

ADMINISTRATIVE

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



ISSUE: Replat 09-4

DATE OF DECISION: November 12, 2009

APPLICANT: Charles E. Morgan & Anna D. Morgan; Keith Morgan

PURPOSE OF REQUEST:

A replat to reconfigure Lot 14, Lot 15, and a fraction of Lot 13 of Block 1 of the Ben Lomond Annexation to Salem, resulting in two parcels, with Parcel 1 consisting of approximately 4,050 square feet and Parcel 2 consisting of approximately 7,668 square feet, for property in an RS (Single Family Residential) zone and located at 2435 Summer Street SE (Marion County Assessor's Map and Tax Lot Number 073W34DB / 07500, 07600, and 07700).

ACTION:

IT IS HEREBY ORDERED

A replat to reconfigure Lot 14, Lot 15, and a fraction of Lot 13 of Block 1 of the Ben Lomond Annexation to Salem, resulting in two parcels, with Parcel 1 consisting of approximately 4,050 square feet and Parcel 2 consisting of approximately 7,668 square feet, for property in an RS (Single Family Residential) zone and located at 2435 Summer Street SE (Marion County Assessor's Map and Tax Lot Number 073W34DB / 07500, 07600, and 07700) is hereby GRANTED, subject to the following condition(s) of approval:

- Condition 1:** The applicant shall provide the required field survey and plat as per Oregon Revised Statutes and the Salem Revised Code.
- Condition 2:** If the property line between Parcels 1 and 2 falls east of the existing sewer line serving the existing dwelling on Parcel 2, the applicant shall either (1) relocate the sewer line to Parcel 2 or (2) grant an irrevocable sewer easement across Parcel 1 for the benefit of Parcel 2.

Application Deemed Complete: October 22, 2009
Decision Date: November 12, 2009
State Mandated Decision Date: February 19, 2010

Decision Issued according to Salem Revised Code 63.046 and 63.051

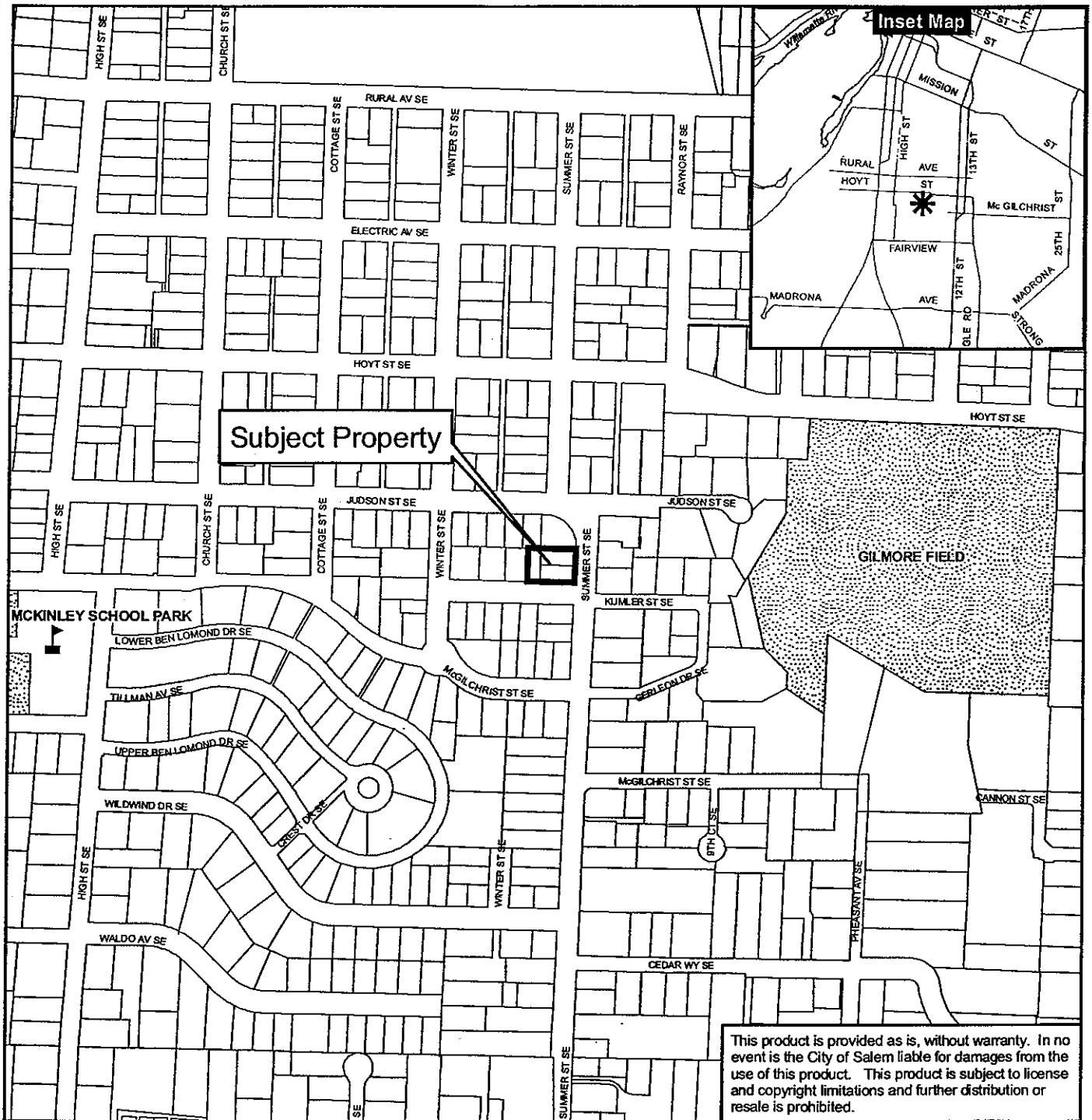
This decision is final unless written appeal from an aggrieved party is received by the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem, Oregon 97301, no later than November 30, 2009 at 5:00 p.m. The appeal must state where the decision failed to conform to the provisions of the subdivision ordinance (SRC Chapter 63). The appeal is to be filed in duplicate with the Planning Division. The appeal fee is to be paid at the time of filing. The Planning Commission will review the appeal at a public hearing. After the hearing, Planning Commission may amend, rescind, or affirm the action, or refer the matter to the staff for additional information.

A copy of the findings and conclusions for this decision may be obtained by calling the Salem Planning Division at (503)588-6173, or writing to the following address: Salem Planning Division; Room 305, Civic Center; 555 Liberty Street SE; Salem, Oregon 97301.

Case Planner: Pamela Cole, Associate Planner, 503-588-6173, Ext. 7509, pcole@cityofsalem.net







Vicinity Map

Taxlots 073W34DB07500, 07600 & 07700

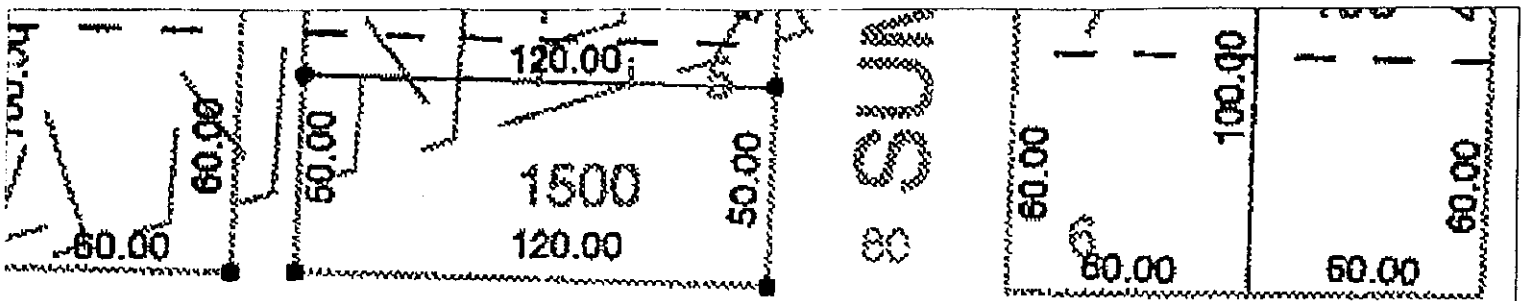


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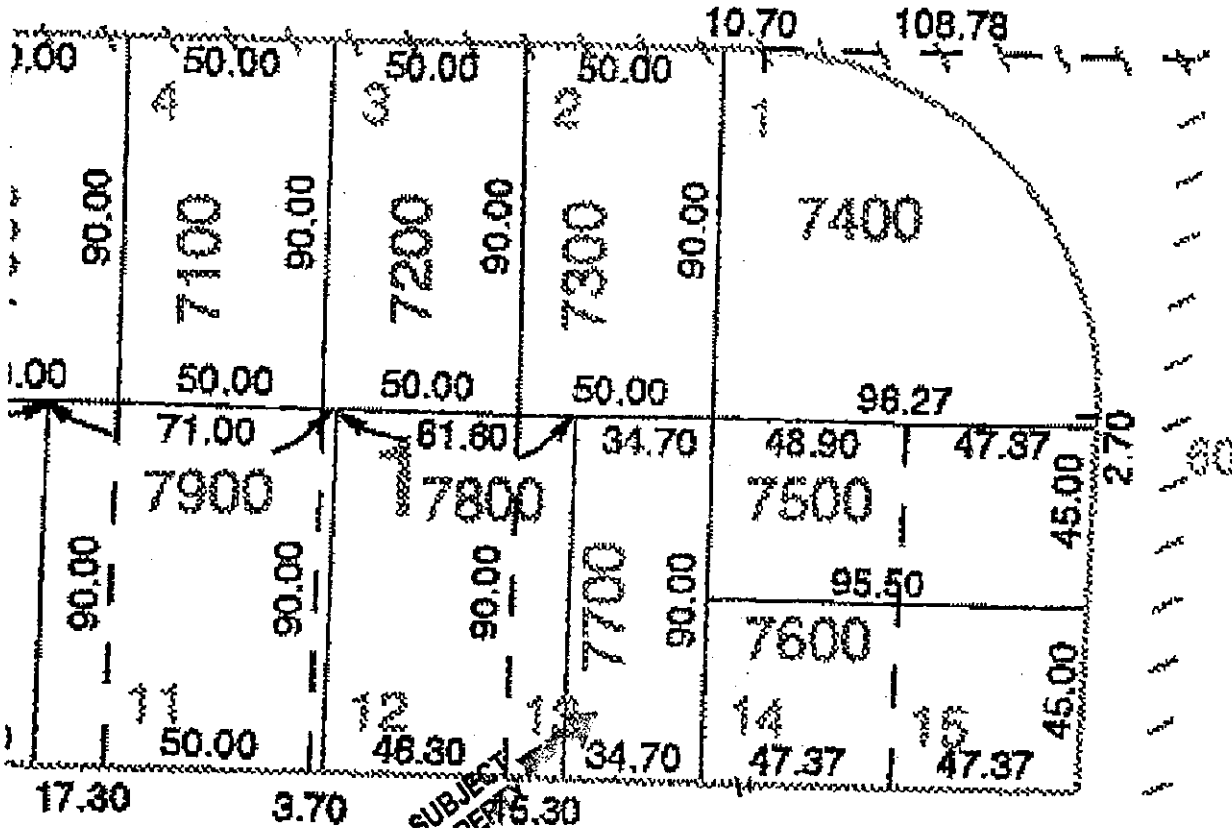
Legend

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



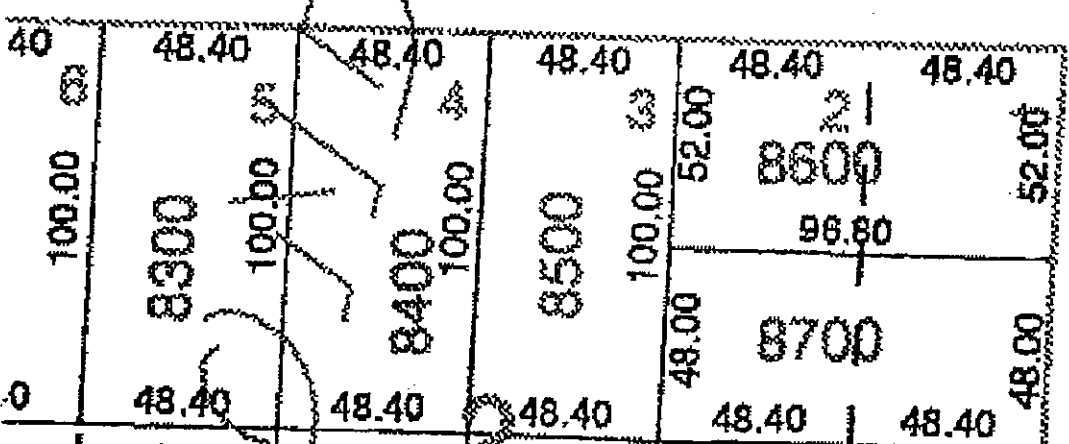


STREET SE



SUBJECT PROPERTY

WILMER ST



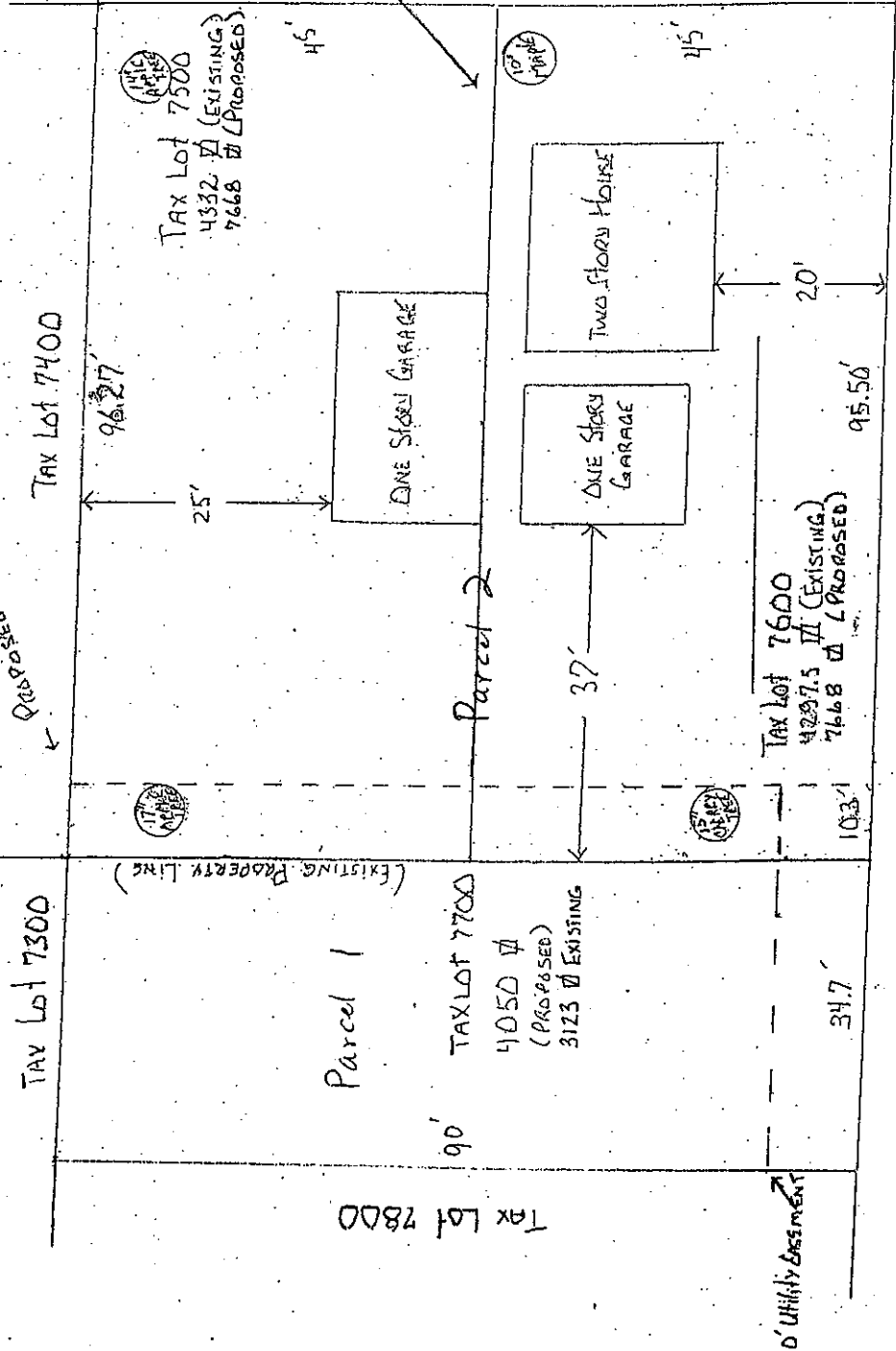
AmeriTitle
 320 Church St. N.E.
 Salem, OR 97301
 581-1431

THIS MAP IS PROVIDED SOLELY FOR THE PURPOSE OF ASSISTING IN THE LOCATION OF THE PROPERTY. THE COMPANY ASSUMES NO LIABILITY FOR VARIATIONS, IF ANY, IN DIMENSIONS OR LOCATIONS ASCERTAINED BY AN ACTUAL SURVEY.

ORDER NO. _____

REPLAT of Lots 13, 14 & 15, Block 1, Ben Lomond Annexation to Salem, Oregon
 EXISTING STRUCTURE LOCATIONS & TREE LOCATIONS

N ↑



LOT LINE TO BE REMOVED

SUMMER ST. SE (60' WIDE)

RECEIVED

OCT 02 2009

COMMUNITY DEVELOPMENT

T75
R34
S34

REPLAT of lots 13, 14 & 15, Block 1, Ben Lomond Annexation to Salem, OR

REPLAT of 2435 SUMMER ST. SE
 SCALE: 1/2" = 1'
 OCTOBER 1, 2009
 CHUCK MORGAN, 2430 SUMMER ST. SE SALEM, OR 97302-7111

KUMLER ST. (60' WIDE)

Notes: ONLY A 10' UTILITY EASEMENT AT SOUTH SIDE OF TAX LOT 7400 IS PROPOSED
 NO UTILITIES EXIST WITHIN THE BOUNDARIES OF TAX LOT 7700 AND NONE ARE PROPOSED AT THIS TIME.
 NO TREES ARE PLANNED FOR REMOVAL



SUMMARY OF ACTION

1. **Case:** Replat No. 09-4
2. **Summary of Issue:** A replat to reconfigure Lot 14, Lot 15, and a fraction of Lot 13 of Block 1 of the Ben Lomond Annexation to Salem, resulting in two parcels, with Parcel 1 consisting of approximately 4,050 square feet and Parcel 2 consisting of approximately 7,668 square feet, for property in an RS (Single Family Residential) zone and located at 2435 Summer Street SE (Marion County Assessor's Map and Tax Lot Number 073W34DB / 07500, 07600, and 07700).
3. **Staff Recommendation:** Approve, subject to SRC Chapters 63 and 146.
4. **Neighborhood Association:** The subject property is located within the South Central Association of Neighbors.

Testimony: No comments were provided from the South Central Association of Neighbors.
5. **Interested Parties**

Testimony: Ten neighboring property owners returned responses indicating that they had reviewed the proposal and had no objections to it; three of those responses included comments that expressed appreciation for the applicant's renovations of the existing dwelling and subject property. Two returned responses indicating they had reviewed the proposal and had comments; one of those responses included comments indicating no objections to the proposal and the other included comments strongly approving the proposal.
6. **Decision:** The replat was approved subject to the conditions contained in the findings and order.
7. **Basis for Decision** The purpose of the replat is to reconfigure existing lots within the Ben Lomond Annexation subdivision. The new configuration will widen one existing vacant lot to meet current development standards and will combine two existing lots so that an existing detached garage will be located on the same lot with the existing single family dwelling that it serves. The proposed parcels meet all minimum lot requirements, including area, width, and depth. The tentative plan, with conditions of approval, complies with the applicable provisions of the subdivision ordinance, zoning code, and public facility plan and does not adversely affect the safe and healthful development and access to any adjoining lands.

Case Planner: Pamela Cole, email: pcole@cityofsalem.net

Note: This summary statement is for information only and is not a part of the official record or findings of the case.

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