

**SALEM HEARINGS OFFICER MINUTES**  
**July 25, 2018**

**Hearings Officer**  
Amy Cook

**Staff Present**  
Aaron Panko, Planner III  
Bryce Bishop, Planner II  
Sally Long, Recorder

Hearings Officer Amy Cook called the meeting to order at 5:34 p.m. City of Salem staff members present were Bryce Bishop - Planner II, Aaron Panko - Planner III and Sally Long - Recorder.

**1. PUBLIC HEARING ON A SIGN VARIANCE / SIGN PERMIT REVIEW CASE**

• **VAR-SI18-02 for property located at 4775 Depot Court SE**

REQUEST: A Sign Permit to construct a wall sign on the south face of a new building and a Sign Variance to increase the display surface area for the sign from a maximum of 100 square feet per SRC 900.210(b)(2) to 193.56 square feet, a 94 percent increase, for property approximately 61.75 acres in size, zoned EC (Employment Center), and located at 4775 Depot Court SE (Marion County Assessors Map and Tax lot number: 082W05 / 02001).

Ms. Cook read the applicable criteria into the record. No objection to jurisdiction was raised and the public hearing was opened at 5:35 p.m.

Case Manager, Aaron Panko, entered the staff report, case file, and all attachments into the record and proceeded with his presentation.

**RECOMMENDATION**

Based on the Facts and Findings presented in this staff report, staff recommends the Hearings Officer APPROVE the request for a Sign Variance and Sign Permit to increase the display surface area for a new wall sign from a maximum of 100 square feet per SRC 900.210(b)(2), to 193.56 square feet, for property approximately 61.75 acres in size zoned EC (Employment Center), and located at 4775 Depot Court SE - 97317.

**PERSONS TESTIFYING:**

Applicant:

- Lee Leighton, Mackenzie, 1515 SE Water Ave # 100, Portland, OR

Neighborhood Association:

- None

Support: None

Oppose:

Neutral: None

Evidence Received From:

Support: None

Oppose: None

Neutral: None

Rebuttal:

With no further questions or testimony to present, the Hearings Officer closed the public hearing at 5:45 p.m. The applicant waived the additional 7 day period for written argument.

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## **2. PUBLIC HEARING ON A CONDITIONAL USE / ADJUSTMENT CASE**

- **CU-ADJ18-07 for property located at 725 High Street SE**

REQUEST: A consolidated application for a Conditional Use Permit and Class 2 Adjustment to allow an existing single-family dwelling located at 725 High Street SE to be used as a short-term rental. The application includes the following:

1) A Conditional Use Permit to allow the use of the existing single family dwelling as a short-term rental; and

2) A Class 2 Adjustment to allow a portion of the required off-street parking serving the proposed use to be located in the public street right-of-way of High Street on the existing driveway leading to the home rather than on the subject property. The required parking will be located on the driveway, but because the majority of the driveway is located within the right-of-way of High Street, it would not be located on the property.

The subject property is approximately 0.1 acres in size, zoned RS (Single Family Residential) within the Gaiety Hill/Bush's Pasture Park Historic District, and located at 725 High Street SE (Marion County Assessor Map and Tax Lot Number: 073W27CA00200).

Ms. Cook read the applicable criteria into the record. No objection to jurisdiction was raised and the public hearing was opened at 5:47 p.m.

Case Manager, Bryce Bishop, entered the staff report, case file, and all attachments into the record and proceeded with his presentation.

## **RECOMMENDATION**

Based upon the Facts and Findings contained in this staff report, Staff recommends that the Hearings Officer adopt the facts and findings of the staff report and take the following action for the subject property located at 725 High Street SE (Marion County Assessor Map and Tax Lot Number: 073W27CA00200):

**A. APPROVE** the Conditional Use Permit to allow the existing single family dwelling located at 725 High Street SE to be used as a short-term rental, subject to the following conditions of approval:

**Condition 1:** The maximum number of occupants in the short-term rental shall not exceed 6 persons. For purposes of this condition of approval, children under 12 years of age do not count towards the maximum number of occupants.

**Condition 2:** The short-term rental shall be rented to only one group of guests at a time. Bookings of the rental by more than one group of guests at any given time is prohibited.

**Condition 3:** Use of the short-term rental shall be limited to the provision of lodging. Activities other than lodging, such as events, parties, gatherings, luncheons, banquets, weddings, meetings, fundraising, or commercial or advertising activities are prohibited.

**Condition 4:** Off-street parking in the existing driveway shall be limited to a maximum of 3 vehicles at any given time.

**Condition 5:** The conditional use permit shall be valid only for the current applicant/owner. The conditional use permit shall not run with the land and is not transferable to any other applicant or owner.

**B. APPROVE** the Class 2 Adjustment to allow a portion of the required off-street parking serving the proposed use to be located in the public street right-of-way of High Street on the existing driveway leading to the home rather than on the subject property.

## **PERSONS TESTIFYING:**

### Applicant:

- Susan Martin, Susan Martin Property Management, representing the applicant, P.O. Box 761, Aurora OR

### Neighborhood Association:

- Jeff Schumacher, Chair of SCAN N.A, 1945 W. Nob Hill St. SE, Salem

Support: None

Oppose:

- Ed Arabas, 1015 High Street SE, Salem
- Jack Foust, 560 Leslie St SE, Salem
- Willy Kohne, 490 Oak St SE, Salem
- Jon Christenson, PO Box 534, Salem. Mr. Christenson requested that the record be open an additional 7 days to review new testimony submitted at the hearing.
- Jim Randall 740 Leslie St SE, Salem
- Sharon Edwards, 735 Church St, Salem
- Roger Deminna, 635 Church St SE, Salem
- Patricia Deminna, 635 Church St SE, Salem
- Jacque Heavey, 747 Church St SE, Salem
- Andrea Foust, 565 Leslie St SE, Salem
- William Vagt, 690 Liberty St SE, Salem

Neutral: None

Evidence Received From:

Support: None

Oppose: None

Neutral: None

Rebuttal:

- Susan Martin, Susan Martin Property Management, representing the applicant, P.O. Box 761, Aurora, OR

With no further questions or testimony to present, the Hearings Officer closed the public hearing at 6:57 p.m. but held the record open until 5:00 P.M., August 1, 2018 for new written evidence, 5:00 P.M., August 8, 2018 for rebuttal to any new evidence, and 5:00 P.M., August 15, 2018 for final argument by the applicant only.

*Prepared by: Sally Long, July 25, 2018*

*Approved: July 26, 2018*