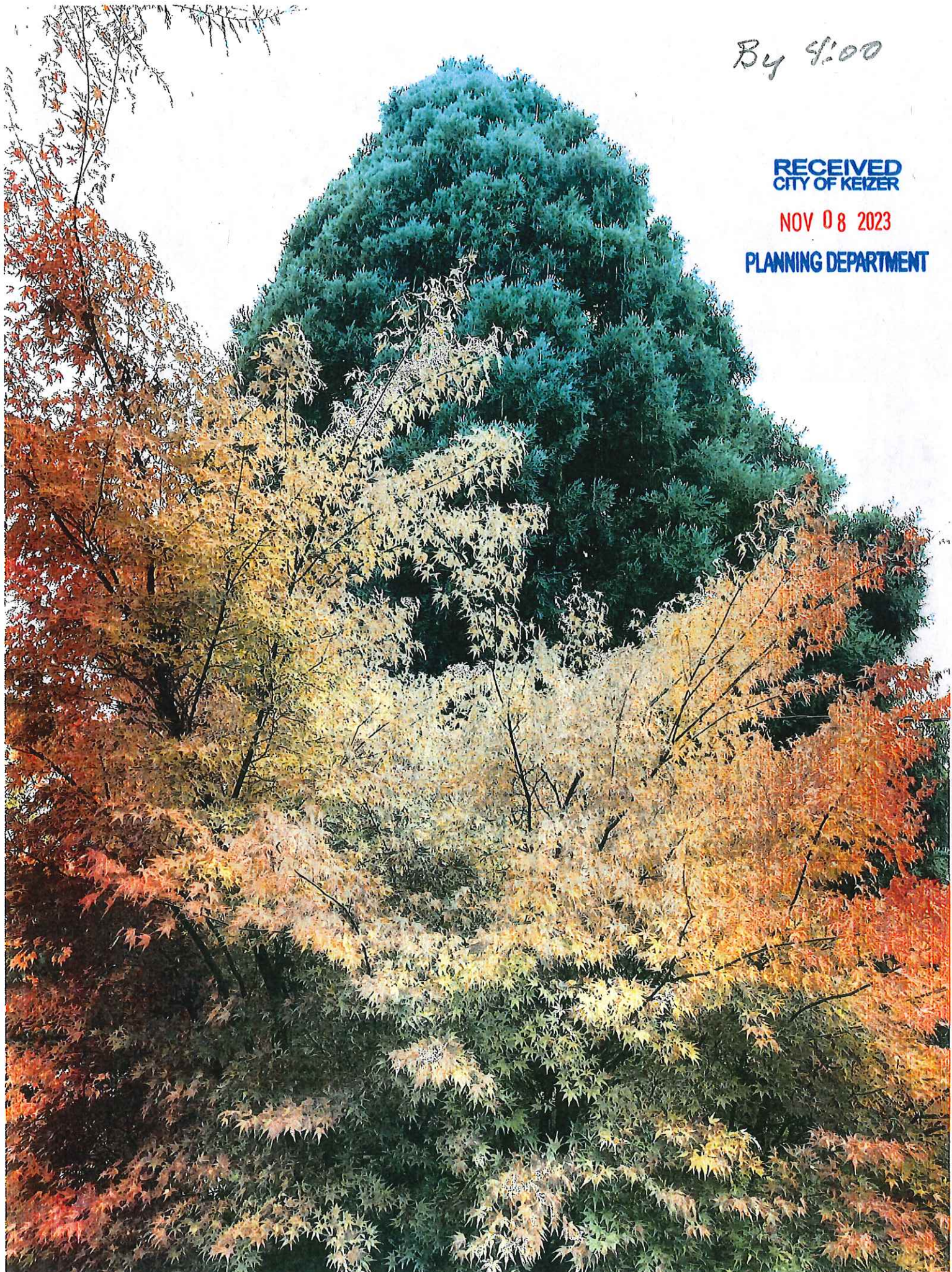


By 4:00

RECEIVED
CITY OF KEIZER

NOV 08 2023

PLANNING DEPARTMENT



07:03

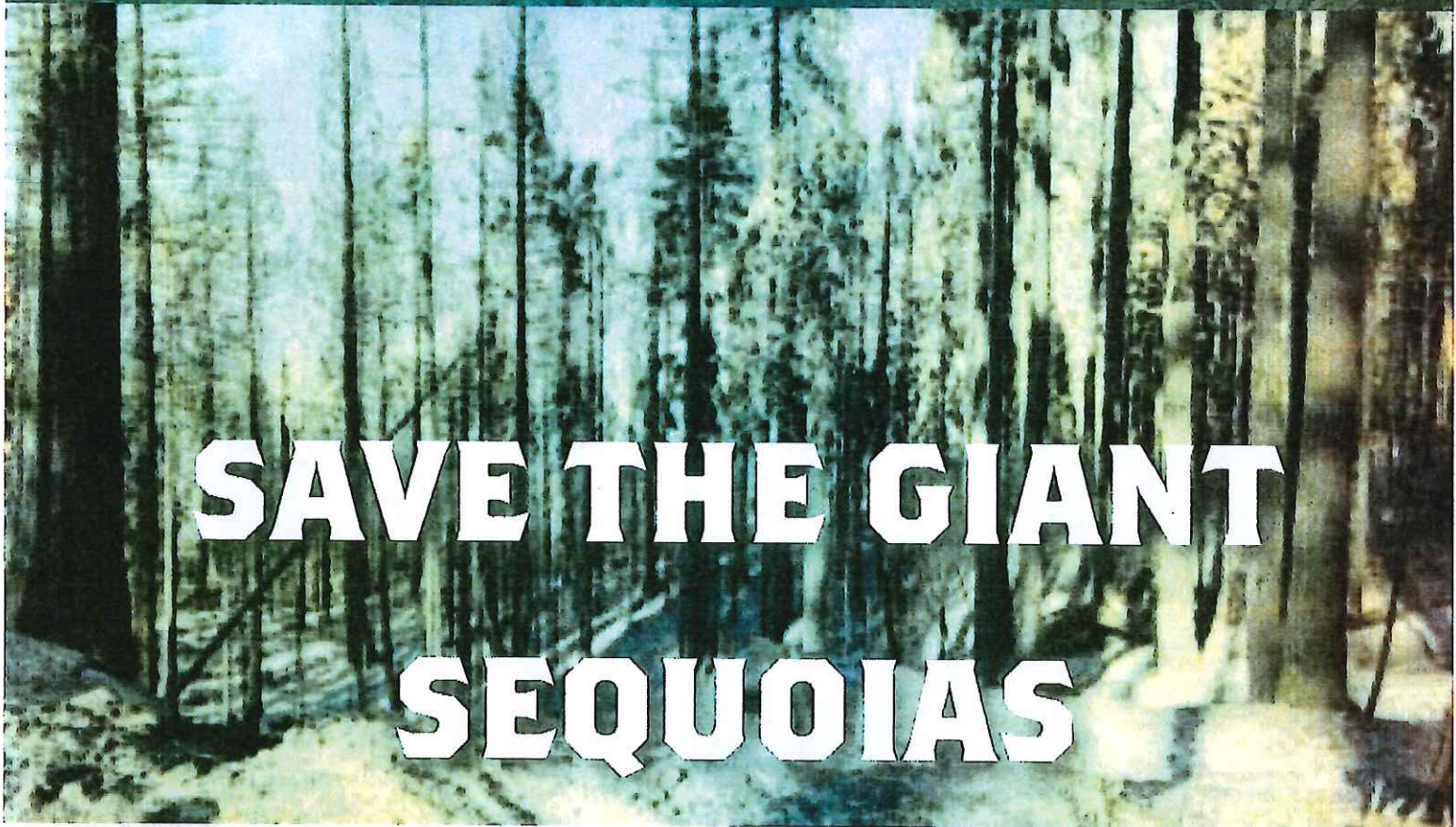


[https://www.savetheredwoods.org/...](https://www.savetheredwoods.org/)



Save The Redwoods

L E A G U E



Policymakers can ensure a future for
giant sequoias right now

 Notes**KEIZER APPEAL 2023-12****11/08/2023 (6)**

To:

Keizer Planning

From:

Wendell Weckert

557 Dearborn Ave. N

Keizer, OR

Generally, I should not need to revisit your basic criteria for zoning and partitioning. Planning knows square footage and other basic standards required. However factors unique to this parcel or individual and detrimental to nearby residents and lots also need to be part of any decision. I do not believe they were. Zoning and partitioning changes are supposed to serve and protect more than just one party.

This letter is procedurally necessary to establish basis for reversal of 527 Dearborn partition and rezoning by City of Keizer. This letter will be used at Appeal, City Council, LUBA (Land Use Board of Appeals), as well as subsequent legal and financial actions taken for acts committed by the Lee's , City of Keizer, and others.

Specifically these actions involve failure to disclose or comply with City codes and violation of state laws. These actions will involve liens filed against the Lees on any properties they own or may own in the future for costs, damages and penalties which will be born by the Lees and their properties future owners.

KEIZER narrow attic stairs non-compliant
KEIZER attic/loft 4th bedroom non-compliant
KEIZER I paved road surface non-compliant

KEIZER downspout drain front/back missing
KEIZER surface discharge to 557 not allowed
KEIZER downspout dry well to close to 557
zinc / asphalt impacts garden, water, trees.

KEIZER water well roof setback omitted
KEIZER water well property line omitted
.....OAR 690.210

KEIZER West foundation setback omitted
KEIZER North foundation setback omitted
KEIZER Northeast foundation setback wrong
KEIZER East foundation setback not found
KEIZER lot survey marker not found

Notes



If in compliance all should be listed at 5' or greater. They are all omitted and out of compliance. The only disclosed setback dimension is for requested "Major Variance". Nonsense, the hard "bollard" 3' setback reduction simply moves east 3' into the soft landscape or shrub setback and closer to the adjacent property. Be honest, get this "Variance" out and call it what it is.

Forced Assault
New Explanation

Can't be enforced

Page 13 . 5

FINDINGS

contains does affect safety of ad, mount lot.

KEIZER Ident of hanging (cedar-3) missing
 KEIZER Ident of hanging (firs-3) missing
 KEIZER Ident of line-tree (sequoia) missing
 KEIZER Ident of hanging (sequoia) missing
 KEIZER Ident of hanging (fir) missing
 KEIZER Ident of hanging (pine) missing
 KEIZER Ident of line-tree (cedar) missing
 KEIZER Ident of 40' hemlock) ghost
 KEIZER line-tree damage(arborvite-1)missing
 KEIZER Ident line-tree (arborvitae-5)missing
 All these conveniently missing Exhibit 1 trees impact parcels responsibility, limitations and liability under ORS 105.810 and Keizer code section 2.309 Site and Landscape Design. By conveniently leaving these off Exhibit 1 an attempt has been to leave trees and shrubs out of the discussion and explains why the applicant has been so intent even to the extent of violating Oregon laws.

New

Page 10 . 8

FINDINGS

Removal of mature trees

*My Trees
 Live trees*

*\$ 50,000
 ea*

To remove


1 yr Time

add Topics but even in the negotiations

EXHIBIT 1 Was altered after mailed with all changes and procedures not disclosed to effected parties prior to the comment period. And still it contains omissions and misstatement's of fact. This key exhibit is wrong, but why not important enough to correct? For some purposes it is useless. The obvious pattern is labels impacting decision and other homeowners have been falsified or selectively omitted.

Experiences have shown Lees to be, at best, inexperienced, at worst negligent or manipulative. If they can't handle a paper project like Exhibit 1, how can they be trusted with the responsibilities to make serious life changing detailed decisions that endanger real people and our connected property?

ORS164.354 Malicious Mischief penalties
ORS105.810 Treble Tree Trespass penalties
ORS 105.810 Line Tree penalties

 Notes

Three arborists were hired, trespassed, tree trespassed, and damaged adjacent property owners trees. Lees lied and told arborist other owners had authorized the work. We had not. Arborist refused to carry thru with cutting as extensively as had been requested by Lees. I am working with police to prosecute Michael and Susan Lee under these and other names.

Electric, gas and sewer for parcel seem to have been installed a year before partition request was publicly submitted, let alone approved.

I believe these criminal and civil acts, endangerment, fraud, lying and failures should have resulted in the denial of the request to rezone and partition 526 Dearborn into two separate parcels and the resulting eventual construction of additional separate dwelling and potential construction of additional ADUs, (remodels, attached and non-attached).


Further, I believe it not to be in my or the larger communities interest to rezone and redevelop what had been a single family self sustaining family residential lot into an over developed and over occupied complex for as many as six crowded non-sustainable families.

Under original zoning and code protections existing and nearby residents were protected from speculative, irresponsible, over development. Once approved and finalized rezoning and certainly repartitioning can not easily be undone.

Keizer's apparent pre approval decision to partition failed to recognize and project all cost factors because they are not being born by The City of Keizer, their employees, or by the Keizer Fire Department.

Most city costs will be reimbursed from the petitioner and Keizers property tax revenue will increase from the additional tax parcel.

The petitioner as a business will deduct costs as a business-expense credit where they will be made-up for and "paid" by the public.

 Notes

The petitioner wins financially. The City of Keizer wins financially. Which explains why this deal and others like it are verbally pre-approved in most cities even before they are submitted for public comment. Developers are not stupid, businesses do not invest their money without assurances. At this time their identity is not known but probably rests with the standard planning department process.

Costs not discussed nor acknowledged are those born by myself and many other nearby residents.

Every home in this neighborhood will in some manner bear costs, be they noise, traffic congestion, visual blight, construction, parking, nuisance, drainage or taxes.

557 Dearborn (existing property on west side of proposed parcel). The grove of pine and protected sequoia trees have been killed, trespassed, cut and will be excavated then logged. Adjacent foundations, driveways, mandated fire lanes and fire defense zones will again smother roots requiring unsightly, continuous logging and removal.

Possible
DEER
Violation
Jim + Tree

Further logging and removal costs will not be born by Michael and Susan. They will have pocketed their profits and be long gone. Antiquated easements indicate their intent is to partition then sell off the resulting properties. Subsequent owners of the partitioned property will be liable, but massive costs and time expenditures from these and their previous mistakes will, as in the past, also likely revert back, with hardship, to me. We are estimating many tens of thousands of dollars and wasted hours in unnecessary personal mitigation costs and damage claims involving both parties.

507 Dearborn (existing property on east side of newly partitioned street/drive) was not developed and purchased as a corner lot with noise, traffic and privacy breaches from the equivalent of a new side street. Shrubbery will take years and additional space to develop. All at additional disruption, time and financial hardship.

If the developer or city had to pay our costs of repartitioning no one would even consider repartitioning and associated rezoning.



While awkward, at this stage to prevent harm to other residents, this decision to repartition and rezone needs to be reversed.

Partitioning drives up all housing costs. The housing foundations, required driveway, required parking, required fire truck turnaround, required access road all combined take up capital and most of the lot land and surface drainage. Subsistence, vegetable or life style gardening and family recreation activities won't fit. That was why this land was historically zoned and used as it has. The new zoning standard has dried up the supply of traditional affordable multi generational, multi purpose and extended family housing.

If people don't want the responsibilities of land they could consider purchasing condos or renting apartments. Destruction of traditional home ownership should not be supported by Keizers insensitivity in partitioning and zoning requirements.

Archaic permitting and punitive local tax policy has costed Keizer out of affordable traditional housing into formats that have not worked for decades. Related government policy, or lack of, has aggravated parking, traffic congestion, commute times, air quality, cost of living, quality of life and almost every other societal problem we now have.

There are an abundance of laws and standards for dealing with human weaknesses, we still come up short when it comes to government. Consequently we have lost faith in the comprehensive reliability, and common sense of government.

The partitioning of this site does not make any sense and creates future problems for everyone associated. The purchase price was fair. Lees got what they paid for. Long term, windfall business profits from partitioning are not likely. Please honor the repeal and remove the partition. Allow prior proven zoning and land use laws to stand.



I and others have provided more than sufficient justification to repeal the original approval. I believe the original approval only survived because of the requested variance. I first told Michael June 2020 that he was a foot short on the east setback. This combined with all other setback violations and attempts to cover up and otherwise manipulate the partitioning process should offset any hesitancy by Keizer to deny the partition and rezoning.

All of the cautions contained herein were included in the original comments process from all deeply committed responders. But in its haste to approve the petition based on technical criteria they were ignored. Also, as before my reply is backed by e-mails, data searches, photos, and videos.

Over the years this is the fourth infill letter I have written the city. This is the first infill that will be costly to me and hits this close to home. Recognize I have nothing against small houses or increasing housing density. But with each category of housing there should be unique development requirements. Ignore them and you create problems for adjacent lot owners. Keizer policy has never achieved this. So Keizer continues, unnecessarily, to create enclaves of problem housing.

The Governor and Legislature have given cities the freedom to make housing better not a mandate to make it worse.

If you still believe we have a housing cost and availability gap then study specific Vancouver, B.C tax timing and property improvement codes from the 1980s, modify, and adapt them to the present. It will change Keizers future for the better.