

UNION CITY PLANNING COMMISSION MEETING MINUTES

Wednesday, July 16, 2008 – 7:00 P.M.

LEONARD ALMQUIST COUNCIL CHAMBERS, UNION CITY HALL

1. **CALL TO ORDER & ROLL CALL:** at 7:04 pm by Chair Louise Weeks and Commissioners Joe Fisher, Laurie Dart, Lavar Bowles, Linda Boettcher and Pat Lang.
2. **PUBLIC COMMENT** none
3. **CITY COUNCIL MEMBER LIAISON REPORT** – given by Councilor Pat Lang.
4. **CONSENT AGENDA** - *Please submit minor changes in writing.*
 - a. Minutes from 06-18-08

Patterson explained the minutes were accidentally left out and she will place them in next month's packets.

5. **PUBLIC HEARING**, on the application Allen and Raquel Sellick for variance approval for a deck with privacy fence in a Residential zone. The property is located in the City of Union, to wit: Tax lot 221, Map 04S 49E 13DA, Union, Oregon, also known as 927 West Delta.

Opened at 7:10 pm

Weeks stated she drove by the location before the meeting. Wise gave the staff report. The deck was built without variance approval. The property owner came in and started the variance process as soon as he was notified. The structure is a deck that is attached to the home, which encroaches 7 feet into the side yard property line. The deck has a privacy fence that is used for the property owners hobby. He reminded the Commissioners that a detached structure needs to meet a 5 foot setback.

Applicants Allen Sellick stated he had this deck and fence built for the reason he needs a dark area for his astronomy. The fence blocks out light that isn't needed. He also put the fence up because his daughter's bedroom window is on that side of the house. The deck will never be enclosed. He just wants privacy. He is willing to make it as appealing as possible for the neighbors. He says it fits his needs. Regarding accessibility he said he could put hinges on the wood panels so safety personnel can get in. He shared the neighbors' smoke and the smoke travels with the wind into their house.

Weeks asked for questions. Dart asked, why did you put the deck on that side of the house? Sellick shared, they wouldn't have a backyard for the children if it was on the other side. Dart asked, why didn't your contractor look into the city ordinances? She suggested to applicant to have his contractor look into it.

Weeks asked for testimony in favor.

Stu Zaugg, 860 West Delta, Union. He stated he has been viewing other violations in town. He recommends Planning Commission grant Sellick's their

variance.

Bob Smith, 655 N. Ninth, across the street from the Sellick's . Their deck is attractive and doesn't see a problem with the encroachment.

Dick Veenhuizen, 753 N. 10th (PO Box 614). He lives just behind applicant's property. He finds the structure to be attractive. He has also made accommodations with his lights so to not shine into applicant's property. He feels it will be functional for their family. He states there is access to the back yard and he is in favor of the variance.

Irene Langford, 1091 S. Main, Apt 8. She is ashamed of Union. We are becoming a junk pile. He has been writing down locations in town that are in violation.

Robin Moore, 895 W. Delta. She stated they are great neighbors and will go out of their way for others.

Weeks asked for opposition.

Don Voetberg, 963 W. Delta, also speaking on behalf of roommate Sherry Murphy. He doesn't have a problem with the deck. He is concerned about fire. He feels it is intimidating to walk out and see this deck. He is concerned about fire damage to his property. He is mostly concerned about fire safety.

Dick Middleton, 10th Street. Feels it's a good deck. He feels it could be modified. Asked Commissioners to look at it and try and keep as much distance between property line and the deck. He isn't for it or against it.

Weeks asked if any testimony by phone or mail came in. Wise no and commented about the original complaint that came in.

Weeks asked Mr. Sellick if he wants to address opposition.

Mr. Sellick shared there is plenty of room for EMS to get through. He stated setback for a propane tank is 10 feet, which is a dangerous item.

Weeks asked for more questions. None asked.

Hearing closed at 7:35 p.m.

Commissioner's discussion.

Weeks shared she called the State Fire Marshal. He stated the deck couldn't be more than 3 feet above the ground. The fence isn't an issue. Wise commented this was a hard application. We have setbacks for safety issues and various other reasons. Fire being the biggest issue. The one issue he feels that needs to be looked at is the fire issue. He asked Commission to view this application as if the deck hadn't been built yet.

Dart stated there are 4 issues that the planning commission must address. She shared many of these issue are conflicting. She confirmed we need to follow the

rules. Weeks restated the fence isn't the issue, it's the deck. A deck and fence attached to a home can and most often burn. We need to look at the value when granting a variance. There are four criteria that need to be met and needs to be looked at as if it hadn't been build yet.

Bowles feels the contractor should have known. He feels it's tough, although thinks there is no safety issue. If we do it for one we need to do it for another. The one issue he has is the deck could have been build to fit the lot.

Sillick would at lest like to get a variance of a 5 foot setback.

Weeks asked for a motion

Dart asked Mr. Voetberg, the neighbor who submitted the complaint, if the applicant moves to the five-foot setback would you find that appropriate? He replied, yes.

Boettcher moved to accept the findings of facts and conditions put fourth by staff (2nd Fisher).

Vote passed with Fisher, Dart, Bowles and Boettcher voting yes.

6. TABLED IN JANUARY: UHS classroom conditional use permit for bus shed.

Tabled In January: Wise restated the bus barn was built to be a bus barn. Its in a commercial zone and if a classroom is to be in it, it needs a conditional use permit, which the school doesn't have. The question is does Planning Commission want to send them a letter to inform them they need a conditional use permit? The other issue is they are conducting welding classes in the building. Do we need to notify the school and also ask is that an appropriate use? Weeks read the prohibited uses in a commercial zone. She confirmed schools and light industrial uses are allowed in this zone. Bowles confirmed technically they need a conditional use.

Bowles moved to table until they come non-compliant agian, bring back to September meeting (2nd Boettcher). Vote passed by all.

7. INFORMATIONAL ITEMS

a. Administrator/Recorder/Planner Report

i. DLCD grant for goal 9 and 10 update

Wise shared we received the grant and have picked a consultant. He shared we need to appoint a couple committees. The Technical Advisory Committee will make sure the consultants are doing the work and make sure the city is following the steps that are needed for the requirements. He would like at least one person from the Planning Commission on that committee. Citizen input would be best for the Stack Holding committee. They will help guide the consultants on what is best for the community. They will determine what the community flavor will be. Council (Mayor) will have the final appointments. One to three meetings a month for one year.

Dart committed to be on one of the committees.

ii. RV permit review

Wise suggested to Planning Commission to rewrite the Ordinance. There are problematic issues. He is concerned with the length of time a visitor can stay. He would like a committee to re-write the ordinance.

Weeks appointed Linda Boettcher, Lavar Bowles, Pat Lang and Louise Weeks to the committee.

iii. Open Planning seat.

Planning Commission seat has been posted with a deadline of July 28th.

8. OTHER MATTERS none

9. ADJOURNMENT Bowles moved to adjourn (2nd Boettcher). Vote passed by all.

/S/

Planning Commission Chair

/S/

Planning Commission Secretary