128 S Main St.
PO Box 445
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CITY OF CONDON
WORK SESSION AGENDA
PLANNING COMMISSION
Tuesday, February 16, 2021, 5:30 PM
CONDON CITY HALL

1. **Zoom Link & Location**

    1.1. **https://us02web.zoom.us/j/86773173295?pwd=TEdtNldWUDNJSG82L1R6SDgydnpPQT09**

    Meeting ID: 867 7317 3295
    Passcode: 080430

2. **Call the Meeting to Order & Roll Call**
3. **Election of Officers- Chairman & Vice Chair & Appoint Secretary**
4. **Consent Agenda**

    4.1. **Review & Approve November 17 and December 1, 2020 Planning Commission Meeting Minutes**

5. **PUBLIC HEARING - HERSCHEL LANTIS VARIANCE APPLICATION #604**

    5.1. **Open Hearing**

    5.2. **Hearing Disclosure Statement**

    5.3. **Declare Actual or Potential Conflicts of Interest, Ex Parte Contact or Personal Bias**

    5.4. **Staff Report**

    5.5. **Applicants Testimony**

    5.6. **Other Members of the Audience Who Wish to Speak on this Application**

    5.7. **Applicants Rebuttal**

    5.8. **Other Public Agency Reports**

    5.9. **Close Hearing**

    5.10. **Planning Commission Decision**

6. **PUBLIC HEARING - JAY BUSE VARIANCE HEARING #605**

    6.1. **Open Hearing**

    6.2. **Hearing Disclosure Statement**

    6.3. **Declare Actual or Potential Conflicts of Interest, Ex Parte Contact or Personal Bias**

    6.4. **Staff Report**

    6.5. **Applicants Testimony**

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6.6. Other Members of the Audience Who Wish to Speak on the Application

6.7. Applicants Rebuttal

6.8. Other Public Agency Reports

6.9. Close Hearing

6.10. Planning Commission Decision

7. Adjourn

Work Session agenda distributed February 10, 2021

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CITY OF CONDON
WORK SESSION AGENDA
PLANNING COMMISSION 11-17-2020
Tuesday, November 17, 2020, 5:30 PM
CONDON CITY HALL

1. Location & Zoom Link

1.1. Meeting will be held at the Veteran's Memorial Hall - 120 S. Main Street

Join Zoom Meeting
https://us02web.zoom.us/j/84957254946?pwd=bXlKQkEyeXA5UVhIVWJLR2kvNEtLQT09

Meeting ID: 849 5725 4946
Passcode: 107893

2. Oath of Office to Derek Hiser

2.1. Oath

Chairman Grey administered the oath of office to Derek Hiser.

3. Call the Meeting to Order & Roll Call

Planning Commission Chairman Vernon Grey opened the meeting at 5:30 p.m.

Present: Planning Commissioners Vernon Grey, Cody Bettencourt, Haylee Potter, Derek Hiser; Staff - City Administrator Kathryn Greiner, Contract Planners Kirk Fatland and Dan Meader; Zoom - City Attorney Wyatt Baum and City Engineer of Record Dave Wildman.

Absent: Planning Commissioner Rachel Weinstein.

4. Review & Approve the August 18, 2020 Planning Commission Meeting

4.1. August 18-2020 Minutes

A motion was made by Commissioners Bettencourt to approve the August 18, 2020 Planning Commission meeting minutes. The motion was seconded by Commissioner Potter and approved unanimously.

5. Public Hearing - Condon School District Site Plan & Variance. Application #602

5.1. Open Hearing

Commissioner Grey opened the public hearing at 5:32 p.m.

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5.2. Hearing Disclosure Statement

Meader stated that this was a quasi judicial hearing that is straight forward in its schedule.

5.3. Declare Actual or Potential Conflicts of Interest, Ex Parte Contact or Personal Bias

Meader asked if there were any potential conflicts of interest, ex parte contact or personal bias. Commissioner Potter stated that she had a small conversation with a staff member of the City of Condon and noted that it would not affect her ability to hear the information without bias. All other members said that they did not have any ex parte contact or personal bias.

5.4. Staff Report

Fatland stated that the staff report was not to tell Condon School District if they could building but how they needed to develop the project. The project is already a permissible use but they needed to show how they meet the city's requirements that are in their code of ordinances and public works standards. Fatland asked that they go to page 12 of the staff report that asked for points of clarification. Fatland had six points of clarification that included parking lots access and availability, ODOT ADA requirements for curbs, radius of a corner exiting the new school parking lot to Washington and the number of ADA parking spaces that are required by law. He added if there would be bike racks, catch basin requirements, drainage plan, improvements to Washington, Pennoyer and Trimble Streets, grant writing of the City staff, pedestrian paths, extending the Rights-of-Way (ROW) to 60 feet and that this is a south county project that resides in the City of Condon.

Wildman briefed the Commission on his review of the proposed site plans which included concern with the storm drains and proposed dry wells and noted that bedrock may be an issue in these plans; noted that there are currently rock check dams below the proposed grade school site that will be affected by the new building. He touched on pavement design, ODOT access and requirements, referred them to the city's Public Works standards, questioned the 1" connection and if is is sufficient for fire flow, ODOT ADA ramps, turning radius for busses and deliveries, that there is a proposed streetlight in the city's ROW and that the traffic study needed to include the high school traffic at peak times during events and during regular day traffic.

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5.5. Applicant Testimony

Chris Thome of Steele & Associates presented that the plan was to build a new approximately 17,000 square foot grade school with six classrooms. Fatland asked him to clarify the points noted in the staff report as summarized:

- Existing high school parking lot shows closed on Bayard Street. Thome- The Bayard Street entrance will be closed with access now just off Washington Street.
- Existing parking lot above swimming pool - will there still be parking or will it just be one-way off Bayard to the new Grade School parking lot? Thome - it will be two-way traffic to allow parking on the existing parking lot and narrow to one-way into the new parking lot.
- Radius coming out of grade school parking lot is square and may be difficult to allow a left turn onto Washington Street. Thome - they will look at it and make adjustments of a radius.
- For both schools there must be four ADA parking spaces and plans show three. Thome - we will review the plans an add another ADA spot.
- Existing parking lot by the high school shop shows not driveway access. Thome - we will add an access to that parking lot for vehicle traffic.
- Bicycle parking not shown. Thome - it is on the east side under the awning that you cannot see on plans. They will make the adjustment and show the bicycle parking.
- Deliveries parking not shown. Thome - we will put that on our final plans.
- Pennoyer Street paving improvements and signage. Scott Steele of Steele & Associates responded that they did not agree with the improvements on that street and would like the paving removed. Joe Bessman of Transight Consulting noted that the traffic review was not a full analysis since one was not required by the City of Condon Code of Ordinances. He suggested that the traffic circulation would go north on Washington and not a need to pave Pennoyer and Trimble Streets for traffic circulation.
- Need to show the storm water drainage from high school property that current goes across the new proposed grade school site. Jim Pex of Flagline Engineering stated that they will start addressing the storm drainage from Condon High School and that they were looking with geotech engineer to determine which storm drain system they will use on the site. This may include drywells, swales or detention ponds. Pex said that the liability of detention ponds makes it an option they would rather not use.

Michelle Geer, Condon School District Superintendent testified that the District's perspective is to put the money from the bond directly into the building and did not see the point in developing Pennoyer.

Scott Steele of Scott Steele and Associates stated that they thought they would be doing a half street improvement on Washington Street with a sidewalk on only the west side of the street with a 40' ROW for pavement. He stated that he is concerned about the cost of construction. He asked the city not to require a 6-' ROW because that would push the facility and playground further west and to the south.

Nichole Schott, Chair of the Condon School District board of directors testified that they had worked hard on getting the funds through the bond process and asked that the money be spend on the site, asked for no development on Pennoyer Street and that the ROW not be expanded to make less room for the playground. She stated that the decision made by the Planning Commission tonight will impact our kids.

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5.6. Others Members of the Audience who Wish to Speak on the Application

Commissioner Potter stated that she had done some research and had some concerns about the walkability and safety of the students to the new school. She read some of the statistics of child safety from ODOT's website regarding safety of the children in school zones and noted that the plans received had no sidewalks or cross walks on the east side of the property along South Main Street. She noted her daughter and several other families lived that direction and without sidewalks would not be safe to walk to school. She noted a junior police officer program that is done in school zones in Hawaii for crossing safety.

Jeff Schott resident spoke in favor of the school's proposal and said that he had done work on the predesign of the site. He did not agree with paving Pennoyer Street as the traffic would be directed to turn left onto Washington Street and not need to use Pennoyer. He was not in favor of barricading the end of Washington Street by the proposed school access road and noted that he was on the South Gilliam County Rural Fire Protection board that was also opposed to the barricade. He included that it was a "good design" and that there is not ample parking.

5.7. Other Public Agency Reports

Statements were read by Meader from Wade Luckman of ODOT regarding the ADA ramp project that is being done in the City of Condon; and from Don Morehouse of ODOT regarding the permitting required for the project. He also read a letter of requirements from Oregon State Fire Marshall Craig Andresen and Laci Olson, Gilliam County Fire Services Coordinator read her letter regarding the use of Trimble Street to access the facility with fire apparatus. Wildman asked if Olson was okay with the Trimble not being paved for fire apparatus and she assured him that she was comfortable with the current condition of that street and did not see the need to pave it.

5.8. Close Hearing

Commissioner Grey closed the meeting at 7:10 p.m.

5.9. Planning Commission Decision

Meader suggested that the applicant pull together a simple 1 page site plan with all the issues that were discussed during the hearing due to the agency reports came in right before the meeting began. Steele responded that he could do one in three sheets instead of one.

Commissioner Grey asked the Planning Commissioners if they were close to making a decision to get it completed. Commissioner Potter stated that she was not ready to make a decision until they reviewed her concerns on South Main Street and student safety. Commissioner Bettencourt agreed with Commissioner Potter that questions were not answered regarding safety and the plans were not complete with the changes discussed. Commissioner Hiser stated that he would like to see more planning on the sidewalks and needs clarifications on the dry wells and ADA issues. Commissioner Grey stated that his concerns included Commissioner Potters and the student drop off area and traffic flow.

It was determined that the meeting would be continued to December 1 with the city's Planning Commissioners to get concerns and comments to CA Greiner by Friday, November 20 to send to the school's project team.

Motion by Commissioner Bettencourt to continue the hearing of the Condon School District to December 1, 2020, 5:30 p.m. The motion was seconded by Commissioner Potter and approved unanimously.

6. Other

None

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7. Adjourn

Commissioner Grey adjourned the meeting at 7:31 p.m.

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CITY OF CONDON
WORK SESSION AGENDA
PLANNING COMMISSION
Tuesday, December 1, 2020, 5:30 PM
CONDON CITY HALL

1. Zoom Link

1.1. Join Zoom Meeting
https://us02web.zoom.us/j/89015411596?pwd=cWp1QWd4QjlldGRsL0xFdzJsaCtDUT09

Meeting ID: 890 1541 1596
Passcode: 662746
One tap mobile
+16699006833,,89015411596#,,,,,,0#,,662746# US (San Jose)
+12532158782,,89015411596#,,,,,,0#,,662746# US (Tacoma)

2. Call the Meeting to Order & Roll Call

Commissioner Vernon Grey, Chairman called the Planning Commission meeting to order at 5:30 p.m.

Present: Commissioners Vernon Grey, Cody Bettencourt, Derek Hiser and Haylee Potter; Staff: CA Kathryn Greiner, PW Superintendent Gibb Wilkins, Planning Consultants Dan Meader and Kirk Fatland, City Engineer of Record Dave Wildman.

Absent: Commissioner Rachel Weinstein

3. Open Public Hearing for Condon School District Site Plan & Variance Application - This is for Commission to hear new information and will not accept redundant testimony

Commissioner Grey opened the public hearing at 5:31 p.m.

Fatland read the staff report that noted that there were several unresolved issues, most were minor and will require clarification from the proponents. He wrote that for the district to proceed the staff will recommend approval with the following conditions:

- Washington Street must be developed to the City's Minor Collector Street Standards. The standard section was attached. The City will allow the following alterations to the Minor Collector Street standards: the eight foot parking lanes could be gravel instead of pavement and a curb would not be required.
- No dry wells will be placed in the City right-of-way.
- To address the Safe Routes to School implementation, the School District will need to participate with the City and ODOT to develop a satisfactory response to this State requirement. The purpose of this is to ensure a firm plan can be identified for a successful grant application. This would need to be completed by July 1st to apply for the next round of grants.
- All comments and questions in the staff report dated November 12, 2020 and the staff summation of Planning Commissioner's concerns dated November 20, 2020 must be addressed and approved by the City.

It was noted in the staff report that if the Commissioners agreed to the recommendation motions that were drafted could be made to approve the site plan, but the Commissioners could add any additional conditions if addressed in this hearing. The motions would also include one to approve the variance as requested.

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Proponents testimony:

- Chris Thome of Steele Architects, Bend - He stated that they had resubmitted their site plan and believed they had addressed commissioners concerns regarding access and sidewalks. He asked that they were previously approved for 24' foot of asphalt and asked what that had been changed. Fatland stated that the street width of 24' had not been changed but added allowance for gravel parking on the east and west sides of the travel lanes.
- Jim Pex, Flagline Engineering, Bend - explained that the new diagram allowed limited parking on the west side due to vision clearance of entrances and exits of parking lots. Several parking spaces were put near the high school guy on the west side. The diagram showed parking on the east side of Washington Street north of Pennoyer Street, but did not have any south of that street to limit the ability to park and drop the kids off in front of the next grade school. He noted that they would add "No Parking" signs. He added that the City had indicated that they did not want to allow dry wells in the City's ROW and he didn't want that to be taken from his "toolbox" to address the drainage. Wildman asked if the plan was to allow curb cuts to allow drainage into the landscaping strip, which Pex noted that they were going to be added. Although the City is going to allow no curbs, Pex indicated that they would still like to use the curbs.
- Jeff Schott, Condon - stated that he was a proponent and added that the site plan was well thought out. He said that the plan for Washington Street made sense to move traffic away from the building. He added that adding the SRTS condition was unusual. Meader said that it can be a condition of approval as the design team has made comments for the City to write grants and we are assuring that the school will participate. Schott stated that he reviewed comments of the Commissioners about extending the ROW on Washington to Matney Street which it is undeveloped and asked what the benefit to the city would be with this ROW. Meader stated that the Commissioners did not feel that their comments were not answered and wanted the District to address sidewalks and safety of pedestrian/student travel on South Main Street near Trimble.
- K'Lynn Lane, Condon - commenting on the group working together to find the best solutions for Condon Community. She added that she lived near Trimble and Church Streets and that it was dangerous for her kids to cross on South Main Street west of the new school and was in support of a SRTS plan.
- Gary Bettencourt, Condon - stated that he patrols the City and that cars come in fast from the south and do not slow down enough near Trimble Street. He noted that there are safe crosswalks near the park and he would like to sit in on the SRTS planning effort.
- Brian Johnson, Condon - testified that he was a Condon School Board member and works for the Gilliam County Road Department. He noted that his employer maintains over 500 miles of roads and that gravel roads are more forgiving in snow. He did not see the benefit in paving the the South end of Washington and stated that in City of Condon unpaved streets were not an issue.
- Scott Steele of Steele Architects, Bend - testified that he was familiar with SRTS and thought it was very odd that the SRTS was a condition of approval. He noted that they are doing their best to have a safe and secure school and that the Commissioners responses should not be part of the conditions.
- Levi Day, Condon - testified that as an educator at Condon School District that he agreed with Lane. He added that education dollars for education funds teachers and every dollar that doesn't takes away from kids.
- Nichole Schott, Chair of Condon School District Board of Directors, Condon - testified that she had concerns with the 4th bullet point of response that she felt the Commissioners comments were harsh and that she didn't know to achieve the standard that was asked in the comments. Fatland replied that all comments were not meant to be dealt with in this meaning, but they had questions they wanted answered.
- Michelle Geer, Condon - testified as superintendent of Condon School District that they were willing to work with the City and ODOT on the SRTS plan but thought it more a procedural and didn't think it should be a condition of approval. She responded to a Commissioner's question regarding an ORS of school safety was done with the bond planning in public meetings and that she has documentation that this was completed.

Commissioner Potter responded that she had noticed a lack of sidewalks in the proposed plan and researched and found that ODOT had a Guide to School Safety that addressed pedestrian issues. She noted that this was tied to the school's bond and didn't want this to fall through the cracks. She added that there are safety issues crossing S. Main Street near Trimble and path to Washington Street near the proposed school. Geer responded that the school had met the requirements of the bond and that overall Condon is a safe community. Potter said that with plans with pedestrian paths the plan is incomplete to her. Steele said that the shortest route may not always be the safest route and adding a sidewalk may not make it safer. Meader stated that we would all work on the SRTS plan and asked CA Greiner for input. CA Greiner responded that on all the correspondence and two of the submitted plans, SRTS grant and other grant funds have

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been mentioned and that without a SRTS plan it would be futile to write grants for sidewalks on this project. Pex noted that this seems to be hamstringing the efforts to move forward. Commissioner Bettencourt stated that it appeared everyone was on board and not to get lost in the weeds.

- Jessica Bates, Condon - thanked the school, city and design team and stated that it appeared they were getting close and appreciated everyone's efforts.

Pex stated with the discussion with Fatland and Meader that there was concerns with parking and he said that both school will have increased parking with approximately 117 spaces. He added that keeping the dry wells in their options was critical and that the design team had talked with DEQ and said that it would cost $134 to put in the drywell and the school would pay that cost. He noted that the only maintenance would be to look down the grate so it is kept clean. He is hoping not to use the drywells but does not want to take that option away.

Wildman stated that the City Standards does not allow drywells and suggested that the swales would work near the floodplain. He said that he deals with multiple communities that deal with drywells that are now trying to get rid of them due to the regulations. Wildman also noted that between him and the City Public Works staff they have over 50 years experience of excavating in Condon, plus having his dad a former Columbia Basin Electric Cooperative employee and they noted that the gray basalt in Condon is the hardest rock they have ever encountered. He added that the the drywell option is a concern for student safety since the low spots are near the bus drop off and will cause ice build up.

- Lori Myers, Condon School District Business Manager, Condon - stated concern that the cost of each meeting to have the site plan discussed is costing more money to the district.
- Scott Nation, Condon School Board Director, Condon - testified that he agreed with Lori and that everyone should work together on this project. He stated that he wants safe crossings, that the storm water goes in the right direction and they are committed to the SRTS.

3.1. Revised Plot Plan & Other Planning Information

3.2. Opponents Testimony

None

3.3. Planning Commissioners Questions & Response

Commissioner Hiser stated that his questions were not adequately answered, has concerns with the drywells and that he hopes the SRTS plan comes to fruition. Commissioner Potter asked if a sidewalk/path could be located on the south side of the proposed building to connect from south of football field. Pex noted that it would not meet ADA requirements. Commissioner Potter asked if due to costs if a gravel path could be placed on the south side of the building and not on the gravel road. Bettencourt spoke that he has common sense and hoped that this would not hold up the $7 million project. Commissioner Potter stated that it just seemed like common sense to have a sidewalk on three sides of the new building.

3.4. Close Hearing

Commissioner Grey closed the hearing to public testimony at 6:47 p.m.

3.5. Planning Commission Deliberations - Can result in Decision, Re-Open Hearing for More Information or Move Deliberations to a Time/Date Certain

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Meader stated that there are three options 1) move to continue the hearing at another date/time certain; 2) continue deliberations or 3) work it out this evening. Wildman stated that with the new information on the street design of no parking on the west side of Washington Street that he is fine with the parking as proposed in the newest design submitted. PW Wilkins agreed that the new information made sense and was fine with the west side of Washington design too. Commissioner Grey asked about the crowing of the street in the city's cross section that would drain from the center. The submitted design shows the slope to allow drainage to the west. They also discussed the option of no curb on west side and allowing 8' gravel parking strip on east side of Washington Street. Commissioner Bettencourt pointed out that one of the designs didn't show the gravel parking on the east side of Washington Street that needed to be included.

Consensus of Commissioners and staff to leave the 60' ROW to Matney for future development of the school or residential area. Fatland stated that this easement would allow for the same opportunity of development as other areas of town where there is a similar ROW.

Meader and Fatland rewrote the conditions as follows:

- Washington Street must be developed to the City's Minor Collector Street standards. The City will allow the following alterations to the Minor Collector Street standards: the eight-foot parking lanes could be gravel instead of pavement and would be optional on the west side. A cub is not preferred to accommodate road extension to the south.
- No dry wells will be placed in the City right-of-way.
- To address the Safe Routes to School implementation, the School District will be asked to participate with the City and ODOT to develop a satisfactory response to this State requirement. The purpose of this is to ensure a frim plan can be identified for a successful grant application. This would need to be completed by July 1st to apply for the next round of grants.
- All comments and questions in the staff report dated November 12, 2020 must be addressed and approved by the City.

A motion was made by Commissioner Bettencourt to approve the variance to allow public parking in front of the proposed grade school based upon the findings of fact contained in the staff report dated November 12, 2020. The motion was seconded by Councilor Potter and approved unanimously.

A motion was made by Commissioner Bettencourt to approve Condon School District 25J's elementary school site plan with the above conditions of approval. The motion was seconded by Commissioner Hiser and approved unanimously.

Meader asked if Council would take up the issue of no-parking along the west side of Washington Street at their next meeting. CA Greiner will ask the attorney, but since the Council is the appealing body, she wasn't sure if they were allowed to discuss this project until the appeal date has expired.

4. Other

None

5. Adjourn

Commissioner Grey adjourned the meeting at 7:26 p.m.

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3775 CRATES WAY
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FAX (541) 296-6657

February 9, 2021

City Planning Commission
City of Condon
128 South Main Street
Condon, Oregon 97823

Reference: Lantis Variance Request
Staff Report

Dear Commissioners,

The City has received an application from Mr. Lantis to construct a 900 square foot shop on his property at 403 South Potter Street. The property is zoned R-1 and is legally described as lot 12 of Block 43 of the West Addition to the City of Condon. There are two separate items for the Commission to consider regarding this application: 1. The requested variance to the maximum building height and 2. The property is comprised of two lots. The shop is proposed to be on the lot immediately adjacent to the lot with the home.

Variance Request

The height limit for accessory structures in this zone is 14 feet. The requested variance would allow the building to be constructed to the desired height of 16 feet. The proposed structure meets all required setbacks in the R-1 Zone and would be located behind the existing house which is larger than the proposed shop both in terms of square feet and height.

Zoning Ordinance Variance Requirements

A variance may be granted only in the event that all of the following circumstances exist:

(1) Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, topography or other circumstances over which the owners of property since enactment of this ordinance have had no control.

(2) The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same zone or vicinity possess.

(3) The variance would not be materially detrimental to the purposes of this ordinance, or to property in the same zone or vicinity in which the property is located, or otherwise conflict with the objectives of any City plan or policy.

(4) The variance requested is the minimum variance which would alleviate the hardship.

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Strictly speaking the request does not meet all the above criteria. However, this accommodation would be a minor departure from the Zoning Ordinance requirements and would not be detrimental to any adjacent property owners, City plans, or policies.

Lot Line

The second issue to consider is that the subject property is comprised of two 50x100 foot lots, the house on one and the proposed shop on the other. The Condon Zoning Ordinance reads: *Accessory structures must be incidental and subordinate to the main use of the property and located on the same lot as the main use.* Primarily this serves to prevent stand-alone garages from being sold separately from dwellings in the Residential Zone.

The simplest way to resolve this issue is to create one lot by undertaking a replat process. Though simple, this is an expensive process. A secondary solution is for the property owner to file a deed restriction with Gilliam County stating that if these lots were to be sold, they must be sold together. This effectively eliminates the chance that the stand-alone garage could be separated from the home in the future. There is a fee to file with the County, but it would be considerably less than a replat process.

If it is the decision of the Planning Commission to approve the variance request, Planning Staff recommend that the filing of such a deed restriction be required as a condition of approval.

Sincerely,

Kirk T. Fatland

Kirk Fatland
KTF
<wo#15786>

NOTICE TO PROPERTY OWNERS

The Condon Planning Commission will conduct a Public Hearing beginning at 5:30 p.m. on February 16, 2021 in the City Hall and Zoom. The purpose of the Hearing is to consider a variance to the 14-foot height limit for accessory structures in the R-1 Zone. The structure is proposed to be 18 feet in height at the rear of property owned by Mr. and Mrs. Lantis at 403 South Potter Street. The property is zoned R-1 and legally described as lot 12 of Block 43 of the West Addition to the City of Condon.

The specific substantive criteria relied on by the City in rendering decisions on the proposed zone change are contained within the Zoning Ordinance in Article 6 – Exceptions and Variances.

Failure to raise a specific issue during the local public hearing process will preclude an appeal to the Condon City Council, based upon that issue.

A copy of the application and all other information related to this proposal is available for review at no cost at the Condon City Hall, and copies of the application and all other information concerning the application, can be supplied at a reasonable cost. If a staff report is prepared, it will be available for review seven days before the hearing and can be supplied at a reasonable cost. The public hearing process begins with the staff report, followed by testimony from the applicants and any other supporters of the application. This will be followed by testimony from opponents to the application. Finally, a rebuttal by the applicant will be allowed. The public hearing for a portion of the procedure will then be closed and the Planning Commission will consider the information and testimony received and may render a decision. Written testimony will be received until 3 p.m., February 16, 2021, at the Condon City Hall. Oral testimony will be received during the hearing. All interested are urged to attend.

If you have any questions, please contact Kathryn Greiner at (541) 384-2711.

Kirk Fatland

Contract Planner

- Plot Plan
- $150 fee

CITY of CONDON

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Condon, OR 97823-0445
Tel. (541) 384-2711
Fax (541) 384-2700
Email: admin@cityofcondon.com

Pd $150 Chk# 67716

City of Condon Development Permit Application

CITY OF CONDON
Community Development Department
128 S. Main Street
P. O. Box 445
Condon, OR 97823

Date Issued_____
Building Permit Log #_____

TYPE OF LAND USE ACTION OR DECISION
[ ] Building Permit [ ] Variance [ ] Conditional Use Permit [ ] Site Plan Review
[ ] Comprehensive Plan/Zoning Map Amendment [ ] Other

APPLICANT

Name Herschel Lantis
Address 403 Potter
Telephone # 541-701-4546
E-mail herschellantis@Yahoo.com

LEGAL OWNER (If Different than Applicant)

Name_____
Address_____
Telephone #_____

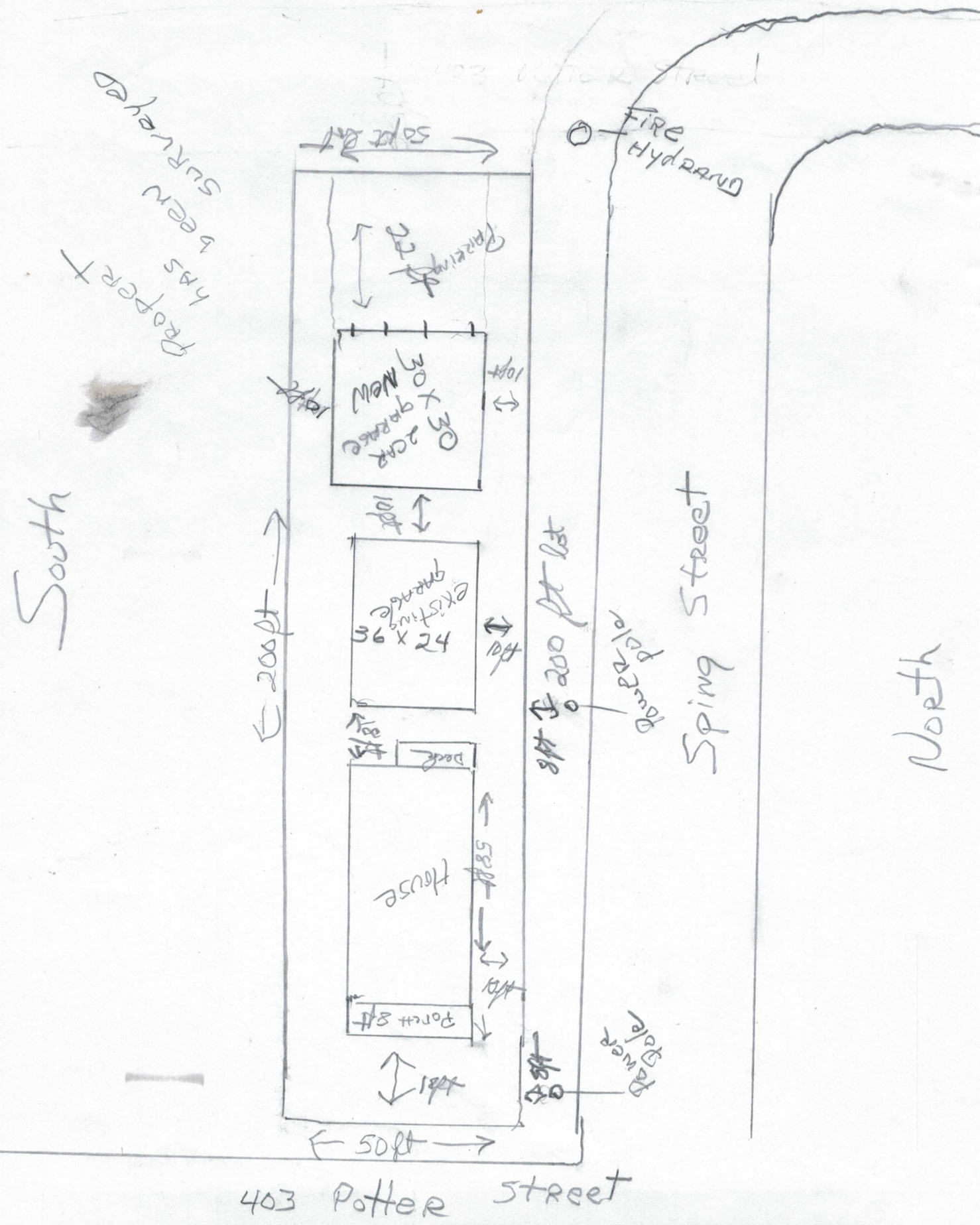
PROPERTY INFORMATION

Address 403 S Potter St Condon ORE 97823
Map & Tax Lot Map 04S21E10-CA-12100 Lot 101
Zone District/Overlay_____

Oregon State Highway access [Yes] [No]
If yes, property owner must obtain appropriate Permits from Oregon Dept. of Transportation.

GENERAL INFORMATION

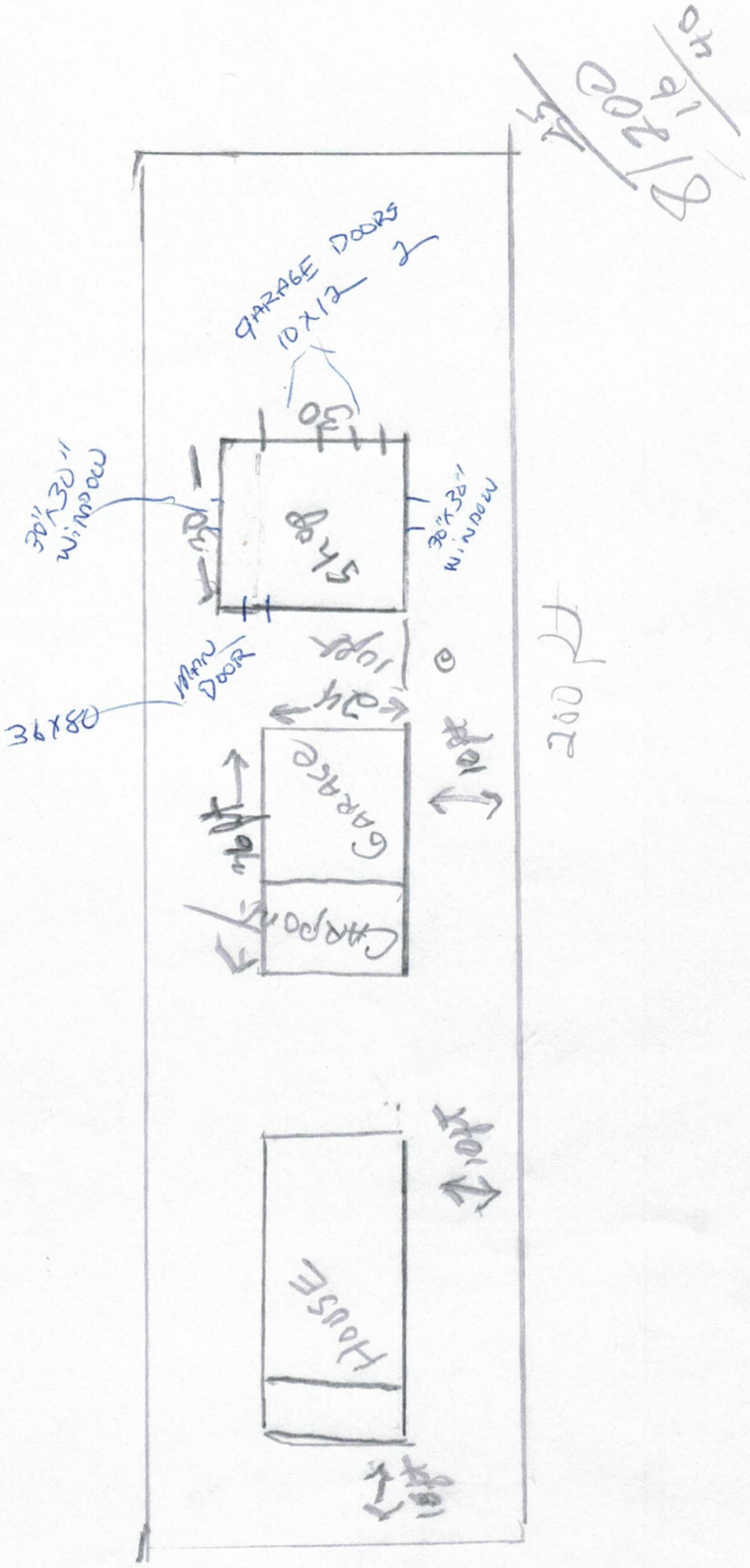
Describe current use of the property Empty



South
North
Spring Street
Fire Hydrant
Power pole
Power pole
50 ft
200 ft
200 ft lot
Parking
Existing garage
36 x 24
House
Porch 8 ft
Deck
403 Potter Street

30ft x 30ft
12ft walls
18ft peak

110 MPH wind
40 lbs snow ~~load~~



(No Subject)

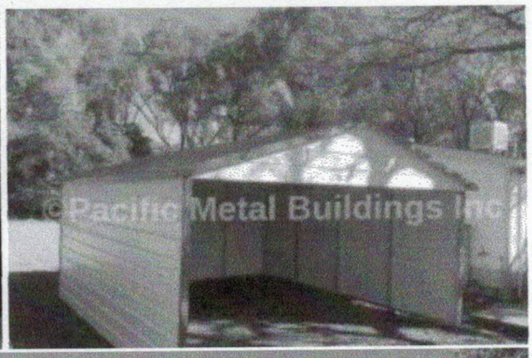
From: Herschel Lantis (herschellantis@yahoo.com)

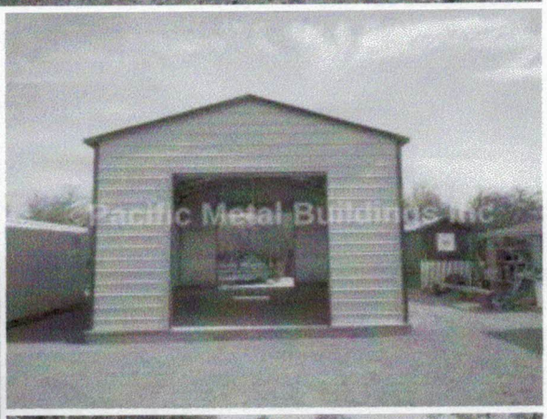
To: herschellantis@yahoo.com

Date: Wednesday, January 6, 2021, 12:00 PM PST

This is what building will look like.

Sent from Yahoo Mail on Android





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ENGINEERING CORPORATION
CONSULTING ENGINEERS • SURVEYORS • PLANNERS

3775 CRATES WAY
THE DALLES, OR 97058

PHONE (541) 296-9177
FAX (541) 296-6657

February 9, 2021

City Planning Commission
City of Condon
128 South Main Street
Condon, Oregon 97823

Reference: Buse Variance Request
Staff Report

Dear Commissioners,

Mr. Buse has submitted an application to construct a 960 square foot shop on his property at 421 North Oregon Street. The property is zoned R-1 and is legally described as Lot 9 of Block 94 of Lords' Addition to the City of Condon. There are two separate items for the Commission to consider regarding this application. 1: The requested variance to the maximum building height and 2. The property is comprised of multiple lots. The shop is proposed to be on a lot immediately adjacent to the lot with the home.

Variance Request

The applicant is requesting a variance to the 14-foot height restriction, proposing a building approximately 16 feet, 6 inches in height. Though the proposed building would be taller than the approximately 11-foot-tall home, its visual impact would be minimized by its location on the rear lot which is several feet below the grade of the lot the house is located on. The proposal meets all setback requirements in the R-1 Zone.

Zoning Ordinance Variance Requirements

A variance may be granted only in the event that all of the following circumstances exist:

(1) Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, topography or other circumstances over which the owners of property since enactment of this ordinance have had no control.

(2) The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same zone or vicinity possess.

(3) The variance would not be materially detrimental to the purposes of this ordinance, or to property in the same zone or vicinity in which the property is located, or otherwise conflict with the objectives of any City plan or policy.

(4) The variance requested is the minimum variance which would alleviate the hardship.

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Strictly speaking the request does not meet all the above criteria. However, this accommodation would be a minor departure from the Zoning Ordinance requirements and would not be detrimental to any adjacent property owners, City plans, or policies.

Lot Line

The second issue to consider is that the subject property is comprised of four 50x100 foot lots, the proposed structure would be the sole structure on one of these lots. The Condon Zoning Ordinance reads: *Accessory structures must be incidental and subordinate to the main use of the property and located on the same lot as the main use.* Primarily this serves to prevent stand-alone garages from being sold separately from dwellings in the Residential Zone.

The simplest way to resolve this issue is to create a single lot by undertaking a replat process. Though simple, this is an expensive process. A secondary solution is for the property owner to file a deed restriction with Gilliam County stating that if these lots were to be sold, they must be sold together. This effectively eliminates the chance that the stand-alone garage could be separated from the home in the future. There is a fee to file with the County, but it would be considerably less than a replat process.

If it is the decision of the Planning Commission to approve the variance request, Planning Staff recommend that the filing of such a deed restriction be required as a condition of approval.

Sincerely,

Kirk T. Fatland

Kirk Fatland
KTF
<wo#15786>

128 S. Main St
PO Box 445
Condon, OR 97823-0445
Tel. (541) 384-2711
Fax (541) 384-2700
Email: admin@cityofcondon.com

pd 1/25/21 Chk#1008 $150

City of Condon Development Permit Application

CITY OF CONDON
Community Development Department
128 S. Main Street
P. O. Box 445
Condon, OR 97823

Date Issued _____
Building Permit Log # 605

TYPE OF LAND USE ACTION OR DECISION
[ ] Building Permit [ ] Variance [ ] Conditional Use Permit [ ] Site Plan Review
[ ] Comprehensive Plan/Zoning Map Amendment [ ] Other

APPLICANT

Name JAY R. BUSE

Address 421 N. OREGON ST. CONDON

Telephone # 503-781-5542

E-mail shamootski@gmail.com

LEGAL OWNER (If Different than Applicant)

Name _____

Address _____

Telephone # _____

PROPERTY INFORMATION

Address 421 N. OREGON ST. CONDON - MAP 04S21E10BA-2900 REF. #121

Map & Tax Lot LOTS - 3, 4, 9, 10, 11 and 12, BLOCK 94 LORD'S ADDITION

Zone District/Overlay _____

Oregon State Highway access [Yes] [No]
If yes, property owner must obtain appropriate Permits from Oregon Dept. of Transportation.

GENERAL INFORMATION

Describe current use of the property HOUSE - JUST A HOMEOWNER

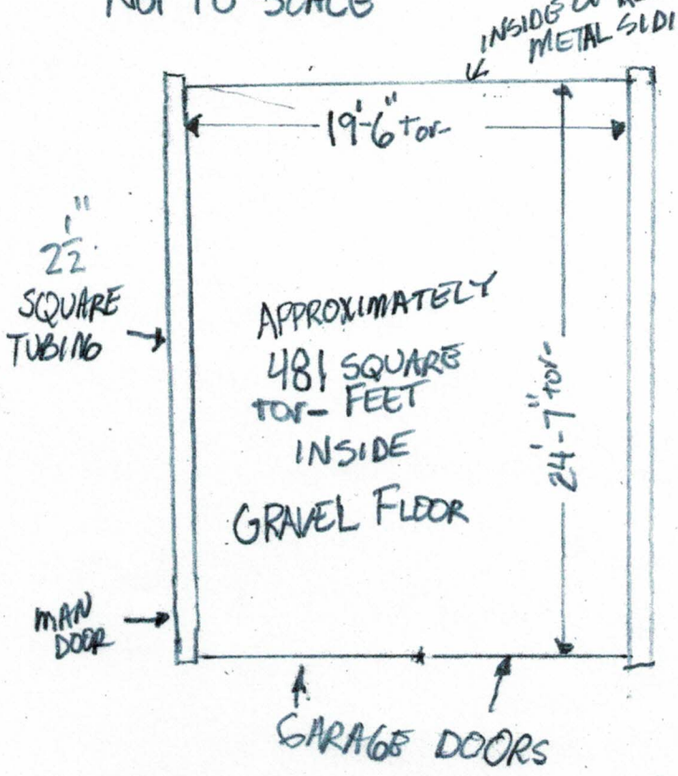
I HAVE AROUND A 1456 SQUARE FOOT HOUSE

421 N. OREGON ST - CONDON

JAY BUSE OWNER

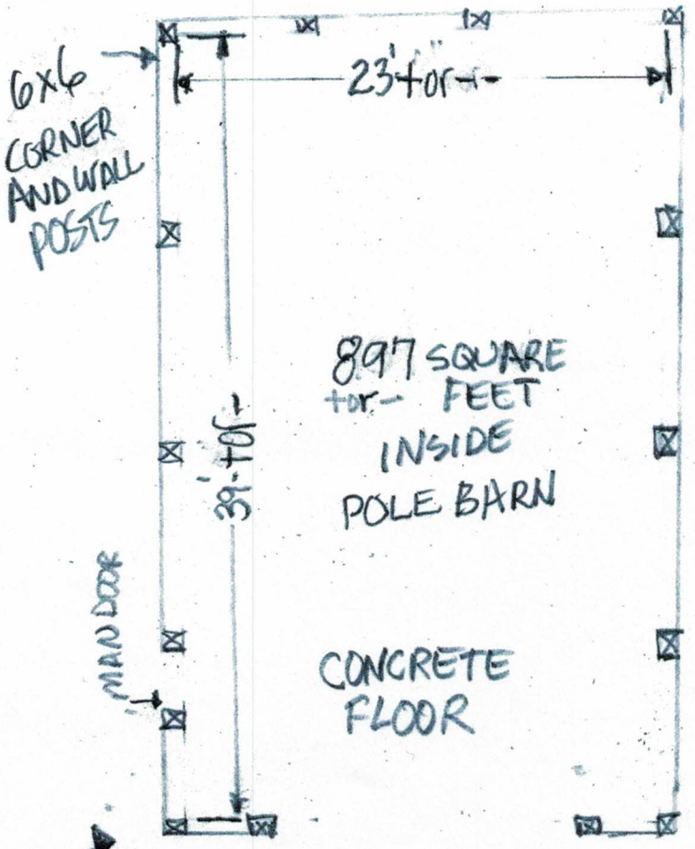
EXISTING GARAGE

NOT TO SCALE

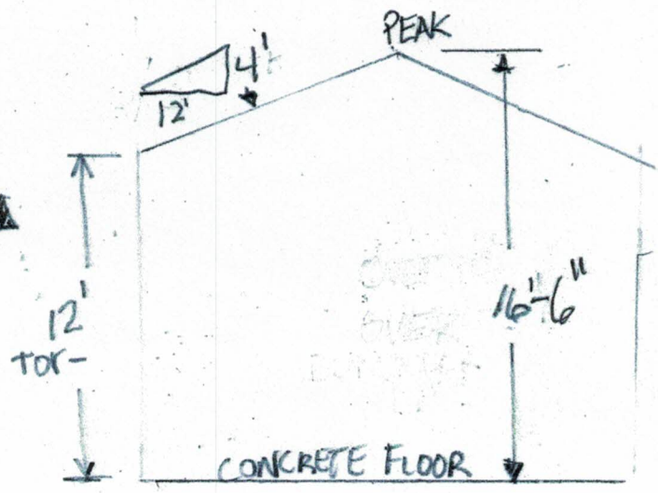


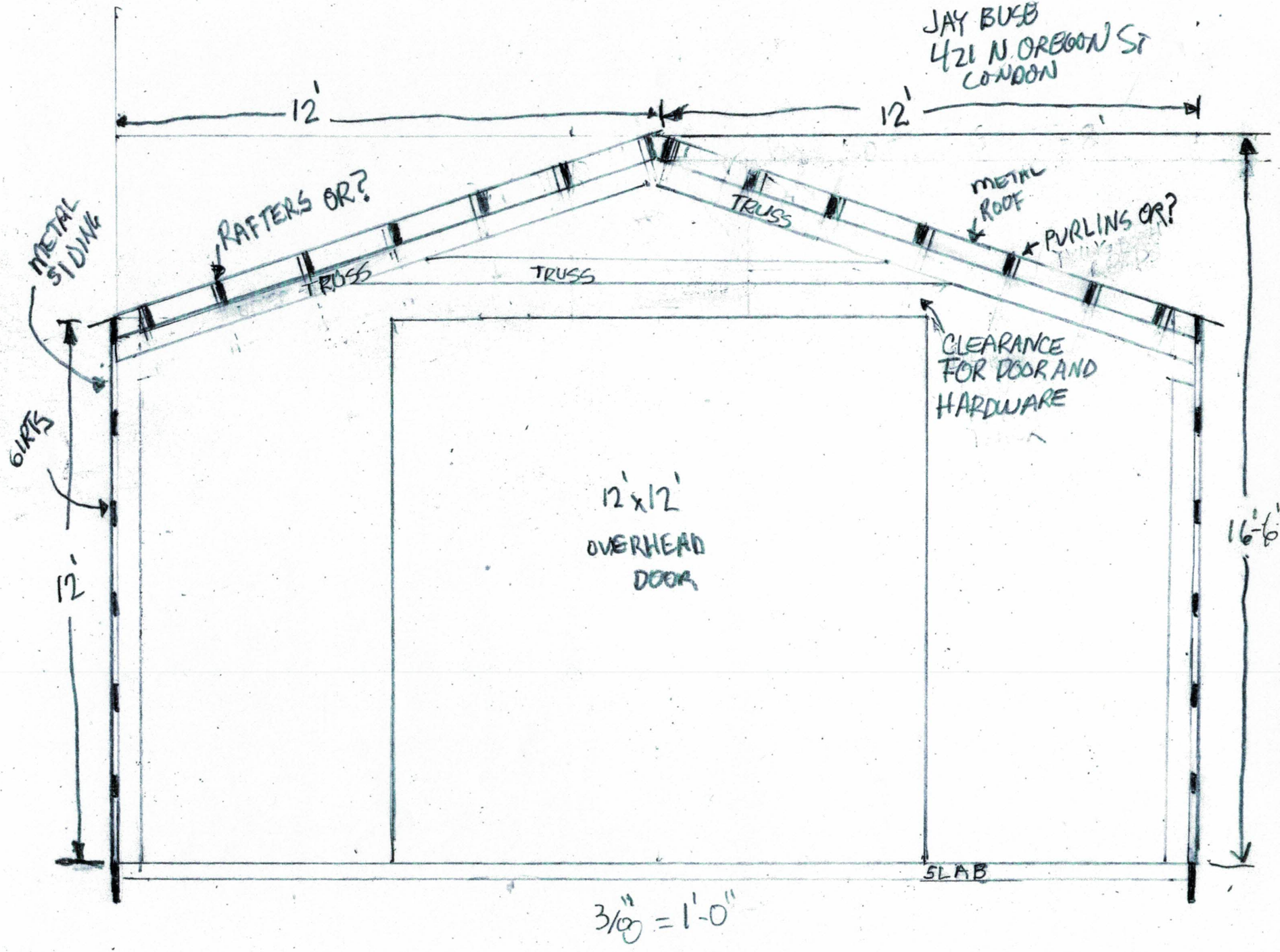
PROPOSED DETACHED POLE BARN

NOT TO SCALE



PROPOSED NEW POLE BARN

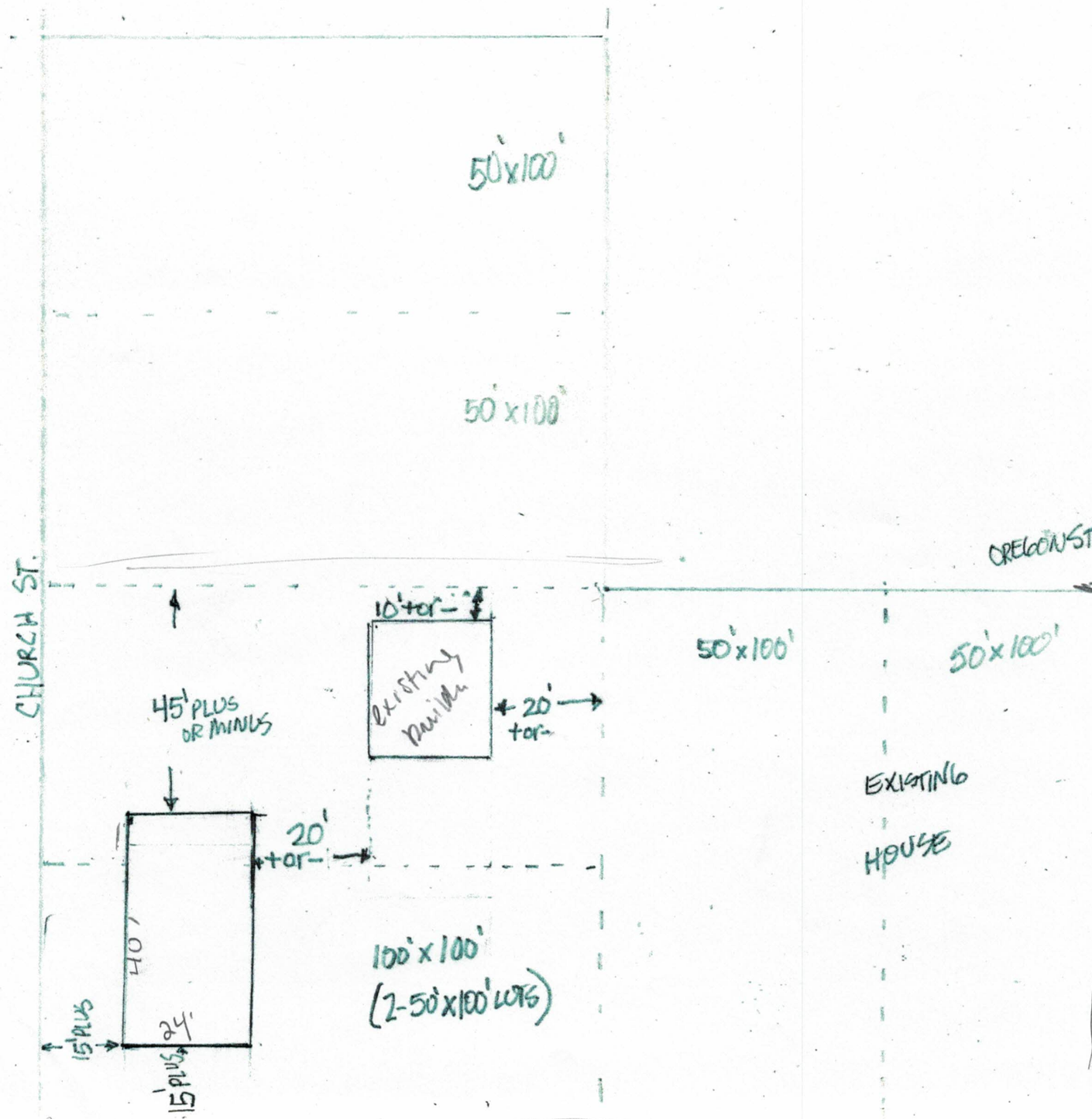



JAY BUSB
421 N. OREGON ST
CONDON
12'
12'
METAL SIDING
RAFTERS OR?
TRUSS
TRUSS
TRUSS
METAL ROOF
PURLINS OR?
CLEARANCE FOR DOOR AND HARDWARE
GIRTS
12'
12'x12'
OVERHEAD DOOR
16'-6"
SLAB
3/16" = 1'-0"

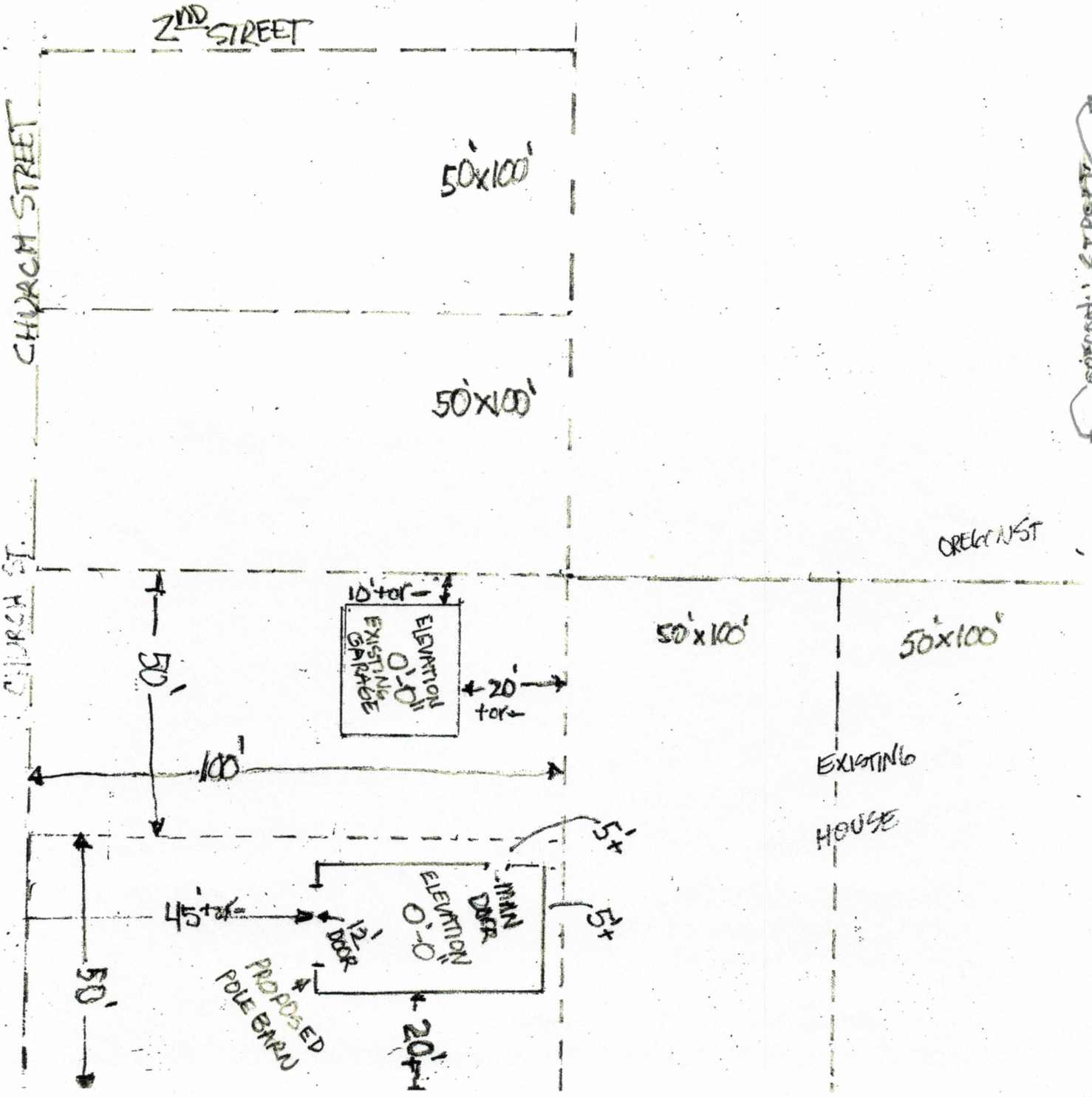
2ND ST.

JAY BOSS
421 N OREGON ST
CONDON)

SCALE- 1" = 25'



2ND ST.

JAY BUSE
421 N OREGON ST.
[ONLON]

SCALE- 1" = 25'