



Marion County
OREGON

PARTITION APPLICATION

RECEIVED

OCT 08 2025

**Marion County
Planning**

Do not double-side or spiral bind any documents being submitted

Fee: Please check the appropriate box:

☐ Partition - \$1250

☒ Partition in an SGO Zone - \$1450 **\$725**

PROPERTY OWNER(S): Sophia Wood	ADDRESS, CITY, STATE, AND ZIP: 241 Schooley Ln Silverton, OR 97381
PROPERTY OWNER(S) (if more than one): Jamon wanker	ADDRESS, CITY, STATE, AND ZIP: 241 Schooley Ln Silverton, OR 97381
APPLICANT REPRESENTATIVE:	ADDRESS, CITY, STATE, ZIP
DAYTIME PHONE (if staff has questions about this application): 503-961-5517	E-MAIL (if any): sophias3@live.com
ADDRESS OF SUBJECT PROPERTY: 231 Schooley Lane Silverton, OR 97381	SIZE OF SUBJECT PROPERTY: 4.14 Acres
The property owners of the subject property request to divide a <u>4.14</u> acre parcel into <u>two</u> or three parcels containing <u>2.14</u> , <u>2</u> , and _____ acres or square feet each. Provide detailed information on the attached "Applicant Statement" page.	
Will a railroad highway crossing provide the only access to the subject property? () Yes <input checked="" type="checkbox"/> No If yes, which railroad:	

FOR OFFICE USE ONLY:			
Township <u>7S</u>	Range <u>1W</u>	Section <u>2DB</u>	Application elements submitted:
Tax lot number(s) <u>800</u>			<input checked="" type="checkbox"/> Title transfer instrument
Zone: <u>AR</u>			<input checked="" type="checkbox"/> Site plan
Zone map number: <u>34</u>			<input checked="" type="checkbox"/> Applicant statement
			<input checked="" type="checkbox"/> SGO Peer Review (if applicable)
			<input type="checkbox"/> GeoHazard Peer Review (if applicable) <u>N/A</u>
			<input type="checkbox"/> Road name information (if applicable) <u>N/A</u>
Case Number: <u>P/V25-018</u>			<input checked="" type="checkbox"/> Filing fee
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural			Application accepted by: <u>ACS</u> Set up by: <u>ACS</u>
Date determined complete:			Date: <u>10/10/2025</u>



Marion County
OREGON

VARIANCE APPLICATION

RECEIVED

OCT 08 2025

Marion County

Do not double-side or spiral bind any documents being submitted.
Fee: \$1565

APPLICANT(S): Jamon Wanker and Sophia Wood	ADDRESS, CITY, STATE, AND ZIP: 241 Schooley Lane Silverton, OR 97381
APPLICANT(S) (if more than one):	ADDRESS, CITY, STATE, AND ZIP
APPLICANT REPRESENTATIVE:	ADDRESS, CITY, STATE, ZIP
DAYTIME PHONE (if staff has questions about this application): 503-961-5517	E-MAIL (if any): sophias3@live.com
ADDRESS OF SUBJECT PROPERTY: 231 Schooley lane NE, Silverton, OR 97381	SIZE OF SUBJECT PROPERTY: 4.14 Acres
THE PROPERTY OWNERS OF THE SUBJECT PROPERTY REQUEST TO (summarize here; provide detailed information on the attached "Applicant Statement" page): Apply for a variance to 17.110.800 to allow to more than four dwellings to be served off a private easement. This variance would modify variance case No. 22-004, which allowed seven dwelling to be served off a private easement, to now allow eight dwellings to be served off the private easment.	
WILL A RAILROAD HIGHWAY CROSSING PROVIDE THE ONLY ACCESS TO THE SUBJECT PROPERTY? () YES (X) NO IF YES, WHICH RAILROAD:	

FOR OFFICE USE ONLY:			
Township	Range	Section	Application elements submitted:
Tax lot number(s)			<input checked="" type="checkbox"/> Title transfer instrument
Zone:			<input checked="" type="checkbox"/> Site plan
Zone map number:			<input checked="" type="checkbox"/> Applicant statement
			<input type="checkbox"/> GeoHazard Peer Review (if applicable) <i>N/A</i>
Case Number: <i>PN25-018</i>			<input checked="" type="checkbox"/> Filing fee
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural			Application accepted by: <i>ACS</i> Set up by:
Date determined complete:			Date:

THE APPLICANT(S) SHALL CERTIFY THAT:

- A. If the application is granted the applicant(s) will exercise the rights granted in accordance with the terms and subject to all the conditions and limitations of the approval.
- B. I/We hereby declare under penalties of false swearing (ORS 162.075 and 162.085) that all the above information and statements and the statements in the plot plan, attachments and exhibits transmitted herewith are true; and the applicants so acknowledge that any permit issued on the basis of this application may be revoked if it is found that any such statements are false.
- C. I/We hereby grant permission for and consent to Marion County, its officers, agents, and employees coming upon the above-described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application.
- D. The applicants have read the entire contents of the application, including the policies and criteria, and understand the requirements for approving or denying the application.

PRINTED NAME AND SIGNATURE of each applicant of the subject property.

Sophia Wood [Signature]
Print Name Signature

JAMON WANKER [Signature]
Print Name Signature

Print Name Signature

Print Name Signature

DATED this 6th day of October, 20 25

IF THE PARTITION INCLUDES THE CREATION OF A PRIVATE ROADWAY PLEASE LIST BELOW FOUR (4) PROPOSED ROAD NAMES, IN THE ORDER OF PREFERENCE (see the attached information sheet):

(1)

(2)

(3)

(4)

ATTACH A MAP SHOWING ALL PARCELS THAT WILL HAVE ACCESS OFF THIS EASEMENT, AND INCLUDE THE ADDRESS AND LOCATION OF ALL DWELLINGS ON THE PARCEL, ALONG WITH THE DRIVEWAY LOCATION.

THE APPLICANT(S) SHALL CERTIFY THAT:

- A. If the application is granted the applicant(s) will exercise the rights granted in accordance with the terms and subject to all the conditions and limitations of the approval.
- B. I/We hereby declare under penalties of false swearing (ORS 162.075 and 162.085) that all the above information and statements and the statements in the plot plan, attachments and exhibits transmitted herewith are true; and the applicants so acknowledge that any permit issued on the basis of this application may be revoked if it is found that any such statements are false.
- C. I/We hereby grant permission for and consent to Marion County, its officers, agents, and employees coming upon the above-described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application.
- D. The applicants have read the entire contents of the application, including the policies and criteria, and understand the requirements for approving or denying the application.

PRINTED NAME AND SIGNATURE of each owner of the subject property.

Sophia Wood

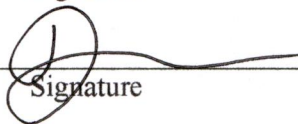
Print Name



Signature

Jamon Wanker

Print Name



Signature

Print Name

Signature

Print Name

Signature

DATED this 6th day of October, 2025

Partition and Variance Applicant Statement

We own two parcels of land located at 241 Schooley Lane NE (520920) and 231 Schooley lane NE (520929) that are zoned AR (Acreage Residential). We are proposing to partition account number 520929 (4.14 acres) into two lots (2.14 acres and 2 acres), allowing the addition of one dwelling to each lot. This parcel, along with another adjacent lot, was approved for a variance in 2022 to allow two addition dwellings to the five that are already being served by the private drive, Schooley Lane. We currently have a dwelling with associated outbuildings on account number 520920. No other dwellings have been established yet, but the variance is still in good standing. Therefore, we are applying for this variance and partition to modify the existing variance, which approved seven dwellings to be served by a private drive, to allow eight dwellings to be served. As noted in our previously approved application, before proposing the development of the two vacant lots our attorney researched the creation of each lot and found that they were created in the late 1940's. The deed history was already reviewed by staff before approval. These lots are served with a private access and utility easement that crosses Silver Creek to South Water Street. Because the parcels are served by a private access easement that also serve five other dwellings, we are required to gain approval for a variance to the provisions of 17.110.800 to allow more than four dwelling units off a private drive. The parcel is a mixture of timber and vacant ground fronting on Silver Creek. The following will address the criteria listed in Chapter 17.122.020 for a variance as well as the criteria to partition lots in the AR Zone:

17.122. 020A 1 There are unnecessary, unreasonable hardships or practical difficulties which can only be relieved only by modifying the literal requirements of this title; and

Response: The property in question is located on the Southwest side of Silver Creek and derives its access to a public right-of-way by use of a private access and utility easement and a bridge to S Water Street. This bridge is the only practical way to serve this lot. We do not own any properties that would give us another access route to another public street. In addition, the properties on Victor Point Rd, the only other nearby public right-of-way, are steeply sloping and would make it impractical for them to be used for an access driveway. This easement was the private access and is named Schooley lane, which was the name of one of the original owners of

the lots served by the easement. Therefore, the criterion for a variance is met for 17.122.020A1

17.122. 020 2 There are unusual circumstances or conditions applying to the land, buildings, or use referred in the application, which circumstances or conditions do not apply generally to land, buildings, or uses in the same zone; however, nonconforming land uses or structures in the vicinity or violations of land use regulations or standards on the subject property shall not in themselves constitute such circumstances or condition; and

Response: As has been noted previously, the subject parcel was created before land use laws were enacted. The AR zone allows dwellings, and the lots would qualify for dwellings except for the access issue. The subject lot, and other lots on this side of the creek that have already been developed with dwellings, have no other practical method of access other than the existing access easement, Schooley Lane, and its bridge crossing. It is not unusual for AR zoned lands to be divided and developed with dwellings and to be served with a private access and utility easement, but they are not separated from a public creek and require a bridge to gain the access. In this instance the creek crossing constitutes an "unusual circumstance" that would not apply generally to other developments within the AR zone. Therefore, the proposal will comply with 17.122.020 2.

17.122. 020 3 The degree of the variance from the standard is the minimum necessary to permit development of the property for the proposed use; and

Response: The property in question is zoned AR, and dwellings are permitted in the zone subject of obtaining a septic site evaluation. We have already been approved for one septic site evaluation for this parcel. However, with the proposed partition, a new septic site approval for each lot will likely need to be approved. The minimum lot size for AR zone is 2 acres. Our proposed partition would create one 2.14-acre lot and one 2-acre lot. Allowing the two proposed vacant parcels to have access to the easement and the bridge crossing would constitute the minimum necessary to permit development of the properties with dwellings that are an outright permitted use in the zone. The proposal will comply with 17.122.020 3.

17.122. 020 4 The variance will not have a significant adverse effect on property or improvements in the neighborhood of the subject property; and

Response: As previously noted, the vacant parcel is 4.14 acres, and we are proposing a partition which would create one 2.14-acre lot and one 2-acre lot. Each lot is large enough to buffer adjoining neighbors from the proposed dwellings. Because the proposed development is for single family dwellings, there should be no significant noise or impact to adjacent dwellings in the area. The existing access easement currently serves five houses. The subject lot has already been approved for a variance to allow one dwelling. One additional dwelling will not severely impact adjoining properties. Each of the proposed dwellings will be required to obtain a septic site evaluation before any dwellings would be allowed to be placed on the properties. This would assure adjoining properties that there would be sufficient area for development without causing any septic issues. As noted above, we have already been approved for one septic site evaluation on the subject lot, which indicates that septic approval will not be an issue. Because these lots reside in the Sensitive Groundwater Overlay Zone (SGO), a hydrogeology review was performed and has been approved by the county signaling that there will be no adverse effects on groundwater for the surrounding properties by adding these dwellings. Therefore, the proposed variance will comply with 17.122.020 4.

17.122. 020 5 The variance will not have a significant adverse effect upon health or safety of persons working or residing in the vicinity; and

Response: The proposed uses are two single family dwellings; one septic site has approval has already been obtained, and another will need to be obtained before being developed. The SGO review approval demonstrates that there is sufficient groundwater supply to support the proposal. Future development of the property will need to comply with Oregon Fire Code regarding access and water supply. Fire access roads and turnarounds will need to be evaluated and upgraded as needed for compliance with Oregon Fire Code. By their nature, single family dwellings do not have any significant adverse effect on the health or safety of persons working or residing in the

vicinity. With conditions, proposed variance will comply with 17.122.020 5.

17.122. 020 6 The variance will maintain the intent and purpose of the provision being varied.

Response: The variance is to allow more than four dwellings to be served off a private access easement. Because the proposed uses will be single family dwellings, it should not be expected that there will be significant impact to adjoining properties. At one time, Marion County was exploring changing this criterion to allow for up to 10 dwellings to be served by a private access easement. This alteration was to allow for rural residential development to occur without the necessity for development of public right of ways that would have to be maintained by Public Works. Although this change was never instituted, it was a change that would have allowed the proposed use to move forward without the need for this variance. While the limitation currently restricts the number of dwellings off a private easement, there are no practical alternatives in this instance. The additional dwelling should not significantly impact existing uses and, with conditions, maintain the intent and purpose of the provisions being varied. The proposed variance will comply with 17.122.020 6.

We have provided a response to each of the criteria for granting of a variance and have shown compliance with each. Additionally, the proposed use, single family dwelling, complies with 17.128.020 permitted uses within an AR (acreage residential) zone. Therefore, the variance and partition should be granted.

August 4, 2025
10506.001

Marion County Planning Division
5155 Silverton Road
Salem, Oregon 97305

VIA Email

Attention: Alex Seifer
Assistant Planner

Subject: Peer Review of Hydrogeology Review for a Partition of a Single Private Property located at 231 Schooley Lane, Silverton, Oregon 97381, Tax Map T7S R1W 02DB, Lot No. 0800, Marion County, Oregon, dated April 18, 2025

Dear Mr. Seifer:

EnviroLogic Resources, Inc., has completed a peer review of the above-referenced report, as requested by Marion County. The report was prepared by HGX Solutions LLC, on behalf of Sophia Wood and Jamon Wanker to meet the requirements of the Marion County Sensitive Groundwater Overlay (SGO) ordinance.

This peer review was prepared in accordance with the SGO ordinance, the County's manual for completing hydrogeology reviews (October 2005), and the County's Guidance for Performing Peer Reviews under the SGO ordinance. The above-referenced report contains the elements required by Section 181.100 (A) of the SGO ordinance and sufficiently demonstrates items required by Section 181.100 (B) so that an independent peer review can be undertaken.

REPORT SUMMARY

The proposed development contemplates partitioning a single lot, totaling 4.14 acres, into two separate lots. Domestic wells for each parcel were not specifically described but water use for all properties was included in the water budget calculations. The report presented a

Mr. Seifer
August 4, 2025
Page 2

review of geologic and hydrogeologic setting in the study area and discusses earlier investigations, long-term water level trends, water rights, and well deepenings and replacement wells, and presents a water budget.

The target aquifer for the proposed development is the Columbia River Basalt Group (CRBG). Four water budget calculations using two different recharge percentages were presented; the water balances for the primary study area estimated 17 to 28 percent of the available recharge would be used after the proposed development is completed, which meet or are below the 90 percent threshold established by the County. The water budget calculations presented for the more limited study area also meet the 90 percent threshold.

The report presents recharge calculations on the basis two different sources of recharge rates. One source is the accepted 6% recharge rate from NGS (1997) and the other from studies prepared by Woodward and others (1998) and Lee and Risley (2001). These studies suggest up to 42% of precipitation may recharge basalt aquifers in undeveloped areas. The hydrogeology review presents calculations using 6% (the value accepted by Marion County) and 10% (a value deemed by HGX to be a conservative estimate of the recharge based on the aforementioned studies). The modified recharge calculation presented in addition to the standard calculation may be reasonable, however the specific methodology used to develop the modified recharge value was not reviewed.

The report found no current evidence of declining water level trends. Well deepenings or replacements in the aquifer in the study area appear to exceed the 12.6% threshold presented in NGS (1997). This exceedance is considered not relevant as there have been no new deepenings since 2002. This explanation is reasonable.

Lots created in a separate pending partition are included in the water budget calculations.

PEER REVIEW FINDINGS

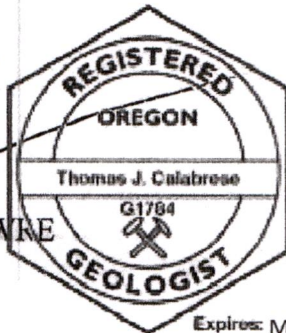
The above-referenced report contains the elements required by the Marion County SGO ordinance and allows an independent peer review to be completed. Considering the information provided in the report, *EnviroLogic Resources*, believes the conclusions presented in the report are supported by the data. If additional information becomes available, the findings of this peer review may need to be updated.

Mr. Seifer
August 4, 2025
Page 3

If you have questions or comments, please feel free to call us at (503) 768-5121. Thank you for the opportunity to provide you with professional services.

Sincerely,
EnviroLogic Resources, Inc.

Thomas J. Calabrese, RG, CWRE
Principal Hydrogeologist



References

Lee and Risley, 2001, [[Reference not supplied in the Hydrogeology Review]]

Northwest Geological Services, Inc. (NGS), Geologic and hydrogeologic study of the residential acreage-zoned areas of Marion County underlain by the Columbia River Basalts and older rocks: Consultant report prepared for Marion County Community Development Department, Salem, Oregon.

Woodward, D.G., M.W. Gannett, and J.J. Vaccaro, 1998, Hydrogeologic framework of the Willamette Lowland Aquifer System, Oregon and Washington: US Geological Survey Professional Paper 124-B, 82p.
