City of Scio

P. O. Box 37 Scio, OR 97374 Phone: 503-394-3342

Fax: 503-394-2340

Scio Planning Commission Meeting

Scio City Hall - 38957 NW 1st Avenue, Scio, Oregon

AGENDA

January 25, 2023 - 7:00 PM

Chairman - Beau Buganski

Commissioner Richard Androes

Commissioner Katrina Clouse

Commissioner Ellie Ferguson

Commissioner Ron Loewen

Commissioner Nicole Zedwick

Vacant

CALL TO ORDER ** ROLL CALL**

APPROVAL OF PLANNING COMMISSION MINUTES: April 26, 2022 Minutes

BUSINESS:

- PL2021-02 Iceland Construction Extension of Subdivision Approval 10S01W018AC, Tax Lot 900 Presented by: Dave Kinney, Planning Consultant
- 2. PL2022-02 Sandberg Property Line Adjustment 10S01W18AA, Tax Lot 5801, 5900 & 6300 Presented by: Dave Kinney, Planning Consultant
- 3. Planning Commission Vacancy

ADJOURNMENT:

ALL PLANNING COMMISSION MEETINGS WILL BE HELD IN PERSON AND ON ZOOM.

The public can join the meeting via Zoom using one of the following options:

https://us02web.zoom.us or phone: 1-253-215-8782

Meeting ID: 815 8272 1063 Passcode: 697651

The Zoom Information will also be available on the City Web Site and City Facebook Page the Thursday, prior to the Monday meeting.

NEXT SCHEDULED PLANNING COMMISSION MEETING(S)

TBA, 7:00 p.m. Scio City Hall

City of Scio Planning Commission Minutes April 26, 2022

LOCATION: SCIO CITY COUNCIL CHAIMBER, 38957 NW 1ST AVENUE, SCIO

Time Start: 7:11 P.M. Time End: 7:38 P.M.

CALL TO ORDER

The meeting was called to order at 7:11 pm by Planning Commission Chairman Beau Buganski. Role call was taken by Cathy Martin, Administrative Assistant.

PLANNING COMMISSION MEETING ATTENDANCE LOG

PLANNING COMMISSION	SCIO STAFF
Chairman Beau Buganski	Cathy Martin, Administrative Assistant
Commissioner Richard Androes	David Kinney, Planning Consultant
Commissioner Katrina Clouse	
Commissioner Ellie Ferguson – via Zoom	
Commissioner Ron Loewen	
Commissioner Nicole Zedwick - excused	
Vacancy	

AUDIENCE MEMBERS IN ATTENDANCE

Derrick Mottern, SMTA	

AGENDA	ACTIONS
 APPROVAL OF MINUTES ◆ August 25, 2021 Planning Commission Minutes 	Motion from Commissioner Androes, seconded by Commissioner Clouse to approve the minutes of August 25, 2021 as presented. Motion passed 5:0
BUSINESS PUBLIC HEARING PL2021-02 – Iceland Construction – Extension of Subdivision Approval 10S01W18AC, Lot 900 a. Staff Report – Dave Kinney, Planning Consultant	Mr. Kinney stated that Iceland Construction has requested an extension, as per the Zoning Code, recommendation to grant the 1 year extension.
b. Commissioner Discussion	None
c. Planning Commission Decision	Motion from Commissioner Loewen, seconded by Commissioner Clouse, to approve the extension on application number PL2021-01 by Iceland Construction

PUBLIC HEARING PL2022-01 – SMTA – Site Development Review 10S01W18AD, Tax Lot 5100

a. Buganski – open public hearing at 7:15 pm

b. Declaration of Exparte Contact, Bias, Conflicts of Interest

c. Staff Report - Dave Kinney

d. Questions from the Commission

e. Applicant's Presentation

for Extension of Subdivision Approval as recommended. **Motion passed 5:0**

Buganski – opened the hearing at 7:15 pm.

Jeffery Clayson, Assistant City Attorney, read the opening statement for the Public Hearing.

All members of the Association Buganski stated that he is on the board, has seen the same drawings that are in the packet. Jeffery asked if everyone had any issues with Buganski service.

Buganski asked Derrick Mottern, SMTA CEO/General Manager to introduce himself. Stated that they have taken down the old warehouse and want to build a new building to secure vehicles near the operations building. 4 bays, restroom, shower,

Dave Kinney presented the staff report. City received the plans from Studio 3 Architecture on behalf of SMTA, proposed 2,190 sf building, 4 vehicle bays and restroom. Application has to comply with basic Commercial Zone, Site Plan Review, and Public Facilities. Public Facility requirements require, curb, sidewalk and street improvements. Conclusion – complies, recommend series of conditions of approval

- 1. Site plan be approved as on revised site plan.
- 2. Final Drawings, engineering plans, storm drain, final plan set.
- Coordinate start of construction with city staff/engineer staff
- 4. As built drawings for public improvements
- 5. County will not issue building permit until all
- 6. Expire May 1, 2023 if applicant has not filed for a building permit, or ask for 1 year extension.

Buganski asked if it was in the flood hazard zone. Kinney stated that it is outside of the flood zone.

Derrick Mottern, SMTA, stated that they agree with the conditions of approval. They asked for access to Ash Street, this has been approved by city staff. They are working on getting the engineering done. They will be blacktopping the entire parking lot.

Buganski asked if the existing entrance will be modified. f. Public Comments None. Hearing closed at 7:30 pm by Buganski Council Discussion Kinney addressed the commission regarding the process, Udell Engineering will submit plans to the owner, they will submit to city Engineer for approval. Buganski asked if there were any questions h. Planning Commission Decision Motion from Commissioner Androes, seconded by Commissioner Clouse, to approve the site plan review application SMTA's shop building at 38996 SE 2nd Avenue in Scio, File No. PL2022-01, subject to the conditions of approval and to adopt the findings of fact. Motion passed 5:0 **Planning Commission Vacancy** Ms. Martin reminded the commission that there is still a. Staff report one opening for an in-town position. Clouse has someone in mind. b. Commissioners Discussion

Agenda Item 1

Laura LaRoque

Udell Engineering and Land Surveying 63 E. Ash Street, Lebanon, OR 97355 Phone: (541) 990-8661 Email: laura@udelleng.com

City of Scio Planning and Building Department

300 SW 4th Avenue, Room 114 P.O. Box 37 Scio, OR 97374 Phone: (503) 394-3342

Planning Commissioners,

On May 3, 2021, the Scio Planning Commission approved the Four Firs Subdivision, a replat of Block 6, South Addition to Scio, into four lots (see Scio Planning file no. 2021-02). Per the notice of decision, expiration of the subdivision approval was on May 31, 2022, if the final engineering plans and final plat were not submitted to the City and Linn County Surveyor for preliminary review, and the final subdivision plat was not recorded on or before December 31, 2022.

Unfortunately, due to unforeseen circumstances (mainly due to covid-19 related staffing shortages) the development team was unable to meet the opposed deadlines. Therefore, on January 26, 2022, an extension to these deadlines was requested by the property owner's representative. On April 26, 2022, the Scio Planning Commission approved an extension of subdivision approval until May 1, 2023.

A second extension is now requested to allow review of approval of final engineering plans to occur on or before May 31, 2024, and recordation of the final subdivision plat to occur on or before December 31, 2024.

Final engineering plans are currently under review and expected to be fully approved by the end of January 2023, which is in the midst of Oregon's rainy season. Therefore, an extension to the subdivision approval period is requested to allow construction to occur during more favorable weather conditions that typically occur June through October. A grace period has been included in the requested extensions to account for any unforeseen delays, should they arise.

Thank you for your consideration.

Laura LaRoque

Land Use Planner
Udell Engineering and Land Surveying, LLC
12/21/2022



City of Scio

P. O. Box 37 Scio, OR 97374 Phone: 503-394-3342

Fax: 503-394-2340

April 29, 2022

Randy Nelson Iceland Construction, Inc. PO Box 240 Scio, OR 97374

RE:

Grant of Extension – Land Use File No. 2021-02

Four Firs Subdivision

Assessor's Map 10S 01W 18AC, Tax Lot 00900

Dear Randy:

On April 26, 2022, the Scio Planning Commission **approved** your request for an extension of the subdivision approval for the Four Firs Subdivision in Scio.

You have been granted an extension of time to May 1, 2023 to comply with the conditions of approval as listed in the original Notice of Decision dated May 3, 2022.

If you have any questions regarding this decision, you may contact me at Scio City Hall.

Sincerely,

Cathy I. Martin

Administrative Assistant

Cc: City of Scio Planning file

David W. Kinney, Planning Consultant Laura LaRoque, Udell Engineering

Martin

Brian Vandetta, Udell Engineering

City Engineer Ryan Quigley, The Dyer Partnership

David W. Kinney



Planning Consultant for the City of Scio 791 E. Hollister St., Stayton, OR 97383 Office: (503) 769-2020 Cell: (503) 551-0899 Email: dwkinney@wvi.com

May 3, 2021

Randy Nelson Iceland Construction, Inc. PO Box 240 Scio, OR 97374

RE: Planning File 2021-02

Four Firs Subdivision Assessor's Map 10S 01W 18AC, Tax Lot 00900

Dear Randy:

On Wednesday, April 28, 2021 the Scio Planning Commission approved your application for the Four Firs Subdivision, a replat of Block 6, South Addition to Scio, into four lots.

Approval was granted subject to your compliance with the following conditions of approval.

Conditions of Approval

- A. Approved Map & Time Limit of Subdivision Approval. The Four Firs Subdivision is approved as shown on the attached tentative subdivision plans, Sheets C100 to C107, dated & stamped approved by the City of Scio. Approval is granted subject to the submittal of the final engineering plans to the City Engineer and a final plat to the Linn County Surveyor for review within one year from the date of the City's Notice of Decision. The subdivision approval will expire May 31, 2022 if the final engineering plans and final plat are not submitted to City and Linn County Surveyor for preliminary review.
- **B.** <u>Final Plat</u>. The final subdivision plat must be recorded with Linn County no later than December 31, 2022. The plat must be prepared by a registered professional surveyor and comply with state law and the Linn County surveyor requirements for subdivisions. The final plat must comply with the requirements listed in ORS 92 and the Scio Subdivision Ordinance 562, Article 6, "Final Plat Requirements."

C. Easements.

- 1. Provide a 10' wide PUE on the street frontage boundary for all lots.
- 2. Provide a storm drainage easement to the City (area to be defined on the final plat).

D. <u>Public Improvements, Development Agreement and Bonding Requirements:</u>

- 1. <u>Public Improvement Construction and Acceptance</u>. The developer will install required public improvements prior to recording of the final plat, or shall provide the City with a performance bond/guaranty in an amount sufficient to guarantee completion of construction of the required public improvements, including city costs for engineering review and inspection of all improvements. Upon completion, the City Engineer will recommend city acceptance and require submittal of a one-year warranty/maintenance bond.
- 2. <u>Development Agreement</u>. The City and Developer will enter into a Development Agreement, on a form provided by the City, stipulating the terms of completion of the subdivision improvements.
- 3. <u>Bonding Requirements</u>. If the improvements are not completed prior to the filing of a final plat, the developer shall provide a performance bond and warranty bond in an amount established by the City Engineer, as required by the City's Public Works Design Standards.
- 4. <u>As-Built (Record) Drawings</u>. At the completion of the project and upon acceptance by the City of Scio, provide the City with as-built record drawings of the public improvements in electronic and paper formats.
- **Public Works Requirements:** The applicant shall submit final engineering plans for the subdivision for review and approval by the City Engineer prior to the City approval of the final plat. Improvements will be designed and installed in accordance with the City of Scio Public Works Design Standards and Construction Specifications.

Permits:

- 1. City of Scio Construction Permit. The property owner, or authorized contractor shall obtain a Construction Permit from the City for any work performed in the city-owned public right-of-way.
- 2. Oregon Health Authority Plan Approval. Provide a copy of OHA approval of water system plans for the water main extension on SW Cherry Street.
- 3. DEQ Sanitary Sewer Plan Approval. Provide a copy of DEQ approval of sewer system construction plans for the sewer main line extension on SW Cherry Street.
- 4. Erosion Control Permits. Provide a copy of the DEQ approved 1200-C Permit.
- 5. Storm Drainage and Other Regulatory Permits. Provide a copy of any other federal or state required regulatory permits to the City.

Streets Improvements:

Design and construct the following street improvements, subject to final engineering plans review and approval by the City Engineer:

6. <u>SW Cherry St. (4th to 3rd)</u>: Construct a 24'-wide ¾-street paved section with curb, gutters and 5' sidewalk on the east side and a 2'-wide gravel shoulders and roadside drainage on

- the west side. Construct a 5' pedestrian sidewalk and ADA ramps, as approved by the City Engineer.
- 7. <u>SW 3rd Avenue (Beech to Cherry)</u>: Maintain the existing a 20' wide paved section, including gravel shoulders, roadside drainage and AC driveway approaches on the south side of the street. Execute and record a non-remonstrance agreement in the Linn County Deed Records for future SW 3rd Avenue street improvements to city standards.
- 8. <u>SW 4th Avenue (Beech to Cherry)</u>: Maintain the existing 20' wide paved section, including gravel shoulders, roadside drainage and AC driveway approaches on the north side of the street. Construct a 5' wide PCC sidewalk, ADA ramps and PCC driveway aprons.
- 9. <u>SW Beech Street (3rd to 4th)</u>: Widen to a 24' wide paved section with gravel shoulders and roadside drainage on the west side of the street. Construct a 6' wide PCC sidewalk, ADA ramps and PCC driveway aprons.
- 10. <u>Street Name and Traffic Control Signs</u>. Traffic control signs and street name signs shall be installed as shown on the final engineering plans, or as approved by the City Engineer.
 - a. Install street name signs, no parking signs, and traffic control signs (STOP) at intersections where they do not exist.
- 11. <u>Street Lights</u>. Street Lights shall be shown on the final engineering plans.
 - a. Install a new light on the existing power pole at the northwest corner of the intersection of SW Beech & SW 3rd Avenue, at the developer's sole cost and expense.
- 12. Mailboxes. Install mail receptacles outside of vehicle/pedestrian areas. Mailboxes shall comply with USPS requirements.

Water Improvements:

13. Water Mains: Design and construct a 6" water main extension on SW Cherry Street (4th – 3rd) to loop with the existing water main on SW 3rd Avenue, including meter services and boxes per PWDS standards. Existing fire hydrant location, condition and flows shall be reviewed and verified with the Scio Fire District during design of the project.

Sewer Improvements:

- 14. Sewer Mains and Laterals: Design and construct the following sewer improvements:
 - a. SW Cherry St. Sewer Main Extension: An 8" sewer main extension and sewer laterals on SW Cherry Street (4th north to MH).
 - b. SW Beech St. Sewer Connections: Evaluate the condition of the SW Beech Street sewer main to determine if it may be used for the development. If the SW Beech Street sewer main can be used, submit final plans and recommendations for repairs/upgrades to reduce I & I flows and install sewer laterals on SW Beech St.

Storm Drainage Improvements:

- 15. The applicant will submit a final storm drainage calculations and engineering plans for the storm drainage system, that are compatible with the required street improvements for the project and provide for a balanced cut & fill. Plans will include a detailed fencing plan showing how functionality of the storm drainage facility will be maintained.
- 16. The applicant will prepare and record in the Linn County Deed Records a storm drainage easement/maintenance agreement:
 - granting the City of Scio the right to enter the property to perform maintenance and,
 - stipulating the storm drainage swale may not be filled in, and
 - stipulating fencing and improvements may not impede the storm drainage function or inhibit the system function, and
 - stipulating the property owner(s)will be responsible for the on-going maintenance of the drainage swale on the property.

Right of Appeal

Any person aggrieved by this decision may file a written appeal with the City of Scio by Wednesday, May 19, 2021 at 4:00 p.m. The appeal must be completed on forms provided by the City and accompanied by the required application fee.

If you have any questions regarding the Scio Planning Commission decision, you may contact Administrative Assistant Cathy Martin at City Hall at 503-394-3342.

Sincerely,

David W. Kinney

Planning Consultant for the City of Scio

Enclosures: Four Firs Subdivision – Approved Plan Sheets

Cc: Cathy Martin, Administrative Assistant, City of Scio

File 2021-02 Four Firs Subdivision File Laura LaRoque, Udell Engineering Brian Vandetta, Udell Engineering

City Engineer Ryan Quigley, The Dyer Partnership

Agenda Item 2

David W. Kinney



Planning Consultant for the City of Scio 791 E. Hollister St., Stayton, OR 97383 Office: (503) 769-2020 Cell: (503) 551-0899

Email: dwkinney@wvi.com

January 09, 2023

Beverly and Brad Sandberg **PO Box 706** Scio, OR 97374

RE: Planning File 2022-02

> Property Line Adjustment Address: 38958 NW 3rd Avenue

Assessor's Map 10S 01W 18AA, Tax Lots 05801, 5900 & 6300

Dear Mr. & Mrs. Sandberg:

The property line adjustment proposal to adjust the boundary for your property at 38958 NW 3rd Avenue in Scio, Oregon, as shown on Map 1, complies with the City's application requirements.

In accordance with Scio Municipal Code, Land Division Ordinance No. 562, a lot line adjustment must be reviewed and approved by the Scio Planning Commission. The Planning Commission will hold a regular meeting on January 25, 2023 at 7:00 p.m. at City Hall to consider your application. I recommend the Planning Commission approve your proposal because it complies with the Property Line Adjustment criteria in Section 8.540 of the Scio Land Division Code.

Α. **Property Line Adjustment Proposal**

The applicant filed this application requesting the Scio Planning Commission approve a property line adjustment to modify property lines for the three parcels at 38858 NW 3rd Avenue, 38822 N. Main St. and 38808 N. Main St. in Scio, Oregon.

In 2022, the City of Scio adopted Ordinance 622 vacating a 16.5'-wide alley located in the block bordered by NW 3rd Avenue, N. Main St., N. Alder St. and an alley along the south boundary. The alley vacated by Ordinance 622 was adjacent to Lot 19 and Lot 50 in the Plan of Scio and lots with Linn County Partition Plat 2008-44. Upon adoption of Ordinance 622, the vacated land was deeded to the three abutting property owners (Sandberg, Jantz and Eckhart) as required by Oregon law.

The three affected property owners desire to adjust the property lines so that the property lines are located along existing fence lines and reflect historic use of the vacated alley by the three property owners. Table 1 summarizes the proposal. Map 1, an aerial photo of the block, shows locations of existing homes, fences and outbuildings. Map 2 shows the proposed lot lines for Parcels A, B & C.

Table 1
Sandberg, Jantz and Eckhart
Proposed Property Line Adjustment

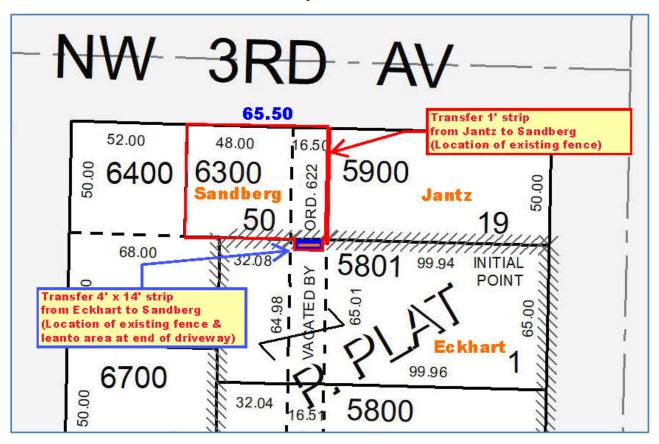
Parcel	Assessor's Map 10S 01W 18AA Tax Lot #	Existing Address	Property Owner	Existing Lot Size (sf)	Area Removed (sf)	Area Added (sf)	Adjusted Lot Size
А	6300	38958 NW 3 rd Ave	Sandberg	3,225 +/-	0	106 +/-	3,331 +/-
В	5900	38222 N. Main St.	Jantz	5,000 +/-	(50) +/-	0	4,950 +/-
С	5801	38808 N. Main St.	Eckhart	9,675 +/-	(56) +/-	0	9,619 +/-
				(106) +/-	106 +/-		

Map 1
Property Line Adjustment for Sandberg / Jantz and Eckhart
Map 1 shows existing parcels
38958 NW 3rd Ave. and 38808 & 38822 N. Main St., Scio, Oregon



Map 2

Property Line Adjustment for Sandberg, Jantz and Eckhart Proposed Parcels



B. Findings and Conclusions:

The applicant has complied with the application requirements and decision criteria for a property line adjustment set forth in Scio Land Division Code Chapter 8.5

Criteria 1: The lots being modified in size through the property line adjustment shall meet the minimum lot size, width, and street access requirements of the zone in which they are located.

Criteria 2. If, prior to application, the lot did not meet lot size or width requirements, the property line adjustment shall not result in greater nonconformity with the applicable standards. However, street access requirements shall be met on the resulting parcels.

<u>Findings</u>: Minimum lot size and lot dimension requirements for the three proposed lots are shown in Table 2.

Parcel A (Sandberg): The Sandberg's 3,225 square foot parcel at 38958 NW 3rd Avenue does not comply with the 8,000 square foot minimum lot size for a single-family home site in the R-1 zone. The lot is a non-conforming lot. The applicant proposes to increase the size of this lot by adding 106 sq. ft. The existing and proposed lot comply with lot width and lot frontage requirements. The proposed lot complies with Criteria 2.

Table 2

Minimum Lot Size and Dimension Requirements

Proposed Parcel	Owner	Assessor's Map 10S 01W 18AA Tax Lot #	Address	Zone	Required Minimum Lot Size (sf)	Existing Lot Size (sf)	Proposed Lot Size (sf)	Required Lot Width / Frontage	Proposed Lot Width / Frontage
А	Sandberg	6300	38958 NW 3 rd Ave	R-1	8,000	3,225	3,331	60′	65.50′
В	Jantz	5900	38822 N. Main St.	C-1	No minimum	5,000	4,950	60′	99.00′
С	Eckhart	5801	38808 N. Main St.	R-1	8,000	9,675	9,619	60′	65.00′

Parcel B (Jantz): The Jantz's parcel at 38822 N. Main St. is a 5,000 square foot parcel in a Commercial zone. It complies with lot width and lot frontage requirements.

There is no minimum lot size in the C-1 zone, but new lots proposed for residential uses must meet the minimum 8,000 square foot lot size in the R-2 zone. In this case, the Jantz's 5,000 square foot lot is a pre-existing parcel with an existing home on the lot. As a non-conforming lot, Criteria 2 does not allow for a reduction of the parcel size, as proposed. However, the Scio Subdivision Ordinance, Section 9.050 grants the Planning Commission authority to allow a smaller lot size in the C-1 zone. Section 9.050 states:

Section 9.050. Lots.

1. Size and Shape.

- a. Lot size, width, shape and orientation shall take into consideration the location of the subdivision and the type of use contemplated. No lot shall be dimensioned to contain part of an existing or proposed street. Lot sizes and dimensions shall be consistent with the lot size and width standards of the zoning ordinance. Lot depth shall not exceed two and one-half (2 1/2) times the average width.
- b. Where property is zoned and planned for business or industrial use, other widths and areas may be permitted at the discretion of the Planning Commission. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

If approved by the Planning Commission, the proposed lot complies with Criteria 2.

Parcel C (Eckhart): The Eckhart's 9,675 square foot parcel at 38808 N. Main St. currently complies with lot size, width and frontage requirements. The proposed lot will also meet minimum lot size, width and frontage requirements for a lot in the R-1 zone. The proposed lot complies with Criteria 1.

Criteria 3. The amended lot lines do not encroach on the location of sewage disposal orwater supply lines or easements.

Findings:

Parcel A (Sandburg) has an existing home at 38958 NW 3rd Avenue. The house is connected to the City water line on NW 3rd Avenue. The Scio public works staff states the existing building sewer runs from the house south into the city sewer line. The city sewer line runs from north to south within the old alley, but public works cannot verify the location of the end of the sewer line.

Ordinance 622 grants the city a 16.5'-wide public utility easement for all utilities (including sewer), which enables the city to perform maintenance on the sewer main. If the City needs to perform maintenance on the sewer line in the old alley area, it is possible the existing lean-to/shed will need to be removed.

Parcel B (Jantz) has an existing home at 38822 N. Main St. The house is connected to the City water line on NW 3rd Avenue. The Scio public works staff states the existing building sewer runs from the house south into the city sewer line. The city sewer line runs from north to south within the old alley, but public works cannot verify the exact location of the end of the sewer line. Ordinance 622 grants the city a 16.5'-wide public utility easement for all utilities (including sewer), which enables the city to perform maintenance on the sewer main.

Parcel C (Eckhart) has an existing home at 38808 N. Main St. The house is connected to the City water & sewer service. The Scio public works staff states the existing building sewer runs west into the city sewer line behind the house in Eckhart's back yard. The city sewer line runs from north to south within the old alley. Ordinance 622 grants the city a 16.5'-wide public utility easement for all utilities (including sewer), which enables the city to perform maintenance on the sewer main.

The proposal complies with Criteria 3.

Criteria 4: The property line adjustment does not create any additional lots.

Findings: No new parcels are created. The proposal complies with Criteria 4.

Criteria 5: The property line adjustment does not create building encroachments into any specified setback area. In situations where there is an existing building encroachment, the adjustment shall not result in a greater setback encroachment.

Findings: Linn County's aerial photography shows two encroachments:

- Encroachment #1: An existing lean-to/shed and fence encroach from the Sandberg property into the Eckhart parcel. The property owners propose to set the new property boundary on the fence line so the lean to/shed will be located entirely on the Sandberg's property. The proposed property line location eliminates the encroachment, but the lean-to/shed will be located within one (1) foot of the property line.
- Encroachment #2: An existing fence between the Sandberg and Jantz properties is located 1' west of the existing property line. The property owners propose to set the new property boundary on the Sandburg side of the property line, so the fence does not need to be located.

The existing lean to/shed is a non-conforming structure. If the existing lean to/shed is demolished or removed, any new accessory building must comply with the setback requirements of the R-1 zone. A new garage, carport or accessory structure must be located so it will have a minimum a five foot (5') setback from the side or rear property line.

The proposal can comply with Criteria 5.

Criteria 6: If, in the review of the property line adjustment request, the Zoning/Building Official or Planning Commission determines that the adjustment appears to be a preliminary step toward subsequent partitioning or subdivision of any or all of the affected lots, the applicant(s) shall prepare a preliminary plan showing how the property will be divided

Findings: Parcel A (Sandberg) and Parcel B (Jantz) are below minimum lot size and cannot be divided. Parcel C (Eckhart) is a 9,675 sf parcel and cannot be divided. Criteria 6 does not apply.

Criteria 7: Verification of ownership for each property must be presented to the Zoning Official.

Findings: The Linn County Assessor's records show the following ownerships:

Parcel #	Assessor's Map	Tax Lot	Account #	Owner
Α	T10S R1W 18AA	06300	30144	Beverly J. and Bradley D. Sandberg
В	T10S R1W 18AA	05900	30094	Judy & Clayton Jantz, Joint Rev Liv Trust
С	T10S R1W 18AA	05801	932166	Karen Eckhart Living Trust

The proposal complies with Criteria 7.

Criteria 8: The property owners of each lot affected by the property line adjustment must sign a statement of agreement with the proposed changes.

<u>Findings</u>: The applicant/property owners have signed statements concurring with the property line adjustment application. The proposal complies with Criteria 8.

C. Planning Consultant Conclusions and Recommendation:

This property line adjustment proposal was submitted by the Beverly and Bradley Sandberg to adjust property lines for their home at 38958 NW 3rd Avenue in Scio, Oregon with two adjacent parcels (38822 N. Main St. and 38808 N. Main St.) to reflect the actual conditions on the ground. New property lines will be placed on existing fence lines. They propose to acquire a total of 106 square feet from the adjacent owners as described in Table 1 and shown on Map 2.

Based upon the above stated findings and conclusions, the City's Planning Consultant, acting as its Zoning Official, concludes the applicant's proposal for a property line adjustment can comply with the applicable requirements and decision criteria of the City of Scio, Oregon, if the Planning Commission allows a 4,950 square foot parcel at 38822 N. Main St. within the C-1 zone.

If the Planning Commission allows a 4,950 sq. ft. parcel for the Jantz property @ 38822 N. Main St., then the City's Planning Consultant recommends the application be approved, as shown on Map 3, attached hereto, subject to the following condition of approval.

D. Conditions of Approval:

All conditions of approval must be completed by December 31, 2023 (the end of the calendar year). If conditions are not completed by that date, the approval is null and void unless a written extension is granted by the City.

- 1. A licensed surveyor in the State of Oregon shall prepare and record a property line adjustment survey or replat with the Linn County Surveyor that complies with ORS 92 requirements. Dimensions of the new parcels may be adjusted to reflect actual field conditions when the survey is completed.
- 2. Final Plat Maps: A copy of the recorded property line adjustment survey shall be provided to the City of Scio and included in the land use file within 30 days of its recording.

E. Scio Planning Commission Action

The Scio Planning Commission will consider the proposal at its meeting on January 25, 2023. No public hearing is required. The applicant is invited to attend the meeting and present the proposal to the Planning Commission. The City staff will present the staff report to the Commission.

The Planning Commission may either:

1. Approve the property line adjustment and conditions of approval (as recommended).

- 2. Approve the property line adjustment and conditions of approval (with modifications).
- 3. Deny the proposal if the Planning Commission finds it does not meet all criteria.

After the Planning Commission decision, the City's Planning Consultant will issue a Notice of Decision.

F. Right of Appeal:

Any person aggrieved by a decision of the Scio Planning Commission may file an appeal with the City Council within ten (10) days of the date the City issues a written Notice of Decision. If you have any questions regarding the Scio Planning Commission decision, you may contact Administrative Assistant Cathy Martin at City Hall at 503-394-3342.

Sincerely,

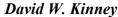
David W. Kinney

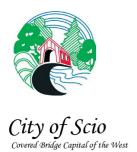
Planning Consultant for the City of Scio

cc: Karen Eckhart, PO Box 844, Scio, OR 97374

Clayton & Judy Jantz Joint Rev Liv Trust, 37805 Farris Rd, Scio, OR 97374

Enclosure: Map 3 – Planning File 2022-02, DRAFT Approved Property Line Adjustment Map





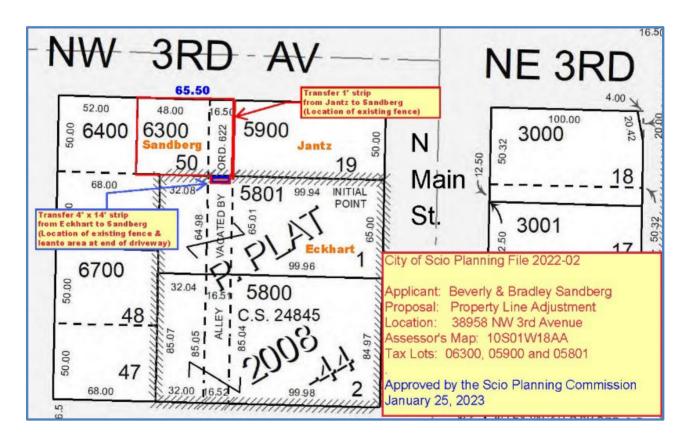
Planning Consultant for the City of Scio 791 E. Hollister St., Stayton, OR 97383 Office: (503) 769-2020 Cell: (503) 551-0899

Email: dwkinney@wvi.com

Map 3

DRAFT MAP

Approved Property Line Adjustment for Beverly J. and Bradley D. Sandberg 38958 NW 3rd Avenue, Scio, Oregon





APPLICANT INFORMATION

Planning File No.:

PO Box 37 38957 NW 1st Avenue Scio, OR 97374

PH: (503) 394-3342 FAX: (503) 394-2340

Website: http://ci.scio.or.us cathy@sciooregon.gov

Property Line Adjustment Application

Name:	Bev and Brad Sandberg	Phone:	503-394-2083
Address:	38958 NW 3rd Ave/	POBOX Cell:	541-619-6677
	Scio, OR 97374	Email:	Sandbergbra yahoo com
account to	Applicant	t Certification	
this applicated	ertify that the statements, attachments, exhib ation are true; that the proposed land use act with the subject property; and any approval such statements are false.	tivity does not viol	ate covenants, conditions and restrictions
	dge and agree that I will be responsible for an ssing of this land use application in accordance	-	
Signature	- Beverly Sandlesa	Date	e: 12-28-2Z
1	endly fully		
Reason fo	r requesting Lot Line Adjustment: 4//	v. mondi	on by city
, ricusen re	7/1	ty Miceria	ar by cry
			:
PROPERT	TY INFORMATION		
Property A	A:		,
	ress: 38958 NW 3rd Ave.	Nearest	Cross Street: N Warn
	Wap & Tax Lot Number(s): 10501W		022
	oning: Residential R-1	. 10/1/-	
	(sq ft. or acres): 3225	Lot Dimens	ions: 64,5 ×50
1	roperty Use: Single Family R		
Existing St			d
	Property Usage: Single Farruly	Residen	
New Area		Lot Dimens	65.5 X50 DIUS
			101 3001

Property B:							
Situs Address: 38822 N. Main Nearest Cross Street: NW. 3rd Ave.							
Assessor Map & Tax Lot Number(s): 105 1W 1844 05900							
Current Zoning: Commercial - C							
Total Area (sq ft. or acres): 5000 Lot Dimensions: 50 x (00							
Current Property Use: Residentia							
Existing Structures: manufactured Home							
Proposed Property Usage: Residential							
New Area (sq ft.): 4950 Lot Dimensions: 50 X 99							
Property C:							
Situs Address: 3888 N. Main St. Nearest Cross Street: Nw 3rd Ave							
Assessor Map & Tax Lot Number(s): 105 OLW 18AA 0580							
Current Zoning: Residential RI							
Total Area (sq ft. or acres): 9675 Lot Dimensions: 148.5 x 65							
Current Property Use: Vacan +							
Existing Structures: Garden Shed							
Proposed Property Usage: \\alpha\alpha\alpha\bar{\pi}							

PROPOSED ADJUSTMENT OF LOTS:

New Area (sq ft.):

Current Property Owner	Parcel #	Existing Tax Lot #	Existing Address	Existing Lot Size (sf)	Increase or Decrease in Lot Size	Proposed Lot Size (sf)
Sandberg	Property A	6300	38958 NW 3rd	3225	+106	3331
Jantz	Property B	5900	38822 N. Main	5000	- 50	4950
EcKhart	Property C	5801	38808 N. Main	9675	- 56	9619

Lot Dimensions:

Provide information on existing setbacks from the edge of the building to the property line. Show setbacks on the map of the proposed property line adjustment.

PROPERTY OWNER(S) SIGNATURE(S) & CONTACT INFORMATION Owner 1 Signature: Date: Name: Phone: ZN. Main St Cell: Address: Email: Owner 2 Date: Signature: Name: Phone: Address: Cell: Email: Owner 3 Signature: Date: Name: Phone: Address: Cell: Email: 2 dance 2009@ hotmil co REQUIRED SUBMITTALS **Signed Application** A \$100.00 filing fee Site plan drawn to scale identifying all of the following: a. The existing boundaries of the parcels subject to the property line adjustment, with the dimensions and size of each parcel. b. The precise location of the area intended to be transferred from one parcel to the other, including the size and dimension of this area. c. The location, width and purpose of any easements on the parcels. d. The location the water and sewer supply lines serving the property. e. The location of all buildings on both parcels and their setback from existing and proposed property lines. f. The location of existing and proposed vehicular access to the parcels. Verification of ownership of each of the affected parcels. (e.g. Linn County Assessor's Record) A statement from each of the property owners indicating their agreement with the proposed change.

A description of the area to be added to or reduced from each parcel.

			Setbacks e to Building		est/tik/	New Setb Property Line		
	Front	Rear	Side 1	Side 2	Front	Rear	Side 1	Side 2
EXAMPLE	20'	22'	5′	13'	20'	22′	5′	8′
Property A	ø	3'	16	6'	Ø	31	17.1	6'
Property B	20'	21'	,8 '	11'	20'	20'	81	11 '
Property C	85'	rld ,	37'	141/2	85'	49'	371	14/2

ENGINEER/DESIGNER/SURVEYOR CONTACTS

Name:	Phone:	
Firm Name:	Cell:	
Address:	Email:	
Name:	Phone:	
Firm Name:	Cell:	
	Email:	
Address:		

FEES AND COSTS INCURRED BY THE CITY ARE THE APPLICANT'S RESPONSIBILITY

The application fee is used to cover the costs incurred by the City of Scio in processing the application, including but not limited to: the time spent by the city staff, professional fees for the City Planner, Engineer and/or City Attorney and for the costs to publish hearing notices, recording of documents or other administrative costs.

If the application fee does not cover all of the costs incurred by the City of Scio, the applicant/or applicant's representative requesting the land use action will be billed by the City of Scio for the additional costs incurred by the City. The applicant shall pay the City immediately upon receipt of a bill. Failure to pay fees as prescribed in the city's land use fees resolution may result in building permits, utility service connections or other development approvals being withheld until the collection of fee's are paid in full or otherwise resolved.

By executing and filing this land use application, the applicant and/or applicant's representative acknowledges and agrees to reimburse the City for any additional costs incurred by the City to process the land use application.

APPROVAL CRITERIA

- 1. The lots being modified in size through the property line adjustment shall meet the minimum lot size, lot width, and street access requirements of the zone in which they are located.
- 2. If, prior to the application, the lot did not meet lot size or width requirements, the property line adjustment shall not result in greater nonconformity with the applicable standards. However, street access requirements shall be met on the resulting parcels.
- 3. The amended lot lines shall not encroach on the location of sewage disposal or water supply lines or easements.
- 4. The property line adjustment shall not create any additional lots.
- 5. The property line adjustment shall not create building encroachments into any specified setback area. In situations where there is an existing encroachment, the adjustment shall not result in a greater setback encroachment.
- 6. If, in the review of the property line adjustment request, the City staff or Planning Commission determines that the adjustment appears to be a preliminary step toward subsequent partitioning or subdivision of any or all of the affected lots, the applicant(s) shall prepare a preliminary plan showing how the property will subsequently be divided.
- 7. Verification of ownership for each property must be presented to the City staff.
- 8. The property owner of each lot affected by the property line adjustment must sign a statement of agreement with the proposed change.

APPROVAL PROCESS

- 1. Within 21 days of the receipt of a completed property line adjustment application, the City staff shall determine whether or not the application conforms to the standards as specified in Section 8.540.
- 2. A property line adjustment is considered a ministerial act and does not require that a notice be provided to any party except the landowners of the properties, and the applicant if different from the landowners.
- 3. The decision of the City staff on the property line adjustment is subject to Planning Commission review. Within 35 days of the staff decision, the Planning Commission shall review the application. The Planning Commission may affirm, deny, or modify the decision.
- 4. Notice of the approval or denial shall be provided to the landowners of the affected properties, and to the applicant if different from the landowners. Notice shall be provided within five (5) days of the Planning Commission's decision.

RECORDING LOT LINE ADJUSTMENTS

- 1. A meets and bounds description shall be prepared.
- 2. A survey must be completed and filed with the Linn County Surveyor.
- 3. A copy of the approved Property Line Adjustment must be recorded with the Linn County Clerk, and a copy of the recording must be submitted to the City within 30 days of its recording.

This information is only a summary. For additional information or clarification, please refer to the Scio Land Division Ordinance No. 562 or request clarification from city staff.

OFFICE USE ONLY PROCESS SUMMARY TIMELINE

Date Received: 12/28/2022	Payment Received: \$100.00							
Received by: Cathy Martin	Receipt No.: R-104014							
Application Reviewed By:	Date:							
Additional Materials Requested:								
Application Completed on:								
City Planner Review Complete:								
Notifications Mailed on:	· ·							
Planning Commission Review:	Granted: Denied:							
Notice of Decision Mailed:	Ву:							
Appeal Period Expires:								
Appealed by:	Date:							
Notice of Appeal Hearing Mailed:	Ву:							
Appeal Hearing Held:	Granted: Denied:							
Notice of Final Decision Mailed:	Ву:							
FINA	PLAT							
Date Received:	City Planner Review:							
Corrections Requested?								
Review Complete on:								
Date Lot Line Adjustment Survey recorded with the Linn County Surveyor:								
Copy of the County Approved Lot Line Adjustment Survey filed in the City's Land use file:								

LINN COUNTY ASSESSOR REAL PROPERTY ACCOUNT NAMES

3/23/2022 2:30:43 PM

Account #

30144

Мар

10S01W18-AA-06300

Owner

SANDBERG BRADLEY D & BEVERLY J

PO BOX 706 SCIO OR 97374

Name
Type Name
OWNER SANDBERG, BRADLEY D
OWNER SANDBERG, BEVERLY J
OWNER
OWNER
OWNER
OWNER
OWNER

LINN COUNTY ASSESSOR REAL PROPERTY ACCOUNT NAMES

3/23/2022 2:31:01 PM

Account #

932166

Мар

10S01W18-AA-05801

Owner

KAREN ECKHART LIVING TRUST

ECKHART KAREN TR

PO BOX 844 SCIO OR 97374

Name

Type

Name

OWNER OWNER

KAREN ECKHART LIVING TRUST

ECKHART, KAREN TRUSTEE

OWNER (100%) KAREN ECKHART LIVING TRUST

TRUSTEE

ECKHART, KAREN TRUSTEE

Ownership

Own Pct

Type OWNER OWNER AS TRUSTEE

LINN COUNTY ASSESSOR REAL PROPERTY ACCOUNT NAMES

3/23/2022 2:28:44 PM

Account #

30094

Мар

10S01W18-AA-05900

Owner

CLAYTON & JUDY JANTZ JOINT REV LIV TRUST

JANTZ CLAYTON L & JUDY A TR

37805 FARRIS RD SCIO OR 97374

Name

Type

Name

OWNER OWNER CLAYTON & JUDY JANTZ JOINT REVOCABLE LIVING TRUST JANTZ, CLAYTON L TRUSTEE

OWNER

IANTE HIDVA TOHOTER

OWNER

JANTZ, JUDY A TRUSTEE

OWNER

CLAYTON & JUDY JANTZ JOINT REVOCABLE LIVING TRUST

TRUSTEE

JANTZ, CLAYTON L TRUSTEE JANTZ, JUDY A TRUSTEE Ownership

Own Pct

Type
OWNER
OWNER AS
TRUSTEE
OWNER AS
TRUSTEE

Page 1 of 1



LEGEND

FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP OR AS NOTED



ALLEY WAY VACATION AREA 40 **NW 3RD AVE** (60') R/W S89°56'37"E 16.50' 8.25' 8.25 N89°56'37"W N89°56'37"W 99.88' S0°29'27"E 50.13' LOT 50 48.00' N0°29'39"W 50.05' LOT 19 SANDBERG TAX LOT 6300 G **TAX LOT 5900** JANTZ N89°58'01"E N89°58'01"E 16.50' 47.96 S89°58'01"W 99.89" 8.25 **LOT 49** N0°30'47"W 199.80' **TAX LOT 5801** 50°29'38"E 200.16' 64.94' PARTITION PLAT ECKHART NO. 2008-44 PARCEL 1 S89°59'18"E 32.02'-S89°59'18"E 99.91' FOUND 5/8" IRON ROD -POINT OF BEGINNING N0°32'20"W 150.12' TAX MAP S89°59'18"E 16.51' 10501W18AA PARCEL 2 LOT 48 85,16' LOT 47 **TAX LOT 5800** ECKHART N89°52'57"E 99.93' S89°51'24"W 16.52' N

SHEET 1
of 1
SCALE: AS NOTED

N. ALDER ST. (60') R/W



S89°56'24"W 31.95'

Date 11/20/2019
Project
19-161 CTTY OF SCIO
Drawn by
GSR
Checked by
KWIL

ALLEY WAY VACATION

ALLEY WAY (16.5')

CITY OF SCIO

UDELL ENGINEERING AND LAND SURVEYING, LLC

63 EAST ASH ST, LEBANON, OREGON, 97355 541-451-5125

1

July 15, 2022

RE: Property Line Adjustment - Tax Lot 5801

I approve the property line adjustment of tax lot 5801 to tax lot 6300 at 38958 NW 3rd Ave. as stated below.

14'X 4' section located in the alley of tax lot 5801 adjusted to tax lot 6300.

Karen Eckhart

Signature Kam Edhart

July 15, 2022

RE: Property Line Adjustment - Tax Lot 5900

I approve the property line adjustment of 1' from tax lot 5900 to tax lot 6300 at 38958 NW 3rd Ave.

Clayton Jantz

Signature_

-				
		w 3rd Ave.		
		W3 - AVE.	++++	
	++++++			
	Alley			
++++++	7(1)		1	
	TAX Lot 1300	TAYLOT 5800		
	Sandberg	Jantz		
	Sunderg			
			7	
	1 1 1 1 1 1 1] A.	
	TAYlot	TAXLOT 5801	5	
	5801	Eckhart	(C)	
			2	
	Alley			
	(70 5)			
	- Propertline adj.	141 * 4		
	- Propertione adi- Property ineado City Alley vaca	50' (1)		
	City Alley vaca	tion		

Reason for the +Property Line adjustment for 38958 NW 3rd Ave. Scio Oregon 97374

The alley vacation by the city required anything not in the correct spot to be moved. The lot line adjustment is necessary because:

Sandberg's don't want to move the shed on Eckhart property (since alley vacation)

Eckhart is in agreement with the lot line adjustment

This keeps everything inside current fencing as is

When we bought the house in 1996, the chain link fence on the south section of the property had a 14 X 4 section that angled into the alley. Reason unknown why the fence wasn't straight across the property. We built a shed on that section. Eckhart doesn't want to move the fence and we don't want to take down the shed so we want to adjust the property line to account for the 14 X 4 section of the fence as it stands. Eckhart is in agreement with the lot line adjustment. This keeps everything inside the current fencing as is.

In 1997 the Sandberg's built a fence on the east side of the property. At the time there was a tree (no longer standing) on the property line and there was a verbal agreement with the property owner at 38822 N. Main to build the fence 1 ft. over on her property to avoid the tree. When the property sold to Clayton Jantz, we let him know about the verbal agreement and he had no problem with it. We want to adjust the property line for Sandberg 38958 NW 3rd by 1 X 50 ft to match with the fence currently on Janz property.

Bradley Sandberg		
Brown Sillin	1-9-23	
03111		
Beverly Sandberg		
Buerly Sandberg	1/9/23	