



City of Stayton

Department of Planning and Development

362 N. Third Avenue • Stayton, OR 97383
Phone: (503) 769-2998 • Fax (503) 769-2134

dfeishman@ci.stayton.or.us www.staytonoregon.gov

MEMORANDUM

TO: Chairperson Ralph Lewis and Planning Commission Members

FROM: Dan Fleishman, Director of Planning and Development

DATE: April 29, 2019

SUBJECT: Variance Application of Tracy & Denise Guenther, 1270 E Jefferson St

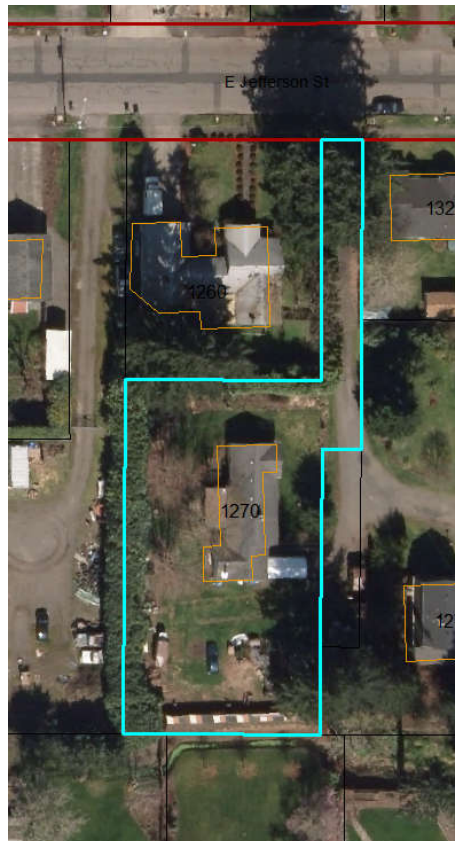
120 DAYS ENDS: July 30, 2019

ISSUE

The issue before the Planning Commission is a public hearing on an application for a variance for the height restrictions on an accessory building.

BACKGROUND

The site is a 21,500 square foot flag lot on E Jefferson St. The existing house is a relatively short, one-story home built in the early 1950s. The house sits approximately 150 feet from E Jefferson St and is not visible from the street. A 2014 aerial photo of the lot is shown below:



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ANALYSIS

This report presents the Planning Staff's summary and analysis concerning this application. It was developed with the input of other City departments and agencies.

Attached is an application for a variance from the height restrictions for accessory buildings of Section 17.20.040 of the Land Use and Development Code. The application consists of the application form and narrative, and a diagrams showing the proposed building location and relative heights of the existing home and proposed shop building.

The Code, in Section 17.20.040.2, limits an accessory building to be no taller than the principal building on the lot. The existing home on the parcel has a 10-foot eave height with a 15-foot roof peak. The proposed shop building would have a 16-foot eave with a 21-foot peak. The applicant has stated that the shop building height is necessary in order store a recreational vehicle.

The proposed shop will be located behind the house, almost 300 feet from the street. The adjacent property to the west has a two-story shop on it.

RECOMMENDATION

The staff recommendation for approval is reflected in the draft order that is attached to the staff report.

There may be testimony at the public hearing that requires the draft order be modified to reflect that testimony.

OPTIONS AND SUGGESTED MOTIONS

Staff has provided the Planning Commission with a number of options, each with an appropriate motion. The Planning Department recommends the first option.

1. Approve the application, adopting the draft order as presented.

I move the Stayton Planning Commission approve the application for a variance of Tracy and Denise Guenther (Land Use File #5-03/19) and adopt the draft order presented by Staff.

2. Approve the application with conditions, adopting modifications to the draft order.

I move the Stayton Planning Commission approve the application for a variance of Tracy and Denise Guenther (Land Use File #5-03/19) and adopt the draft order with the following changes...

3. Approve the application with conditions, directing staff to modify the draft order.

I move the Stayton Planning Commission approve the application for a variance of Tracy and Denise Guenther (Land Use File #5-03/19) and direct staff to modify the draft order to reflect the Planning Commission's discussion and bring a revised draft order for Planning Commission approval at the May 28, 2019 meeting.

4. Deny the application, directing Staff to develop the findings and conclusions to justify that decision.

I move that the Stayton Planning Commission deny the application for a variance of Tracy and Denise Guenther (Land Use File #5-03/19) and direct staff to modify the draft order to reflect the Planning Commission's discussion and bring a revised draft order for Planning Commission approval at the May 28, 2019 meeting.

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5. Continue the hearing until May 28, 2019.

I move the Stayton Planning Commission continue the public hearing on the application for a variance of Tracy and Denise Guenther (Land Use File #5-03/19) until May 28, 2019.

6. Close the hearing but keep the record open for submission of written testimony.

I move the Stayton Planning Commission close the hearing on the application for a variance of Tracy and Denise Guenther (Land Use File #5-03/19) but maintain the record open to submissions by the applicant until May 13, allowing 7 days for review and rebuttal and then an additional 7 days for the applicant to reply, with final closure of the record on May 27, 2019.

7. Close the hearing and record, and continue the deliberation to the next meeting.

I move the Stayton Planning Commission continue the deliberation on the application for a variance of Tracy and Denise Guenther (Land Use File #5-03/19) until May 28, 2019.