

**CITY OF FLORENCE
PLANNING COMMISSION**

RESOLUTION PC 20 21 VAR 01

A REQUEST FOR A VARIANCE TO SIDE YARD SETBACKS AND RIVER CUTBANK SETBACKS TO REPLACE A DECK AT 985 ALDER STREET, FLORENCE, OREGON, AT ASSESSOR'S MAP 18-12-27-32 TAX LOTS 05600, 05700, AND 06700

WHEREAS, application was made by Steve Oldham, on behalf of Mark and Elizabeth Holden, for approval of a variance request as required by FCC 10-1-1-4, FCC 10-1-1-6-3, and FCC 10-5-3; and

WHEREAS, the Planning Commission met in a duly-advertised public hearing on August 11, 2020, as outlined in Florence City Code 10-1-1-6-3, to consider the application, evidence in the record, and testimony received; and

WHEREAS, the Planning Commission of the City of Florence, per FCC 10-5-4 and FCC 10-5-5, finds, based on the Findings of Fact, application, staff recommendation, evidence, and testimony presented to them, that the application meets the applicable criteria through compliance with certain Conditions of Approval.

NOW THEREFORE BE IT RESOLVED that the Planning Commission of the City of Florence finds, based on the Findings of Fact and the evidence in record that:

The request for a reduction in setback requirements meets the applicable criteria in Florence City Code and the Florence Realization 2020 Comprehensive Plan with the conditions of approval as listed below.

Conditions of Approval:

The application, as presented, meets or can meet applicable City codes and requirements, provided that the following conditions of approval are met.

1. Approval for shall be shown on:

"A" Findings of Fact
"B" Land Use Application
"C" Proposed Site Plan
"D" Deck Plans and Elevations
"E" Emile Mortier Site Investigation

Findings of Fact attached as Exhibit "A" are incorporated by reference and adopted in support of this decision. Any modifications to the approved plans or changes of use, except those changes relating to Building Codes, will require approval by the Community Development Director or Planning Commission/Design Review Board.

2. Regardless of the content of material presented for this Planning Commission, including application text and exhibits, staff reports, testimony and/or discussions, the applicant agrees to comply with all regulations and requirements of the Florence City Code which are current on this date, EXCEPT where variance or deviation from such regulations and requirements has been specifically approved by formal Planning Commission action as documented by the records of this decision and/or the associated Conditions of Approval. The applicant shall submit to the Community Development Department a signed "Agreement of Acceptance" of all conditions of approval prior to issuance of a building permit and apply for all building permits necessary for this proposal.
3. Upon encountering any cultural or historic resources during construction, the applicant shall immediately contact the State Historic Preservation Office and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians. Construction shall cease immediately and shall not continue until permitted by either a SHPO or CTCLUSI representative.
4. The proposed deck must be built to the requirements of the Oregon State Building Code and other applicable construction and fire codes.
5. Construction of the proposed deck shall not expand the structure beyond the current extent of the ground-level concrete patio and the existing concrete wall along the south property line. No approval for expansion of the site's impervious surface area is included in this variance.
6. At the close of the appeal period, the variance shall become effective. The authorization for a variance shall be void after August 11, 2021, unless a building permit for the deck is active at that time. The variance shall be void if a building permit for the deck expires after August 11, 2021.
7. Prior to August 11, 2021, all exterior lighting shall comply with the requirements of FCC 10-37.

ADOPTED BY THE FLORENCE PLANNING COMMISSION/DESIGN REVIEW BOARD the 11th day of August, 2020



PHIL TARVIN, Vice Chairperson
Florence Planning Commission

8/14/2020

DATE