



## LAND USE APPEAL APPLICATION

1. **GENERAL DATA REQUIRED** *[to be completed by the appellant]*

PAR201-3 November 19, 2020  
Case # Being Appealed Decision Date  
4204 Kurth Street SE  
Address of Subject Property  
648 Rural Avenue S, Salem, Oregon 97302  
Appellants Mailing Address with zip code  
tdwine1@gmail.com 503-931-3965  
Appellant's E-mail Address Day-time Phone / Cell Phone

Appellant's Representative or Professional to be contacted regarding matters on this application, if other than appellant listed above:

Brandie Dalton 1155 SE 13th Street, Salem, OR 97306  
Name Mailing Address with ZIP Code  
bdalton@mtengineering.net 503-363-9227  
E-Mail Address Day-time Phone / Cell Phone

2. **SIGNATURES OF ALL APPELLANTS**

Signature: Brandie Dalton Date: 12-3-2020  
Printed Name: Brandie Dalton  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Printed Name: \_\_\_\_\_

3. **REASON FOR APPEAL** Attach a letter, briefly summarizing the reason for the Appeal. Describe how the proposal does not meet the applicable criteria as well as verification establishing the appellants standing to appeal the decision as provided under SRC 300.1010

FOR STAFF USE ONLY		
Received By: _____	Date: _____	Receipt No: _____
Appeal Deadline: _____	Case Manager: _____	



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2. **SIGNATURES OF ALL APPELLANTS**

Signature: *Todd Dollinger* Date: 12/1/2020  
 Printed Name: Todd Dollinger  
 Signature: *Audrey Dollinger* Date: 12/1/20  
 Printed Name: Audrey Dollinger

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# Kurth Street PAR 20-13 Appeal

## **BACKGROUND:**

On November 19, 2020, the decision for Partition Case No. 20-13 was approved by the Planning Administrator with eleven (11) Conditions of Approval.

The applicant partition was Todd Dollinger and the applicant's representing agent was Brandie Dalton, Land-Use Planner. Therefore, the applicant and the applicant's representative have standing to appeal the PAR 201-3 decision.

## **APPEAL ISSUES:**

The applicant is appeal Conditions 6 and 7:

**Condition 6: Obtain an improvement agreement or construct a minimum of 17-foot-wide half street improvement along the frontage of Kurth Street S to Collector street standards.**

**Condition 7: Obtain an improvement agreement or construct a minimum of 15-foot-wide half-street improvement along the frontage of Warren Street S to Local street standards.**

## **Applicant Response:**

The proposed partition is to divide 0.35 acres into two parcels. Conditions 6 and 7 are no proportional to the impacts of the proposed two parcel partition. Both those conditions are expensive and timely for such a small partition. Conditions 6 and 7 are extreme conditions and do not flow with Housing Needs within the State of Oregon.

Therefore, the applicant is appealing the PAR 20-13 decision and requesting Conditions 6 and 7 be eliminated.

