

NOTICE OF DECISION

PLANNING DIVISION
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*Si necesita ayuda para comprender esta información, por favor llame
503-588-6173*

DECISION OF THE PLANNING ADMINISTRATOR

TREE REMOVAL PERMIT: TRP24-14

APPLICATION NO.: 24-106296-PLN

NOTICE OF DECISION DATE: June 24, 2024

REQUEST: A Tree Removal Permit for four 40-48-inch diameter at breast height (DBH) Giant Sequoia Trees, for a property approximately 6,975 square feet in size, zoned RS (Single Family Residential) and located at 4828 San Miguel Court NE (Marion County Assessor's Map and Tax Lot number: 072W17CC / 8300).

APPLICANT: Pamela and David Kalb

OWNER: Pamela and David Kalb Trust

LOCATION: 4828 San Miguel Court NE, Salem OR

CRITERIA: Salem Revised Code (SRC) Chapter 808.030(d)(2).

FINDINGS: The findings are in the attached Decision dated June 24, 2024.

DECISION: The **Planning Administrator APPROVED** TRP24-14 based upon the application materials and the findings as presented in this report.

Approval of a Tree Removal Permit application does not expire.

This decision is final; there is no local appeal process. Any person with standing may appeal this decision by filing a "Notice of Intent to Appeal" with the Land Use Board of Appeals, 775 Summer St NE, Suite 330, Salem OR 97301-1283, not later than 21 days after the Decision date. Anyone with questions regarding filing an appeal with the Oregon Land Use Board of Appeals should contact an attorney.

The following items are submitted to the record: 1) All materials and evidence submitted by the applicant, including any applicable professional studies; and 2) All materials, evidence, and comments from City Departments and public agencies. The application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 24 106296.

Case Manager: Olivia Dias, Current Planning Manager, odias@cityofsalem.com, 503-540-2343

<http://www.cityofsalem.net/planning>

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF APPROVAL OF
TREE REMOVAL PERMIT
CASE NO. TRP24-14
4828 SAN MIGUEL CT NE

) FINDINGS & ORDER
)
)
) JUNE 24, 2024

In the matter of the application for a Tree Removal Permit, the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

A Tree Removal Permit for four 40-48-inch diameter at breast height (DBH) Giant Sequoia Trees, for a property approximately 6,975 square feet in size, zoned RS (Single Family Residential) and located at 4828 San Miguel Court NE (Marion County Assessor's Map and Tax Lot number: 072W17CC / 8300). A vicinity map identifying the subject property is included as **Attachment A**.

PROCEDURAL FINDINGS

1. On March 13, 2024, an application for a Tree Removal Permit was submitted for property located at 4828 San Miguel Court NE.
2. After additional requested information was provided by the applicant, the application was deemed complete on June 19, 2024.

SUBSTANTIVE FINDINGS

1. Proposal

The Tree Removal Permit submitted by the applicant requests removal of four, 40 to 48-inch DBH Walnut Tree at 4828 San Miguel Court NE. The applicant submitted a site plan showing the four Giant Sequoia Trees proposed for removal (**Attachment B**).

2. Applicability

SRC 808.015 Significant trees. No person shall remove a significant tree, unless the removal is undertaken pursuant to a tree and vegetation removal permit issued under SRC [808.030](#), undertaken pursuant to a tree conservation plan approved under SRC [808.035](#), or undertaken pursuant to a tree variance granted under SRC [808.045](#).

3. Analysis of Tree Removal Permit Approval Criteria:

SRC 808.030(d)(2) Repair, alteration, or replacement of existing structures. The tree or native vegetation removal is necessary to effect the otherwise lawful repair, alteration, or replacement of an existing structure, the footprint of the repairs, altered, or replacement

structure is not enlarged, and no additional riparian corridor area is disturbed beyond that essential to the repair, alteration, or replacement of the existing structure.

Finding: The applicant provided an Engineered report (**Attachment C**) stating the four trees are pushing up on the foundation of the dwelling, which is shown in the report, and is causing damage to the dwelling, which is going to be repaired.

Staff finds that the Tree Removal Permit application for the removal of four significant trees is consistent with the provisions of SRC Chapter 808 and the applicable approval criteria.

IT IS HEREBY ORDERED

The proposed Tree Removal Permit is consistent with the provisions of SRC Chapter 808 and is hereby **APPROVED**.



Olivia Dias, Current Planning Manager, on behalf of,
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Attachments: A. Vicinity Map
B. Site Plan
C. Engineer Report