

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
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Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173

DECISION OF THE PLANNING ADMINISTRATOR

PROPERTY LINE ADJUSTMENT CASE NO.: PLA24-14; PLA24-15; PLA24-16

APPLICATION NO.: 24-105033-PLN

NOTICE OF DECISION DATE: May 30, 2024

SUMMARY: Three Property Line Adjustments to reconfigure four abutting units of land.

REQUEST: A series of three Property Line Adjustments to move the common property lines between four units of land, resulting in properties 0.31, 0.19, 0.22, and 2.09 acres in size. The subject properties are zoned RS (Single Family Residential) and located at 617, 635, 653, and 671 Sahalee Drive SE (Marion County Assessor's Map and Tax Lot Numbers 083W22BD / 2400; 2300; 2200; and 2100).

APPLICANT: Barker Surveying, on behalf of the property owner, Sam Lapray

LOCATION: 617, 635, 653, and 671 Sahalee Dr SE, Salem OR 97306

FINDINGS: The findings are in the attached Decision dated May 30, 2024

DECISION: The **Planning Administrator APPROVED** PLA24-14; PLA24-15; and PLA24-16 based upon the application materials and the findings as presented in the decision.

The rights granted by the attached decision, which are effective as of the date of this decision, must be exercised by May 30, 2026, or this approval shall be null and void.

Case Manager: Peter Domine, Planner II, pdomine@cityofsalem.net, 503-540-2311

This decision is final; there is no local appeal process. Any person with standing may appeal this decision by filing a "Notice of Intent to Appeal" with the Land Use Board of Appeals, 775 Summer St NE, Suite 330, Salem OR 97301, **no later than 21 days after May 30, 2024**. Anyone with questions regarding filing an appeal with the Oregon Land Use Board of Appeals should contact an attorney.

<http://www.cityofsalem.net/planning>

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF APPROVAL OF)	FINDINGS & ORDER
PROPERTY LINE ADJUSTMENT)	
CASE NO. PLA24-14; PLA24-15; PLA24-16)	
617, 635, 653, and 671 SAHALEE DR SE)	MAY 30, 2024

In the matter of the application for three Property Line Adjustments, submitted by the applicant, Barker Surveying, on behalf of the property owner, Sam Lapray, the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

Summary: Three Property Line Adjustments to reconfigure four abutting units of land.

Request: A series of three Property Line Adjustments to move the common property lines between four units of land, resulting in properties 0.31, 0.19, 0.22, and 2.09 acres in size. The subject properties are zoned RS (Single Family Residential) and located at 617, 635, 653, and 671 Sahalee Drive SE (Marion County Assessor's Map and Tax Lot Numbers 083W22BD / 2400; 2300; 2200; and 2100).

A vicinity map illustrating the location of the subject properties is attached hereto and made a part of this staff report (**Attachment A**).

PROCEDURAL FINDINGS

1. On February 27, 2024, an application for three property line adjustments was received.
2. After additional information was requested from the applicant, the application was deemed complete for processing on April 22, 2023. The state-mandated local decision deadline is August 20, 2024.

SUBSTANTIVE FINDINGS

1. Proposal

The proposed Property Line Adjustments affect the properties located at 617, 635, 653, and 671 Sahalee Drive SE. The applicant is proposing three property line adjustments to relocate the common interior property lines between 617 and 635 Sahalee Dr SE (PLA24-14); 635 and 653 Sahalee Dr SE (PLA24-15); and 653 and 671 Sahalee Dr SE (PLA24-16).

PLA24-14: The first Property Line Adjustment will transfer 27,955 square feet from 617 Sahalee Dr SE (Original Property A) to 635 Sahalee Dr SE (Original Property B), reducing it from 41,618 square feet to 13,644 square feet and increasing Property B from 32,233 square feet to 1.38 acres.

PLA24-15: The second Property Line Adjustment will transfer 15,407 square feet from 653 Sahalee Dr SE (Original Property A) to the adjusted 1.38-acre Property B of PLA24-14, reducing Property A from 23,597 square feet to 8,550 square feet and increasing Property B from 1.38 acres to a resultant 1.74 acres.

PLA24-16: The third Property Line Adjustment will transfer 15,422 square feet from 671 Sahalee Dr SE (Original Property A) to the adjusted 1.74-acre Property B from PLA24-15, reducing Property A from 25,327 square feet to 9,905 square feet and increasing Property B from 1.74 acres to a resultant 2.09 total acres.

The proposed Property Line Adjustment plans are included as **Attachment B**.

2. Summary of Record

The following items are submitted to the record: 1) All materials and evidence submitted by the applicant, including any applicable professional studies; and 2) All materials, evidence, and comments from City Departments and public agencies. The application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. To view the materials without registering, you may use the search function and enter the permit number listed here: 24-105033 PLN.

3. City Department Comments

City of Salem Building and Safety Division – Reviewed the proposal and indicated no concerns.

Salem City Fire Department – Reviewed the proposal and indicated no concerns.

City of Salem Surveyor – Reviewed the proposal and indicated no concerns.

4. Public Agency Comments

Notice to public agencies was sent on April 22, 2024, and no comments were received.

DECISION CRITERIA FINDINGS

5. Analysis of Property Line Adjustment Approval Criteria

Pursuant to SRC 205.055(a), a property line adjustment is required to relocate or eliminate all or a portion of a common property line between two abutting units of land that were lawfully established, as defined by ORS 92.010(3)(a), or to incorporate into another unit of land, as provided by ORS 92.010(9)(e), excess right-of-way that was acquired for street or other right-of-way purposes and subsequently sold by a public body.

Salem Revised Code (SRC) 205.055(d) provides that an application for a property line adjustment shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial.

SRC 205.055(d)(1): The property line adjustments will not create an additional unit of land;

Findings:

PLA24-14: The first Property Line Adjustment will transfer 27,955 square feet from 617 Sahalee Dr SE (Original Property A) to 635 Sahalee Dr SE (Original Property B), reducing it from 41,618 square feet to 13,644 square feet and increasing Property B from 32,233 square feet to 1.38 acres. The Property Line Adjustment will relocate the common property lines between two existing units of land, and no additional unit of land will be created; therefore, this criterion is met.

PLA24-15: The second Property Line Adjustment will transfer 15,407 square feet from 653 Sahalee Dr SE (Original Property A) to the adjusted 1.38-acre Property B of PLA24-14, reducing Property A from 23,597 square feet to 8,550 square feet and increasing Property B from 1.38 acres to a resultant 1.74 acres. The Property Line Adjustment will relocate the common property lines between two existing units of land, and no additional unit of land will be created; therefore, this criterion is met.

PLA24-16: The third Property Line Adjustment will transfer 15,422 square feet from 671 Sahalee Dr SE (Original Property A) to the adjusted 1.74-acre Property B from PLA24-15, reducing Property A from 25,327 square feet to 9,905 square feet and increasing Property B from 1.74 acres to a resultant 2.09 total acres. The Property Line Adjustment will relocate the common property lines between two existing units of land, and no additional unit of land will be created; therefore, this criterion is met.

After the three proposed Property Line Adjustments, the resulting units of land will be 13,644 square feet (617 Sahalee Dr SE); 2.09 acres (635 Sahalee Dr SE); 8,550 square feet (653 Sahalee Dr SE); and 9,905 square feet (671 Sahalee Dr SE).

SRC 205.055(d)(2): The property line adjustments will not create nonconforming units of land or nonconforming development, or increase the degree of nonconformity in existing units of land or existing development;

Findings: The subject properties are zoned RS (Single Family Residential), which is regulated by Salem Revised Code Chapter 511. According to SRC 511.010, Table 511-2, the minimum lot size is 1,500 square feet for townhouses, 4,000 square feet for single and two family uses, 5,000 square feet for three family use, 7,000 square feet for four family use, 4,000 to 6,000 square feet for nonprofit shelters, and 6,000 square feet for all other uses.

PLA24-14: The first proposed Property Line Adjustment will result in 617 Sahalee Dr SE being 13,644 square feet and 635 Sahalee Dr SE being 1.38 acres. Both Lots will meet the applicable lot frontage, width, depth, and width to depth standard of the RS zone. Each lot is vacant; therefore, setbacks are not applicable. The proposal will not create a nonconforming unit of land, and no development is currently proposed; therefore, this criterion is met.

PLA24-15: The second proposed Property Line Adjustment will result in 653 Sahalee Dr SE being 8,550 square feet and 635 Sahalee Dr SE being 1.74 acres. Both Lots will meet the applicable lot frontage, width, depth, and width to depth standard of the RS zone. Each lot is

vacant; therefore, setbacks are not applicable. The proposal will not create a nonconforming unit of land, and no development is currently proposed; therefore, this criterion is met.

PLA24-16: The third proposed Property Line Adjustment will result in 671 Sahalee Dr SE being 9,905 square feet and 635 Sahalee Dr SE being 2.09 acres. Both Lots will meet the applicable lot frontage, width, depth, and width to depth standard of the RS zone. Each lot is vacant; therefore, setbacks are not applicable. The proposal will not create a nonconforming unit of land, and no development is currently proposed; therefore, this criterion is met.

The proposed Property Line Adjustments do not result in the creation of non-conforming development. Any future development on the lots will be reviewed for conformance with the applicable development standards of the Salem Revised Code at the time of building permit review and approval for development; therefore, this criterion is met.

SRC 205.055(d)(3): The property line adjustments involve only units of land that were lawfully established, where the instruments creating the units of land have been properly recorded, or the property line adjustment involves the incorporation of excess right-of-way, acquired for street or other right-of-way purposes and subsequently sold by a public body, into a unit of land that was lawfully established;

Findings: The proposed Property Line Adjustments will relocate common property lines between four units of land that were lawfully established by the subdivision plat, Sahalee Estates, approved by Subdivision Case No. SUB15-04/PUD-SUB03-01A3MOD, recorded in H48-15. The proposed property line adjustment involves four legal units of land; therefore, this criterion is met.

SRC 205.055(d)(4): The property line adjustments are not prohibited by any existing City land use approval, or previous condition of approval, affecting one or both of the units of land;

Findings: There are no existing land use approvals or previous conditions of approval applicable to the properties that would prohibit the proposed property line adjustments; therefore, this criterion is met.

SRC 205.055(d)(5): The property line adjustments do not involve the relocation or elimination of any public easement or right-of-way;

Findings: The proposal will not involve the relocation or elimination of any public easements or right-of-way. Additionally, no right-of-way will be relocated or eliminated as a result of the consolidation; therefore, this criterion is met.

SRC 205.055(d)(6): The property line adjustments do not adversely affect the availability or access to public and private utilities or streets;

Findings: The properties front a private street, Sahalee Drive SE, and will not adversely affect the availability or access to public and private utilities or streets; therefore, this criterion is met.

6. Conclusion

Based upon the requirements of SRC 205.055, the proposed Property Line Adjustments have been reviewed for compliance with the applicable standards and criteria of the Unified Development Code (UDC). The Planning Administrator certifies that the proposed Property Line Adjustments are in conformance with the UDC, provided compliance occurs with any applicable items noted above.

The applicant is required to have the Property Line Adjustments surveyed and monumented, and legal descriptions prepared and recorded, per SRC 205.055(f) and (g). The surveyor of record takes the survey and legal descriptions to the appropriate county for recording.

It is the owner/developer's responsibility to record all necessary documentation with the appropriate county. To expedite any future land use applications or building permits, submit a copy of the recorded survey and deed with your application(s).

IT IS HEREBY ORDERED

The proposed Property Line Adjustments (Case No. PLA24-14; PLA24-15; PLA24-16) are consistent with the provisions of SRC Chapter 205.055 and is hereby **APPROVED** subject to the applicable standards of the Salem Revised Code and the findings contained herein.



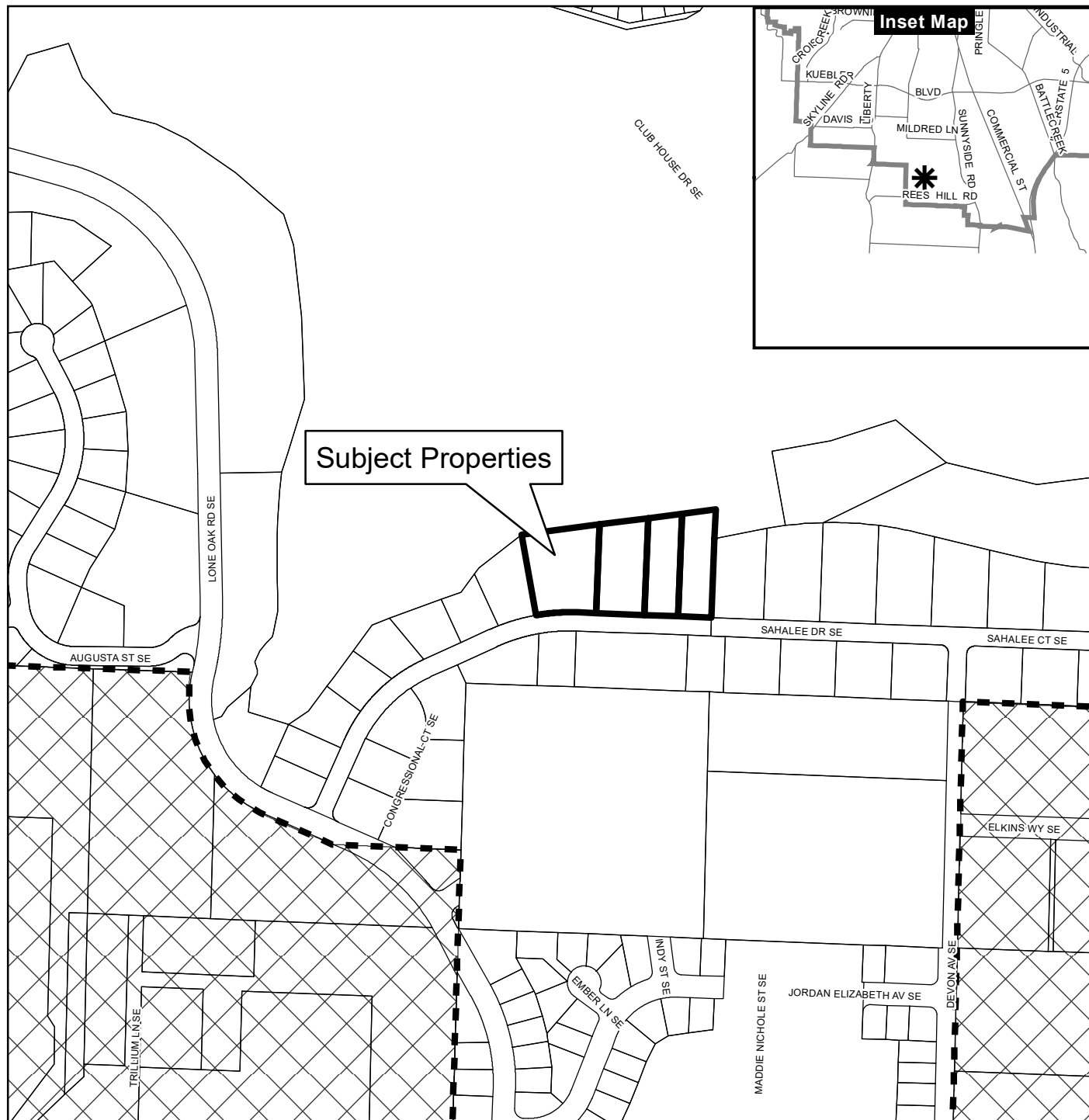
Peter Domine, Planner II, on behalf of
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Attachments: A. Vicinity Map
B. Proposed Property Line Adjustments

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PLA24-16.pjd.docx

Vicinity Map

617, 635, 653, 671 Sahalee Dr SE



Legend

Taxlots

Urban Growth Boundary

City Limits

Outside Salem City Limits

Historic District

Schools

Parks

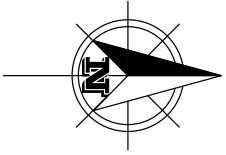
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Community Planning and Development

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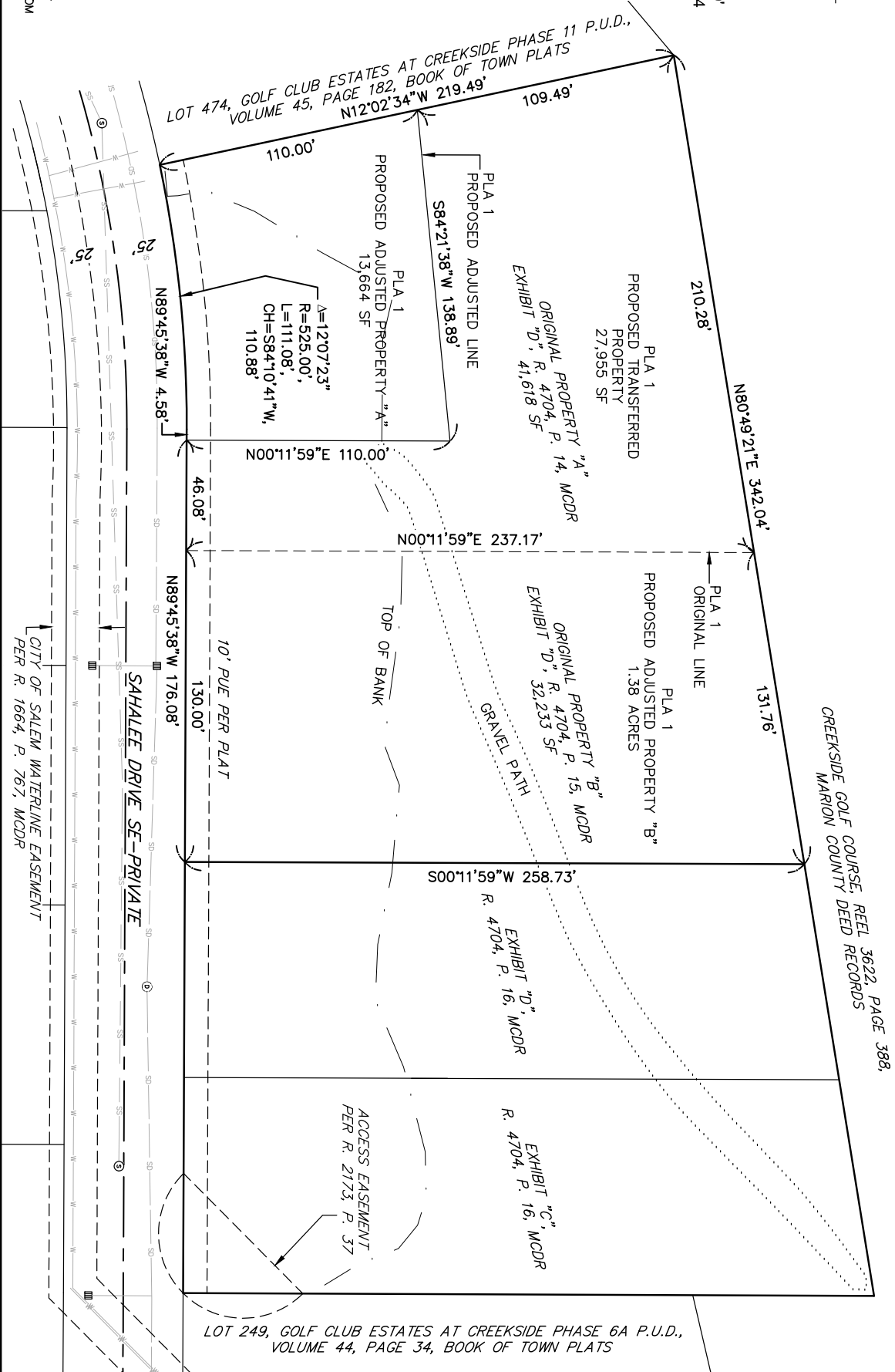
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LOCATED IN NW 1/4 SEC 22, T8S, R3W, W.M., CITY OF SALEM, MARION COUNTY, OREGON

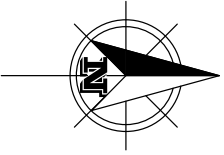


SCALE: 1" = 40'
DATE: 1/30/2024

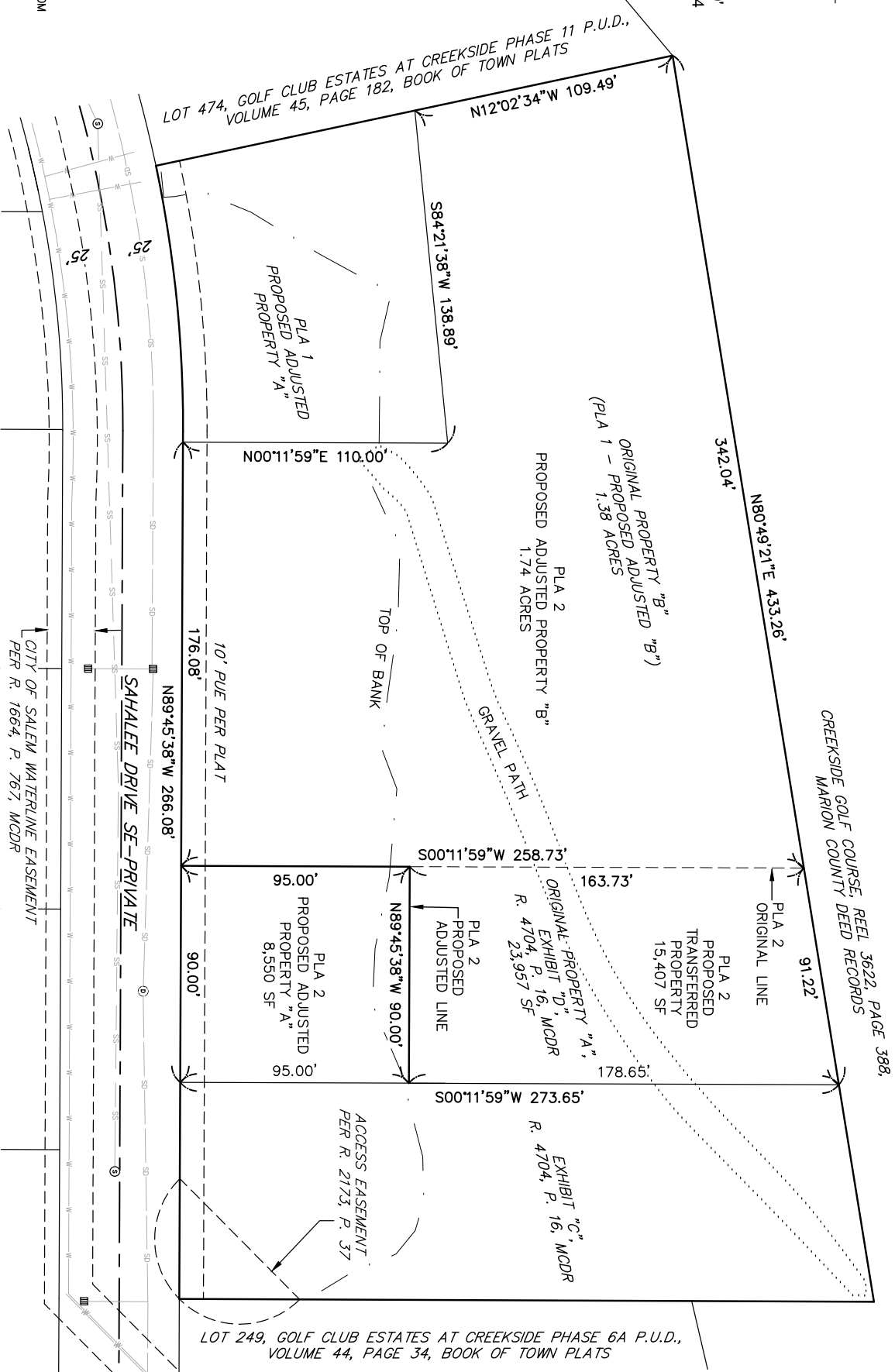


PROPOSED PROPERTY LINE ADJUSTMENT (2 OF 3)

LOCATED IN NW 1/4 SEC 22, T8S, R3W, W.M., CITY OF SALEM, MARION COUNTY, OREGON



SCALE: 1" = 40'
DATE: 1/30/2024



OWNER:
SAM H LARAY
PO BOX 3432
SALEM, OR 97302

LOCATION:
653 SAHALEE DR SE
SALEM, OR

TAX LOTS:
083W28D2200

TOTAL AREA:
1.87 ACRES

SURVEYOR:
BRAD R. HARRIS
BARKER SURVEYING
3657 KASHMIR WAY SE,
SALEM, OR 97317
BRAD@BARKERSURVISON.COM
503-588-8800

LOCATED IN NW 1/4 SEC 22, T8S, R3W, W.M., CITY OF SALEM, MARION COUNTY, OREGON



—PLA 3
ORIGINAL LINE



OWNER:	LOCATION:	TAX LOTS:	SURVEYOR:
SHAM H LAPRAY	671 SHAHLE DR SE	083W2BD02100	BRAD R. HARRIS
PO BOX 3432	SALEM, OR	2.45 ACRES	BANKER SURVEYING
SALEM, OR 97302			3657 KASHMIR WAY SE,
			SALEM, OR 97317
			3688BARKERHILLSON.COM
			503-588-8800