



NOTICE of FILING

LAND USE REQUEST AFFECTING THIS AREA

There is a development proposal for the property listed in this notice and shown on the attached map. The City is seeking input from neighbors on the proposal. If you have questions or comments about the proposal, contact the case manager.

Esta carta es un aviso sobre una propuesta de desarrollo para la propiedad enumerada y que se muestra en el mapa adjunto. La ciudad está buscando la opinión de los vecinos sobre la propuesta. Si tiene preguntas o comentarios sobre la propuesta, póngase en contacto con nosotros al 503-588-6213.

CASE NUMBER:	Validation of Units of Land Case No. VUL24-01
PROPERTY LOCATION:	2826 Evergreen Ave NE, Salem OR 97301
NOTICE MAILING DATE:	April 24, 2024
PROPOSAL SUMMARY:	A validation of unit of land for property unlawfully established.
COMMENT PERIOD:	All written comments must be submitted to City Staff no later than <u>5:00 p.m., Wednesday, May 8, 2024</u>. Please direct any questions and/or comments to the Case Manager listed below. Comments received after the close of the comment period will not be considered. Note: Comments submitted are <u>public record</u>. This includes any personal information provided in your comment such as name, email, physical address and phone number.
CASE MANAGER:	Peter Domine, Planner II , City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Telephone: 503-540-2311; E-mail: pdomine@cityofsalem.net
NEIGHBORHOOD ASSOCIATION:	<i>Neighborhood associations are volunteer organizations of neighbors coming together to make neighborhoods the best they can be. They receive notice of land use applications within their boundaries, and they often submit comments on the applications to the City. Neighborhood association meetings are open to everyone. Contact your neighborhood association to get involved:</i> North Lancaster Neighborhood Association (NOLA), Dennis Will, Land Use Chair; Phone 503-931-2105; Email: elephant2@comcast.net .
ACCESS:	The Americans with Disabilities Act (ADA) accommodations will be provided on request.
CRITERIA TO BE CONSIDERED:	Salem Revised Code (SRC) Chapter 205.060(d) – Validation of Unit of Land Salem Revised Code (SRC) is available to view at this link: http://bit.ly/salemorcode . Type in the chapter number(s) listed above to view the applicable criteria.

PROPERTY OWNER(S):	Marco Carvajal
APPLICANT(S):	Nicholas Rhoten
PROPOSAL REQUEST:	A validation of unit of land for property unlawfully established in 1996 by conveyance of deed without land use approval. The subject property is 0.29 acres in size, zoned RS (Single Family Residential) and located at 2826 Evergreen Avenue NE (Marion County Assessor's Map and Tax Lot Number 073W13CA / 7300).
APPLICATION PROCESS:	<p>Following the close of the Public Comment Period, a decision will be issued and mailed to the applicant, property owner, affected neighborhood association, anyone who submitted written comments, and anyone who received notice of the land use request.</p> <p>Failure to raise an issue in writing prior to the close of the Public Comment Period with sufficient specificity to provide the opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals (LUBA) on this issue. A similar failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.</p>
MORE INFORMATION:	All documents and evidence submitted by the applicant are available on the City's online Permit Application Center at https://permits.cityofsalem.net . You can use the search function without registering and enter the permit number listed here: 24 107197. Paper copies can be obtained for a reasonable cost.

PLEASE PROMPTLY FORWARD A COPY OF THIS NOTICE TO ANY OTHER OWNER, TENANT OR LESSEE

For more information about Planning in Salem:

<http://www.cityofsalem.net/planning>

It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, as provided by Salem Revised Code Chapter 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, and related statutes and regulations, in all programs and activities. Disability-related modification or accommodation, including auxiliary aids or services, in order to participate in this meeting or event, are available upon request. Sign language and interpreters for languages other than English are also available upon request. To request such an accommodation or interpretation, contact the Community Development Department at 503-588-6173 at least three business days before this meeting or event.

TTD/TTY telephone 503-588-6439 is also available 24/7

REQUEST FOR COMMENTS

Si necesita ayuda para comprender esta información, por favor llame 503-588-6173

REGARDING: Validation of Units of Land Case No. VUL24-01

PROJECT ADDRESS: 2826 Evergreen Ave NE, Salem OR 97301

AMANDA Application No.: 24-107197-PLN

COMMENT PERIOD ENDS: Wednesday, May 8, 2024, at 5:00 p.m.

SUMMARY: A validation of unit of land for property unlawfully established.

REQUEST: A validation of unit of land for property unlawfully established in 1996 by conveyance of deed without land use approval. The subject property is 0.29 acres in size, zoned RS (Single Family Residential) and located at 2826 Evergreen Avenue NE (Marion County Assessor's Map and Tax Lot Number 073W13CA / 7300).

The Planning Division is interested in hearing from you about the attached proposal. Staff will prepare a Decision that includes consideration of comments received during this comment period. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents. The complete case file, including all materials submitted by the applicant and any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports, are available upon request.

Comments received by 5:00 p.m., Wednesday, May 8, 2024, will be considered in the decision process. Comments received after this date will be not considered. *Comments submitted are public record. This includes any personal information provided in your comment such as name, email, physical address and phone number. Mailed comments can take up to 7 calendar days to arrive at our office. To ensure that your comments are received by the deadline, we recommend that you e-mail your comments to the Case Manager listed below.*

CASE MANAGER: Peter Domine, Planner II, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 503-540-2311; E-Mail: pdomine@cityofsalem.net.

For information about Planning in Salem, please visit: <http://www.cityofsalem.net/planning>

PLEASE CHECK THE FOLLOWING THAT APPLY:

- 1. I have reviewed the proposal and have no objections to it.
- 2. I have reviewed the proposal and have the following comments: _____

Name/Agency: _____

Address: _____

Phone: _____

Email: _____

Date: _____

IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM

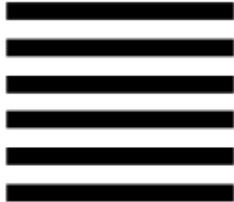


NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

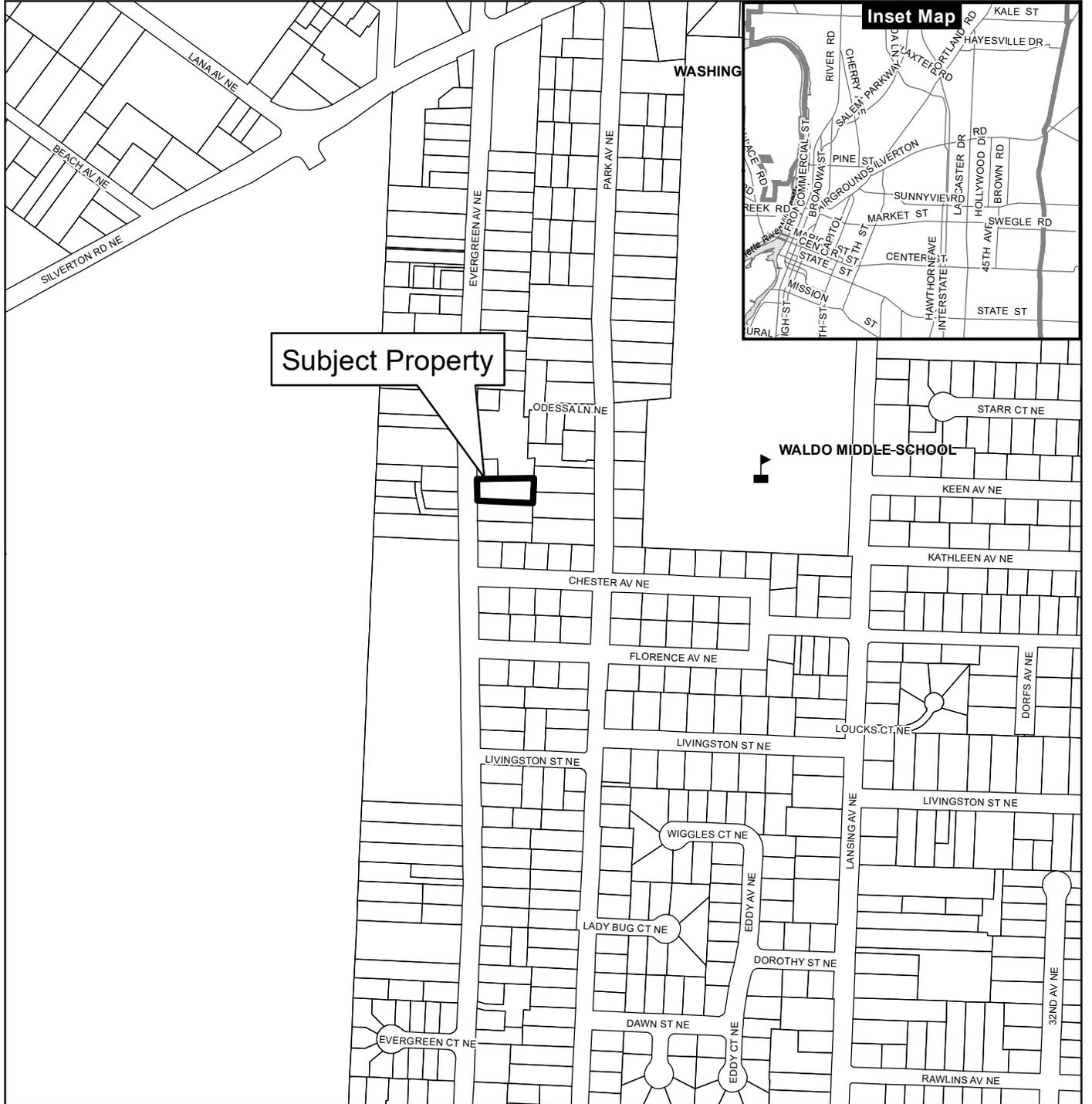
BUSINESS REPLY MAIL
FIRST-CLASS MAIL PERMIT NO. 1508 SALEM, OR

POSTAGE WILL BE PAID BY ADDRESSEE

PLANNING DIVISION
CITY OF SALEM RM 305
555 LIBERTY ST SE
SALEM OR 97301-9907



Vicinity Map 2826 Evergreen Ave NE



Legend

- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools
- Parks



0 100 200 400 Feet

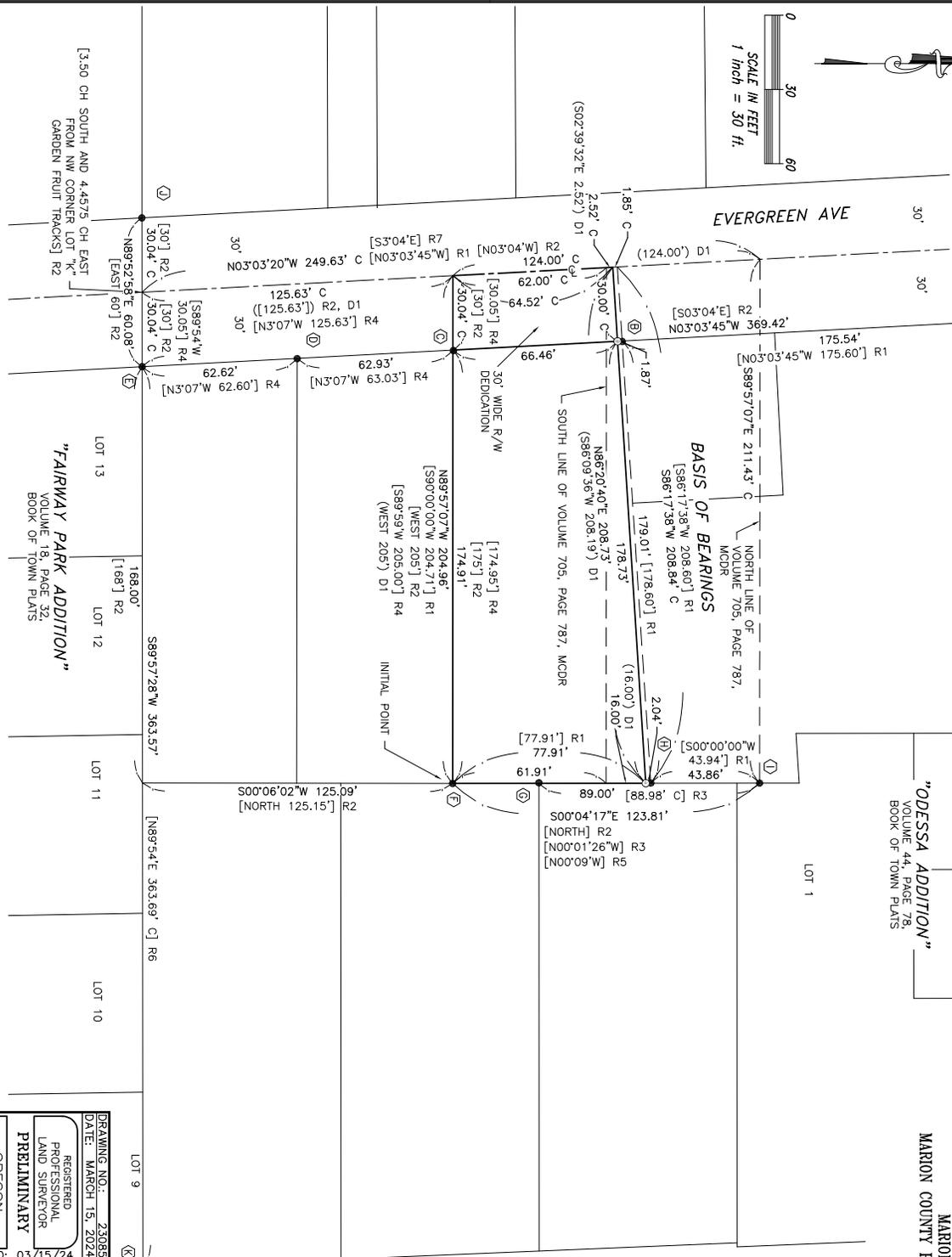


This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

PARTITION PLAT NO. _____

LOCATED IN THE
SOUTHWEST QUARTER OF SECTION 13,
TOWNSHIP 7 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN,
MARION COUNTY, OREGON
MARION COUNTY PLANNING CASE NO. 24-_____

"ODESSA ADDITION"
VOLUME 44, PAGE 78
BOOK OF TOWN PLATS



NARRATIVE

See Page 2.

MONUMENT DESCRIPTIONS

- Ⓐ 5/8" IR, DOWN 0.6', SET IN R1
- Ⓑ 5/8" IR WITH YPC MARKED "ANDREWS RPLS 1626", DOWN 0.2', 0.17' N86°17'13"E OF LINE, SET IN R1
- Ⓒ BENT 3/4" IP, DOWN 0.5' UNDER SIDEWALK, 0.26' N48°10'32"E OF R/W, SET IN R2
- Ⓓ BENT 3/4" IP, DOWN 0.6' UNDER SIDEWALK, SET IN R4
- Ⓔ 1" IP, DOWN 0.5', SET IN R8
- Ⓕ 3/4" IP WITH PINCHED TOP, DOWN 0.1', SET IN R2
- Ⓖ 5/8" IR, DOWN 1.4' IN CONCRETE FOOTING, SET IN R1
- Ⓗ 5/8" IR WITH YPC MARKED "LANDMARKERS LS 1831", DOWN 0.3', SET IN R3
- Ⓙ 3/4" IP, DOWN 0.1', SET IN R7
- Ⓚ 3/4" IP, DOWN 0.3', SET IN R6

SURVEY AND DEED REFERENCES

- R1 Indicates record information from MCSR 34807.
- R2 Indicates record information from MCSR 10280.
- R3 Indicates record information from MCSR 35003.
- R4 Indicates record information from MCSR 18428.
- R5 Indicates record information from MCSR 15530.
- R6 Indicates record information from "FAIRWAY PARKS ADDITION" as recorded in Vol. 18, Pg. 32, BOFP.
- R7 Indicates record information from MCSR 8584.
- R8 Indicates record information from MCSR 8871.
- D1 Indicates record information from Reel 4612.
- D2 DEDICATION.

NOTES

1. All monuments found were erect, in good condition and useable and flush with the ground unless otherwise noted.
2. MCDR - Marion County Dead Records
3. MCSR - Marion County Survey Records
4. BOFP - Book of Town Plats
5. Vol. - Volume
6. Pg. - Page
7. CH - Chain = 66.00 feet

DRAWING NO.: 23085	PREPARED FOR AND AT THE REQUEST OF MARCO GARCIA	JOB NO.: 23-085
DATE: MARCH 15, 2024	REGISTERED PROFESSIONAL LAND SURVEYOR PRELIMINARY	SCALE: 1"=30'
EXPIRES: 12/31/24	REGISTERED PROFESSIONAL LAND SURVEYOR TROY E. PETERSEN 61408	DRAWN BY: JEP
		CHECKED BY: JEP
		GENERAL LEGEND:
		IP=IRON PIPE
		YPC=YELLOW PLASTIC CAP
		C-C=CALCULATED
		(-)=DEED RECORD
		[]=SURVEY RECORD
		○=MONUMENT FOUND
		○ 5/8"X30" IR SET WITH YPC MARKED "PETERSEN PLS 61408"

"This map does not guarantee that any particular use may be made of the property illustrated herein. Parties should check with the City or County planning department to verify approved uses."