



# CITY OF SWEET HOME PLANNING COMMISSION AGENDA

May 21, 2026, 6:30 PM  
Sweet Home City Hall, 3225 Main Street  
Sweet Home, OR 97386

WiFi Passcode: guestwifi

PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

## Mission Statement

The City of Sweet Home will work to build an economically strong community with an efficient and effective local government that will provide infrastructure and essential services to the citizens we serve. As efficient stewards of the valuable assets available, we will be responsive to the community while planning and preparing for the future.

---

## Meeting Information

The City of Sweet Home is streaming the meeting via the Microsoft Teams platform and asks the public to consider this option. There will be opportunity for public input via the live stream. To view the meeting live, online visit <http://live.sweethomeor.gov>. If you don't have access to the internet you can call in to 971-203-2871 and enter the meeting ID followed by the # sign to be logged in to the call. Meeting ID: 306 824 664#

## Call to Order and Pledge of Allegiance

## Roll Call of Commissioners

**Public Comment.** This is an opportunity for members of the public to address the Planning Commission on topics that are not listed on the agenda.

## Meeting Minutes:

- a) [2026 05-07 Planning Commission Meeting Minutes](#)

## Public Hearings

- a) [VR26-03 Planning Commission Staff Report](#)
- b) [P26-04 Planning Commission Staff Report](#)

## Staff Updates:

**Planning Commission Business** (Commission comments about topics not listed on the agenda)

## Adjournment

Persons interested in commenting on these issues should submit testimony in writing to the Community and Economic Development Department Office located in City Hall prior to the hearing or attend the meeting and give testimony verbally. Persons who wish to testify will be given the opportunity to do so by the Chair of the Commission at the Planning Commission meeting. Such testimony should address the zoning ordinance criteria which are applicable to the request. The Sweet Home Planning Commission welcomes your interest in these agenda items. Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the meeting; however, the Commission may consider additional subjects as well. This meeting is open to the public and interested citizens are invited to attend

The failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and a copy will be provided at reasonable cost. A copy of the staff report will be available for inspection at

---

*The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-367-8969.*

no cost at least seven days prior to the hearing and a copy will be provided at reasonable cost. Please contact the Community and Economic Development Department at 3225 Main Street, Sweet Home, Oregon 97386; Phone: (541) 367-8113.

## Planning Commission Process and Procedure for Public Hearings

- Open each Hearing individually
- Review Hearing Procedure (SHMC 17.12.130)
- Hearing Disclosure Statement (ORS 197.763)
  - At the commencement of a hearing under a comprehensive plan or land use regulation, a statement shall be made to those in attendance that:  
**READ:** “The applicable substantive criteria are listed in the staff report. Testimony, arguments and evidence must be directed toward the criteria described or other criteria in the plan or land use regulation which the person believes to apply to the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.”
- Declarations by the Commission:
  - Personal Bias - Prejudice or prejudgment of the facts to such a degree that an official is incapable of making an objective decision based on the merits of the case.
  - Conflict of Interest - Does any member of the Commission or their immediate family have any financial or other interests in the application that has to be disclosed.
  - Ex Parte Information - The Planning Commission is bound to base their decision on information received in the Public Hearing and what is presented in testimony. If a member of the Planning Commission has talked with an applicant or has information from outside the Public Hearing it needs to be shared at that time so that everyone in the audience has an opportunity to be aware of it and the rest of the Planning Commission is aware of it. In that way it can be rebutted and can be discussed openly.
- Staff Report
  - Review of application
  - Discussion of relative Criteria that must be used
  - During this presentation the members of the Planning Commission may ask questions of the staff to clarify the application or any part of the Zoning Ordinance or the applicable information.
- Testimony
  - Applicant’s Testimony
  - Proponents’ Testimony
    - Testimony from those wishing to speak in favor of the application
  - Opponents’ Testimony
    - Testimony from those wishing to speak in opposition of the application
  - Neutral Testimony
    - Testimony from those that are neither in favor nor in opposition of the application.
  - Rebuttal
- Close Public Hearing
- Discussion and Decision among Planning Commissioners
  - Motion
    - Approval
    - Denial
    - Approval with Conditions
    - Continue
- If there is an objection to a decision it can be appealed to the City Council. The Planning Commission shall set the number of days for the appeal period. At the time the City Council goes through the Public Hearing Process all over again.
  - Recommendation made by Planning Commission—City Council makes final decision.

If you have a question, please wait until appropriate time and then direct your questions to the Planning Commission. Please speak one at a time so the recorder knows who is speaking.



# CITY OF SWEET HOME PLANNING COMMISSION MINUTES

May 07, 2026, 6:30 PM

Sweet Home City Hall, 3225 Main Street  
Sweet Home, OR 97386

WIFI Passcode: guestwifi

PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

---

## Call to Order and Pledge of Allegiance

The meeting was called to order at 6:30 PM

## Roll Call of Commissioners

### PRESENT

Commissioner Brandy Wysong-Frick  
Commissioner Joe Graybill  
Commissioner Daniel Tiel  
Chairperson Laura Wood

### ABSENT

Commissioner Nancy White  
Vice Chair Jamie Melcher  
Commissioner Henry Wolthuis

### STAFF:

Angela Clegg, Planning and Building Manager  
Adam Leisinger, Special Projects Manager

### GUESTS:

Kevin Strong, Business Manager, Sweet Home School District

**Public Comment.** None

## Meeting Minutes:

- a) 2026-04-16 Planning Commission Meeting Minutes

A motion to approve April 16, 2026, meeting minutes was made by Commissioner Wysong-Frick and seconded by Commissioner Graybill. The motion carried by the following vote:

Voting Yea: Commissioner Wysong-Frick, Commissioner Graybill, Commissioner Daniel Tiel

Voting Nay: None.

Absent: Commissioner White, Vice Chair Melcher, Commissioner Wolthuis

Abstain: Chairperson Wood

## Public Hearings

- a) PLA26-02 Planning Commission Staff Report

---

*The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-367-8969.*

The Public Hearing was opened at 6:32 PM

Chairperson Wood asked the Commissioners if they had any personal biases, conflicts of interest, or ex-parte information. All commissioners answered no.

Manager Clegg presented the staff report to the Commission: The applicant requests approval of a Property Line Adjustment (PLA26- 02) to transfer approximately 2,687 square feet from adjacent residential Tax Lot 10100 (Subject Property B) to the Sweet Home School District property (Subject Property A). Subject Property A is 11.87 acres and zoned Public Facility (PF); Subject Property B is 15,980 square feet and zoned Residential Medium Density (R- 3). After the adjustment, Property A will increase to 11.93 acres, and Property B will decrease to approximately 13,293 square feet.

This request is being reviewed concurrently with a Zone Map Amendment (ZMA26- 01). If both applications are approved, the School District will acquire the 2,687- square- foot area for potential career- technical programming needs or student safety improvements. The zoning amendment would also align the zoning with the Comprehensive Plan designation.

Under SHMC 17.120.010, multiple land use applications for the same property may be processed together under the highest applicable procedure type. Therefore, PLA26- 02 is being reviewed with ZMA26- 01 as a Type IV application.

The subject properties are not within a special flood hazard area. A mapped intermittent drainage associated with Cotton Creek is present on the Statewide Wetlands Inventory.

The proposal does not create or vacate any parcels. After the adjustment, both properties will continue to meet the lot area, width, and dimensional standards of the PF and R- 3 zones. Existing structures on both lots will remain, and no new development is proposed. The adjustment will not create or increase any nonconformities or place a property line beneath a structure. Any future development must comply with all applicable PF, R- 3, and Development Code standards.

Based on the findings outlined in Section III of this report, staff recommend that the Planning Commission make a recommendation to the City Council to approve this application.

Conditions of Approval:

1. The final configuration of proposed properties A and B shall substantially conform to the plot plan submitted with this application (see Attachment B). The proposal transfers approximately 2,687 square feet from Subject Property B (Tax Lot 10100) to Subject Property A (Tax Lot 09100). The adjustment will increase Subject Property A to 11.93 acres (519,744 square feet) and reduce Subject Property B to approximately 13,293 square feet.
2. Approval of Zone Map Amendment ZMA26-01.
3. The adjusted property line shall be situated so that all buildings and structures comply with the standards of the Residential High Density and Public Facility Zones. See SHMC 17.10 and 17.24.
4. The property line adjustment shall be surveyed and monumented as required by ORS Chapter 92. Documents must conform with the survey for the subject properties in accordance with ORS Chapter 92 and shall be recorded with Linn County. A property line adjustment deed shall be recorded with Linn County and contain the following:
  - A. The names of the parties;
  - B. The description of the adjusted line;
  - C. References to original recorded documents; and
  - D. Signatures of all parties with proper acknowledgment.
5. Development on the subject properties shall comply with all applicable local, state, and federal requirements; including but not limited to all applicable fire code requirements

and other development requirements of the Sweet Home Municipal Code at the time of development.

6. If the property line adjustment involves partition parcels or subdivision lots, a replat may be required. Please contact the Linn County Surveyor's Office at (541) 967-3857 for more information on platting and replating requirements.

In acting on a Type IV application; the Planning Commission will hold a public hearing at which it may either recommend that the City Council approve or deny the application(s). The recommendation should be based on the applicable review and decision criteria. The City Council will hold a public hearing and decide on this application.

Motion:

After opening the public hearing and receiving testimony, the Planning Commission's options include the following:

1. Move to recommend that the City Council approve application PLA26-02, which includes adopting the findings of fact listed in the staff report.
2. Move to recommend that the City Council deny application PLA26-02 (specify reasons).
3. Move to continue the public hearing to a date and time certain (specify); or
4. Other.

Manager Clegg closed the staff report presentation and asked if the planning commissioners had any questions. There were none.

Applicant testimony: Kevin Strong, Business Manager for the Sweet Home School District. Manager Strong explained the reason for the property line adjustment.

Commissioner questions of the applicant: None

Testimony in favor: None

Testimony in opposition: None

Neutral Testimony: None

The Public Hearing was closed at: 6:40 PM

Discussion of the Commissioners: Commissioner Wysong-Frick asked about the separate application and found the application to be logical. Chairperson Wood stated that she didn't have a problem. Commissioner Graybill stated that they could use the extra room.

A motion to recommend the City Council approve Application PLA26-02 was made by Commissioner Tiel and was seconded by Commissioner Graybill. The motion was carried by the following vote:

Voting Yea: Commissioner Wysong-Frick, Chairperson Wood, Commissioner Graybill, Commissioner Tiel

Voting Nay: None.

Absent: Commissioner White, Vice Chair Melcher, Commissioner Wolthuis

- b) ZMA26-01 Planning Commission Staff Report

The Public Hearing was opened at 6:43 PM

Chairperson Wood asked the Commissioners if they had any personal biases, conflicts of interest, or ex-parte information. All commissioners answered no.

Manager Clegg presented the staff report to the Commission: The applicant is requesting a Zone Map Amendment affecting approximately 2,687 square feet. The proposal would change the zoning designation from Residential High Density (R- 3) to Public Facility (PF). This request is being processed concurrently with a Property Line Adjustment.

The Planning Commission will hold a public hearing and make a recommendation to the City Council, which will then conduct its own hearing and issue the final decision.

The subject properties are not located within a special flood hazard area. The Statewide Wetlands Inventory identifies an intermittent perennial drainage to Cotton Creek on the properties.

Staff find that the proposed zone is consistent with the Comprehensive Plan land use designation and applicable policies. The allowed uses under SHMC 17.14.020 and 17.24.020 can be supported on the property without exceeding their capacity. After the property line adjustment, Tax Lot 09100 will increase to 11.93 acres (519,744 square feet) and will continue to contain Sweet Home High School, where educational uses are permitted in the PF zone. Tax Lot 10100 will be reduced to approximately 13,293 square feet and will retain three existing single- family dwellings, which are allowed in the R- 3 zone.

The school district intends to use the adjusted area for future career- focused educational programs or for improvements related to student safety. No new development is proposed with this application.

Sweet Home High School on Tax Lot 09100 is served by City water and sewer from Long Street, 18th Avenue, and the south property boundary. The dwellings on Tax Lot 10100 are served by City water and sewer from 18th Avenue. Because no development is proposed, staff find that existing public facilities, services, and transportation networks are adequate.

This amendment would change a 2,687- square- foot portion of Tax Lot 10100 from R- 3 to PF and is being reviewed alongside the Property Line Adjustment. Since the request involves a change to the Public Facility zone, the Residential High Density zone purpose statement under SHMC 17.14.010 does not apply.

Based on the findings outlined in Section III of this report, staff recommend that the Planning Commission make a recommendation to the City Council to approve this application. Because this request is for a zone change, no conditions of approval are proposed. In acting on a zone change application; the Planning Commission will hold a public hearing at which it may either recommend that the City Council approve or deny the application(s). The recommendation should be based on the applicable review and decision criteria. The City Council will hold a public hearing and decide on this application.

Motion:

After opening the public hearing and receiving testimony, the Planning Commission's options include the following:

1. Move to recommend that the City Council approve application ZMA26-01, which includes adopting the findings of fact listed in the staff report.
2. Move to recommend that the City Council deny application ZMA26-01 (specify reasons).
3. Move to continue the public hearing to a date and time certain (specify); or
4. Other.

Manager Clegg closed the staff report presentation and asked if the planning commissioners had any questions.

Commissioner's questions of staff: Wysong-Frick asked about the reason for recommending it to City Council instead of approving it. Manager Clegg explained.

Applicant testimony: Kevin Strong, Business Manager for the Sweet Home School District explained the reason for the zone map amendment.

Commissioner questions of the applicant: None.

Testimony in favor: None  
Testimony in opposition: None  
Neutral Testimony: None

The Public Hearing was closed at: 6:48 PM

Discussion of the Commissioners: Chairperson Wood stated it complies with the Comprehensive Plan. Commissioner Wysong-Frick stated it was straight forward.

A motion to recommend the City Council approve Application ZMA26-01 was made by Commissioner wood and was seconded by Commissioner Wysong-Frick. The motion was carried by the following vote:

Voting Yea: Commissioner Wysong-Frick, Chairperson Wood, Commissioner Graybill, Commissioner Tiel

Voting Nay: None

Absent: Commissioner White, Vice Chair Melcher, Commissioner Wolthuis

Voting Nay: None.

**Staff Updates:**

Planning Commission/City Council Joint Work Session: Tuesday, May 12 at 5:30 PM

**Planning Commission Business** None

**Adjournment**

The meeting was adjourned at 6:51 PM

---

Laura Wood, Chairperson  
Sweet Home Planning Commission

Respectfully submitted by Angela Clegg, Planning & Building Manager



## **STAFF REPORT PRESENTED TO THE PLANNING COMMISSION**

**REQUEST:** The applicant is requesting approval of a Variance to allow a reduced lot frontage of 55 feet and 57 feet for a proposed land partition and to maintain an existing 5-foot front yard setback for a pre-existing residential structure. The property currently contains a pre-existing home with a 5-foot front yard setback; however, no physical changes are occurring to this pre-existing setback as a result of the partition. The subject property is located in the Residential High Density (R-3) zone.

Pursuant to Sweet Home Municipal Code (SHMC) Chapter 17.14, the required lot frontage is 60 feet. While the proposed frontage changes would individually represent less than a 10% deviation, the City has determined that the cumulative deviation, when combined with the existing nonconforming front yard setback, exceeds the 10 percent adjustment threshold and requires approval of a Variance pursuant to SHMC 17.106.010:

The development standards in this Development Code protect the public health, safety and welfare by establishing standard setbacks, maximum building heights and other development standards that apply to various uses. For lands or uses with unique characteristics the intent and purpose of the development standards may be maintained while allowing for a variance to requirements. A Variance may be approved for those requests resulting in greater than a 10% change in a quantifiable standard.

The applicant is therefore requesting a Variance to allow the proposed lot frontages of 55 feet for proposed Parcel 2 and 57 feet for proposed Parcel 3 of Partition Application P26-04 while acknowledging the pre-existing 5-foot front yard setback. The variance is necessary because the development code does not clearly account for pre-existing nonconforming structures during a partition where no actual change to those setbacks is taking place. This request will allow the landowner to develop the property in a manner consistent with neighboring properties to the north and east that feature similar pre-existing non-conforming building setbacks

VR26-03 is being filed concurrently with application P26-04. Application P26-04 is reliant on the approval of application VR26-03.

**APPLICANT:** Andrew Johnson, TerraTech Land Surveyors

**PROPERTY OWNER:** Duke Rohner

**FILE NUMBER:** VR26-03

**PROPERTY LOCATION:** 2034 Long St, located in Sweet Home, Oregon 97386; Identified on the Linn County Assessor's Map as 32BC, Tax Lot 2900

**REVIEW AND DESIGN CRITERIA:** Sweet Home Municipal Code Section(s): 17.14.030, 17.90.030, 17.106, 17.108, 17.126, 17.130

**HEARING DATE & TIME:** May 21, 2026, at 6:30PM

**HEARING LOCATION:** City Hall Council Chamber at 3225 Main Street, Sweet Home, Oregon 97386

**STAFF CONTACT:** Angela Clegg, Planning & Building Manager  
Phone: (541) 818-8029; Email: [aclegg@sweethomeor.gov](mailto:aclegg@sweethomeor.gov)

**REPORT DATE:** May 15, 2026

**I. PROJECT AND PROPERTY DESCRIPTION**

**ZONING AND COMPREHENSIVE PLAN DESIGNATIONS:**

<b>Property</b>	<b>Zoning Designation</b>	<b>Comprehensive Plan Designation</b>
Subject Property	Residential High Density (R-3)	High Density Residential
Property North	Commercial Highway (C-2)	High Density Residential Highway Commercial
Property East	Residential High Density (R-3)	High Density Residential
Property South	Residential High Density (R-3) Public Facility (PF)	High Density Residential Public Facility
Property West	Commercial Highway (C-2) Public Facility (PF)	Highway Commercial Public Facility

**Floodplain:** Based on a review of the FEMA FIRM Maps; Panel 41043C0913G, dated September 29, 2010, the subject property is not the special flood hazard area.

**Wetlands:** The subject property does not show wetlands/waterways on the properties that are depicted on the Statewide Wetlands Inventory Map or the National Wetlands Inventory Map.

**Access:** Based on the Subject Property Map (Attachment A), the property abuts and has access from Long Street.

**Services:** There are existing City water and sewer services to the existing dwelling from Long Street.

**Street:** The subject property abuts approximately 196 feet of Long Street. Long Street is classified as a minor arterial and has existing sidewalks, curbs and gutters.

**TIMELINES AND HEARING NOTICE:**

Application Received: April 2, 2026

Application Deemed Complete: April 2, 2026

Notice Distribution to Neighboring Property Owners Within 300 feet and Service Agencies: April 7, 2026

Notice Published in New Era Newspaper: April 15, 2026

Date of Planning Commission Hearing: May 21, 2026

120-Day Processing Deadlines: July 31, 2026

Notice was provided as required by SHMC 17.126.010

## II. COMMENTS

### Matt Cook

**CEDD Engineering:** CEDD Engineering has no comments on Variance VR26-03.

**Public Works Division:** No comments as of the issuance of this staff report.

### Jaysen Cunningham

**Building Division:** Building has no comment.

### Sweet Home

**Fire District:** No comments as of the issuance of this staff report.

**Public Comments:** No comments as of the issuance of this staff report.

## III. REVIEW AND DESIGN CRITERIA

The review and decision criteria for a variance are listed below in bold. Findings and analysis are provided under each review and decision criterion.

The Planning Commission may allow a Variance from a requirement or standard of this Development Code after a public hearing conducted in accordance with the Type III review procedures provided that the applicant provides evidence that the following circumstances substantially exist:

- A. The variance is necessary because the subject Development Code provision does not account for special or unique physical circumstances of the subject site, existing development patterns, or adjacent land uses. A legal lot determination may be sufficient evidence of a hardship for purposes of approving a variance. [17.106.060(A)]**

Applicants Comment: Yes a variance is necessary due to more than a 10% deviation from the required standards. This is due to the existing home's 5' front setback combined with the proposed Parcel 2 & 3's reduction in frontage from 60' to 55' and 57' respectively. The development code in chapter 17.14 does not account for pre-existing nonconforming structures, and no language is clear showing that this pre-existing deviation should be added to the total deviation from code since no change is occurring to the pre-existing structures setbacks as a result of the partition. The frontage changes would be less than 10% without the setback issue.

Staff Findings: Staff finds that the applicant is requesting a Variance to reduce the required 60-foot lot frontage standard in the R-3 zone to 55 feet for Proposed Parcel 2 and 57 feet for Proposed Parcel 3 in connection with a proposed land partition. The reductions represent individual deviations of 9.09% and 5.26%, respectively. While each deviation is below the 10% threshold, the cumulative deviation for all three parcels within the partition is 14.35%, exceeding the maximum adjustment allowed without a Variance.

Proposed Parcel 2 contains a pre-existing residential structure with a legally established but nonconforming 5-foot front yard setback. If the property were not divided, the existing structure would not require a Variance. However, reducing the frontage of Parcel 2 from 60 feet to 55 feet increases the degree of nonconformity. Under SHMC 17.98.050(A), each parcel must meet the dimensional standards of the applicable zone unless a Variance is granted. Because the resulting configuration increases a nonconforming condition, a Variance is required.

SHMC 17.106.010 allows Variances when unique circumstances prevent strict application of development standards while still maintaining their intent and purpose. In this case, the Development Code does not fully address how pre-existing nonconforming structures should be evaluated during a

partition when no physical change to the structure or its setback is proposed. The unique site conditions, including the existing 5-foot setback and the development pattern of surrounding properties, create circumstances that the Code does not clearly anticipate.

Based on these factors, staff finds that the requested reductions in frontage for Parcels 2 and 3, along with the presence of the pre-existing nonconforming structure on Parcel 2, support approval of the Variance under SHMC 17.106.060(A). The Variance is necessary because the applicable code provisions do not adequately account for the site-specific conditions involved in this partition.

**B. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or district. An economic hardship shall not be the basis for a variance request.**

Applicants Comment: Yes, as the east and north adjoiners also appear to have pre-existing non-conforming building setbacks of existing homes. The east properties also had a partition completed in the relatively recent time of 2019, and the result of the partition reduced the rear setback of the existing home outside of code. If the owners of the other properties in the same vicinity enjoy their property with this deviation where the result of the survey moves the setback out of code, it should be allowed that this property in question for this variance should be allowed as no changes to this pre-existing 5' setback are occurring.

Staff Findings: Section 17.106.060(B) requires that a variance be necessary to preserve a substantial property right enjoyed by other properties in the same vicinity, and it may not be justified solely on the basis of economic hardship.

Several properties in the surrounding area exhibit varying degrees of legal nonconformity. The 5-foot front setback of the existing structure on Proposed Parcel 2 is a pre-existing nonconforming condition. However, the proposed reduction of the lot frontage from 60 feet to 55 feet increases that nonconformity. When evaluated with the frontage reduction proposed for Parcel 3, the cumulative deviation for the partition totals 14.35%, which exceeds the threshold permitted without a Variance.

Staff find that the request is reasonable and consistent with the development pattern of the vicinity. Nearby properties also contain long standing nonconforming setbacks, and owners of those properties continue to use and enjoy them without additional regulatory burden. The requested Variance would allow the applicant to similarly utilize the property without altering the existing nonconforming structure. Approval of the Variance therefore preserves a substantial property right comparable to those held by other property owners in the same area.

**C. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located, or otherwise conflict with the objectives of any City plan or policy.**

Applicants Comment: No, this variance would not be materially detrimental to the public welfare or injurious to property in the vicinity and will not conflict of any known city plan or policy. This variance would simply allow the landowner to develop similarly to the adjacent, comparable properties. Since the pre-existing structure's setback issue is what's forcing the variance, this is adjacent to the road and not changing. The adjoining neighbors will not be affected so all other setback and building codes will be adhered to at the time of construction. There is no significant change that would harm the community by approving this variance.

Staff Findings: Staff find that the variance will not be materially detrimental to the public welfare or injurious to the property in the vicinity or district in which the property is located. The variance does not conflict with the objectives of any City plan or policy.

**D. The need for the variance is not self-imposed by the applicant or property owner (for example, the variance request does not arise as a result of a property line adjustment or land division approval previously granted to the applicant).**

Applicants Comment: This need for the variance is not self-imposed by the applicant or property owner, but rather from the city as the preexisting structure's setbacks are being combined with the proposed reduction of the road lot frontage changes to account for more than a 10% change, as outlined in emails from the city.

Staff Findings: The pre-existing 5-foot front setback on Proposed Parcel 2 is a legally established nonconforming condition and was not created by the applicant. The applicant's request to reduce the front of building line for Proposed Parcels 2 and 3 increases the degree of nonconformity on Parcel 2 and, when combined, results in a total deviation that exceeds the 10 percent threshold for the Partition application. This combination of factors necessitates the Variance.

The need for the Variance did not arise from any prior property line adjustment or land division approval involving the applicant. Instead, the Variance is required due to existing site conditions.

**E. The variance requested is the minimum variance which would alleviate the identified hardship.**

Applicants Comment: The variance requested is the minimum variance which would alleviate the identified hardship. The lot frontage changes and proposed property lines put the proposed parcels just above the minimum threshold for lot area of 5,000 square feet, and the pre-existing non-conforming home's setback is not changing.

Staff Findings: Staff find that the requested variance is the minimum allowed for what the applicant is requesting.

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

Applicants Comment: Yes, all other applicable building code requirements and engineering design standards are being met, as outlined in the narrative of the partition application.

Staff Findings: No development is proposed with this application. Staff Recommends a Condition of Approval that all building code requirements and engineering design standards be met at the time of development.

**IV. STAFF RECOMMENDATION**

Staff find that the applicant has requested the minimum variance necessary to alleviate the hardships presented by the applicant. Staff have recommended Conditions of Approval listed below.

**V. CONCLUSIONS**

The application shall be subject to compliance with the conditions listed below, as required by the findings of fact presented in the Review Criteria (Section III), above. Any modifications to the conditions listed below would require approval in accordance with provisions of law (e.g., variance, subsequent land use application, etc.).

**Conditions of Approval:**

1. Approval of Partition Application P26-04.

2. All building code requirements and engineering design standards be met at the time of development.

## **VI. PLANNING COMMISSION ACTION**

The Planning Commission will hold a public hearing at which it may either approve or deny the application. If the application is denied, the action must be based on the applicable review and decision criteria.

Appeal Period: Staff recommend that the Planning Commission's decision on this matter be subject to a 12-day appeal period from the date that the decision is mailed.

Order: After the Planning Commission makes a decision, staff recommend that the Planning Commission direct staff to prepare an Order that is signed by the Chairperson of the Planning Commission. The Order shall memorialize the decision and provide the official list of conditions (if any) that apply to the approval; if the application is approved.

### Motion:

After opening of the public hearing and receiving testimony, the Planning Commission's options include the following:

1. Move to approve application VR26-03 and thereby permit the variance for the subject lot located at 2034 Long Street, Sweet Home, OR 97386; Identified on the Linn County Assessor's Map as 13S01E32BC Tax Lot 02900; adopting the Findings of Fact listed in Section III of the staff report, the setting of a 12-day appeal period from the date of the mailing of the decision, and hereby direct Staff to prepare an order to be signed by the Chair to memorialize this decision.
2. Move to deny application VR26-03 for the subject lot located at 2034 Long Street, Sweet Home, OR 97386; Identified on the Linn County Assessor's Map as 13S01E32BC Tax Lot 02900; adopting the following Finding of Fact (specify), the setting of a 12-day appeal period from the date of the mailing of the decision, and hereby direct Staff to prepare an Order to be signed by the Chair to memorialize this decision.
3. Move to continue the public hearing to a date and time certain (specify); or
4. Other

## **VII. ATTACHMENTS**

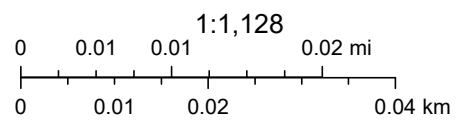
- A. Subject Property Map
- B. Site Plan

The full record is available for review at the City of Sweet Home Community and Economic Development Department Office located at City Hall, 3225 Main Street, Sweet Home, Oregon 97386. Regular business hours are between 7:00 AM and 5:30 PM, Monday through Thursday, excluding holidays.

# VR26-03 Subject Property Map, 2034 Long St

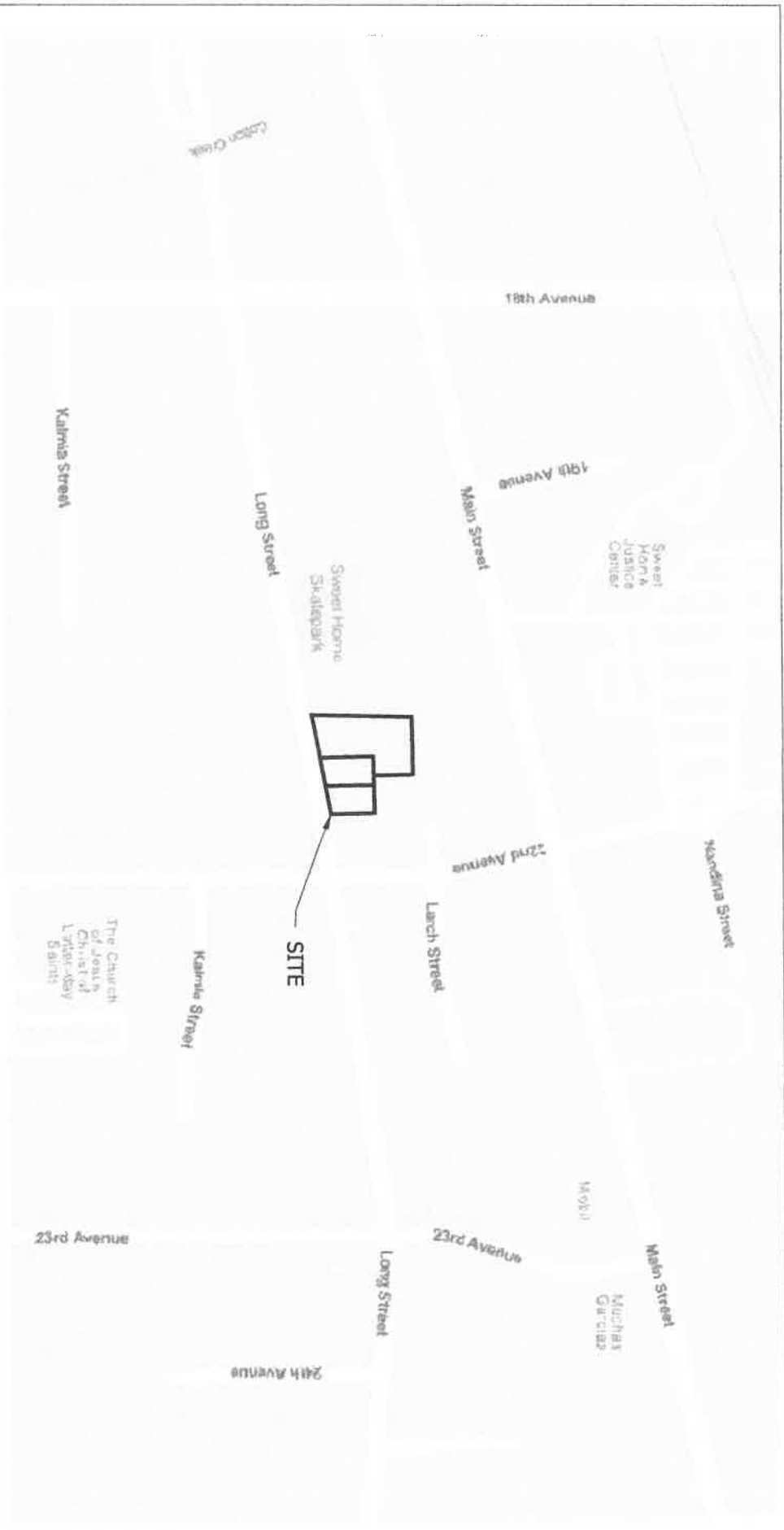


4/2/2026, 2:30:32 PM



Sources: Esri, Vantor, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community, Linn County, OR Office of Assessment and Taxation, Sources: Esri, TomTom, Garmin, FAO, USGS, © OpenStreetMap contributors, and the GIS User Community





SCALE:



SHEET 2  
OF 2  
SCALE: AS NOTED

**VICINITY MAP FOR MINOR PARTITION**  
PROJECT  
26-012 ROHNER SHP  
EXHIBIT DATE  
3/24/26

DUKE ROHNER  
2034 LONG ST  
SWEET HOME, OR 97386

TERRATECH  
LAND SURVEYORS  
735 WALNUT ST  
LEBANON, OREGON 97355  
458-278-5932



**STAFF REPORT PRESENTED TO THE PLANNING COMMISSION**

**REQUEST:** The applicant is requesting approval of a three-parcel land partition. The applicant is proposing to partition an approximately 27,858-square-foot lot into three parcels per Sweet Home Municipal Code Chapter 17.98. Proposed Parcel 1 shall be approximately 17,724 square feet, Proposed Parcel 2 (containing an existing dwelling) shall be approximately 5,126 square feet, and Proposed Parcel 3 shall be approximately 5,008 square feet. The subject property is located in the Residential High Density (R-3) zone.

The applicant is also requesting a Variance to allow for a reduced lot width of 55 feet for Parcel 2 and 57 feet for Parcel 3, where the standard minimum width is 60 feet. Additionally, the request seeks to formally recognize an existing 5-foot setback for the pre-existing home on Parcel 2. No physical changes to the pre-existing structure's setbacks are occurring as a result of this partition.

Pursuant to Sweet Home Municipal Code (SHMC) Chapter 17.14, the required lot frontage is 60 feet. The reductions represent individual deviations of 9.09% and 5.26%, respectively. While each deviation is below the 10% threshold, the cumulative deviation for all three parcels within the partition is 14.35%, exceeding the maximum adjustment allowed without a Variance pursuant to SHMC 17.106.010.

Proposed Parcel 2 contains a pre-existing residential structure with a legally established but nonconforming 5-foot front yard setback. Under SHMC 17.98.050(A), each parcel must meet the dimensional standards of the applicable zone unless a Variance is granted. Because the proposed configuration increases a nonconforming condition, a Variance is required

Application P26-04 is being filed concurrently with Application VR26-03. Application P26-04 is reliant on the approval of application VR26-03. Both applications shall be heard by the Planning Commission pursuant to SHMC 17.120.010:

Applications for more than one land use action and permit for the same property may, at the applicant's discretion, be heard or reviewed concurrently. Multiple land use requests involving different processing Types shall be heard and decided at the higher processing Type. For example, an application involving a Conditional Use (Type III) with an Adjustment (Type II) shall be reviewed and decided as a Type III request.

- APPLICANT:** Andrew Johnson, TerraTech Land Surveyors
- PROPERTY OWNER:** Duke Rohner
- FILE NUMBER:** P26-04
- PROPERTY LOCATION:** 2034 Long St, located in Sweet Home, Oregon 97386; Identified on the Linn County Assessor's Map as 32BC, Tax Lot 2900
- REVIEW AND DESIGN CRITERIA:** Sweet Home Municipal Code Section(s): 17.14.030, 17.58, 17.90.030, 17.98, 17.126, 17.130
- HEARING DATE & TIME:** May 21, 2026, at 6:30 PM
- HEARING LOCATION:** City Hall Council Chamber at 3225 Main Street, Sweet Home, Oregon 97386
- STAFF CONTACT:** Angela Clegg, Planning & Building Manager  
Phone: (541) 818-8029; Email: aclegg@sweethomeor.gov

**REPORT DATE:** May 15, 2026

**I. PROJECT AND PROPERTY DESCRIPTION**

**ZONING AND COMPREHENSIVE PLAN DESIGNATIONS:**

<b>Property</b>	<b>Zoning Designation</b>	<b>Comprehensive Plan Designation</b>
Subject Property	Residential High Density (R-3)	High Density Residential
Property North	Commercial Highway (C-2)	High Density Residential Highway Commercial
Property East	Residential High Density (R-3)	High Density Residential
Property South	Residential High Density (R-3) Public Facility (PF)	High Density Residential Public Facility
Property West	Commercial Highway (C-2) Public Facility (PF)	Highway Commercial Public Facility

**Floodplain:** Based on a review of the FEMA FIRM Maps; Panel 41043C0913G, dated September 29, 2010, the subject property is not the special flood hazard area.

**Wetlands:** The subject property does not show wetlands/waterways on the properties that are depicted on the Statewide Wetlands Inventory Map or the National Wetlands Inventory Map.

**Access:** Based on the Subject Property Map (Attachment A), the property abuts and has access from Long Street.

**Services:** There are existing City water and sewer services to the existing dwelling from Long Street.

**Street:** The subject property abuts approximately 196 feet of Long Street. Long Street is classified as a minor arterial and has existing sidewalks, curbs and gutters.

**TIMELINES AND HEARING NOTICE:**

Application Received: March 31, 2026

Application Deemed Complete: April 2, 2026

Notice Distribution to Neighboring Property  
Owners Within 300 feet and Service Agencies: April 7, 2026

Notice Published in New Era Newspaper: April 15, 2026

Date of Planning Commission Hearing: May 21, 2026

120-Day Processing Deadlines: July 31, 2026

Notice was provided as required by SHMC 17.126.010

## II. COMMENTS

**CEDD Engineering:** No comments as of the issuance of this staff report.

**Public Works Division:** No comments as of the issuance of this staff report.

**Jaysen Cunningham  
Building Division:** Building has no comment.

**Sweet Home  
Fire District:** No comments as of the issuance of this staff report.

**Public Comments:** No comments as of the issuance of this staff report.

## III. REVIEW AND DESIGN CRITERIA

The review and decision criteria for a partition are listed below in bold. Findings and analysis are provided under each review and decision criterion.

Application P26-04 is being filed concurrently with Application VR26-03. Application P26-04 is reliant on the approval of application VR26-03. Both applications shall be heard by the Planning Commission pursuant to SHMC 17.120.010:

### **17.58.030 STANDARDS FOR LOTS OR PARCELS**

***The following standards shall apply to all partitions and subdivisions.***

**A. *Minimum lot area. Minimum lot area shall conform to the requirements of the zoning district in which the parcel is located. Access easements, or the access strip to a flag lot, shall not be included in the calculation of lot area for purposes of determining compliance with any minimum lot size provision of this Development Code.***

Staff Findings: In the R-3 Zone, the minimum required lot area is 5,000 square feet for both single-family dwellings and duplexes, 2,000 square feet for attached dwellings, and 9,000 square foot parcels for multi-family. All other proposed uses shall meet the applicable density and development standards.

According to the tentative partition plat (Attachment B), the existing parcel has an area of approximately 27,858 square feet prior to partition. Following the proposed partition, proposed Parcel 1 shall be approximately 17,724 square feet, proposed Parcel 2 shall be approximately 5,126 square feet, and proposed Parcel 3 shall be approximately 5,008 square feet.

Based on these measurements, staff find that each proposed parcel meets the minimum lot area requirement and that the application complies with this criterion.

**B. *Lot width and depth. The depth of a lot or parcel shall not be more than three times the width. Lots or parcels created for commercial, industrial or public uses shall be exempt from width to depth ratio provisions.***

Staff Findings: Based on the tentative partition plat (Attachment B), proposed Parcel 1 has an average width of approximately 99 feet and an average depth of approximately 185 feet. Proposed Parcel 2 has an average width of approximately 52.5 feet and an average depth of approximately 98.5 feet. Proposed Parcel 3 has an average width of approximately 56.5 feet and an average depth of approximately 89 feet.

The depth of each proposed parcel does not exceed three times its width, consistent with development code requirements

Based on these findings, staff conclude that the application complies with this criterion.

- C. Access. All new lots or parcels shall access a public street. Except that, residential lots or parcels may be accessed by a private access easement developed in accordance with the provisions of Chapter 17.42 when it is determined that a public street access is:**
- 1. Infeasible due to parcel shape, terrain, or location of existing structures;**
  - 2. Unnecessary to provide for the future development of adjoining property.**
  - 3. No more than 10% of the lots within a subdivision may be accessed by a private street or private access easement.**

Staff Findings: According to the tentative partition plat (Attachment B), proposed Parcels 1, 2 and 3 have existing frontage and direct access from Long Street.

Based on these findings, staff conclude that the application meets the access requirements of this criterion.

- D. Flag lots. Flag lots shall be subject to the following development standards:**
- 1. The access strip shall be a minimum of 20 feet in width. The improved surface shall be a minimum of 14 feet in width.**
  - 2. The access strip shall not be included in the lot area calculation.**
  - 3. If the length of the access strip exceeds 150 feet, the parcel or lot shall include a turn-around area per applicable fire district requirements.**

Staff Findings: No flag lots are being proposed with this partition.

- E. Through lots. Through lots shall be avoided except where essential to provide separation of residential development from traffic arteries, adjacent non residential activities, or to overcome specific disadvantages of topography. Screening or buffering, pursuant to the provision of Chapter 17.54, may be required during the review of the land division request.**

Staff Findings: The applicant is not proposing a through lot

- F. Lot side lines. The side lines of lots, as far as practicable, shall run at right angles to the public street, private street or private access easement upon which the lot or parcel faces.**

Staff Findings: Based on the tentative partition plat (Attachment B), proposed Parcels 1, 2 and 3 shall have side lot lines that run at right angles to Long Street.

Based on the above findings, staff conclude that the application complies with this criterion.

- G. Utility easements. Utility easements shall be provided on lot areas where necessary to accommodate public utilities. Easement width shall conform to adopted Engineering Standards.**

Staff Findings: According to the Sweet Home Infrastructure Map, the existing residential dwelling has access to City water and sewer services in Long Street.

No new development is proposed as part of this application. Required utility easements shall be shown on the final plat, and connection costs for City services will be determined during the building permit review process.

With these conditions, staff find that the application complies with this criterion.

**17.58.050 IMPROVEMENT REQUIREMENTS – PARTITION**

***During the review of partition proposals, The City shall require, as a condition of approval, the following improvements:***

***A. Private access. Where included, private driveways serving flag lots, or private easements shall be surfaced per the requirements of this Development Code.***

Staff Findings: No private access is proposed with this partition

***B. Street frontage improvements. The following improvements shall be required:***

- 1. Consistent with the adopted transportations plans, sufficient land shall be dedicated to establish the appropriate right-of-way width.***
- 2. If the street frontage of the subject property is less than or equal to 250 feet and does not connect to existing improvements, the applicant shall sign a development agreement with The City of Sweet Home. This agreement shall stipulate that the applicant, or future property owner, will agree to participate in right-of-way improvements. The agreement may include provisions for the following: street paving, curbing, sidewalks, water lines, storm sewer facilities and sanitary sewer facilities. The agreement shall be recorded at the County Clerk's Office at the time of the recording of the final plat.***
- 3. If the street frontage of the subject property exceeds 250 feet, or extends an existing dedicated right-of-way, the applicant shall improve the following:***
  - a. Public streets upon which the property fronts to public standards, including: surfacing from center line to curb, installation of curbing, storm sewers, sanitary sewers, water lines and other necessary public utilities per approved master plans. Where a master plan has not been adopted, the developer shall enter into a development agreement consistent with item (B)(2), above.***
  - b. Sidewalks, meeting City standards, along public street frontage. Sidewalk construction may be deferred until such time a building permit is issued.***
  - c. The installation of storm sewers, sanitary sewers, water lines and other utilities necessary to serve parcels accessing off of the new street.***

Staff Findings: Based on the tentative partition plat (Attachment B), proposed Parcel 1 will have approximately 84 feet of frontage along Long Street, proposed Parcel 2 shall have approximately 55 feet of frontage along Long Street, and proposed Parcel 3 shall have approximately 57 feet of frontage along Long Street.

Long Street has existing street frontage improvements. No additional improvements shall be required along Long Street.

Based on the above findings, and with the approval of Variance Application VR26-03, staff find that the application complies with this criterion.

***C. Public facilities. Sewer, Water, and Storm Drainage facilities may be required on and adjacent to the project. The developer shall submit engineering plans or facility improvement plans to The City for review. The plans shall address the required improvements contained in this Article, and any conditions of approval, and shall conform with City Engineering Design Standards. The plans shall be reviewed and approved prior to the recording of the final partition plat.***

Staff Findings: Based on the Sweet Home Infrastructure Map, the existing residence has City water and sewer services. There is an existing storm channel along the south side of Long Street.

No development is proposed as part of this application.

Connection fees for City services will be determined during the building permit review process. Staff recommend including a condition of approval requiring that all future development comply with the applicable standards of SHMC 17.14.070, 17.46, 17.48, and 17.58.050 at the time of development.

With these conditions, staff find that the application meets the criteria related to public facilities.

**D. Completion requirements. All required improvements shall be completed prior to the issuance of any building permits for the subject property. Alternatively, improvements required under this Section may be assured through a performance bond or other instrument acceptable to The City prior to the approval of the final plat of the partition.**

Staff Findings: The subject property contains an existing single-family dwelling. The dwelling is proposed to remain on proposed Parcel 2. No development has been proposed with this Partition for proposed Parcels 1 and 3.

Long Street has existing street frontage improvements. No additional improvement shall be required along Long Street.

Staff recommend a condition requiring that all future development comply with the applicable provisions of SHMC 17.14.070, 17.42, 17.44, and 17.58.050 in effect at the time of development.

With these conditions, staff finds the application satisfies the completion requirements of the applicable criteria.

#### **17.98.040 SUBMITTAL REQUIREMENTS**

**A. The applicant shall prepare and submit a preliminary plan and other supplemental information as may be required by City staff to indicate the intent of the development. The application shall include a statement explaining the proposal and providing analysis of the proposal relative to the approval criteria. The applicant shall submit one 11" x 17" copy of the preliminary plan along with one digital copy. The plan shall include the following information:**

- 1. General Information. The following general information shall be shown on the tentative plan:**
  - a. Vicinity map showing all streets, property lines, streams, and other pertinent data to locate the proposal.**
  - b. North arrow and scale of drawing.**
  - c. Tax map and tax lot number or tax account of the subject property.**
  - d. Dimensions and size in square feet or acres of the subject property and of all proposed parcels.**
- 2. Existing Conditions:**
  - a. Location of all existing easements within the property.**
  - b. Location of City utilities (water, sanitary sewer, storm drainage) within or adjacent to the property proposed for use to serve the development.**
  - c. The location and direction of water courses or drainage swales on the subject property.**
  - d. Existing use of the property, including location of existing structures with dimensions of the structures and distances from property lines. It shall be noted whether the existing structures are to remain or be removed from the property.**
- 3. Proposed Plan:**
  - a. Locations, approximate dimensions and area in square feet of all proposed parcels. All parcels shall be numbered consecutively.**
  - b. Location, width and purpose of any proposed easements.**

**B. At the discretion of the City, specific requirements may be waived provided there is sufficient information to allow processing of an application.**

Staff Findings: The applicant submitted a tentative partition map on March 31, 2026. The Planning and Building Technician deemed the application complete on April 2, 2026.

Based on these findings, staff conclude that the application complies with the applicable criteria.

**17.98.050 DECISION CRITERIA:**

**Approval of a partition shall be subject to the following decision criteria:**

**A. Each parcel shall satisfy the dimensional standards of the applicable zone, unless a variance from these standards is approved [SHMC 17.98.050(A)].**

**17.14.060 DIMENSIONAL STANDARDS:**

**A. Unless otherwise required by this Development Code, the following minimum dimensional standards shall be required for all development in the R-3 zone [SHMC 17.10.060 (A)]:**

**1. Minimum Lot Area and Width:**

- a. Single Family Dwelling: 5,000 square feet.**
- b. Duplex: 5,000 square feet.**
- c. Attached Dwelling: 2,000 square feet.**
- d. Multiple Family (3 or more): 9,000 square feet (parcel, 1,500 square feet per unit.**
- e. Other Uses: Sufficient to meet setbacks and development requirements**
- f. Minimum Width at Building Line – Corner Lot: 70 feet.**
- g. Minimum Width at Building Line – Interior Lot: 60 feet.**
- h. Minimum Width at Building Line – Attached: 25 feet.**

**2. Minimum Setbacks:**

- a. Front Yard: 15 feet.**
- b. Garage or Carport: 20 feet to entrance.**
- c. Side Yard (Interior): 5 feet (per story).**
- d. Side Yard (Street): 15 feet.**
- e. Rear Yard: 10 feet.**
- f. Attached Side Yard: 0 feet, 10 feet exterior boundary.**

**3. Maximum Structure Height:**

- a. Single Family: 30 feet.**
- b. Single Family Attached, Duplex, Multi-Family: 40 feet.**
- c. Accessory Building: 20 feet (roof apex).**

**4. Maximum Lot Coverage:**

- a. Single Family: 40%.**
- b. Single Family Attached: 60%.**
- c. Duplex, Multi-Family: 60%**

**B. On a flag lot, the inset front yard setback shall be a minimum of ten feet.**

**C. Regardless of the side and rear yard requirements of the zone, an accessory structure, excluding detached accessory dwellings, may be built to within five feet of side or rear lot line; provided, the structure is more than 70 feet from the street abutting the front yard and 20 feet from the street abutting the street side yard.**

Applicants Comment: Minimum Lot Area is 5,000 square feet for single-family dwellings and duplexes and 9,000 square feet for multi-family. Proposed Parcel 1 is 17,724 square feet, Parcel 2 is 5,126 square feet, and Parcel 3 is 5,008 square feet. All lots meet this requirement.

Maximum Lot Coverage is 40% for a single-family dwelling, and 60% for duplexes and multi family. The existing building's outer foundation on proposed Parcel 2 is 950 square feet. The coverage of the

existing home on proposed Parcel 2 is 19%. This requirement is met. Coverages will be met for Parcel 1 and 3 at the time of development.

Minimum Setbacks are 5 feet for each side, 15 feet front, 10 feet rear and 15 feet street side and 20 feet for garages. The existing building outer foundation on Parcel 2 has a 23 foot west side setback, a 9 foot east side setback, over a 10 foot rear setback and a 5 foot street side setback. The existing house does not have a garage or carport. Setbacks will be met for Parcel 1 and 3 at the time of development.

Minimum Lot Width is 60 feet for both a single-family residence and duplex. The applicant is requesting an Adjustment of less than 10 percent to allow for 55 feet on Parcel 2 and 57 feet on Parcel 3. Parcel 1 exceeds the 60 foot minimum width.

Staff Findings: Based on the attached site plan (Attachment B), proposed Parcel 1 shall be approximately 17,724 square feet. Proposed Parcel 2 shall be approximately 5,126 square feet. Proposed Parcel 3 shall be approximately 5,008 square feet.

According to Linn County Assessor's Account #258919, the existing dwelling on proposed Parcel 2 is approximately 960 square feet. Based on the submitted site plan, Parcel 2 will have an area of approximately 5,126 square feet. This results in a lot coverage of about 19%, which is below the maximum allowed lot coverage of 40%.

The minimum width at building line for proposed Parcel 1 shall be approximately 84 feet. The minimum width at building line for proposed Parcel 2 shall be approximately 55 feet. The minimum width at building line for proposed Parcel 3 shall be approximately 57 feet.

Pursuant to Sweet Home Municipal Code (SHMC) Chapter 17.14, the required lot frontage is 60 feet. The reductions represent individual deviations of 9.09% and 5.26%, respectively. While each deviation is below the 10% threshold, the cumulative deviation for all three parcels within the partition is 14.35%, exceeding the maximum adjustment allowed without a Variance pursuant to SHMC 17.106.010.

Proposed Parcel 2 contains a pre-existing residential structure with a legally established but nonconforming 5-foot front yard setback. Under SHMC 17.98.050(A), each parcel must meet the dimensional standards of the applicable zone unless a Variance is granted. Because the resulting configuration increases a nonconforming condition, a Variance is required

Staff recommend a condition of approval that Application VR26-03 be approved prior to the approval of Application P26-04.

The applicant is not proposing any new development as part of this application. Setbacks, structure height, and lot coverage will be verified during the building permit review process.

With the above condition and approval of VR26-03, staff find that the application complies with the minimum dimensional standards of the R-3 zone.

***D. On a flag lot, or similarly configured lot, the inset front yard setback shall be a minimum of 15 feet.***

Staff Findings: The applicant has not proposed a flag lot.

***E. Regardless of the side and rear yard requirements of the zone, an accessory structure, excluding detached accessory dwellings, may be built to within five feet of side or rear***

**lot line; provided, the structure is more than 70 feet from the street abutting the front yard and 20 feet from the street abutting the street side yard.**

Staff Findings: The applicant has not proposed any development with this application. Staff recommend a condition of approval that the applicant comply with all applicable development and dimensional standards of the Residential High-Density Zone at the time of development.

**B. *The parcels shall meet the Development Standards for Land Division of Chapter 17.58 [SHMC 17.98.050(B)].***

Staff Findings: The findings for SHMC 17.58 can be found on pages 3-6 of this Staff Report.

**C. *Existing dwellings and accessory structures shall comply with the setback requirements of the applicable zone, including accessory structures which have a setback established by the building size, unless a variance from the requirements is approved [17.98.050(C)].***

Staff Findings: There is an existing residential dwelling on proposed Parcel 2 that will remain. Based on the submitted site plan (Attachment B), proposed Parcel 2 shall comply with the minimum setback and lot coverage requirements of the R-3 zone. Proposed Parcels 1 and 3 are vacant.

Staff recommend including a condition of approval requiring that all development comply with the applicable development and dimensional standards of the Residential High Density (R-3) Zone at the time of development.

With these conditions, staff find that the application complies with the applicable criteria

**D. *Adequate public facilities, including access, shall be available to serve the existing and newly created parcels. If adjacent properties are undeveloped, not developed to their maximum density, or landlocked, consideration will be given to extending appropriate access to those properties in accordance with provisions in Chapters 17.42 and 17.44 [SHMC 17.98.050(D) and SHMC 17.72.040(E)(4)].***

Staff Findings: Based on the tentative partition plat (Attachment B), proposed Parcel 1 will have approximately 84 feet of frontage along Long Street, proposed Parcel 2 shall have approximately 55 feet of frontage along Long Street, and proposed Parcel 3 shall have approximately 57 feet of frontage along Long Street.

Long Street has existing street frontage improvements. No additional improvement shall be required along Long Street.

Based on the Sweet Home Infrastructure Map, the existing residence has City water and sewer services. There is an existing storm channel along the south side of Long Street.

No development is proposed as part of this application.

Connection fees for City services will be determined during the building permit review process. Staff recommend including a condition of approval requiring that all future developments comply with the applicable standards of SHMC 17.14.070, 17.46, 17.48, and 17.58.050 at the time of development.

With these conditions, staff find that the application meets the criteria related to public facilities.

Based on the above information, staff find that the application complies

#### **IV. CONCLUSIONS**

The application shall be subject to compliance with the conditions listed below, as required by the findings of fact presented in the Review Criteria (Section III), above. Any modifications to the conditions listed below would require approval in accordance with provisions of law (e.g., variance, subsequent land use application, etc.).

### **Conditions of Approval:**

1. The final configuration of proposed Parcels 1, 2 and 3 shall substantially conform to the plot plan reviewed in this application (see Attachment B). Proposed Parcel 1 shall be approximately 17,724 square feet. Proposed Parcel 2 shall be approximately 5,126 square feet. Proposed Parcel 3 shall be approximately 5,008 square feet.
2. Approval of Variance application VR26-03 is required. If the variance is not approved, the partition application must also be denied.
3. All applicable access and utility easements shall be shown on the final plat.
4. All development shall comply with the applicable development standards of SHMC Chapter 17.14 and Title 17 Article III at the time of development
5. A final survey of the approved plat shall be recorded within two years of the final decision. Failure to record a plat within the required time period shall void the approval and require a new partitioning application. The City Manager shall sign the final plat if the plat substantially conforms to the approved preliminary plat, and if the conditions of approval are satisfied. The final plat shall conform to the requirements in ORS Chapter 92 and applicable County surveying requirements. The final Plat shall be recorded with Linn County and a copy of the recorded document shall be submitted to The City. The applicant shall be responsible for all recording fees. No parcel shall be sold, transferred or assigned until the final approved Plat is recorded and evidence of the recording is submitted to The City. Building permits shall not be issued prior to recording of the final plat if the proposed structure will violate this Code absent recording the partition. [SHMC 17.98.060]
6. Development of the subject parcels shall comply with all applicable local, state, and federal requirements.

## **V. PLANNING COMMISSION ACTION**

The Planning Commission will hold a public hearing at which it may either approve or deny the application. If the application is denied, the action must be based on the applicable review and decision criteria.

Appeal Period: Staff recommend that the Planning Commission's decision on this matter be subject to a 12-day appeal period from the date that the decision is mailed.

Order: After the Planning Commission makes a decision, staff recommend that the Planning Commission direct staff to prepare an Order that is signed by the Chairperson of the Planning Commission. The Order shall memorialize the decision and provide the official list of conditions (if any) that apply to the approval; if the application is approved.

### Motion:

After opening of the public hearing and receiving testimony, the Planning Commission's options include the following:

1. Move to approve application P26-04 and thereby permit the partition for the subject lot located at 2034 Long Street, Sweet Home, OR 97386; Identified on the Linn County Assessor's Map as 13S01E32BC Tax Lot 02900; adopting the Findings of Fact listed in Section III of the staff report, the setting of a 12-day appeal period from the date of the mailing of the decision, and hereby direct Staff to prepare an order to be signed by the Chair to memorialize this decision.
2. Move to deny application P26-04 for the subject lot located at 2034 Long Street, Sweet Home, OR 97386; Identified on the Linn County Assessor's Map as 13S01E32BC Tax Lot 02900; adopting the following Finding of Fact (specify), the setting of a 12-day appeal period from the date of the mailing of the decision, and hereby direct Staff to prepare an Order to be signed by the Chair to memorialize this decision.
3. Move to continue the public hearing to a date and time certain (specify); or
4. Other

## **VI. ATTACHMENTS**

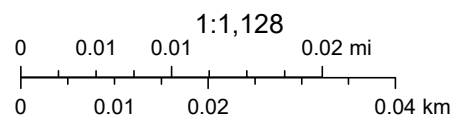
- A. Subject Property Map
- B. Site Plan
- C. Applicants Narrative

The full record is available for review at the City of Sweet Home Community and Economic Development Department Office located at City Hall, 3225 Main Street, Sweet Home, Oregon 97386. Regular business hours are between 7:00 AM and 5:30 PM, Monday through Thursday, excluding holidays.

# P26-04 Subject Property Map, 2034 Long St



4/2/2026, 2:32:27 PM



Sources: Esri, Vantor, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community, Linn County, OR Office of Assessment and Taxation, Sources: Esri, TomTom, Garmin, FAO, USGS, © OpenStreetMap contributors, and the GIS User Community

NOTE: AREA AND ACREAGE SHOWN HEREON ARE FROM THE SURVEYED BOUNDARY DIMENSIONS. PAVEMENT, GRAVEL AND HARDSCAPES ONLY TIED ON OR ADJACENT TO SUBJECT PROPERTY.

- PAVEMENT HATCH
- CONCRETE HATCH
- GRAVEL HATCH
- BOUNDARY
- LOT LINE
- BUILDING OUTLINE
- OVERHEAD POWER LINE
- GAS LINE
- SEWER LINE
- WATER LINE
- STORM DRAIN LINE
- FOUND MONUMENT

- EXISTING FENCE
- ACRES
- BLDG
- DWY
- ROW
- SF
- TM
- PROPOSED

SHEET 1  
OF 2  
SCALE: AS NOTED

PROJECT  
26-012 ROHNER SHP  
EXHIBIT DATE  
3/24/26

DUKE ROHNER  
2034 LONG ST  
SWEET HOME, OR 97386

TERRATECH  
LAND SURVEYORS  
735 WALNUT ST  
LEBANON, OREGON 97355  
459-278-5932

NOTE: NO EASEMENTS OF RECORD AFFECT THE PROPERTY

0' 50'

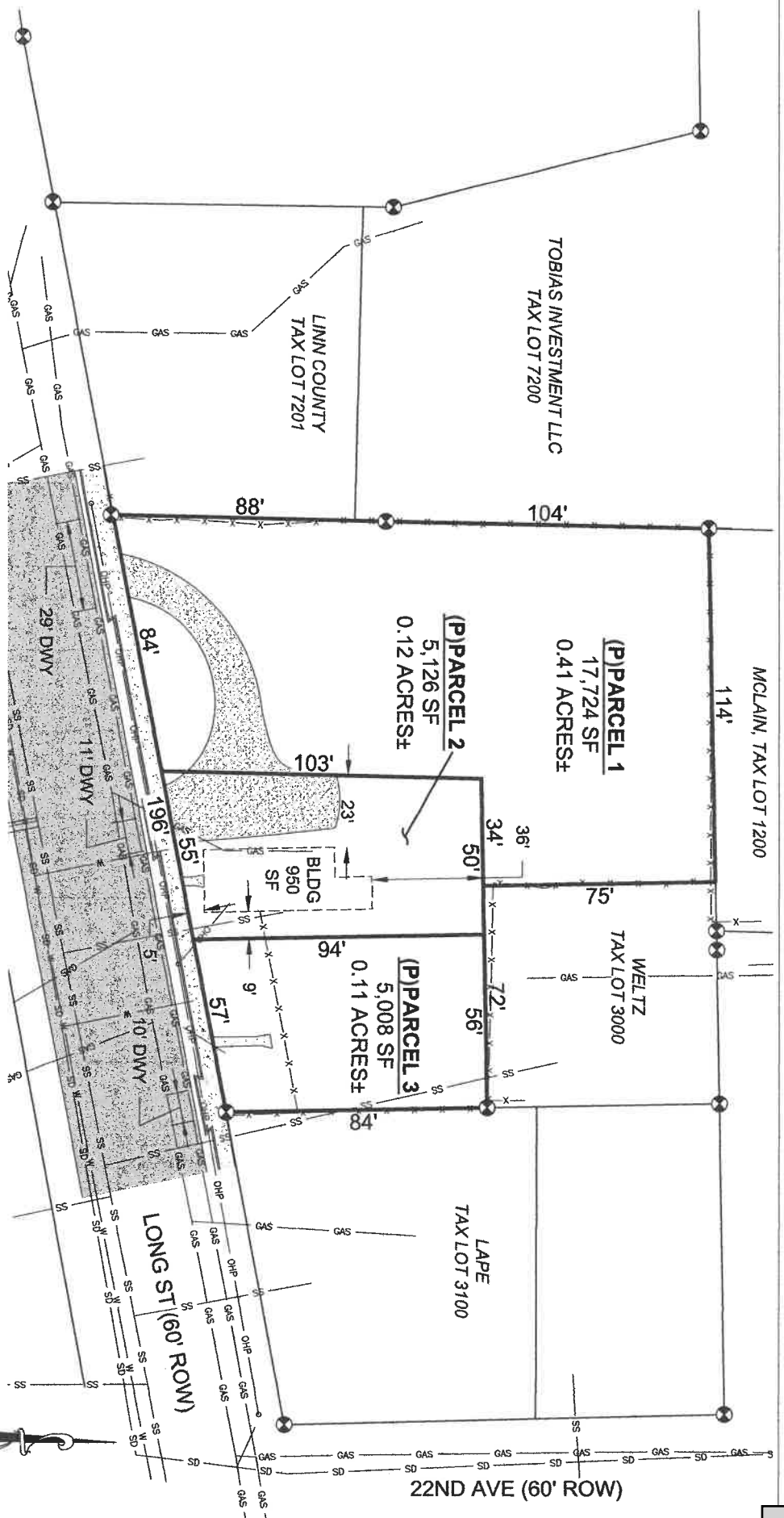
SCALE:

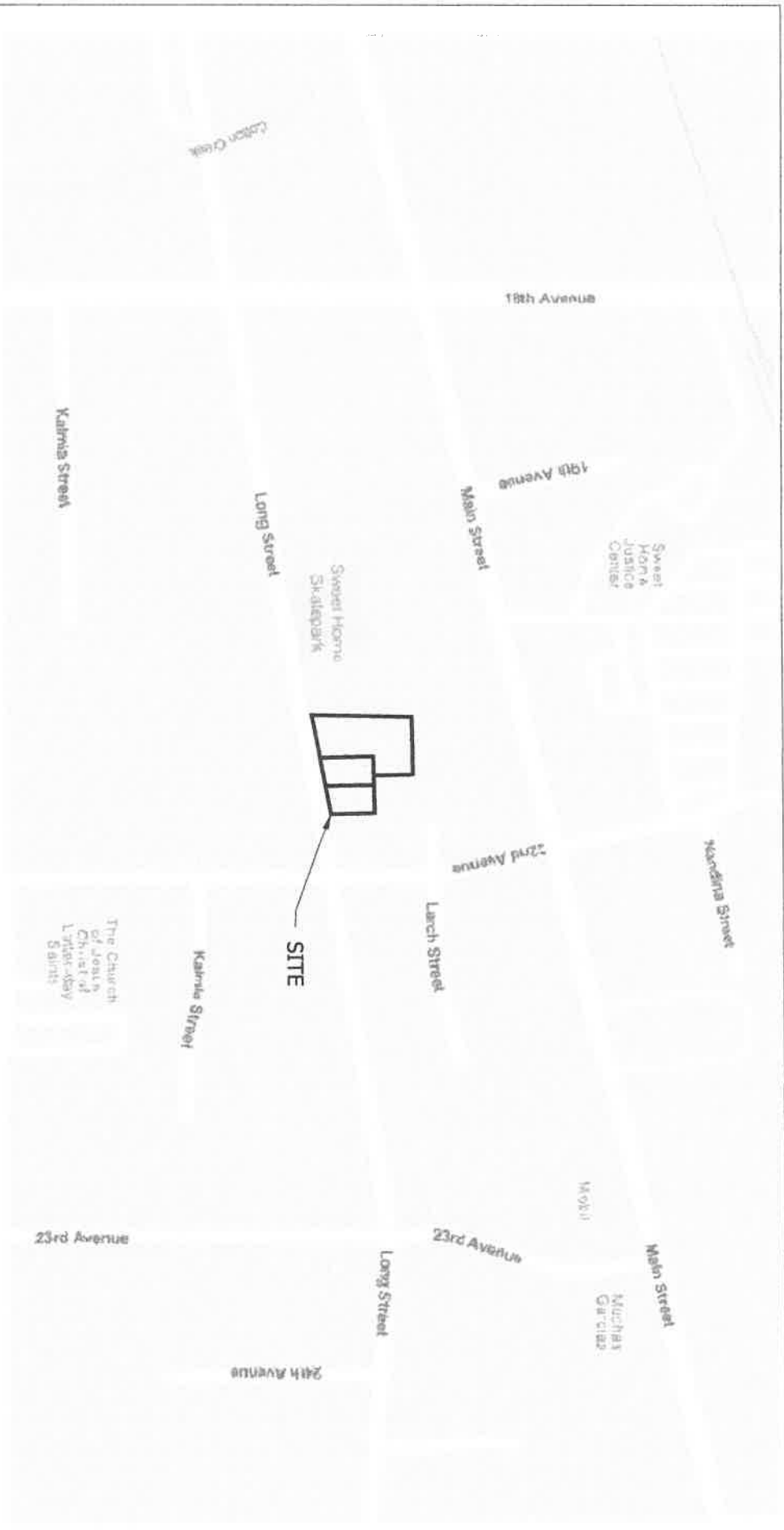


**PROPERTY INFORMATION**

ZONING: R3- HIGH DENSITY RESIDENTIAL  
 LAND USE: RESIDENTIAL SINGLE FAMILY  
 OWNER: DUKE ROHNER  
 ASSESSORS MAP: 13S01E32BC  
 TAX LOT: 2900

**LEGEND**





SCALE:



SHEET 2  
OF 2  
SCALE: AS NOTED

**VICINITY MAP FOR MINOR PARTITION**  
PROJECT  
26-012 ROHNER SHP  
EXHIBIT DATE  
3/24/28

DUKE ROHNER  
2034 LONG ST  
SWEET HOME, OR 97386

TERRATECH  
LAND SURVEYORS  
735 WALNUT ST  
LEBANON, OREGON 97355  
458-278-5932

---

## APPLICATION FOR PARTITION AND ADJUSTMENT

---

Submitted to: City of Sweet Home  
Planning Department, City Hall  
3225 Main Street  
Sweet Home, OR 97386

Applicants & Property Owners: Duke Rohner  
PO Box 641  
Albany, OR 97321  
[pacson@live.com](mailto:pacson@live.com) / 503-871-6739

Applicant's Representative: TerraTech Land Surveyors LLC  
735 Walnut St  
Lebanon, OR 97355  
Contact: Andrew Johnston  
Email: [Drew@terratechlandsurveyors.com](mailto:Drew@terratechlandsurveyors.com)  
Phone: 458-278-5932

Linn County Assessor Map: 13S-01E-32BC, Tax Lot 2900

Property Address: 2034 Long Street

Existing Land Use: Single-Family Residence

Zone Designation: Residential High Density, R-3

Surrounding Zoning: Residential and Commercial



## Summary

The applicant requests to partition the land described as Linn County Tax Lot 13S1E32BC0200 into three parcels. The area of proposed Parcel 1 is 17,724 square feet, Parcel 2 with an existing home is 5,126 square feet, and the area of proposed Parcel 3 is 5,008 square feet. The proposed land use will remain the same, as residential. The applicant is also requesting an Adjustment of less than 10 percent to the minimum lot width of 60' on Parcels 2 and 3. Development on proposed Parcel 3 is planned for either a single-family residence or a duplex. The single-family dwelling on Parcel 2 will remain and Parcel 1 is planned for multi-family. All proposed parcels will have road access with frontage along Long Street. The proposed boundary lines will not change any existing access to utilities for water, sewer, power, or gas lines for the existing home.

## Sweet Home Code Compliance

Residential High Density Zone (R-3):

17.14.020 allows for single-family, duplexes and multi-family in the zone.

17.14.060 Dimensional Standards:

Minimum Lot Area is 5,000 square feet for single-family and duplexes and 9,000 square feet for multi-family. Proposed Parcel 1 is 17,724 square feet, Parcel 2 is 5,126 square feet, and Parcel 3 is 5,008 square feet. All lots meet this requirement.

Maximum Lot Coverage is 40% for a single-family dwelling, and 60% for duplexes and multi family. The existing building's outer foundation on proposed Parcel 2 is 950 square feet. The coverage of the existing home on proposed Parcel 2 is 19%. This requirement is met. Coverages will be met for Parcel 1 and 3 at the time of development.

Minimum Setbacks are 5 feet for each side, 15 feet front, 10 feet rear and 15 feet street side and 20 feet for garages. The existing building outer foundation on Parcel 2 has a 23 foot west side setback, a 9 foot east side setback, over a 10 foot rear setback and a 5 foot street side setback. The existing house does not have a garage or carport. Setbacks will be met for Parcel 1 and 3 at the time of development.

Minimum Lot Width is 60 feet for both a single-family residence and duplex. The applicant is requesting an Adjustment of less than 10 percent to allow for 55 feet on Parcel 2 and 57 feet on Parcel 3. Parcel 1 exceeds the 60 foot minimum width.

