

Attention Property Owner: A land use proposal has been submitted for property near where you live or near property you own elsewhere. State law requires that the county notify property owners within a certain distance from this property. The proposal and address of the property is described in the "Application" section below. The decision in this case does not directly affect the zoning or use of your property. If you object to the decision, refer to the "Appeal" section. If you have questions, contact the staff person listed at the end of this report.

**NOTICE OF DECISION
PROPERTY LINE ADJUSTMENT CASE NO. 25-008**

APPLICATION: Application of Diana Watson and Erik and Sarah Hoidahl for a property line adjustment to adjust the property lines on a 2.36-acre parcel and a 2.0-acre parcel to create a 2.36-acre parcel and 2.0-acre parcel in an Acreage Residential (AR) zone located at 8874 and 8844 Ranay Rd SE, Salem (T7S; R2W; Section 36B, Tax lots 3700 & 3600).

DECISION: The Planning Director for Marion County has **APPROVED** the above-listed Property Line Adjustment application subject to certain conditions.

EXPIRATION DATE: Title transfer instruments accomplishing the property adjustments shall be recorded by the applicants with the Marion County Clerk by **April 21st, 2027** (two years). The effective period may be extended for an additional year subject to approval of an extension (form available from the Planning Division). **Additional extensions may not be granted if the regulations under which this decision was granted have changed since the original approval.**

WARNING: A decision approving the proposal is for land use purposes only. Due to septic, well and drainfield replacement areas, this parcel may not be able to support the proposal. To be sure the subject property can accommodate the proposal the applicant should contact the Building Inspection Division, (503) 588-5147.

This decision does not include approval of a building permit.

CONDITIONS: The following conditions must be met before a building permit can be obtained or the approved use established:

1. Per the Marion County Surveyor's Office; A re-plat (in the form of a partition plat) is required, due to the adjustment or elimination of a partition plat parcel line or subdivision lot line. Must be surveyed and platted per ORS 92.050, and the plat submitted for review. A checking fee and recording fees are required. A current or updated title report must be submitted at the time of review.
2. The property line shall be located such that all structures meet the required 10-foot minimum side yard setbacks.
3. All resultant lots shall be at least 2.00-acres in size.
4. Prior to recording the deeds, the applicants shall obtain any septic review and/or evaluations that may be required from the Marion County Building Inspection Division.
5. The resulting parcels shall significantly conform to the site plan submitted with the proposal. Minor variations are permitted upon review and approval by the Planning Director.

ADDITIONAL CONDITIONS: Once the approved use is established the following conditions must be continually satisfied:

6. After the property line adjustment has been completed, no alteration of property lines shall be permitted without first obtaining approval from the Planning Director.

OTHER PERMITS, FEES, AND RESTRICTIONS: This approval does not remove or affect covenants or restrictions imposed on the subject property by deed or other instrument. The proposed use may require permits and/or fees from other local, State or Federal agencies. This decision does not take the place of, or relieve the responsibility for, obtaining

other permits or satisfying restrictions or conditions. It is recommended that the agencies mentioned in Finding #5 below be contacted to identify restrictions or necessary permits.

7. Prior to recording the deeds all taxes due must be paid to the Marion County Tax Department (contact the Marion County Tax Department at 503-588-5215 for verification of payments).
8. The applicants should contact the Marion County No. 1 Fire District to obtain a copy of the District's Recommended Building Access and Premise Identification regulations and the Marion County Fire Code Applications Guide. Fire District access standards may be more restrictive than County standards.

APPEAL PROCEDURE: The Marion County Zone Code provide that certain applications be considered first by the County Planning Director. If there is any doubt that the application conforms with adopted land use policies and regulations the Director must condition or deny the application. Anyone who disagrees with the Director's decision may request that the application be considered by a Marion County hearings officer after a public hearing. The applicant may also request reconsideration (one time only and a fee of \$200) on the basis of new information subject to signing an extension of the 150 day time limit for review of zoning applications.

A public hearing is held on appeals subject to the appellant paying a \$250.00 fee. Requests for reconsideration, or consideration by a hearings officer, must be in writing (form available from the Planning Division) and received in the Marion County Planning Division, 5155 Silverton Road NE, Salem, by 5:00 p.m. on **April 21st, 2025**. If you have questions about this decision contact the Planning Division at (503) 588-5038 or at the office. This decision is effective **April 22nd, 2025**, unless further consideration is requested.

FINDINGS AND CONCLUSIONS: Findings and conclusions on which the decision was based are noted below.

1. The subject properties are designated Rural Residential in the Marion County Comprehensive Plan and correspondingly zoned AR (Acreage Residential). The primary intent of the designation is to provide for rural residential development at a density sustainable with rural services.
2. The subject properties are located on the south side of Ranay Dr SE within the Woodland Park subdivision. Both tax lot 3600 and 3700 each contain a single-family dwelling and are heavily wooded. Additionally, tax lot 3700 recently obtained a building permit for a residential accessory structure (permit 555-23-001867), which, according to the applicants' site plan, was incorrectly sited and currently crosses the shared property line between the two lots.

Tax lot 3600 was originally created as Lot 5 of Block 2 of the Woodland Park subdivision. Tax lot 3700 was originally created as Lot 6 of Block 2 of the Woodland Park subdivision. Both parcels have remained in the same configuration since and are therefore legal for land use purposes.

3. All adjacent properties are zoned AR and are in use as small acreage rural residences. Outside of this collection of rural residential subdivisions are larger resource parcels engaged in commercial agriculture.
4. The applicants are proposing to adjust the existing property line between a 2.00-acre parcel and a 2.36-acre parcel to reconfigure the parcels without changing their size, resulting in a reconfigured 2.00-acre parcel and 2.36-acre parcel. The purpose of the reconfiguration is to resolve the encroachment of an accessory structure that was improperly built on the shared property line between the lots.
5. Various agencies were contacted about the proposal and given the opportunity to comment.

Marion County Surveyors Office commented:

- 1) A re-plat (in the form of a partition plat) is required, due to the adjustment or elimination of a partition plat parcel line or subdivision lot line.
- 2) Must be surveyed and platted per ORS 92.050, and the plat submitted for review.
- 3) Checking fee and recording fees required.

- 4) A current or updated title report must be submitted at the time of review.

Marion County Building commented: “No Building Inspection concerns as it appears the proposed lot lines are to be established 10 feet or more from existing buildings, which conform to the fire separation provisions of the state building code. Permit(s) would be required to be obtained prior to any development of structures and/or utilities installation on private property, if proposed.”

Marion County Septic commented: “8844 Ranay Rd is OK. The system serving 8874 Ranay Rd will require an existing systems evaluation in order to sign off on the PLA.”

All other contacted agencies either failed to comment or stated no objection to proposal.

6. No specific criteria exist for property line adjustments in the AR zone. MCC 17.128.070 requires a minimum lot size of two acres, except when a numerical suffix has been applied. Therefore, in this AR zone, the minimum lot size is two acres. When a property line adjustment proposes to alter non-conforming parcels, the proposed configuration must not result in additional non-conformance.

Both existing lots are above the minimum parcel size of 2.0-acres for the AR zone. The proposed property line adjustment is a reconfiguration of the lots that would keep them the same size but change their shapes. No lot or parcel will be brought below 2.0-acres as a result of the proposed adjustment, however it shall be made a condition of approval that all resultant parcels be at least 2.0-acres in size.

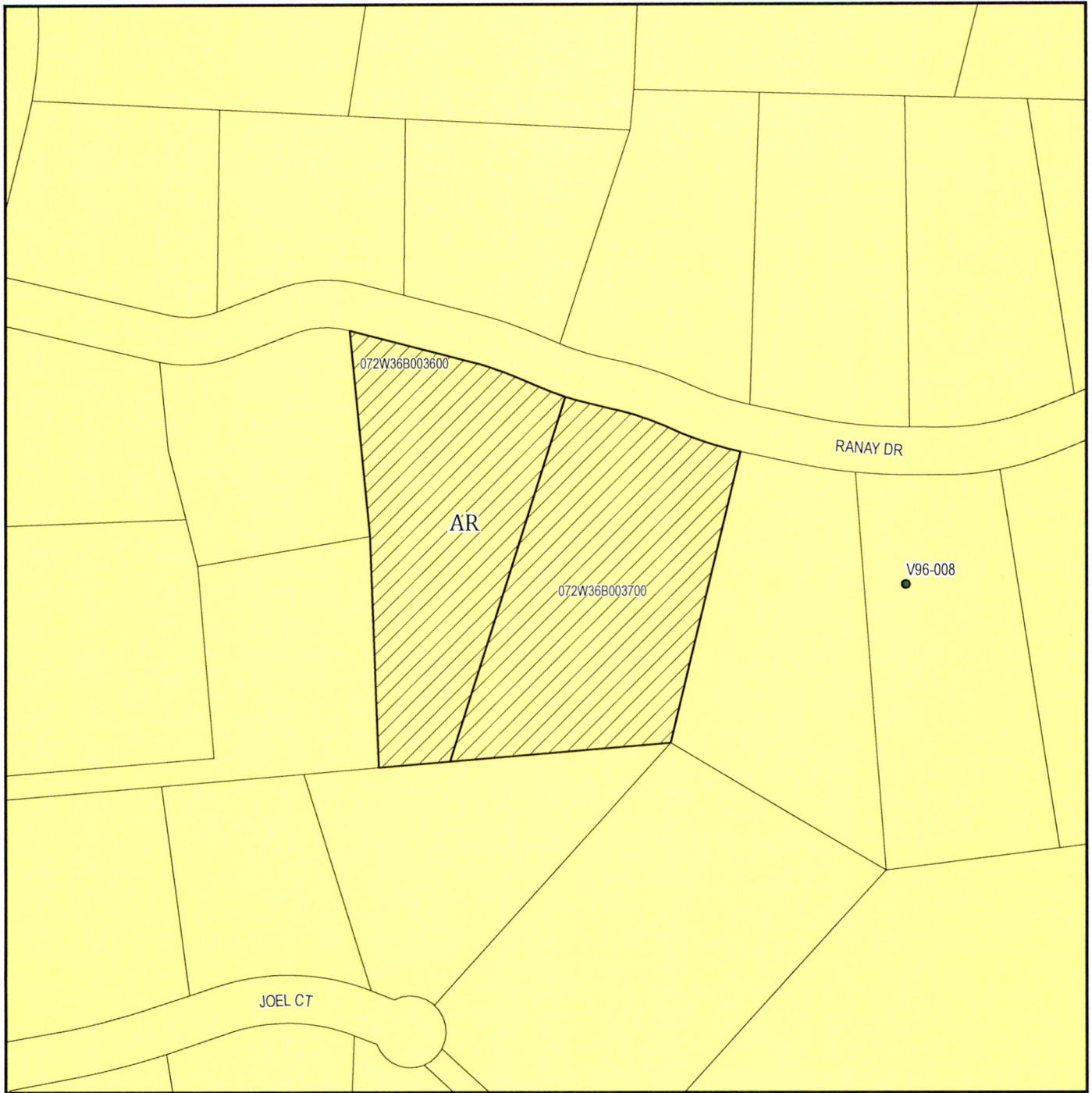
7. Under MCC 17.172.120(E) Property line adjustment deeds shall be recorded with the Marion County clerk’s office prior to submitting the property line adjustment survey if a survey is required. Deed recording reference numbers shall be noted on the required survey.
8. Based on the above findings, the request meets the applicable criteria and is, therefore, **APPROVED**.

Brandon Reich
Planning Director/Zoning Administrator

Date: April 4th, 2025

If you have any questions regarding this decision contact Alexander Seifer at (503) 588-5038.

Notice to Mortgagee, Lienholder, Vendor or Seller: ORS Chapter 215 requires that if you receive this Notice, it must promptly be forwarded to the purchaser.



ZONING MAP


Input Taxlot(s): 072W36B003600, 072W36B003700

Owner Name: HOIDAHL, ERIK M & HOIDAHL, SARAH
Y

Situs Address: 8844 RANAY DR SE
City/State/Zip: SALEM, OR, 97317
Land Use Zone: AR
School District: SALEM-KEIZER
Fire District: MARION COUNTY NO.1

Legend

 Input Taxlots

 Lakes & Rivers

 Highways

 Cities



scale: 1 in = 182 ft

DISCLAIMER: This map was produced from Marion County Assessor's geographic database. This database is maintained for assessment purposes only. The data provided hereon may be inaccurate or out of date and any person or entity who relies on this information for any purpose whatsoever does so solely at his or her own risk. In no way does Marion County warrant the accuracy, reliability, scale or timeliness of any data provided on this map.