



## COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | BUILDING 541-917-7553 | PLANNING 541-917-7550

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April 9, 2021

Chris Allen  
3250 Ridgeview Lane NW  
Albany, OR 97321

Dear Mr. Allen:

**City of Albany Planning File No. LA-03-21**  
**Application for Property Line Adjustment**  
**Benton County Assessor's Map No. 10S-04W-25BD; Tax Lot(s) 301 & 400**  
**Address: 3250 Ridgeview Lane NW, Albany, Oregon 97321**

City staff has received your request for a property line adjustment affecting the properties listed above and evaluated it against the applicable decision-making criteria provided below.

### Property Line Adjustment Review Criteria (ADC 11.120)

**The Director will approve, approve with conditions, or deny the request for a property line adjustment based on the following criteria:**

#### Criterion 1

**The property line adjustment does not create a new lot or a land-locked parcel.**

#### *Findings of Fact and Conclusions*

- 1.1 The applicant proposes to adjust a common boundary line between two adjoining parcels. As such, no new lot will be created.
- 1.2 After the proposed property line adjustment, both Property 1 (Tax Lot 301) and Property 2 (Tax Lot 400) will have direct frontage and access to Ridgeview Lane or Valley View Drive.
- 1.3 Therefore, the proposed property line adjustment will not create a new lot or a landlocked parcel, consistent with ADC 11.120(1).

#### Criterion 2

**The adjusted properties are not reduced below the minimum dimensions of the zoning district and do not otherwise violate standards of this Code, or the adopted building codes.**

#### *Findings of Fact and Conclusions*

- 2.1 The subject properties are zoned RS-10 – Residential Single-Family District. The RS-10 zone has a minimum lot size of 10,000 square feet, with a minimum width of 65 feet and depth of 100 feet. After the property line adjustment, Property 1 will be 0.85 acres (37,026 square feet) in size, a minimum of approximately 110 feet in width and 325 feet in depth; and Property 2 will be 4.90 acres (213,346

square feet) in size and a minimum of approximately 50 feet in width and 375 feet in depth. The RS-10 zone also requires a minimum of a five-foot setback from property lines for one-story structures. After the property line adjustment, all of the existing structures will be setback at least five feet from any property line.

- 2.2 Therefore, the subject properties will not be reduced below the minimum size and dimensions of the underlying zoning district and will not otherwise violate standards in the ADC or adopted Building Codes, consistent with ADC 11.120(2).

### Criterion 3

**The adjusted properties are in compliance with any adopted transportation, public facilities, or neighborhood plan.**

#### *Findings of Fact and Conclusions*

- 3.1 Sewer: City utility maps show an eight-inch public sanitary sewer main in Ridgeview Lane and an eight-inch main along the north boundary of the properties.
- 3.2 Water: City utility maps show a six-inch public water main in Ridgeview Lane and an eight-inch main in Valley View Drive. The existing structure(s) on the subject properties are currently connected to the public water system.
- 3.3 Stormwater Drainage: The proposed property line adjustment will have no impact on stormwater runoff from the subject properties.
- 3.4 Therefore, the proposed property line adjustment will not adversely impact the utility service to the subject properties consistent with ADC 11.120(3).

### Criterion 4

**The adjusted properties comply with any previous requirements or conditions imposed by a review body.**

#### *Findings of Fact and Conclusions*

- 4.1 There are no known previous conditions or requirements imposed by a review body that remain to be met.

### Overall Conclusion

Given the above analysis, the proposed property line adjustment complies with all applicable review criteria. The legal requirements that relate to property line adjustments are listed below.

1. The property line adjustment shall occur in substantial conformance to the plans submitted for review. The Planning Division must approve any changes to the approved plan.
2. In all cases, the adjusted property line created by the relocation of the common boundary between tax lots shall be surveyed and documented in accordance with Oregon Revised Statute (ORS), subsection 92.060(3). The map of the survey shall be prepared for recording to comply with ORS 209.250.
3. Conveyance of the property must be executed by deed. The applicants shall cause a deed to be prepared by a title company or an attorney. A legal description shall be prepared for the reconfigured property and for the land being conveyed. The deed shall contain the names of the parties, legal description of the land, references to original recorded documents, and signatures of all parties with proper acknowledgment.
4. To convey (transfer) the property, the deed with the legal description must be recorded with the Benton County Recorder and Surveyor (ADC 11.140). Prior to recording, all the documents shall be reviewed and approved by the City of Albany Community Development Division. (For City review, deeds do not need signatures.)

5. When the legal documents are recorded, that portion being removed from one tax lot must be consolidated with the other. Consolidation is done by the Benton County Tax Assessor. Before the county tax assessor's office can approve a consolidation, the applicants must present evidence to it that the following are met:
  - a) The ownership interest must be exactly the same on each parcel involved (i.e., one cannot be contract purchaser on one parcel and deed holder of the other).
  - b) Taxes must be paid in full; no taxes can be owed on the parcels involved.
  - c) A tax lot under a mortgage will not be combined with a tax lot that is not covered by a mortgage, unless approved by the mortgage holder.
6. Prior to issuance of any building permits on the properties covered by this application, the applicants must return a copy of the recorded deed to the Albany Planning Division.
7. This proposal must be initiated within three years of the date of this letter of approval.

Sincerely,

*signature on file*

Scott Whyte  
Planning Supervisor

JP:jv

Enclosures (1)

- c: Johnathan Balkema, Building Division  
Denise Valentino, Finance Department  
Russell Buttram, Greater Albany Public Schools  
Richard Montague, GIS  
Mike Leopard, Public Works Engineering  
Gordon Steffensmeier, Public Works Engineering  
Ron Irish, Public Works Transportation  
Lora Ratcliff, Fire Services  
Benton County Surveyor's Office  
Benton County Assessor  
File: LA-03-21

**PROPERTY LINE ADJUSTMENT**  
 for  
**CHRISTOPHER J. ALLEN TRUST**  
 and  
**LINDA L. ALLEN TRUST**  
 in this  
 N.W. 1/4 OF SEC. 25,  
 T. 10 S., R. 4 W., W.M.,  
 CITY OF ALBANY,  
 BENTON COUNTY, OREGON

JANUARY 19, 2021  
 CASE No. XXX-XXX

REGISTERED  
**PROFESSIONAL  
 LAND SURVEYOR**  
 OREGON  
 ID. NO. 10,101  
 DAVID LEE SCHLOSSER, JR.  
 72617  
 REVIEWS: 06/30/2022

I, the undersigned,  
 being duly sworn,  
 hereby certify  
 that this is an  
 exact copy of  
 the original plat.  
 David Lee Schlosser Jr.  
 P.L.S. 72617

**NARRATIVE**

The purpose of this survey is to adjust the property line between those tracts of land as described in document No. 2012-49829 Document No. 09792377 Case No. XXX-XXX. I held the monument at (A) bearing and distance of 19.87° 58' 30" N 110.00' W to the monument at (B) I held the monument at (C) to be 0.18 East of the line per CS 9383 along with (A) for the East line therefor.

**LEGEND**

- ..... FOUND MONUMENT AS NOTED
- ..... FOUND 5/8" ROD W/IPC "M&D ENGR PLS 1630" CS 9383
- ▲ ..... COMPUTED POINT, NOTHING FOUND OR SET
- ▲ ..... SET 5/8" X 30" IRON ROD WITH RED PLASTIC CAP STAMPED "NORTHSTAR SURVEYING"
- (Ja) ..... RECORD DATA FROM CS 4472
- (Jb) ..... RECORD DATA FROM CS 9383
- BK ..... BOOK
- CS ..... COUNTY SURVEY
- FD ..... FOUND
- ESMT ..... EASEMENT
- PP ..... PAGE
- RUE ..... PUBLIC UTILITY EASEMENT
- PP ..... PARTITION FLAT
- R/W ..... RIGHT-OF-WAY
- TR ..... TRUST
- UE ..... UTILITY EASEMENT
- YPC ..... YELLOW PLASTIC CAP

