Notice of Decision
Land Division – Tentative Partition Plat

PA-07-20

Application Information
Proposal: Tentative Partition Plat to divide one parcel into two parcels.
Review Body: Staff (Type I-L review)
Property Owner/Applicant: Dustin Hanslovan; 3095 NW Eagle Drive, Albany, Oregon
Representative: Laura LaRoque, Udell Engineering and Land Surveying LLC.
63 E Ash Street, Lebanon, OR 97355
Address/Location: 2706 Squire Street NW, Albany, OR 97321
Map/Tax Lot: Benton Tax Assessor's Map No. 10S-04E-25CC; Tax Lot 2100
Zoning: Single Family Residential (RS-10) District

On November 25, 2020, the City of Albany Community Development Director granted Approval with Conditions of the application referenced above.

The City based its decision on the project’s conformance with the review criteria listed in the Albany Development Code. The supporting documentation relied upon by the City in making this decision is available for review by appointment only at City Hall, 333 Broadalbin Street SW. For more information, please contact the project planner, Travis North, at 541-791-0176 or Planning Manager David Martineau at 541-917-7561.

The City’s decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) if a person with standing files a Notice of Intent to Appeal not later than 21 days after the Director’s Notice of Decision is mailed [ADC 1.330(5)(a)]. The applicants may proceed, at their own risk, prior to the end of the appeal period, provided they sign a Release and Indemnity Agreement with the City. This approval expires in three years unless the final plat has been submitted to the City’s Planning Division for review and approval.

Appeal Deadline: December 16, 2020
Approval Expiration Date (if not appealed): November 25, 2023
Attachments: Information for the Applicant, Location Map, Tentative Partition Plat
Conditions of Approval

Condition 1  Before the City will sign the final plat, either the partition plat shall indicate that Parcel Two shall not be further divided or the applicant shall supply the city with a deed restriction for Parcel Two that indicates the same.

Condition 2  Prior to recordation of the partition plat, the applicant shall provide a Petition for Improvement – Waiver of Remonstrance for participation in an assessment district for the construction of public street improvements along the development’s frontage on Squire Street.

Condition 3  Prior to recording of the partition plat or on the face of the plat, the applicant must provide a recorded copy of a private utility easement over that portion of Parcel Two containing the sewer lateral serving/benefitting Parcel One. Alternatively, prior to recordation of the final plat the applicant may choose to install a new sewer service for Parcel One and use the existing service for Parcel Two.

The issuance of this permit by the City of Albany does not eliminate the need for compliance with other federal, state, or local regulations. It is the applicant’s responsibility to contact other federal, state, or local agencies or departments to assure compliance with all applicable regulations.

Information for the Applicant

Please read the following requirements. This list is not meant to be all-inclusive; we have tried to compile requirements that relate to your specific type of development. These requirements are not conditions of the land use decision. They are Albany Municipal Code (AMC) or Albany Development Code (ADC) regulations or administrative policies of the Planning, Engineering, Fire, or Building Departments that you must meet as part of the development process. You must comply with state, federal, and local law. The issuance of this permit by the City of Albany does not eliminate the need for compliance with other federal, state, or local regulations. It is the applicant’s responsibility to contact other federal, state, or local agencies or departments to assure compliance with all applicable regulations.

Planning

1. Land use approval does not constitute Building or Public Works permit approvals.

2. To complete the land division process and create the new parcels:
   a. Satisfy the conditions of approval and submit a final partition plat to the City Planning Division for review and approval. The final plat must be accompanied by a completed Final Plat application and final plat review fee. A paper draft copy of the plat may be submitted with the application. The final plat application is available on the City’s website.
      Note: The Linn County Surveyor also needs to review the final plat. These reviews should be done concurrently. Contact the County Surveyor’s office to learn about their current processes, fees, and possible other expenses (for example, property taxes must be current).
   b. The survey and final plat must be prepared by a registered professional land surveyor (Oregon Revised Statutes).
   c. If applicable, pay or segregate any existing City liens on the property and pay or finance any other fees due as a result of the land division. Contact the Finance Department at 541-917-7533 to make these arrangements.
   d. After the City signs the final plats, they will be returned to the applicant for recording.
   e. After recording, and before the City will accept a permit application to develop either parcel, the property owner must:
i. Return one copy of the recorded final plat to the Albany Planning Division; and
ii. Provide the Building Division with a copy of Linn County’s Tax Assessor paperwork that assigns the new map and tax lot identification numbers to each new parcel.

**Engineering**
The City of Albany’s infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All information provided represents the current information we have in a readily available format. While the information we provide is generally believed to be accurate, occasionally this information proves to be incorrect, and thus we do not warrant its accuracy. Prior to making any property purchases or other investments based, in full or in part, on the information provided, we specifically advise that you independently field verify the information contained within our records.

**Building**

**ONE- & TWO-FAMILY STRUCTURE FIRE DEPARTMENT APPROACH & WATER SUPPLY**
Should the fire official determine that an inadequate fire apparatus approach and/or inadequate access to water supply condition exists for one or more parcels of your proposed partition, the building official shall require the installation of an NFPA Standard 13D fire suppression system to address the inadequacies pertaining to structures built on affected parcel(s) in lieu of you having to provide adequate fire apparatus approach (turn-around) and water supply (hydrant). This is in conformance to the standards set forth in OAR 918-480-0125, the Uniform Alternate Construction Standard for One and Two-Family Dwellings.

**SANITARY SYSTEM**
Each lot will need to be provided with a connection to an approved sewer (OPSC 721.0) and water system (OPSC 601.2).

**FIRE SEPARATION**
Each structure will need to be provided with fire separation from the property line in compliance with ORSC R302.1 or OSSC 602.1.
TENTATIVE PARTITION MAP

DUSTIN HANSLOVAN
2706 SQUIRE STREET
ALBANY, OREGON

Parcel A
- ZONING: RS-10
- LAND USE: RESIDENTIAL
- AREA: 7,000 SF / .16 ACRES

Parcel B
- ZONING: RS-10
- LAND USE: UNIMPROVED
- AREA: 17,000 SF / .39 ACRES

NOTE: BUILDING FOOTPRINTS DRAWN BY SUPERIMPOSING AN AERIAL PHOTO. LOCATIONS ARE APPROXIMATE.

LEGEND
(E) EXISTING
(P) PROPOSED
SF SQUARE FEET
SS SANITARY SEWER
W WATER

SUBJECT PROPERTY
ADDRESS: 2706 SQUIRE STREET NW
OWNER: DUSTIN HANSLOVAN
ASSESSORS MAP: 10S-04W-25CC
TAX LOT: 2100
ZONING: RS-10
LAND USE: RESIDENTIAL
AREA: .55 ACRES

PROPERTY INFORMATION