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To provide oral comments via electronic means, please contact the City Recorder's Office no later than 2:00 p.m. on the day of the meeting. Most regular City Council meetings are streamed live through www.KeizerTV.com and cable-cast on Comcast Channel 23 within the Keizer City limits.



KEIZER PLANNING COMMISSION

Wednesday, September 10, 2025, 6:00 PM

Robert L. Simon Council Chambers

930 Chemawa Road NE

Keizer, Oregon

1. CALL TO ORDER

2. APPROVAL OF MINUTES

a. June 2025

3. APPEARANCE OF INTERESTED PERSONS

This time is made available for those who wish to speak about an issue that is not on the agenda.

4. PUBLIC HEARING:

a. Minor Variance Case 2025-11: 6955 Fir Grove Lane

5. NEW-OLD BUSINESS/STAFF REPORT

6. COUNCIL REPRESENTATIVE REPORT

7. COMMISSIONER REPORTING TO COUNCIL: JEREMY GRENZ ON OCTOBER 6TH - 6PM

8. NEXT MEETING: OCTOBER 8TH

9. ADJOURNMENT

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."



MINUTES
KEIZER PLANNING COMMISSION
Wednesday, June 11, 2025
Robert L. Simon Council Chambers
930 Chemawa Road NE
Keizer, Oregon

1. CALL TO ORDER **CALL TO ORDER:** Chair Matt Lawyer called the meeting to order at 6:00 pm.

Present:
Matt Lawyer, Chair
Lindsey King
Fernando Lopez
Robb Witters

Council Liaison Present:
Councilor Juran

Youth Liaison Present:
Open Position

Absent:
Sara Hutches
Jeremy Grenz, Vice Chair
Frank Hostler

Staff Present:
Shane Witham, Planning Director
Dina Horner, Assistant Planner
Joseph Lindsay, City Attorney
Dawn Wilson, Deputy City Recorder

2. APPROVAL OF MINUTES

a. May 2025 Commissioner Robb Witters moved for approval of the May 2025 Minutes as presented. Commissioner Lindsey King seconded. Motion passed unanimously as follows: Lawyer, King, Witters, and Lopez in favor with Hutches, Grenz, and Hostler absent.

3. APPEARANCE OF INTERESTED PERSONS

Caleb Folsom, Gervais, builder and developer in Keizer, requested a change to the Development Code and provided two examples of proposed plans for the same property. One plan would be a plex development and the other would be a cottage cluster. The plex development meets the current code. The cottage cluster would require a minimum of reducing the space in between buildings from 10 feet to 6 feet.

Commissioner King shared that she loves cottage clusters because they provide a small sense of communities without having to follow the apartment or quad-plex design.

Planning Director Shane Witham commented that the plan pictures were

concepts. Mr. Witham shared that Mr. Folsom's proposals haven't gone through the development process, would need to be partitioned, and request a variance, that the cottage cluster might be possible.

Mr. Witham commented that plexes were allowed anywhere, but he wasn't certain about the size of the footprint versus the size of the plexes.

Mr. Folsom's felt that a more direct approach would be to amend the Development Code. He would like to have the eight-unit cottage cluster and space in between the building requirements changed. He understood that he would still need to partition.

Discussion ensued on the density. Mr. Folsom felt that applying for a variance would be a risk because it may not be approved. He clarified that he was requesting changes for future projects.

The Commission shared that additional conversation would be needed before the Commission could make a recommendation.

4. PUBLIC HEARING:

There was no public hearing.

5. NEW-OLD BUSINESS/STAFF REPORT

a. Discussion on Walkable Design Standards (OAR 660-012-0330): Draft Code Language

Planning Director Shane Witham introduced the City's Consultant, Andrew Parish with MIG, presented the Walkable Design Standards. The City received funding for help by a consultant team to look at the Development Code for Walkable Design Standards to meet the State's requirements. He asked for a general feel or guidance from the Planning Commission on the proposed amendments.

Mr. Parish shared that he would be covering code recommendations, types of code amendments, applicability with regards to maximum setbacks, zoning designations and recommendations with residential zones and setbacks, and mixed use and commercial zone designations.

Mr. Witham commented that there would be a lot more to discuss and encouraged the Commissioners to consider the drive-thrus and various scenarios.

Mr. Parish talked about other recommendations for street standards, new prohibitions with new cul-de-sacs, off-street parking and loading, and land divisions with updated block length and perimeter requirements, and standards for single-family and middle housing driveways for new development.

Chair Lawyer asked about how parking would work for recreational vehicle (RV) parking. Mr. Witham shared that the driveway approach would be the regulatory element, which would allow for parking on the side of private property.

Chair Lawyer asked about any adverse impact to the storm water run off. Mr. Parish commented that depending upon the slope of a driveway that storm water could drain onto private property instead of the going into the storm drain.

Commissioner Wittters asked about the reasoning for cul-de-sacs not being allowed. He shared that they were useful to slow-down traffic. Mr. Witham commented that the issues with the standards was no connectivity, so additional driving, biking, and walking to get to other locations was needed. Mr. Parish commented that the infill situation was a lot more site-specific.

Mr. Witham pointed out that the parking lot rules was a missing piece from the last Planning Commission meeting.

Mr. Parish shared on development standards and variances for street standards that would require a low-level review for connectivity.

Mr. Witham highlighted page 75 of the packet on drive-thru's for the Commissioners to consider and provide feedback. He asked if the Commission felt that this type of language was helpful.

Chair Lawyer simplified the language by stating that there would be three facilities: a walk-in bike facility, drive-thru only, and walk-up service. Councilor Juran asked about current drive-thru facilities and how they would make future changes with the new Code.

Mr. Parish suggest including a provision that if the drive-thru was out of business for a period of time that the provision wouldn't be grandfathered in and would need to meet new rules through an application.

Mr. Witham commented that Commissioner Wittters was correct regarding unintentional consequences by needing to justify changes to be consistent with State law and to right-size them as much as possible for this community.

Mr. Witham believes he heard the Commission say that they don't want to impact existing businesses, but they would be okay with holding new businesses to some standards.

Commissioner King commented about existing businesses when there's a new owner and they have a substantial improvement, that it would trigger a new standard, so there would be discretionary situations.

Commissioner King asked about the average number of annually permitted drive-ways. Mr. Witham commented that most of the drive-thrus were at Keizer Station, and the discussion was about new drive-thrus on River Road. Mr. Witham shared that if Keizer Station were excluded, most of the impact would be on River Road when a building met its life or there was a change of ownership.

Mr. Parish commented on how parking could be freed up for businesses.

Mr. Witham commented that from what he was hearing from the Commissioners, he could drill-down on when, how, and where the new standards would apply by looking at the pre-existing non-conforming use section and the Cherry-River Overlay District that already have some sideboards for consistency.

Mr. Witham shared that there was a virtual Open House invitation on Scenario Planning with information and a survey.

It was noted that there was a lot of time before the changes needed to be adopted.

Chair Lawyer commented that he liked Mr. Folsom's concept and when reflecting back on the historical context, the Planning Commission felt good about including the minimum in the Code. Mr. Witham commented that if Mr. Folsom's proposed fewer units, his development could happen. Mr. Witham asked the Commission what type of options they would want to consider.

Mr. Folsom shared about a previous development that he dropped the number of units to 12, which didn't change the spacing.

City Attorney Joseph Lindsay commented on a possible quasi-judicial or legislative process. He suggested that adjustments could be made and asked the Commissioners to consider adjustment factors if they wanted to make changes to the Development Code.

Chair Lawyer expressed appreciation to Mr. Folsom for bringing forward his work and request and wanted to honor the previous Planning Commission work with the Development Code. Mr. Lawyer encouraged Mr. Folsom to talk with the planning staff if he wanted to move forward with his development.

Commissioner Lopez commented that because of the previous work done on the Development Code, he didn't feel that Code amendments were needed.

Commissioner Witters shared that Mr. Folsom had a couple of options, so he felt that the Code amendments didn't need to be made. He shared that he

would consider text amendments if they came before the Commission. He noted that if there was a variance, notice would go to the property owners so they would know about the development and past practice showed that the community wants to know in advance about possible developments. Mr. Lopez added that going through the Development Code process would involve the people of the community.

Commissioner King was willing to entertain Code amendments if Mr. Folsom applied for a variance or something like that for the cottage clusters.

Mr. Lindsay commented that if this goes to a quasi-judicial hearing that this meeting could be part of the record.

6. COUNCIL REPRESENTATIVE REPORT Councilor Juran shared that the Council approved the budget and that \$6,300 was raised for the Gold Star Memorial at the fundraising event.

7. COMMISSIONER REPORTING TO COUNCIL: Lindsey King on July 7th - 6pm
Lindsey King would report to Council on July 7th at 6pm.

8. NEXT MEETING: July 9th
The consensus of the Planning Commission was to cancel the July 9th meeting.

9. ADJOURNMENT Meeting adjourned: 8:09 p.m.

Minutes approved: _____

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”



To: Planning Commission
From: Shane Witham, Planning Director
Subject: Minor Variance Request: Accessory Structure Size of 720 sqft.

Proposed Motion

I move the Planning Commission to direct staff to prepare an Order approving Minor Variance Case 2025-11 as outlined in the staff recommendation, along with any identified changes.

or

I move the Planning Commission to direct staff to prepare an Order denying Minor Variance Case 2025-11, and prepare findings (as identified by the Planning Commission) as to how the request does not comply with the relevant review criteria.

I. Summary

The applicant is requesting Minor Variance approval to allow a 720 square foot accessory structure to be built on their property located at 6955 Fir Grove Lane NE, where the Keizer Code only allows 600 square feet in area.

II. Background

- A. An application was received by the planning department requesting approval of a Minor Variance to allow for the construction of a 720 square foot accessory structure, where the Keizer Code allows a maximum size of 600 square feet in area.
- B. Variance requests are heard by the Planning Commission, which has final decision-making authority for approval or denial.
- C. The staff recommendation includes recommended findings and conditions, and is attached for Planning Commission's consideration. The staff recommendation supports approval of the variance request.

III. Current Situation

The property owner wishes to construct an accessory building larger than what the Keizer Code allows. Therefore, a variance has been requested. Staff has processed the application as outlined in the Keizer Code. The staff report provides relevant details and systematically addresses the review criteria for a Minor Variance request, providing findings

on how the proposal complies.

The staff recommendation, along with the applicant's submitted application materials, and the comments received are attached for Planning Commission's consideration.

IV. Analysis

A. **Strategic Impact** - n/a

B. **Financial** - n/a

C. **Timing** - The time and place for the public hearing has been noticed and published as required by the Keizer Code.

D. **Policy/Legal** - The process for a Minor Variance request has been followed as outlined in the Keizer Code.

V. Alternatives

A. Approve the variance request as outlined in the staff recommendation, with any identified changes/modifications and direct staff to prepare an order.

B. Deny the variance request and direct staff to prepare an order and findings demonstrating how the request does not comply with the relevant review criteria.

C. Continue the public hearing to a future date to allow additional testimony or leave the record open for a set timeframe to allow for additional information, and take up the matter at a future meeting.

VI. Recommendation

Staff recommends that Planning Commission approve the variance request as outlined in the staff recommendation with any identified changes, and direct staff to prepare an Order approving the request.

Attachments

1. STAFF RECCOMENDATION -VAR 2025-11 FIR GROVE
2. Variance Application
3. Applicants Written Statement
4. Proposed Site Plan
5. Property Deed
6. COMMENTS KZ PW
7. COMMENTS PD
8. COMMENTS City of Salem Planning
9. COMMENT Anderson

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KEIZER PLANNING DEPARTMENT

STAFF RECOMMENDATION TO PLANNING COMMISSION

Minor Variance Case 2025-11

TO: City of Keizer
Planning Commission

FROM: Dina Horner, Assistant Planner

THROUGH: Shane Witham, Planning Director

SUBJECT: Minor Variance Case No. 2025-11

HEARING: September 10, 2025

DATE: September 3, 2025

I. GENERAL INFORMATION

- A. **APPLICANT/OWNERS:** Maxwell and Emily Scott
- B. **PROPERTY LOCATION:** The subject property is located at 6955 Fir Grove Lane NE, Keizer. The Marion County Tax Assessor's map identifies the property as being located within Township 6 South; Range 3 West; Section 26CB; Tax Lot 08400. (Exhibit 1)
- C. **PARCEL SIZE:** The subject property is approximately 0.58 acres in area.
- D. **EXISTING DEVELOPMENT AND PUBLIC FACILITIES:** The property is developed with an existing single-family dwelling and is served by public water and sewer.
- E. **ZONING:** The subject property is designated LDR (Low Density Residential) in the Comprehensive Plan and is zoned RS (Residential Single Family).
- F. **ADJACENT ZONING AND LAND USES:** The surrounding properties are zoned RS and are developed with single-family dwellings.
- G. **PROPOSAL:** The applicant is requesting approval of a Minor Variance to permit the construction of an accessory structure on a parcel zoned RS. The proposed structure would have an area of 720 square feet, which exceeds the maximum 600 square feet allowed under the Keizer Development Code. (Exhibit 2)
- H. **NOTICE:** Public notice was mailed, published and posted consistent with notice requirements in Keizer Development Code (KDC) Section 3.204.

II. COMMENTS

- A. The Keizer Public Works department, the Keizer Police Department and the City of Salem Planning Department responded they have reviewed the proposal and have no comments.
- B. A notice requesting comments was mailed to property owners within 250 feet of the subject property. One written response was received: an email in support of the application from Christopher and Megan Anderson, residents of 6959 Fir Grove Lane NE, Keizer.

III. FINDINGS

The review criteria for a Minor Variance are contained in Section 3.105.04 of the Keizer Development Code. The criteria and findings are listed below:

- A.
 - 1. *The intent and purpose behind the specific provision sought to be varied is either clearly inapplicable under the circumstances of the particularly proposed development; or,*
 - 2. *The variance requested is consistent with the intent and purpose of the provision being varied; or*
 - 3. *The applicant in good faith is unable to comply with the standard without undue burden which is grossly disproportionate to the burden born by others affected by the specific provisions of the code sought to be varied.*

FINDINGS: The purpose of this provision is to ensure that a variance is granted only when the underlying intent of the code is maintained, or when unique circumstances place an undue burden on the applicant compared to other properties subject to the same standards. The RS zone is intended for single-family residential development and compatible uses. Accessory structures are permitted subject to the standards of KDC Section 2.313. These standards maintain neighborhood character, prevent oversized structures from dominating residential lots, and preserve open space.

The subject property is developed with a single-family dwelling and located in an established neighborhood of similar homes. The parcel is approximately 0.58 acres, 195 feet deep, and regular in shape, with no slopes or natural features restricting development. Section 2.313.01.E limits accessory structures to 600 square feet; the applicant proposes a 720-square-foot structure, representing a 20% increase. The accessory structure will be located in the side yard and must comply with all required setbacks. The applicant has indicated a 16' rear setback. Compliance with all provisions of Section 2.313 will be verified at building permit review. Importantly, the proposed location does not restrict future development potential; sufficient area remains for additional improvements consistent with the RS zone. Given the parcel size and depth, the proposed structure will not dominate the lot or

neighborhood. The KDC allows accessory structures to cover up to 20% of the yard area; this proposal will cover significantly less. Height standards will also ensure compatibility.

As a condition of approval, the accessory structure shall meet, but not exceed, the minimum required setbacks to property lines, as determined by building height under the KDC. This requirement will assure adequate separation and preserve flexibility for future development of the parcel. With these conditions, staff finds the request consistent with the purpose and intent of the code. This criterion is satisfied.

B. The impact of the development due specifically to the varied standards will not unreasonably impact adjacent existing or planned uses and development.

FINDINGS: The proposed accessory structure will be located in the side yard. Although the final height has not been specified, Section 2.313 of the Keizer Development Code prohibits accessory structures from exceeding 24 feet in height or being taller than the existing residence. Compliance will be reviewed and conditioned at the time of building permit review.

At 0.58 acres, the parcel is large compared to typical subdivision lots. The structure will be placed toward the far side of the lot, leaving substantial open area between it and the primary residence. This preserves redevelopment flexibility.

The structure will not create adverse impacts related to fire, life, or safety. As a condition of approval, the building must be located substantially as shown on the applicant's site plan.

The variance request is limited to building size. All other standards—setbacks, aesthetics, height, building separation, and exterior finish—remain applicable and will be reviewed at the time of building permit.

Importantly, one of the adjacent property owners who would be most directly affected by the proposed structure submitted a letter in support of the application. This demonstrates that the variance is not expected to create unreasonable impacts on nearby properties.

Staff concludes the variance will not unreasonably impact adjacent existing or planned uses. This criterion is satisfied.

C. The minor variance does not expand or reduce a quantifiable standard by more than 20 percent and is the minimum necessary to achieve the purpose of the minor variance.

FINDINGS: The KDC limits accessory structures to 600 square feet. A minor variance may not expand or reduce a quantifiable standard by more than 20 percent. A 20 percent increase allows 720 square feet. The applicant proposes a 720-square-foot structure, which is the maximum permissible.

As a condition of approval, the accessory structure shall not exceed 720 square feet in area and shall be constructed substantially as proposed. Compliance will be verified during building permit review.

This request represents exactly a 20% increase, which is the maximum permitted under the minor variance provisions, and is the minimum necessary to meet the applicant's purpose. This criterion is satisfied.

- D. ***There has not been a previous land use action approved on the basis that a minor variance would not be allowed.***

FINDINGS: There are no prior land use actions on this property that would preclude approval of this variance. This criterion is satisfied.

IV. **RECOMMENDATION**

Based on the findings above, staff concludes the applicant's request for a minor variance to increase the maximum permitted size of a residential accessory structure from 600 square feet to 720 square feet satisfies the applicable review criteria in the Keizer Development Code. The structure can be accommodated on the subject property without adverse impacts to adjacent uses or future development potential.

Staff therefore recommends that the Planning Commission approve Minor Variance Case No. 2025-11, subject to the conditions of approval listed below.

V. **CONDITIONS AND REQUIREMENTS**

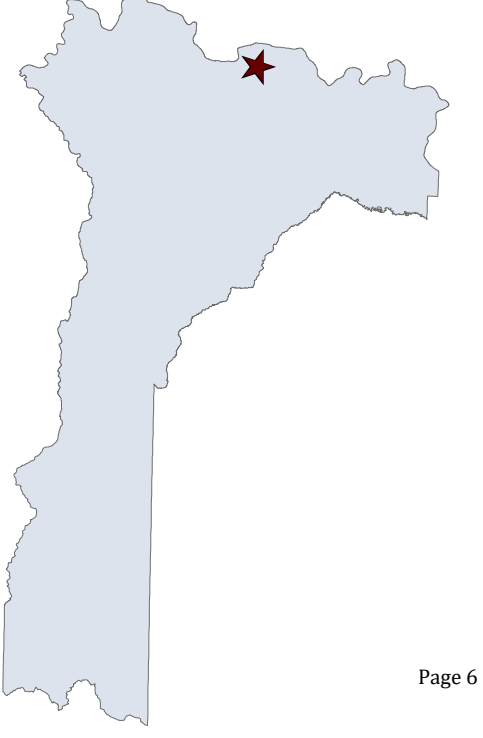
This decision does not include approval of a building permit.

- A. **CONDITIONS:** The following conditions must be met before a building permit can be obtained or must be continually met as a condition of the particular land use:
1. The accessory structure must comply with Section 2.313 of the KDC relating to location, height, building separation, and exterior finish.
 2. The accessory structure shall not exceed 720 square feet in area and shall be constructed substantially as proposed. Compliance shall be verified during building permit review.
 3. The accessory structure shall comply with the setback requirements to property lines, as determined by building height under Section 2.313 of the KDC. This ensures the placement of the structure does not limit future development of the parcel.
 4. The applicant shall comply with the requirements of the Marion County Building Inspection Division and all applicable development standards of the KDC related to construction of an accessory structure.

- B. OTHER PERMITS AND RESTRICTIONS: This approval does not remove or affect any private covenants or restrictions imposed by deed or other instruments. The proposed use may require permits from other local, state, or federal agencies. This decision does not replace or relieve the responsibility for obtaining such permits.

- C. TRANSFER OF VARIANCE: This variance approval shall automatically transfer to any new owner or occupant, subject to all conditions. It is the responsibility of the applicant and property owner to provide notice of this variance and its conditions to future property owners.

EXHIBIT 1



MARION COUNTY, OREGON
 NW1/4 SW1/4 SEC26 T6S R3W W.M.
 SCALE 1" = 100'

LEGEND

- LINE TYPES**
- Taxlot Boundary
 - Road Right-of-Way
 - Railroad Right-of-Way
 - Private Road ROW
 - Subdivision/Plat Bndry
 - Waterline - Taxlot Bndry
 - Waterline - Non Bndry
- CORNER TYPES**
- + 1/6th Section Cor.
 - ⊙ DLC Corner
 - ⊕ 1/4 Section Cor.
 - ⊕ 16 15 Section Corner
 - ⊕ 21 22 Section Corner
- NUMBERS**
- Tax Code Number
 - 00 00 0
- NOTES**
- Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW

CANCELLED NUMBERS

5100
6600
7901

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT www.marion.or.us

PLOT DATE: 11/16/2021

KEIZER



CITY OF KEIZER
MAJOR & MINOR VARIANCE
APPLICATION

Pd
8/1/25
#856

RECEIVED
CITY OF KEIZER
AUG 01 2025
PLANNING DEPARTMENT

If there are any questions about this application, who should be contacted?

Name: Maxwell Scott

Address: 6955 Fir Grove Ln N Keizer, OR 97303

Daytime Phone Number: 503-779-9050

Fax: N/A

Email: maxwells@keex.net

1. <u>Applicant Name</u> <u>Maxwell Scott</u> <u>Phone</u> <u>503-779-9050</u>	<u>Address</u> <u>6955 Fir Grove Ln N</u> <u>Keizer, OR 97303</u>
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2. <u>Property Owner Name</u> <u>Maxwell Scott / Emily Scott</u> <u>Phone</u> _____	<u>Address</u> <u>6955 Fir Grove Ln N</u> <u>Keizer, OR 97303</u>
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3. The owners of record of the subject property do hereby request permission for a variance to the following standard Minor variance of accessory structure maximum ground floor area as noted in KDC Section 2.313.01(E). 20% increase to build a 720 square foot structure.

4. Street Address of subject property 6955 Fir Grove Ln N Keizer, OR 97303

5. Size of subject property (acres or Sq. Ft.) .58 acres

6. THE APPLICANT(S) SHALL CERTIFY THAT:

- A. The above variance request does not violate any deed restrictions that may be attached to or imposed upon the subject property.
- B. If the application is approved, the applicant will exercise the rights granted in accordance with that approval and will be subject to all conditions and limitations of approval.

- C. All of the above statement and any statements included on the plot plan and exhibits attached to the plot plan are true to the best of the applicant's knowledge; and the applicant acknowledges that any permit issued on the property may be revoked if it is found that any statements are false.
- D. The applicant acknowledges that this application and all applicable policies and criteria have been read and understood, and that the requirements and criteria for approving or denying the application are also understood.

SIGNATURE(s) of APPLICANT

Michael Scott

Dated this 1st day of August, 20 25

AUTHORIZATION BY PROPERTY OWNER(s)

Property owners and contract purchasers are required to authorize the filing of this application and must sign below. All signatures represent that they have full legal capacity to and do hereby authorize filing of this application and certify that the information and exhibits herewith submitted are true and correct.

SIGNATURE

Michael Scott

ADDRESS & PHONE

6955 Fir Grove Ln N
Keizer, OR 97303
503-779-9050 (phone)

SIGNATURE

Emily Scott

ADDRESS & PHONE

6955 Fir Grove Ln N
Keizer, OR 97303
503-689-3934 (phone)

FOR OFFICE USE ONLY

Township _____ Range _____ Section _____
 Tax Lot Number(s) _____
 Zone/Map _____
 Neighborhood Association _____
 Comp Map _____

Application elements submitted:
 _____ (a) Title transfer
 _____ (b) Plot Plan
 _____ (c) Statement
 _____ (d) Filing fee

Date Application Determined Complete _____

Application Accepted By _____

6955 Fir Grove Ln North - Accessory Structure Minor Variance

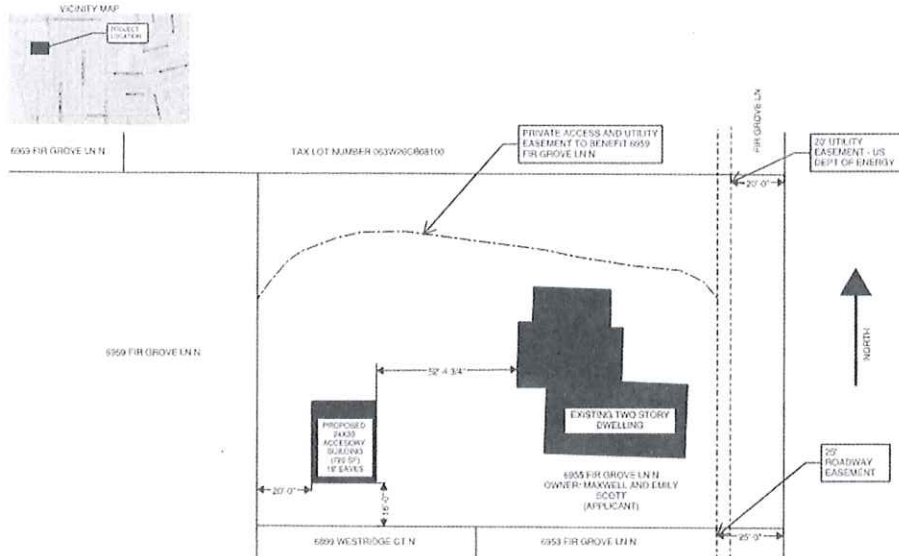


Figure 1 - SITE PLAN - NOT TO SCALE

Variance Criteria:

The applicant is requesting a variance to KDC Section 2.313.01(E) (Building Size and Lot Coverage), which limits an accessory structure to a maximum ground floor area of 600 square feet and/or cannot occupy more than 20% of the rear or side yard. The applicant has requested a variance to maximum ground floor area of 720 square feet.

- A. 1. The intent and purpose behind the specific provision sought to be varied is either clearly inapplicable under the circumstances of the particularly proposed development; or**
- 2. The variance requested is consistent with the intent and purpose of the provision being varied; or**
- 3. The applicant in good faith is unable to comply with the standard without undue burden which is grossly disproportionate to the burden born by others affected by the specific provisions of the code sought to be varied;**

Applicant Response: The intent of the maximum ground floor area is to create a maximum measurable property coverage to deter from building structures that take up the entirety of the space on the property to ensure minimum setbacks are met from property lines and existing dwellings on the property.

The property in question, while in the city limits, is uncharacteristically large (over half an acre). The side yard the accessory structure will be built in is approximately 7,800 square feet in size. With the increase to 720 square feet the structure would cover less than 10% of the side yard.

A site plan showing the accessory structure building envelope has been provided and shows how the structure will be positioned on the site to maintain all other setback requirements from KDC Section 2.313.01.

B. The impact of the development due specifically to the varied standards will not unreasonably impact adjacent existing or planned uses and development; and

Applicant Response: The minor variance is for a 20% increase in the maximum allowable ground floor area of the accessory structure. A 20% increase in the maximum allowable size will have no impact on meeting the other requirements of KDC Section 2.313.01.

As shown on the provided site plan a larger building envelope of 720 square feet can still accommodate the setback requirements and all other requirements of KDC 2.313.01. Therefore, eliminating any impact on adjacent existing uses.

C. The minor variance does not expand or reduce a quantifiable standard by more than 20 percent and is the minimum necessary to achieve the purpose of the minor variance; and

Applicant Response: The minor variance is for a 20% increase in the maximum allowable accessory structure ground coverage size described in KDC Section 2.313.01(E). 600 square feet to 720 square feet. Therefore, the request does not expand the maximum allowable size by more than 20%.

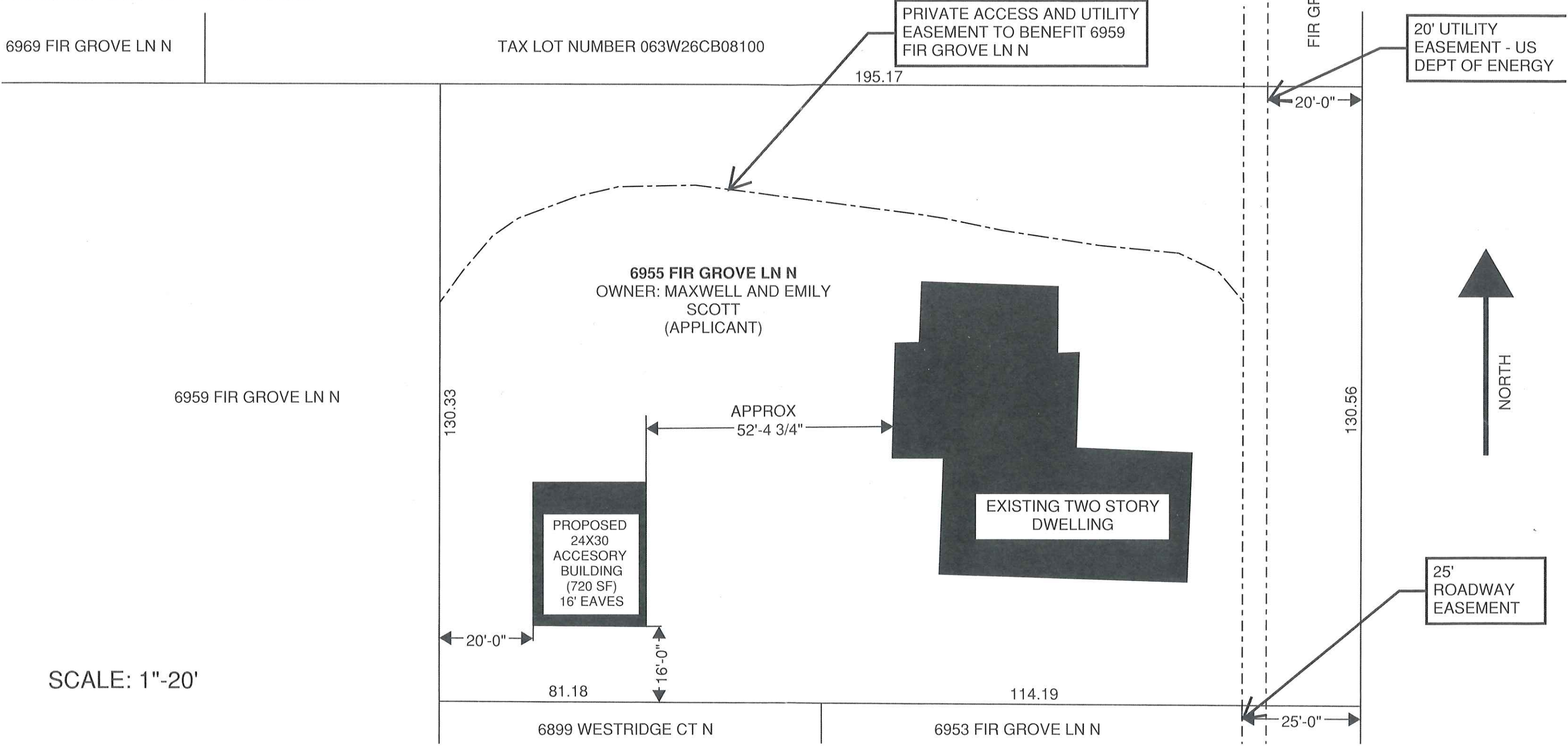
D. There has not been a previous land use action approved on the basis that a minor variance would not be allowed.

Applicant Response: No previous land use actions have been approved on the basis that a minor variance would not be allowed.

VICINITY MAP



6955 FIR GROVE LN N MINOR VARIANCE PLOT PLAN



SCALE: 1"-20'

GRANTOR'S NAME:
Christopher D. Anderson and Megan L. Anderson

REEL 4540 PAGE 192
MARION COUNTY
BILL BURGESS, COUNTY CLERK
09-16-2021 12:34 pm.
Control Number 673473 \$ 96.00
Instrument 2021 00054869

GRANTEE'S NAME:
Maxwell James Scott and Emily Margaret Scott

AFTER RECORDING RETURN TO:
Order No.: 60222104789-KM
Maxwell James Scott and Emily Margaret Scott, as tenants by the entirety
6955 Fir Grove Lane N
Keizer, OR 97303

SEND TAX STATEMENTS TO:
Maxwell James Scott and Emily Margaret Scott
6955 Fir Grove Lane N
Keizer, OR 97303

APN: 520044
Map: 063W26CB08400
6955 Fir Grove Lane N, Keizer, OR 97303

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Christopher D. Anderson and Megan L. Anderson, as tenants by the entirety, Grantor, conveys and warrants to **Maxwell James Scott and Emily Margaret Scott, as tenants by the entirety**, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Marion, State of Oregon:

Parcel 1, PARTITION PLAT NO. 2021-62, recorded August 26, 2021 in Marion County Book of Partition Plats and also referenced in Reel 4532, Page 120, Marion County Deed Records, in the City of Keizer, County of Marion and State of Oregon.

TOGETHER WITH easements for ingress and egress as follows:

A right-of-way 25.00 feet in width as described in Volume 176, Page 518, Deed Records for Marion County, Oregon, as follows; 25.00 feet off the North end of the following described premises, to wit:

Beginning on the West line of John S. Zieber and wife Donation Land Claim at a point 6.68 chains East and 17.07 chains North of the Southwest corner of Section 26, Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; thence North on the West line of said claim 18.93 chains; thence East 13.38 chains; thence South 21° 30' East, 14.95 chains; thence South 5.02 chains; thence West 18.99 chains to the Place of Beginning, and being a part of the aforesaid Donation Land Claim.

ALSO a right-of-way 25.00 feet in width described as follows:

Beginning at a point in the East line of the Alvis Smith Donation Land Claim which is 2631.52 feet South from the Northeast corner of said claim; running thence South, along the East line of said claim, 345.00 feet; thence West 25.00 feet; thence North 345.00 feet; thence East 25.00 feet to the Place of Beginning.

ALSO, a 25.00 foot roadway easement:

Beginning on the East line of the Alvis Smith Donation Land Claim No. 69 in Township 6 South, Range 3 West, of the Willamette Meridian in Marion County, Oregon, at a point which is 2976.52 feet South of the Northeast corner of said claim; thence South, along the East line of said claim, 362.00 feet; thence East 25.00; thence North, parallel with the East line of said claim 362.00 feet; thence East 25.00 feet to the Place of Beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS SIX HUNDRED SEVENTY-THREE THOUSAND SIX HUNDRED EIGHTEEN AND 75/100 DOLLARS (\$673,618.75). (See ORS 93.030).

Subject to:

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Portland General Electric Company, a corporation of Oregon
Purpose: as stated in said easement
Recording Date: June 18, 1953
Recording No: Volume 452, Page 474

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: United States of America, Department of Energy, Bonneville Power Administration
Purpose: as stated in said easement
Recording Date: September 23, 1981
Recording No: Reel 261, Page 1983

Fidelity National Title# 10222104789

STATUTORY WARRANTY DEED

(continued)

Terms, provisions and conditions, including, but not limited to, maintenance provisions, as contained in Warranty Deed

Recording Date: October 21, 1991
Recording No.: Reel 893, Page 424

Terms, provisions and conditions, including, but not limited to, maintenance provisions, as contained in Agreement for Easement

Recording Date: May 7, 1993
Recording No.: Reel 1058, Page 200

Terms, provisions and conditions, including, but not limited to, maintenance provisions, as contained in Easement Agreement

Recording Date: April 8, 1997
Recording No.: Reel 1384, Page 145

Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on Partition Plat No. 2020-031;

Purpose: utility and roadway
Affects: as delineated on said Plat

Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on Partition Plat No. 2020-031;

Purpose: private access and public utility and fire turnaround
Affects: as delineated on said Plat

Terms, provisions and conditions, including, but not limited to, maintenance provisions, and a covenant to share the costs of maintenance, contained in Fire Turnaround, Access and Utility Easement and Maintenance Agreement

Recording Date: June 2, 2020
Recording No.: Reel 4340, Page 372

Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2021-2022.

Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on on Partition Plat No. 2021-62;

Purpose: utility and roadway
Affects: as delineated on said Plat

Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on on Partition Plat No. 2021-62;

Purpose: private access and public utility and fire turnaround
Affects: as delineated on said Plat

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, 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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

STATUTORY WARRANTY DEED

(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 9/15/21

[Signature]

Christopher D. Anderson

[Signature]

Megan L. Anderson

State of Oregon
County of Marion

This instrument was acknowledged before me on September 15, 2021, by Christopher D. Anderson and Megan L. Anderson.

[Signature]

Notary Public - State of Oregon

My Commission Expires: 1/24/2025



REEL: 4540

PAGE: 192

September 16, 2021, 12:34 pm.

CONTROL #: 673473

State of Oregon
County of Marion

I hereby certify that the attached instrument was received and duly recorded by me in Marion County records:

FEE: \$ 96.00

BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.



Critical Warning Regarding Seller Impersonation in Real Estate Transactions

FRAUDSTERS are **impersonating property owners** to illegally sell real property. Sophisticated fraudsters are using the real property owner's Social Security and driver's license numbers in the transaction, as well as legitimate notary credentials, which may be applied without the notary's knowledge.

Fraudsters prefer to use email and text messages to communicate, allowing them to mask themselves and commit crime from any location.

IMPORTANT NOTE: Some imposters are changing the mailing address where the tax bill is sent **PRIOR** to selling the property out from the legitimate owner. Contact the tax collector's office to find out if the subject property has had a recent address change.

Be on the lookout for red flags.

WHEN A PROPERTY:

- Is vacant or non-owner occupied, such as investment property, vacation property, or rental property
- Has a different address than the owner's address or tax mailing address
- Has no outstanding mortgage or liens
- Is for sale or sold below market value

WHEN A SELLER:

- Wants a quick sale, generally in less than three weeks, and may not negotiate fees
- Wants a cash buyer
- Is refusing to attend the signing and claims to be out of state or country
- Is difficult to reach via phone and only wants to communicate by text or email, or refuses to meet via video call
- Demands proceeds be wired
- Refuses or is unable to complete multifactor authentication or identity verification
- Wants to use their own notary

Where approved by state regulators, consumers can purchase the American Land Title Association (ALTA) Homeowner's Policy of Title Insurance for additional fraud protection. Connect with your Fidelity National Title escrow team for full details.



If you suspect that a scam is in effect, immediately report it to local law enforcement and file a complaint with the FBI Internet Crime Complaint Center.

Kelli Terjeson

Sales Manager
503.510.4540
Kelli.Terjeson@fnf.com



MINOR VARIANCE CASE NO. 2025-11
PROPERTY ADDRESS: 6955 FIR GROVE LANE N

Pursuant to the provisions of the Keizer Development Code (KDC), this application requests a minor variance to increase the maximum allowable square footage for an accessory structure. The Subject Property is zoned Single Family Residential (RS), has a Comprehensive Plan designation of Low Density Residential (LDR), and is located at 6955 Fir Grove Lane N (063W26CB Tax Lot 08400).

The following comments are based on our review of the proposed development as it relates to City infrastructure and in general conformance with applicable Public Works portions of the Keizer Development Code (KDC), City of Keizer utility Master Plans and Transportation System Plan (TSP), Keizer Design Standards (KDS), and Keizer Construction Specifications (KCS).

EXISTING CONDITIONS:

- a) The existing property has access and frontage along the private roadway Fir Grove Lane N which connects through Marion County to Ridgeview Drive N, a Local street in the TSP.
- b) The subject property is located outside of the original Keizer Sewer District.
- c) An 8-inch PVC City sanitary sewer main is located in Ridgeview Drive N, approximately 250 feet north of the Subject Property. The existing structures are not connected to this main.
- d) A City water main is located along the south side of Ridgeview Drive N, approximately 250 north of the Subject Property. City records indicate a City water meter serving the existing structures, but the exact location of the service and meter is not known.
- e) The subject property is not located within a stormwater “Critical Basin” as defined in Keizer Design Standards Chapter 100. However, no City storm drainage facilities are legally or physically available to the Subject Property, and so it is located within an Unserved Stormwater Area.
- f) Per aerial photography of the site, it appears that approximately 8,000 square feet of impervious area was developed on the property between April 2021 and June 2022. City records do not show that any permits were issued for this placement.
- g) Per the Oregon Rapid Wetland Assessment Protocol (ORWAP), the Property does not include any mapped wetlands or hydric soils.
- h) Per Flood Insurance Rate Map Numbers 41047C0194G the Property is located outside of any mapped Special Flood Hazard Areas (SFHA).
- i) Per the Statewide Landslide Information Layer for Oregon (SLIDO) maps (maintained by the Oregon Department of Geology and Mineral Industries), the Subject Property is outside of any mapped landslide susceptibility areas.

RECOMMENDED CONDITIONS OF APPROVAL

1. None

MINOR VARIANCE CRITERIA AND FINDINGS

KDC SECTION 3.105.04 – CRITERIA – MINOR VARIANCE

Staff may grant a minor variance from a requirement or standard of this Ordinance in accordance with the Type I-B review procedures provided that the applicant provides evidence that the following circumstances substantially exist:

- A.
 1. The intent and purpose behind the specific provision sought to be varied is either clearly inapplicable under the circumstances of the particularly proposed development; or
 2. The variance requested is consistent with the intent and purpose of the provision being varied; or
 3. The applicant in good faith is unable to comply with the standard without undue burden which is grossly disproportionate to the burden born by others affected by the specific provisions of the code sought to be varied;
- B. The impact of the development due specifically to the varied standards will not unreasonably impact adjacent existing or planned uses and development; and
- C. The minor variance does not expand or reduce a quantifiable standard by more than 20 percent and is the minimum necessary to achieve the purpose of the minor variance; and
- D. There has not been a previous land use action approved on the basis that a minor variance would not be allowed.

Finding – Public Works does not object to any of the requests in the variance application.

Recommended Condition: None.

From: [Wenning, Trevor](#)
To: [Horner, Dina](#)
Subject: RE: REQUEST FOR COMMENTS - Minor Variance Case 2025-11
Date: Monday, August 11, 2025 9:10:55 AM

Reviewed and no comments.

Lieutenant Trevor Wenning
Support Division
Keizer Police Department
503-390-3713 xt. 3508
wenningt@keizer.org



REQUEST FOR COMMENTS

DATE: August 7, 2025
CASE: Minor Variance 2025-11

The Planning Division is soliciting comments you may wish to have considered in the City’s review of the above land use case. Application materials are attached. **Comments must be submitted in writing and received in our office by 5:00 pm on August 1, 2025.**

Send comments or questions to:

Dina Horner, Assistant Planner
Email: Hornerd@keizerOR.gov Phone: (503) 856-3442
930 Chemawa Rd NE, Keizer OR 97303

REQUEST: Pursuant to the provisions of the Keizer Development Code (KDC), this application requests a minor variance to increase the maximum allowable square footage for an accessory structure. Staff will provide a recommendation to the Planning Commission, which is scheduled to hold a public hearing on the application on September 10, 2025.

Per KDC Section 2.313, accessory structures are limited to a maximum of 600 square feet. The applicant proposes to construct a 720 square foot accessory structure, which exceeds the maximum by 120 square feet. This represents a 20% increase, qualifying as a minor variance under the provisions of the KDC.

The proposed structure will meet all other applicable development standards, including setbacks, height, and lot coverage requirements. The property is located at 6955 Fir Grove (063W26CB08400).

APPLICANT: Maxwell and Emily Scott
ZONE: Residential Single Family (RS)

PLEASE CHECK THE APPROPRIATE ITEMS:

- Our agency reviewed the proposal and determined we have no comment.
- Our agency would like to receive a copy of the staff decision/report and notice of any public hearings in this case.
- Our comments are in the attached letter.
- Our Agency's comments are: _____

Name: Caroline DeBruine Agency: City of Salem Planning Divison
 Phone: (503) 540-2326 Email: cdebruine@cityofsalem.net
 Address: 440 Church Street Salem, OR 97312
 Date: 8/11/2025



City of Keizer

Phone: (503) 856-3442 • Fax: (503) 390-8288
930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, OR 97307-1000

REQUEST FOR COMMENTS

TO: Neighboring Property Owner of 6955 Fir Grove
DATE: August 7, 2025
CASE: Minor Variance 2025-11

The Planning Division is soliciting comments you may wish to have considered in the City's review of the above land use case. Application materials are attached.

Submit comments by 5:00 pm on August 21, 2025

Send comments or questions to:

Dina Horner, Assistant Planner
Email: Hornerd@keizer.org Phone: (503) 856-3442
City of Keizer Planning Division
930 Chemawa Rd NE, Keizer OR 97303

REQUEST: Pursuant to the provisions of the Keizer Development Code (KDC), this application requests a minor variance to increase the maximum allowable square footage for an accessory structure. Staff will provide a recommendation to the Planning Commission, which is scheduled to hold a public hearing on the application on September 10, 2025.

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The proposed structure will meet all other applicable development standards, including setbacks, height, and lot coverage requirements. The property is located at 6955 Fir Grove (063W26CB08400).

APPLICANT/PROPERTY OWNER: Maxwell and Emily Scott
ZONE: Residential Single Family (RS)

PLEASE CHECK THE APPROPRIATE ITEMS:

_____ I/We reviewed the proposal and determined I/we have no comment.

_____ My/Our comments are in the attached letter.

_____ My/Our comments are: _____

Chris & Megan Anderson Support this.

Name: Chris & Megan Anderson Agency: _____

Phone: 503-932-3179 Email: _____

Address: 6959 Fir Grove Ln N Keizer OR 97303

Date: 8/19/25