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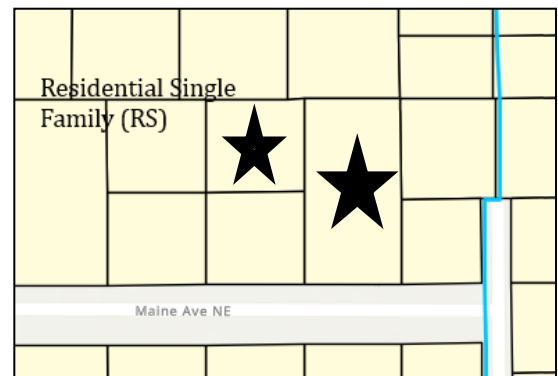
KEIZER PLANNING DEPARTMENT NOTICE OF DECISION PROPERTY LINE ADJUSTMENT CASE 2025-09

I. REQUEST

The following report reviews a request for a Property Line Adjustment to adjust a common property line between two properties located at 783 and 763 Maine Av NE. Lot A will decrease from 17,850 square feet to 9,564 square feet and Lot B will increase from 9,090 square feet to 17,376 square feet. (Exhibit 1)

II. BACKGROUND

- A. **APPLICANT/PROPERTY OWNER:** ECS Northwest (Lot A); Philip and Rachel Carella (Lot B)
- B. **PROPERTY LOCATION:** The properties are located at 783 and 763 Maine Avenue NE; Marion County Assessor's map identifies the properties as Township 7 South; Range 3 West; Section 02BD; Tax Lots 12300 and 12400. (Exhibit 2)
- C. **EXISTING PARCEL SIZES:** Currently, the property sizes are approximately 17,850 square feet (Lot A) and 9,090 square feet (Lot B).
- D. **EXISTING PUBLIC FACILITIES AND DEVELOPMENT:** Both properties are developed with single family dwellings. Both public sewer and public water is available to both parcels.
- E. **ZONING/LAND USE:** Both properties are designated as Low Density Residential (LDR) in the Comprehensive Plan and has a zoning designation as Single Family Residential (RS). Adjacent properties are predominately developed with single family homes.



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 will adjust the common property line between two contiguous parcels. No new parcels will be created through this land use action. With this Property Line Adjustment, Lot A will decrease in size to approximately 9,564 square feet and Lot B will increase to approximately 17,376 square feet. 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: Both properties are zoned RS. The applicant's site plan and written statement indicate both parcels currently meet the dimensional standards of the RS zone and will continue to meet the standards after the proposed property line adjustment is complete.

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: Both Lot A and Lot B contain existing single-family dwellings. The proposed property line adjustment will not affect the front or side yard setbacks, which will continue to comply with current code requirements. The rear yard setback for Lot A will be reduced to 23.7 feet, exceeding the minimum required 14' setback for a single-story dwelling. The rear yard setback for Lot B will increase

substantially as a result of the adjustment. Staff finds that the proposal meets the applicable setback requirements and 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 deeds for both properties involved that indicated both parcels were lawfully created. 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 impede access to the public right-of-way for either property. Lot A will retain direct access to Maine Avenue NE, while Lot B will continue to access Maine Avenue NE via an existing private access easement. Therefore, staff finds 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 IV 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.

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. August 1, 2025.

Unless the decision is appealed, this decision becomes final on August 2, 2025

VI. CONDITIONS AND REQUIREMENTS

1. Recording of the property line adjustment deeds and submitting the property line survey must be done before August 2, 2027. 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. The property line adjustment deeds and exhibits shall show the location of all existing easements on the properties.
3. All requirements required by the Public Works Department outlined in Exhibit 3 must be completed including dedication of a 15' city storm drainage easement.
4. Any future development on the property will be subject to the development and permit requirements in effect at that time.
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 the parcel.

REPORT PREPARED BY: Dina Horner, Assistant Planner

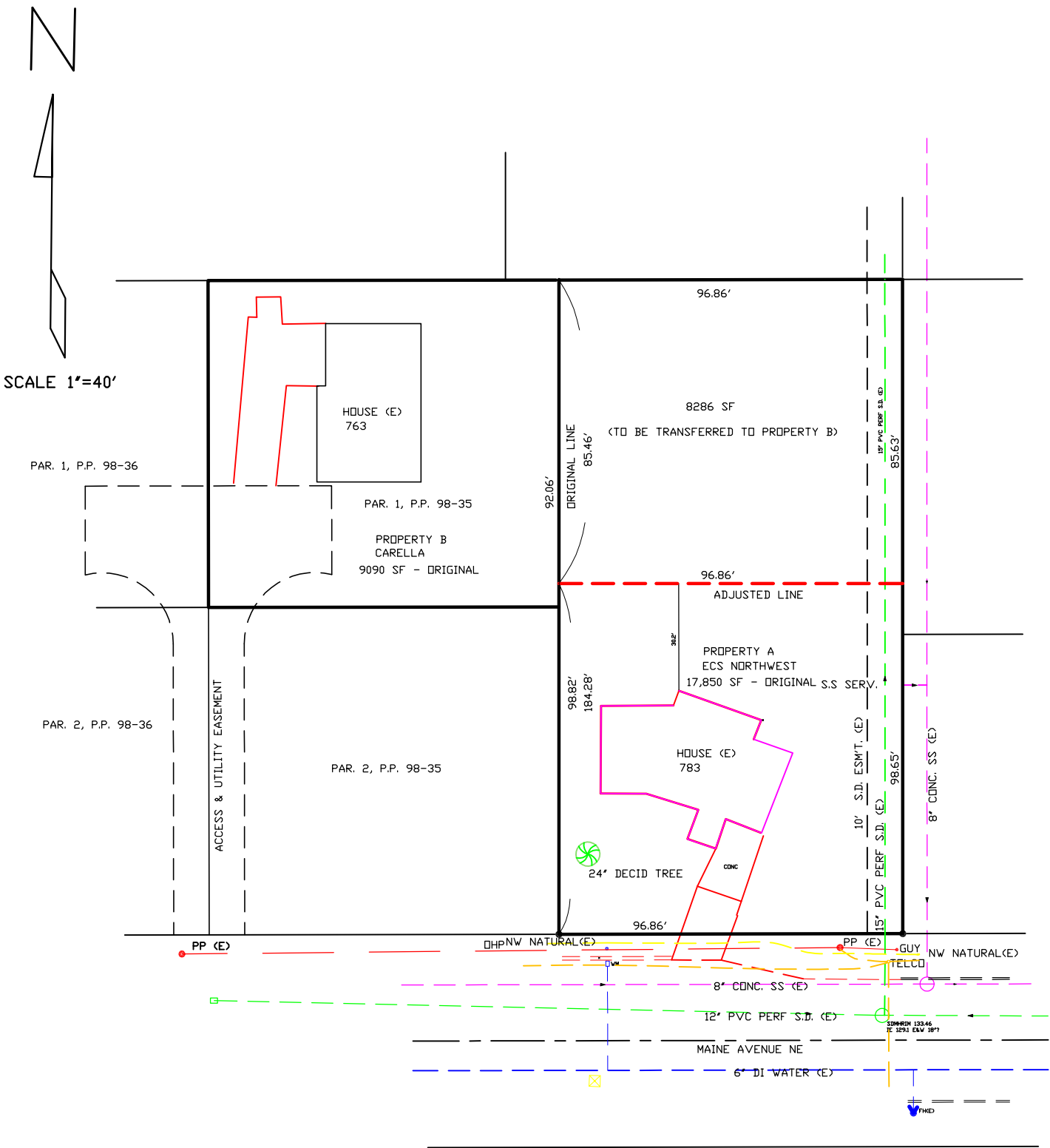
Approved by: _____



Shane Witham, Planning Director

DATE: July 22, 2025

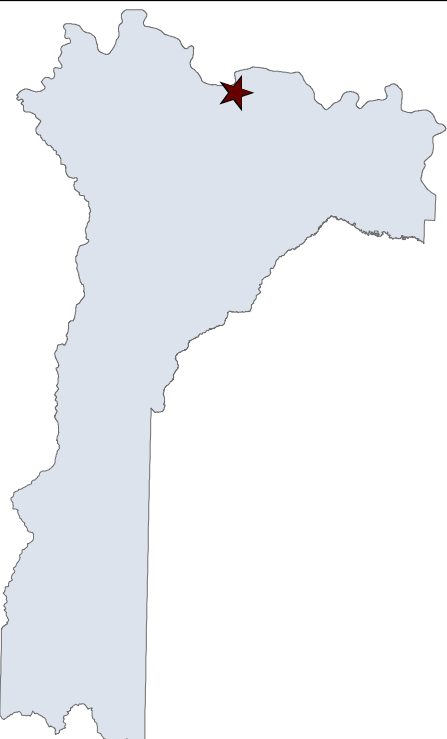
EXHIBIT 1



PLA SITE PLAN

NOTES & LEGEND:

- (E) = EXISTING FEATURE
- = EXISTING OBJECT
- PP = POWER POLE



MARION COUNTY, OREGON
SE 1/4 NW 1/4 SEC 2 T7S R3W W.M.

SCALE 1" = 100'

LEGEND

- LINE TYPES**
- Taxlot Boundary
 - Road Right-of-Way
 - Railroad Right-of-Way
 - Private Road ROW
 - Subdivision/Plat 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
 - ⊕ Section Corner

NUMBERS
Tax Code Number
00 00 0

Acreage All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs
0.25 AC

NOTES

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

CANCELLED NUMBERS

1600
2101
5700
6700
7400
7600
8400
9000
9102
10400
12000
13200

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

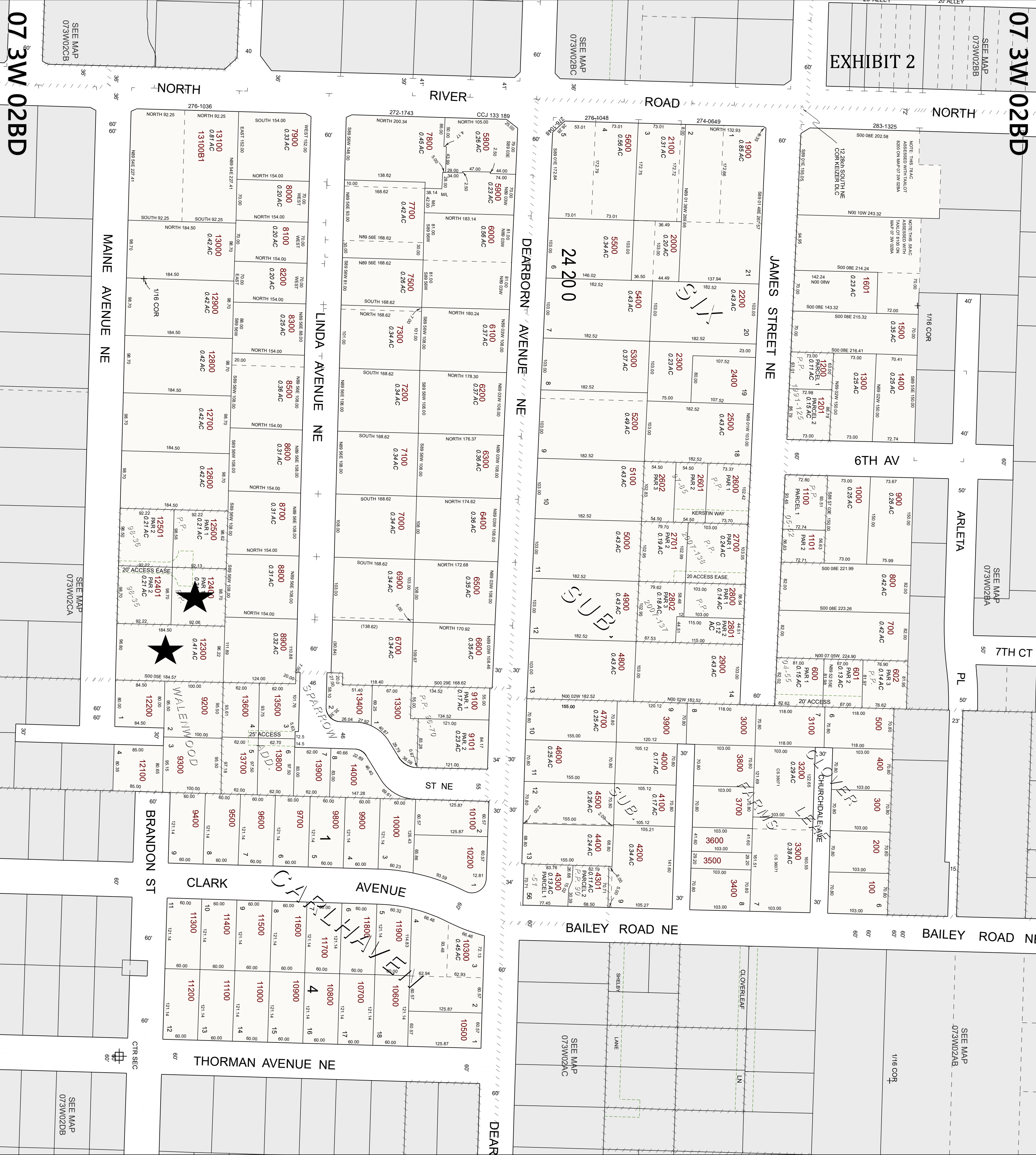


EXHIBIT 2

Keizer Public Works Comments

July 9, 2025

Page 1 of 2

PROPERTY LINE ADJUSTMENT CASE NO. 2025-09

PROPERTY ADDRESS: 763 & 783 MAINE AVENUE NE

The Applicant is requesting to adjust a common property line between two properties located at 783 and 762 Maine Avenue NE (Tax Lots 12400 and 12300 on Marion County Tax Map 073W02BD). Property A (currently 783 Maine Avenue NE) will decrease from 17,850 square feet to 9,564 square feet and Property B (currently 763 Maine Avenue NE) will increase from 9,090 square feet to 17,376 square feet. Both properties are zoned Single Family Residential (RS) and have a Comprehensive Plan designation of Low Density Residential (LDR).

EXISTING CONDITIONS:

- a) Property A has access to and frontage along Maine Avenue NE, a Local street in the Keizer Transportation System Plan (TSP). Property B has access to Maine Avenue NE through a shared Access & Utility Easement, created under Marion County Partition Plat 98-35.
- b) The subject properties are located inside of the original Keizer Sewer District.
- c) An 8-inch concrete City sanitary sewer main is located approximately 7 feet east of the east line of Property B and runs parallel with the common property line. The sanitary sewer service for the existing structure on Property B is connected to this main.
- d) An 8-inch concrete City sanitary sewer main is located along the north side of Maine Avenue NE. It is believed that the existing structure on Property A is connected to this main for sanitary sewer service.
- e) A 6-inch ductile iron City water main is located along the south side of Maine Avenue NE. It is believed that the existing structures on both Property A and B are served domestic water from this main.
- f) A City fire hydrant is located on the south side of Maine Avenue NE, approximately 12 feet east of the subject properties.
- g) The subject property is not located within a stormwater "Critical Basin" as defined in Keizer Design Standards Chapter 100.
- h) A 15-inch perforated PVC City storm drain is located along the east side of Property B, approximately 4 feet west of the property line.
- i) A 12-inch perforated City PVC storm drain is located along the center of Maine Avenue NE.
- j) The perforated stormwater system mains are part of a DEQ-registered Underground Injection Control system as Asset ID SW-UIC-6.
- k) Per the Oregon Rapid Wetland Assessment Protocol (ORWAP), the subject properties do not contain any mapped wetland or hydric soil areas.
- l) Per Flood Insurance Rate Map Number 41047C0332G, the subject properties are not located within any Special Flood Hazard Area (SFHA).

PUBLIC WORKS DEPARTMENT REQUIREMENTS. The Public Works Department has reviewed the application materials. Development is not being proposed with this application, and the adjustment is minor in nature and reconfigures two existing parcels as indicated above. Public Works recommends the following conditions of approval and development requirements:

General:

- a) Applicant shall dedicate a 15-foot wide (measured from the east property line) City storm drainage easement over the existing City storm main along the east side of Properties A and B in accordance with current Standards. The City will quitclaim the existing substandard storm drainage easement as part of the dedication process.
- b) The property line adjustment deeds and exhibits shall be prepared by an Oregon-licensed surveyor.
- c) The property line adjustment deeds and exhibits shall show the location of all existing easements on the properties.
- d) Existing agreements between the two properties, if any, shall remain in effect after the adjustment of the property line.
- e) Any future development on the property will be subject to the development and permit requirements in effect at that time, including but not limited to driveway access limitations, new connections to City systems, grading and drainage, stormwater management, erosion control, construction, street opening, and floodplain development permits.

Comments on Planning Action: Keizer PLA 2025-09

Date 7/15/2025 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. The adjusted line must be surveyed and monumented per ORS 92.060 (7).
- ☒ 2. Survey checking fee required at the time of review.

(See Page 2 for additional comments)

Property Line Adjustment (continued):

- X 4. Property line adjustment deed(s) shall be recorded with the Marion County Clerk's Office. 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.
- _____ 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 for the area being transferred shall be recorded with the Marion County Clerk's Office. 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 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.

Other comments specific to this Planning Action: