

Canby Planning Commission
Regular Meeting
August 27, 1980

MEMBERS PRESENT: Chairman Kahut, Commissioners Sowles, Hart, Baller & MacKenzie

MEMBERS ABSENT: Commissioners Davis and Cutsforth

Chairman Fred Kahut opened the meeting at 7:35 p.m.

The Minutes of the Planning Commission meeting of August 13, 1980, were corrected to indicate: Commissioner Sowles noted that he had disclosed a potential conflict of interest on the Oliver subdivision. After discussion it was determined that no conflict existed. The Minutes were approved as corrected.

Item No. 1: Request for expansion of a non-conforming structure located at 533 S. Ivy Street. This property is described at Tax Lot 7200, Section 4AB, T4S, R1E. The applicant, Roberta A. Knox, wishes to make an addition on the north side of the existing residence. Planner Lashbrook made his staff presentation and explained that one side of the existing house is well within the required setback while the other side of the house is only three (3) feet from the property line. The addition which will be on the opposite side of the house will still be within the required setback. This hearing is required by ordinance since the house itself is a non-conforming structure. The Planner went on to explain the six findings that would be necessary to approve this application. The staff recommends approval of this application with no special conditions attached. What is really needed is authorization for issuance of a the building permit. Commissioner Hart asked how it was determined that this was a non-conforming structure, excepting that it does not meet the setback on the south side. Doesn't feel that should have any bearing on the case. Planner Lashbrook explained that is exactly what a non-conforming structure is, and that there are quite a number of them in town because the community went from no zoning regulations, to zoning regulations, to no setback requirements, to setback requirements we have now which in single family residential is ten (10) feet to the furthestmost projection of the building. Any kind of addition where these people are desiring to add on to their homes, does require this type of process. City Attorney Reif informed the Commission the definition of a non-conforming structured is defined in Section 22. Chairman Kahut asked if any dedications were be required. Planner Lashbrook explained that in discussing this with the City Engineer this should be treated more as a building permit type application. The socpe of the project does not warrant those type of conditions. There being no further questions by the Commission, Chairman Kahut ased Ms Knox to step forward with any additional information she has. Ms. Knox stated that she had no further statement to make. Chairman Kahut asked for any proponents. Dave Bury of 360 S. Township Road asked if later on if the city widens the street will there be enough room. Chairman Kahut informed Mr. Bury this was the same question he had asked the Planner earlier. There being no further porponents, Chairman Kahut asked for opponents. There being none he closed the public hearing. *Commissioner Sowles moved to approve the application for expansion of a non-conforming building at 533 S. Ivy. After the discussion is appears to be consistent with the Comprehenisve Plan and other applicable policies of the City, taking into account location, size and design it will have minimal adverse impact on abutting properties and surrounding

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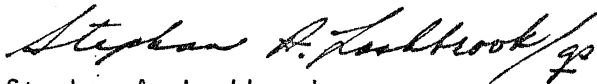
area, the location and design of both the site and structure, and will preserve the assets of the community and this proposal complies with statewide planning goals. The motion was seconded by Commissioner MacKenzie and passed unanimously.

Planner Lashbrook stated that he felt there was some confusion after the last meeting with regards to Mr. Oliver's subdivision as far as sidewalks were concerned. It was not the intention of the Planner that the sidewalks be put in in advance of the construction of buildings there, but merely that those sidewalks were a condition of approval of the subdivision. It is the practice not to require sidewalks in any case until construction is nearly completed, in order that they are not put in and have to be taken out because of the construction.

The meeting was adjourned at 7:49 p.m.

This meeting has been recorded on tape.

Respectfully submitted,

Handwritten signature of Stephan A. Lashbrook in cursive script, followed by a slash and the number 90.

Stephan A. Lashbrook
City Planner