 8 ½ " x 14" or 11" x 17" paper and DO NOT STAPLE.

REQUIRED SUBMITTALS

Lane Code 13.140(2)(b)

- (i)** A copy of the property description card for the subject property; *This is available in the Lane County Assessment and Taxation Department, or at:*
<http://apps.lanecounty.org/propertyaccountinformation/>
- (ii)** A copy of every document listed on the property description card(s) for the subject property;
***Must provide a certified copy of each deed, available for a fee at the Lane County Deeds & Records Office, 125 E 8th Avenue, Eugene, OR 97401.**

How many documents are listed on the property description cards? _____

How many deeds in addition to those listed on the property description card are being submitted? _____

- (iii)** An illustration showing the proposed legal lot as well as a separate illustration for each deed description. If multiple deeds utilize the same description, those may be consolidated into one illustration;

Clearly label each illustration as to what deed(s) it is related to.
- (iv)** A narrative of how the parcel was created and changed over time. *Attach additional pages if necessary.*

Was this property used to qualify a tract for a dwelling? ___ Yes ___ No

How many Legal Lots do you believe exist within the subject property (If you are proposing multiple Legal Lots, an individual Verification Application and fee are required for each proposed Legal Lot)? _____

Are there prior Building Permits or Planning Applications involving the subject property? (Please list)

- (v) Any additional documentation that demonstrates how the subject property was lawfully created.

APPROVAL CRITERIA

Lane Code 13.140(3)

(3) Criteria. A legal lot verification will be approved if the subject property is a lawfully established unit of land as defined by this chapter.

Lane Code 13.030(3)

(n) Lawfully Established Unit of Land. A lawfully established unit of land means:

- (i)** A lot or parcel created by filing a final plat for subdivision or partition; or
- (ii)** Another unit of land created:
 - (aa)** In compliance with all applicable planning, zoning and subdivision or partition ordinances and regulations; or
 - (bb)** By deed or land sales contract, if there were no applicable planning, zoning or subdivision or partition ordinances or regulations.
 - (cc)** Lawfully established unit of land does not mean a unit of land created solely to establish a separate tax account.

Please note that State and Local case law has increased the level of scrutiny and evidence required to demonstrate the lawful status of properties. In most cases a history of a proposed Legal Lot extending back to at least 1948 (prior to the establishment of Land Division regulations in Lane County) is necessary. Please provide a narrative explaining how the subject property is a lawfully established unit of land.
