

3. Section 4.4.30 of the Land Development Code requires that accessways (the narrow strip of land on flag lots) “must connect to a dedicated right-of-way at least 40 ft in width paved to City standards.” The Land Development Code defines a right-of-way as a “public travel route.” The existing 30-foot roadway easement is both substandard in terms of the required 40-foot width, and it is unclear that the existing easement constitutes a “dedicated right-of-way” based upon the Land Development Code (LDC) definition and requirement.

4. The review criteria for minor land partitions, as stated in Section 2.14.30.05 of the LDC, are as follows:

Requests for approval of a tentative partition plat shall be reviewed to assure:

- a. Consistency with the purposes of this chapter, pertinent development standards of the Code, policies and density requirements of the Comprehensive Plan, and any other applicable policies and standards adopted by the City Council; and
- b. Approval does not impede future development of property under the same ownership or on adjacent lands planned for urban densities including provision of City services and access from a public street.

Based upon the Findings mentioned in #1-3 above, the applicant’s request is not consistent with the development standards of the Code, and the policies and density requirements of the Comprehensive Plan. Furthermore, the proposal limits the ability of the subject property to meet the planned urban densities of the City’s Comprehensive Plan. In conclusion, the proposal does *not* meet the review criteria established in Section 2.14.30.05.

DECISION

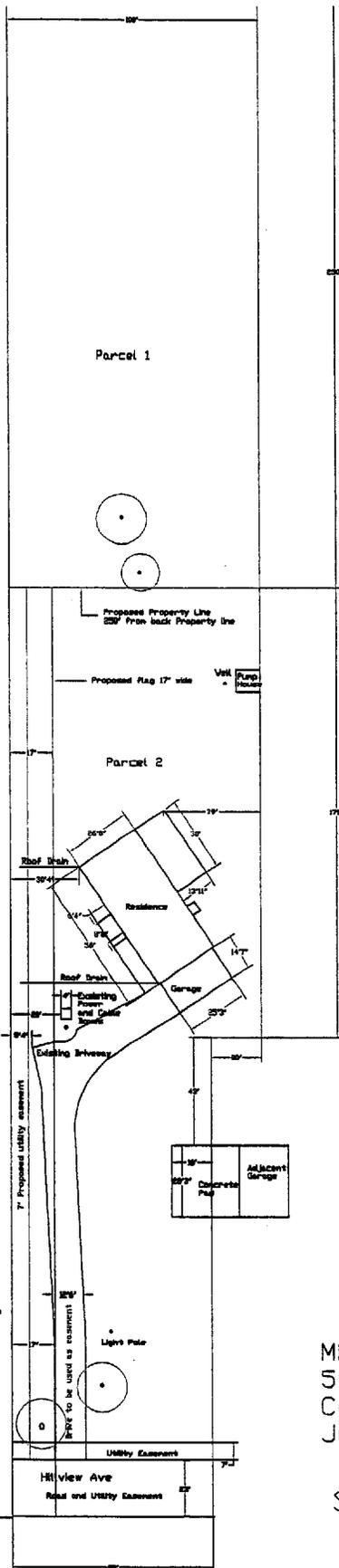
Based on the information submitted by the applicant and City staff review; it is the decision of the Development Services Manager that the request be denied based upon the findings mentioned above.

7-30-03
DATE OF DECISION

Lee March
DEVELOPMENT SERVICES MANAGER

APPEALS

If you wish to appeal this decision, the appeal must be filed within 12 calendar days from the date of decision. When the final day of the appeal period falls on a weekend or holiday, the appeal period shall be extended to 5:00 p.m. on the subsequent working day. All appeals must be submitted in writing to the City Recorder and they must explain the specific grounds for appeal. If you have any questions about the appeal process, contact this office at 766-6929.



Michael and Erin Shreeve
 5165 SW Hillview Ave
 Corvallis, OR 97333
 July 7, 2003

Scale 1"=50'