



Planning Commission Meeting Minutes

July 18, 2023

Chairperson:	Todd Culver, Presiding
Commissioners Present:	Jeremy Moritz, Joe Neely, Susan Jackson, and Rhonda Giles
Absent:	Kurt Kayner, and Kent Wullenwaber
Staff Present:	City Administrator/Planner Michele Eldridge, and Finance Officer/Deputy City Recorder Cathy Nelson
Meeting Location:	Harrisburg Municipal Center located at 354 Smith St.

CALL TO ORDER AND ROLL CALL: Order was called at 7:00pm by Chairperson Todd Culver.

CONCERNED CITIZEN(S) IN THE AUDIENCE. Everyone present was there for items on the agenda.

PUBLIC HEARING

THE MATTER OF A VARIANCE AND ADJUSTMENT REQUEST FOR KEITH & JODY GREGERSEN.

Chairperson Todd Culver read aloud the order of proceedings, and noted the procedures for a continuance, and the process to keep the record open.

At the hour of 7:01PM, the Public Hearing was opened.

Culver asked if there were any Conflicts of Interest or any Ex Parte contacts.

None stated.

There were no rebuttals in relation to Conflicts of Interest, or Ex Parte Contacts.

Culver then read aloud the criteria that were relied upon for this land use hearing and noted additional copies of criteria near the door. He also directed the audience on how they would need to direct testimony towards the applicable criteria, and how an appeal could be made.

STAFF REPORT: Eldridge handed out additional photos of the current buildings. The applicant is requesting to add an accessory structure and additional primary garage which will exceed 50% of

July 18, 2023

the current building's footprint and height allowed. They are wanting to match the current pitch of the existing roof. A variance is required for both the size and height of the proposed structure. The setbacks are allowed through a Type II process and will not require permission from the Planning Commission. The applicant is flipping the door positions from the east side to the west side.

Eldridge highlighted the following conditions and Criteria:

- Criterion 1 – Met with Development/Building Code Requirements No. 1 and No.2.
- Criterion 2 – Met with Conditions 1: Consistency with plan, 2: Setbacks, and 3: Adjustments.
- Criterion 3 – Met with Conditions 4: Height of Accessory Structure, and 5: Size Limitation of Accessory Structure.
- Criterion 4 – Met with Condition 6: Time Limitation.

Staff feels that all requirements are met and recommends approval.

APPLICANTS TESTIMONY: Keith Gregersen had nothing to add.

TESTIMONY IN FAVOR, IN OPPOSITION, AND NEUTRAL TESTIMONY WAS ASKED FOR.

- No testimony of any kind supplied for in favor, in opposition, or neutral.

The public hearing was closed at the hour of 7:16 pm.

- **Moritz motioned to approve the variance request of LU 450-2023, and adjustment request of LU 451-2023, subject to the conditions of approval contained in the staff report of July 11, 2023. This motion is based on findings contained in the staff report of July 11, 2023, and on findings made during the deliberations on the request and was seconded by Giles. The Planning Commission then voted unanimously to approve the variance request of LU 450-2023, and adjustment request of LU 451-2023, subject to the conditions of approval contained in the staff report of July 11, 2023. This motion is based on findings contained in the staff report of July 11, 2023, and on findings made during the deliberations on the request.**

OTHERS

- Moritz asked what was happening with the Shadowood development. Eldridge said they had held a pre-construction meeting and were waiting for a few more items. Each property is being sold and developed individually. The current owner must complete all infrastructure before any property can be sold, or construction started. Work should begin in the next couple of weeks.

With no further discussion, the meeting was adjourned at the hour of 7:24 pm.

Chairperson

City Recorder

City of Harrisburg

PLANNING COMMISSION

NOTICE OF DECISION

REQUEST: The applicant requests approval of a Variance (LU #450-2023) and Adjustment (LU #451-2023) that will allow construction of a primary garage (accessory structure) that exceeds the size and height requirements of HMC 18.50.150. An adjustment is requested to slightly alter the east side setback by 1'3".

LOCATION: Linn County Assessor's Map 15S 04W 15BD, Tax Lot 00524

HEARING DATE: July 18, 2023

ZONING: R-1 (Low Density Residential)

APPLICANT

Keith & Jody Gregersen
945 Greenway Dr.
Harrisburg, OR 97446

OWNER

Same

APPEAL DEADLINE: August 1, 2023

DECISION: The Harrisburg Planning Commission conducted a public hearing on July 18, 2023 and voted to approve the request with conditions of approval. The Planning Commission adopted the findings contained in the July 12, 2023 Staff Report to the Planning Commission, and portions of the minutes from the meeting that demonstrate support for the Planning Commission's actions. Criteria relied upon for review is found in HMC 18.50.150, 19.40.030, 19.40.040, and 19.40.050.

APPEALS: The decisions may be appealed by filing a Notice of Appeal with the City Recorder at 120 Smith Street. The Notice of Appeal should be filed by the Appeal Deadline date listed above. Specific information on the requirements for an appeal or a copy of the complete file of this land use action may be obtained at Harrisburg City Hall. There is a fee of \$750.00 plus actual expenses for appealing a Planning Commission decision to the City Council.

EFFECTIVE DATE: August 2, 2023, unless an appeal has been filed with the City Recorder.

EFFECTIVE PERIOD: Variance approvals shall be effective for eighteen (18) months from the date of approval. Where the owner has applied for a building permit, has made site improvements consistent with the approved development plan, or provides other evidence of working in good faith towards completing the project, the City Administrator may extend an approval accordingly.

Unless appealed, this Variance approval will expire on December 1, 2024.



Todd Culver
Planning Commission Chair

CONDITIONS OF APPROVAL

1. **Consistency with Plans** – Development shall comply with the plans and narrative in the applicant's proposal, except where modified by the following conditions of approval.
2. **Setback** – The applicant shall not be allowed to exceed the adjusted side setback allowance of 5.95'.
3. **Adjustments** – The applicant shall be allowed only two additional adjustments to apply to this tax lot in the next 12-months following approval.
4. **Height of Accessory Structure** - The applicant may not exceed the height of 21'6" on the proposed accessory structure.
5. **Size Limitation of Accessory Structure** - The applicant may not exceed the size limitation of 816 sq. ft. allowed by this variance request.
6. **Time Limitation** - The property owners must apply for a building permit within an 18-month time limit from the approval of this variance and adjustment request.

DEVELOPMENT/BUILDING CODE REQUIREMENTS

Development/Building Code Requirement No. 1. The Property Owners must match the exterior of the primary garage/accessory structure to the home in appearance.

Development/Building Code Requirement No. 2. The Property owners will be required to apply for a building permit before any structural work is completed on the garage.