

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005



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

DECISION OF THE PLANNING ADMINISTRATOR

TREE REMOVAL PERMIT: TRP25-03

APPLICATION NO.: 24-125729-PLN

NOTICE OF DECISION DATE: February 10, 2025

REQUEST: A Tree Removal Permit to remove one significant Oregon White Oak for property zoned RS (Single-Family Residential) and located at 4190 12th Street SE (Marion County Assessor's Map and Tax Lot number 083W11BB / 12600).

APPLICANT: Jon Schaub

LOCATION: 4190 12th Street SE

CRITERIA: Salem Revised Code (SRC) Chapter 808.030.

FINDINGS: The findings are in the attached Decision dated February 10, 2025.

DECISION: The **Planning Administrator APPROVED** TRP25-03 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 125729.

Case Manager: Quincy Miller, Planner I, gmiller@cityofsalem.net, (503) 584-4676

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

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF APPROVAL OF) FINDINGS & ORDER
TREE REMOVAL PERMIT)
CASE NO. TRP25-03)
4190 12 TH STREET SE) FEBRUARY 10, 2025

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 request to remove one significant Oregon White Oak for property zoned RS (Single-Family Residential) and located at 4190 12th Street SE (Marion County Assessor's Map and Tax Lot number 083W11BB / 12600). A location map identifying the subject property is included as **Attachment A**.

PROCEDURAL FINDINGS

1. On January 2, 2025, an application for a Tree Removal Permit was submitted for property located at 4190 12th Street SE.
2. After additional requested information was provided by the applicant, the application was deemed complete on February 7, 2025.

SUBSTANTIVE FINDINGS

1. Proposal

The application identifies a total of 16 trees on the property, six of which are significant trees. One significant Oregon White Oak is proposed for removal, with the remaining 15 trees identified for preservation. There are no heritage trees, riparian corridor trees, or riparian vegetation located on the property.

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.

DECISION CRITERIA FINDINGS

3. Analysis of Tree Removal Permit Approval Criteria:

SRC 808.030(d)(3) Repair, alteration, or replacement of existing structures. *The tree or native vegetation removal is reasonably necessary to effect the otherwise lawful repair, alteration, or replacement of structures existing as of June 21, 2000, the footprint of the repaired, 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: As part of the application, the applicant provided a statement from a registered engineer (**Attachment B**), a statement from an arborist (**Attachment C**), and a statement and pictures from a foundation specialist.

The significant Oregon White Oak is located on the southeast side of the property and is less than three feet away from the residence on the property. The applicant's engineer and arborist determined and documented that the proximity and size of the tree to the structure constitutes a hazard and will impact the foundation of the home. The engineer identified that the walls of the residence adjacent to the tree have been cracking and warping, with visible cracks and a window requiring replacement.

Due to the root system of the tree and how close it is to the structure; the tree roots are likely to continue impacting the structure and compromise the integrity of the foundation and overall structure as it continues to grow. Therefore, in concurrence with the engineer and arborist, the single Oregon White Oak located less than three feet from the structure shall be removed in its entirety.

IT IS HEREBY ORDERED

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



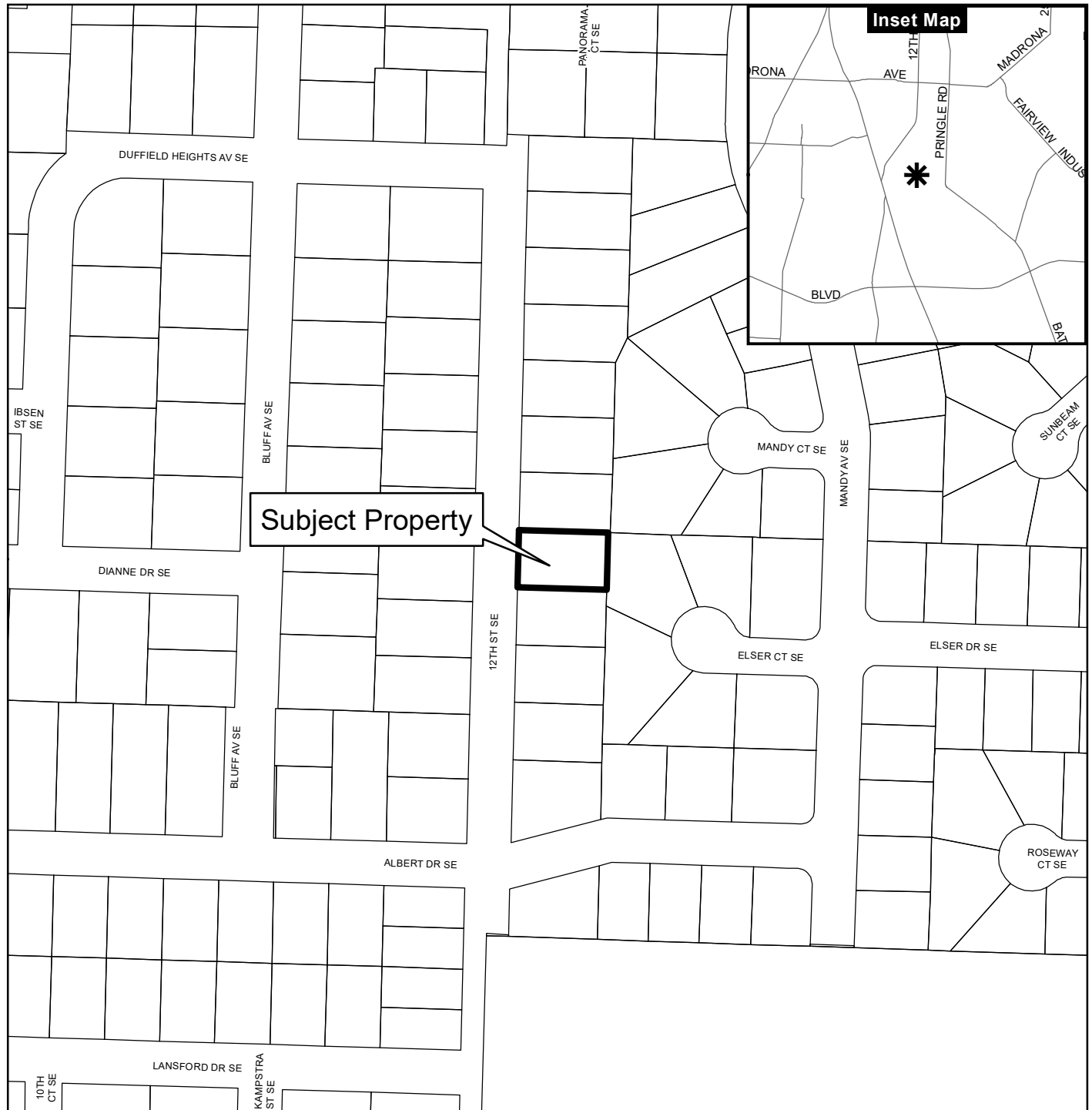
Quincy Miller, Planner I, on behalf of,
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Attachments:

- A. Vicinity Map
- B. Engineer's Statement
- C. Arborist's Statement

Vicinity Map

4190 12th Street SE



Legend

- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools

Parks

CITY OF Salem
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Community Planning and Development

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0 100 200 400 Feet



STABILITY ENGINEERING INC.

P.O. Box 2646 • Corvallis, Oregon 97339 • p: 541.223.5360 • f: 541.223.5278

February 5, 2025

Jon Schaub
4190 12th St. SE
Salem, OR 97302

RE: Tree inspection at 4190 12th St. SE, Salem, OR 97302

To whom it concerns:

At your request, we inspected the large tree adjacent to the residence at the address above on December 11th, 2024, and found the following:

There is one large tree located approximately 2'-10" from the south wall of the residence. The tree appears to be negatively impacting the residence.

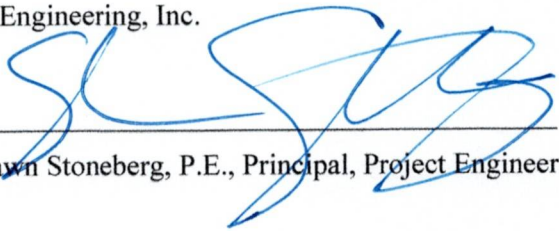
The window in the south wall adjacent to the tree has already been replaced because it would not open and shut properly. In addition, there are cracks in the sheetrock of the south wall of the residence directly adjacent to the tree.

Currently, there are only minor signs that the tree is negatively impacting the foundation of the residence. However, due to the size of the tree and the proximity to the residence it is extremely hazardous, and we recommend it be removed as soon as possible.

If you have any questions regarding this letter, please contact us.

Sincerely,

Stability Engineering, Inc.

By: 
Shawn Stoneberg, P.E., Principal, Project Engineer



Caudle's Tree Service

713 Aetna St. SE

Salem, OR 97317

503-364-1642 *Lic 157036



Date: January 11, 2025

To: John

4190 12th Street SE

Salem, Oregon

There is a White Oak Tree on the Southeast corner of the house at 4190 12th St. SE that needs to be removed due to being too close to the house foundation.

Inspected by owner of Caudle Tree Service - Danny Caudle

Account Due on completion of job

Thank you,

Danny Caudle