



Planning Commission Agenda  
September 16, 2025  
7:00 PM

---

Chairperson: Todd Culver  
Commissioners: Rhonda Giles, Jeremy Moritz, Kurt Kayner, Kent Wullenwaber, Susan Jackson, and Joe Neely  
Meeting Location: Harrisburg Municipal Center Located at 354 Smith St

**PUBLIC NOTICES:**

1. *This meeting is open to the public and will be tape-recorded.*
2. *Copies of the Staff Reports or other written documents relating to each item on the agenda are on file in the office of the City Recorder and are available for public inspection.*
3. *The City Hall Council Chambers are handicapped accessible. Persons with disabilities wishing accommodations, including assisted listening devices and sign language assistance are requested to contact City Hall at 541-995-6655, at least 48 hours prior to the meeting date. If a meeting is held with less than 48 hours' notice, reasonable effort shall be made to have an interpreter present. The requirement for an interpreter does not apply to an emergency meeting. ORS 192.630(5)*
4. *Persons contacting the City for information requiring accessibility for deaf, hard of hearing, or speech-impaired persons, can use TTY 711; call 1-800-735-1232, or for Spanish voice TTY, call 1-800-735-3896.*
5. *The City of Harrisburg does not discriminate against individuals with disabilities and is an equal opportunity provider.*
6. *For information regarding items of discussion on this agenda, please contact City Administrator Michele Eldridge, at 541-995-2200.*
7. *The City does ask that anyone running a fever, having an active cough or other respiratory issues, not to attend this meeting.*
8. *If you would like to provide testimony, and are unable to attend, please contact the City Recorder. We can accept written testimony up until 5:00 on the day of the meeting and can also call someone during the meeting if verbal testimony is needed.*

**CALL TO ORDER AND ROLL CALL**

**CONCERNED CITIZEN(S) IN THE AUDIENCE.** (Please limit presentation to two minutes per issue.)

**APPROVAL OF MINUTES**

- 1. MOTION TO APPROVE THE MAY 20, 2025 AND THE JUNE 17, 2025 PLANNING COMMISSION MINUTES**

**PUBLIC HEARING**

- 2. THE MATTER OF A VARIANCE REQUEST FOR BOESES SHOP (ACCESSORY STRUCTURE)**

**STAFF REPORT EXHIBITS:**

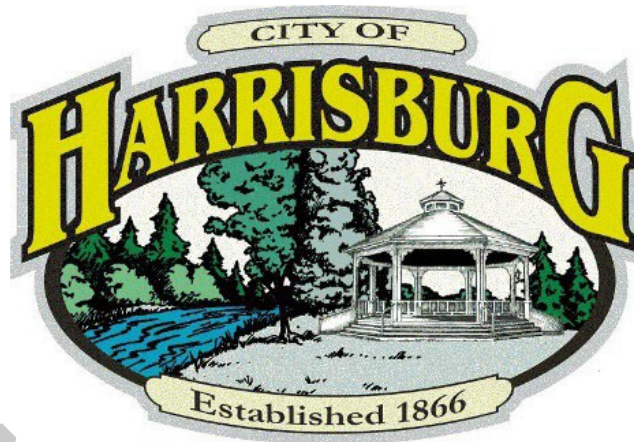
Exhibit A: Application Packet

**ACTION: MOTION TO APPROVE/DENY/AMEND THE VARIANCE REQUEST FOR LU 469-2025, SUBJECT TO THE CONDITIONS OF APPROVAL CONTAINED IN THE STAFF REPORT OF SEPT 9, 2025. THIS MOTION IS BASED ON FINDINGS CONTAINED IN THE STAFF REPORT OF SEPT 9, 2025, AND ON FINDINGS MADE DURING DELIBERATIONS ON THE REQUEST**

**APPLICANT: Robert Boese**

**OTHERS**

**ADJOURN**



## Planning Commission Meeting Minutes

May 20, 2025

---

Chairperson: Todd Culver, Presiding  
Commissioners Present: Rhonda Giles Jeremy Moritz, and Susan Jackson  
Commissioners Absent: Kurt Kayner, Kent Wullenwaber, Joe Neely, and Youth Advisor Taylor Tatum  
Staff Present: City Administrator/Planner Michele Eldridge, Public Works Director Chuck Scholz, 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 7:01pm by Chairperson Todd Culver.

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

### **APPROVAL OF MINUTES**

Moritz motioned to approve the minutes for November 19, 2024, January 21, 2025, and April 15, 2025 and was seconded by Jackson. The Planning Commission then voted unanimously to approve the Minutes for November 19, 2024, January 21, 2025, and April 15, 2025.

### **PUBLIC HEARING**

**THE MATTER OF HOLDING A PUBLIC HEARING AND RECOMMENDING APPROVAL/AMENDMENT/DENIAL OF THE DRAFT AMENDMENT TO THE CITY OF HARRISBURG COMPREHENSIVE PLAN, THE HARRISBURG MUNICIPAL CODE, AND ADOPTION OF THE NEW TRANSPORTATION SPYSTEM PLAN (TSP) (LU 466-2025) TO THE CITY COUNCIL.**

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

At the hour of 7:03pm, the Public Hearing was opened.

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

May 20, 2025

None reported.

**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 thanked everyone for helping us get this project done. She thanked David Helton, ODOT and Erin David, Parametrix for their assistance.

Eldridge pointed out specific portions of the agenda packet.

- Pg 24 has the Memorandum from UrbanLens Planning
- Pg 45 is the beginning of the red-line version of the code changes.
- Pg 47 (i) is added to allow for other needs as requested.
- Pg 49 2. Added the term “and the Transportation System Plan”.
- Pg 51 adds the Definition Additions to HMC 19.55.030

Eldridge highlighted the following criteria and goals:

- Criterion 1 – Met.
- Goals 1, 2, 8, 9, 11. And 12 – Met
- Criterion 2 – N/A.
- Criterion 3 – Met.
- Criterion 4 – Met.

Staff feel that all requirements are met and recommends approval.

Erin David of Parametrix gave a PowerPoint presentation.

**TESTIMONY IN FAVOR WAS ASKED FOR.**

- None given.

**TESTIMONY IN OPPOSITION WAS ASKED FOR.**

- None given.

**NUETRAL TESTIMONY WAS ASKED FOR.**

- None given.

**The public hearing was closed at the hour of 7:49pm.**

- Culver asked if Harrisburg could the speed reduced to 20 mph of 3<sup>rd</sup> Street. Helton said it is possible, and he would make a request with ODOT.
- Moritz **motioned to approve the recommendation of the amendment to the City of Harrisburg Comprehensive Plan, the Harrisburg Municipal Code, and the Adoption of the new Transportation System Plan (TSP) (LU 466-2025) to the City Council. This motion is based on findings contained in the May 14, 2025 Staff Report, and on findings during deliberations on the request. The motion was seconded by Giles. The Planning Commission then voted unanimously to approve the recommendation of the amendment to the City of Harrisburg Comprehensive Plan, the Harrisburg Municipal Code, and the Adoption of the new Transportation System Plan (TSP) (LU 466-2025) to the City Council. This motion is based on findings contained in the May 14, 2025 Staff Report, and on findings during deliberations on the request.**

**OTHERS**

May 20, 2025

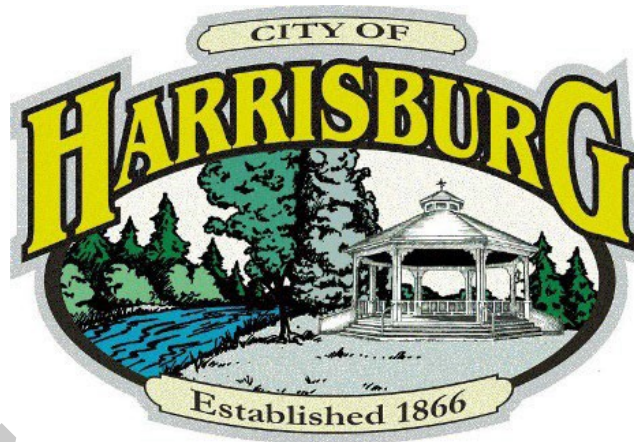
- Eldridge notified the Planning Commission that they would need a quorum for next month's meeting. Board member Kent Wullenwaber will need to sustain during his planning review.

**With no further discussion, the meeting was adjourned at the hour of 8:01 pm.**

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
City Recorder

UNAPPROVED



## Planning Commission Meeting Minutes

June 17, 2025

Vice-Chairperson: Jeremy Moritz, Presiding  
Commissioners Present: Kurt Kayner, Rhonda Giles, Kent Wullenwaber, and Joe Neely,  
Commissioners Absent: Chairperson Todd Culver, Susan Jackson, and Youth Advisor Nolan Malpass  
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 Vice-Chairperson Jeremy Moritz.

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

**PUBLIC HEARING****THE MATTER OF A VARIANCE REQUEST FOR WULLENWABER'S ACCESSORY STRUCTURE.**

*Commissioner Kent Wullenwaber declared a conflict of interest, and rescinded his seat and joined the audience for the entirety of this discussion and decision making.*

Vice-Chairperson Jeremy Moritz read aloud the order of proceedings, and noted the procedures for continuance, and the process to keep the record open.

At the hour of 7:02pm, the Public Hearing was opened.

Moritz asked if there were any Conflicts of Interest or any Ex Parte contacts.  
None reported.

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

Moritz 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.

June 17, 2025

**STAFF REPORT:** Eldridge gave a brief background of the application. The applicant is requesting a variance for three (3) requirements.

1. Requesting a 5' setback instead of the 6' requirement
2. Size of the structure is more than the allowed 50% of current residence.
3. Second driveway is less than the 20' width that is required.

Eldridge handed out a map showing other properties located near applicants with large accessory buildings (**Exhibit 1**). The current storm drain line for this property is a private drain and not allowed per current code. Public Works is going to remove the old drain and replace it with public storm drain line.

Eldridge highlighted the following criteria:

- Criterion 1 – Met.
- Criterion 2a, 2b, 2c, 2d, 2e, and 2f – Met.
- Criterion 2g – Met with Conditions 1, 2, & 3
  - Condition 1: Consistency with plans
  - Condition 2: Access and Circulation
  - Condition 3: Waiver of Remonstrance
- Criterion 3 – Met with Condition 4: Time Limitation.

Staff feels that all requirements are met and recommends approval.

- Neely asked if the tax lots on the map were actual lot lines. Eldridge said they were not, and this was only to show the placement of the structures.
- Kayner asked if the drainage was going to tie into the new storm line. Wullenwaber said it would and that will help with the current drainage issues.

**APPLICANT PRESENTATION:** Property owner Kent Wullenwaber told the Planning Commission that he had been planning to build this building for the last 15 years. It is now ready to go. Because of the new code, he had to come and request a variance. He does not want to reduce the size of the building to meet the new requirements.

#### **TESTIMONY IN FAVOR WAS ASKED FOR.**

- None given.

#### **TESTIMONY IN OPPOSITION WAS ASKED FOR.**

- None given.

#### **NUETRAL TESTIMONY WAS ASKED FOR.**

- None given.

**The public hearing was closed at the hour of 7:33pm.**

- Neely asked if the right-of-way could be reclaimed; he was concerned about where it belongs on these properties. He then asked if the streets are redone, will the right-of-way become improved with curb and gutters. Eldridge said it would if the street was improved by the City. That is the reason for the waiver of remonstrance condition being added.
- Kayner **motioned to approve the variance request for LU-467-2025, subject to the conditions of approval contained in the Staff Report of June 9, 2025. This motion is based on findings contained in Staff Report of June 9, 2025, and on findings made during deliberations on the request. The motion was seconded by Neely. The Planning Commission then voted unanimously to approve the variance request for LU-467-2025, subject to the conditions of approval contained in the Staff Report of June 9, 2025. This**

June 17, 2025

**motion is based on findings contained in Staff Report of June 9, 2025, and on findings made during deliberations on the request.**

*Commissioner Kent Wullenwaber rejoined discussion and took his seat at 7:52pm.*

**THE MATTER OF APPROVING A SITE PLAN REQUEST, WITH VARIANCE AND HISTORICAL ZONE REVIEW FOR A REMODEL OF THE FORMER VFW QUONSET HUT AT 160 SMITH ST., ALSO KNOWN AS 15S04W16AA05100 FOR PATRICK AND DONNELL FREEMAN (LU 468-2025).**

**Vice-Chairperson Jeremy Moritz read aloud the order of proceedings, and noted the procedures for continuance, and the process to keep the record open.**

**At the hour of 7:54pm, the Public Hearing was opened.**

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

None reported.

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

**Moritz 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 gave a brief background of the application. This is an unusual request. The structure was built in the 1930's and placed where it now sits in the 1950's. It has been used as the local VFW building for decades. The applicant is requesting to improve the front end as a business and renovate the back end as a rental home property. All structural improvements will be to the interior of the building. Page 43 and 44 of the agenda packet shows the design drawings for reference. Eldridge also pointed out that Zone C-1 allows for mixed use dwellings. Eldridge highlighted the following criteria:

**HMC 19.15.050**

- Site Plan Criterion 1 – Met.
- Site Plan Criterion 2 – Met with Condition 1: Consistency with Plans & Condition No. 2
- Site Plan Criterion 3 – N/A.
- Site Plan Criterion 4 – Met with Condition 2: Landscaping; Condition 3: Outdoor Lighting; and Condition 4; Parking.
- Site Plan Criterion 5 – Met.
- Site Plan Criterion 6 – Met.
- Site Plan Criterion 7 – Met.

**HMC 19.40.040**

- Variance Criterion 1 & 2a - N/A.
- Variance Criterion 2b, 2c, & 2d – Met.
- Variance Criterion 2e – Met with Condition 5: OSSC Building Code Requirements.
- Variance Criterion 2f – Met.
- Variance Criterion 2g – Condition 6 to be met if allowed; Variance Approval Necessary for Dwelling Unit Remodel.

**HMC 19.40.050**

- Variance Criterion 1 – Met with Condition 7: Time Limitation.

**HMC 18.65.050**

- Historical Zone – Downtown Historic District Design Standards – Condition 8: Façade Design.



June 17, 2025

Staff feel that all requirements are met and recommended approval.

- Neely asked if residential units were allowed in the Historical District in the way presented. Eldridge said that the current code does not allow for residential units on the ground floor of the business, which is why they applicant is also requesting a variance.
- Giles asked if the historical zone is preserved if the residential portion is in the back. Eldridge stated that it is not allowed on the ground floor, unless a variance is allowed.

**APPLICANT PRESENTATION:** Eldridge read applicants statement into record.

**TESTIMONY IN FAVOR WAS ASKED FOR.**

- None given.

**TESTIMONY IN OPPOSITION WAS ASKED FOR.**

- None given.

**NUETRAL TESTIMONY WAS ASKED FOR.**

- None given.

**The public hearing was closed at the hour of 8:46pm.**

- The Planning Commission then had a long discussion about whether or not they would allow a ground floor dwelling unit through a variance, due to the unusual circumstances with this particular property. They pointed out specifically that they had discussed this structure during the development code amendment process, and that they didn't feel that a variance should be allowed at this location. Eldridge shared the applicants point of view, and why the request was being made.
- Kayner stated that he was not okay with issuing a variance or showing favoritism for this request. The property across the street that has been grandfathered in does not work in this situation, because the dwelling unit is inside the larger Quonset hut.
- Kayner **motioned to approve the VFW Quonset Hut Site Plan and Historical Zone Review, LU 468-2025, subject to the conditions of approval contained in the June 11, 2025 Staff Report. This motion is based on findings contained in the June 11, 2025 staff report, and on findings made during deliberations on the request. This motion *denies the variance request to allow a dwelling unit to be added in this structure.*** The motion was seconded by Giles. The Planning Commission then voted unanimously to approve the VFW Quonset Hut Site Plan and Historical Zone Review, LU 468-2025, subject to the conditions of approval contained in the June 11, 2025 Staff Report. This motion is based on findings contained in the June 11, 2025 staff report, and on findings made during deliberations on the request. *This motion denies the variance request to allow a dwelling unit to be added in this structure.*

**OTHERS:** None

**With no further discussion, the meeting was adjourned at the hour of 9:17 pm.**

---

Chairperson

---

City Recorder

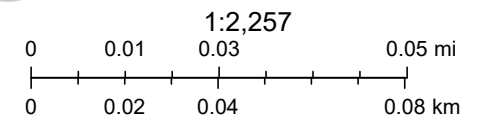
# 640 Quincy ST. Neighborhood

1.



6/17/2025, 4:34:52 PM

- Sales
- Permits
- Railways
- Roads
- City Limits
- Tax Lots
- County Boundary
- Linn County 2022 12in
- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3



Linn County GIS, City of Albany, City of Brownsville, City of Galesburg, City of Halsey, City of Harrisburg, City of Idanha, City of Lebanon, City of

Map created using the Linn County Oregon web mapping

# City of Harrisburg **PLANNING COMMISSION**

## NOTICE OF DECISION

**REQUEST:** The applicant requests approval of a Variance (LU #467-2025) that will allow an accessory building (secondary garage/shop) that exceeds the size requirement allowed by HMC 18.50.150(3). The variance request will also allow a setback that is a few inches less than allowed on both sides, as well as a driveway that is 2" less wide than that allowed by the HMC.

**LOCATION:** 645 Quincy St., Linn County Assessor's Map 15S 04W 10CC, Tax Lot 00700

**HEARING DATE:** June 17, 2025

**ZONING:** R-1 (Single-Family Residential)

**APPLICANT/OWNER**

Kent Wullenwaber  
645 Quincy St.  
Harrisburg, OR 97446

**APPEAL DEADLINE:** June 30, 2025

**DECISION:** The Harrisburg Planning Commission conducted a public hearing on June 17, 2025 and voted to approve the request with conditions of approval. The Planning Commission adopted the findings contained in the June 17, 2025 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 18.45, 18.50 and 19.40.


**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. All persons entitled to notice, and who testified during the Planning Commission Hearing specifically addressing the applicable criteria may appeal the Planning Commission's decision to the City Council pursuant to subsection (5) of HMC

19.10.40. The City Council's decision may also be appealed to the State Land Use Board of Appeals, as applicable. A copy of the complete file of this land use action may be obtained at Harrisburg City Hall. There is a fee of \$1,000 plus actual expenses for appealing a Planning Commission decision to the City Council. The appeal filing procedure is available in HMC 19.10.040.(5)(b).

**EFFECTIVE DATE:** July 1, 2025, 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 January 1, 2027.

  
\_\_\_\_\_  
Todd Culver  
Planning Commission Chair



## CONDITIONS OF APPROVAL

**Condition No. 1: Consistency with Plans.** Development shall comply with the plans and narrative in the applicant's proposal, except where modified further by the Planning Commission.

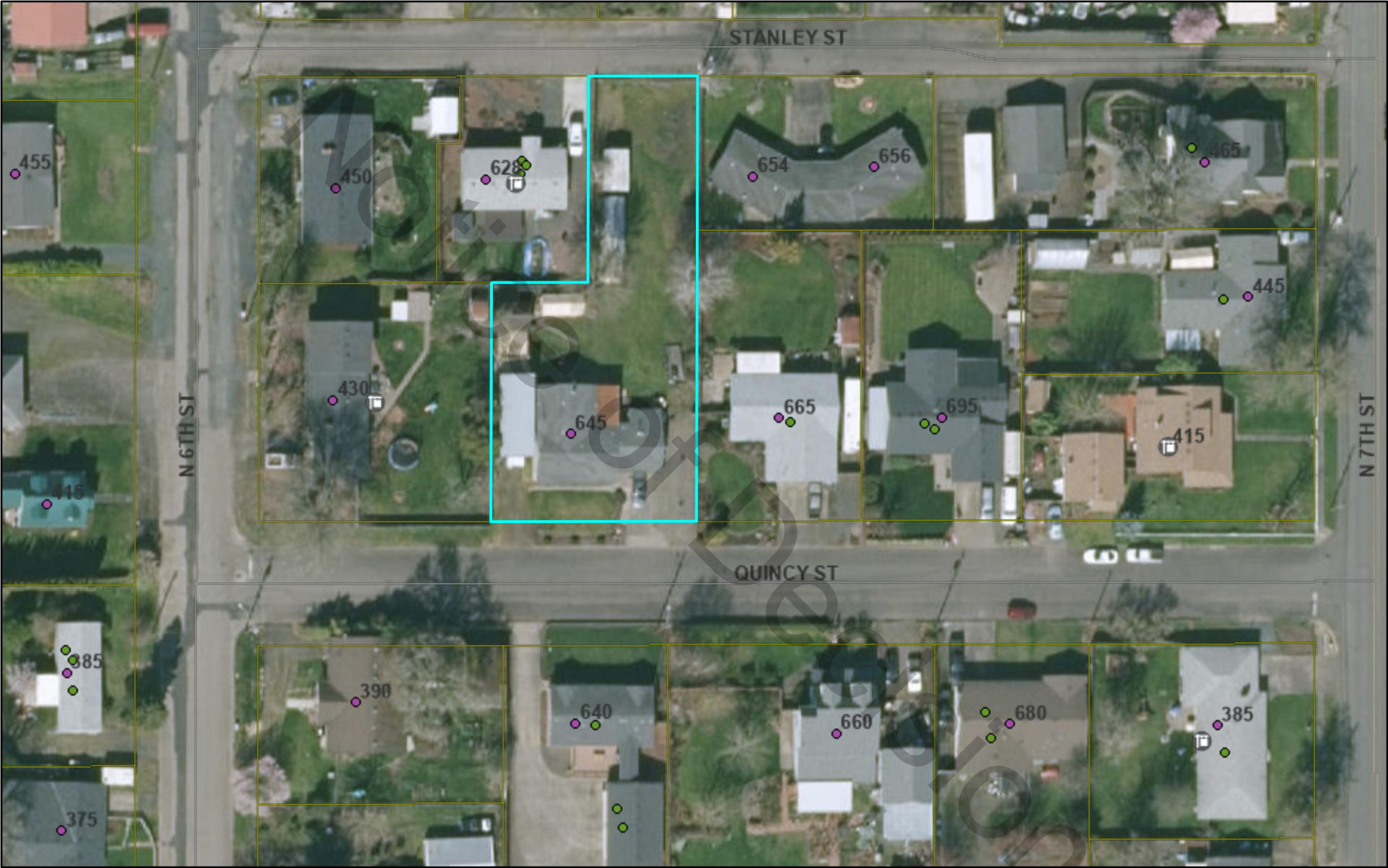
**Condition No. 2: Access and Circulation.** Concurrent to the building permit application, the applicant shall be required to pave the first 25' of their private driveway. They will also need to obtain a right-of-way permit for the work to be completed, and provide the City with a copy of the Fire Access and Water Supply form after it has been approved by HFRD.

**Condition No. 3: Waiver of Remonstrance.** Concurrent with the Building Permit Application, the applicant shall pay for, and fill out a waiver of remonstrance form that will be recorded in Linn County, in relation/ in lieu of installing curbs, gutters and sidewalks on Stanley St.

**Condition No. 4. Time Limitation:** The property owners must apply for a building permit within an 18-month time limit from the approval of this variance request.

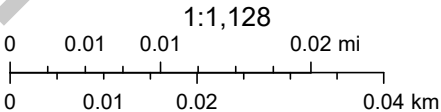
645 Quincy St.

1.



9/9/2025, 10:52:59 AM

- Sales
- Roads
- Tax Lots
- Permits
- City Limits
- County Boundary



Linn County GIS, City of Albany, City of Brownsville, City of Galesburg, City of Halsey, City of Harrisburg, City of Idanha, City of Lebanon, City of

Map created using the Linn County Oregon web mapping

This product is for informational purposes only and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the

City of Harrisburg

**PLANNING COMMISSION**

**NOTICE OF DECISION**

**REQUEST:** The applicant requests approval of a site plan, variance, and historic district review request for the former VFW Quonset Hut (LU 468-2025) to allow a conversion from the back/rear section of the Quonset Hut, containing a kitchen, to a dwelling unit.

**LOCATION:** The subject site is located on Smith St., on property addressed as 160 Smith St. It is also known as tax lot 05100 of Linn County Assessor's Map 15S04W16AA.

**HEARING DATE:** March 19, 2024

**ZONING:** M-2 (General Industrial)

**APPLICANT:** Patrick & Donnell Freeman  
PO Box 588  
Harrisburg, OR 97446

**OWNER:** Patrick & Donnell Freeman Living Trust  
PO Box 588  
Harrisburg, OR 97446

**APPEAL DEADLINE:** June 30, 2025

**DECISION:** The Harrisburg Planning Commission conducted a public hearing on June 17, 2025, and voted to approve the site plan and historical review, subject to the attached conditions of approval. The Planning Commission adopted the findings contained in the Staff Report of the June 17, 2025, Planning Commission meeting, and portions of the minutes from the meeting that demonstrate support for the Planning Commission's actions. A request for a variance to allow a conversion for a residential dwelling in the back area of the Quonset Hut was denied.

**APPEALS:** People with legal standing to appeal are the applicant(s) or owner(s) of the subject property, and any person who testified orally or in writing during the subject public hearing before the close of the public record. The decision 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 \$1,000.00.

**EFFECTIVE DATE:** July 1, 2025, unless an appeal has been filed with the City Recorder.

**EFFECTIVE PERIOD:** Site Design approvals shall be effective for a period of 18-months from the date of approval. The approval shall lapse if a public improvement plan or building permit application has not been submitted within 18 months of approval; or construction on the site is in violation of the approved plan.

**MODIFICATIONS & EXTENSIONS:**

Upon written request by the applicant, the City Administrator may grant a written extension of the approval period not to exceed 18 months; provided that the applicant follows all criteria as required in HMC 19.15.070(2).

Modifications to approved plans and developments are subject to City review and approval under HMC 19.30.

  
Jeremy Moritz  
Planning Commission Vice-Chair



## **RECOMMENDED CONDITIONS OF APPROVAL**

**Condition No. 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.

**Condition No. 2 – Landscaping:** Concurrent to submission of Building Permit, property owner must submit a landscaping plan, showing the addition of 600 sq. ft., subtracting the size of the terrace and as according to requirements in HMC 18.75.030(3). The landscaping plan must show screening materials and locations for garbage.

**Condition No. 3 – Outdoor Lighting:** Concurrently shown on submission of the building permit, any additional outdoor lighting must be shown on the building permit. All lights must be directed downward, and shall not cause spillover into adjacent residential properties.

**Condition No. 4 – Parking:** Prior to Occupancy of either the business or dwelling unit, the property owner must provide some form of wheel stops, curbing, or bollards which will block vehicles from driving into landscaping and the structure.

**Condition No. 5 – OSSC Building Code Requirements:** With the submission of a Building Permit, the applicant/owner shall provide a design that follows OSSC building code requirements, in relation to possible sprinklers, and additional fire walls on the exterior walls of the residential unit if required. The building permit will also require a fire access and water supply information sheet and review by HFRD.

**Condition No. 6 - Variance Approval Necessary for Dwelling Unit Remodel:** The dwelling unit variance must be approved for the property owner to be allowed to convert the back area of the Quonset Hut into a dwelling unit. Without this approval, the conversion of the front area into a commercial/retail business is still applicable, and the rear area of the Quonset hut may also be used for commercial/retail uses.

**Condition No. 7 - Time Limitation:** The property owners must apply for a building permit within an 18-month time limit from the approval of this variance request.

**Condition No. 8 - Façade Design:** Concurrent with submission of the Building Permit, the owners must show a design that has two of the historical façade components for the front of the Quonset hut, and windows shall closely match historical structures that are nearby. (These count as a first-floor display window.)

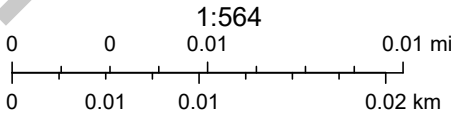
## **DEVELOPMENT CONCERNS**

**DEVELOPMENT CONCERN NO. 1:** SDC'S for the new dwelling unit shall be due and payable at the time the building permit is paid for.



9/9/2025, 10:58:04 AM

- Sales
- Roads
- Tax Lots
- Permits
- City Limits
- County Boundary



Linn County GIS, City of Albany, City of Brownsville, City of Gates, City of Halsey, City of Harrisburg, City of Idanha, City of Lebanon, City of

Map created using the Linn County Oregon web mapping

Staff Report  
Harrisburg Planning Commission  
Harrisburg, Oregon

---

THE MATTER OF A VARIANCE REQUEST FOR BOESES SHOP (ACCESSORY STRUCTURE)

STAFF REPORT EXHIBITS:

Exhibit A: Application Packet

**ACTION: MOTION TO APPROVE/DENY/AMEND THE VARIANCE REQUEST FOR LU 469-2025, SUBJECT TO THE CONDITIONS OF APPROVAL CONTAINED IN THE STAFF REPORT OF SEPT 9, 2025. THIS MOTION IS BASED ON FINDINGS CONTAINED IN THE STAFF REPORT OF SEPT 9, 2025, AND ON FINDINGS MADE DURING DELIBERATIONS ON THE REQUEST**

**APPLICANT:** Robert Boese  
**LOCATION:** 460 N. 7<sup>th</sup> St. – 15S04W10CD 04100  
**HEARING DATE:** September 16, 2025  
**ZONING:** R-1 Single Family Residential  
**OWNER:** Robert L Boese

---

**BACKGROUND**

Robert Boese lives on N. 7th St. and like some of the citizens in this neighborhood, has been planning for years to add a larger accessory structure to his property. Unfortunately, time didn't allow him to develop his property before the change in the development code. HMC 18.50.150 puts a size limitation on accessory structures, based on the size of the footprint of the home that they own.

**INTRODUCTION**

A variance request is needed due to the size of the proposed accessory structure. The homes footprint is currently 2097 sq. ft. The code allows for an accessory structure that doesn't exceed 50% of the floor area, or 1,000 sq. ft., whichever is smaller. The shop

that is planned is 1200 sq. ft and therefore exceeds the limits as allowed by HMC 18.50.150(3).

There are no other variances required for this property, as Mr. Boese has a larger lot, and therefore, plenty of room to meet the code requirements.

## CRITERIA AND FINDINGS OF FACT

### 1. **CRITERION: HMC 19.40.040 Variances.**

**1. Applicability.** *A variance is a code adjustment that does not otherwise meet the criteria under HMC 19.40.030. (Permitted uses, as provided in Chapters 18.40 to 18.55 HMC, shall not be adjusted with a variance.)*

**DISCUSSION:** This variance is required because the development code doesn't allow an accessory structure to either exceed the lesser of 50% of the floor area, or 1,000 square feet. The proposed accessory structure is planned at 1,200 square feet total; Mr. Boese is constrained to the 1,000 square foot area. The residential use is not being changed. The applicant will be required to meet the development requirements that are suggested by the Planning Commission

**Condition No. 1: Consistency with Plans.** Development shall comply with the plans and narrative in the applicant's proposal, except where modified further by the Planning Commission.

**FINDING:** As conditioned, this criterion has been met.

**2. Approval Criteria.** *The Planning Commission, through a Type III procedure, may approve a variance upon finding that it meets all of the following criteria:*

**a.** *The variance is necessary because the subject code provision does not account for special or unique physical or historical circumstances of the subject site, existing development patterns, or adjacent land uses. If an existing lot or development is nonconforming, the City may accept the nonconforming status as sufficient evidence of hardship for purposes of approving a variance under this section.*

**DISCUSSION:** The City has had the same setbacks and accessory structure size requirements for at least twenty years; therefore, it wouldn't be out of the question to say this falls under the term of 'historical circumstances'. The lot is an unusually large size, at .38 acres, so there is enough room for easily accommodating the size of structure. There are no non-conforming circumstances with this lot.

**FINDINGS:** This criterion is met.

***b. The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site.***

**DISCUSSION:** The accessory structure is not large for this neighborhood. There is property located to the southeast that has a general-purpose structure that is 1152 sq. ft. in size, while the home is only 1399 sq. ft. The property only two tax lots away to the south has a 1,248 sq ft. accessory structure, with a 1440 sq. ft. home. The property owner could have asked for a variance for a larger structure but had only planned on this size as being what he needed. There are technically no special or unique physical circumstances related to this site. Therefore, Staff does believe that this is the minimum necessary.

**FINDINGS:** This criterion has been met.

***c. The variance does not conflict with other applicable City policies or other applicable regulations.***

**DISCUSSION:** This variance doesn't conflict with other City policies or applicable regulations. It's a simple request to allow for a structure that is slightly larger than what is allowed by the current code.

**FINDINGS:** The criteria have been met.

***d. The variance will result in no foreseeable harm to adjacent property owners or to the public interest.***

**DISCUSSION:** Allowing a property owner to have a larger accessory structure than that allowed by code is not creating something that is harmful to the public interest, nor does it result in any foreseeable harm to adjacent property owners. The property directly south has a back yard that will be shielded by the new accessory structure, adding privacy to their lot. The property owner isn't adding the structure where an existing storm drain area is located and therefore will not cause harm by blocking historical storm flow. The applicant will be required to install gutters and must show where drainage will be directed to. The applicant must make certain that the work being done meets development standards and should consider adding French drain tile to the property. This is a development concern.

**Condition of Approval No. 2: Storm Drainage.** Concurrently with the submittal of the building permit, the applicant will provide gutters to the structure and will show where the drainage is being directed to.

**Development Concern No. 1:** The applicant must account for any additional drainage problems on his lot due to the addition of this structure, and should consider the addition of French drain, or any other system of storm control.

**FINDINGS:** As conditioned, this criterion has been met.

***e. All applicable building code requirements and engineering design standards shall be met.***

**DISCUSSION:** This accessory structure is over 200 sq. ft., and therefore the property owner knows that building code requirements apply, which includes being required to meet structural engineering standards for this size of structure.

**FINDINGS:** This criterion has been met.

***f. The variance is necessary for the preservation and enjoyment of the same property rights as possessed by owners of other property in the same zone.***

**DISCUSSION:** The applicant includes addresses for other properties in the narrative shown in **Exhibit A**, which have large accessory structures that exceed the current code requirements. Those include 640 Quincy St., 490 N. 6<sup>th</sup> St., 585 Territorial St., 375 7<sup>th</sup> Place and most recently 645 Quincy St.

**FINDINGS:** Properties that are nearby and in the same neighborhood have accessory structures that are larger than allowed by the newer development code. Therefore, allowing this accessory structure to be larger than allowed by the current development code allows the owner to have the same types of structures that are present on neighboring properties. This criteria is therefore met.

***g. In granting a variance, the Planning Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or the community as a whole. [Ord. 987 § 1 (Exh. A), 2022.]***

**DISCUSSION:** The accessory structure is located in a neighborhood in which storm water is a problem; N. 7<sup>TH</sup> Place had a major stormwater improvement approximately 15 years ago. There is a drainage ditch that runs in the middle of the backyard of properties located on the east side of N. 7<sup>th</sup> St., and on the west side of N. 7<sup>th</sup> Place. This drainage ‘slump’ travels north, crossing the back of the applicant’s property. The ditch is located approximately 45’ to the east of the rear wall of the new shop. As already conditioned, the applicant will need to install gutters and will need to show to where the excess will be routed to in the building permit process. The applicant should consider adding additional storm drainage to his property, which is a development concern.

There are an existing concrete driveway and approach, which is located on the south edge of this property, and there are existing sidewalks, curbs and gutters on 7<sup>th</sup> St. The driveway is 15’ wide and includes a ‘parking pad’ in front of the shop. The applicant is not required to have a parking pad, as he is keeping the primary garage. There is therefore no further development required at this time in relation

to hardscape standards. Staff did speak with the applicant about consideration of an accessory dwelling unit on the property, and the owner is aware of the requirements, if such is desired in the future, but has no plans for providing this type of structure at the current time.

The proposed structure is 6' from the southern property line, and more than 25' from the existing home. The structure is planned at 12' high on the walls, and therefore doesn't exceed the height of the home, which includes attic space that is gabled.

There were no comments from any staff members or agencies with concerns about this addition. The Planning Commission does have the ability to add additional development requirements to any application, but Staff doesn't see anything that should warrant additional standards being applied.

**FINDING:** This criterion has been met.

### **3. Criterion: HMC 19.40.050 Expiration.**

- 1. Approvals granted under this chapter shall expire if not acted upon by the property owner within 18 months of the City approving the variance. Where the owner has applied for a building permit or final plat, has made site improvements consistent with an approved development plan (e.g., site design review or preliminary subdivision plan), or provides other evidence of working in good faith toward completing the project, the City Administrator may extend an approval accordingly. [Ord. 987 § 1 (Exh. A), 2022.]**

**Discussion:** This is a standard requirement; and the application does not include a partition plat. Therefore, the permit must be issued, and work must begin before the date of March 17, 2027.

**Condition No. 3. Time Limitation:** The property owners must apply for a building permit within an 18-month time limit from the approval of this variance request.

**Finding:** As conditioned, this criterion has been met.

## **CONCLUSIONS**

This property is large and can easily accommodate a larger size accessory structure. The structure should not affect the adjoining properties as long as the applicant meets storm drain requirements. It has been established that there are a number of accessory structures in this same neighborhood, including adjoining this property. Most have been here for some time; and all exceed the 50% size requirement. Because this is a

secondary driveway, rather than primary, there are no hardscaping/pavement requirements at this time. The property is well-suited for the applicant to add a 1,200 sq. ft. accessory structure in the location where it is planned.

## **PLANNING COMMISSION ACTION**

The Planning Commission has three options with respect to the subject applications. They can:

1. Approve the request;
2. Approve the request with conditions; or
3. Deny the request.

Based upon the criteria, discussion, and findings of facts above, Staff recommends the Planning Commission motion to approve a variance.

## **RECOMMENDED MOTION(S)**

Consistent with staff's recommendation to the Planning Commission, the appropriate motions are shown at the top of this staff report.

## **RECOMMENDED CONDITIONS OF APPROVAL**

**Condition No. 1: Consistency with Plans.** Development shall comply with the plans and narrative in the applicant's proposal, except where modified further by the Planning Commission.

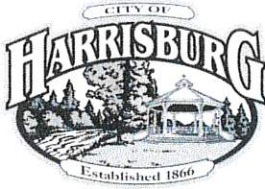
**Condition No. 2: Storm Drainage.** Concurrently with the submittal of the building permit, the applicant will provide gutters to the structure and will show where the drainage is being directed to.

**Condition No. 3. Time Limitation:** The property owners must apply for a building permit within an 18-month time limit from the approval of this variance request.

## **DEVELOPMENT CONCERNS**

**Development Concern No. 1:** The applicant must account for any additional drainage problems on his lot due to the addition of this structure, and should consider the addition of French drain, or any other system of storm control.





City of Harrisburg  
120 Smith Street  
Harrisburg, OR 97446  
Phone (541) 995-6655  
[www.ci.harrisburg.or.us/planning](http://www.ci.harrisburg.or.us/planning)

## LAND USE APPLICATION

STAFF USE ONLY	
File Number: <u>LW 469-2025</u>	Date Received: <u>8-11-25</u>
Fee Amount: \$1,250	<u>PD</u>

APPLICATION TYPE	
<input type="checkbox"/> Annexation*	<input type="checkbox"/> Property Line Adjustment
<input type="checkbox"/> Comprehensive Plan Amendment*	<input type="checkbox"/> Partition/Replat*      Minor      Major
<input type="checkbox"/> Conditional Use Permit*	<input type="checkbox"/> Site Plan Review*
<input type="checkbox"/> Historic Permit*	<input type="checkbox"/> Site Plan Review – Parking Only
<input type="checkbox"/> Resource Alteration	<input type="checkbox"/> Subdivision/Replat*
<input type="checkbox"/> Resource Demolition	<input type="checkbox"/> Vacation of street, alley or easement
<input type="checkbox"/> Historic Review – District	<input checked="" type="checkbox"/> Variance*
<input type="checkbox"/> Legal Lot Determination	<input type="checkbox"/> Zone Map Change*
*A Pre-Application Conference with City Staff is Required	<input type="checkbox"/> Zoning Ordinance Text Amendment*

PLEASE PROVIDE A BRIEF SUMMARY OF THE PROPOSAL	
Project Description	Planning on building a 30' wide X 40' deep shop on the side of my lot in Harrisburg, OR. (1,200 sq. ft.)
Project Name	Boese's Shop

## PRIMARY CONTACT AND OWNER INFORMATION

Applicant's Name	Robert Boese		
Phone	541-913-8857	Email	ramboese@yahoo.com
Mailing Address	460 N 7th Street Harrisburg, OR 97446		
Applicant's Signature	Robert Boese		
		Date	8/11/25
Property Owner Name	Robert Boese		
Phone	541-913-8857	Email	ramboese@yahoo.com
Mailing Address	460 N 7th Street Harrisburg, OR 97446		
Owner Signature	Robert Boese		
		Date	8/11/25

\*If more than one property owner is involved, provide a separate attachment listing each owner or legal representative and their signature.

## PROPERTY DESCRIPTION

(general vicinity, side of street, distance to intersection, etc.)

Street Address	460 N 7th Street Harrisburg, OR 97446		
General Location Description	Building a shop on side of my property.		
Assessor's Map Number(s)		Related Tax Lot(s)	
Map #	15S04W10CD ✓	Tax Lot(s) #	4100 ✓
<p>The Assessor's Map Number (Township, Section and Range) and the Tax Lot Number (parcel) can be found on your tax statement, at the Linn County Assessor's Office, or online at <a href="http://linn-web.co.linn.or.us/propertywebquerypublic/">http://linn-web.co.linn.or.us/propertywebquerypublic/</a></p>			
Lot Area	0.38 acres/16552.8 sq.ft. ✓		

### LAND USE AND OVERLAY ZONES

Existing Zone(s) R-1

Existing Comprehensive Plan Designation(s) Low Density Residential

Please select any of the following zone overlays or natural areas that apply to the subject site:

- |   |  |                                     |
|---|--|-------------------------------------|
| <input type="checkbox"/> Historic Overlay   | <input type="checkbox"/> Willamette River Greenway | <input type="checkbox"/> Floodplain |
| <input type="checkbox"/> Riparian Corridors | <input type="checkbox"/> Wetlands                  |                                     |

\*Please include a discussion in the project narrative indicating how these overlays affect your proposal. For more information about any of these overlays, please contact the City Planner at (541) 995-6655.

### CHECK THE BOX NEXT TO INCLUDED EXHIBITS

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Narrative* (address all applicable HMC review criteria)<br><input type="checkbox"/> Assessor's Map with Applicable Tax Lots Highlighted<br><input checked="" type="checkbox"/> Site Plan<br><input type="checkbox"/> Survey / ALTA<br><input checked="" type="checkbox"/> Aerial Photograph / Existing Land Use(s) Map<br><input type="checkbox"/> Zoning Map (if applicable, show proposed change(s))<br><input type="checkbox"/> Comprehensive Plan Map(s) (if applicable, show proposed changes))<br><input type="checkbox"/> Subdivision or Partition Plat | <input type="checkbox"/> Architectural Elevations<br><input type="checkbox"/> Architectural Floor Plans<br><input type="checkbox"/> Utilities Plan<br><input type="checkbox"/> Geotechnical Report/Site<br><input type="checkbox"/> Assessment<br><input type="checkbox"/> Electronic Versions of Exhibits<br><input type="checkbox"/> Application Fee<br><input checked="" type="checkbox"/> Other |
|--|---|

\*A written narrative is required for all application types. Typical drawings sizes are 24"X36", 11"X17", or 8.5"X11". Sizes of required drawings will depend on the type and scope of applications involved. Contact the City Planner to verify requirements. On your plans, include the following: property lines, points of access for vehicles, pedestrians, and bicycles, water courses, any natural features (wetlands, floodplain, etc.), existing and proposed streets and driveways, parking areas, utilities, pedestrian and bike paths, and existing easements. Please note there are additional specific graphic and narrative requirements for each application type. Refer to the Harrisburg Municipal Code for more information.

A Pre-application Conference is Required with City Staff prior to turning in your land use application. Please contact the City Administrator, or City Recorder/Assistant City Administrator to make an appointment. Date of Appointment: 8/11/25



PLEASE TELL US MORE ABOUT THE PROPOSAL AND ITS SITE

1. Are there existing structures on the site? ☒ Yes ☐ No If yes, please explain

House, trailer shelter, garden shed

2. Indicate the uses proposed and describe the intended activities:

Shop for autos and storage, etc.

3. How will open space, common areas and recreational facilities be maintained?

Will remain the same as before, things will look neater than before.

4. Are there previous land use approvals on the development site? ☐ Yes ☒ No  
If yes, please include a discussion in the project narrative describing how the prior approvals impact your proposal.

5. Have you reviewed the Oregon Fire Code Applications Guide in relation to your land use request? ☐ Yes ☒ No Do you have questions about any element of these requirements? If yes, please explain:

AUTHORIZATION FOR STAFF & DECISION MAKERS TO ENTER LAND

City staff, Planning Commissioners, and City Councilors are encouraged to visit the sites of proposed developments as part of their review of specific land use applications. Decision maker site visits are disclosed through the public hearing process. Please indicate below whether you authorize City staff and decision makers to enter onto the property(-ies) associated with this application as part of their site visits.

☒ I authorize City staff and decision makers to enter onto the property(-ies) associated with this application.

☐ I do not authorize City decision makers to enter onto the property(-ies) associated with this application.

#### 19.40.040 Variances.

1. Applicability. A variance is a code adjustment that does not otherwise meet the criteria under HMC 19.40.030. (Permitted uses, as provided in Chapters 18.40 to 18.55 HMC, shall not be adjusted with a variance.)

I am requesting a variance for the size of my shop, that I have been planning to build for quite sometime now.

The completed shop size will be (30'X40'), 1,200 sq. ft.

2. Approval Criteria. The Planning Commission through a Type III procedure may approve a variance upon finding that it meets all of the following criteria:

3.

a. The variance is necessary because the subject code provision does not account for special or unique physical or historical circumstances of the subject site, existing development patterns, or adjacent land uses. If an existing lot or development is nonconforming, the City may accept the nonconforming status as sufficient evidence of a hardship for purposes of approving a variance under this section;

A variance is needed because the square footage of the shop is larger than the code allotment.

My house is two story with two car garage, but the code only allows the bottom main square footage in the calculation.

b. The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site;

Yes

c. The variance does not conflict with other applicable City policies or other applicable regulations;

No

d. The variance will result in no foreseeable harm to adjacent property owners or to the public interest;

No

e. All applicable building code requirements and engineering design standards shall be met;

Yes

f. The variance is necessary for the preservation and enjoyment of the same property rights as possessed by owners of other property in the same zone; and

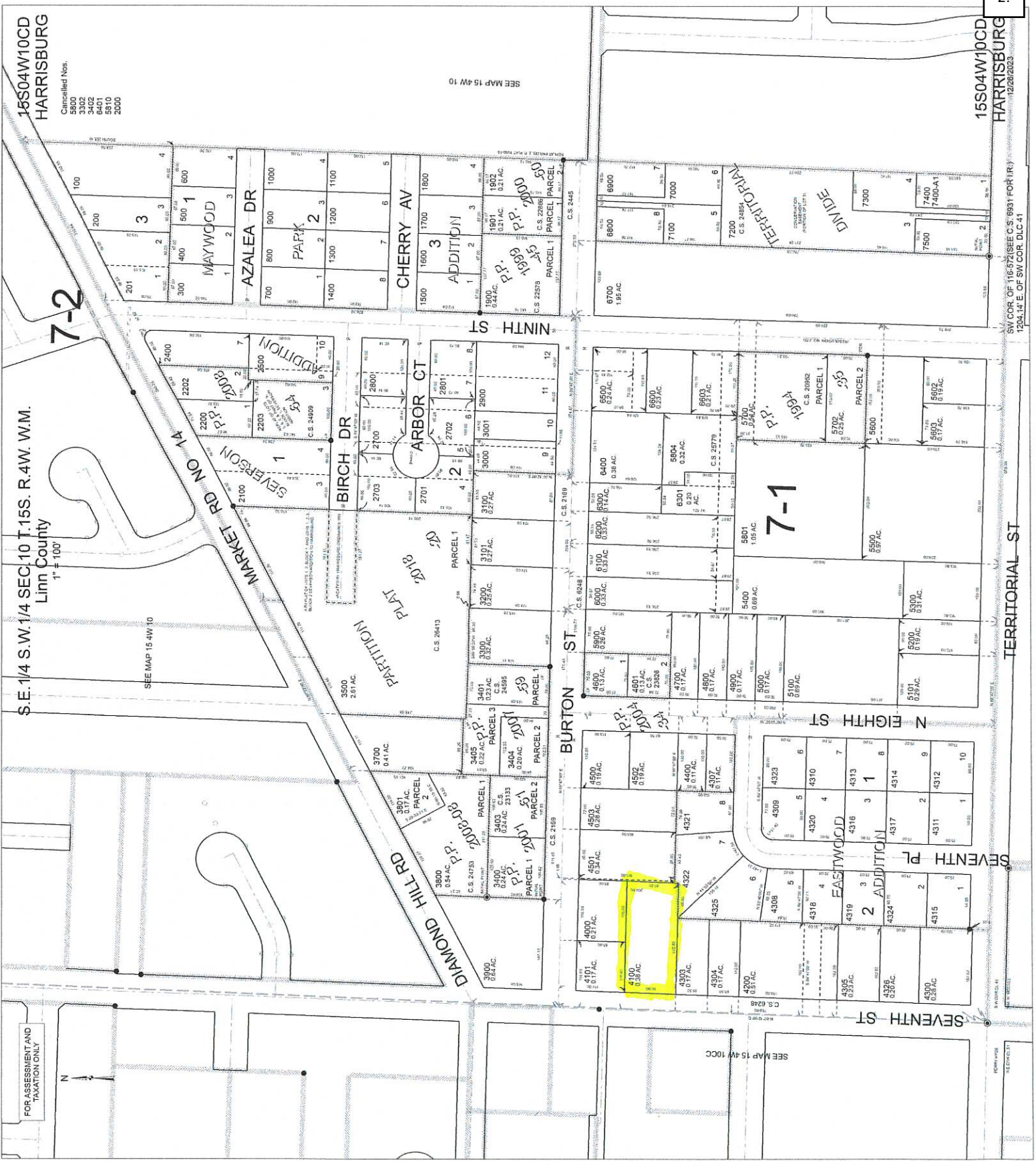
Yes, here are some examples

640 Quincy Street, 490 N 6<sup>th</sup> Street, 465 N 7<sup>th</sup> Street, 485 N 7<sup>th</sup> Street, 585 Territorial Street, 400 N 7<sup>th</sup> Street  
375 7<sup>th</sup> Place, and most recently 645 Quincy Street

g. In granting a variance, the Planning Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or the community as a whole. [Ord. 987 § 1 (Exh. A), 2022.]

Yes, that will be fine







ENVIRONMENTAL

Portland Office  
25195 SW Parkway Ave., Suite 207  
Wilsonville, OR 97070  
503-570-9484  
503-570-0384 Fax

Eugene Office  
32986 Roberts Ct.  
Coburg, OR 97408  
541-484-9484  
541-484-4188 Fax

Mailing: P.O.Box 40187, Eugene, OR 97404

Project: BOESE SHOP

2.

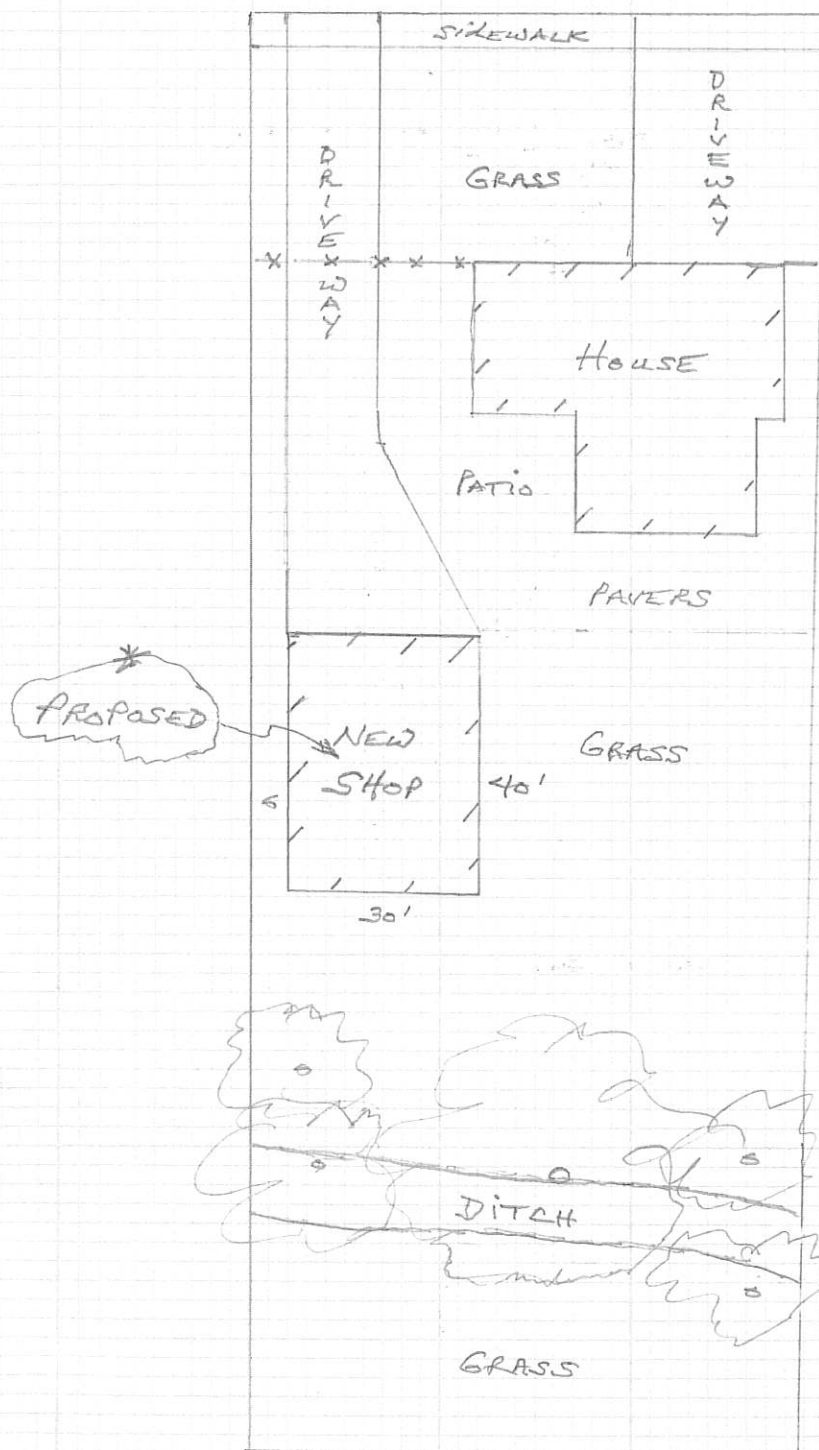
Project Code: Site Plan

Date: 8/11/25 Scale: 1" = 30'

Prepared By: FLB

Sheet No. \_\_\_\_\_ of \_\_\_\_\_

460 N 7<sup>th</sup> Street





BOESE SHOP  
460 N 7th St.



Map data ©2025, Map data ©2025 20 ft

Harrisburg, PA

Single Story / BOESE SHOP  
(~~36~~ x 40')  
30'

18-50-150  
18-50-160







# BGS Plan Co.

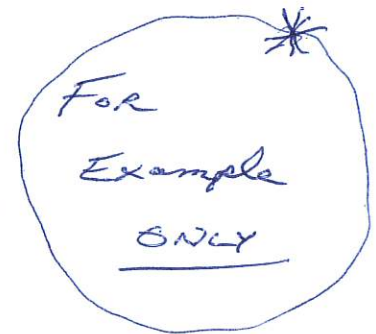
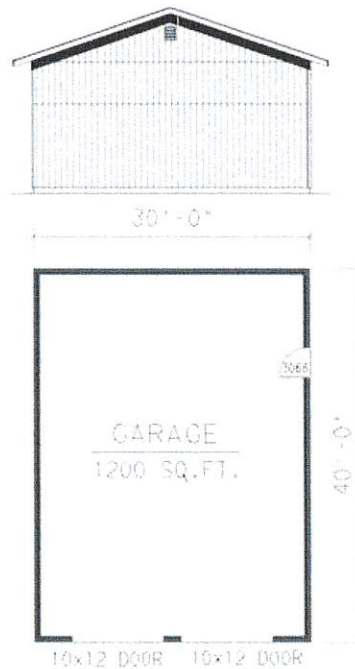
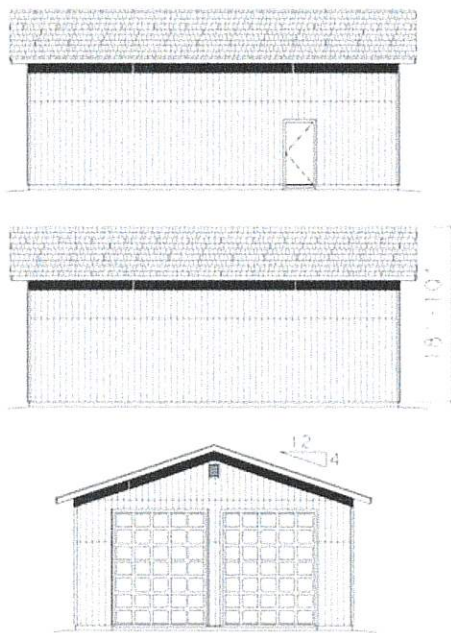
Save Money, Save Time with Premium Stock Plans

HOME PLANS PHOTO GALLERY RESOURCES CONTACT - 916.783.6822

3115m08 is a 30x40 building with <sup>12'</sup>13.5' tall walls and <sup>12'x10'</sup>2)10x12' door(s).

**ORDER:** \$500 - Order Plan Set

Starter Set vs Full Plan Set? ▼



BGS Plan #3115 M08

© - BGS PLAN COMPANY - ALL RIGHTS RESERVED

*POLE BARN / BARN DOMINUM*

## PLAN FEATURES:

30x40	<sup>12'</sup> 13.5'	<sup>12'x10'</sup> 2)10x12'	19'	Wood
Building Size	Wall Height	Door Size(s)	Overall Height	Exterior Material
80C	1200		C	A
Wind/Exposure	Total Sq. Ft.	2nd Floor Sq. Ft.	Seismic Zone	Roof Style
<sup>4/12</sup> 6/12	30	20	MFG	
Roof Pitch	Roof Span	Roof Load	Roof Frame	

## Terminology

- **Plan Number** - Refer to building by this information. Order plan(s) by this number.
- **Height Width** - Overall width (left to right) and depth (front to back) of enclosed building at longest dimension.
- **Exterior** - Stucco indicates stucco finish over plywood sheathing. Wood indicates 5/8" vertical groove plywood.