

**CITY OF FLORENCE PLANNING COMMISSION**  
**January 23, 2018 \*\* MEETING MINUTES \*\***

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**CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE**

Chairperson John Murphey called the meeting to order at 7:00 p.m. Roll call: Chairperson John Murphey, Commissioner Michael Titmus, Commissioner Brian Jagoe, Commissioner Clarence Lysdale, Commissioner Sandi Young and Commissioner Ron Miller were present. Vice Chairperson Bare was absent and excused. Also present: Planning Director Wendy FarleyCampbell, Planning Technician Bentley Regher, and Adm. Assistant Vevie McPherren.

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**APPROVAL OF AGENDA**

Commissioner Young motioned to approve the agenda. Commissioner Miller seconded. By voice, all ayes. The motion passed.

**APPROVAL OF MINUTES**

Chairperson Murphey stated that the minutes of December 13, 2017 would be available for approval at the next meeting.

**PUBLIC COMMENTS**

*This is an opportunity for members of the audience to bring to the Planning Commission's attention any items **NOT** otherwise listed on the agenda. Comments will be limited to **three minutes per person**, with a maximum time of 15 minutes for all items.*

There were no public comments.

**PUBLIC HEARING**

*Chairperson Murphey announced there were two public hearing before the Planning Commission that evening. The hearings would be held in accordance with the land use procedures required by the City in Florence City Code Title 2 Chapter 10 and the State of Oregon. Prior to the hearing(s) tonight, staff will identify the applicable substantive criteria which have also been listed in the staff report. These are the criteria the Planning Commission must use in making its decision. All testimony and evidence must be directed toward these criteria or other criteria in the Plan or Land Use Regulations which you believe applies to the decision per ORS 197.763 (5). Failure to raise an issue accompanied by statements or evidence sufficient to afford the Planning Commission and parties involved an opportunity to respond to the issue may preclude an appeal of this decision based on that issue. Prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval without sufficient specificity to allow the Planning Commission to respond to the issue that precludes an action for damages in circuit court. Any proponent, opponent, or other party interested in a land use matter to be heard by the Planning Commission may challenge the qualifications of any Commissioner to participate in such hearing and decision. Such challenge must state facts relied upon by the party relating to a Commissioner's bias, prejudgment, personal interest, or other facts from which the party has concluded that the Commissioner will not make a decision in an impartial manner.*

**RESOLUTION PC 17 24 VAR 02 – SIDE YARD VARIANCE - CONTINUED:** A continuance from December 19, 2017 of the application from James Edwards for a side yard variance to construct a carport on the east side of the house located at 2535 Willow Crest Court. This request includes a proposed 16-foot wide extension of the existing roof leaving a 2 ½ - 8-foot east side yard setback. Property is located at Assessors Map #18-12-23-43, Tax Lot #00143 within the Restricted Residential Zoning District, regulated by FCC Title 10, Chapter 10.

There were no conflicts of interest, bias, ex parte contacts, or site visits declared by the Commissioners. There were no challenges. Chairperson Murphey opened the public hearing at 7:23 p.m.

PD FarleyCampbell presented the staff report that included the staff memo regarding the continuance. She pointed out the exhibits that were delivered at the dais included a revised site plan drawn to scale and new south and east elevations that replaced the exhibits from the packet (see attached). She detailed the modifications and changes to the set-backs and pointed out the east and south view of the enclosed building and the roof line. PD FarleyCampbell reported the applicant had located the property lines and the revised drawings had been done professionally. She concluded and said that she had made the adjustments to the Resolution and the Staff report specifically, clarifying Condition #3 regarding the explanation of the variable width and the removal of Condition #5 regarding the required non-enclosure. Commissioner Jagoe asked if the 12-foot northeast wall was to be enclosed and PD FarleyCampbell stated that it was.

**Applicant – Jerry Jensen, Contractor**

Mr. Jensen explained the modifications and changes to the site plan. Chairperson Murphey asked if the proposed garage would have a two-foot eve to match the house and Mr. Jensen replied that it would. Chairperson Murphey also asked about the roof run off and Mr. Jensen stated that it would not drain into the street. Commissioner Lysdale questioned whether or not Condition #4 would remain, there was brief discussion regarding property locates and setbacks, and PD FarleyCampbell affirmed Condition #4 would remain. Chairperson Murphey asked Mr. Jensen if he had read and understood the staff report, agreed with the conditions as proposed. Mr. Jensen stated that he would read the staff report.

**Proponent – Ian Eales, neighboring property owner across the street**

Mr. Eales explained how he had drawn the site plan and elevations and said he had no objection to the proposed carport.

There were no opponents or neutral parties. PD FarleyCampbell stated that staff recommended approval with conditions of approval cited. She continued and said that staff recommended a change in the language in the title from request for a variance for *variable* 3 foot to 7 ½ foot side yard setback at 2535 Willow Crest Court in the Restricted Residential Zoning District and change throughout any other text in both the findings and the resolution for consistency.

Chairperson Murphey closed the public hearing at 7:39 p.m.

Commissioner Jagoe questioned the need to keep Condition #4 regarding the survey requirement if the property markers had been located and PD FarleyCampbell responded that if the applicant was able to find professional survey markers in the ground then a survey would not be required.

Commissioner Lysdale motioned to approve Resolution PC 17 24 VAR 02 – Side Yard Variance. Commissioner Jagoe seconded.

By roll call vote: Commissioner Miller, “yes”; Commissioner Titmus, “yes”; Chairperson Murphey, “yes”; Commissioner Lysdale, “yes”, Commissioner Young, “yes”. Commissioner Jagoe, “yes”. Vice Chairperson Bare was absent and excused. Motion passed 6-0.

**RESOLUTION PC 17 25 EAP 01 – EXTENSION OF APPROVAL PERIOD:** A request for an extension of approval period, ending December 13, 2017 for Resolution PC 16 26 CUP 08 - a request for a conditional use permit to construct and operate a 128-foot wireless telecommunications facility (monopole with associated equipment yard) at the property located at 87545 Highway 101. The site is located at Map #18-12-14-20, Tax Lot #00102 in the Service Industrial District regulated by FCC Title 10 Chapter 31.

There were no conflicts of interest, bias, ex parte contacts, or site visits declared by the Commissioners. There were no challenges. Chairperson Murphey opened the public hearing at 7:42 p.m.

PD FarleyCampbell presented the staff report that included information regarding the fence criteria that had been overlooked and so was not approved at the previous hearing. She continued and stated that proposed barbed wire fence was included with the building permit and it would need to be approved by the Commissioners (see attached). PD FarleyCampbell stated that staff recommended approval with conditions of approval that included Condition #4 that stated, “The new Conditional Use Permit & Design Review expiration date is January 23, 2019.” She also recommended Condition #5 that stated, “Barbed wire is permitted on the perimeter fencing of the cell tower and component building.”

Commissioner Jagoe asked if a ‘knox box’ at the gate would be required so that emergency services could gain access if needed and PD FarleyCampbell stated that it could be added as Informational. Commissioner Young questioned whether or not landscaping would be required from Highway 101 and PD FarleyCampbell explained the original approval that included an extensive landscape requirement.

**Applicant – Brian Mackey, on behalf of Verizon Wireless**

Mr. Mackey reported that the bid process for fiber installation took much longer than Verizon had anticipated however, construction was scheduled to commence in March 2018. He stated that he supported the staff recommendation. Chairperson Murphey asked Mr. Mackey if he read and understood the staff report and agreed with the conditions as proposed and Mr. Mackey responded that he did.

There were no opponents or neutral parties. PD FarleyCampbell stated that staff determined that the application met the requirement of City code with the conditions as listed in the Resolution and recommended approval of the extension.

Chairperson Murphey closed the public hearing at 7:57 p.m.

Commissioner Jagoe said he recommended that the a 'knox box' be installed at the gate and PD FarleyCampbell added Informational #2 that stated, "The applicant shall coordinate with Siuslaw Valley Fire and Rescue to locate a 'knox box' or other system as directed."

Commissioner Young motioned to approve Resolution PC 17 25 EAP 01 – Extension of Approval Period with conditions of approval sited and the addition of Informational #2. Commissioner Miller seconded.

By roll call vote: Commissioner Lysdale, "yes"; Commissioner Young, "yes"; Commissioner Titmus, "yes"; Chairperson Murphey, "yes"; Commissioner Jagoe, "yes". Commissioner Miller, "yes". Commissioner Bare was absent and excused. Motion passed 6-0.

#### **PLANNING COMMISSION DISCUSSION ITEMS**

There were none.

#### **PLANNING DIRECTOR'S REPORT/CALENDAR**

PD FarleyCampbell stated that on February 7<sup>th</sup> the City Council would have a work session and receive a presentation with updates and results of the HEOP project and then to consider the next steps. She continued and said that same presentation would be delivered to the Planning Commissioners on February 13<sup>th</sup> along with Ethics Training. She concluded and stated that joint City Council/Planning Commission work session was tentatively scheduled for February 26<sup>th</sup> and Regular Planning Commission meeting was scheduled for February 27<sup>th</sup> to consider an application from Lane County for the proposed annexation and zoning of Harbor Vista Campground. The Commissioners unanimously agreed to the 5:30 meeting time.

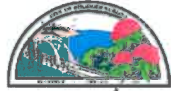
Chairperson Murphey adjourned the meeting at 8:07 p.m.

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John Murphey, Chairperson  
Florence Planning Commission

\_\_\_\_\_  
Date

# Willow Crest Court Side Yard Variance

PC 17 24 VAR 02



## Criteria

### Florence City Code, Title 10:

Chapter 1: Zoning Administration, Section 1-6-3  
Chapter 2: General Zoning Provisions, Section 2-13  
Chapter 5: Zoning Variances, Sections 1 through 5  
Chapter 10: Restricted Residential District, Sections 4 and 5

### Florence Realization 2020 Comprehensive Plan:

Chapter 1: Citizen Involvement, Policies 4 through 6

Willow Crest Ct, Side Yard Variance - PC 17 24 VAR 02

12/19/2017 • 2

## Introduction

- **2003** – Home constructed
- **2004** – Building Permit for 20' x 40' RV Barn with 5' eastern side yard
- **November 22, 2017** – Variance application submitted
- **November 27, 2017** – Application deemed complete
- **November 29, 2017** – Public Notice Mailed

Willow Crest Ct, Side Yard Variance - PC 17 24 VAR 02

12/19/2017 • 3

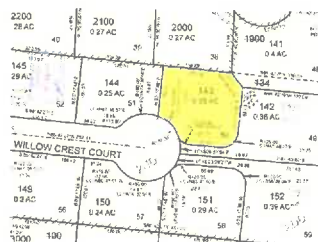
## Aerial of Site



Willow Crest Ct, Side Yard Variance - PC 17 24 VAR 02

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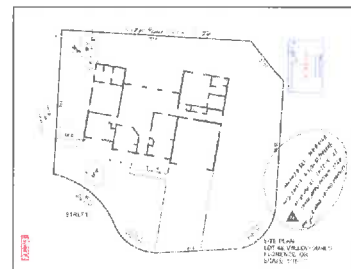
## Lot Lines



Willow Crest Ct, Side Yard Variance - PC 17 24 VAR 02

12/19/2017 • 5

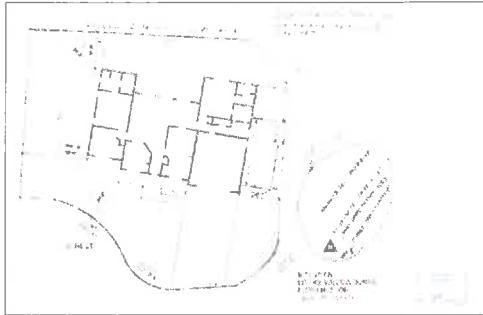
## 2003 Approved Site Plan



Willow Crest Ct, Side Yard Variance - PC 17 24 VAR 02

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## Proposed Site Plan



Willow Crest Ct. Side Yard Variance - PC 17-24 VAR 02

12/19/2017 #7

## Site Photos



Willow Crest Ct. Side Yard Variance - PC 17-24 VAR 02

12/19/2017 #6

## Site Photos



Willow Crest Ct. Side Yard Variance - PC 17-24 VAR 02

12/19/2017 #9

## South Elevation



Willow Crest Ct. Side Yard Variance - PC 17-24 VAR 02

12/19/2017 #10

## East Elevation



Willow Crest Ct. Side Yard Variance - PC 17-24 VAR 02

12/19/2017 #11

## Variance Criteria

### Basis:

- Grade difference on available western side yard
- Six lot lines in a unique arrangement
- Home not constructed according to plans on file and approved by city. 15' difference to placement
- Original fence not constructed anywhere near the property lines.

Willow Crest Ct. Side Yard Variance - PC 17-24 VAR 02

12/19/2017 #12

## Comments/Testimony

None received

Willow Crest Ct. Side Yard Variance  
- PC 17 24 VAR 02

12/19/2017 #13

## Needed Changes

### Findings of Fact

- File Reference Number: PC 17 24 VAR 02 (VAR 01)
- Address: Narrative-Willow Street to Willow Crest Ct.
- Condition 3: a variable 2'6" to 8' eastern side yard setback
- Condition 6: Date change to December 19, 2018

### Resolution

- Condition 3 wording above
- Condition 6 wording above

Willow Crest Ct. Side Yard Variance - PC 17 24 VAR 02

12/19/2017 #14

## Conditions of Approval

3. Variance for a variable 2'6" to 8' eastern side yard setback
4. Demarcation of eastern side yard setback line by surveyor
5. No enclosure
6. Expiration of Variance

Willow Crest Ct. Side Yard Variance - PC 17 24 VAR 02

12/19/2017 #15

## Alternatives

1. Approve the application;
2. Deny the application;
3. Modify the findings, reasons, or conditions and approve the proposal, or
4. Continue the Public Hearing to a date certain if more information is needed.

Willow Crest Ct. Side Yard Variance - PC 17 24 VAR 02

12/19/2017 #16

## Staff Recommendation

Staff finds that the application meets the applicable criteria and can be approved with changes as noted and conditions of approval.

Willow Crest Ct. Side Yard Variance - PC 17 24 VAR 02

12/19/2017 #17

## Questions?



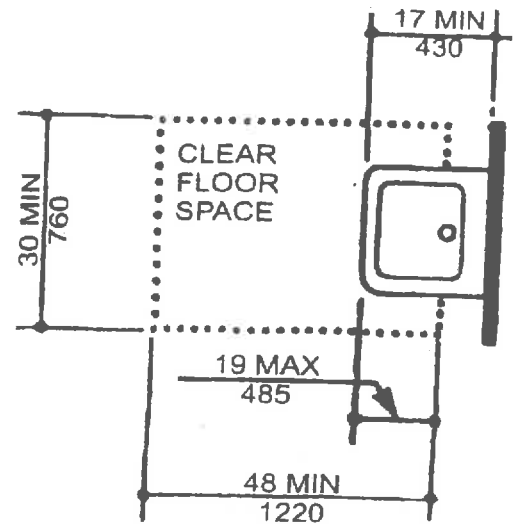
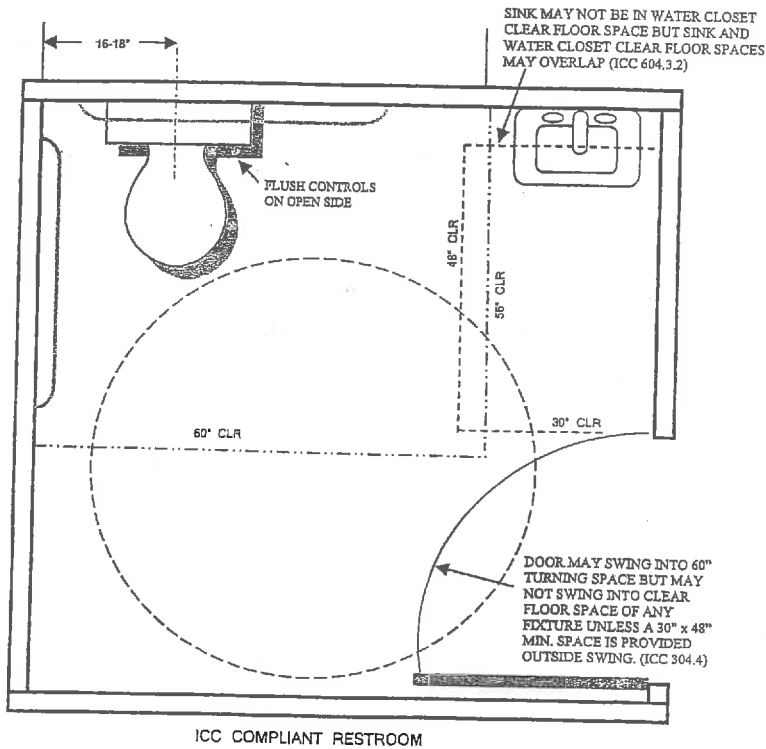
Willow Crest Ct. Side Yard Variance - PC 17 24 VAR 02

12/19/2017 #18

# THE BUILDING DEPARTMENT, LLC

144 East 14th Avenue, Eugene, OR 97401  
Phone: 541-484-9043 800-358-8034

## ADA Accessible Bathrooms ICC/ANSI A117.1 - 2003



CLEAR FLOOR SPACE AT LAVATORIES

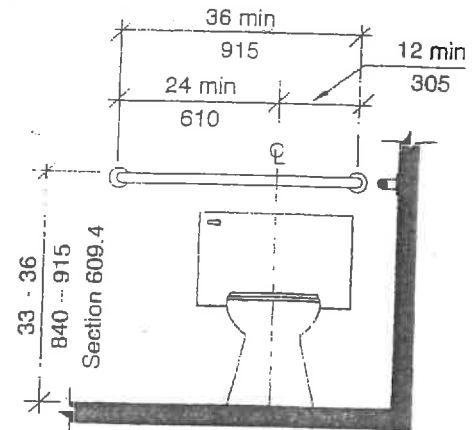


Fig. 604.5.2  
Rear Wall Grab Bar for Water Closet

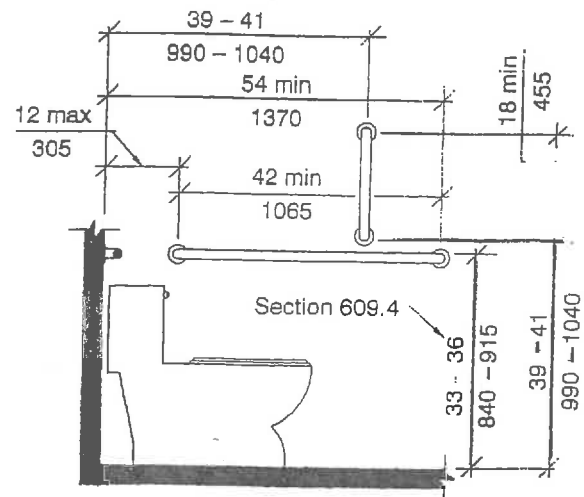
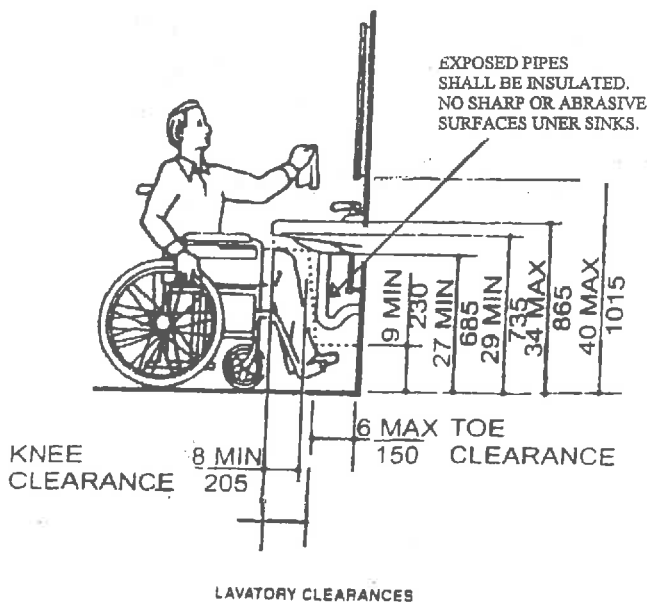


Fig. 604.5.1  
Side Wall Grab Bar for Water Closet

**604.7 Dispensers.** Toilet paper dispensers shall comply with Section 309.4 and shall be 7 inches (180 mm) minimum and 9 inches (230 mm) maximum in front of the water closet measured to the centerline of the dispenser. The outlet of the dispenser shall be 15 inches (380 mm) minimum and 48 inches (1220 mm) maximum above the floor, and shall not be located behind the grab bars. Dispensers shall not be of a type that control delivery, or do not allow continuous paper flow.

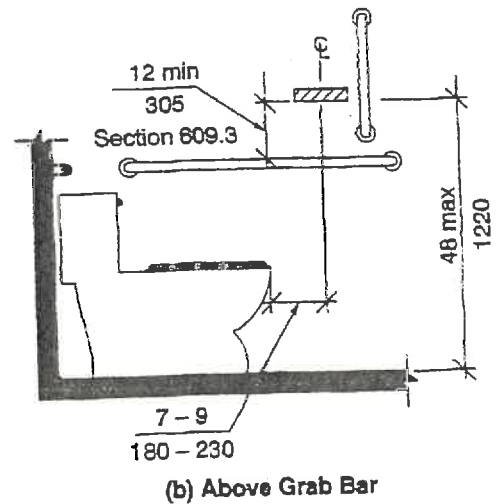
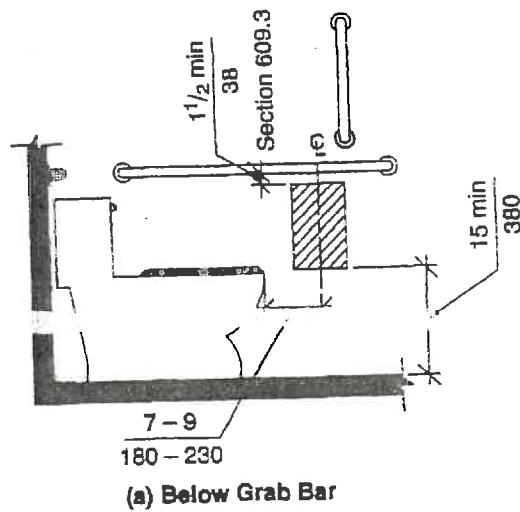


Fig. 604.7  
Dispenser Location