

# 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 información, por favor llame 503-588-6173*

## DECISION OF THE PLANNING ADMINISTRATOR

**PROPERTY LINE ADJUSTMENT CASE NO.: PLA24-41; PLA24-42**

**APPLICATION NO.: 24-118394-PLN**

**NOTICE OF DECISION DATE:** October 30, 2024

**SUMMARY:** Two Property Line Adjustments for St. Timothy's Episcopal Church.

**REQUEST:** Two Property Line Adjustments to relocate and eliminate common lot lines between three adjacent units of land to consolidate them into one property approximately 5.29 acres in size, zoned RS (Single-Family Residential), and located at 3295 Ladd Avenue NE (Marion County Assessor's Map and Tax Lot Number: 073W24DA / 00900).

**APPLICANT:** Britany Randall, BRAND Land Use

**LOCATION:** 3295 Ladd Avenue NE, Salem, OR 97301

**FINDINGS:** The findings are in the attached Decision dated October 30, 2024.

**DECISION:** The **Planning Administrator APPROVED** PLA24-41 and PLA24-42 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 30, 2026, or this approval shall be null and void.

Case Manager: Quincy Miller, Planner I, [gmiller@cityofsalem.net](mailto:gmiller@cityofsalem.net), 503-584-4676

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, **not later than 21 days** after **October 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**

<b>IN THE MATTER OF APPROVAL OF</b>	<b>) FINDINGS &amp; ORDER</b>
<b>PROPERTY LINE ADJUSTMENT</b>	<b>)</b>
<b>CASE NO. PLA24-41; PLA24-42</b>	<b>)</b>
<b>3295 LADD AVE NE</b>	<b>) OCTOBER 30, 2024</b>

In the matter of the application for a Property Line Adjustment, the Planning Administrator, having received and reviewed the evidence and application materials, makes the following findings and adopts the following order as set forth herein.

**REQUEST**

Two Property Line Adjustments to relocate and eliminate common lot lines between three adjacent units of land to consolidate them into one property approximately 5.29 acres in size, zoned RS (Single-Family Residential), and located at 3295 Ladd Avenue NE (Marion County Assessors Map and Tax Lot Number: 073W24DA / 00900). A vicinity map illustrating the location of the subject property is attached as **Attachment A**.

**PROCEDURAL FINDINGS**

1. On September 3, 2024, an application for a Property Line Adjustment was submitted for property located at 3295 Ladd Avenue NE.
2. After additional requested information was provided by the applicant, the application was deemed complete on October 15, 2024.

**SUBSTANTIVE FINDINGS**

**1. Proposal**

The proposed property line adjustments affect three units of land totaling 230,529 square feet (5.29 acres) in size and located on tax lot 073W24DA / 00900 with an address of 3295 Ladd Avenue NE (**Attachment A**). A series of property line adjustments are proposed to legally consolidate the historic property lines. Following PLA24-41 and PLA24-42, the resulting lot will be approximately 5.29 acres in size.

**PLA24-41:** The first property line adjustment in this series (PLA one of two) is to eliminate the common lot line between the 8,379-square-foot Parcel 1 and the 204,843-square-foot Parcel 3. This results in Parcel 3 having a new total area of approximately 213,222 square feet (**Attachment B**).

**PLA24-42:** The second property line adjustment in this series (PLA two of two) is to eliminate the common lot line between the 213,222-square-foot consolidated Parcel 3 and the 17,307-square-foot Parcel 2. This results in the consolidated Parcel 3 having a new total area of approximately 230,529 square feet (5.29 acres) as shown in **Attachment C**.

## 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 118394.

## 3. City Department Comments

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

Salem City Fire Department – Reviewed the proposal and indicated that they have no concerns with the proposal.

City of Salem Surveyor – Reviewed the proposal and provided comments indicating that the applicant shall provide the required field survey and deed per the statute and code requirements outlined in the Oregon Revised Statutes (ORS) and the Salem Revised Code (SRC). If said documents are not in compliance with the requirements outlined in the ORS and the SRC, as per SRC 205.055, the approval of the final property line adjustment application 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 October 15, 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 adjustment will not create an additional unit of land;***

**Finding:** The proposed property line adjustments eliminate the common property lines between three existing properties. The proposed property line adjustments would not create an additional unit of land. This criterion is met.

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

**Finding:** The subject property is zoned RS (Single-Family Residential). The proposed property line adjustments will result in one property approximately 5.29 acres in size. Pursuant to SRC 511.010(b) Table 511-2, the minimum lot standards for *All Other Uses* are 6,000 square feet, 40-foot lot width, 80-foot lot depth, and 40-foot street frontage. There is also a maximum lot depth of 300% of the average lot width. The resultant property will be approximately 230,529 square feet in area, approximately 492 feet wide, has an average depth of approximately 462 feet, and has approximately 157 feet of street frontage, meeting the criterion.

As the existing use of the property is for a religious assembly use, the special use provisions of SRC 700.055(f) also apply. Per Table 700-6, the maximum lot area for a religious assembly use in the RS Zone is two acres, with a minimum street frontage of 100 feet. However, Case CU-SPR-ADJ24-04 granted a conditional use permit to deviate from the standards of SRC 700.055(f) and allow the use on a lot greater than two acres in size. Therefore, the criterion is met.

***SRC 205.055(d)(3): The property line adjustment involves 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;***

**Finding:** The proposed property line adjustments will eliminate two common property lines between a total of three units of land located on tax lot 073W24DA / 00900. Parcel 1 was first lawfully established on May 28, 1935, in Volume 222, Page 125 in the Deed Records for Marion County. A portion of Parcel 1 was later conveyed in 1961 and recorded in Marion County records Volume 540, Page 879. Parcel 2 was established by a portion of land conveyed by deed in 1961 recorded in Volume 541, Page 14 within Marion County Deed Records. Parcel 3 was established by a conveyance of land in 1961 and recorded in Volume 541, Page 612 of Marion County Deed Records. As the proposed property line adjustments involve three legal units of land, this criterion is met.

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

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

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

**Finding:** The proposed property line adjustment does not relocate or eliminate any easements or public right-of-way. Therefore, this criterion is met.

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

**Finding:** The proposed property line adjustment does not affect availability or access to public and private utilities or streets. 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). 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 Properly Line Adjustments are consistent with the provisions of SRC Chapter 205.055 and are hereby **APPROVED** subject to the applicable standards of the Salem Revised Code and the findings contained herein.



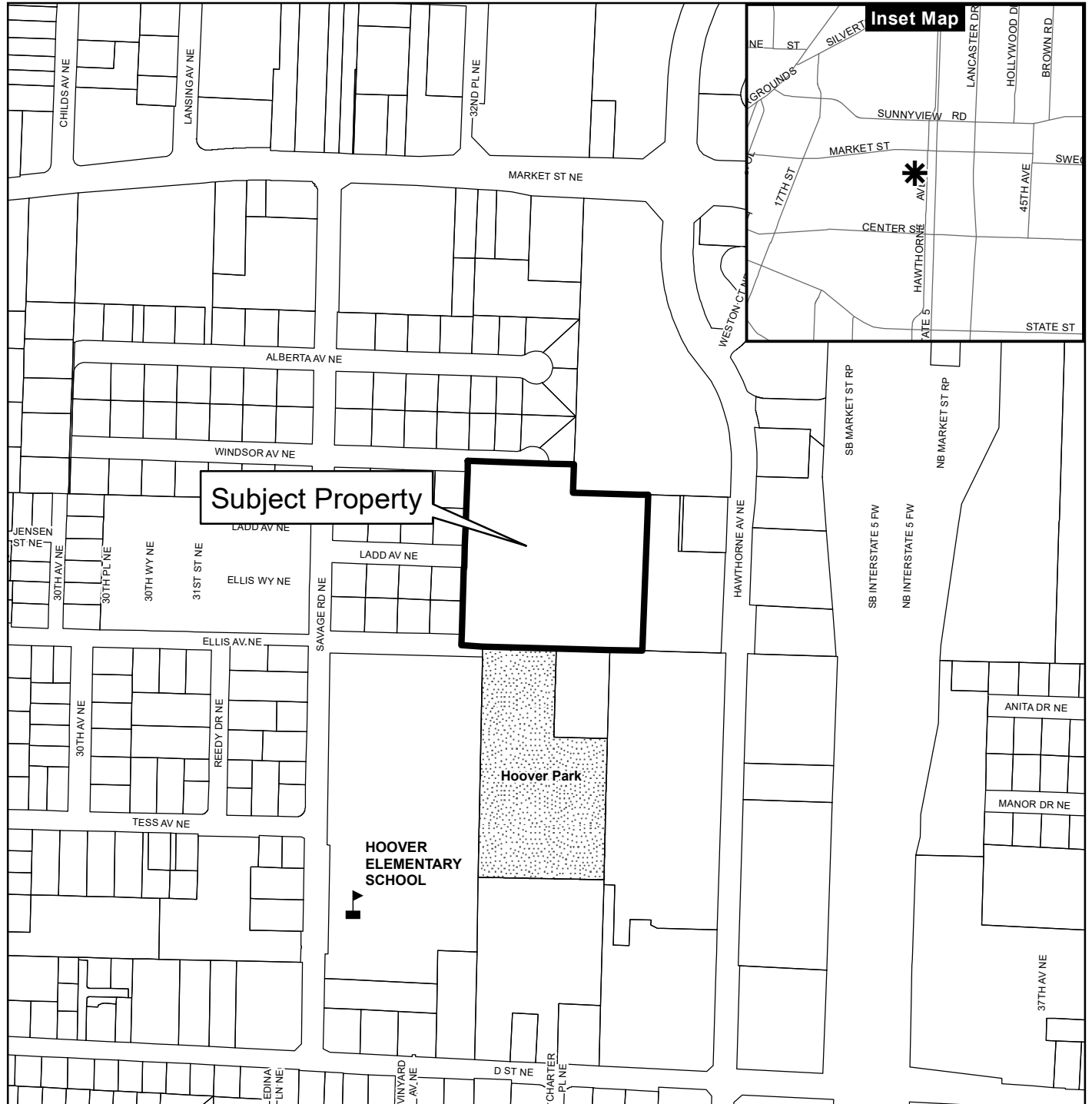
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Quincy Miller, Planner I, on behalf of  
Lisa Anderson-Ogilvie, AICP  
Planning Administrator

Attachments:      A. Vicinity Map  
                            B. Survey and Site Plan for PLA24-41  
                            C. Survey and Site Plan for PLA24-42

# Vicinity Map

## 3295 Ladd Avenue NE



### Legend

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

0 100 200 400 Feet

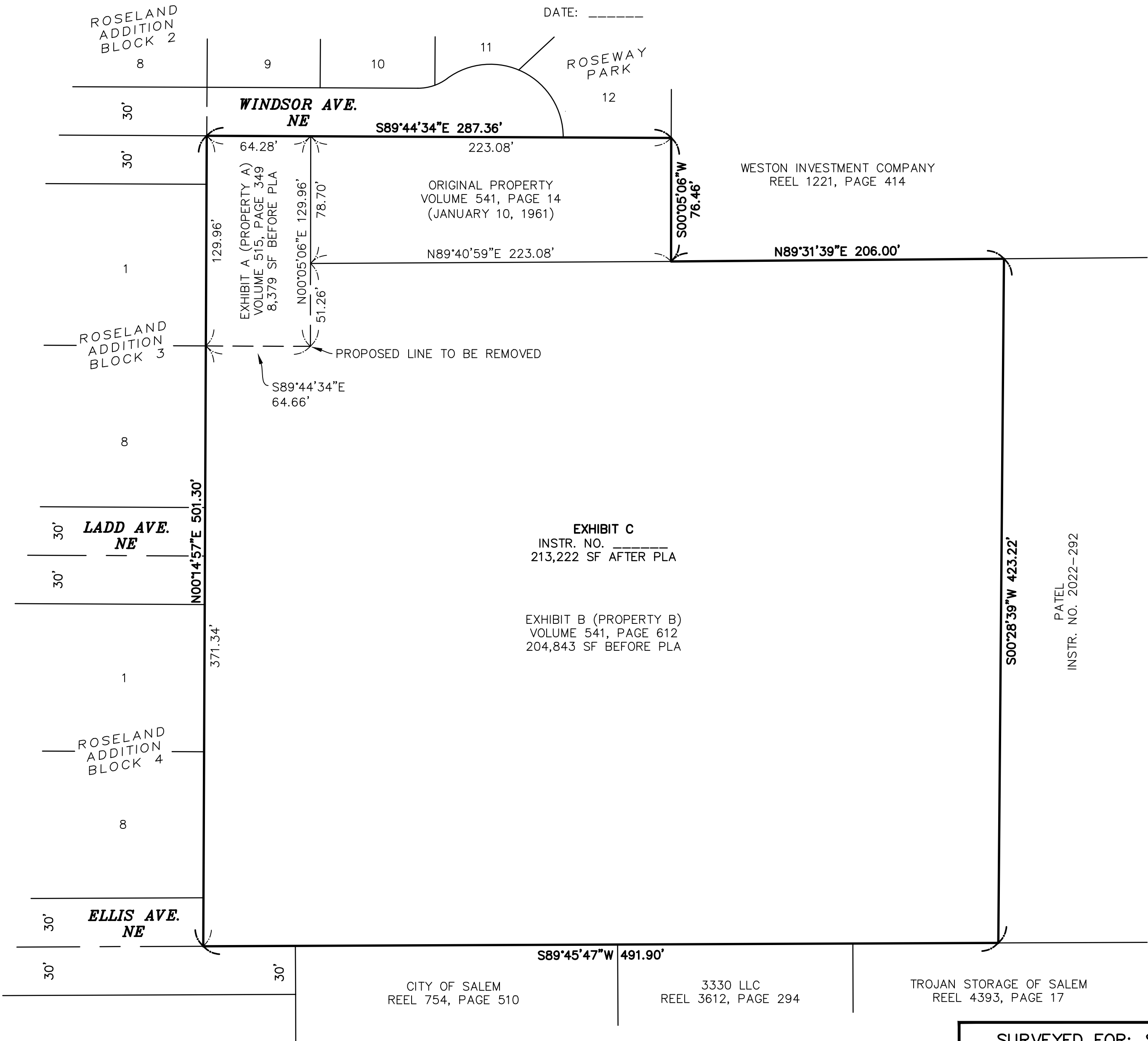
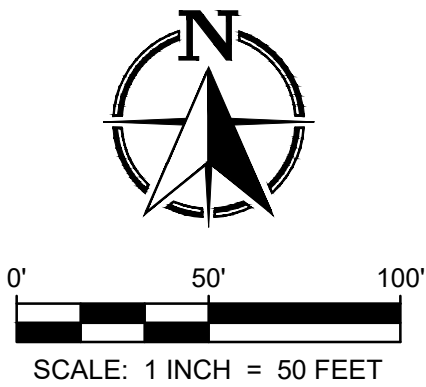


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PROPOSED RECORD OF SURVEY  
FOR CASE NUMBER PLA\_\_\_\_\_

IN THE NE 1/4 OF SECTION 27, T.7S., R.3W., W.M.  
CITY OF SALEM, MARION COUNTY, OREGON

DATE: \_\_\_\_\_



RECEIVED \_\_\_\_/\_\_\_\_/\_\_\_\_ BY  
MARION COUNTY SURVEYOR.  
APPROVED FOR FILING ON  
\_\_\_\_/\_\_\_\_/\_\_\_\_  
MCSR \_\_\_\_\_

SURVEYED FOR: ST. TIMOTHY'S EPISCOPAL CHURCH



FFN SURVEYING

7230 3rd Street SE #145, Turner, OR 97392  
P: (503) 558-3330 E: info@ffnsurveying.com

JOB NO. 23-461

SHEET 1/1

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
SEPTEMBER 12, 2017  
STEVEN LEE HOWELL  
91569

RENEWES: 6-30-2025



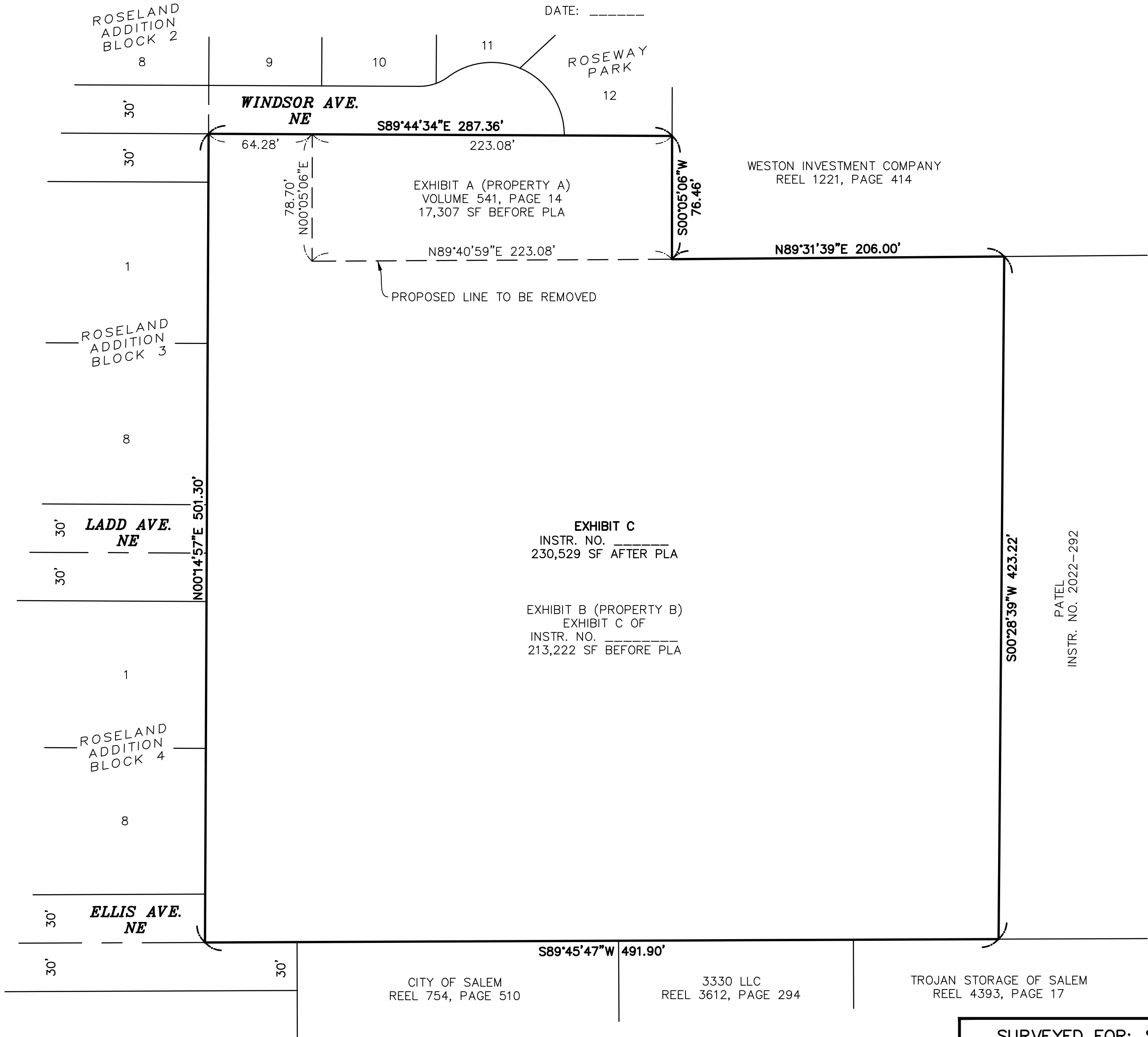
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PROPOSED RECORD OF SURVEY

FOR CASE NUMBER PLA\_\_\_\_\_

IN THE NE 1/4 OF SECTION 27, T.7S., R.3W., W.M.  
CITY OF SALEM, MARION COUNTY, OREGON

DATE: \_\_\_\_\_



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
SEPTEMBER 12, 2017  
STEVEN LEE HOWELL  
91569

RENEWES: 6-30-2025

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SURVEYED FOR: ST. TIMOTHY'S EPISCOPAL CHURCH



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