



**KEIZER COMMUNITY DEVELOPMENT DEPARTMENT  
NOTICE OF DECISION  
PROPERTY LINE ADJUSTMENT CASE NO. 2018-23**

**I. REQUEST**

The following report reviews a request to adjust a common property line between two parcels. One property (Parcel 1) is located at 4325 Verda Lane NE and contains a single family home. The second property (Parcel 2) is an undeveloped lot located in the 1800 block of Alder Dr NE, Keizer, Oregon. These properties are identified on Marion County Tax Assessor's Map No. 073W02DD tax lot 00500, and 00501. (Exhibit 1)

**II. BACKGROUND**

- A. **APPLICANT / PROPERTY OWNER:** Thomas Sines
- B. **PROPERTY LOCATION:** The properties are located at 4325 Verda Lane NE (Parcel 1) and in the 1800 block of Alder Dr NE (Parcel 2) Keizer, Oregon and are also identified on Marion County Tax Assessor's Map No. 073W02DD Tax Lot 00500, and Tax Lot 00501.
- C. **EXISTING PARCEL SIZES:** Currently, the property sizes are approximately 3.16 acres (Parcel 1) and approximately .48 acres (Parcel 2). The proposed property line adjustment will result in Parcel 1 decreasing in size to approximately .61 acres and Parcel 2 increasing to approximately 3.04 acres.
- D. **EXISTING PUBLIC FACILITIES AND DEVELOPMENT:** Parcel 1 is developed with a single family dwelling and accessory structure and the other parcel is undeveloped.
- E. **ZONING / LAND USE:** Both properties are designated Low Density Residential in the Comprehensive Plan and are each zoned Single Family Residential (RS). Surrounding properties are developed with single family residences and are also zoned Single Family Residential (RS). Claggett Creek School is located to the southwest on land that is zoned Public (P).

**III. DECISION**

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 VII. of this report.

**IV. APPEAL**

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 Community Development Department, 930 Chemawa Road NE, Keizer by 5:00 p.m. September 11, 2018

**Unless the decision is appealed, this decision becomes final on September 12, 2018.**

## V. CONDITIONS

1. Public Works has indicated that easements do not appear to be in the location of some of the existing utilities. The new plat shall identify the location of the existing utilities and show appropriate easements to adequately cover them. The Public Works Comments are attached (Exhibit 3).
2. All requirements of the Marion County Surveyor's office must be met (Exhibit 4). A replat (in the form of a partition plat) will be required and must comply with all applicable provisions of ORS 92.185(6) and ORS 92.050, and must be submitted for review. Checking fee and recording fees are required. A current or updated title report must be submitted at the time of review. The replat shall show all area and dimensional standards of the each of the parcels which must conform to the requirements of the RS (Single Family Residential) zone.
3. The property line adjustment shall be recorded with the Marion County Clerk by September 12, 2019. After the property adjustment is recorded, no alteration of property lines shall be permitted without first obtaining approval from the Zoning Administrator.
4. All parcels must comply with the minimum lot size, dimensional standards and the setbacks of the Single Family Residential (RS) zone. Applicant must provide wall height information and a site plan prepared by a licensed engineer or surveyor which shows the location of the existing accessory building in relation to the rear property line. Setbacks must comply with Section 2.313C of the Keizer Development Code (Accessory Structures and Uses).
5. 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 each of the parcels.

## VI. COMMENTS

### AGENCY COMMENTS:

- A. The Keizer Public Works Department (Exhibit 3) submitted comments regarding public facility requirements for 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. Portland General Electric submitted comments (Exhibit 5) indicating any relocation of PGE facilities will be at the customer's expense.
- D. The Keizer Police Department submitted that they have reviewed the proposal and have no comments.

## VII. FINDINGS

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 will adjust the common property line between two contiguous parcels. After the property line adjustment is complete there will still be a total of two parcels. Currently, the property sizes are approximately 3.16 acres (Parcel 1) and approximately .48 acres (Parcel 2). The proposed property line adjustment will result in Parcel 1 decreasing in size to approximately .61 acres and Parcel 2 increasing to approximately 3.04 acres. No new parcels will be created through this land use action. Therefore, staff finds 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 properties are zoned Single Family Residential (RS). Parcel 1 is developed with a single family dwelling and accessory building. Parcel 2 is undeveloped. The minimum lot size of the RS zone is 5,000 square feet. The dimensional standards of the RS zone are a minimum width of 40 feet and a minimum depth of 70 feet. The applicant's proposal is to adjust the common line between the two properties in order to decrease the size of Parcel 1 and increase the size of Parcel 2. Both parcels currently exceed the minimum area and dimension standards of the RS zone and after the proposed adjustment will continue to exceed the minimum lot size and dimension standards of the RS zone. No new development is proposed. The applicant and property owner wish to adjust the common property line in order to sell the improved portion of the land separate from the unimproved area. As a condition of property line adjustment approval, the applicant will be required to comply with the Marion County Surveyor's Office requirements regarding the process to accomplish the property line adjustment by recording of a partition plat (replat). In addition, the Public Works Department submitted comments stating the current easements for utilities on the subject property do not appear to be in the location of the existing utilities. The Keizer Public Works Department requires that the location of all existing utilities be identified on the new plat, and requires the appropriate easements be shown to adequately cover them. With this condition, staff finds this request satisfies this criterion.

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

**FINDINGS:** Located on Parcel 1 is an existing single family home and accessory building. The new adjusted property line will effect the setback to the accessory building. Setbacks for the accessory building are calculated using the building's wall height. Applicant must provide wall height information and a site plan prepared by a licensed engineer or surveyor which shows the location of the existing accessory building in relation to the minimum setbacks to ensure the requirement is met. With this conditions, staff finds this request can satisfy 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 owner information 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.

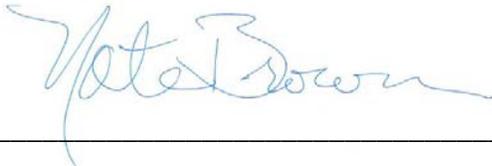
5. **Section 3.106.04.E. The property line adjustment by itself does not prohibit any property from accessing either a public right of way or an access easement.**

**FINDINGS:** The proposed property line adjustment will not change the access rights of either parcel. The proposal is to adjust the common property line between the two parcels without affecting the street frontage or access of either parcel. Parcel 1 will continue to have access from Verda Lane NE and Parcel 2 will continue to have access from Alder Dr NE. Therefore, staff finds this request complies with this criterion.

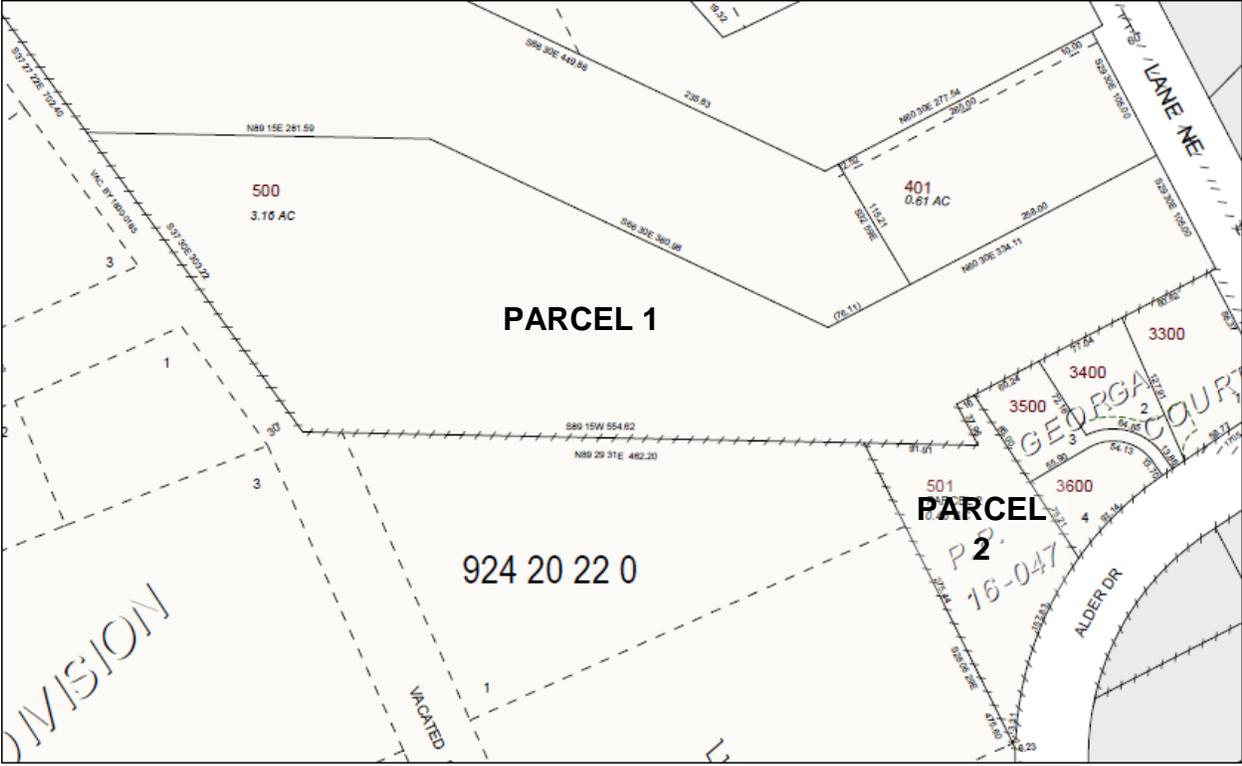
The proposed property line adjustment conforms to Section 3.106.04 of the Keizer Development Code. Based on the above findings, staff concludes the proposal complies with the applicable decision criteria and approves the proposal subject to conditions outlined in Section IV of this report. If you have any question about this application or the decision please call (503) 856-3441 or visit the Community Development Department at 930 Chemawa Rd NE, Keizer, Oregon.

REPORT PREPARED BY: Dina Russell, Assistant Planner

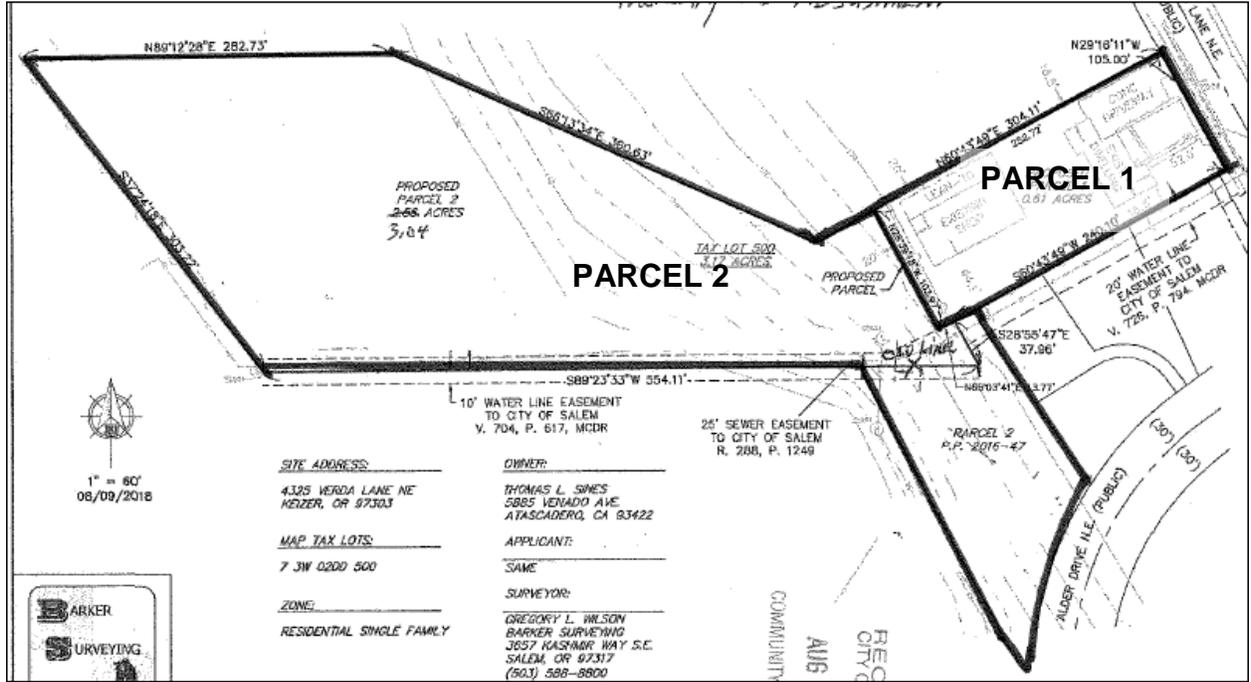
Approved by: Nate Brown, Community Development Director



DATE: August 31, 2018



EXISTING CONDITIONS



PROPOSED PROPERTY LINE ADJUSTMENT CONDITIONS

07 3W 02DD

07 3W 02DD

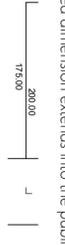
KEIZER



MARION COUNTY, OREGON  
SE1/4 SE1/4 SEC2 T7S R3W W.M.  
SCALE 1" = 100'

LEGEND

- LINE TYPES**
- Taxlot Boundary
  - Road Right-of-Way
  - Railroad Right-of-Way
  - Private Road ROW
  - Subdivision/Flat Bndry
  - Waterline - Taxlot Bndry
  - Waterline - Non Bndry
  - Historical Boundary
  - Easement
  - Railroad Centerline
  - Taxcode Line
  - Map Boundary
- CORNER TYPES**
- + 1/16TH Section Cor.
  - ⊙ DLC Corner
  - ⊕ 1/4 Section Cor.
  - ⊙ 16 15 Section Corner
  - ⊕ 21 22 Section Corner
- NUMBERS**
- Tax Code Number  
000 000 00
- Acreage  
0.25 AC  
All 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**

200
600
700
800
900
1000

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT [www.co.marion.or.us](http://www.co.marion.or.us)

PLOT DATE: 1/24/2018

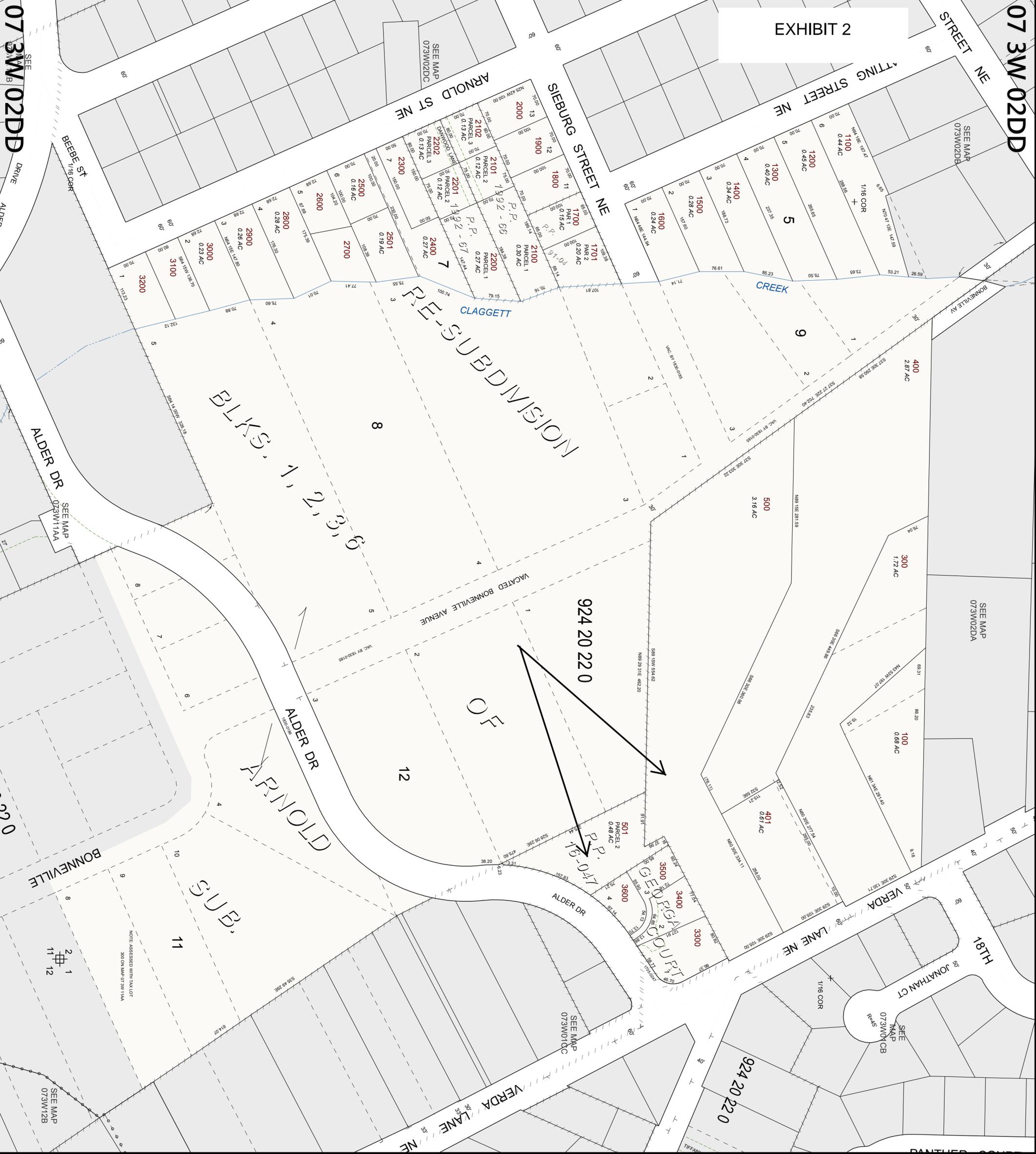
KEIZER

07 3W 02DD

EXHIBIT 2

07 3W 02DD

07 3W 02DD



TO: DINA RUSSELL, ASSISTANT PLANNER  
FROM: CITY OF KEIZER PUBLIC WORKS DEPARTMENT  
SUBJECT: PROPERTY LINE ADJUSTMENT CASE NO. 2018-23

APPLICANT – THOMAS SINES  
ADDRESS – 4325 VERDA LANE NE & THE BLOCK OF ALDER DR. NE

PUBLIC WORKS DEPARTMENT REQUIREMENTS

No development is being proposed for the subject property at this time. The lot line adjustment is minor in nature and will result in the creation of a 0.61 acre parcel and a 3.04 acre parcel (Parcels A and B). The lot line adjustment plat, when submitted shall show the location of all easements, if any, that exist on the properties. The current easements for utilities on the subject property do not appear to be in the location of some of the existing utilities. The new plat for the proposed lot line adjustment shall identify the location of the existing utilities and show appropriate easements to adequately cover them.

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.

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.



Comments on Planning Action: Keizer PLA 2018-23

Date 8/15/2018 Person Commenting Phil Jones

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. No survey required on parcels created over ten acres.
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. The resultant property is greater than ten acres.
2. Must be surveyed per ORS 92.060 (7) and the survey submitted for review.
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 prior to submitting the property line adjustment survey. Deed recording reference numbers shall be noted on the survey map. Per ORS 92.190 (4): The deed shall contain the names of the parties, the description of the adjusted line, references to original recorded documents and signatures of all parties with proper acknowledgment. [See Marion County Zoning Code MCC 16.33.140(E) and MCC 17.172.120(E)]

Marion County Planning requires perimeter descriptions of the resultant properties.

5. A re-plat (in the form of a partition plat) is required, due to the adjustment of a partition plat parcel line or subdivision lot line. A property line adjustment deed shall be recorded with the Marion County Clerk's Office, prior to the recording of the re-plat. Deed recording reference numbers shall be noted on the plat. As per ORS 92.190 (4): The deed shall contain the names of the parties, the description of the adjusted line, references to original recorded documents and signatures of all parties with proper acknowledgment.

The resultant property deeds 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:**

