



# NOTICE of FILING

## LAND USE REQUEST AFFECTING THIS AREA

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

CASE NUMBER:	Partition Case No. PAR14-04
AMANDA APPLICATION NO:	14-106411-LD
NOTICE MAILING DATE:	MAY 13, 2014
PROPERTY LOCATION:	3000 KATHLEEN AVE NE / 97301
PROPERTY OWNER & APPLICANT:	CK HOMES, LLC
DESCRIPTION OF REQUEST:	<p>To divide approximately 0.23 acres into 2 parcels, with proposed Parcel 1 consisting of 4,997 square feet and proposed Parcel 2 consisting of 4,991 square feet. The property is zoned RS (Single Family Residential) and is located at 3000 Kathleen Avenue NE (Marion County Assessor's Map and Tax Lot Number: 073W13DB05600).</p>
CRITERIA TO BE CONSIDERED:	<p>❖ <b>Partition</b></p> <p>Pursuant to SRC 63.047(b), before approval of a TENTATIVE PLAN, the Planning Administrator shall make affirmative findings that:</p> <ol style="list-style-type: none"><li>(1) Approval does not impede the future use of the remainder of the property under the same ownership, or adversely affect the safe and healthful development of the remainder or any adjoining land or access thereto; and</li><li>(2) Provisions for water, sewer, streets, and storm drainage facilities comply with the City's public facility plans; and</li><li>(3) The tentative plan complies with all applicable provisions of the Salem Revised Code, including the Salem zoning ordinance, unless a variance of adjustment has been obtained.</li></ol> <p>Additionally, pursuant to SRC 63.051(a), the TENTATIVE PLAN must also be found to meet the following requirements and conditions:</p> <ol style="list-style-type: none"><li>(1) The proposal conforms to the requirements of this chapter.</li><li>(2) The proposed street system in and adjacent to a subdivision or partition conforms to the Salem Transportation System Plan adopted under SRC 64.230, and is designed in such a manner as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision or partition.</li><li>(3) That the proposed subdivision or partition will be adequately served with city water and sewer, and will be served by other utilities appropriate to the nature of the subdivision or partition.</li><li>(4) That the layout of lots, and their size and dimensions take into account topography and vegetation of the site so as not to require variances from the Salem Zoning Code in order that buildings may be reasonably sited thereon, and that the least disruption of the site, topography, and vegetation will result from the reasonable development of the lots.</li><li>(5) The proposal conforms to the Salem Zoning Code (SRC Title X) and the excavation and fill provisions of SRC chapter 65.</li><li>(6) If the tentative plan is for a subdivision subject to SRC 66.050(a), that a UGA Development Permit has been issued and will be complied with.</li><li>(7) Adequate measures have been planned to alleviate identified natural or fabricated hazards and limitations to development, as identified by the Planning Administrator,</li></ol>

including, but not limited to, wetlands, unstable areas, and stream side setback. For development in wetlands and unstable areas, the following measures shall apply:

- A. For wetlands these shall be the measures required by the Division of State Lands for regulatory wetlands.
- B. For unstable areas these measures will be documentation, as approved by the department of public works, that streets and building sites are on geologically stable soil considering the stress and loads to which the soil may be subjected.

**PUBLIC COMMENT PERIOD:**

**All written comments must be submitted to City Staff no later than 5:00 p.m., MAY 27, 2014.** Comments received after the close of the Comment Period will not be considered.

**TO SUBMIT COMMENTS:**

Any person wishing to express support or opposition to the proposed request may do so by submitting written comments **during the Public Comment Period**. Include case number with the written comments. Written comments may be filed with the Case Manager, Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301, or by email at the address listed below.

Following the close of the Public Comment Period, a decision will be issued and mailed to the applicant, property owner, affected neighborhood association, anyone who submitted written comments, and anyone who received notice of the land use request.

Failure to raise an issue in writing prior to the close of the Public Comment Period with sufficient specificity to provide the opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals (LUBA) on this issue. A similar failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.

**CASE MANAGER:**

**Bryce Bishop, Case Manager**, City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Telephone: 503-540-2399; E-mail: [bbishop@cityofsalem.net](mailto:bbishop@cityofsalem.net)

**NEIGHBORHOOD ORGANIZATION:**

Lansing Neighborhood Association, Donna Dickson, Land Use Chair; Phone: 503-399-1010; Email: [secondpage@comcast.net](mailto:secondpage@comcast.net)

**DOCUMENTATION MATERIALS:**

Copies of the application, all documents and evidence submitted by the applicant are available for inspection at no cost at the Planning Division office, City Hall, 555 Liberty Street SE, Room 305, during regular business hours. Copies may be obtained at a reasonable cost. Please contact the Case Manager.

**ACCESS:**

The Americans with Disabilities Act (ADA) accommodations will be provided on request.

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**PLEASE PROMPTLY FORWARD A COPY OF THIS NOTICE TO ANY OTHER OWNER, TENANT OR LESSEE**

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

*It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, as provided by Salem Revised Code Chapter 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, and related statutes and regulations, in all programs and activities. Disability-related modification or accommodation, including auxiliary aids or services, in order to participate in this meeting or event, are available upon request. Sign language and interpreters for languages other than English are also available upon request. To request such an accommodation or interpretation, contact the Community Development Department at 503-588-6173 at least two business days before this meeting or event. TTD/TTY telephone 503-588-6439 is also available 24/7*

## REQUEST FOR COMMENTS

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

**REGARDING:** Partition Case No. PAR14-04

**PROJECT ADDRESS:** 3000 KATHLEEN AVE NE, SALEM OR / 97301

**AMANDA Application No.** 14-106411-LD

**COMMENT PERIOD ENDS:** MAY 27, 2014

**REQUEST:** To divide approximately 0.23 acres into 2 parcels, with proposed Parcel 1 consisting of 4,997 square feet and proposed Parcel 2 consisting of 4,991 square feet. The property is zoned RS (Single Family Residential) and is located at 3000 Kathleen Avenue NE (Marion County Assessor's Map and Tax Lot Number: 073W13DB05600).

Attached is a copy of the proposal and any related maps. A decision for this proposal will be prepared by the planning staff from information available to the staff. You are invited to respond with information relating to this property and this request. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents.

**Comments received by 5:00 P.M., MAY 27, 2014**, will be considered in the decision process. Comments received after this date will be not considered. **Mailed comments can take up to 7 calendar days to arrive at our office. To ensure that your comments are received by the deadline, we recommend that you e-mail or hand deliver your comments to the case manager listed below.**

**SEND COMMENTS TO:** Bryce Bishop, Case Manager *B.B.*  
City of Salem, Planning Division  
555 Liberty St SE, Room 305, Salem, OR 97301  
Phone: 503-540-2399, Fax: 503-588-6005  
E-Mail: [bbishop@cityofsalem.net](mailto:bbishop@cityofsalem.net)  
<http://www.cityofsalem.net/planning>

**IF YOU HAVE QUESTIONS:** Please contact the Case Manager at the address listed above, by telephone at 503-540-2399, by E-Mail at [bbishop@cityofsalem.net](mailto:bbishop@cityofsalem.net), or by Fax at 503-588-6005.

### PLEASE CHECK THE FOLLOWING THAT APPLY:

- ☐ 1. I have reviewed the proposal and have no objections to it.
- ☐ 2. I have reviewed the proposal and have the following comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ 3. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Name: \_\_\_\_\_
- Address: \_\_\_\_\_
- Agency: \_\_\_\_\_
- Phone: \_\_\_\_\_
- Date: \_\_\_\_\_

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CITY OF SALEM  
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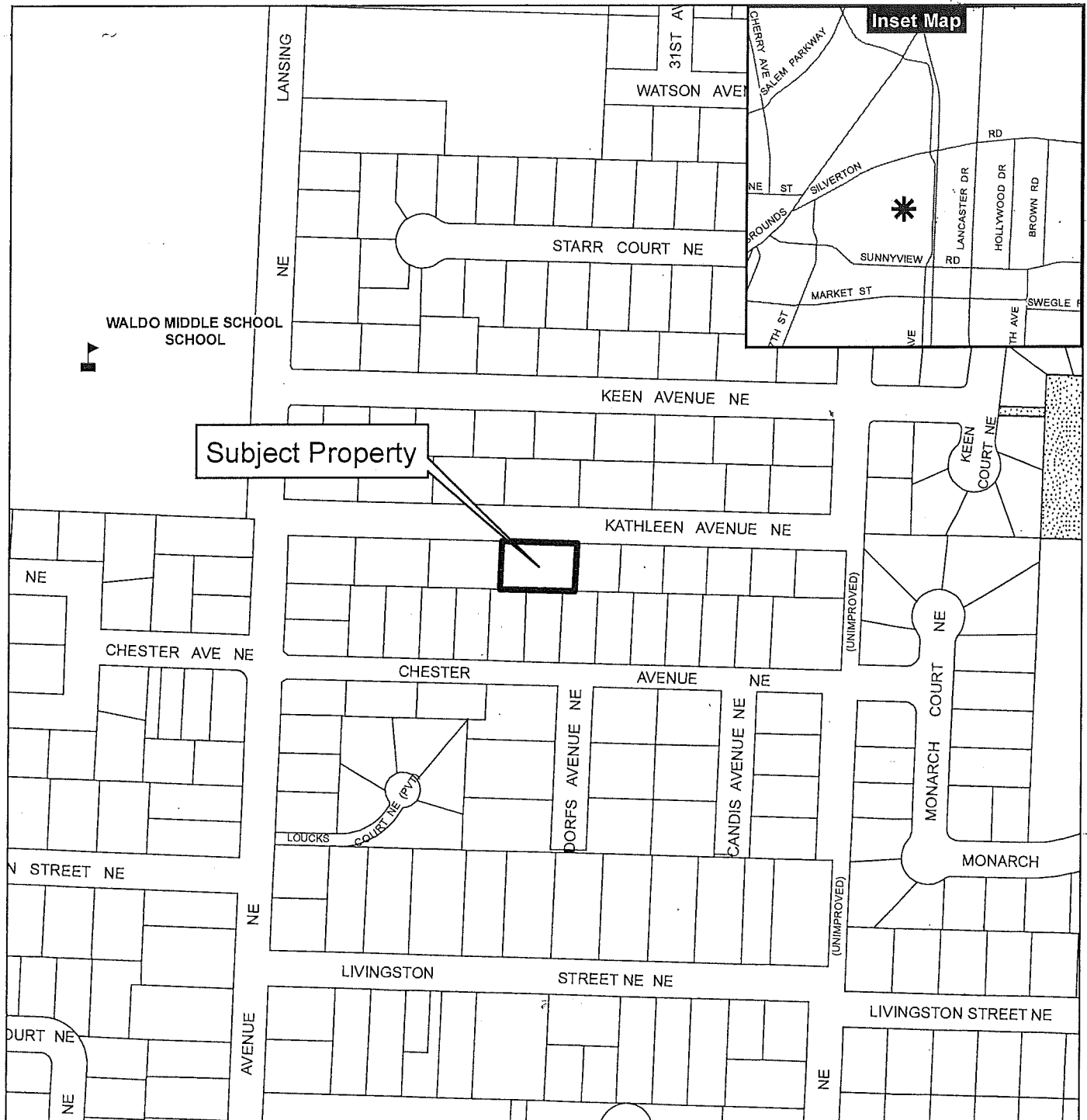


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# Vicinity Map

## 3000 Kathleen Avenue NE



### Legend

Taxlots

Urban Growth Boundary

City Limits

Outside Salem City Limits

Historic District

Schools

Parks

**CITY OF Salem**  
AT YOUR SERVICE  
Community Development Dept.

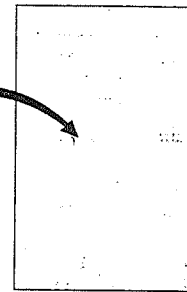
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# PROPOSED PARTITION PLAT

A REPLAT OF LOT 4, "O'BRIEN SUBDIVISION"  
LOCATED IN THE  
SOUTHEAST 1/4 OF SECTION 13, TOWNSHIP 7 SOUTH,  
RANGE 3 WEST, WILLAMETTE MERIDIAN,  
CITY OF SALEM, MARION COUNTY, OREGON  
PROPERTY OWNER: KEVIN WINDER

ZONING: RS  
TAX LOT NO: 073W1308 5600  
STATUS ADDRESS: 3000 BLOCK KATHLEEN AVE NE  
SALEM, OREGON 97301  
OWNER: KEVIN WINDER  
1800 STATE ST.  
SALEM, OREGON 97301  
PHONE: (503)851-5282  
APPLICANT: KEVIN WINDER  
1800 STATE ST.  
SALEM, OREGON 97301



VICINITY MAP  
NTS

## GENERAL NOTES

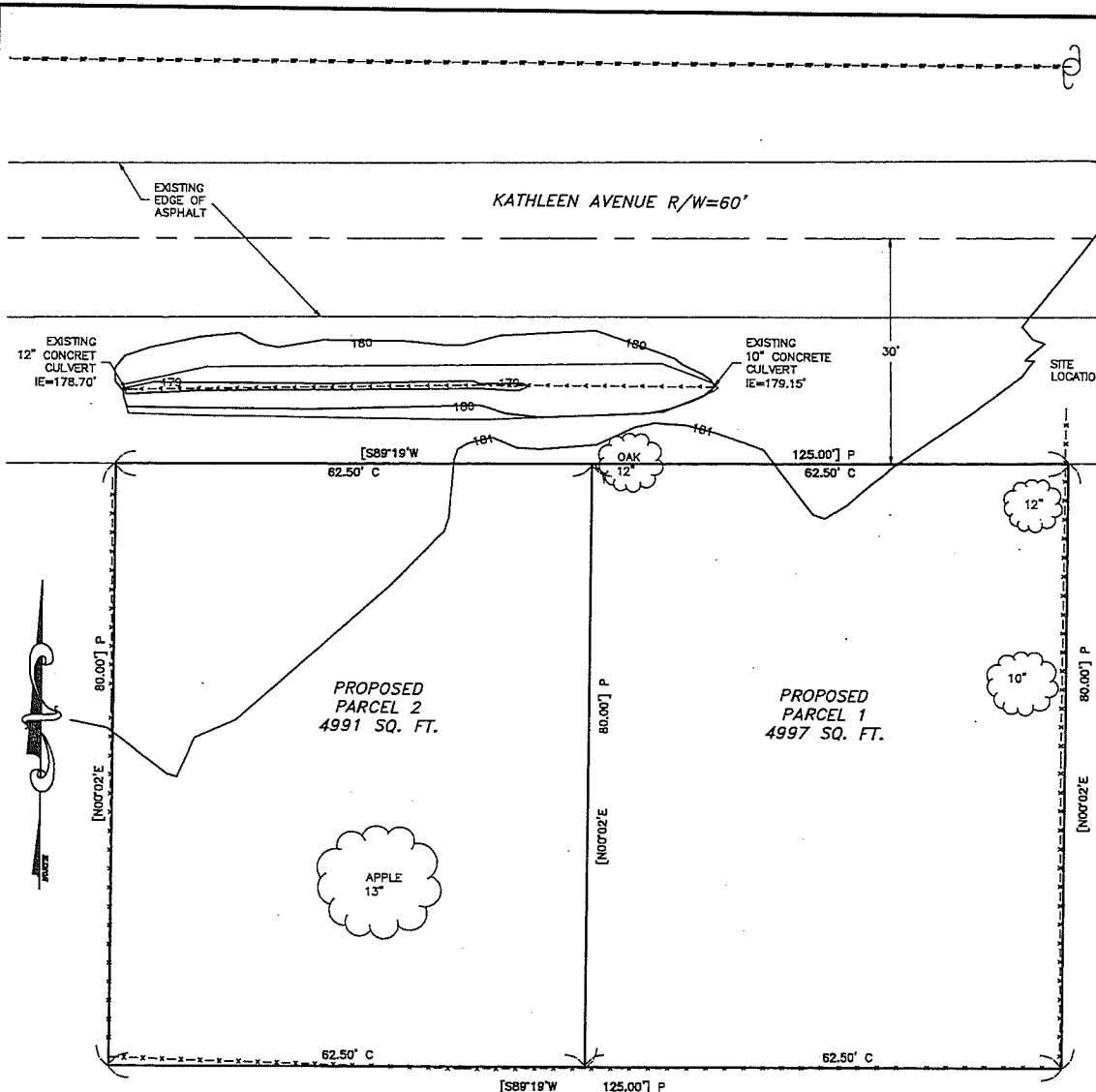
1. P Indicates records from "O'BRIEN SUBDIVISION" VOL 15, PG 38, BOTP
2. C Indicates computed dimension
3. Existing tree
4. -x-x- Existing fence
5. NTS Not To Scale

## NARRATIVE:

The purpose of this map is to illustrate a proposed partition on Lot 4, "O'BRIEN SUBDIVISION". All boundary information shown is from said plat. No monuments were set for this map.

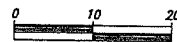
## SURVEY REFERENCES

All bearing and distances shown hereon is record information from Partition Plat Number 98-28.



**VERTICAL DATUM:**  
The elevations shown on this survey are based upon City of Salem Benchmark 1120 that has an elevation of 178.87 NGVD29.

## GRAPHIC SCALE



SCALE IN FEET  
1 inch = 10 ft.

"This map does not guarantee that any particular use may be made of the property illustrated hereon. Parties should check with the appropriate city or county planning department to verify approved uses."

"This map is a preliminary plan and does not guarantee that the number of lots or parcels shown hereon shall be the actual number that will be generated after a complete boundary survey and planning commission approval."

DRAWING NO.: 14028	PREPARED FOR AND AT THE REQUEST OF <b>KEVIN WINDER</b>	JOB NO.: 14-028
DATE: APRIL 1, 2014		SCALE: 1"=10'
REGISTERED PROFESSIONAL LAND SURVEYOR <i>Troy E. Petersen</i> OREGON JANUARY 10, 2008 TROY E. PETERSEN 61408 EXPIRES: 12/31/14	LIABILITY FOR THIS SURVEY IS EXPRESSLY LIMITED TO SAID PERSON OR PERSONS. LOCATION: <b>SE 1/4 SECTION 13, T7S, R4W, W.L. CITY OF SALEM, MARION COUNTY, OREGON</b>	CHECKED BY: TEP DRAWN BY: TEP LEGEND IR=IRON ROD IP=IRON PIPE TL=TAX LOT CL=CHAIN-66' MCSR=COUNTY SURVEY NO. CM=COUNTY/CITY MONUMENT Y.P.C.=YELLOW PLASTIC CAP M=MEASURED COURSE P=PLAT COURSE C=COMPUTED COURSE ( )=DEED RECORD ( )=SURVEY RECORD * MONUMENT FOUND AS NOTED © GOVERNMENT WORK FOUND O 5/8"X30" IRON ROD SET & Y.P.C. MARKED "PETERSEN 61408", EXCEPT AS NOTED
<b>LAND MARKERS SURVEYING</b> 581 LANCASTER DR. SE #397 SALEM, OREGON 97317 PHONE 581-0911		

WRITTEN STATEMENT

**RE: CK Homes, LLC partition application for 3000 Kathleen Ave**

Our desire is to partition the lot located at 3000 Kathleen Ave into two lots and build two single family dwellings.

This project will not impede the future use of any remaining property or adversely affect the adjoining land.

Water, Sewer and drainage will comply and all is located at the street for easy hook up.

Plan conforms to Salem Zoning Code.