



Community Development
925 S. Main Street
Lebanon, Oregon 97355

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NOTICE OF DECISION
Planning File No. PLA-24-02
(Property Line Adjustment)

March 22, 2024

I. BACKGROUND

APPLICANT: Ed Leisy

PROPERTY LOCATION: The subject area consists of two parcels located on the southwest corner of the intersection of Carolina and Williams Streets. The current property address for the northern property is 280 E Carolina Street and the southern property address 242 S Williams Street. The County Accessors map identification is within Township 12 South; Range 2 West; Section 11BC; Tax Lot 08600 & 08400.

PARCEL SIZE: Prior to adjustment, Lot 1 (Tax Lot 08600) is approximately 5,544 square feet, Lot 2 (Tax Lot 08400) is approximately 10,494 square feet.

ZONING: Residential High Density (Z-RH)

PROJECT SUMMARY/DECISION CRITERIA: The proposal includes an adjustment of the common property line resulting in the transfer of approximately 168 square feet from 242 S Williams Street to 280 E Carolina Street.

- Section 16.22.160.C.1. – Parcel Creation. No additional parcel would be created by the property line adjustment.
- Section 16.22.160.C.2. – Parcel and Lot Standards. Both parcels are located within the city limits and within the Residential High Density (Z-RH) zone. The Z-RH zone requires a minimum lot area of 5,000 square feet for single-family dwellings or duplexes, and 50-foot property width. Both properties are improved with single-family residences. The adjustment would transfer 2-feet along the northern boundary of 242 S Williams Street (southern parcel) to the northern parcel. This transfer of property would impact the side property line for both parcels. Both parcels would maintain 50-foot of property width and over 5,000 square feet, exceeding the minimum requirements. As such, with conformance demonstrated, this decision criterion has been met.
- Section 16.22.160.C.3. – Access and Road authority standards. All lots conform to the standards or requirements of Chapter 16.12, and all applicable road authority requirements are met. The Adjustment does not create new streets or result in new development that would trigger any potential need for future roadway dedication or street improvements. This decision criterion has been met.

- Section 16.22.160.C.4. – Nonconforming. If a lot or parcel is nonconforming to any City standard, it shall not be made less conforming by a property line adjustment. Lot 1 is nonconforming in terms of interior side setback. The Property Line Adjustment would increase the setback to increase the lot conformity, as such, this decision criterion has been met.

REVIEW CRITERIA: The City’s review criteria for a Property Line Adjustment are found in Chapter 16.22 – Land Divisions. The Project summary above provides the data for the basis of review and the decision criteria. Based on the proposal, the project complies with the required development standards per Chapter 16.08 of the Development Code, and all required findings have been met.

II. DECISION AND CONDITIONS OF APPROVAL

Based on the project summary and the record, the Property Line Adjustment meets all the required development criteria set forth in Chapter 16.06, and the required decision criteria in 16.22 of the Lebanon Development Code. City staff concludes the proposal complies with the provisions for a Property Line Adjustment and **APPROVES** the application, subject to the following conditions:

1. A final plat, complying with the provisions in ORS Chapter 92, shall be completed by a registered professional land surveyor and submitted to the City for approval.
2. The final plat shall substantially conform to the proposal, comply with applicable requirements in the Lebanon Development Code and recorded within three years of the final date of approval.

IV. OTHER PERMITS AND RESTRICTIONS

The Applicant is herein advised that the use of the property involved in this application may require additional permits from the City or other local, State or Federal agencies.

The City of Lebanon land use and review and approval process does not take the place of, relieve the Applicant of responsibility for acquiring such other permits, or satisfy any restrictions or conditions thereon. The land use approval herein does not remove, alter, or impair in any way any covenants or restrictions imposed on this property by deed or other instrument.

V. APPEALS

This action is final unless appealed to the Lebanon Planning Commission within fifteen (15) calendar days from the date of this notice. **The appeal must be submitted to the Community Development Department by 5:00 PM on Friday, April 5, 2024.** Only the applicant and/or a party receiving a copy of this decision may appeal this land use decision. The appeal must state the purpose of the appeal, identifying specific criteria which the application fails to meet, and include the required appeal fee of \$250.00.

Should you wish to appeal this action, or have any questions regarding this project, please contact the Lebanon Planning Division at (541) 258-4906 or cdc@lebanonoregon.gov, for further information.

SIGNATURE PAGE FOR PLA-24-02

VI. RECORD

The City's case file and record can be viewed in the Community Development Department at Lebanon City Hall, located at 925 S. Main Street, Lebanon, OR 97355 during regular business hours.

Respectfully,



Tammy Dickey
Senior Building and Planning Technician

3/22/2024
Date

Concurrence by:


Kelly Hart
Community Development Director

3/22/24
Date