



**Community Development
Planning Division**

501 SW Madison Avenue
P.O. Box 1083
Corvallis, OR 97339-1083
(541) 766-6908

Planning@corvallisoregon.gov

**NOTICE OF DISPOSITION FOR A
PROPERTY LINE ADJUSTMENT**

CASE: PLA16-00004

ORDER NO. 2016-058

REQUEST

The applicant proposes to adjust the common property line between Tax Lots 501 and 601 (Benton County Assessor Map # 12-5-11 CD). The total site area is approximately 0.6 acres (Exhibit A).

OWNER/APPLICANT

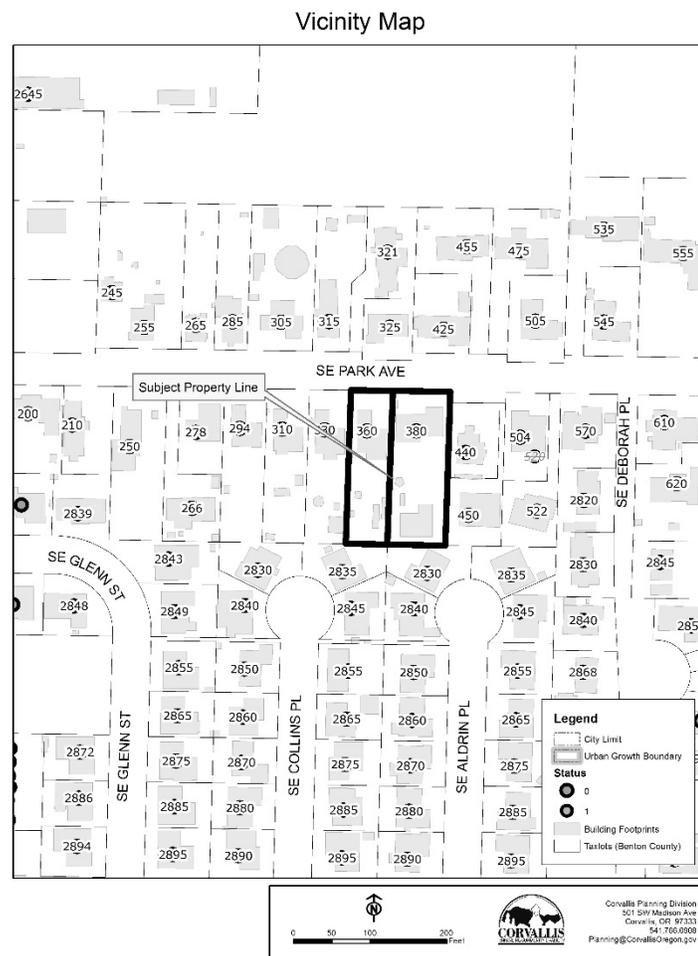
Theodore Lyke
380 SE Park Ave
Corvallis, OR 97333

LOCATION

The subject properties are located at 360 and 380 SE Park Avenue. The properties are identified on Benton County Assessor's Map # 12-5-11 CD as Tax Lots 501 and 601.

EXHIBITS

A. Application, Narrative, and Drawings



BACKGROUND

The subject properties were annexed into the city in 1962, and are zoned RS-5 (Low Density Residential).

LDO01-00027 – approval of a 2.5-ft. variation to the maximum building height standard for a detached shop building located at 380 SE Park Ave

No other previous land use approvals apply to this site.

FINDINGS

Staff has reviewed the request and finds that the applicable review criteria of Corvallis Land Development Code (LDC) Sections 2.14.60.b, c, and d have been met, based on the discussion below.

REVIEW CRITERIA COMPLIANCE

Applicable review criteria from the LDC are provided below, along with an evaluation of the application's compliance with each criterion.

Section 2.14.60 – PROPERTY LINE ADJUSTMENT PROCEDURES

b. A Property Line Adjustment shall be approved if the following criteria have been met:

- 1. The Property Line Adjustment shall not result in creation of an additional unit of land;**

The applicant proposes to adjust the common property line between the subject properties by moving the shared property line (Exhibit A – page 24) near the southern portion of the affected properties. Moving the property line as proposed will not create an additional unit of land.

- 2. Any unit of land reduced in size by the Property Line Adjustment shall comply with all applicable zoning regulations.**

The applicant is not proposing a reduction in width for the properties. The applicant proposes to reduce the depth of Tax Lot 601. Benton County survey and assessor map records indicate that both properties are approximately 20 feet less in depth than as stated in the application. Based on this public information, and following a discussion with the applicant, staff and the applicant have determined Tax Lot 601 will decrease in area by approximately 4,000 sq. ft. The resultant area for Tax Lot 601 will be approximately 6,500 sq. ft. Even though the original application materials vary from public records regarding the depth of the properties, the resultant area of Tax Lot 601 will exceed the 6,000 sq. ft. minimum lot area requirement of the RS-5 Zone by approximately 500 sq. ft. In order to verify compliance with the RS-5 Zone minimum lot area requirement, the boundary survey and draft resultant deeds submitted to the City will need to include area calculations that indicate that the final area of each property meets the 6,000 sq. ft. minimum lot area standard (**see Condition 1**).

As conditioned, the resultant properties will comply with the applicable development standards of the RS-5 Zone.

3. **The Property Line Adjustment shall not increase the degree of nonconformity that may exist on the subject lots;**

Neither property is currently nonconforming in terms of minimum lot area, minimum lot width, and access, nor would any non-conformity be created by the proposed property line adjustment.

4. **The availability of both public and private utilities and required access shall not be adversely affected by a Property Line Adjustment; and**

City water and sewer services are present in SE Park Avenue. The applicant has not identified any private utilities impacted by the adjusted property line (Exhibit A). If private service laterals cross the new property line, private easements should be established concurrent with filing the property line adjustment survey (**see Condition 2**).

5. **In addition to applicable lot width requirements, any opposing or parallel side property lines shall be separated by a minimum distance of 15 feet. Existing side property lines that do not meet this standard are allowed to be maintained or adjusted, as long as the Property Line Adjustment does not worsen the non-compliant configuration.**

All opposing and parallel property lines exceed the minimum standard of 15 feet. This criterion is satisfied.

- c. **For properties with Natural Resources or Natural Hazards subject to Chapter 2.11 - Floodplain Development Permit, Chapter 4.5 - Floodplain Provisions, Chapter 4.12 - Significant Vegetation Protection Provisions, Chapter 4.13 - Riparian Corridor and Wetland Provisions, or Chapter 4.14 - Landslide Hazard and Hillside Development Provisions, the Property Line Adjustment shall not adjust properties unless each resultant property contains an area unconstrained by Natural Resources or Natural Hazards and that area is equal to or greater than the applicable Minimum Assured Development Area(s) for the zone or zones in which the site falls. Exceptions to this requirement are:**

1. **Properties with public park purposes; and**
2. **Privately- or publicly-owned properties completely contained within an area zoned Conservation- open Space.**

The properties do not contain natural resources or hazards subject to LDC 2.11, 4.5, 4.12, or 4.13. This criterion is satisfied.

- d. **Property Line Adjustments may not create new tracts. Where such tracts are proposed and/or required by this Code, a Land Division is required;**

The proposed Property Line Adjustment will not create any new tracts. This criterion is satisfied.

Conclusion on Review Criteria

Based on the above criteria and findings, staff find the proposal, as conditioned, complies with the review criteria in LDC Section 2.14.60. Land Development Code

Section 2.14.60(e) provides conditions of approval to ensure that the Property Line Adjustment is properly finalized. The conditions of approval are provided at the end of this Notice of Disposition.

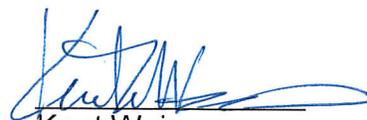
DECISION

Based on the information submitted by the applicant and City staff review, it is the decision of the Planning Division Manager to approve the application, subject to the following conditions of approval:

CONDITIONS OF APPROVAL

1. Minimum Lot Area: With submittal of the boundary survey and draft resultant deeds, the applicant shall provide area calculations that indicate that the resultant area of each property meets or exceeds the RS-5 Zone minimum lot area requirement of 6,000 sq. ft. per dwelling unit.
2. Private Utility Easement(s): If existing private service laterals cross the new property line, private easements shall be established concurrent with registering the property line adjustment survey and recording the new deeds.
3. Deeds: Deeds based on a metes and bounds legal description for all adjusted properties from the Property Line Adjustment, shall be recorded with the Benton County Recorder's Office.
4. Boundary Survey: A Certified Boundary Survey Map that reflects the approved Property Line Adjustment shall be reviewed by the City and signed by the Planning Division Manager and the City Engineer. The map shall then be filed with the County Surveyor.
5. The Certified Boundary Survey shall include signature blocks for the Planning Division Manager and City Engineer, and shall reference the City's land use case number PLA16-00004.
6. Copies of the recorded deeds, filed survey map, and easements shall be provided to the City of Corvallis following recording.

October 21, 2016
Date of Decision



Kent Weiss
AIC - Planning Division Manager

APPEALS - EFFECTIVE DATE OF APPROVAL - EXPIRATION

Appeal Deadline / Effective Date of Approval: November 2, 2016

If you wish to appeal this decision, the appeal must be filed within 12 calendar days from the Date of Decision, noted above. 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 with the appropriate fee (\$250.00), and they must explain the specific grounds for appeal. If you have any questions about the appeal process, contact this office at 766-6908. If no appeal has been filed, this approval is valid for a two-year period from the Effective Date of Approval.

Approval Expiration Date: If the applicant has not filed the Certified Boundary Survey and recorded the deeds and easements by November 2, 2018, the approval shall expire.

RECEIVED

OCT 07 2016



Community Development
Planning Division

City of Corvallis - Planning Division
501 SW Madison Avenue
Corvallis, OR 97333
phone (541) 766-6908

Planning@CorvallisOregon.gov
www.CorvallisOregon.gov/cd-planning

Application for General & Special Development Activities

STAFF USE ONLY			
Case Number(s) :	PLA16-00004	Date Filed :	10/07/16
Amount	\$100	Receipt #	1303
<input checked="" type="checkbox"/> Required Deposit (General: \$100; Special: \$1,000)		Received By:	CM

Approval(s) Requested:	
<input type="radio"/> Annexation <input type="checkbox"/> Major <input type="checkbox"/> Minor	<input type="radio"/> Planned Development
<input type="radio"/> Comprehensive Plan Amendment	<input type="checkbox"/> Conceptual Development Plan
<input type="radio"/> Conditional Development Permit	<input type="checkbox"/> Detailed Development Plan
<input type="checkbox"/> New	<input type="checkbox"/> Conceptual & Detailed Development Plan
<input type="checkbox"/> Master Site Plan (New or Modification)	<input type="checkbox"/> Modification
<input type="checkbox"/> Modification	<input type="checkbox"/> Major <input type="checkbox"/> Minor
<input type="checkbox"/> Willamette River Greenway Permit	<input type="checkbox"/> Nullification
<input type="radio"/> Director's Interpretation	<input checked="" type="radio"/> Property Line Adjustment
<input type="radio"/> Extension of Service	<input type="radio"/> Solar Access Permit
<input type="radio"/> Floodplain Development Permit Variance	<input type="radio"/> Subdivision
<input type="radio"/> LDC Text Amendment	<input type="checkbox"/> New <input type="checkbox"/> Residential <input type="checkbox"/> Non-Residential
<input type="radio"/> Lot Development Option	<input type="checkbox"/> Modification
<input type="checkbox"/> Major <input type="checkbox"/> Minor	<input type="checkbox"/> Major Replat
<input type="radio"/> Minor Land Partition	<input type="radio"/> Vacation - Right-of-Way / Plat
<input type="radio"/> Minor Replat	<input type="radio"/> Zone Change
Please provide a brief summary of the requested approval:	
Project Description	Adjust property line of tax lot 601 at south end (backside) of property from a survey depth of 220.772 feet to a reduced depth of 139.772 feet. Keeping the cross-section of 55.022' the same. The new 601 property lot size square footage will be approximately 7690.53 ft. ² . This is over the size requirement for RS-5 zone requirement. The remaining 81' x 55.022' (total of 4456.78 ft. ²) will be added to property boundary of tax lot 501. See attached complete narrative.
Project Name	Lot line adjustment to tax lot 601, reducing lot size to approximately 7690.53 ft. ²

COPY

Primary Contact and Owner Information

Applicant's Name

Phone E-mail

Mailing Address

Applicant Signature  Date

Property Owner Name

Phone E-mail

Mailing Address

Owner Signature  Date

 If more than one property owner is involved, provide a separate attachment listing each owner's or legal representative's signature(s)

Project Staff

Developer

Phone E-mail

Planner

Phone E-mail

Civil Engineer

Phone E-mail

Architect

Phone E-mail

Landscape Architect

Phone E-mail

Geotechnical Engineer

Phone E-mail

Other

Phone E-mail

Property Description (or general vicinity, side of street, distance to intersection)

Street Address

360 SE Park & 380 SE Park Ave, Corvallis, OR 97333

General Location Description

Park Ave is approximately 1-1/2 miles south of downtown and is a street off 3rd St.

Assessor's Map Number(s)

Related Tax Lot(s)

Map # 12-5-11CA

Tax Lot(s) # 601

Map # 12-5-11CA

Tax Lot(s) # 501

The Assessor's Map Number (Township, Section/Range) and the Tax Lot Number (parcel) can be found on the property's(ies) tax statement at the Benton County Assessor's Office, or on-line at: <http://maps.co.benton.or.us/benton/geomoose.html>

Gross Lot Area

Net Lot Area

Net Lot Area: Total area of a Development Site, usually expressed in acres and excluding proposed public street rights-of-way and, if a developer desires, excluding public parks, Significant Natural Feature areas dedicated to the public, land dedicated for other public purposes, and/or other areas permanently precluded from development due to development constraints or conservation easements.

Land Use and Natural Features Information

Existing Zone(s)

RS-5

Existing Comprehensive Plan Designation(s)

Natural Hazards Overlay

Natural Resources Overlay

0.2' Floodway

Riparian Corridor

Landslide Hazards

Significant Vegetation

100-Year Floodplain

Wetlands - Locally Protected

Slopes > 10%

Wetlands - Non-Locally Protected

For more information about land use and natural features information that may apply to your property visit www.corvallisoregon.gov/propertysearch

Please select any of the following zone overlays or areas that apply to the subject site :

Historic Preservation Overlay

Downtown Parking Assessment District

Willamette River Greenway

Downtown Residential Neighborhood

Planned Development

Downtown Pedestrian Core

North Campus Area

University Neighborhoods Overlay

Please include a discussion in the project narrative indicating how these overlays affect your proposal

Check the box next to included attachments :

- | | |
|--|--|
| <input type="checkbox"/> Narrative (address all applicable LDC review criteria) * | <input type="checkbox"/> Site Cross Sections |
| <input checked="" type="checkbox"/> Assessor's Map with Applicable Tax Lots Highlighted | <input type="checkbox"/> Architectural Elevations |
| <input type="checkbox"/> Vicinity Map | <input type="checkbox"/> Architectural Floor Plans |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Natural Hazards Map(s) |
| <input type="checkbox"/> Grading Plan | <input type="checkbox"/> Natural Resources Map(s) |
| <input type="checkbox"/> Survey / ALTA | <input type="checkbox"/> Utilities Plan |
| <input type="checkbox"/> Existing Land Use(s) Map | <input type="checkbox"/> Geotechnical Report / Site Assessment |
| <input type="checkbox"/> Zoning Map(s) (if applicable, show proposed change(s)) | <input type="checkbox"/> Electronic Versions of Attachments |
| <input type="checkbox"/> Comprehensive Plan Map(s) (if applicable, show proposed change(s)) | <input type="checkbox"/> Minimum Assured Development Area Study |
| <input type="checkbox"/> Tentative Subdivision or Partition Plat | <input checked="" type="checkbox"/> Application Fees (Deposit Only) |
| <input type="checkbox"/> Conceptual Landscape / Irrigation Plans | <input checked="" type="checkbox"/> Other <input type="text" value="Assessor's map showing proposed lot changes"/> |
| <input type="checkbox"/> Significant Vegetation Management Plan (SVMP) | |
| <input type="checkbox"/> Floodplain Development Variance Materials (refer to LDC 2.11.60.02) | |

* Written narrative is required for all application types. Typical drawings sizes are 24"x 36", 11"x17", or 8.5"x11". Sizes of required drawings will depend on the type and scope of applications involved. Contact staff to verify requirements. On your plans, include the following: property lines, points of access for vehicles, pedestrians, bicycles, topography (show existing and proposed), water courses, all natural features identified on the City's Wetlands, Riparian Corridors, Significant Vegetation, and Natural Hazards Maps, existing and proposed streets and driveways, parking areas, utilities, pedestrian and bicycle paths, existing easements. Please note there are additional specific graphic and narrative requirements for each type of application. Refer to the "Application Requirements" section(s) within the [Land Development Code](#).

Please tell us more about the proposed development and its site:

- Are there existing structures on the site? Yes No If Yes, please explain.
- For your project, please indicate the uses proposed and describe the intended activities:
- Will the project be completed in phases? Yes No If Yes, please explain.
- How will open space, common areas and recreational facilities be maintained?
- Are there previous land use approvals on the development site? Yes No
If Yes, please include a discussion in the project narrative indicating how the prior approvals impact your proposal.

For more information, contact the Planning Division at (541) 766-6908 or by [e-mail](#).

Please identify any citizen outreach efforts that you have undertaken prior to submitting this application:

(outreach efforts are encouraged, but not required)

- Mailed information regarding the proposed development to adjacent property owners / residents
- Held one or more neighborhood meetings or open houses
- Met individually and/or conferred over the phone with citizens
- Held a project design workshop
- Made site plans available for review.
- Posted the project site with information about the proposal, and where to go for more info
- Canvassed the neighborhood.
- Other (please describe)

This will have no impact to the neighborhood as no use changes will be made.

Were changes made to the proposal as a result of citizen input? If so, what were they?

- Yes No

NA

Authorization for Staff and Decision Makers to Enter Land

City staff, Planning Commissioners, and City Councilors are encouraged to visit the sites of proposed developments as part of their review of specific land use applications. Decision maker site visits are disclosed through the public hearing process. Please indicate below whether you authorize City staff and decision makers to enter onto the property(-ies) associated with this application as part of their site visits.

- I authorize City staff and decision makers to enter onto the property(-ies) associated with this application
- I do not authorize City decision makers to enter onto the property(-ies) associated with this application

Public Notice Signs

The applicant is responsible for posting public notice signs in at least one conspicuous place along each street frontage of a site 20 days prior to the public hearing date*. Staff will prepare the signs and will let you know when the signs are ready to be picked up from City Hall.

Please indicate who will be responsible for posting any required signs:

Name _____
Phone _____
E-mail _____

(* failure to post the development site at the appropriate time may make the land use decision vulnerable to appeal)

OCT 07 2016

Item "A" Full Application Narrative

Community Development
Planning Division

Project Name: Lots 601 and 501 Southeast Park Ave., Corvallis, Property Line Adjustment (PLA)

Request: Property Line Adjustment Application Approval

Applicant: Theodore R Lyke
380 SE. Park Avenue
Corvallis, OR 97333

Owner: Lot 601
Theodore R Lyke and Rose Mary Lyke, trustees of the Theodore R Lyke Trust
380 SE. Park Avenue
Corvallis, OR 97333

Lot 501
Theodore R Lyke and Rose Mary Lyke, trustees of the rose Mary Lyke Trust
380 SE. Park Avenue
Corvallis, OR 97333

Locations: 360 SE. Park Avenue
and 380 SE. Park Ave., Corvallis, OR 97333
Tax Lots 601 and 501, map 12511 CA

Comprehensive
Plan Design: Low Density Residential

District
Designation: RS – 5 Low Density Residential

Lot line adjustment to tax lot 601, reducing lot size to approximately 7690.53 ft.²

Adjust property line of tax lot 601 at south end (backside) of property from a survey depth of 220.772 feet to a reduced depth of 139.772 feet. Keeping the cross-section of 55.022' the same. The new 601 property lot size square footage will be approximately 7690.53 ft.². This is over the size requirement for RS-5 zone requirement. The remaining 81' x 55.022' (total of 4456.78 ft.²) will be added to property boundary of tax lot 501. This will give a new property square footage for 501 from 16557.9 ft.² to a new total of 21014.68 ft.². It should be noted that the total square footage does not allow for a third lot subdivision in the future for 501, as a lot size of 7500 ft.² would not be attained by this adjustment. Whereas the total lot size before this adjustment would have the potential to subdivide 501 into 2 lots being the total square footage is 16557.9 ft.² already. This lot line adjustment will not create a new third lot. Subdivision now or within the future is not the reason for this lot line adjustment, it is for the convenience and continued usage by the property owners at 501 to maintain their garden area and greenhouse. The reason for this adjustment is that this section of the 601 has been in constant use by the owners of 501 for 20 years, and a backside

fence already exists approximately 81 foot north of the back (south) lot boundary already (both 501 and 601 tax lots are owned by the same parties). The future surveyed backside boundary of 601 will be at the current fence line as it now exists. This legal line change will give 601 a nice backyard size as it now exists to the current fence line. With the new flag lot size of 501, access will be only from the street, 380 Park Avenue (Tax Lot 501). As the entire back yard for both tax lots is surrounded by backyards of other residents there will be no creation of an additional access to a street. There will be no cross lot boundary encumbrances to 601 when the lot line adjustment is complete. Until the official survey for the new lot line, the 81 foot is approximate, but a close enough lot size for 601 to not change from the listed new square footage appreciably.

OCT 07 2016

Property Line Adjustment Narrative

Community Development
Planning Division

• INTRODUCTION

• Subject proposal consists of 2 parcels of land located side-by-side on Park Avenue which has been owned by the applicants for over 20 years. The request is to adjust property line of tax lot 601 at south end (backside) of property from a survey depth of 220.772 feet to a reduced depth of 139.772 feet. Keeping the cross-section of 55.022' the same. The new 601 property lot size square footage will be approximately 7690.53 ft.². This is over the size requirement for RS-5 zone requirement. The remaining 81' x 55.022' (total of 4456.78 ft.²) will be added to property boundary of tax lot 501. This will give a new property square footage for 501 from 16557.9 ft.² to a new total of 21014.68 ft.². It should be noted that the total square footage does not allow for a third lot subdivision in the future for 501, as a lot size of 3 X 7500 ft.² (22,500) would not be attained by this adjustment, nor is there any intent to subdivide 501 property. See full narrative as Item "A"

• REQUESTED ACTION

This application requests the following:

- Approval of a Property Line Adjustment which will adjust the boundary between the two adjoining.
- PROPERTY LINE ADJUSTMENT REVIEW PROCEDURES

An application for a Property Line Adjustment shall be reviewed and processed in accordance with the Tentative and Final Partition Plat procedures in Sections 2.14.30 and 2.14.40 below.

1. Submission Requirements

LDC 2.14.30.01 - Application Requirements

When the Director deems any requirement below unnecessary for the proper evaluation of a proposed application, it may be waived.

Applications shall be made on forms provided by the Director and shall be accompanied by:

- a. Location and description of the subject property(ies), including all of the following, as relevant: address; tax assessor map and tax lot number; parcel number; written description of the boundaries of the proposal; and one set of assessor's maps of the subject site and surrounding area, with the subject site outlined in red;**

Response: Submitted herewith.

- b. Signed consent by the subject property's owner(s) and/or the owner's legal representative(s). If a legal representative is used as a signatory, written proof of**

ability to be a signatory shall be furnished to the City. The owner's name(s) and address(es), and the applicant's name, address, and signature shall also be provided;

Response: The application form, signed by the property owner, is submitted herewith.

c. An electronic version of these documents (both text and graphics, as applicable) if an applicant has produced part or all of an application in an electronic format. The applicant shall coordinate with the City regarding compatible electronic formats, to the greatest extent practicable;

Response: Submitted herewith.

d. Graphic Requirements - The Tentative Plat and other graphics for both Nonresidential and Residential Partitions shall be drawn to scale and shall contain a sheet title, date, north arrow, and legend placed in the same location on each sheet and contain the information listed below. The Tentative Plat and other graphics shall not exceed 24 by 36 in. and shall include the following information, as applicable:

Response: The requested graphics are submitted herewith.

1. Names of the owner, partitioner, engineer, and surveyor as appropriate;

Response: See Attachment "B", Tentative Property Line Adjustment.

2. Property line boundaries of all contiguous land in the same ownership as the area encompassed in the application;

Response: See Attachment "B", Tentative Property Line Adjustment.

3. Sufficient description to define location and boundaries of the area to be partitioned, re-platted, and/or adjusted;

Response: See Attachment "B", Tentative Property Line Adjustment.

4. Location of existing structures;

Response: Not applicable.

Number and type of units proposed when known and appropriate;

Response: Not applicable.

5. Location and width of all existing or proposed public or private accessways (rights-of-way) including any reserve strips and parking areas;

Response: See Attachment "B", Tentative Property Line Adjustment.

7. Location of all existing and proposed public and private utilities, including water, sewer, and storm drainage;

Response: See Attachment "B" Tentative Property Line Adjustment.

8. Proposed parcel layout indicating dimensions, parcel lines, and lot areas;

Response: Not applicable.

9. Approximate location and width of Watercourses for review in accordance with Chapter 2.11 - Floodplain Development Permit, Chapter 4.5 - Floodplain Provisions, Chapter 4.13 - Riparian Corridor and Wetland Provisions, and Chapter 4.14 - Landslide Hazard and Hillside Development Provisions; and

Response: Not applicable.

10. All areas to be dedicated to the public and their proposed Uses including street rights-of-way, drainageways, easements, and reserve strips.

Response: Not applicable.

11. Significant Natural Features Map(s) - Maps shall identify Significant Natural Features of the site, and provide all Code-required Significant Natural Feature information including but not limited to:

a) All information and preservation plans required by Chapter 2.11 - Floodplain Development Permit, Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Floodplain Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, Chapter 4.13 - Riparian Corridor and Wetland Provisions, and Chapter 4.14 - Landslide Hazard and Hillside Development Provisions, as applicable;

Response: Not applicable.

b) All Jurisdictional Wetlands not already shown as part of "a," above. While not all Jurisdictional Wetlands are locally regulated by Chapter 4.13 - Riparian Corridor and Wetland Provisions, they need to be shown so that the City can route the application to the appropriate state and federal agencies for comment; and

Response: There are no Jurisdictional Wetlands on the applicant's property.

c) Archaeological sites recorded by the State Historic Preservation Office (SHPO).

Response: There are no recorded archeological sites recorded by SHPO on the applicant's property.

12. Tentative Plat and Other Graphics -

a) General -

1) Nonresidential Partition Graphics - Nonresidential Partition graphics shall include features within a minimum 150-ft. radius of the site, such as existing streets and parcel boundaries; existing structures; driveways; utilities; Significant Natural Features regulated by Chapter 2.11 - Floodplain Development Permit, 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Floodplain Provisions, Chapter 4.12 - Significant Vegetation Protection Provisions, Chapter 4.13 - Riparian Corridor and Wetland Provisions, and Chapter 4.14 - Landslide Hazard and Hillside Development Provisions; Minimum Assured Development Area information from Chapter 4.11 - Minimum Assured Development Area (MADA), if applicable; and any other information that, in the Director's opinion, would assist in providing a context for the proposed development. The Director may require that an applicant's graphics include information on lands in excess of 150 ft. from a development site (e.g., such as in cases where an adjacent property is large and a view of the whole parcel would be helpful, or when existing infrastructure is far away from the site).

Response: Not applicable to this application as this is a residential property line adjustment.

2) Residential Partition Graphics - Residential Partition graphics shall include features within a minimum of 300 feet from all exterior boundaries of the site, showing existing streets and parcel boundaries; existing structures in excess of 100 sq. ft.; driveways; utilities; Significant Natural Features regulated by Chapter 2.11 - Floodplain Development Permit, Chapter 4.2 Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Floodplain Provisions, Chapter 4.12 - Significant Vegetation Protection Provisions, Chapter 4.13 - Riparian Corridor and Wetland Provisions, and Chapter 4.14 Landslide Hazard and Hillside Development Provisions; and Minimum Assured Development Area information from Chapter 4.11 - Minimum Assured Development Area (MADA), if applicable. Additionally, if existing infrastructure is more than 300 ft. from an exterior boundary of the Residential Partition site, the Residential graphics shall extend beyond the

required 300 ft. to include said features and all lands between the Residential Partition site and the existing infrastructure.

Response: See Attachment Google Map showing an overlay of the required information outlined above for existing streets, structures, and boundaries along with both the existing City of Corvallis GIS mapping. Areas within 300 feet of the proposed property line adjustment lots can be seen. As the total property elevation change is less than 3 feet anywhere on the 2 properties, and would be termed "flat", no other considerations to the above are relevant.

b) Conceptual Grading Plans - Existing and proposed topographic contours at two-ft. intervals. Where the grade of any part of the Partition exceeds 10 percent and where the Partition abuts existing developed lots, a conceptual grading plan shall be required as follows:

1. Nonresidential Partitions - Conceptual grading plans for Nonresidential Partition applications shall contain adequate information to evaluate impacts to the site and adjacent areas, consistent with Chapter 4.14 Landslide Hazard and Hillside Development Provisions. If a grading plan is required for a Nonresidential Partition, it shall indicate how these objectives are met, how runoff or surface water from individual lots will be managed, and how the proposal's surface waters will be managed. Additionally, Nonresidential Partition applications shall include two design alternatives demonstrating that the applicant has achieved the optimal balance of applicable criteria;

Response: Not applicable to this application as this is a residential property line adjustment.

2. Residential Partitions - Conceptual grading plans for Residential Partition applications shall identify all proposed cuts and fills and the associated grade changes in ft. to demonstrate adherence to the provisions in Chapter 4.14 - Landslide Hazard and Hillside Development Provisions. The conceptual grading plan shall also indicate how runoff and surface water from individual lots will be managed, and how the proposal's surface waters will be managed. Additionally, the conceptual grading plan for Residential Partitions shall meet the requirements in "c," and "d," below;

Response: Not applicable. This application is for a property line adjustment only and no development is proposed. Existing grades across the site are in the 1% range.

c) For residential development, excavation and grading shall maintain hydrology that supports existing wetland and riparian areas and the application shall demonstrate adherence.

Response: Not applicable. There is no grading associated with this proposal and the site does not contain hydrology that supports existing wetlands or riparian areas.

d) For residential development, the graphics, including the conceptual grading plan, must demonstrate that each lot can be served by streets and infrastructure in a manner that is consistent with the clear and objective approval standards contained in the following: the City's development standards outlined in by the applicable underlying zoning designation standards in Article III of this Code; the development standards in Article IV of this Code; the standards of all acknowledged City Facility Master Plans; the adopted City Design Criteria Manual; the adopted Oregon Structural Specialty Code; the adopted International Fire Code; the adopted City Standard Construction Specifications; the adopted City Erosion Prevention and Sediment Control Ordinance; and the adopted City Off-street Parking Standards;

Response: See Attachments "B" Tentative Property Line Adjustment for graphics that demonstrate the lot can be served by streets and infrastructure consistent with the City's development standards.

13. Where it is evident that the parcel can be further divided, the applicant shall show, either on the Tentative Plat or as an attachment, that the Partition will not preclude efficient division of land in the future;

Response: Any future land division of the new parcel will be subject to the LDC requirements in place at the time. This Application does not impact this parcel's access to all required public infrastructure.

14. Narrative Requirements -

a) Phasing - Statement describing phases of project, if proposed. Phases shall be:

1) For Nonresidential Partitions, substantially and functionally self-contained and self-sustaining with regard to access, parking, transportation facilities, utilities, Green Areas, and drainage without reliance on any uncompleted phase; capable of substantial occupancy, operation, and maintenance upon completion of construction and development, and be designed such that the phases support the infrastructure requirements for the project.

Response: Not applicable as this does not add to any residential partition.

2) Designed to Address Compatibility —

a. For Nonresidential Partitions, addressing compatibility means arranging the phases to avoid conflicts between higher and lower density development.

Response: Not applicable as this is a residential partition.

b. For Residential Partitions, Uses permitted outright within a zone are considered to be compatible and not to conflict. Between zones, compatibility is addressed at the time the zone is established. A Residential Use permitted outright within an existing zone is considered to be compatible with Uses permitted outright within existing neighboring zones;

Response: The Applicant's proposed use for both is single family residential which is an outright approved use in the RS-5 Zone. Therefore it is by standard compatible.

c. For Residential Partitions, each proposed phase must meet all required clear and objective standards for access, parking, transportation facilities, utilities, Green Areas, and drainage without reliance on any uncompleted phase. Each proposed phase, and the proposal as a whole, must be designed so that in addition to each proposed phase meeting all required infrastructure standards for that phase, at the completion of each phase all completed phases together will cumulatively meet all infrastructure standards that would be required for a project consisting of the completed phases. The Partition and each phase must also be designed so that by completion of all proposed phases all the phases together will meet all infrastructure requirements for the project.

Response: No phasing is proposed.

b) Explanation of how the proposal complies with the review criteria in Section 2.14.30.05; and

Response: Explanation of how the proposal complies with the review criteria follows.

15. Traffic Impact Study - A traffic impact study shall be required in accordance with Section 4.0.60.a.

Response: As this request for back yard lot line adjustment does not create any new traffic or parking than what has been the norm for this area, there will be no change generated. Maximum peak hour trips are less than 30. This Application meets the requirements of a Level One study per Public Works September 2015 TIS Guide.

Trip Generation Summary:

	AM Peak Hour			In	Out	Total
	In	Out	Total			
2 Single Residences ITE Land Use Code 210	1	2	3	2	1.	3

16. Information required by Chapter 2.11 - Floodplain Development Permit, Chapter 4.5 - Floodplain Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, Chapter 4.13 - Riparian Corridor and Wetland Provisions, and Chapter 4.14 - Landslide Hazard and Hillside Development Provisions, as applicable.

Response: This standard has been addressed previously in this Application.

e. Required fees as described in LDC § 1.2.100.01.

Response: The required fees accompany this Application.

2. Submission Review Criteria

2.14.30.05 — Review Criteria

Response: As requested, Section 2.14.60 follows with narratives:

Section 2.14.60 - PROPERTY LINE ADJUSTMENT PROCEDURES

A Property Line Adjustment affects the configuration of existing legally described property ownership boundaries. A Property Line Adjustment will not, by itself, effect changes to the configuration of tax lot boundaries or legally described lot and parcel boundaries created through a Partition or Subdivision plat.

a. An application for a Property Line Adjustment shall be administered in accordance with the Tentative Partition Plat review procedures in Section 2.14.30, with the exception that the application shall be exempt from public notice provisions in Section 2.14.30.03 and the review criteria in Section 2.14.30.05;

b. A Property Line Adjustment shall be approved if the following criteria have been met:

1. The Property Line Adjustment shall not result in creation of an additional unit of land;

Response: As discussed in the "Introduction Narrative", and the attachment map "B-1" showing the square footage, lot 501 is already over 15,000sq' (16557.9sq') and by adding the additional land would land (4456.78sq') would only attain a total of 21014.68sq' which is below the needed RS-5 requirement for lots of 7500sq' (7500 x 3 =22,500sq') to subdivide an additional lot. Nor is it the intent to consider any subdividing in the future.

2. Any unit of land reduced in size by the Property Line Adjustment shall comply with all applicable zoning regulations;

Response: 601 tax lot will comply with all applicable zoning regulations as will 501 tax lot.

3. The Property Line Adjustment shall not increase the degree of nonconformity that may exist on the subject lots;

Response: No conformity issues exist and none will be created.

4. The availability of both public and private utilities and required access shall not be adversely affected by a Property Line Adjustment;

Response: No conformity issues exist and none will be created.

5. In addition to applicable lot width requirements, any opposing or parallel side property lines shall be separated by a minimum distance of 15 feet. Existing side property lines that do not meet this standard are allowed to be maintained or adjusted, as long as the Property Line Adjustment does not worsen the non-compliant configuration.

Response: No conformity issues exist and none will be created.

6.

c. For properties with Natural Resources or Natural Hazards subject to Chapter 2.11 - Floodplain Development Permit, Chapter 4.5 - Floodplain Provisions, Chapter 4.12 - Significant Vegetation Protection Provisions, Chapter 4.13 Riparian Corridor and Wetland Provisions, or Chapter 4.14 - Landslide Hazard and Hillside Development Provisions, the Property Line Adjustment shall not adjust properties unless each resultant property contains an area unconstrained by Natural Resources or Natural Hazards and that area is equal to or greater than the applicable Minimum Assured Development Area(s) for the zone or zones in which the site falls. Exceptions to this requirement are:

Response: Does not apply to this property

1. Properties with public park purposes; and

2. Privately- or publicly-owned properties completely contained within an area zoned Conservation - Open Space.

d. Property Line Adjustments may not create new tracts. Where such tracts are proposed and/or required by this Code, a Land Division is required; and

Response: As discussed in the "Introduction Narrative", and the attachment map "B-1" showing the square footage, lot 501 is already over 15,000sq' (16557.9sq') and by adding the additional land would land (4456.78sq') would only attain a total of 21014.68sq' which is below the needed RS-5 requirement for lots of 7500sq' (7500 x 3 =22,500sq') to subdivide an additional lot. No new tract will be made.

e. Approvals shall be subject to the following minimum Conditions of Approval:

1. Deeds based on a metes and bounds legal description for all adjusted properties, from the Property Line Adjustment, shall be recorded with the Benton County Recorder's Office;

2. A Certified Boundary Survey map that reflects the approved Property Line Adjustment shall be reviewed by the City and signed by the Director and the City Engineer; The map shall then be filed with the County Surveyor; and

3. Copies of the recorded deeds and filed survey map shall be provided to the City following recording.

[Section 2.14.60 amended by Ordinance 2012-17, effective December 13, 2012; Section 2.14.60 amended by Ordinance 2014-11, effective August 28, 2014]

Lots 601 and 501 Southeast Park Ave PLA

Page 9 of 9

RECEIVED

OCT 07 2016

Community Development
Planning Division

BENTON COUNTY, OREGON 2015-528426
DE-BS
Cnt=1 Stn=46 COUNTER1 03/08/2015 03:34:02 PM
\$10.00 \$11.00 \$22.00 \$10.00 \$20.00 \$73.00



I, James V. Morales, County Clerk for Benton County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.



James V. Morales - County Clerk

BARGAIN AND SALE DEED

Grantor's Name and Address:
THEODORE R. LYKE and ROSE MARY LYKE

Grantee's Name and Address:
THEODORE R. LYKE and ROSE MARY LYKE, TTEE

AFTER RECORDING, RETURN TO:
Evashevski, Elliott, Cihak & Hediger, P.C.
Attn: Joel Howe
P O Box 781
Corvallis, OR 97339

UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS
SHOULD BE SENT TO:
THEODORE R. LYKE and ROSE MARY LYKE, TTEE
380 SE Park Ave
Corvallis, OR 97333

360

THEODORE R. LYKE and ROSE MARY LYKE, grantor, conveys to THEODORE R. LYKE and ROSE MARY LYKE, trustees of the ROSE MARY LYKE TRUST dated March 4, 2015, or their successor(s) in trust, grantee, that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in Benton County, Oregon, described as follows, to wit:

See Exhibit A, attached hereto and by this reference incorporated herein.

The true and actual consideration paid for this transfer is \$NONE (estate planning).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11 CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER, 8, OREGON LAWS 2010.

THEODORE R. LYKE

ROSE MARY LYKE

STATE OF OREGON)
) ss.
County of Benton)

Personally appeared before me this 4th day of March, 2015, THEODORE R. LYKE and ROSE MARY LYKE, and acknowledged the foregoing instrument to be their voluntary act and deed.

Notary Public for Oregon

EXHIBIT "A"

The East 55.022 feet of even width of the following described tract:

Beginning at the Northeast corner of the tract of land described in deed recorded in Book 138, Page 12,, Deed Records of Benton County, Oregon, which point is 22.517 chains North 88°25' East along the Claim line, 10.038 chains South 4°30' West along the center of the Corvallis-Monroe State Highway, and 10.348 chains North 88°58-1/2' East along the center of the County Road No. 616, from the Northwest corner of the David Butterfield Donation Land Claim No. 47, Township 12 South, Range 5 West of the Willamette Meridian, Benton County, Oregon; and running thence North 88°58 1/2' East along the center of said County Road No. 616, 1.667 chains; thence South 0° 05-1/2' West, 3.345 chains; thence South 88° 58-1/2' West parallel to said Road No. 616, 1.667 chains to the Southeast corner of said former tract; thence North 0° 05-1/2' East, 3.345 chains to the point of beginning.

SAVE AND EXCEPT a strip of land 20 feet wide along the North end of the above described premises for the full width thereof, said strip to constitute the South half of said County Road No. 616 where same encroaches upon said premises.

BENTON COUNTY, OREGON 2015-528427
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\$10.00 \$11.00 \$22.00 \$10.00 \$20.00 \$73.00



I, James V. Morales, County Clerk for Benton County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.



James V. Morales - County Clerk

BARGAIN AND SALE DEED

Grantor's Name and Address:
THEODORE R. LYKE and ROSE MARY LYKE

Grantee's Name and Address:
THEODORE R. LYKE and ROSE MARY LYKE, TTEE

AFTER RECORDING, RETURN TO:
Evashevski, Elliott, Cihak & Hediger, P.C.
Attn: Joel Howe
P O Box 781
Corvallis, OR 97339

UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS
SHOULD BE SENT TO:
THEODORE R. LYKE and ROSE MARY LYKE, TTEE
380 SE Park Ave
Corvallis, OR 97333

THEODORE R. LYKE and ROSE MARY LYKE, grantor, conveys to THEODORE R. LYKE and ROSE MARY LYKE, trustees of the THEODORE R. LYKE TRUST dated March 4, 2015, or their successor(s) in trust, grantee, that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in Benton County, Oregon, described as follows, to wit:

See Exhibit A, attached hereto and by this reference incorporated herein.

The true and actual consideration paid for this transfer is \$NONE (estate planning).

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THEODORE R. LYKE

ROSE MARY LYKE

STATE OF OREGON)
County of Benton) ss.

Personally appeared before me this 4th day of March, 2015, THEODORE R. LYKE and ROSE MARY LYKE, and acknowledged the foregoing instrument to be their voluntary act and deed.

Notary Public for Oregon

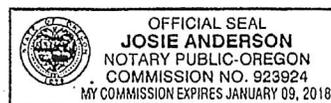


EXHIBIT "A"

The West 75 feet of the following described property: Beginning at a ½ inch pipe on the South line of the County Road in Pernot Tracts which is 10.354 chains South 4°35' West and 12.044 chains North 89° 10' East along the South line of said road from the intersection of the center line of the State road with the North line of the David Butterfield Donation Land Claim No. 47, Township 12 South, Range 5 West of the Willamette Meridian in Benton County, Oregon; and running thence North 89°10' East along the South line of said County Road, 2.25 chains to a ½ inch pipe which is 1.125 chains South 89° 10' West of the East line of Tract No. 10 in Pernot Tracts; thence South 0°05' East parallel to the East line of said tract, 3.042 chains to a ½ inch pipe; thence South 89° 10' West parallel to said County Road, 2.25 chains to a ½ inch pipe; thence North 0°05' West, 3.042 chains to the place of beginning.

REV 04-01-2011
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1302 THRU 1305
1404 THRU 1405
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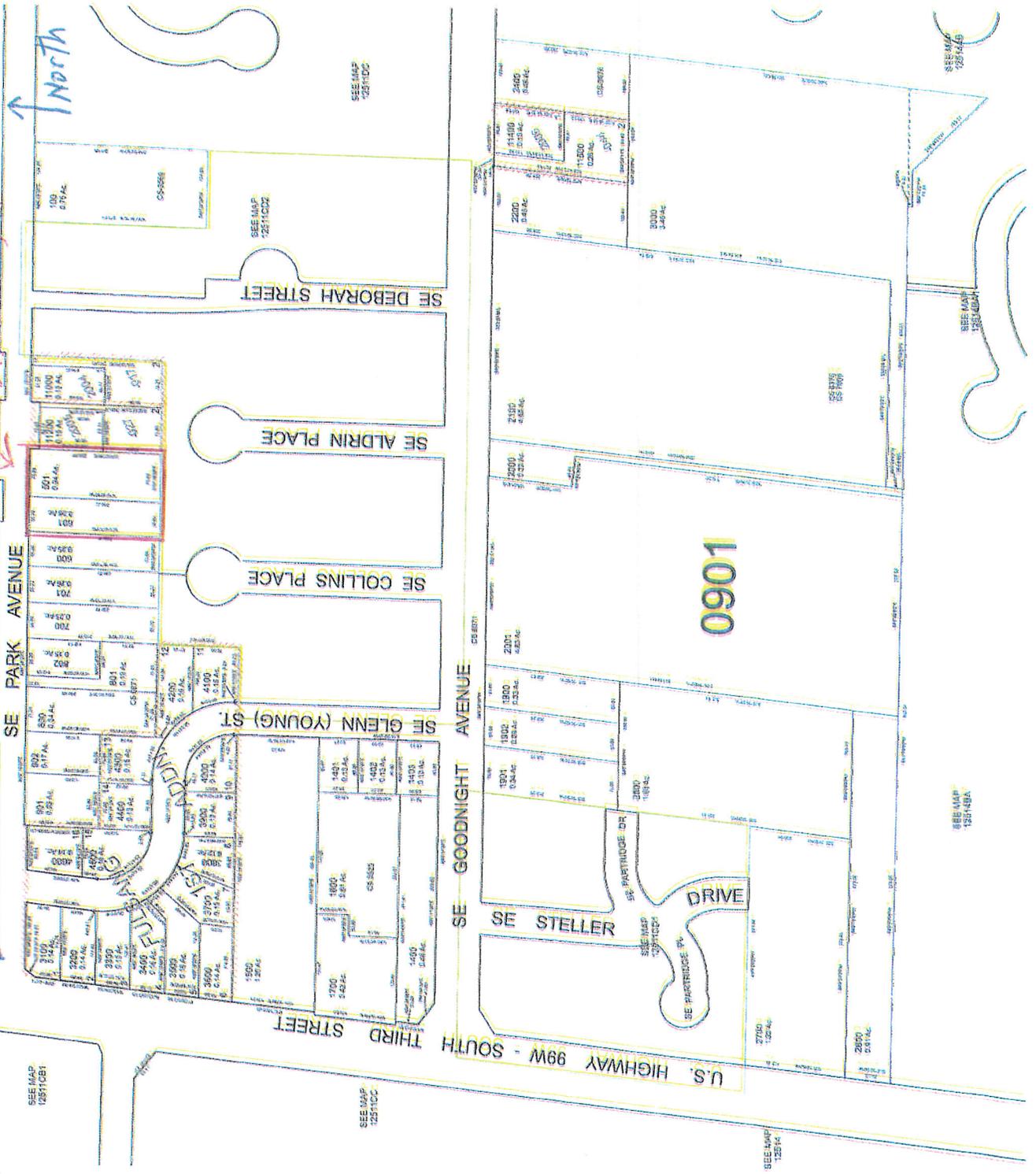
1" = 100'

S.E. 1/4 S.W.1/4 SEC. 11, T.12S. R.5W. W.M.
BENTON COUNTY

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSES ONLY

Attachment "B-2"

Proposed
Lots for Adjust



Surveyors map printed

Attachment "B-3"

PREPARED FOR
USE ONLY

S.E. 1/4 S.W. 1/4 SEC. 11 T. 12S. R. 5W. W.1

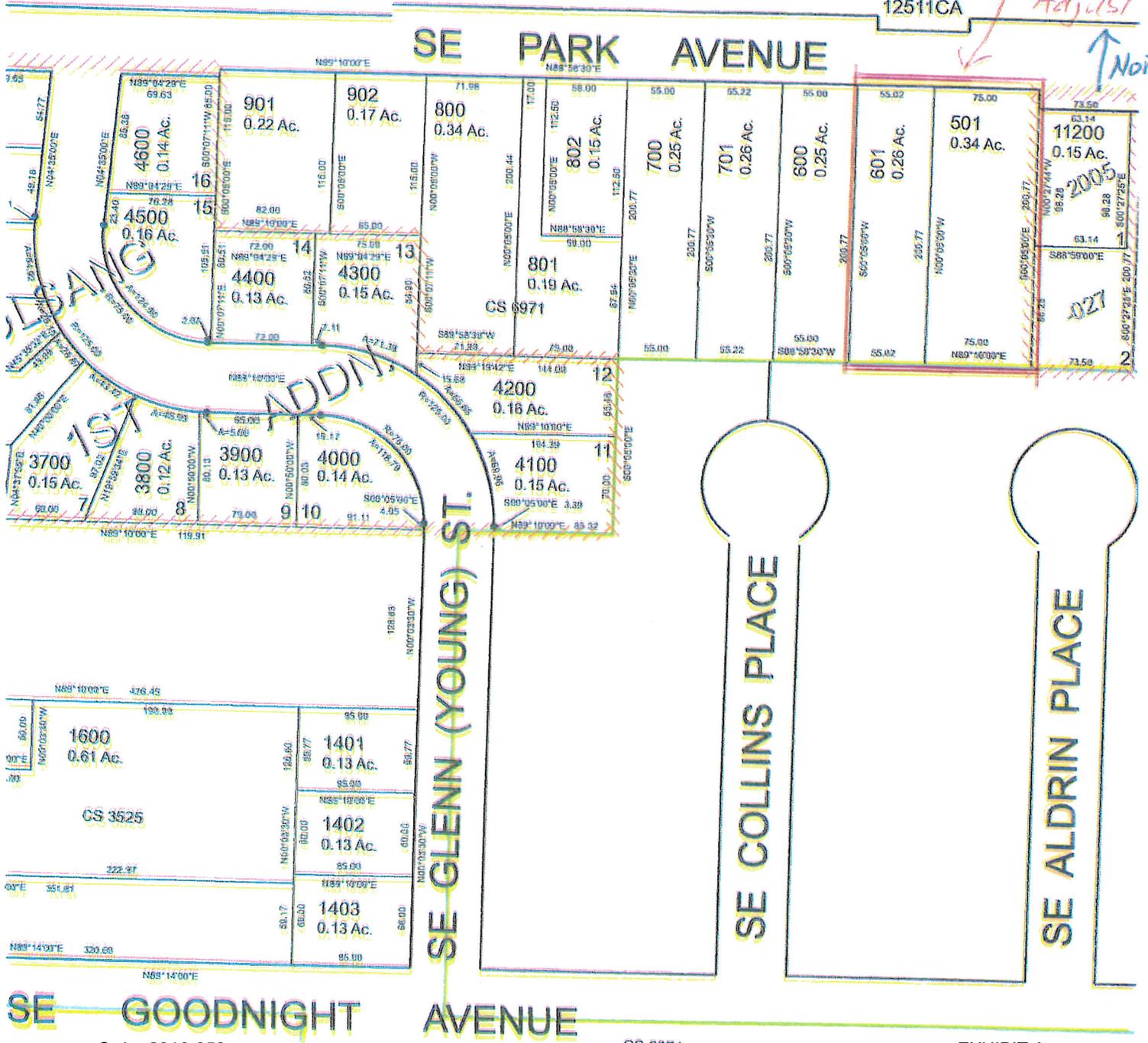
BENTON COUNTY

1" = 100'

SEE MAP
12511CA

Proposed
Lots for
Adjust

North



Attachment "B-4"

↑ North



Scale

289'

Attachment "B-5"

Map - Tax lots 601 & 501
with utilities & structures

↑ North



scale 194'

- Sump stormwater pump
- Stormwater Line
- Electric waterline
- xxx Utilities

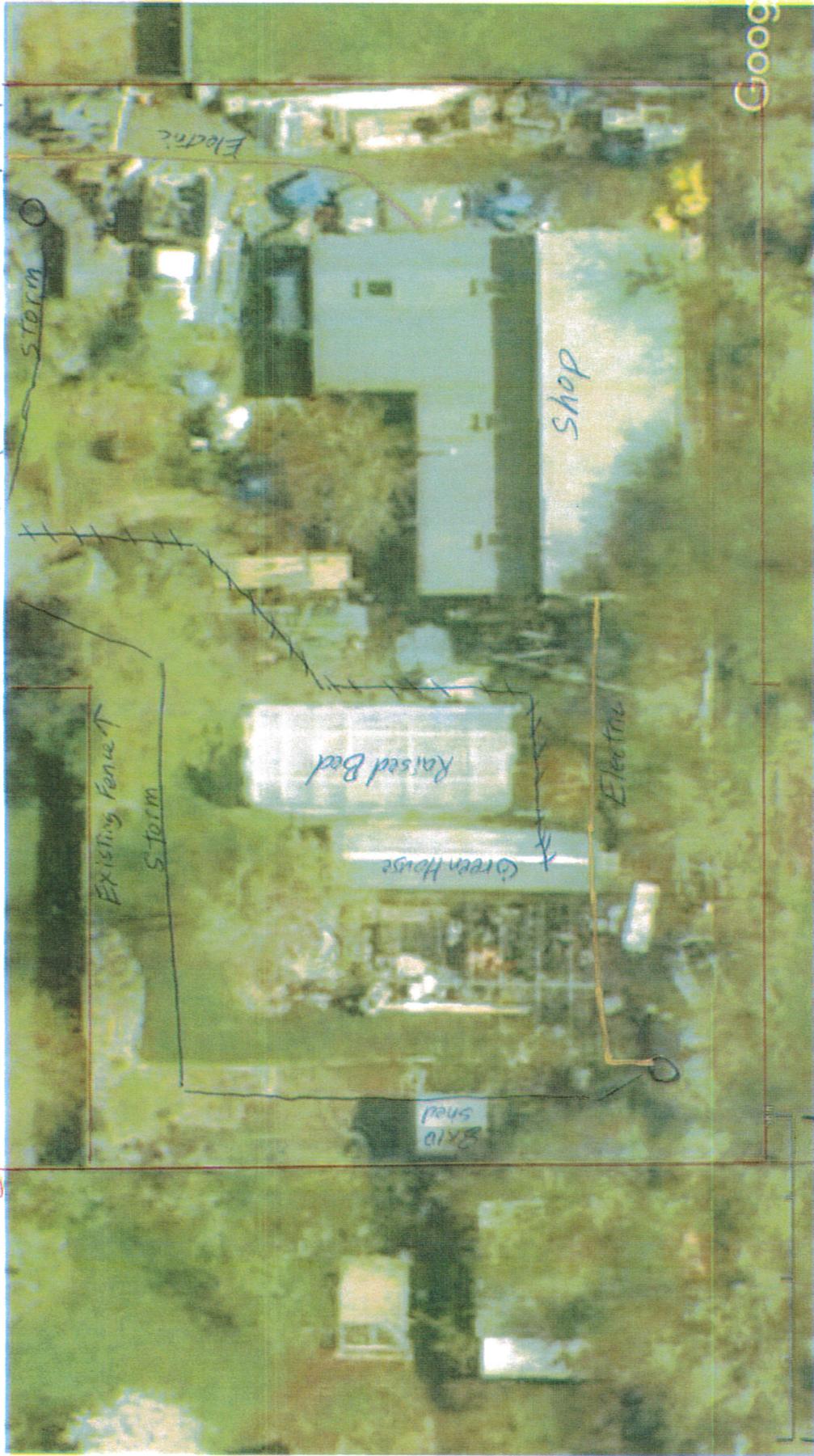
A Attachment "B-6" Map - Backyards only - showing utilities & structures

Boundary

↑ North

501 Tax Lot

601 Tax Lot



- sump Stormwater pump
- Stormwater Line
- Electric Line "gold"
- +++ waterline
- Utilities