

Canby Planning Commission
Regular Meeting
November 8, 1978

MEMBERS PRESENT: Vice Chairman Hulbert, Commissioners Cutsforth, Hart
Cibula and Kahut (8:18 p.m.)

MEMBERS ABSENT: Chairman Ross, Commissioner Edgerton

OTHERS PRESENT: City Attorney Roger Reif, Planning Consultant Eldon
Edwards, Fred Stefani, Mr. and Mrs. Richard D. Crites,
Harry Wyman, Mr. and Mrs. Jim Haines, Martin Clark
and Dave Bury

The minutes of the Planning Commission meeting of October 11, 1978, were approved as presented.

Item #1: Request for a Minor Land Partition to divide a 26,636 sq. ft. parcel into two smaller parcels, the smallest parcel being approximately 11,500 sq. ft. and the second parcel approximately 15,000 sq. ft. The property is located on Territorial Road between Maple St. and Pine St. and described as Tax Lot 1601, Section 28DD, T3S, R1E. The applicant is Rufus Kraxberger. Planning Consultant Edwards made his presentation and recommended approval subject to asphalt paving being provided the full length of the access strip for 12 feet in width. Vice Chairman Hulbert asked whether it would be essential that there be a fire hydrant located close to this property. Planning Consultant Edwards felt this was an excellent idea but did not know if that could be a qualification on this approval. Discussion turned to whether the driveway would be considered a one-way driveway or a two-way driveway and the fact that the Fire Marshal had requested 25 feet of paving on this request. Commissioner Kahut pointed out the fact that on previous requests the Planning Commission had been requesting 12 feet of paving. Planning Consultant Edwards recommended deferral since the Planning Commission was not entirely clear on what the Fire Marshal was recommending. Mr. Fred Stefani representing Mr. Kraxberger stated a 15 foot driveway had been planned and it was being considered a one-way driveway. Mr. Stefani felt that a 25 foot driveway would be too much and would take away square footage of the lot. *Commissioner Kahut moved that the Minor Land Partition of Rufus Kraxberger be approved subject to all staff reports and a 15 foot paved driveway. The motion was seconded by Commissioner Cibula. The question was called for with Commissioners Kahut and Cibula voting for the motion and Commissioners Hart and Cutsforth voting against the motion. With the vote being 2 to 2, Vice Chairman Hulbert voted in favor of the motion to carry the vote for approval by 3 to 2.

Item #2: Request for a Minor Land Partition to divide a 28,314 sq. ft. parcel into 3 smaller parcels, the smallest being 8,400 sq. ft. and the largest 10,500 sq. ft. The property is located at 1338 N. Maple Street between 10th St. and 14th St. and described as Tax Lots 2400 and 2401, Section 33AA, T3S, R1E. The applicant is Richard D. Crites. Planning Consultant Edwards made his presentation and recommended approval with at

Least a 12 foot paved driveway. Commissioner Kahut asked whether there should be some road improvement or curbing on Maple Street. Vice Chairman Hulbert and Planning Consultant Edwards felt this should be required. Commissioner Hart asked Mr. Crites how he would be developing the Lot. Mr. Crites explained that he would be developing the back lot only by construction of a single family residence of between 1,200 and 1,400 sq. ft. and renting this unit. Mr. Harry Wyman of 1355 N. Noble Street, Tax Lot 2413, spoke as an opponent of this minor land partition due to the fact the driveway to the home Mr. Crites will be building will border the property line of Mr. Wyman's back yard and will interfere with the serenity of Mr. Wyman's bedrooms and patio area. If the minor land partition is allowed, Mr. Wyman requested screening, fencing or some other means of quieting the noise of the renters on Mr. Crites property. Mr. Wyman also felt that Mr. Crites should share in the easements of the two tax lots bordering Mr. Crites east property line (tax lots 2413 and 2412). Mr. Jim Haines of 775 N.E. 14th Street (Tax Lot 2412) spoke in opposition of placement of the driveway on Mr. Crites property. *Commissioner Hart moved to table Mr. Crites minor land partition until the next Planning Commission meeting on December 13, 1978. The motion was seconded by Commissioner Cibula. Mr. Crites was asked whether he wished his request acted upon at this time or whether he would prefer it be postponed. Mr. Crites stated he wished it to be postponed. Question was called and the motion passed unanimously.

The Vice Chairman called for a recess at 9:25 and the meeting reconvened at 9:30 p.m.

There being no further business before the commission, Martin Clark asked the Planning Commission for an interpretation of the zoning ordinance regarding building a single family residence on property zoned M-1. City Attorney Reif read permitted use #4 under an M-1 zone which states: Dwelling for watchman or caretaker working on the property. Commissioner Cibula excused himself from the discussion due to a conflict of interest. City Attorney Reif further defined a caretaker as a person who takes care of property, typically working in shifts. Commissioner Kahut suggested this matter be brought before the next commission meeting to give the commission members time to consider this interpretation.

Commissioner Cibula asked for an interpretation on setbacks with regard to small utility sheds. He stated there was a small outbuilding approximately 3 feet from the road on a residential lot on S. Ivy. City Attorney Reif read from the zoning ordinance which stated that an interior yard may be reduced to three feet for a detached accessory structure not exceeding one story and erected 60 feet or more from any street other than an alley.

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City Attorney Reif handed out new copies of the zoning ordinance for perusal of the commission members. He requested all members read over the new ordinance and make any comments, additions, deletions or corrections in the margin and return them to the city attorney's office as soon as possible for typing of the copy which will be presented to the City Council for final approval.

Planning Consultant Edwards explained that this would be his last City of Canby Planning Commission meeting and he had enjoyed working with the Canby Planning Commission very much.

The meeting was adjourned at 10:00 p.m.

This meeting has been recorded on tape.

Virginia J. Shirley

Virginia J. Shirley, Secretary *mp*
Canby Planning Commission