



COMMUNITY DEVELOPMENT DEPARTMENT

360 SW Avery Avenue
Corvallis, OR 97333-1139
(541) 766-6819
FAX (541) 766-6891

APPLICATION

VESTED RIGHTS

File # _____

Fee: Staff \$850

Property Owner or Contract Purchaser Information

Name: _____ Daytime Phone: _____

Address: _____ Alternate Phone: _____

City & Zip: _____ Email: _____

Other individuals to be notified of this application:

Name Address City & Zip

General Property Information

Assessor's Map & Tax Lot Number: T _____ S, R _____ W, Section(s) _____, Tax Lot(s) _____

Acreage: _____ Zoning: _____

Existing Structures: _____

Current use(s) of the property: _____

When was the subject property first described in its current configuration in a separate recorded legal description? _____ Recorded Document Number: _____

Is the only access or proposed access to the property via a road that crosses a railroad? Yes _____ No _____
If yes, please draw the location on your map and describe here: _____

Uses of adjacent property (not under the ownership of the applicant):

North of property: _____

South of property: _____

East of property: _____

West of property: _____

Criteria for Consideration of a Vested Right to a Nonconforming Use (BCC 53.335)

1. What is the use you are claiming to have established a vested right to? _____

2. State the basis under which expenditures were made towards implementing or initiating the proposed land use that no longer is allowed under the Benton County Code (Date and reference number of Building Permit, date, and reference number of Conditional Use Authorization, or other circumstances).
3. How were you informed of the change in zoning requirements or other standards under the Benton County Code.
4. Describe the type, cash value, and dates of completion for all improvements made to the property that directly relate to the land use or activity that is no longer allowed under the Benton County Code.
5. Structures: _____
6. Septic System: _____
7. Water: _____
8. Power: _____
9. Road Approach/Driveway: _____
10. Other Physical Improvements: _____
11. What is the estimated total cost to construct/complete the activity or land use that no longer conforms to the Benton County Code.
12. Activity or Land Use: _____
13. Estimated Total Cost: _____
14. What circumstances other than the zoning requirements have prevented you from completing the project.
15. On a separate sheet, address the standards for determining a vested right established by the Oregon Court of Appeals in *Clackamas County v. Holmes*, 11 Or App 1, 501 P2d 333 (1972), and any subsequent applicable case law.

Attachments

1. A copy of deed(s) covering the subject property.
2. A copy of the easement granting access to any proposed parcel that does not have frontage on a public road.
3. An accurate scale drawing of the property, showing the locations of existing and proposed structures, roads, water supply, subsurface sewage system, easements, and driveways. Label all tax lot(s).

Signature(s)

I hereby certify that I am the legal owner or contract purchaser of the above noted property; that the information contained herein is accurate to the best of my knowledge; and that the requested partitioning would not violate any deed restrictions attached to the property.

Owner/Contract Purchaser Signature

Date

Owner/Contract Purchaser Signature

Date

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For Office Use Only

Date Application Received: _____ Receipt Number: _____ By: _____

File Number Assigned: _____ Planner Assigned: _____

Date Application Deemed Complete: _____