

Received
Planning Division
04/11/2024



CITY OF BEAVERTON

Community Development
Department
Planning Division
12725 SW Millikan Way
PO Box 4755
Beaverton, OR. 97076
Tel: (503) 526-2420
Fax: (503) 526-2550
BeavertonOregon.gov

OFFICE USE ONLY

FILE #: _____
FILE NAME: _____
TYPE: _____ RECEIVED BY: _____
FEE PAID: _____ CHECK/CASH: _____
SUBMITTED: _____ LWI DESIG: _____
LAND USE DESIG: _____ NAC: _____

**PROPERTY LINE ADJUSTMENT / REPLAT FOR LOT CONSOLIDATION /
LEGAL LOT DETERMINATION APPLICATION**

APPLICANT/ CONTACT PERSON:

Check box if Primary Contact

COMPANY: Isenhart Consulting, LLC

ADDRESS: P.O. Box 2364

CITY, STATE, ZIP Beaverton, OR 97075

PHONE: 503-880-4979 FAX: _____ E-MAIL danelle@isenhartconsulting.com

SIGNATURE: Danelle Isenhart CONTACT: Danelle Isenhart

(Original Signature Required)

PROPERTY OWNER(S): Attach separate sheet if more than 2 legal property owners

LOT 1 Property Owner

Check box if Primary Contact

NAME/ COMPANY: Kim-Hien Nguyen

ADDRESS: 15 Duberstein Drive

CITY, STATE, ZIP San Ramon, CA 94583

PHONE: 408-893-6906 FAX: _____ E-MAIL: kimhienr@gmail.com

SIGNATURE: Kim-Hien Nguyen CONTACT: Kim-Hien Nguyen

(Original Signature Required)

~~LOT 2~~ **Property Owner**

Check box if Primary Contact

NAME/ COMPANY: Long Ha

ADDRESS: 15 Duberstein Drive

CITY, STATE, ZIP San Ramon, CA 94583

PHONE: 408-219-1912 FAX: _____ E-MAIL: _____

SIGNATURE: Long Ha CONTACT: Long Ha

Note: A land use application must be signed by the property owner(s) or by someone authorized by the property owner(s) to act as an agent on their behalf. If someone is signing as the agent of the property owner(s), that person must submit a written statement signed by the property owner(s), authorizing the person to sign the application.

PROPERTY INFORMATION (REQUIRED)

EXISTING USE OF SITE: Single-family dwelling PRE-APPLICATION DATE (if applicable) : 8/17/22

REASON FOR ADJUSTMENT: Legal Lot Determination in conjunction with preliminary partition application

LOT 1 INFORMATION:

SITE ADDRESS: 4975 SW 139th Avenue

ASSESSOR'S MAP & TAX LOT # 1S1 16CA 03000 LOT SIZE 0.35 acres ZONING DISTRICT RMC

LOT 2 INFORMATION:

SITE ADDRESS: N/A

ASSESSOR'S MAP & TAX LOT # _____ LOT SIZE _____ ZONING DISTRICT _____



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ADDRESS: P.O. Box 2364
CITY, STATE, ZIP Beaverton, OR 97075
PHONE: 503-880-4979 FAX: E-MAIL danelle@isenhartconsulting.com
SIGNATURE: CONTACT: Danelle Isenhart
(Original Signature Required)

PROPERTY OWNER(S): Attach separate sheet if more than 2 legal property owners
LOT 1 Property Owner
NAME/ COMPANY: Minh-Thy Ha
ADDRESS: 15 Duberstein Drive
CITY, STATE, ZIP San Ramon, CA 94583
PHONE: 925-640-5430 FAX: E-MAIL:
SIGNATURE: Minh-Thy Ha CONTACT: Minh-Thy Ha
(Original Signature Required)

LOT 2 Property Owner
NAME/ COMPANY:
ADDRESS:
CITY, STATE, ZIP
PHONE: FAX: E-MAIL:
SIGNATURE: CONTACT:

Note: A land use application must be signed by the property owner(s) or by someone authorized by the property owner(s) to act as an agent on their behalf. If someone is signing as the agent of the property owner(s), that person must submit a written statement signed by the property owner(s), authorizing the person to sign the application.

PROPERTY INFORMATION (REQUIRED)

EXISTING USE OF SITE: Single-family dwelling PRE-APPLICATION DATE (if applicable) : 8/17/22
REASON FOR ADJUSTMENT: Legal Lot Determination in conjunction with preliminary partition application

Table with 3 columns: ASSESSOR'S MAP & TAX LOT #, LOT SIZE, ZONING DISTRICT. Row 1: 1S1 16CA 03000, 0.35 acres, RMC

Table with 3 columns: ASSESSOR'S MAP & TAX LOT #, LOT SIZE, ZONING DISTRICT. Row 1: N/A, N/A, N/A

PROPERTY LINE ADJUSTMENT, REPLAT FOR LOT CONSOLIDATION, AND LEGAL LOT DETERMINATION- SUBMITTAL CHECKLIST

WRITTEN STATEMENT REQUIREMENTS

- A. APPLICATION FORM.** Provide **one (1) completed** application form with original signature(s).
- B. CHECKLIST.** Provide **one (1) completed** copy of this two (2) page checklist.
- C. WRITTEN STATEMENT.** Submit **three (3) copies** of a detailed description of the proposed lot line adjustment, and the reason for the adjustment. In the written statement, please also address the following:
 - Address all applicable provisions of Chapter 20 (Land Uses) including but not limited to minimum land area, minimum lot dimensions, and minimum yard setbacks.
 - Provide individual findings specifically addressing how and why the proposal satisfies each of the approval criteria in Section 40.45 for Property Line Adjustment and Replat and Section 40.41 for Legal Lot Determination of the Development Code (ORD 2050) which is attached.

D. FEES, as established by the City Council. Make checks payable to the *City of Beaverton*.

E. ADJUSTMENT ANALYSIS INFORMATION:

N/A

Lot Information*	Lot Area	Lot Width	Lot Depth
Code-required minimum	sq. ft.	ft.	ft.
Existing Lot 1	sq. ft.	ft.	ft.
Proposed Lot 1	sq. ft.	ft.	ft.
Existing Lot 2	sq. ft.	ft.	ft.
Proposed Lot 2	sq. ft.	ft.	ft.

*If more than two lots are involved, please attach a separate sheet specifying the information in the above table for all lots involved in the lot line adjustment

F. CLEAN WATER SERVICES (CWS) DOCUMENTATION. Pursuant to Section 50.25.1.F of the *Development Code* requires that all development proposals provide written documentation from Clean Water Services (formerly Unified Sewerage Agency) stating that water quality will not be adversely affected by the subject proposal. Therefore, the City recommends that you contact Clean Water Services in order to obtain the required documentation. For more information, please contact Amber Wierck, Environmental Plan Review Project Manager, at (503) 681-3653 or WierckA@CleanWaterServices.org

PLANS & GRAPHIC REQUIREMENTS

All plans, except architectural elevations, shall be presented at a minimum of 1" = 20' engineering scale and on a maximum sheet size of 24" x 36". **A total of three (3) copies of each plan shall be submitted unless otherwise noted. All plans shall be folded to fit a legal size file jacket.**

Each of the following plans and drawings shall be submitted on **separate sheets**. If the size of the project requires the use of match line sets, each set of match line sets must include a sheet (at a scale to fit a 24" x 36" sheet) depicting the entire site, including match lines, as a cover sheet.

Include all of the following information:

- A. PROPERTY LINE ADJUSTMENT:** Submit **three (3) copies** of a to-scale property line adjustment plan for the properties involved. The plan shall contain the following minimum information:
 - north arrow, date and scale of plan
 - vicinity map
 - location and dimensions of abutting existing streets and public rights-of-way including measurement from centerline to edge of existing streets or public rights-of-ways
 - existing property lines, sizes, and dimensions
 - proposed property lines, sizes, and dimensions
 - setbacks
 - existing buildings and structures
 - parking
 - driveways
 - landscaped areas
 - existing and approved vehicular, pedestrian, and bicycle connections
 - existing public and private easements and utilities located on or abutting the affected properties
 - location of 100-year floodplain, if applicable

- B. REPLAT for LOT CONSOLIDATION or LEGAL LOT DETERMINATION:** Submit **three (3) copies** of a to-scale lot consolidation plan for the properties involved. The plan shall contain the following minimum information:
 - existing property lines, sizes, and dimensions
 - proposed property lines, sizes, and dimensions
 - existing public and private easements and utilities located on or abutting the affected properties
 - location of 100-year floodplain, if applicable

Please Note: In addition to information listed above, a Deed History and Title Report may be requested of the applicant if the staff is unable to determine whether the subject lot is a "Lot of Record" (please see Chapter 90 definitions of the *Development Code*).

I have provided all the items required by this two (2) page submittal checklist. I understand that any missing information, omissions, or both may result in the application being deemed incomplete, which may lengthen the time required to process the application.

Danelle Isenhardt

Print Name

Danelle Isenhardt

Signature

503-880-4979

Telephone Number

2/15/23

Date

PROPERTY LINE ADJUSTMENT APPROVAL CRITERIA

Pursuant to section 50.25.1.b of the *development code*, a written statement addressing the approval criteria for an application must be submitted in order for an application to be deemed complete. Statements such as “not applicable” or “the proposal will comply with applicable development regulations” are not satisfactory. The written statement must address each criterion and must specify in detail how each will be complied with.

An applicant for a Property Line Adjustment shall address compliance with all of the following Approval Criteria as specified in Section 40.45.15.1.C.1-11 of the *Development Code*:

- 1. The application satisfies the threshold requirements for a Property Line Adjustment.
- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
- 3. The Property Line Adjustment does not conflict with any existing City land use approval, public easement, or previous conditions of approval applied to the subject property.
- 4. An additional lot or parcel is not created.
- 5. The Property Line Adjustment is consistent with all applicable provisions of Chapter 20 (Land Use) unless the applicable provisions are modified by means of one or more applications which shall be already approved or considered concurrently with the Property Line Adjustment.
- 6. The proposal is consistent with all applicable provisions of Chapter 60 (Special Regulations of the *Development Code*.)
- 7. All critical facilities and services have, or can be improved to have, adequate capacity to serve the reconfigured lots.
- 8. The proposal will not eliminate pedestrian or vehicle access to the affected properties.
- 9. The proposal does not create a parcel that will have more than one (1) zoning designation.
- 10. The application contains all required submittal materials as specified in Section 50.25.1 of the *Development Code*.
- 11. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.

REPLAT FOR LOT CONSOLIDATION APPROVAL CRITERIA

Pursuant to section 50.25.1.b of the *Development Code*, a written statement addressing the approval criteria for an application must be submitted in order for an application to be deemed complete. Statements such as “not applicable” or “the proposal will comply with applicable development regulations” are not satisfactory. The written statement must address each criterion and must specify in detail how each will be complied with.

An applicant for a Property Line Adjustment shall address compliance with all of the following Approval Criteria as specified in 40.45.15.2.C.1-10 of the *Development Code*:

- 1. The application satisfies the threshold requirements for a replat
- 2. All City application fees related to the application under consideration by the decision-making authority have been submitted.
- 3. The proposed replat does not conflict with any existing City approval except that the City may modify prior approvals through the replat process to comply with current Code standards and requirements.
- 4. Oversized lots or parcels (“oversized lots”) resulting from the replat shall have a size and shape that facilitates the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the *Development Code*. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed lots and future potential development on oversized lots
- 5. Applications that apply the lot area averaging standards of Section 20.05.50.1.B of the *Development Code* shall demonstrate that the resulting land division facilitates the following:
 - a. Preserves a designated Historic Resource or Significant Natural Resource (Tree, Grove, Riparian Area, Wetland, or similar resource); or
 - b. Complies with minimum density requirements of this code, provides appropriate lot size transitions adjacent to differently zoned properties, minimizes grading impacts on adjacent properties and where a street is proposed, provides a standard street cross section with sidewalks.
- 6. Applications that apply the lot area averaging standards of Section 20.05.50.1.B of the *Development Code* shall not require further adjustment or variance for the Land Division.
- 7. If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provides for necessary public improvements for each phase as the project develops.
- 8. The proposal will not eliminate pedestrian or vehicle access to the affected properties.
- 9. The proposal does not create a parcel or lot that will have more than one (1) zoning designation.
- 10. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.
- 11. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.



LEGAL LOT DETERMINATION APPROVAL CRITERIA

Pursuant to section 50.25.1.b of the development code, a written statement addressing the approval criteria for an application must be submitted in order for an application to be deemed complete. Statements such as “not applicable” or “the proposal will comply with applicable development regulations” are not satisfactory. The written statement must address each criterion and must specify in detail how each will be complied with.

An applicant for a Property Line Adjustment shall address compliance with all of the following Approval Criteria as specified in Section 40.47.15.1.C 1-5 of the *Development Code*:

- 1. The application satisfies the threshold requirements for a Legal Lot Determination.
- 2. All City application fees related to the application under consideration by the decision-making authority have been submitted.
- 3. The unit of land conforms to the lot area and dimensional standards of Chapter 20 (Land Use.) Except where a unit of land was created by sale prior to January 1, 2007 and was not lawfully established, the Director may deem the unit of land a Legal Lot upon finding:
 - a. The unit of land could have complied with the applicable criteria for creation of a lawful parcel or lot in effect when the unit of land was sold; or
 - b. The City, or County prior to annexation, approved a permit as defined in ORS 215.402 or 227.402 for the construction or placement of a dwelling or other structure on the unit of land after the sale and such dwelling has all of the features listed in ORS 215.755(1)(a)-(e).
- 4. The application contains all applicable submittal materials as specified in Section 50.25.1 of the *Development Code*.
- 5. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.