

Canby Planning Commission
Regular Meeting
June 22, 1981

MEMBERS PRESENT: Chairman Kahut, Commissioners Baller, MacKenzie, Davis, Shinn, and Schrader

MEMBER ABSENT: Commissioner Cutsforth

OTHERS PRESENT: City Planner Stephan Lashbrook, City Attorney R. Roger Reif, David Bury, Bob Bissel, Mr. and Mrs. Bode, and others

Chairman Kahut opened the meeting at 7:30 p.m.

The minutes of the Planning Commission meeting of June 8, 1981 were corrected to indicate Commissioner Schrader voted nay on the minor land partition and conditional use application for Richard and Carol Lee Morse. Also, the name of Earnart was mistaken for Bernard. After the two corrections, the minutes were approved as corrected.

Item No. 1: Request for a Minor Land Partition of property located on the south side of N. E. 10th Avenue approximately 150 feet east of N. Locust Street and described as Tax Lot 1400, Section 33AC, T3S, R1E. The applicant is Ronald W. Bode. Planner Lashbrook gave staff report recommending approval subject to conditions. Lashbrook noted that the location of the large Douglas Fir tree and access to adjoining properties appear to be the only real issues raised by this application. He offered two additional conditions of approval which the Commission could impose if access to adjoining properties was found to be a valid subject for further consideration.

Bob Bissel, agent for the applicants, spoke in support of the application stating that the Bode's had just recently moved to the Canby area from Iowa and that they were hoping to purchase the new parcel with the existing dwelling unit. He said that he had two potential purchasers for the rear parcel, if approved. Mr. Bissel stated that the application met our ordinance requirements and should be viewed as a method of providing affordable housing to those wishing to purchase. He stated that the large tree can be removed if it is necessary, but it appears to be healthy. Mr. Bissel added that the driveway width was shown at 25 feet to assure that access could be gained around the base of the tree, but that he could see no reason why his clients should be required to provide access to neighboring lots. He noted that tax lot 1200 could provide access to 1290 without creating a hardship for other property owners. Mr. Bissel added that his clients are under severe time constraints because the property transaction is due to "close" at the end of July, within which the application must be approved, the appeal period completed and the property surveyed.

Chairman Kahut opened the public hearing and asked for proponents. When none came forth he asked for opponents. When none came forth he closed the public hearing.

Mr. Kahut polled the Commission and none of the members expressed any opposition to the proposed division. All of the Commissioners expressed concern about access to the adjacent properties, however, and asked that all of the affected neighbors be contacted.

Commissioner Baller made a motion to table the matter until the July 13 meeting to allow for a search of the titles of neighboring properties and to consider testimony from other affected neighbors. Commissioner MacKenzie seconded the motion and it passed unanimously.

City Planner Lashbrook agreed to contact the other owners and conduct title research to determine whether other access easements already exist in the area.

Correspondence - City Planner Lashbrook read a letter from Mr. Ray Baldwin of S. Elm Street regarding his dissatisfaction with City regulations governing the expansion of non-conforming structures.

Other Business - City Planner Lashbrook explained the existing City regulations affecting the conversion of a residence to a duplex, noting that a number of senior citizens had inquired about simplifying those requirements for handicapped or elderly persons. The general feeling of the Commission was that the present regulations appear to be adequate.

The meeting was recorded on tape.

The meeting adjourned at 9:20 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Stephan A. Lashbrook".

Stephan A. Lashbrook
City Planner