



Marion County

OREGON

PLANNING COMMISSION MINUTES

PLANNING COMMISSION

Carla Mikkelson – Chair
Dennis Person – Vice Chair
Stanley Birch
Chris Enquist
George Grabenhorst
Mike Long
Rick Massey
Gary Monders
Britany Randall

DATE: October 10, 2017
TIME: 6:30 p.m.
PLACE: Senator Hearing Room, 555 Court St. NE, Salem

Present: Mike Long, Carla Mikkelson, Britany Randall, Stanley Birch, Chris Enquist, and Gary Monders

Absent: Dennis Person, Rick Massey and George Grabenhorst

Chair Mikkelson called the meeting to order.

1. Discussion:

- Subdivision 17-003. Application of Alexander Bistrika for conceptual and detailed approval to subdivide a 0.44 acre parcel into 4 lots, with an adjustment to reduce the required rear yard from 14 feet to 5 feet on proposed Lot 4, in an UD (Urban Development) zone with automatic rezoning to RS (Single Family Residential) located at 4162 Auburn Road NE, Salem.

Joe Fennimore, Principal Planner, commented staff noted during review that an adjustment to the rear yard is not required but an adjustment to the required 20 foot setback from Auburn Road, which is a collector, is required down to 12 feet. He also noted that PC member Chris Enquist, who was not at the public hearing, is present and has listened to the audio tape of the hearing. He reminded the PC that the group was looking at options, at the end of the public hearing, including allowing a 2 or 3 lot subdivision. After conferring with county legal counsel, it was determined the PC cannot approve a partition. Options are limited to approve a subdivision or not by granting conceptual and detail approval, conceptual approval only if there are certain issues the PC is not satisfied with, or deny the request.

Mr. Monders reiterated the PC can deny the adjustment from 20 feet to 12 feet? Mr. Fennimore replied that was correct and the applicant would have to come up with a design of the lots with that setback. He added the PC could approve a different adjustment, for example, to 16 feet or grant an adjustment to the rear yard to give them more room. Ms. Randall asked what the rear yard would be if the 20 foot setback were maintained? Mr. Fennimore replied it would be reduced from 14 to 6 feet, if the same buildable area were maintained. Ms. Randall asked about design speed and if this would be the only home to protrude that far? Mr. Fennimore replied he wasn't sure about the homes and thought the speed was at least 25. Discussion followed, based on the aerial photo in the file, on other homes in the area that appear to protrude out.

Mr. Monders stated he was not in support of adjusting the 20 foot setback. Mr. Fennimore

suggested, based on that comment, that the PC grant conceptual and recommend the applicant return with a design how they can meet the 20 foot setback with 4 lots or deny the request. The PC briefly discussed if that was a viable option for the applicant.

Mr. Monders made a motion to grant conceptual approval and deny the 12 foot setback adjustment. Mr. Fennimore clarified this motion is to grant conceptual approval for the subdivision and deny the request for an adjustment to the 20 foot setback requirement? The applicants would then have to come back to the PC with a design to show that they can meet these conditions. Mr. Monders repeated his motion to grant conceptual approval for the subdivision and deny the request for an adjustment to the 20 foot setback requirement for Auburn Road, subject to the conditions proposed by staff. The motion was seconded. Ms. Randall suggested the PC consider a modified setback, based on other apparently modified setbacks for other lots in the area. Mr. Long replied the aerial photo has no scale so it's hard to tell how far back these other homes are situated. He added the county standard is 20 feet and these may be that distance and the others are more. Mr. Fennimore cautioned that it is possible the aerial photo might be distorted as they are not digitized to a spot in this area. The PC briefly discussed that and Mr. Enquist agreed that he might consider a lesser setback and that there are other developments in the area with 4 homes off a street. Ms. Randall suggested reducing the rear yard and the group briefly discussed that option and how other streets in the area are developed.

Chair Mikkelson reminded the PC that there was a motion on the table and discussion on possibly amending the motion. There was no further discussion on the motion and it passed, 6-1. The dissenting member did not offer comment.

2. Adjournment.

There being no further business, the meeting was adjourned.