



Planning Department
525 North 1st Street / Lakeview, OR 97630
(541) 947-4957

Type II Adjustment Application Submittal Requirements

Lakeview Development Code

Section 2.520

Adjustments are minor modifications to Code standards that are intended to provide reasonable flexibility for planned land uses and development. The types of adjustments that may be approved by the Town Planning Official are listed in Section 2.520.1 of the Town of Lakeview Development Code, and are as follows:

- **Side and Rear Yard Setbacks:** Up to a 15 percent reduction to minimum side and rear-yard setbacks. In addition, one side or one rear yard setback may be reduced to 3 feet for proposed structures less than 15 feet in height on lots that were lawfully created prior to January 1, 1995, with an existing single-family dwelling built (or manufactured dwelling placed) prior to January 1, 1995.
- **Lot Coverage:** Up to a 15 percent increase to the maximum lot coverage.
- **Lot Dimensions:** Up to a 15 percent decrease to a minimum lot dimension.
- **Lot Area:** Up to a 15 percent decrease in minimum lot area.
- **Other Dimensional Standards:** Up to a 10 percent increase or decrease in a quantitative (numerical) standard not listed above. This option is limited to standards in Chapter 5; it does not include building code requirements, engineering design standards, public safety standards, or standards implementing state or federal requirements, as determined by the Town Planning Official.

Applications for an Adjustment shall include all of the following at the time of submittal:

- Completed and signed Type II Land Use Application Form (or Type III Form when consolidated with Type III applications)
- Application fee (see current fee schedule)
- Written authorization from property owner for authorized agent (if applicable)
- Site Plan drawn to scale and dimensioned
- Building Elevations (when appropriate) drawn to scale and dimensioned
- Written narrative describing the requested adjustment and demonstrating how it meets the Approval Criteria in Section 2.520.2 (see following page). Applicants may provide written findings on this application, or may submit a separate document listing each of the approval criteria and explaining how the requested adjustment meets each criterion.



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2.520 Adjustments

2. Approval Criteria: The Town may grant an Adjustment only upon finding that all the following criteria are met. The burden is on the applicant to demonstrate compliance with the criteria.

A. The Adjustment allows for a building plan that does not create a substantial conflict with adjacent uses when compared to development under the code without the adjustment;

B. The Adjustment is appropriate to allow for normal interior building functions, such as mechanical equipment/utility closets, heating and ventilation systems, restrooms, stockrooms, shelving, and similar interior building functions;

C. Approval of the Adjustment does not create (a) violation(s) of any other adopted ordinance or code standard, and does not cause an exogenous need for a Variance;

D. An application for an Adjustment is limited to one lawful pre-existing lot per application. Single tax lots with multiple underlying pre-existing subdivision lots shall be treated as a single lot for processing purposes under this section; however, the specific proposal may require conditions of approval that the pre-existing subdivision lots be consolidated by deed or property line adjustment prior to issuance of building permits;

E. Requests for more than one Adjustment on the same lot shall be consolidated on one application and reviewed concurrently by the Town;

F. Not more than two Adjustments may be approved for one lot or parcel; and

G. All applicable building code requirements and engineering design standards shall be met.
