



**KEIZER PLANNING DEPARTMENT
NOTICE OF DECISION
PROPERTY LINE ADJUSTMENT
CASE 2023-15**

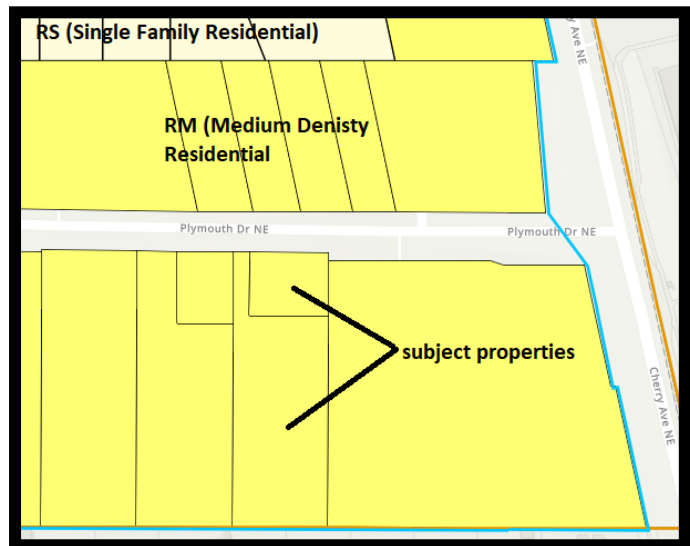
I. REQUEST

The following report reviews a request for a Property Line Adjustment in order to eliminate the common property line between 898 Plymouth Drive NE (Parcel 1) and 888 Plymouth Drive NE (Parcel 2), resulting in one parcel of 41,072 square feet or .94 acres. (Exhibit 1)

II. BACKGROUND

- A. **APPLICANT/PROPERTY OWNER:** Laura's Investments LLC
- B. **AGENT:** Daniel Blevins
- C. **PROPERTY LOCATION:** The properties are located at 898 and 888 Plymouth Dr NE; Marion County Tax Assessor's Map No. 073W11CA Tax lots 03900 & 04000 (Exhibit 2)

- D. **EXISTING PARCEL SIZES:** Currently, the property sizes are approximately 7,966 square feet (Parcel 1) and 33,106 square feet (Parcel 2). The proposed property line adjustment will result in one parcel of 41,072 square feet or .94 acres.



- E. **EXISTING PUBLIC FACILITIES AND DEVELOPMENT:** Both Parcel 1 and Parcel 2 are developed with a single-family dwelling. Both parcels are served with public sewer and public water.
- F. **ZONING/LAND USE:** Both properties are designated Medium High Density Residential (MHDR) in the Comprehensive Plan and each have a zoning designation as Medium Density Residential (RM). Both properties are also within the River-Cherry Overlay District (RCOD). Adjacent properties to the west and north are developed with single family homes and are zoned RM. The adjacent property to the east is also zoned RM and currently is the location of the Keizer/Salem Senior Center.

III. COMMENTS

- A. The Keizer Public Works Department (Exhibit 3) submitted comments regarding the proposed property line adjustment.
- B. The Marion County Surveyor's office (Exhibit 4) submitted comments regarding the process for accomplishing the property line adjustment.
- C. The City of Keizer Police Department has reviewed the proposal and determined they have no comments.

IV. FINDINGS AND CONCLUSIONS

The approval, or denial, of a Property line adjustment is based on compliance with decision criteria found in Section 3.106 of the Keizer Development Code. Section 3.106.04 establishes the decision criteria. The criteria and staff's findings are listed below.

1. **Section 3.106.04.A. The adjustment of the lot lines results in no more parcels than originally existed.**

FINDINGS: The proposal complies with this requirement as it removes the common property line between two existing parcels. The result will be one parcel of approximately .94 acres in area and will not result in *more* parcels than originally existed. Therefore, this request satisfies this criterion.

2. **Section 3.106.04. B. The proposed property line adjustment results in parcels that meet all area and dimension standards of the Keizer Development Code.**

FINDINGS: The subject properties are zoned RM and are located within the River-Cherry Overlay District (RCOD). The applicant's site plan and written statement indicate both parcels currently meet the dimensional standards of the RM zone and the RCOD and will continue to meet the standards after the proposed property line adjustment is complete.

Multiple dwellings on property zoned RM are allowed and the number of allowed units is based on property size. The applicant has indicated future plans for a multi-family complex to be built. Within the RCOD, a minimum of 10 and a maximum of 24 units are required per acre. At the time of future development, the building permit review will ensure that minimum requirements of the RCOD (Section 2.130) and the RM (Section 2.104) zones are met including, but not limited to, density, setbacks, landscaping, lot coverage and parking. Based on the property size of .94 acres, the applicant will be required to build a minimum of 9 and a maximum of 22 units.

As a condition of this property line adjustment approval, the applicant will be required to comply with all City of Keizer Public Works comments and the Marion County Surveyor's Office requirements regarding the property line adjustment process. With these conditions, staff finds this request can satisfy this criterion.

3. **Section 3.106.04.C. The proposed property line adjustment does not locate lines in violation of the setback and height provisions of the Code relative to existing structures and improvements.**

FINDINGS: The elimination of the common property line will not locate lines in violation of the setback and height provisions relative to the existing dwellings. Since setbacks are measure to property lines, the removal of the common property line will eliminate the rear and interior side yard setback requirement for Parcel 1 and the front setback for Parcel 2, however, the applicant has indicated the purpose of the property line adjustment is to allow for the future development of a multi-family development and the existing dwellings will be removed. Setbacks to structures and height requirements for the new buildings will be regulated at the time of building permit review and approval process. Therefore, this request satisfies this criterion.

4. **Section 3.106.04.D. The property line adjustment involves only lots or parcels that have been lawfully created.**

FINDINGS: The applicant submitted deeds for both properties involved and has stated in his written statement that all parcels were lawfully created. Therefore, staff finds this request complies with this criterion.

5. **Section 3.106.04.E. The property line adjustment by itself does not prohibit any property from accessing either a public right of way or an access easement.**

FINDINGS: Both parcels currently have access to Plymouth Drive NE and will continue to have access. However, the access location will be reviewed by the Keizer Public Works Department at the time of any development. Plymouth Drive NE is classified as a collector street in the City of Keizer Transportation System Plan. The Public Works Department submitted comments indicating any public improvements necessary for a collector street, will be required as part of the building permit process. In addition, right-of-way dedication along Plymouth Drive, will be required for future development and is recommended to be included with the recording of this property line adjustment.

Staff finds this request does not prohibit any property from accessing a public right-of-way or an access easement. Therefore, this request complies with this criterion.

V. DECISION/APPEAL

The proposed Property line adjustment conforms with the applicable decision criteria of Section 3.106.04 of the Keizer Development Code based on the findings located in Section VI of this report. Notice is hereby given that the Zoning Administrator for the City of Keizer has **APPROVED** the proposed Property Line Adjustment application subject to certain requirements noted below. Findings in support of the decision can be found in Section VI. of this report.

Any interested person, including the applicant, who disagrees with this decision, may request an appeal by the Keizer Hearings Officer at a public hearing. The appeal is subject to the appellant paying a \$250.00 fee. Requests for an appeal must be in writing, on a form provided by the City, and shall state the alleged errors in the original action. The request must be received in the Keizer Planning Department, 930 Chemawa Road NE, Keizer by 5:00 p.m. November 2, 2023.


**Unless the decision is appealed, this decision becomes final on
November 3, 2023.**

VI. CONDITIONS AND REQUIREMENTS

1. Recording of the property line adjustment deeds and submitting the property line survey, as required by Marion County Surveyor (Exhibit 4), must be done before November 3, 2025. If such documents are not submitted within two years of this decision, the preliminary approval shall lapse. After the property adjustment deeds are recorded, no alteration of property lines shall be permitted without first obtaining approval from the Zoning Administrator.
2. This approval does not remove or affect any covenants or restrictions imposed on the subject property by deed or other instrument. The proposed use may require permits from other local, State or Federal agencies. This decision does not take the place of, or relieve the responsibility for obtaining other permits or satisfying any restrictions or conditions thereon, including building permit approvals for future development on the parcel.
3. All conditions as stated in Exhibit 3 - City of Keizer Public Works Comments must be completed.

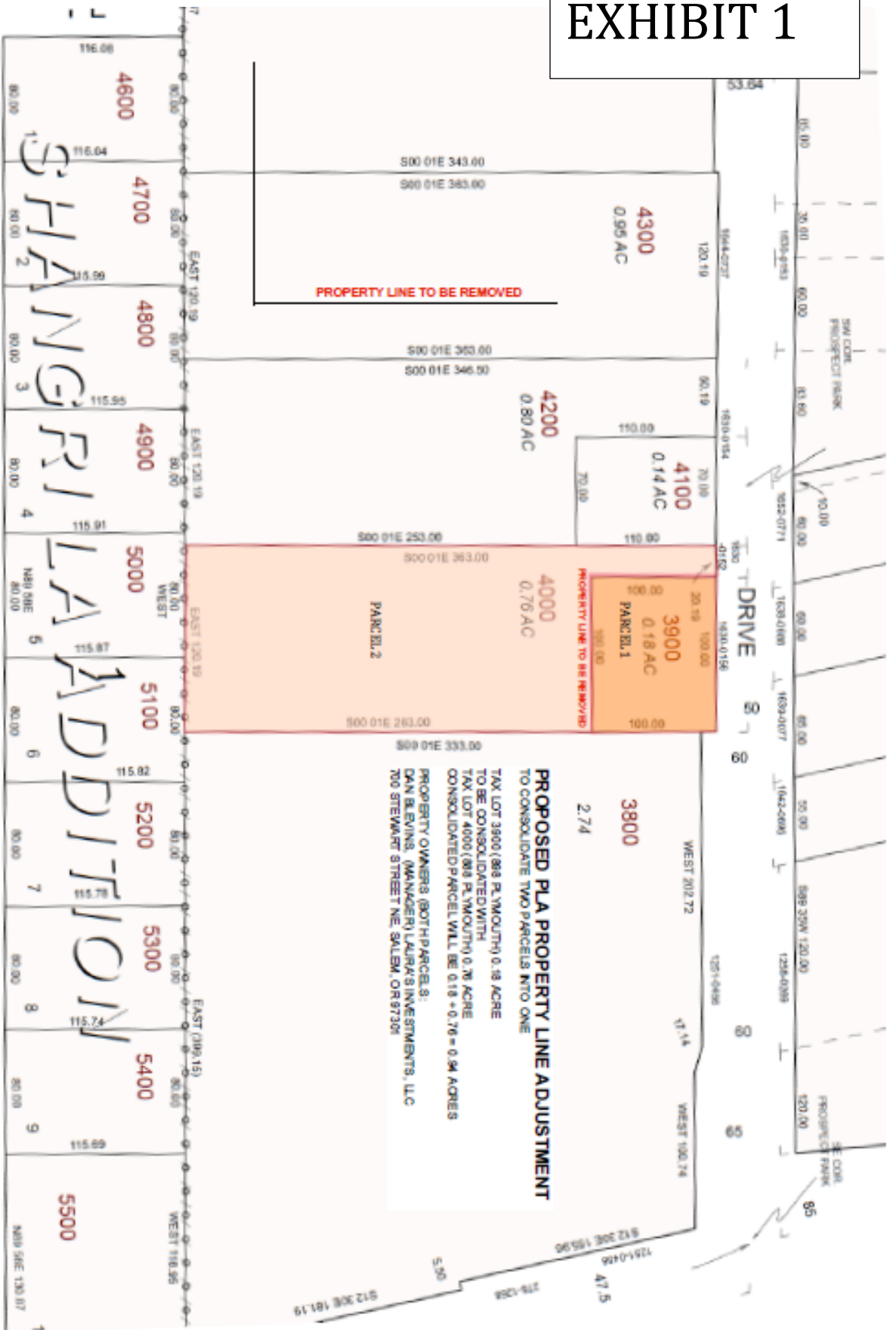
REPORT PREPARED BY: Dina Horner, Assistant Planner

Approved by: Shane Witham, Planning Director



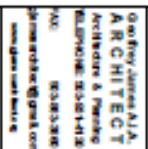
DATE: October 23, 2023

EXHIBIT 1



SHANGRILA AVENUE NE

PLA VICINITY



OWNER:
 DAN BLEVINS
 LAURA'S
 INVESTMENTS,
 LLC

688 / 888
 PLYMOUTH
 KEIZER
 OREGON

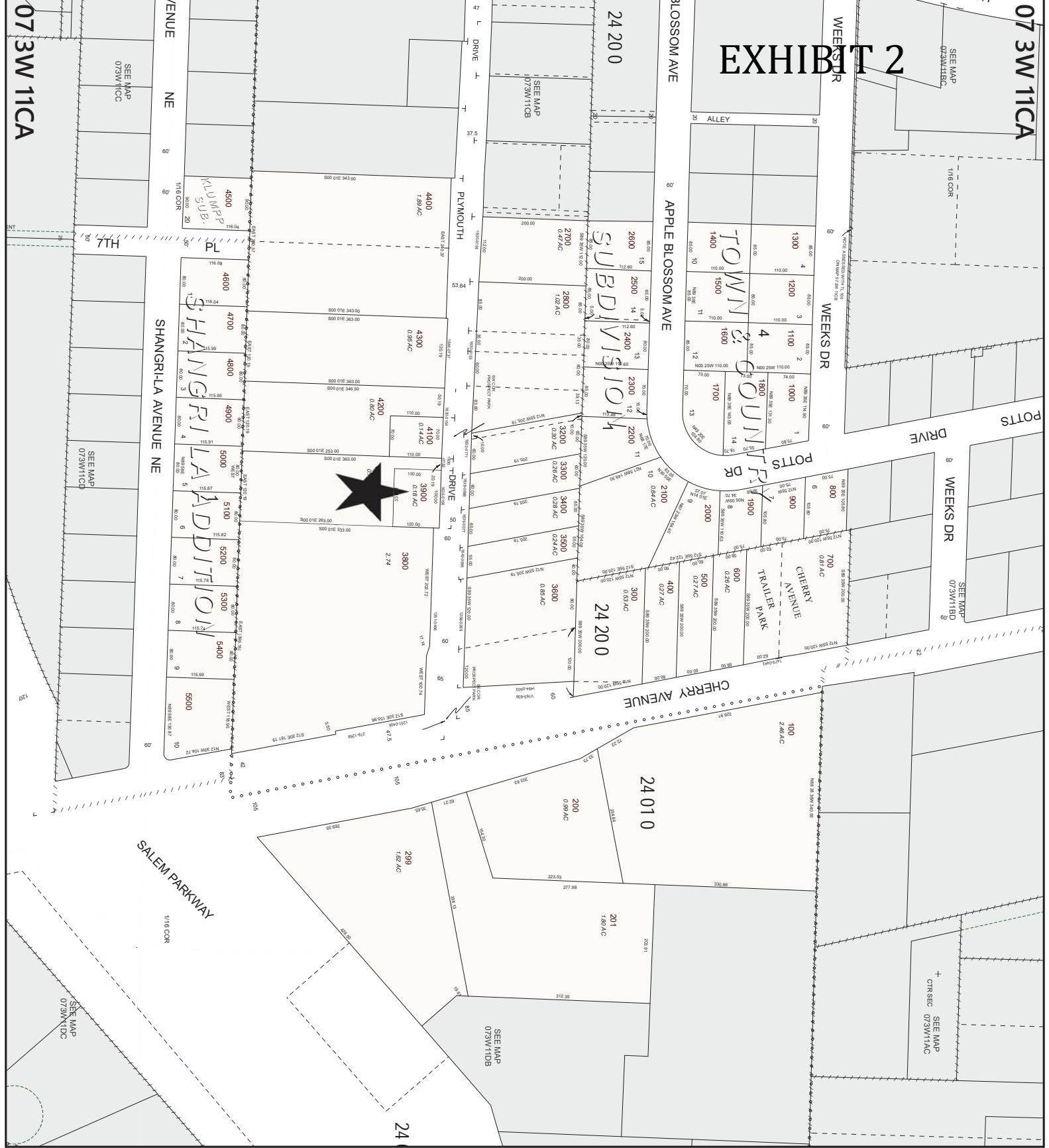
DATE: 05-02-2023

PLA-2

07 3W 11CA

EXHIBIT 2

07 3W 11CA



07 3W 11CA KEIZER



MARION COUNTY, OREGON
 NE 1/4 SW 1/4 SEC 14 T33S R3W W.M.
 SCALE 1" = 100'

LEGEND

- LINE TYPES**
- Taxlot Boundary
 - Road Right-of-Way
 - Railroad Right-of-Way
 - Private Road ROW
 - Subdivision/Private Body
 - Waterline - Taxlot Body
 - Waterline - Non Body
 - Historical Boundary
 - Easement
 - Railroad Centerline
 - Taxcode Line
 - Map Boundary

CORNER TYPES

- + 1/6th Section Cor.
- ⊙ D/C Corner
- ⊕ 1/4 Section Cor.
- ⊕ 1/8 Section Cor.
- ⊕ Section Corner
- ⊕ 2/2 Section Corner

NUMBERS

Tax Code Number
 00 00 0

Acreage Acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

NOTES

Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW



CANCELLED NUMBERS

- 298
- 299
- 300
- 3100
- 3700

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT www.co.marion.or.us

PLOT DATE: 10/16/2020

KEIZER

07 3W 11CA

EXHIBIT 3

TO: DINA HORNER, ASSISTANT PLANNER
FROM: CITY OF KEIZER PUBLIC WORKS DEPARTMENT
SUBJECT: PROPERTY LINE ADJUSTMENT CASE NO. 2023-15

APPLICANT – LAURA'S INVESTMENTS, LLC
ADDRESS – 888 PLYMOUTH DRIVE AND 898 PLYMOUTH DRIVE
ZONE – MEDIUM DENSITY RESIDENTIAL (RM)

PUBLIC WORKS DEPARTMENT REQUIREMENTS

No development is being proposed for the subject property at this time but any public improvements necessary for the subject property will be required as part of the building permit process. The property line adjustment is minor in nature and will result in the creation of a modification in the size of two parcels (Parcel 1 and Parcel 2) into one Parcel 0.94 acres in size. The lot line adjustment plat, when submitted shall show the location of all easements that exist on the properties. Future Development of the subject property will require right of way dedication along Plymouth Drive to result in 34 feet of right of way from the existing Right of Way center line. It is recommended that the right of way dedication be included at the time of the recording of the lot line adjustment.

STREET AND DRAINAGE IMPROVEMENTS:

No street or drainage improvements are required at this time for the lot line adjustment. Any drainage or other easements that exist on the subject property shall be shown on the lot line adjustment plat. Future development of the subject property will require street frontage improvements to Collector Street standards.

SANITARY SEWERS

No sanitary sewer trunk lines are required for the lot line adjustment at this time. Any sanitary sewer easements that exist on the subject property shall be shown on the lot line adjustment plat or be revised to adequately cover the existing lines.

DOMESTIC WATER SYSTEM

No water system improvements will be required for the lot line adjustment but any water line easements that exist shall be shown on the lot line adjustment plat or be revised to adequately cover the existing lines. The Lot Line Adjustment plat will result in two water meters serving one parcel. A plan to eliminate the conflict with the City of Keizer Design Standards will be required. If an acceptable plan is proposed, the city may allow the conflict to remain until development of the subject property takes place.

GENERAL

Access for any future improvements proposed for the subject Property shall require approval by the Public Works Department.

Comments on Planning Action: ___Keizer PLA 23-15___

Date__10/_/04/_/2023_ Person Commenting __ Kent Inman_____

Subdivision:

- ___ 1. Subdivision name must be approved per ORS 92.090.
- ___ 2. Must be surveyed and platted per ORS 92.050.
- ___ 3. Subdivision plat must be submitted for review.
- ___ 4. Checking fee and recording fees required.
- ___ 5. Per ORS 92.065 - Remaining monumentation bond may be required if some of the plat monuments have not been set and/or the installation of street and utility improvements has not been completed, or other conditions or circumstances cause the delay (or resetting) of monumentation.
- ___ 6. A current or updated title report must be submitted at the time of review. Title reports shall be no more than 15 days old at the time of approval of the plat by the Surveyor’s Office, which may require additional updated reports.

Partition:

- ___ 1. Per ORS 92.055 – Parcels over 10 acres can be unsurveyed.
- ___ 2. Parcels ten acres and less must be surveyed.
- ___ 3. Per ORS 92.050, plat must be submitted for review.
- ___ 4. Checking fee and recording fees required.
- ___ 5. A current or updated title report must be submitted at the time of review. Title reports shall be no more than 15 days old at the time of approval of the plat by the Surveyor’s Office, which may require additional updated reports.

Property Line Adjustment:

- ___ 1. No survey required for abutting properties greater than ten acres per ORS 92.060 (8).
- __X__ 2. Properties must be surveyed/monumented per ORS 92.060 (7) and the survey submitted for review.
- __X__ 3. Survey checking fee required at the time of review.

(See Page 2 for additional comments)

Property Line Adjustment (continued):

4. Property line adjustment deeds shall be recorded with the Marion County Clerk's Office. Per ORS 92.190 (4).

5. A re-plat (**in the form of a partition plat**) is required, due to the adjustment or elimination of a partition plat parcel line or subdivision lot line.

The deeds conveying the re-platted parcels shall be recorded after the recording of the re-plat.

Re-plat: (Re-configuration of lots or parcels and public easements within a recorded plat)

1. Must comply with all provisions per ORS 92.185 (6)

2. Must be surveyed and platted per ORS 92.050, and the plat submitted for review.

3. Checking fee and recording fees required.

4. A current or updated title report must be submitted at the time of review.

5. The portion of the subdivision or partition plat proposed for replatting contains utility easement(s) that will need to be addressed. Per ORS 92.185 (4), when a utility easement is proposed to be realigned, reduced in width or omitted by a replat, all affected utility companies or public agencies shall be notified, consistent with a governing body's notice to owners of property contiguous to the proposed plat. Any utility company that desires to maintain an easement subject to vacation must notify the governing body in writing within 14 days of the mailing or other service of the notice.

If it is necessary to re-configure the utility easement created by this partition plat (see map), then it will be the responsibility of the applicant to determine the names of all of the utility companies affected by the proposed re-configuration, and give this list of names to the Marion County Surveyor's Office. Letters of notice will be sent by this office to the affected utility companies, who will determine whether or not the easement is to be maintained.

Other comments specific to this Planning Action:

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