



Marion County

OREGON

PLANNING COMMISSION MINUTES

PLANNING COMMISSION

George Grabenhorst – Chair
Carla Mikkelson – Vice Chair
Scott Anderson
Stanley Birch
Glenn Holum
Mike Long
Rick Massey
Gary Monders
Dennis Person

DATE: April 01, 2014
TIME: 6:30 p.m.
PLACE: Board of Commissioners' Hearing Room
1115 Commercial St. NE, Salem

Present: Gary Monders, Mike Long, Stanley Birch, George Grabenhorst, Dennis Person, Scott Anderson, Carla Mikkelson and Rick Massey
Absent: Glenn Holum

Chair Grabenhorst called the meeting to order.

1. Election of 2014 Chair and Vice-Chair.

Chair Grabenhorst asked for nominations for Chair. George Grabenhorst was the only nomination. His nomination was seconded and the vote to appoint was unanimous. A nomination was then made and seconded to appoint Carla Mikkelson as Vice-Chair. There were no other nominations and the vote was unanimous to appoint.

2. Public hearings:

- Subdivision 13-001. Request for conceptual and detailed approval to convert the existing condominium development to a subdivision by subdividing a 2.31 acre parcel into 30 lots with adjustments to reduce required setbacks, reduce minimum lot size, and allow more than four dwelling units to be served by a private roadway in a RM (Multiple-Family Residential) zone located at 4002 through 4095 Aden Place NE, Salem.

Joe Fennimore, Principal Planner, explained the history of this application, indicating the application was not complete when submitted. Despite several letters and emails to the applicant's representative, and a 180 day deadline to submit the missing items, no communication had been received. Once the hearing was scheduled, as required by state law, the applicant's representative did contact staff and indicated the applicant had chosen to withdraw the application. However, as notice for the hearing had already been mailed out, the public hearing must proceed.

There being no one present that testified and no discussion on the request, a motion was made and seconded to close the public hearing. The motion passed unanimously. Another motion was made and seconded to accept the withdrawal of SUB13-001. The motion passed unanimously.

- Subdivision #14-001. Request for conceptual and detailed approval to subdivide a 20,900 square foot parcel into four lots in an UD (Urban Development) zone with automatic rezoning to RS (Single Family Residential) on property located at 3215 Hollywood Drive NE, Salem.

Joe Fennimore, Principal Planner, summarized the staff report for the PC. There were no questions.

Applicant Mike Fischer, 2849 SE 68th St., Portland, testified that he had no comments and concurred with the facts and findings in the staff report.

Heather Carpenter, 3205 Hollywood Dr. NE, Salem, testified she is an adjacent property owner and asked how the property line is determined, what will be the impact to her backyard area and to her well? She testified she uses an area next to her house to access a large garage/shop in her backyard to park a large truck. Ms. Carpenter stated she was not sure if this access was totally on her property or if she has an easement to use this area, but thinks it could be on the applicant's property.

Barry McBeth, 687 SE Ash St., Dallas, testified he is Ms. Carpenter's Father and sees the development as a good thing but is concerned with the potential impact to her well.

The PC briefly discussed Ms. Carpenter's use of the area next to her house to access her backyard and the location of the well. The PC discussed whether or not to require the applicant to provide some type of access for Ms. Carpenter, and how to determine ownership or if an easement exists for this area. Mr. Fennimore expressed reservations as to whether or not the PC could, in fact, impose this type of condition.

Based on questions regarding ownership of the access area, well location, and if an easement exists, the PC discussed continuing the public hearing or deliberations. A motion was then made and seconded to close the public hearing but continue deliberations to April 15, 2014. The motion passed unanimously. The PC then directed staff to contact Legal Counsel on implementing this type of condition. The PC also directed staff to conduct deed research to determine if there is an actual easement for this section in question. Mr. Fennimore indicated he would have the information for the PC at the April 15, 2014 meeting.

3. Adjournment.

There being no further business, the meeting was adjourned.