

# NOTICE OF DECISION

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
PHONE: 503-588-6173  
FAX: 503-588-6005



*Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173*

## DECISION OF THE PLANNING ADMINISTRATOR

**PROPERTY LINE ADJUSTMENT CASE NO.: PLA24-30; PLA24-31**

**APPLICATION NO.: 24-115680-PLN**

**NOTICE OF DECISION DATE:** October 3, 2024

**SUMMARY:** Two Property Line Adjustments to consolidate three properties into one lot.

**REQUEST:** Two Property Line Adjustments to eliminate the common lot lines between three abutting units of land to consolidate them into one single property 0.43 acres in size. The subject properties are 7,091, 7,122, and 4,616 square feet in size, zoned RS (Single Family Residential) and located at 2180 Laurel Avenue NE (Marion County Assessor's Map and Tax Lot Number 073W14CD / 5500).

**APPLICANT:** Levi Warriner, North Santiam Paving Co., on behalf of the owner, Cottages at Laurel, LLC

**LOCATION:** 2180 Laurel Avenue NE, Salem OR 97301

**FINDINGS:** The findings are in the attached Decision dated October 3, 2024

**DECISION:** The **Planning Administrator APPROVED** PLA24-30 and PLA24-31 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 October 3, 2026, or this approval shall be null and void.

Case Manager: Peter Domine, Planner II, [pdomine@cityofsalem.net](mailto: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 October 3, 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**

<b>IN THE MATTER OF APPROVAL OF</b>	)	<b>FINDINGS &amp; ORDER</b>
<b>PROPERTY LINE ADJUSTMENT</b>	)	
<b>CASE NO. PLA24-30; PLA24-31</b>	)	
<b>2180 LAUREL AVE NE</b>	)	<b>OCTOBER 3, 2024</b>

In the matter of the application for two Property Line Adjustments, submitted by the applicant, Levi Warriner of North Santiam Paving Co., on behalf of the property owner, Cottages at Laurel, LLC, 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:** Two Property Line Adjustments to consolidate three properties into one lot.

**Request:** Two Property Line Adjustments to eliminate the common lot lines between three abutting units of land to consolidate them into one single property 0.43 acres in size. The subject properties are 7,091, 7,122, and 4,616 square feet in size, zoned RS (Single Family Residential) and located at 2180 Laurel Avenue NE (Marion County Assessor's Map and Tax Lot Number 073W14CD / 5500).

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 July 24, 2024, an application for two property line adjustments was received.
2. After additional information was requested and received, the application was deemed complete for processing on September 17, 2024. The state-mandated local decision deadline is January 15, 2025.

**SUBSTANTIVE FINDINGS**

**1. Proposal**

The proposed Property Line Adjustments affect the property located at 2180 Laurel Avenue NE, which is comprised of portions of Lots 5, 6, and 7 of Block 3 of the Laurel Park Addition. The applicant is proposing two Property Line Adjustments to remove the common interior property lines between the portions of former Lots 5 and 6 (PLA24-30); and between the resultant property of PLA24-30 and portion of former Lot 7 (PLA24-21), resulting in one consolidated property 18,829 square feet in size (0.43 acres).

**PLA24-30:** The first Property Line Adjustment will remove the common lot line between the properties described as Exhibit A and Exhibit B of the draft deeds. The property line adjustment will transfer the 4,616 square foot portion of Lot 5 of Block 3, Laurel Park Addition (Exhibit A) to the 7,122 square foot portion of Lot 6, Block 13, Laurel Park Addition (Exhibit

B), resulting in one consolidated property 11,738 square feet in size (0.27-acres), described as Exhibit C of the draft deeds.

**PLA24-31:** The second Property Line Adjustment will remove the common lot line between the resultant property of PLA24-30, described as Exhibit A of the draft deed, and the 7,091 square foot portion of Lot 7, Block 3, Laurel Park Addition, described as Exhibit B. The property line adjustment will transfer the 11,738 square foot property to Exhibit B, resulting in one consolidated property 18,829 square feet in size (0.43 acres), described as Exhibit C of the draft deeds.

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: 24-115680 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 – The City of Salem Surveyor reviewed the application and indicated the applicant shall provide the required field survey and Deed as per the statute and code requirements outlined in the Oregon Revised Statutes (ORS) and the Salem Revised Code (SRC). If the said documents are not in compliance with the requirements outlined in the ORS and the SRC, and as per SRC 205.055, the approval of the PLA by the City Surveyor may be delayed or held indefinitely based on the non-compliant violation.

## **4. Public Agency Comments**

Notice to public agencies was sent on September 17, 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:**

**PLA24-30:** The first Property Line Adjustment will remove the common lot line between the properties described as Exhibit A and Exhibit B of the draft deeds. The Property Line Adjustment will transfer the 4,616 square foot portion of Lot 5 of Block 3, Laurel Park Addition (Exhibit A) to the 7,122 square foot portion of Lot 6, Block 13, Laurel Park Addition (Exhibit B), resulting in one consolidated property 11,738 square feet in size (0.27-acres), described as Exhibit C of the draft deeds.

**PLA24-31:** The second Property Line Adjustment will remove the common lot line between the resultant property of PLA24-30, described as Exhibit A of the draft deed, and the 7,091 square foot portion of Lot 7, Block 3, Laurel Park Addition, described as Exhibit B. The Property Line Adjustment will transfer the 11,738 square foot property to Exhibit B, resulting in one consolidated property 18,829 square feet in size (0.43 acres), described as Exhibit C of the draft deeds.

The proposed Property Line Adjustments will consolidate three existing units of land into one property; the proposal will not create an additional unit of land; therefore, this criterion is met.

***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 SRC 511.010, Table 511-2. The property contains an existing single-family dwelling, and is proposed to be developed for a cottage cluster (multiple-family) use. The minimum lot size for a single-family use is 4,000 square feet, and for multiple-family uses, a minimum of 7,000 square feet. The minimum lot width for all uses is 40 feet, and the minimum lot depth for single-family uses is 70 feet; for multiple-family uses, the minimum lot depth is 80 feet. All uses other than townhouses and lots fronting the turnaround of a cul-de-sac street or the outside curve of a curved street require a minimum street frontage of 40 feet. There is an existing single-family dwelling on the Lot 7 portion of the property. The existing dwelling is setback 14 feet from the property line abutting Laurel Ave NE, four feet from the interior property line to the north, 15 feet from the interior property line to the south, and more than 138 feet from the rear property line to the east.

**PLA24-20:** The first Property Line Adjustment will remove the common lot line between the properties described as Exhibit A and Exhibit B of the draft deeds. The Property Line Adjustment will transfer the 4,616 square foot portion of Lot 5 of Block 3, Laurel Park Addition (Exhibit A) to the 7,122 square foot portion of Lot 6, Block 13, Laurel Park Addition (Exhibit B), resulting in one consolidated property 11,738 square feet in size (0.27-acres), described as Exhibit C of the draft deeds.

**PLA24-21:** The second Property Line Adjustment will remove the common lot line between the resultant property of PLA24-30, described as Exhibit A of the draft deed, and the 7,091 square foot portion of Lot 7, Block 3, Laurel Park Addition, described as Exhibit B. The Property Line Adjustment will transfer the 11,738 square foot property to Exhibit B, resulting in one consolidated property 18,829 square feet in size (0.43 acres), described as Exhibit C of the draft deeds.

After the proposed property line adjustments, the consolidated property will be 18,829 square feet in size, with 149 feet of lot width and 192 feet of lot depth. The consolidated property will have 75 feet of street frontage along Laurel Avenue NE. The proposal will not create a nonconforming unit of land or nonconforming 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 remove the common lot lines between three abutting units of land, being portions of Lots 5, 6, and 7 of Block 3, Laurel Park Addition, described in Instrument No. 2024-15884, Marion County deed records. The proposed property line adjustments involve three 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 Laurel Avenue NE 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. PLA24-30; PLA24-31) 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.

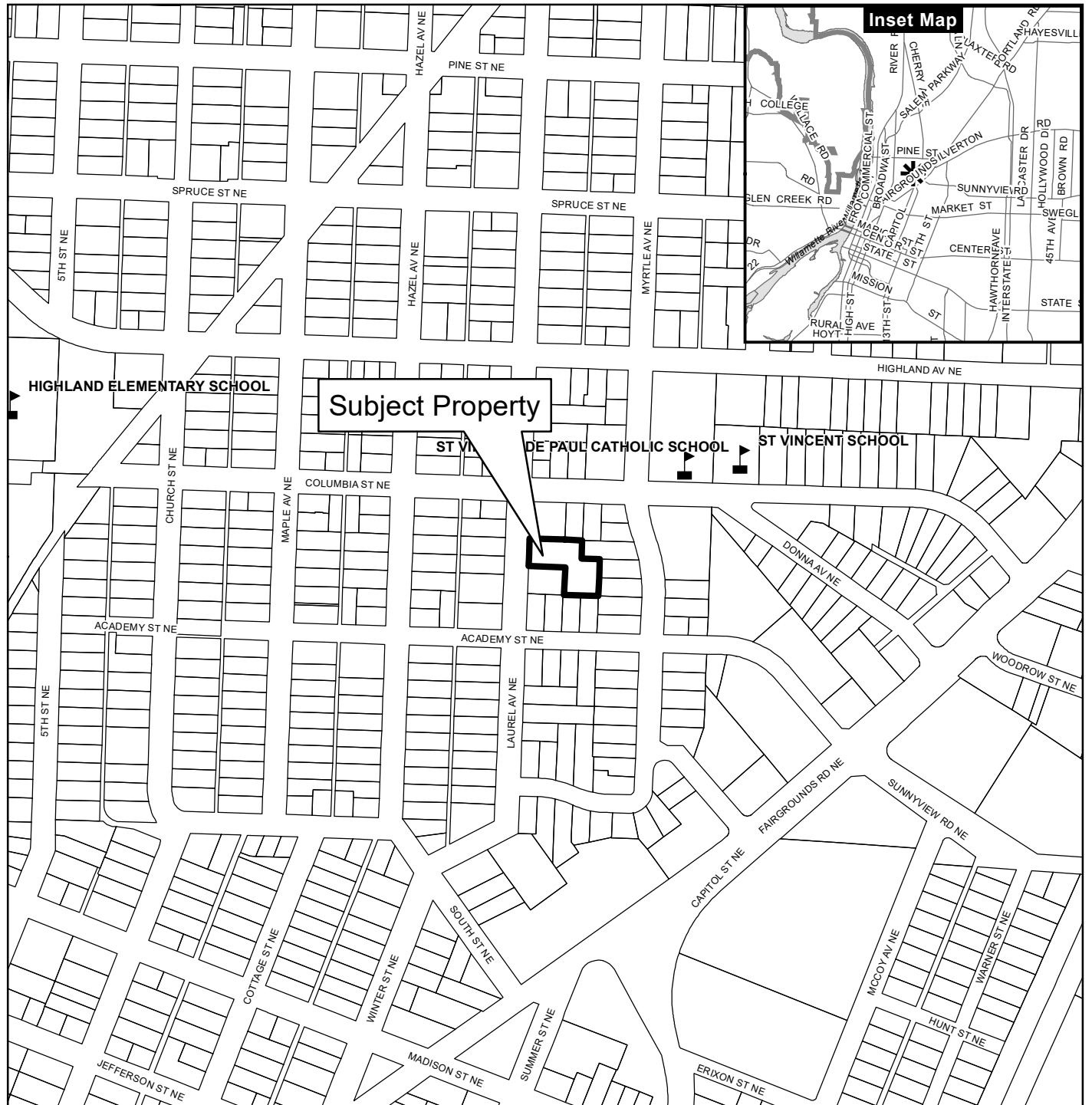


Peter Domine, Planner II, on behalf of  
Lisa Anderson-Ogilvie, AICP  
Planning Administrator

Attachments: A. Vicinity Map  
B. Proposed Property Line Adjustment Plan

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# Vicinity Map 2180 Laurel Ave NE



## Legend

- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools
- Parks

0 100 200 400 Feet

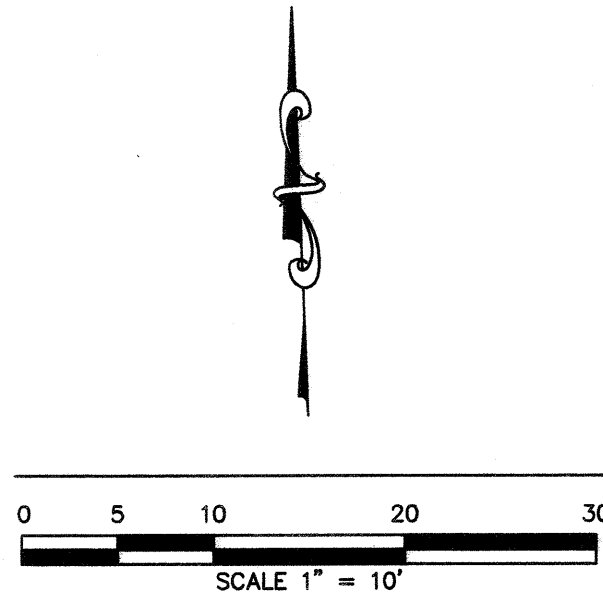


**CITY OF Salem**  
AT YOUR SERVICE  
Community Planning and Development

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TOPOGRAPHIC SURVEY  
FOR  
COTTAGES AT LAUREL, L.L.C.  
2180 LAUREL AVENUE NE, SALEM, OR 97301  
TAX MAP 07 3W 14CD, TAX LOT 5500  
TOWNSHIP 07 SOUTH, RANGE 3 WEST, SECTION 14  
WILLAMETTE MERIDIAN, MARION COUNTY, OREGON



GENERAL NOTES:

1. THE LOCATION AND DESCRIPTIONS OF EXISTING UTILITIES SHOWN ON THE DRAWINGS ARE COMPILED FROM AVAILABLE RECORDS AND/OR FIELD SURVEYS. THE ENGINEER OR UTILITY COMPANIES DO NOT GUARANTEE THE ACCURACY OR THE COMPLETENESS OF SUCH RECORDS. CONTRACTOR SHALL FIELD VERIFY SIZES AND LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.

LEGEND

PROPERTY LINE	— S — S —
SANITARY SEWER LINE	— ST — ST —
STORM SEWER LINE	— W — W —
WATER LINE	— GAS — GAS —
GAS LINE	— # — # —
OVERHEAD POWER	— # — # —
FENCE LINE	— # — # —
WATER METER	⊠
STREET LIGHT	⊙
FOUND MONUMENT	⊙

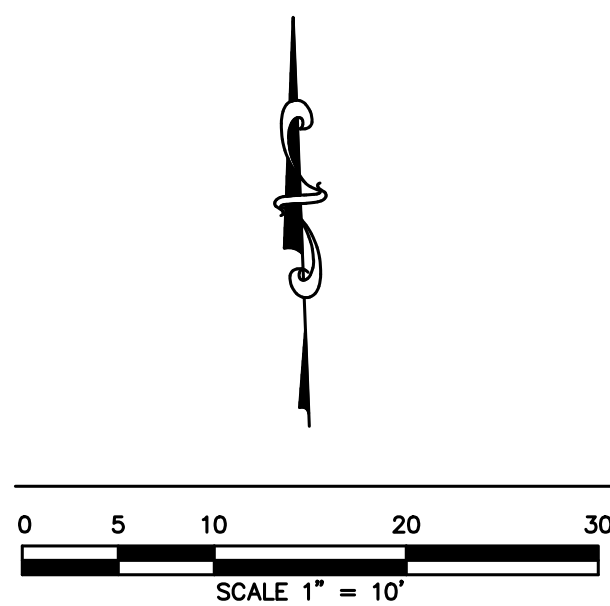


REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*Michael S. Downs*  
OREGON  
SEPTEMBER 10, 2019  
MICHAEL S. DOWNS  
55018  
RENEWALS: 12/31/2025

SURVEY FOR	COTTAGES AT LAUREL, LLC
LOCATION:	2180 LAUREL AVENUE NE
SEC 14 T.7.S., R.3.W., W.M.	SALEM MARION COUNTY, OREGON
SCALE: 1" = 10'	NORTH SANTIAM PAVING CO. 41203 KINGSTON-LYONS DR. P.O. BOX 516 STAYTON, OREGON 97383 PHONE: (503) 769-3436 EMAIL: michael@nspor.com
DATE: 8-20-24	
DRAWN BY: LDW	
SHEET 1 OF 3	JOB NUMBER: 23072



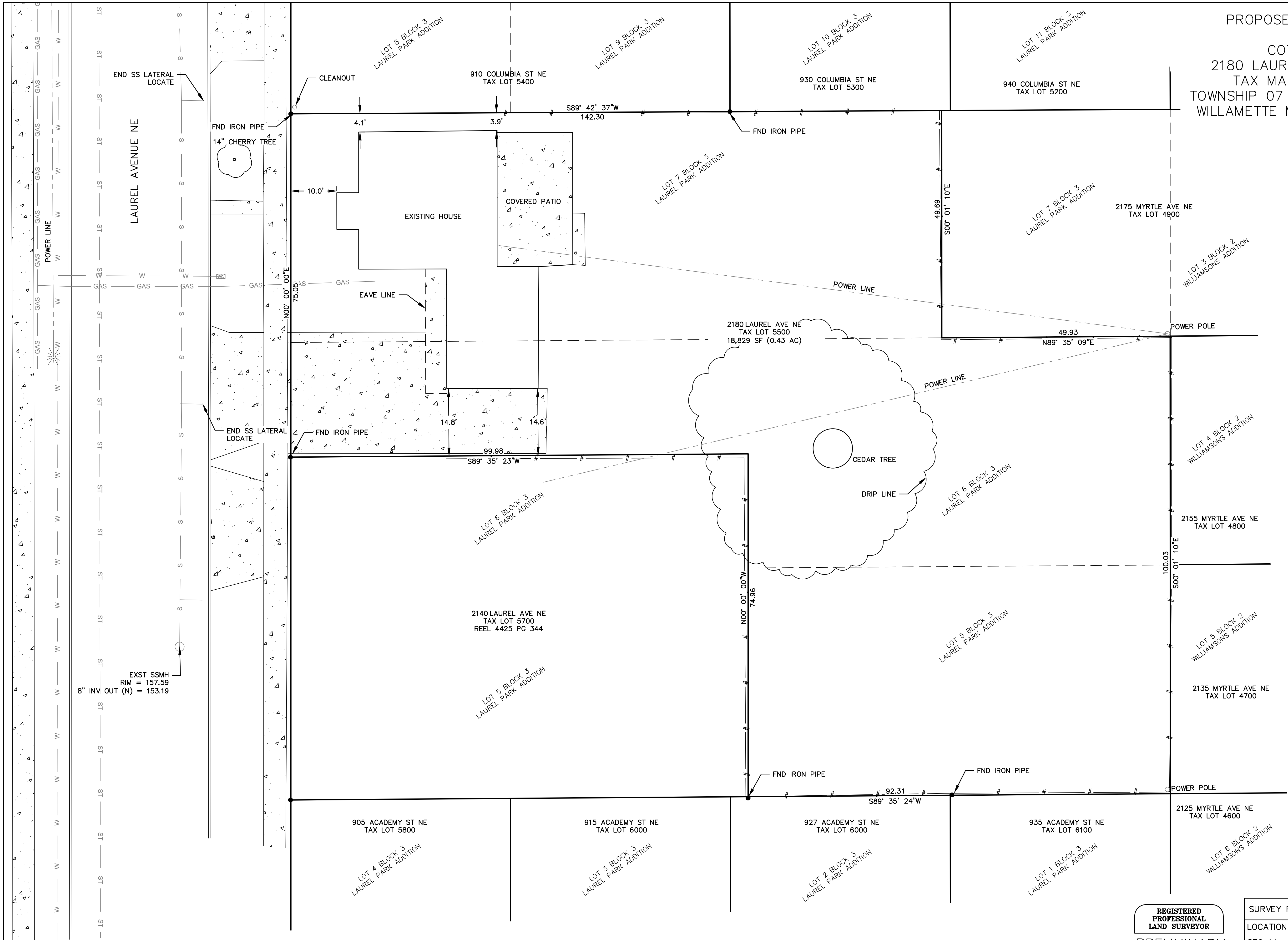
PROPOSED PROPERTY LINE ADJUSTMENT  
FOR  
COTTAGES AT LAUREL, L.L.C.  
2180 LAUREL AVENUE NE, SALEM, OR 97301  
TAX MAP 07 3W 14CD, TAX LOT 5500  
TOWNSHIP 07 SOUTH, RANGE 3 WEST, SECTION 14  
WILLAMETTE MERIDIAN, MARION COUNTY, OREGON



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LEGEND

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WATER LINE	— W — W —
GAS LINE	— GAS — GAS —
OVERHEAD POWER	— # — # —
FENCE LINE	— # — # —
WATER METER	⊠
STREET LIGHT	☼
FOUND MONUMENT	●



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

PRELIMINARY

OREGON  
SEPTEMBER 10, 2019  
MICHAEL S. DOWNS  
55018

RENEWS: 12/31/2025

SURVEY FOR	COTTAGES AT LAUREL, LLC		
LOCATION:	2180 LAUREL AVENUE NE		
SEC 14			SALEM
T.7.S, R.3.W, W.M.			MARION COUNTY, OREGON
SCALE: 1" = 10'	NORTH SANTIAM PAVING CO. 41203 KINGSTON-LYONS DR. P.O. BOX 516 STAYTON, OREGON 97383 PHONE: (503) 769-3436 EMAIL: michael@nspor.com		SHEET 2 OF 2
DATE: 7-23-24			JOB NUMBER: 23072
DRAWN BY: LDW			