



LAND MANAGEMENT DIVISION

LAND USE APPLICATION – DIRECTOR
General Application Form

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97408 Planning: 541-682-3577

For Office Use Only: FILE #

509-PA16-05618

FEE: 2600

Applicant (print name): Benedick Holdings

Mailing address: 27922 Ward Lane, Eugene, OR 97402

Phone: 541-688-6402

Email: ejbenedick@msn.com

Applicant Signature:

Agent (print name): Thom Lanfear / Lanfear Consulting LLC

Mailing address: 541 Willamette St. Ste 402, Eugene, OR 97401

Phone: 541-345-8139

Email: tlanfear@pacinfo.com

Agent Signature:

TL

Land Owner (print name): Benedick Holdings

Mailing address: 27922 Ward Lane, Eugene, OR 97402

Phone: 541-688-6402

Email: ejbenedick@msn.com

Through applying for this application I authorize the Lane County Planning Director, designee, or hearings official to enter upon the property subject of the application to conduct a site visit necessary for processing the requested application. Lane County shall contact the Land Owner prior to the site visit to arrange an appropriate time for the site visit.

Land Owner Signature:

Sharla A Whitten

MANAGER

LOCATION

18-12-10-40 #400, 401; Map 18-12-10-34 #801

Township - Range - Section - Taxlot

None assigned

Site address

PROPOSAL. In one sentence, identify what you are proposing.

Request for Planning Director Approval to Lane Code 10.270-35(6) to allow grading of slopes in excess of 25% within the Beaches and Dunes Combining District as provided by Lane Code 10.330.

Exhibit K58-G

98

DO NOT
SEPARATE
PACKET

CERTIFICATE OF MAILING

509-PA16-05618
BENEDICK/LANFEAR
9-2-2016

This is to certify that I, Chris Rogers, mailed Notification of

Referral

To the person(s) shown on the attached copy of mailing labels &/or attached letter, and delivered said information to the authorized agent for the us Post Office in Eugene, Oregon on

DATE MAILED: 9-2-2016

END OF COMMENT PERIOD: 9-12-2016 ^{AOI} 9-22-2016

APPEAL DEADLINE: _____

Chris Roberts
CHRIS ROBERTS

NOTE: Surrounding property owners listed are "the owners of record of all property on the most recent property tax assessment rolls" on RLID as per Lane Code 14.300(3)(d). If a tax lot appears on the notice list & there are no corresponding addresses then the tax records have not been updated; therefore, these property owners were not notified.



Referral Notice and Opportunity to Comment On a Land Use Application for a Development

LAND MANAGEMENT DIVISION
<http://www.lanecounty.org>

Date: 9-2-2016

Department File: 509-PA16-05618

Applicant: SHARLA MANAGER WHITTEN - BENEDICK HOLDINGS LLC

Owner: BENEDICK HOLDINGS LLC

Agent: THOM LANFEAR - LANFEAR CONSULTING LLC

Assessor's Map & Taxlot: 18-12-10-34-00801; 18-12-10-40-00400; 18-12-10-40-00401

Address: VACANT

Base Zone: SUBURBAN RESIDENTIAL (RA)

Combining Zone: BEACHES AND DUNES (/BD) & PRIME WILDLIFE (/PW)

Proposal: A request for Planning Director Review and Approval to allow a variance to the grading standards of the Beaches and Dunes Combining District. The applicant requests allowance to grade of slopes in excess of the 25% prohibition found in 10.270-35(6). The variance provisions are pursuant to Lane Code 10.330.

The purpose of this notice is to acquaint you with the proposed development, to gather information you may have about the project, and provide an opportunity to comment and express concerns related to the approval criteria, prior to the Planning Director's decision to approve or deny the proposal.

The application and related materials are available for inspection at the Lane County Land Management Division at no cost and copies will be provided at reasonable cost. The name of the Lane County Land Management Division representative to contact concerning this application is Erik Forsell, (541) 682-4054.

Approval criteria are found in the section(s) of Lane Code cited above. The criteria may be obtained or viewed at the Land Management Division or at the internet address below. You may submit information in the spaces provided on the last page and return this document to the attention of Erik Forsell, Lane County Land Management Division, 3050 N. Delta Hwy., Eugene, OR 97408, or Fax to ATTN: Erik Forsell, (541) 682-3947. Please be sure to reference the PA file number shown above, and submit your comments by **4:00 P.M.** on 9-22-2016.

Concerns/comments submitted in writing will be considered in making the decision as they relate to the criteria under which the proposal must be evaluated.

Your comments are important and will greatly improve the decision making process, but please note that you will not receive an individual response to information submitted. By law, comments received that are not related to the approval criteria may not be considered. General planning information is available by calling 541/682-3577, or by visiting the Public Works Customer Service Center at 3050 N. Delta Hwy. weekdays between 9 a.m. and 4:00 p.m.

Links to applicable law are available through our Planning homepage:

<http://www.lanecounty.org/Departments/PW/LMD/LandUse/Pages/default.aspx>

Mailed copies of the approval criteria are also available, at cost, by calling Land Management Division Staff at 541/682-3347. Please allow one week for mailing.



Referral Notice and Opportunity to Comment On a Land Use Application for a Development

LAND MANAGEMENT DIVISION
<http://www.lanecounty.org>

Date: 9-2-2016

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From: _____

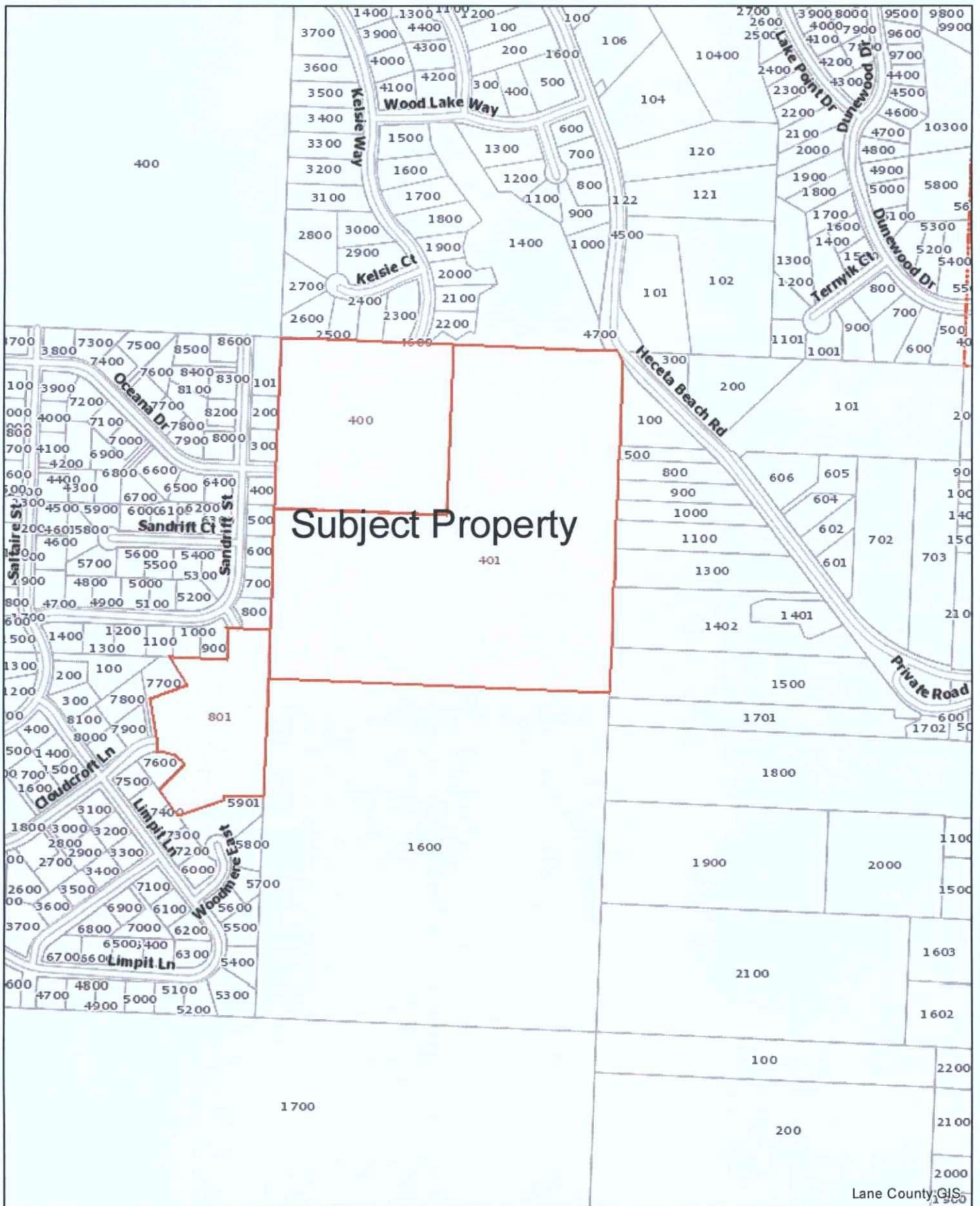
Regarding Department File: 509-PA16-05618

Applicant: SHARLA MANAGER WHITTEN - BENEDICK HOLDINGS LLC

Staff: Erik Forsell

Comments:

Return to: **Erik Forsell, Planner**
LANE COUNTY LAND MANAGEMENT DIVISION
3050 N. Delta Hwy
Eugene, OR 97408



Lane County GIS

The information on this map was derived from digital databases on the Lane County regional geographic information system. Care was taken in the creation of this map, but is provided "as is". Lane County cannot accept any responsibility for errors, omissions or positional accuracy in the digital data or the underlying records. Current plan designation, zoning, etc., for specific parcels should be confirmed with the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.

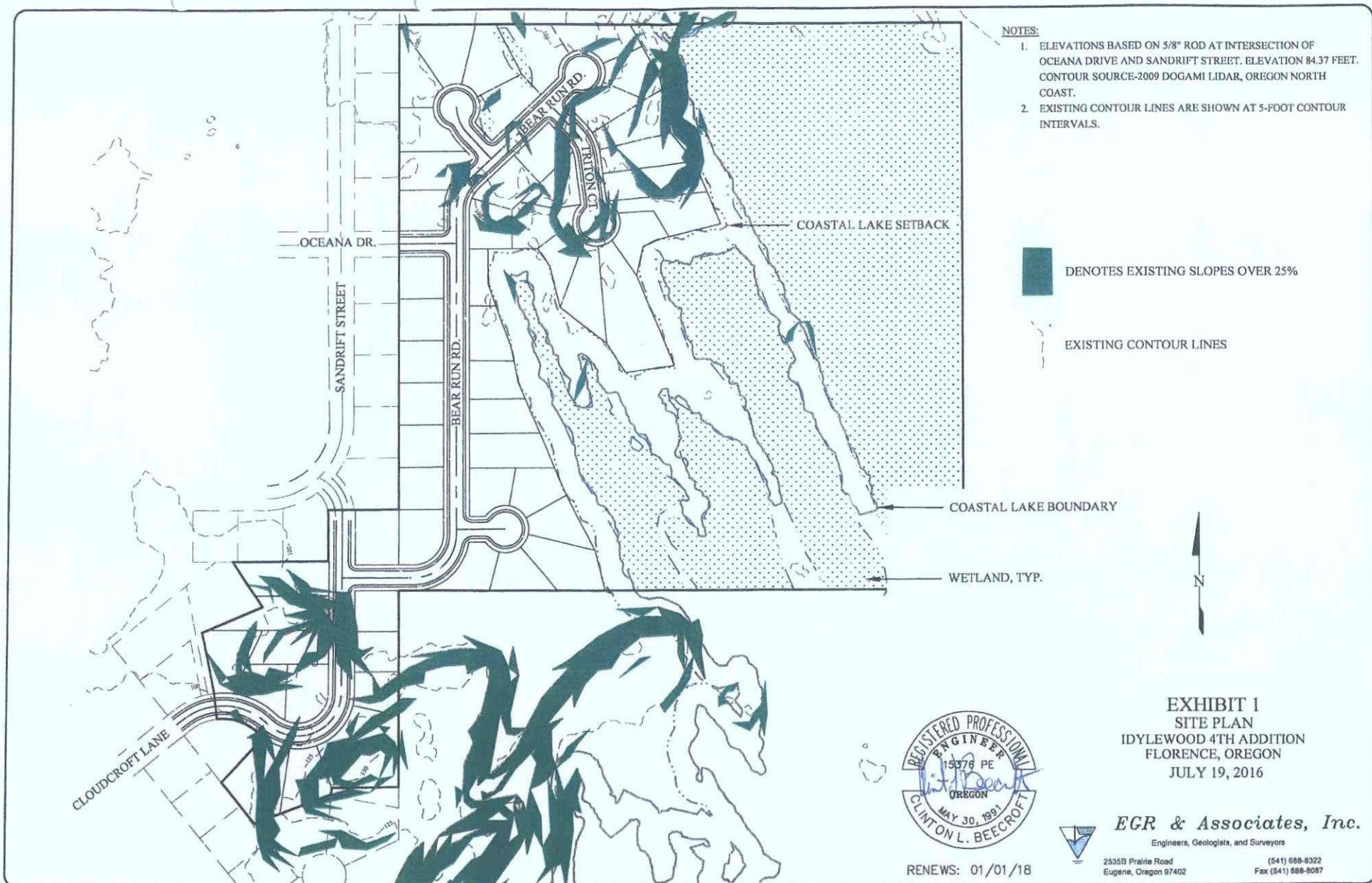


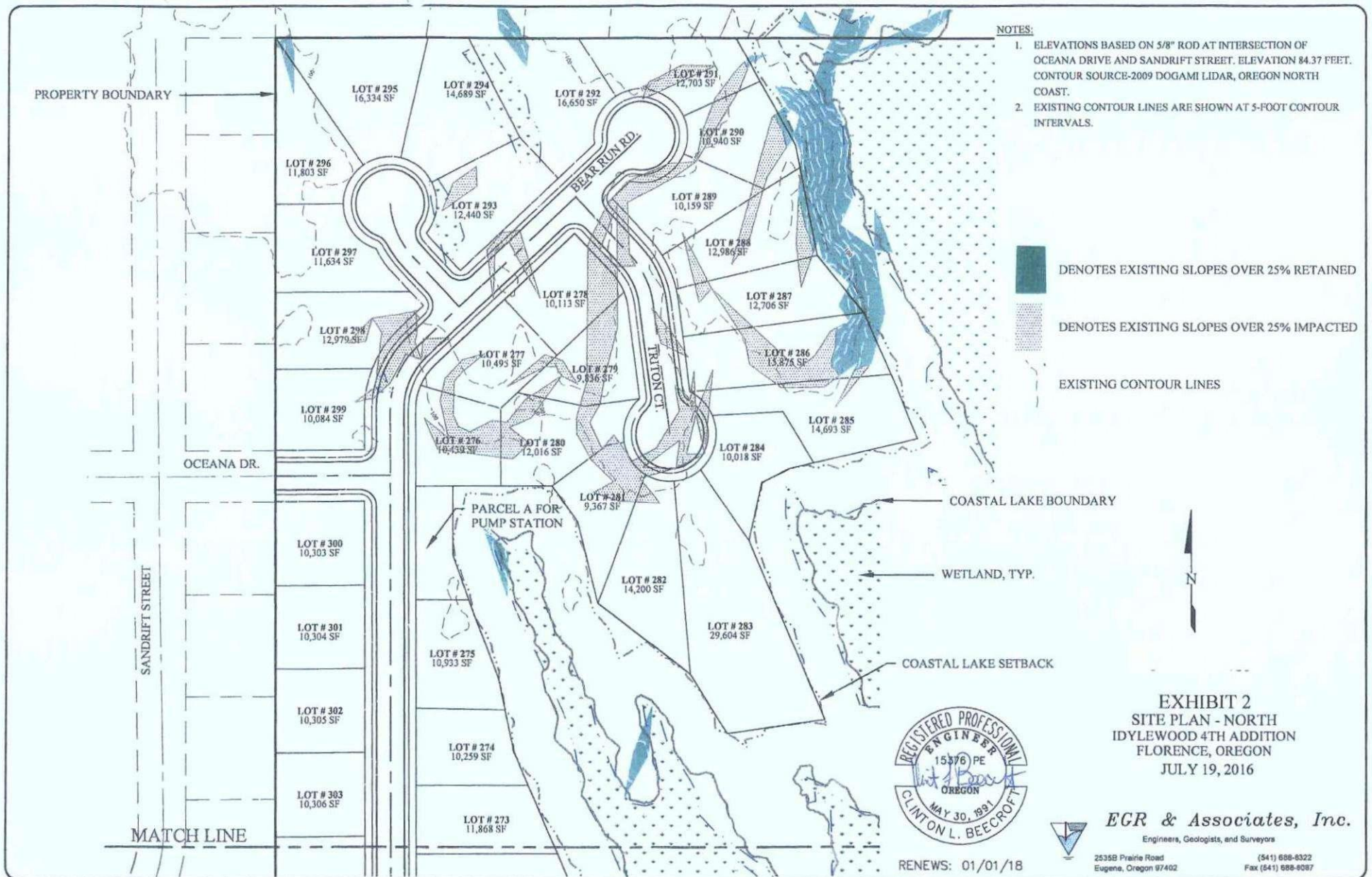
0 125 250 500 Feet



PA16-05618 - Vicinity Map

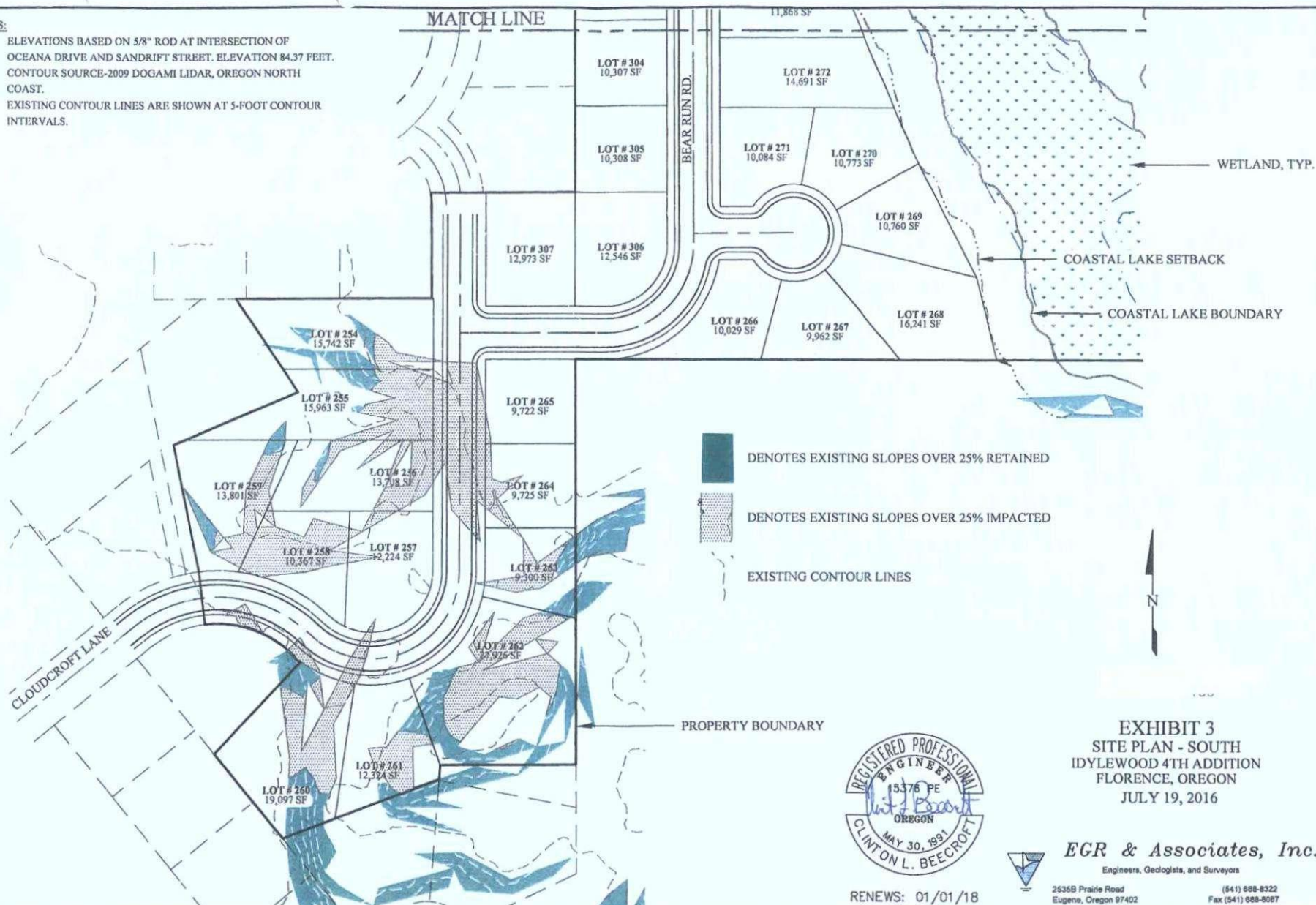
Lane County, Oregon





NOTES:

1. ELEVATIONS BASED ON 5/8" ROD AT INTERSECTION OF OCEANA DRIVE AND SANDRIFT STREET. ELEVATION 84.37 FEET. CONTOUR SOURCE-2009 DOGAMI LIDAR, OREGON NORTH COAST.
2. EXISTING CONTOUR LINES ARE SHOWN AT 5-FOOT CONTOUR INTERVALS.



509-PA16-05618
BENEDICK/LANFEAR
9-2-2016

1812101304600 & 4700 / 1812102000400 & 1812104001600
LANE COUNTY
3040 N DELTA HWY
EUGENE, OR 97408

1812103403200
ABBONIZIO WAYNE A P
PO BOX 188
FLORENCE OR 97439

1812104001800
ARP FLORENCE LLC
4080 COMMERCIAL AVE
SPRINGFIELD OR 97478

1812103105400
ASHTON TRUST
4960 SANDRIFT CRT
FLORENCE OR 97439

1812103108400
BAKER JACK H
87838 SANDRIFT ST
FLORENCE OR 97439

1812101302300
BARRETT TERRY R & KATHY M
5043 KELSIE CT
FLORENCE OR 97439

1812104000500
BATCHELDER NANCY S
PO BOX 935
YACHATS OR 97498

1812103400801 & 1812104000400 & 401
BENEDICK HOLDINGS LLC / SHARLA MANAGER
27922 WARD LN
EUGENE OR 97402

1812104000100
BOGGS PAUL DANIEL & MONA DEE
PO BOX 387

SPRAGUE RIVER OR 97639

1812103100800
CAMPBELL DAVID J & DIANE E
4985 GULLSETTLE CRT
FLORENCE OR 97439

1812103101100
CAPUTO RONALD A & JUDY E
87729 SANDRIFT ST
FLORENCE OR 97439

1812103400300
CARRUTHERS RONALD
87694 LIMPIT LN
FLORENCE OR 97439

1812104001000
CLARK JAMES M & HEIDI A
05180 HECETA BEACH RD
FLORENCE OR 97439

1812103406000
CLAUSEN ROBERT E & MCBRIDE MAGGIE
87630 WOODMERE EAST
FLORENCE OR 97439

1812103100500
COLIN C HIEBERT TRUST
87791 SANDRIFT ST
FLORENCE OR 97439

1812104000800 & 900
COX OSCAR R
05176 HECETA BEACH RD
FLORENCE OR 97439

1812103108200
DOBSON RICHARD L & DONNA M
PO BOX 1739
FLORENCE OR 97439

1812103400300
DODD ELKE
87694 LIMPIT LN
FLORENCE OR 97439

1812103100200

DUKE KENT F & CAROL G
87827 SANDRIFT
FLORENCE OR 97439

1812101302800
DUNLAP JOANNE & JOHN
5014 KELSIE CRT
FLORENCE OR 97439

1812103407700 & 7800
DYKES BARRY J & SUSAN L
4937 CLOUDCROFT LN
FLORENCE OR 97439

1812104000300
FEDERAL HOME LOAN MORTGAGE CORPORATION
5000 PLANO PKWY
CARROLLTON TX 75010-4902

1812103100400
GARDINER BRIAN C
87797 SANDRIFT ST
FLORENCE OR 97439

1812103100900
GARDINER FAMILY TRUST
87737 SANDRIFT ST
FLORENCE OR 97439

1812103105200
GARY L & SHERRI K DONNELLY FAMILY TRUST
87740 SANDRIFT ST
FLORENCE OR 97439

1812101302100
HAL & CYNTHIA FLESHER LIVING TRUST
1820 MADELYNNE CRT
TURLOCK CA 95382

1812103101300
HALL WILLIAM & CATHEY M
87701 SANDRIFT ST
FLORENCE OR 97439

1812101302200
HARRAH LINDA L & MICHAEL R
87863 KELSIE WAY
FLORENCE OR 97439

1812104001402
HAWKINS BEN ALLAN & ROSE E
PO BOX 2186
FLORENCE OR 97439

1812100000101
HEAD JAMES & EILEEN
5139 HECETA BEACH RD
FLORENCE OR 97439

1812101301400
HECETA INC
PO BOX 3467
FLORENCE OR 97439

1812101301000
HILL RICKEY L SR & DONNA M
87919 WOOD LAKE WAY S
FLORENCE OR 97439

1812103407100
HUDSPETH VIRGINIA L
87659 WOODMERE W
FLORENCE OR 97439

1812103100700
ISHII JOINT TRUST
87757 SANDRIFT ST
FLORENCE OR 97439

1812101302900
JOHNSON FAMILY TRUST
5046 KELSIE CRT
FLORENCE OR 97439

1812103408000
KENNETH L URWIN TRUST
4929 CLOUDCROFT LN
FLORENCE OR 97439

1812101302500 & 2600
KING CHARLES M & BETTY B
5009 KELSIE CT
FLORENCE OR 97439

1812103105300
KINSLOW JANICE A

87772 SANDRIFT ST
FLORENCE OR 97439

1812104001500 & 01701
KNIGHT ANDREW J & HEATH J & IAN A
87719 SALTIRE ST
FLORENCE OR 97439

1812103106300
LARA ROBERT Y & NANCY L
87786 SANDRIFT
FLORENCE OR 97439

1812104001300
MARION L CASTLEMAN & JOAN A CARR REV LIV TR
5202 HECETA BEACH RD
FLORENCE OR 97439

1812103405901
MARY LEHMAN & WILLIAM DURST REVOCABLE TRUST
87649 WOODMERE E
FLORENCE OR 97439

1812103407200
MCBRIDE JOHN E
87640 LIMPIT LN
FLORENCE OR 97439

1812103408100
MCCAULEY DONNA R & JIMMY K
87684 LIMPIT LN
FLORENCE OR 97439

1812103108100
MCCONNELL MARIA
87814 SANDRIFT ST
FLORENCE OR 97439

1812103407900
MCDONALD CHRISTOPHER M
4933 CLOUDCROFT LN
FLORENCE OR 97439

1812103405800
MCDUGLE BILL R
87635 WOODMERE EAST
FLORENCE OR 97439

1812103105100
MEHURON ARLENE G TE
87730 SANDRIFT ST
FLORENCE OR 97439

1812103105100
MEHURON REX D TE
87730 SANDRIFT ST
FLORENCE OR 97439

1812101302400
MENDONCA FAMILY LIVING TRUST
5033 KELSIE CRT
FLORENCE OR 97439

1812103105000
MILLER MICHAEL J & PATTI J
87720 SANDRIFT ST
FLORENCE OR 97439

1812103100300
NEWMAN GARY C
87803 SANDRIFT ST
FLORENCE OR 97439

1812103108500
PILCHER RANDALL J & SUSAN R
87842 SANDRIFT ST
FLORENCE OR 97439

1812103407600
POTTS CHARLES J & EDITH M
4938 CLOUDCROFT LN
FLORENCE OR 97439

1812103405800
REEP CHRISTINE E
215 PANARAMA DR
BAKERSFIELD CA 93305

1812101302700
REHDER WILLIAM & CYNTHIA
5011 KELSIE CRT
FLORENCE OR 97439

1812103106400
SAPIENZA JOSEPH M & JANETTE
4966 OCEANA DR

FLORENCE OR 97439

1812103108300
SHOYS PETER KILLIAN & CHRISTINE MARIE
87836 SANDRIFT ST
FLORENCE OR 97439

1812101302000
SIKORA JAMES ALLEN & JANE MARIE
87885 KELSIE WAY
FLORENCE OR 97439

1812103101200
SIMMONS JAMES R JR & LINDA G
87623 SANDRIFT ST
FLORENCE OR 97439

1812103400100
SMITH ERICK J & ROBYN N
87723 SALTAIRE ST
FLORENCE OR 97439

1812103101000
SPIVEY WILLIAM F III & J A
87733 SANDRIFT ST
FLORENCE OR 97439

1812103108000
TROMBLEY BRUCE J & DONNA R
87810 SANDRIFT ST
FLORENCE OR 97439

1812103108600
TRUST DATED 06/26/03
87843 SANDRIFT ST
FLORENCE OR 97439

1812103407400
UDT 11/02/04
PO BOX 2695
FLORENCE OR 97439

1812103407300
ULMAN BEVERLY J & LOHMA L
PO BOX 2570
FLORENCE OR 97439

1812103407500

VASQUEZ LIVING TRUST
87678 LIMPIT LN
FLORENCE OR 97439

1812103100600
WATKINS CARL D & RONETTA B
1259 GREENWOOD DR NE
KEIZER OR 97303

1812103403300
WILLIAMS BRUCE G & MARY E
87660 WOODMERE WEST
FLORENCE OR 97439

1812103100101
WILSON FAMILY REVOCABLE LIVING TRUST
87849 SANDRIFT ST
FLORENCE OR 97439

1812104001100
WILSON MITCHELL & LUCILLE
5190 HECETA BEACH RD
FLORENCE OR 97439

1812103403100
WOODS FRANK N & ROSEMARY R
4914 CLOUDCROFT LN
FLORENCE OR 97439

LANFEAR CONSULTING LLC
THOM LANFEAR
541 WILLAMETTE ST #402
EUGENE, OR 97401

OREGON STATE HISTORIC PRESERVATION
725 SUMMERS ST NE SUITE C
SALEM OR 97301

US FISH & WILDLIFE
KEMFER MCMASTER
2600 SE 98TH AVE, SUITE 100
PORTLAND, OR 97266

US FISH & WILDLIFE (COASTAL)
ATTN: ROY LOWE
2127 SE MARINE SCIENCE DR.
NEWPORT, OR 97365

U.S. ARMY CORPS OF ENGINEERS
KAT BEAL
26275 CLEAR LAKE RD
JUNCTION CITY, OR 97448

U.S. ARMY CORPS OF ENGINEERS
EUGENE REGULATORY FIELD OFFICE
211 E. SEVENTH AVE., SUITE 105
EUGENE, OR 97401

CENTRAL LINCOLN PUD
966 HWY 101
FLORENCE OR 97439

DEQ
165 E 7TH AVE. #100
EUGENE, OR 97401

DEPT GEOLOGY & MINERAL IND - MLR
ATTN FRANK SCHNITZER
229 BROADALBIN ST SW
ALBANY OR 97321-2246

OR STATE FISH & WILDLIFE
(COASTAL)
2040 SE MARINE SCIENCE DR
NEWPORT OR 97365-5229

COMMUNITY DEVELOPMENT DIRECTOR *
CITY OF FLORENCE ATTN: MICHELLE
250 HWY 101
FLORENCE OR 97439

COMMUNITY DEVELOPMENT DIRECTOR *
MIKE MILLER – PUBLIC WORKS
989 SPRUCE STREET
FLORENCE, OR 97439

SIUSLAW VALLEY FIRE
2625 HWY 101
FLORENCE OR 97439-9702

SIUSLAW SCHOOL DIST #97J
2111 OAK STREET

FLORENCE OR97439-9805

SIUSLAW WATERSHED COUNCIL
ATTN: LIZ VOLMER-BUHL
PO BOX 422
MAPLETON, OR 97453

SIUSLAW WATERSHED COUNCIL
ATTN: WRIN WELLS
PO BOX 422
MAPLETON, OR 97453

EUGENE WATER & ELECTRIC BOARD
ATTN: KARL MORGENSTERN
500 E 4TH AVE
EUGENE, OR 97401

KRISTINA DESCHAIINE
FIRE MARSHALL
3620 GATEWAY STREET
SPRINGFIELD, OR 97477

LANDWATCH LANE COUNTY
ROBERT EMMONS
40093 LITTLE FALL CRK RD
FALL CREEK, OR 97438

LANDWATCH LANE COUNTY
P.O. BOX 5347
EUGENE, OR 97405

ENVIRONMENTAL HEALTH

WATER QUANTITY/QUALITY
MICHAEL MATTICK

COUNTY ROAD MAINTENANCE
JENNIFER PAUGH

TRANSPORTATION PLANNING
LORI GREEN

MAPPING & REFERRAL INSTRUCTIONS

509-PA16-05618

MAP NO. 18-12-10-34-00801;18-12-10-40-00 400;18-12-10-40-00401 ADDITIONAL OWNERSHIP:

APPLICANT:
SHARLA MANAGER WHITTEN -
BENEDICK HOLDINGS LLC
27922 WARD LN
EUGENE, OR 97402

OWNER:
BENEDICK HOLDINGS LLC

27922 WARD LN
EUGENE, OR 97402

AGENT:
THOM LANFEAR - LANFEAR
CONSULTING LLC
541 WILLAMETTE ST #402
EUGENE, OR 97401

BASE ZONE: RA

COMBINING ZONE: /BD/NONE; PW

Clerical: Please prepare a notice list of surrounding property owners and send a copy of the Referral Notice and the attached materials to each of those owners and the Agencies identified below.

AGENCIES

Referral

Referral

<input type="checkbox"/>	Building	<input checked="" type="checkbox"/>	State Fish & Wildlife (ODFW): Coast
<input type="checkbox"/>	Sanitation	<input type="checkbox"/>	State Highway (ODOT)
<input type="checkbox"/>	Final Legal Lot	<input type="checkbox"/>	State Forestry:
<input type="checkbox"/>	Rural Addressing	<input checked="" type="checkbox"/>	Dept. Geology & Mineral Industries (DOGAMI)
<input type="checkbox"/>	Flood Management	<input type="checkbox"/>	Dept. Land Conservation & Development (DLCD)
<input type="checkbox"/>	Easement Review	<input type="checkbox"/>	Lane Regional Air Protection Agency (LRAPA)
<input type="checkbox"/>	Compliance	<input type="checkbox"/>	Dept. of Environmental Quality (DEQ)
<input type="checkbox"/>	Surveyors	<input checked="" type="checkbox"/>	Dept. of Environmental Quality (DEQ) 1200-C
<input checked="" type="checkbox"/>	Transportation Planning	<input type="checkbox"/>	Oregon Health Division
<input checked="" type="checkbox"/>	County Road Maintenance	<input type="checkbox"/>	Water Master
<input checked="" type="checkbox"/>	Water Quantity/Quality	<input type="checkbox"/>	Division of State Lands (DSL)
<input type="checkbox"/>	Assessment & Taxation	<input type="checkbox"/>	State Parks (Certified mail)
<input checked="" type="checkbox"/>	State Fire Marshal	<input type="checkbox"/>	Dept. of Aeronautics
<input type="checkbox"/>	Community Organization NONE	<input type="checkbox"/>	CenturyLink
<input checked="" type="checkbox"/>	Watershed Council Siuslaw Watershed	<input type="checkbox"/>	Northwest Natural Gas
<input checked="" type="checkbox"/>	Land Watch	<input type="checkbox"/>	Port of Siuslaw
<input checked="" type="checkbox"/>	School District SIUSLAW	<input checked="" type="checkbox"/>	Power Company CLPUD
<input type="checkbox"/>	Water District	<input checked="" type="checkbox"/>	US Army Corps. of Engineers (ACOE)
<input checked="" type="checkbox"/>	Fire District Siuslaw Valley Fire & Rescue	<input checked="" type="checkbox"/>	US Fish & Wildlife (USF&W)
<input checked="" type="checkbox"/>	City Area of Interest (20-day notice) Florence	<input type="checkbox"/>	Confederated Tribes
<input type="checkbox"/>	METRO Area of Interest NONE	<input checked="" type="checkbox"/>	State Historic Preservation Office (SHPO)
<input checked="" type="checkbox"/>	Environmental Health	<input type="checkbox"/>	Other

INSTRUCTIONS FOR ATTACHED MATERIALS

Copy and attach to all Referral Notices: ☒ Vicinity Map
☒ Site Plan
☐ Flagged Applicant's Material

Copy and Attach Materials to Referral Notices as Instructed Above and Below:



LAND MANAGEMENT DIVISION

LAND USE APPLICATION – DIRECTOR
General Application Form

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97408 Planning: 541-682-3577

RECEIVED JUN 26 2016
Date Received: JUN 26 2016
RECEIVED

For Office Use Only: FILE #

509-PA16-05618

FEE: 2600

Applicant (print name): Benedick Holdings

Mailing address: 27922 Ward Lane, Eugene, OR 97402

Phone: 541-688-6402

Email: ejbenedick@msn.com

Applicant Signature:

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Phone: 541-345-8139

Email: tlanfear@pacinfo.com

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Email: ejbenedick@msn.com

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Land Owner Signature:

x Shaula A Whitten

MANAGER

LOCATION

18-12-10-40 #400, 401; Map 18-12-10-34 #801

Township - Range - Section - Taxlot

None assigned

Site address

PROPOSAL. In one sentence, identify what you are proposing.

Request for Planning Director Approval to Lane Code 10.270-35(6) to allow grading of slopes in excess of 25% within the Beaches and Dunes Combining District as provided by Lane Code 10.330.

Business Registry Business Name Search

[New Search](#)

Business Entity Data

07-23-2016

13:12

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
476820-91	DLLC	ACT	OREGON	11-13-2007	11-13-2016	
Entity Name BENEDICK HOLDINGS, LLC						
Foreign Name						

[New Search](#)

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS				
Addr 1	27922 WARD LN					
Addr 2						
CSZ	EUGENE	OR	97402		Country	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT		Start Date	04-03-2013	Resign Date	
Name	JULIUS	E	BENEDICK				
Addr 1	27962 WARD LN						
Addr 2							
CSZ	EUGENE	OR	97402	Country	UNITED STATES OF AMERICA		

Type	MAL			MAILING ADDRESS			
Addr 1	27922 WARD LANE						
Addr 2							
CSZ	EUGENE	OR	97402		Country	UNITED STATES OF AMERICA	

Type	MGR	MANAGER		Resign Date	
Name	SHARLA		WHITTEN		
Addr 1	27922 WARD LN				
Addr 2					
CSZ	EUGENE	OR	97402	Country	UNITED STATES OF AMERICA

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Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
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**Request for a Variance to allow grading of slopes
exceeding 25% in the Beaches and Dunes Combining District**

**LANFEAR
CONSULTING
LLC**

Applicant

Benedick Holdings LLC
27922 Ward Ln.
Eugene, OR 97402

Property Owner

Benedick Holdings LLC
27922 Ward Ln.
Eugene, OR 97402

Applicant's Representative

Thom Lanfear / Lanfear Consulting LLC
541 Willamette St., Suite 402
Eugene, OR 97401

Location:	Oceana Drive, Cloudcroft Ln.
Assessor's Map:	18-12-10-34 #801, 18-12-10-40 #400, 401
Acreage:	45.80 acres
Base Zone:	Suburban Residential (RA)
Combining Zones:	Beaches and Dunes Combining District (/BD) Interim Urbanizing Combining District (/U) Prime Wildlife Shorelands Combining District (/PW)
Comprehensive Plan:	City of Florence Comprehensive Plan July 1988

I. PROPOSAL

Request for Planning Director Approval for a variance to Lane Code 10.270-35(6) to allow grading of slopes in excess of 25% within the Beaches and Dunes Combining District as provided by Lane Code 10.330.

A. PROPERTY DESCRIPTION

The developable westerly portion of this site is characterized by multiple well-stabilized inactive sand dune formations and dense vegetation. Topography varies across the site from an elevation of less than 84 feet MSL in the lowest areas of the site to a high of approximately 156 feet MSL (contours were interpreted from 2009 DOGAMI LiDAR data, Oregon North Coast). The site is bordered on the west by the Idylewood Subdivision, on the north by the Heceta South Subdivision, and on the east and south by vacant land owned by Lane County.

The geology of the site suggests that this is a classically formed transverse dune/deflation plain formation with relict incisions formed by the interplay between historic wind and water

movements across the formation. These topographic incisions and the associated remnant sand between them are close together and steeply inclined where forces of erosion removed the sand placed by seasonal winds. Similar relict incisions can be observed across the Heceta South Subdivision to the north of the subject property. These relict features are neither active nor considered to be significant geologic features and are proposed to be graded and stabilized in conjunction with the development.

Much of the eastern (undevelopable) portion of the site is characterized as a frequently inundated bog/water body that in most years displays some water in the lower elevations but in some years is completely dry. Water levels within this area and across the site are driven by seasonal groundwater. No defined or channelized outlet exists to this low-lying area. Water levels rise and fall as a reflection of the groundwater table. Wetlands are present on this portion of the site as shown on the subdivision plan. High and low water levels rise and fall in conjunction with both the seasonal precipitation and cyclical weather patterns. On years, such as in 1996, when precipitation was substantially higher than average, seasonal high water tables at the intersection of Oceana Drive and Sandrift Street reached an elevation of between 85 and 86 feet MSL. The groundwater gradient across the site slopes from east to west (toward the Siuslaw River approximately one mile away) at a gradient of approximately one foot in 400 feet. Thus, the seasonal/cyclical + \ - high groundwater tables across the site vary from an estimated 89 feet MSL more or less at the eastern fringe of the proposed development to an elevation of 85 to 86 feet MSL more or less along the eastern fringe of the existing Idylewood Subdivision.

B. PROJECT DESCRIPTION

Request is made to grade some areas of steep slopes found within the proposed right-of-way alignment for the road that will connect Cloudcroft Lane to Bear Run Road. Additional grading of scattered steep slopes is also necessary to provide adequate cul-de-sac access to the lot arrangements in the northern part of the property. The steep areas in the northern and southern portions of the property will also be graded to maximize the number of building sites developed within the Urban Growth Boundary of Florence. The proposed lots that will have some amount of grading of steep slopes are identified as lots 254 – 264, 276 – 282, 285 – 291, and 298 – 299. Grading of the site is limited to that area necessary to provide for the construction of the proposed road to the required public road standards, the creation of one building site per lot, and the provision of an adequate access from the public road to the building site.

II. APPROVAL CRITERIA & PROPOSED FINDINGS OF FACT

The Site and Development Requirements of the Beaches and Dunes Combining District are found in Lane Code 10.270-35.

Lane Code 10.270-35 Additional Site and Development Requirements.

The following requirements apply to all development except the harvesting of timber as allowed by the District with which the /BD District is combined. Timber harvesting activities shall conform to Oregon Forest Practices Act rules regulating logging practices in dune areas.

(6) Slopes in excess of 25 percent shall be prohibited from development.

Lane Code 10.020 Development. The division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure; any mining, excavation, landfill or grading.

This request to allow "development" (grading) on slopes greater than 25% is subject to the criteria found in Lane Code 10.330-20. The approval criteria and development standards are in boldface type, followed by the proposed Findings of Fact.

Lane Code 10.330-20 Criteria.

(1) Variances to a requirement of this chapter with respect to lot area and dimensions, setbacks, yard area, lot coverage, height of structures, vision clearance, fences and walls, and other quantitative requirements may be granted only if, on the basis of the application, investigation, and evidence submitted, the following expressly written findings are made:

The applicant requests a variance to the quantitative requirement of Lane Code 10.270-35(6): *Slopes in excess of 25 percent shall be prohibited from development.* The applicant proposes to conduct grading to reduce some areas of 25% slopes to a lesser grade for the development of roads and home sites within the proposed subdivision submitted in application PA10-05821. The subject parcel does not contain any landforms that are specifically prohibited from all development by 10.270-20 Prohibited Development Areas. *No development, with the exception of minimal development, shall be permitted on the following dune landforms:*

- (1) Beaches, except as provided for in LC 10.270-15 above.*
- (2) Foredunes if subject to wave overtopping or ocean undercutting.*
- (3) Active dune forms.*
- (4) Nearshore deflation plain.*

10.330-20(1)(a): A strict or literal interpretation and enforcement of the specified requirement would result in practical difficulty or unnecessary hardship and would be inconsistent with the objectives of this chapter, or

A strict enforcement of the grading restriction would result in a practical difficulty by preventing the connection to existing roads in the adjoining subdivisions, efficient circulation pattern through the proposed subdivision, and the provision of adequate access to the more level buildable areas in the middle and northern part of the subdivision. There is no possible way to provide public roads that meet standard engineering design parameters without impacts to some slopes over 25% because of the narrow width of the subject property (175')

between the northeast corner of proposed lot 254 and the northeast corner of proposed lot 265. The alignment chosen for the connecting road from Cloudcroft Lane to Sanddrift Street and Oceana Drive is the one with the least impact to the steep slopes found in the southern part of the subdivision proposal. The steep slopes in the northern part of the property are intermittent making it extremely difficult to design buildable lots that have both access to the public roads and an adequate home site on each lot.

A strict enforcement of the requirements would be inconsistent with the objectives of Lane Code Chapter 10. This is the section of Lane Code that applies only to lands within an urban growth boundary in Lane County.

Lane Code 10.015 lists nine objectives of Chapter 10. They are:

- (1) To encourage the most appropriate use of land and resources throughout the County.*
- (2) To facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks, and other public requirements.*
- (3) To avoid undue concentration of population.*
- (4) To secure safety from fire, panic, flood, and other dangers.*
- (5) To prevent the overcrowding of land.*
- (6) To provide adequate light and air.*
- (7) To lessen congestion in the streets, roads, and highways.*
- (8) To provide an environment of character in harmony with existing and proposed neighboring use of land.*
- (9) To preserve and enhance the quality of Lane County's environment.*

Enforcement of the provision to restrict grading of slopes in excess of 25% would be inconsistent with objective #1. The subject property is located within the Urban Growth Boundary of the City of Florence. This is the area adjacent to the City Limits that is planned for the expansion and concentration of the City's population. As such it is expected that the property will be developed at an urban level of density in order to prevent urban sprawl from encroaching onto rural farm and forest lands. The appropriate use of this property is urban development as directed by Statewide Planning Goal 14 guidelines below:

GUIDELINES

A. PLANNING

- 1. Plans should designate sufficient amounts of urbanizable land to accommodate the need for further urban expansion, taking into account (1) the growth policy of the area;(2) the needs of the forecast population; (3) the carrying capacity of the planning area; and (4) open space and recreational needs.*
- 2. The size of the parcels of urbanizable land that are converted to urban land should be of adequate dimension so as to maximize the utility of the land resource and enable the logical and efficient extension of services to such parcels.*
- 3. Plans providing for the transition from rural to urban land use should take into consideration as to a major determinant the carrying capacity of the air, land and*

water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

- 4. Comprehensive plans and implementing measures for land inside urban growth boundaries should encourage the efficient use of land and the development of livable communities.*

The proposal is consistent with the direction provided by guideline A.2 above by maximizing the number of parcels to be created within the subject property in consideration of the carrying capacity of the land while at the same time providing for the logical extension of roads through the property. Approval of the proposal would allow for the efficient use of the property consistent with guideline A.4 above. The strict enforcement of the provision would result in the inability to create an efficient road system that connects existing public roads into adjacent subdivision and the elimination of 27 of the proposed 54 lots.

Enforcement of the provision to restrict grading of slopes in excess of 25% would also be inconsistent with Lane Code 10.015 objective #2. The grading is necessary to provide an orderly transportation route that connects the proposed subdivision roads to the existing roads (Cloudcroft Lane, Oceana Drive, and Sanddrift Street) in the adjacent subdivision to the west and north.

10.330-20(1)(b): Exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the same zoning district, or

Not applicable.

10.330-20(1)(c): Strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges legally enjoyed by the owners of other properties classified in the same zoning district.

Not applicable.

10.330-20(1)(d): The granting of the Variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the near vicinity.

The grading of steep slopes to provide for stable roads and home sites within the proposed subdivision does not result in impacts to the public health, safety, or welfare. The road alignments have been selected to allow the development of public roads that conform to standard road designs for safety of the travelling public through the subdivision. A registered engineer has found that it is feasible to grade the site in accordance with the submitted grading plan and stabilize the final slopes. All areas subject to grading will be stabilized during

construction and upon completion to assure no impacts to adjacent properties or improvements. A stabilization Plan is attached for consideration with the proposal as Exhibit 6.

The applicant recommends imposition two conditions of approval:

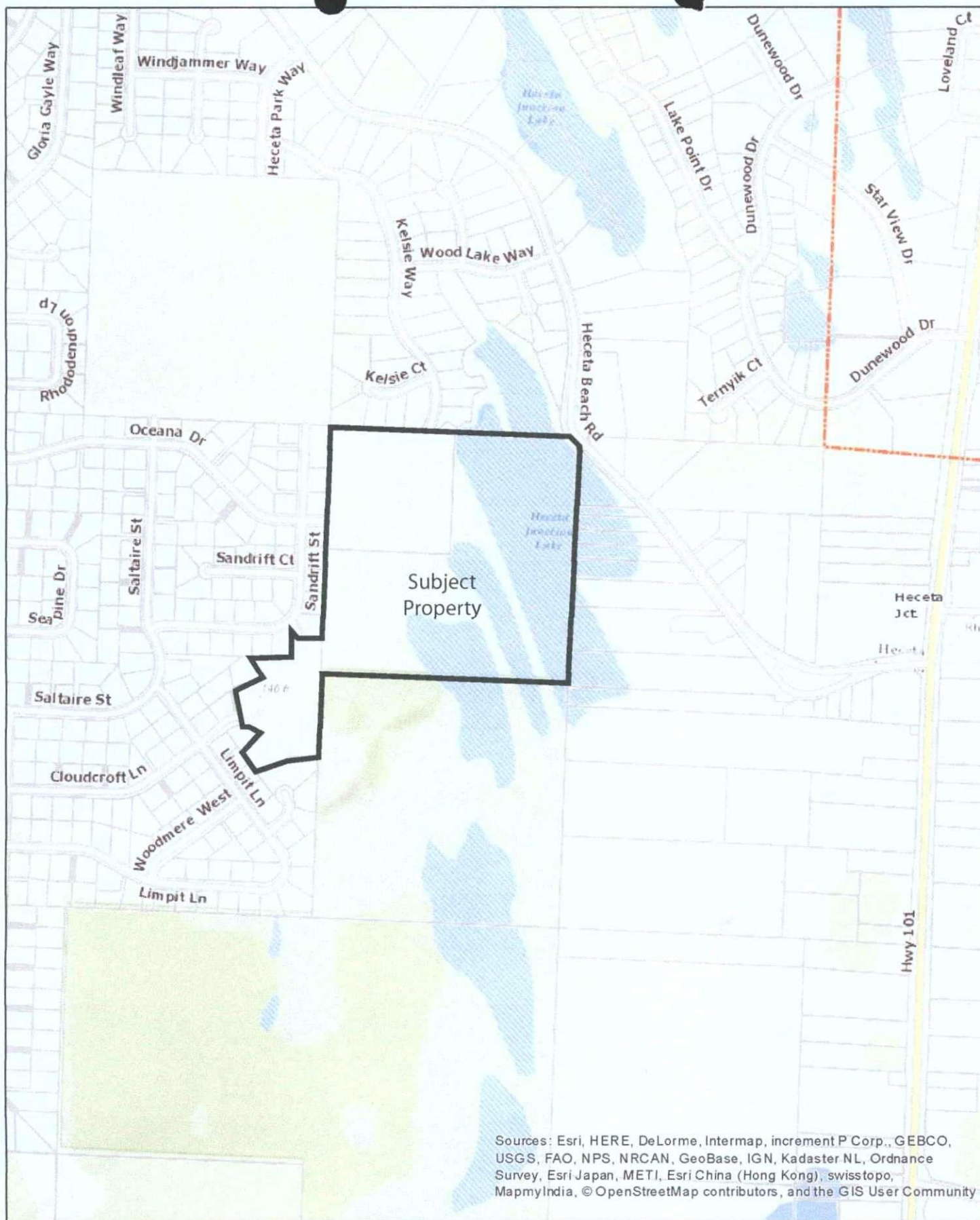
1. Final road and drainage plans shall be submitted prior to construction of the roads as part of an approved facility permit. Any final slopes created in the road construction in excess of 25% shall be certified by a registered professional engineer that they are stable prior to final plat approval.
2. A note shall be required on the final plat stating: "Prior to issuance of a building permit for lots 254 – 264, 276 – 282, 285 – 291, 298, and 299, a grading plan is required to be submitted to the government agency having jurisdiction over issuance of the building permits. Any final slopes created in the individual lot grading in excess of 25% shall be certified by a registered professional engineer that they are stable prior to issuance of an occupancy permit for a residence." This requirement shall also be included in any CC&R's developed for the subdivision.

III. SUMMARY

The information provided in this application demonstrates that a variance to the quantitative requirement restricting development on slopes in excess of 25% is warranted. Imposition of the restriction results in a practical difficulty for development of residential lots within the City of Florence Urban Growth Boundary that are accessed by public roads with connectivity to existing roads in adjoining subdivisions. The grading can occur in a manner that keeps all slopes stable during and after construction of the roads and dwellings.

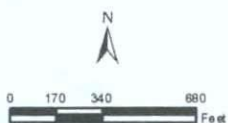
IV. EXHIBITS

1. Idylewood 4th Addition Slopes over 25%
2. Idylewood 4th Addition Site Plan North - Slopes over 25% Retained
3. Idylewood 4th Addition Site Plan South - Slopes over 25% Retained
4. Idylewood 4th Addition Preliminary Grading - North
5. Idylewood 4th Addition Preliminary Grading - South
6. Idylewood 4th Addition Sand Stabilization Plan
7. Vicinity Map
8. Aerial Photo



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

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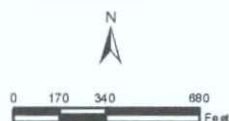
Vicinity Map
Idlewood Subdivision 4th Addition

EXHIBIT 7

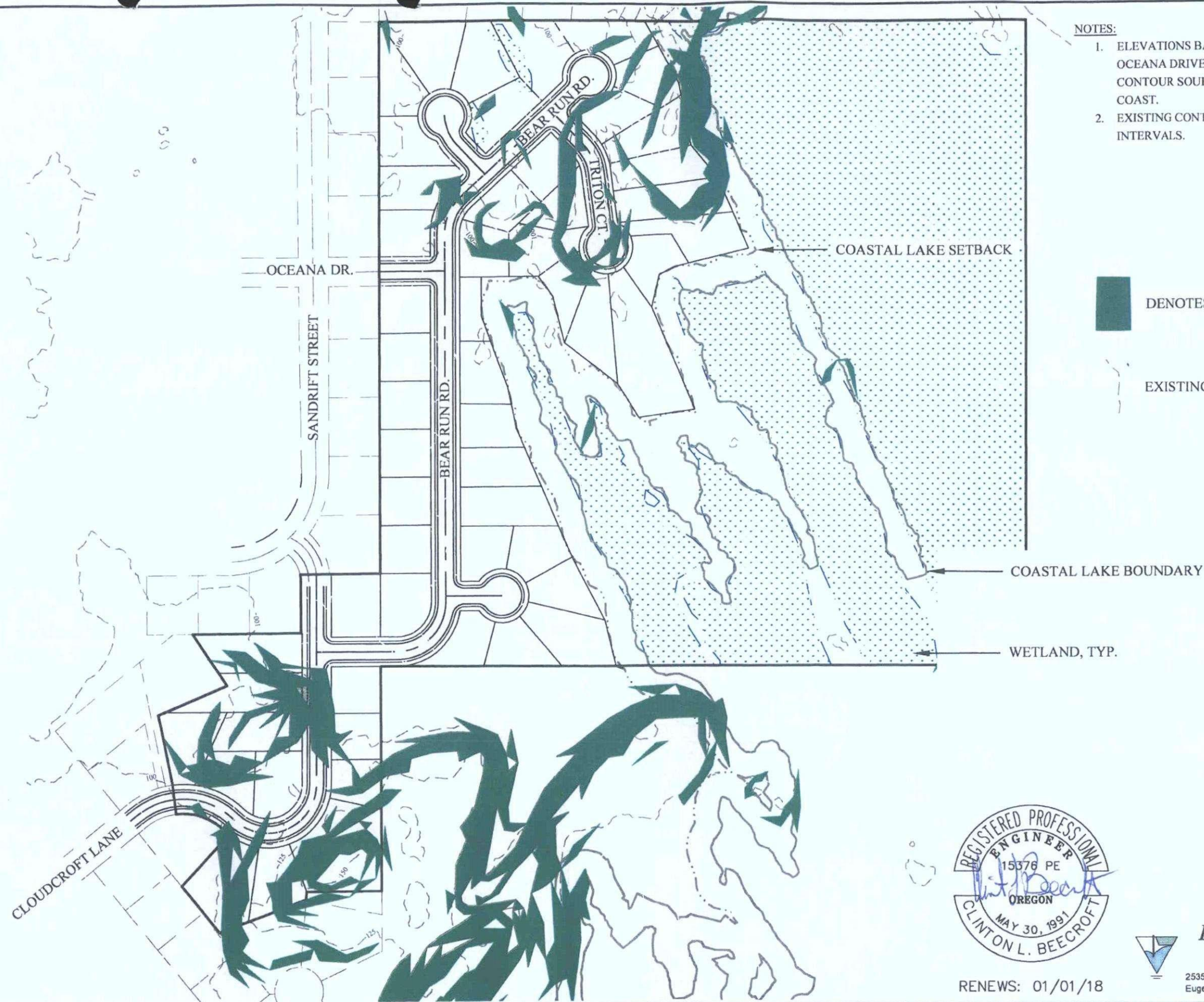


Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

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Aerial Photo
Idlewood Subdivision 4th Addition
EXHIBIT 8



NOTES:

1. ELEVATIONS BASED ON 5/8" ROD AT INTERSECTION OF OCEANA DRIVE AND SANDRIFT STREET. ELEVATION 84.37 FEET. CONTOUR SOURCE-2009 DOGAMI LIDAR, OREGON NORTH COAST.
2. EXISTING CONTOUR LINES ARE SHOWN AT 5-FOOT CONTOUR INTERVALS.



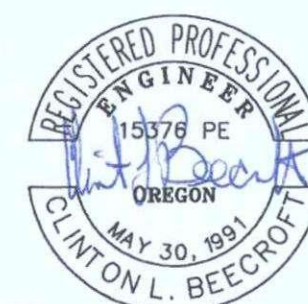
DENOTES EXISTING SLOPES OVER 25%



EXISTING CONTOUR LINES



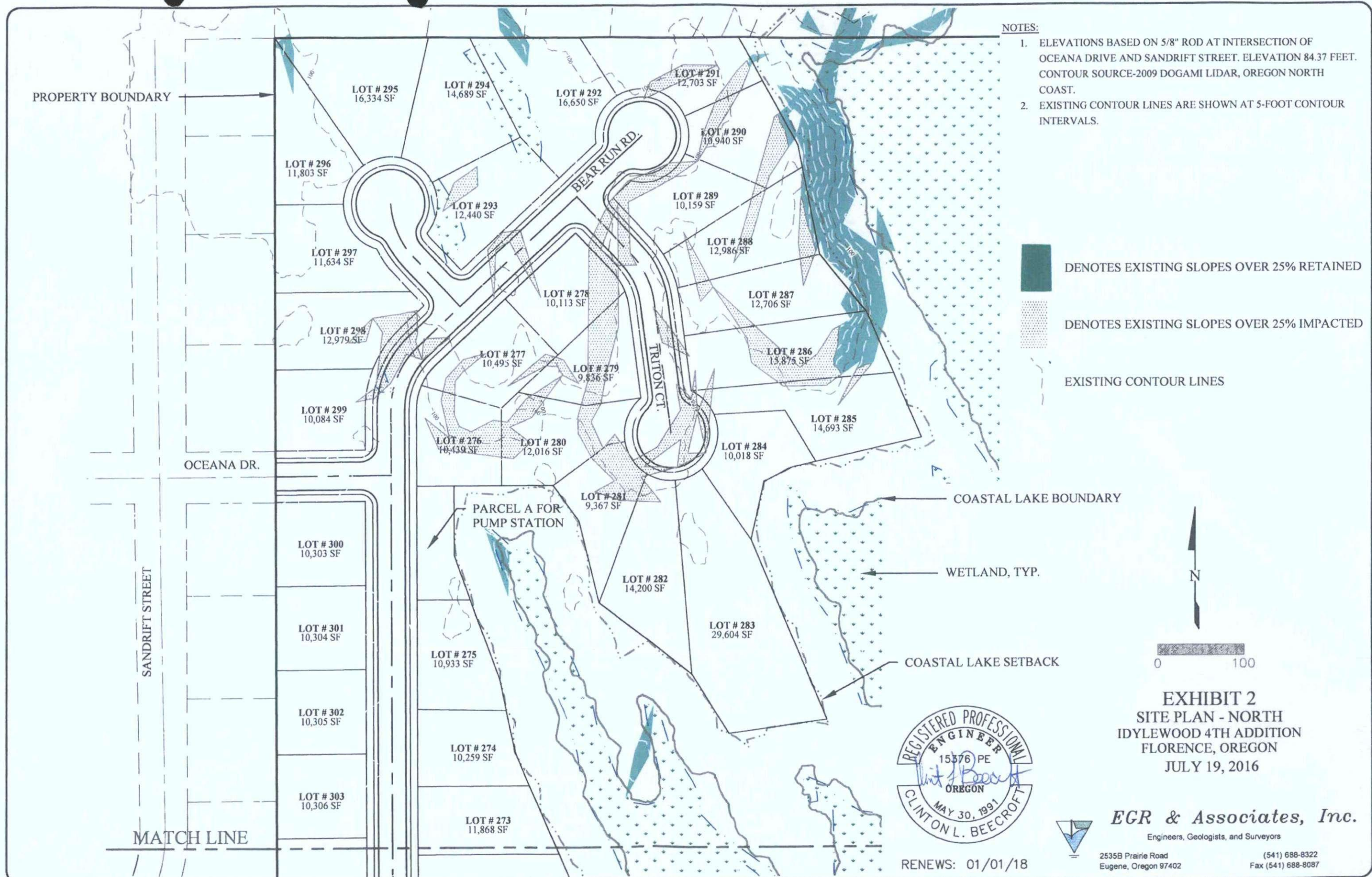
EXHIBIT 1
SITE PLAN
IDYLEWOOD 4TH ADDITION
FLORENCE, OREGON
JULY 19, 2016



RENEWS: 01/01/18

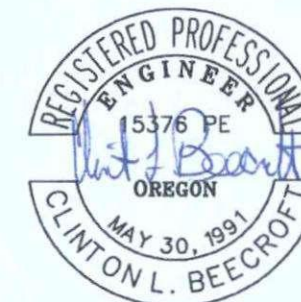
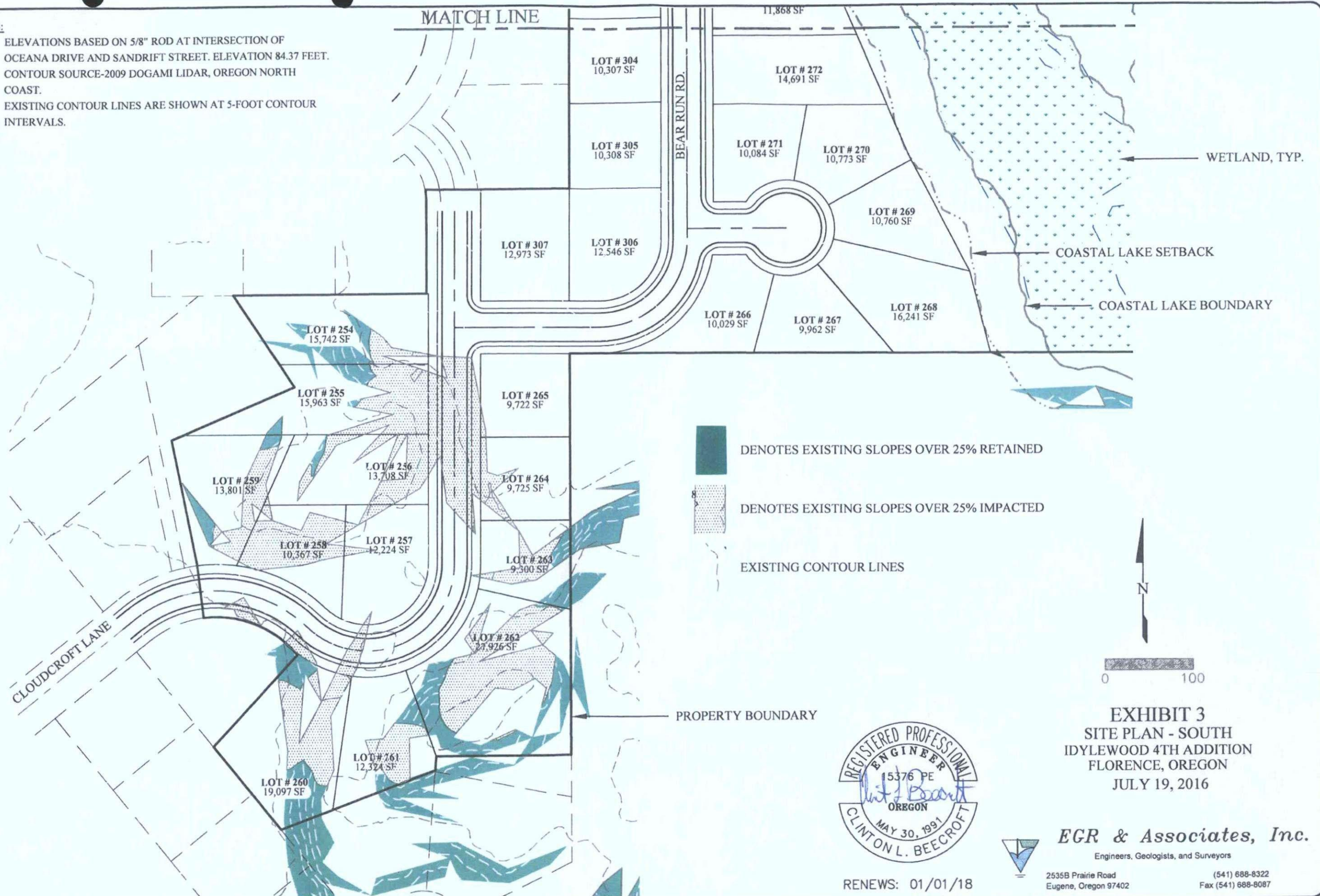


EGR & Associates, Inc.
Engineers, Geologists, and Surveyors
2535B Prairie Road
Eugene, Oregon 97402
(541) 688-8322
Fax (541) 688-8087



NOTES:

1. ELEVATIONS BASED ON 5/8" ROD AT INTERSECTION OF OCEANA DRIVE AND SANDRIFT STREET. ELEVATION 84.37 FEET. CONTOUR SOURCE-2009 DOGAMI LIDAR, OREGON NORTH COAST.
2. EXISTING CONTOUR LINES ARE SHOWN AT 5-FOOT CONTOUR INTERVALS.



RENEWS: 01/01/18

EXHIBIT 3
SITE PLAN - SOUTH
IDYLEWOOD 4TH ADDITION
FLORENCE, OREGON
JULY 19, 2016







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


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NOTES:

1. THIS GRADING PLAN IS PRELIMINARY FOR PLANNING PURPOSES ONLY, IS NOT APPROVED FOR CONSTRUCTION AND IS SUBJECT TO CHANGE. THE ROAD AND LOT GRADING SHOWN ON THIS GRADING SCENARIO DEMONSTRATES THAT GRADING OF THE SITE IS FEASIBLE AND FINAL SLOPES CAN BE STABILIZED. FINAL ROAD AND DRAINAGE PLANS AND INDIVIDUAL LOT GRADING DESIGNS WILL BE CERTIFIED BY AN ENGINEER STATING THAT ALL FINAL SLOPES ARE STABLE.
2. ELEVATIONS BASED ON 5/8" ROD AT INTERSECTION OF OCEANA DRIVE AND SANDRIFT STREET. ELEVATION 84.37 FEET. CONTOUR SOURCE-2009 DOGAMI LIDAR, OREGON NORTH COAST.
3. EXISTING CONTOUR LINES ARE SHOWN AT 5-FOOT CONTOUR INTERVALS.
4. PRELIMINARY GRADING CONTOUR LINES ARE SHOWN AT 2-FOOT CONTOUR INTERVALS.
5. PRELIMINARY CUT AND FILL SLOPES ARE SHOWN AT 2:1 MAXIMUM SLOPES.

-  DENOTES EXISTING SLOPES OVER 25% RETAINED
-  DENOTES EXISTING SLOPES OVER 25% IMPACTED
-  FINAL GRADING CONTOUR LINES
-  EXISTING CONTOUR LINES

-  COASTAL LAKE BOUNDARY
-  WETLAND, TYP.
-  LIMITS OF GRADING, TYP.
-  COASTAL LAKE SETBACK

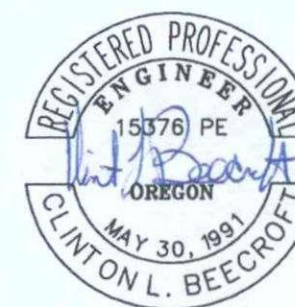
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EXHIBIT 4
PRELIMINARY GRADING - NORTH
IDYLEWOOD 4TH ADDITION
FLORENCE, OREGON
JULY 19, 2016

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Eugene, Oregon 97402

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RENEWS: 01/01/18

PROPERTY BOUNDARY

OCEANA DR.

SANDRIFT STREET

MATCH LINE

LOT # 295
16,334 SF

LOT # 294
14,689 SF

LOT # 292
16,650 SF

LOT # 291
12,703 SF

LOT # 290
10,940 SF

LOT # 289
10,159 SF

LOT # 288
12,986 SF

LOT # 287
12,706 SF

LOT # 286
15,875 SF

LOT # 285
14,693 SF

LOT # 284
10,018 SF

LOT # 283
29,604 SF

LOT # 282
14,200 SF

LOT # 281
9,367 SF

LOT # 280
12,016 SF

LOT # 276
10,439 SF

LOT # 277
10,495 SF

LOT # 279
9,836 SF

LOT # 278
10,113 SF

LOT # 293
12,440 SF

LOT # 297
11,634 SF

LOT # 296
11,803 SF

LOT # 298
12,979 SF

LOT # 299
10,084 SF

LOT # 300
10,303 SF

LOT # 301
10,304 SF

LOT # 302
10,305 SF

LOT # 303
10,306 SF

LOT # 274
10,259 SF

LOT # 273
11,868 SF

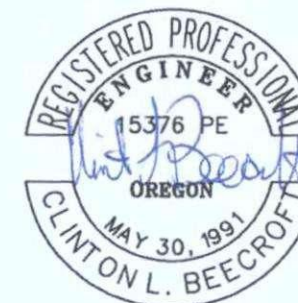
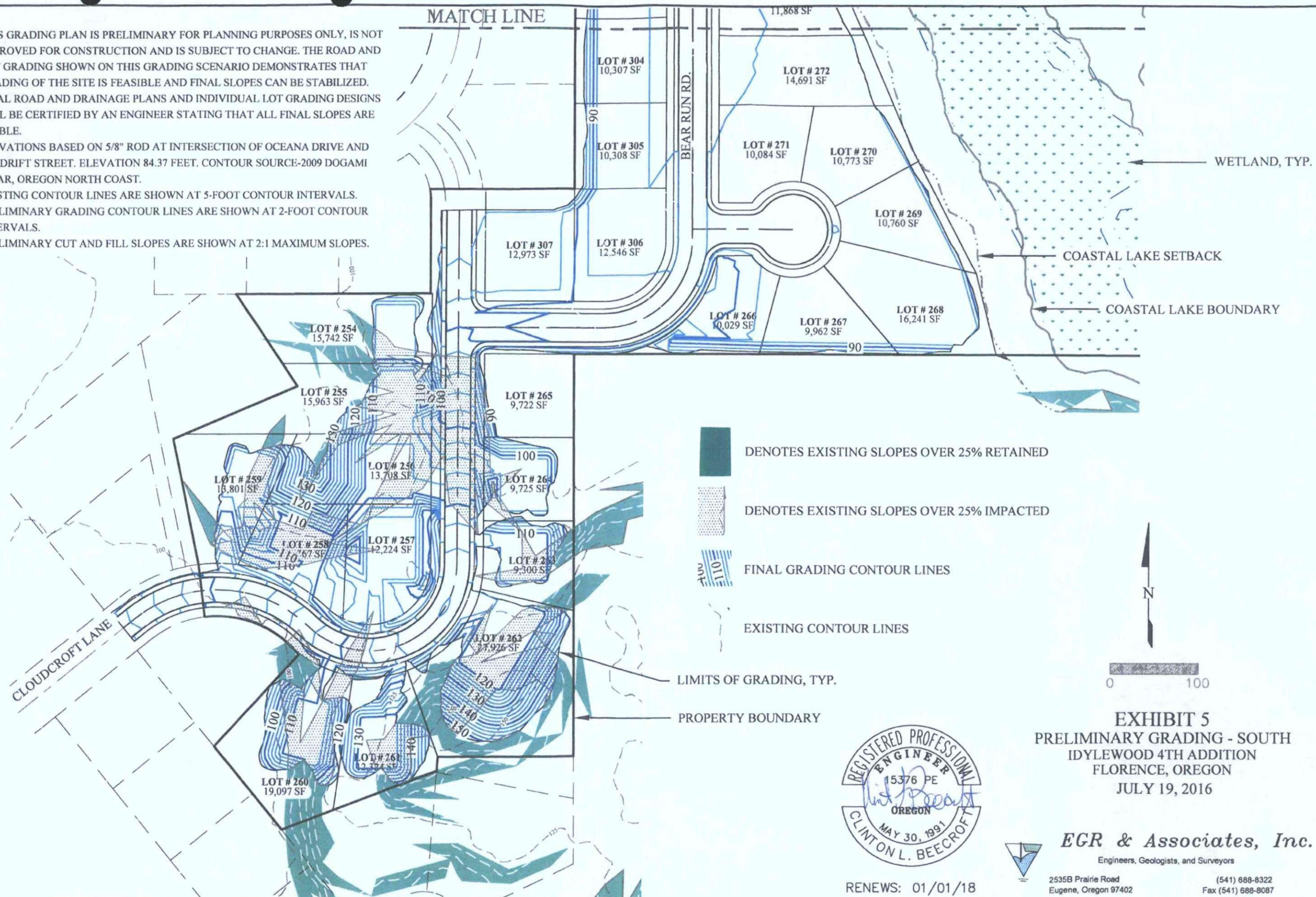
PARCEL A FOR
PUMP STATION

BEAR RUN RD.

TRITON CT.

NOTES:

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2. ELEVATIONS BASED ON 5/8" ROD AT INTERSECTION OF OCEANA DRIVE AND SANDRIFT STREET. ELEVATION 84.37 FEET. CONTOUR SOURCE-2009 DOGAMI LIDAR, OREGON NORTH COAST.
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5. PRELIMINARY CUT AND FILL SLOPES ARE SHOWN AT 2:1 MAXIMUM SLOPES.



RENEWS: 01/01/18



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SAND STABILIZATION PLAN NOTES

1. SITE GRADING WILL OCCUR IN PHASES CONSISTING OF INITIAL MASS GRADING DURING STREET AND INFRASTRUCTURE CONSTRUCTION FOLLOWED BY INDIVIDUAL LOT DEVELOPMENT. INITIAL MASS GRADING MAY NOT INCLUDE INDIVIDUAL LOTS THAT COULD BE GRADED INDEPENDENT OF ADJACENT LOTS AT TIME OF LOT DEVELOPMENT. ALL CONSTRUCTED OR DISTURBED SLOPES CREATED DURING INITIAL MASS GRADING AND INDIVIDUAL LOT DEVELOPMENT WILL BE STABILIZED FROM WIND AND WATER EROSION AS SPECIFIED IN THIS SAND STABILIZATION PLAN AND IN CONFORMANCE WITH EROSION CONTROL PLANS THAT MAY BE PREPARED DURING SITE DEVELOPMENT.
2. TEMPORARY STABILIZATION METHODS WILL BE USED DURING THE CONSTRUCTION PHASE WHERE THE INITIAL PLANTING WILL NOT OCCUR WITHIN A SIX MONTH PERIOD FOLLOWING SOIL DISTURBANCE. TEMPORARY STABILIZATION METHODS WILL CONSIST OF:
 - A. ON STEEP SLOPES (GREATER THAN 25%) APPLY A 4-INCH THICK LAYER OF STRAW DIRECTLY ON TOP OF DISTURBED AREAS AND SECURE TO THE SLOPE WITH STAPLED JUTE NETTING OR CHICKEN WIRE NETTING. NETTING MATERIAL MUST BE LACED TOGETHER AND STAKED AT 10-FOOT INTERVALS.
 - B. ON ALL OTHER SLOPES APPLY EITHER A 4-INCH LAYER OF STRAW MATTING PUNCHED INTO THE SOIL, OR A LAYER OF BARK PLACED DIRECTLY ON TOP OF THE SOIL.
3. REPLANTING PHASE
 - A. PLANTING ON DUNE LAND FORMS SHOULD OCCUR BETWEEN NOVEMBER 15 AND MARCH 15. ALL OTHER PLANTINGS SHOULD TYPICALLY OCCUR IN THE FALL.
 - B. PERFORM ALL FINAL GRADING OF THE TREATMENT AREA PRIOR TO PLANTING. ON LONG STEEP SLOPES (SLOPES LONGER THAN 20 FEET AND OVER 25-PERCENT) CONSTRUCT NARROW ONE-FOOT WIDE BENCHES OR TERRACES 10 FEET APART TO RETAIN STORMWATER AND CREATE FLOW DIVERGENCE.
 - C. INITIAL PLANTING ON STEEP SAND SLOPES SHOULD CONSIST OF A NATIVE BEACH GRASS OR DUNE GRASS. IN AREAS WHERE TOPSOIL HAS BEEN APPLIED AND ADEQUATE PROTECTION FROM WIND IS PROVIDED, PERMANENT NATIVE GRASSES, NATIVE SHRUBS OR ORNAMENTALS MAY BE USED.
 - D. LARGE DISTURBED AREAS MAY BE PLANTED BY TRACTOR. APPROXIMATELY 58,000 CULMS OF BEACH OR DUNE GRASS PER ACRE ARE REQUIRED.
 - E. INITIAL PLANTINGS ON STEEP SLOPES SHOULD BE FERTILIZED WITH A 21-0-0 (AMMONIUM SULFATE) COARSE GRAIN FERTILIZER AT A RATE OF 400 POUNDS PER ACRE. ALL OTHER SLOPES SHOULD BE FERTILIZED AT A RATE OF 200 POUNDS PER ACRE. FERTILIZATION SHOULD OCCUR WHEN WIND SPEEDS ARE LESS THAN 5 MPH AND PREFERENTIALLY DURING RAINFALL.
 - F. SECONDARY (PERMANENT) PLANTING SHOULD OCCUR FOLLOWING THE SECOND GROWING SEASON. SECONDARY PLANTINGS SHOULD CONSIST OF EITHER WOODY SPECIES OR PERMANENT GRASSES AND LEGUMES.
4. CONTINUED MAINTENANCE OF THE STABILIZING VEGETATION IS REQUIRED.

