

MINUTES
REGULAR PLANNING COMMISSION MEETING
CITY OF BROOKINGS
September 18, 1980

I. CALL TO ORDER:

The meeting was called to order at 7:30 p.m. by Chairman Earl Breuer.

II. ROLL CALL:

Those present were: Blain Gribble, Ralph DeJarnett, Ted Mattson, Jean Hagen and Mary Jane Brimm.

Staff members present were: Marshall Ferg, Building Official and Praecilla Pruitt, Secretary.

Representative from the press was Richard Keusink from the Curry Coastal Pilot.

III. APPROVAL OF MINUTES:

MOTION by Commission Hagen, seconded by Commissioner Brimm that the August 19, 1980 minutes be approved. Motion carried unanimously.

IV. WELCOME TO VISITORS:

Chairman Breuer welcomed an audience of approximately 10 visitors, which also included Councilmen Brimm and Cheney.

V. LEGISLATIVE ACTION:

1. Minor land partition on Tax Lot 3500, Map No. 41-13-6DD on Cove Road for Russell Klippel.

Marshall Ferg informed the Commission that there were 3 parcels of land with 6,000 square feet in area or more and met all the requirements. Commissioner Brimm stated that the sewer was bad in the area and Commissioner Gribble stated that there was a sewer about 100 feet from the property. Chairman Breuer stated that there may be a problem with the sewer and the owner should be notified.

MOTION by Commissioner DeJarnett, seconded by Commissioner Gribble that the minor partition on Tax Lot 3500 be granted. Motion carried unanimously.

2. Minor land partition on Tax Lot 3201, Map 41-13-5CC for Richard Poole.

Marshall Ferg informed the Commission that this was a flag lot located on Memory Lane with a 25 foot access fronting 25 feet on Memory Lane. Both parcels are above the 6,000 square foot minimum in an RN zone and met all the requirements.

MOTION by Commissioner Brimm, seconded by Commissioner Hagen that the minor land partition on Tax Lot 3201 be granted. Motion carried unanimously.

VI. OTHER BUSINESS:

1. Annexation procedures: Recommend to City Council a minimum size of property to be considered for annexation.
There was some discussion about the minimum size of property. It was noted that some cities have 5 and some 10 acre minimum and some have no minimum; so it would be up to the individual city to place the requirements. It was mentioned that the goals that must be met do not warrant a small lot. Chairman Breuer, with the concurrence of the Commissioners, asked that Marshall Ferg write the League of Oregon Cities for their opinion and table the matter until the next meeting for their ideas.
2. Major and Minor partitions.
Marshall Ferg stated that the difference between major and minor partitions had been brought up at a Council meeting and was put before the Planning Commission to establish some standards as to major partitions. That according to the O.R.S. a major land partition is a partition of land that does include a creation of a street right-of-way. He further explained the difference with diagrams which were included in the Commission packet. He also stated that a major land partition is nothing more than a small subdivision and it should be considered that a minor subdivision is 3 lots or less. He also felt that there should be some fees involved in reviewing the partitions and if necessary to draft an ordinance to define the difference. Chairman Breuer stated that he would have to concur with that statement. Chairman Breuer stated that some study needed to be done to come up with some answers. He appointed Ralph DeJarnett as Chairman of a Committee to make a study of this matter.
3. Letter to Planning Commission by Ken MacLeod concerning the house at 1234 Iris.
Chairman Breuer read the letter from Mr. MacLeod. Marshall Ferg stated that he had checked the two story height limitations with the subdivision plat, and there were no restrictions. He had also called the County Assessor and there were no restrictions to two-story houses in that area. It met the height of the zoning ordinance, and the code of the State of Oregon. There were other property owners that desired to have two story houses but their foundations were not sufficient. Chairman Breuer stated that there could be restrictions if the subdivider had put deed

restrictions on the whole subdivision. Chairman Breuer suggested that Mr. MacLeod be back in two years when they review the subdivision ordinance and Comprehensive Plan, as nothing could be done. Marshall stated that if the people didn't agree with the zoning ordinance that there was nothing to restrict the people in the area of establishing their own district.

4. Minor land partitions by Marvin Pope - Violations of subdivision law.

Marshall Ferg stated that the minor partition that was last granted was not in order since it created a subdivision. He had contacted Jim Roe of the Subdivision section of the Department of Commerce who agreed that a subdivision had been created and it was in violation of the subdivision ordinance. He stated that Mr. Pope had brought in a letter asking him to sign a release of responsibility of the subdivision requirements and he had taken it to the City Attorney and the Council and they had referred it back to the Planning Commission to consider. He stated that there were land partitions on September 7, 1976; September 6, 1977; April 25, 1978; September 25, 1979 and July 15, 1980. Mr. Pope stated he was not aware he was in violation and that he had paid his fee to the Real Estate Board and provided all the documents and only needed a letter from the Planning Commission. Chairman Breuer stated that he felt that they would have to consult with the City Attorney. Marshall Ferg stated that he had discussed the matter with the City Attorney and he was not sure if we could allow the City to sign the letter. Commissioner Brimm questioned if curbs and sidewalks should be put in since all the other subdividers had been required to put them in. She also asked Mr. Pope if he would be willing to sign an agreement that when the City gets ready to put in streets and gutters that Mr. Pope would pay his fair share. Mr. John Thorp, Engineer, felt that other developers had been required to make improvements on other streets and this was a subdivision, so the City should require that the improvements be made by the developer. Commissioner Gribble questioned how many lots that Mr. Pope now owned. He stated that there were 10 lots and he owns four and has sold 6 and one lot is where he lives. Mr. Pope stated that he felt that he could not afford to put in the sidewalks. Chairman Breuer stated that we would have to have a written legal opinion.

MOTION by Commissioner Brimm, seconded by Commissioner Hagen that we refer the matter to our City Attorney for legal advice. Motion carried unanimously.

5. Letter from Frank J. Van Dyke concerning Harris Beach Estates
Marshall Ferg informed the commission that Mr. Van Dyke had referred this letter to the Planning Commission to inform them of their intent to annex Harris Beach Estates to the City. Chairman Breuer read the letter from Mr. Van Dyke. Councilman Brimm stated that the letter mentioned that the State owns the water line and that the City actually owns the water line since they keep it in repair. Commissioner Gribble said that the State did put the water line in since Mr. Bankus did not have the money to put in the line. Chairman Breuer suggested that we have our City Attorney check into the matter.

MOTION by Commissioner Gribble, seconded by Commissioner Brimm that Marshall Ferg ask the City Attorney to look into this matter so that the City can get an easement up the highway. Motion carried unanimously.

6. Building Permits.
Marshall Ferg stated that there were 11 building permits totalling \$132,328.32; 7 sewer lateral permits and 1 mechanical wood stove permit and that the permits were down from a year ago.

VII. COMMENTS:

1. Mrs. Edna Allen was concerned that she may have created a subdivision and the Planning Commission stated that the City Attorney could probably get the answers for her too.
2. Mike Cremarosa stated that he desired to build a shop for himself on one lot and on another lot he wanted to build an office or building to suit tenants adjoining property belonging to Riley Sweet on Hemlock Street. He stated that there were old tools, junk trailers, refrigerators, radiators and other debris and that one trailer was almost on the street. He showed pictures of the area. Chairman Breuer asked that the City find out if the problem could go under the nuisance permit. Marshall stated that the Police Chief and Fire Department should look at it. Chairman Breuer stated that it should be checked to see if it is in the proper bounds since one trailer was almost on the street, and also determine if he is operating a junk yard and if so he should be made to clean it up.
3. Elaine Jacques stated that she had applied for a conditional use permit for a home that is being built for her. The Government had informed her by letter that they would need to know by October 15th if she had received the permit. She was desiring to operate a beauty shop in her home. After discussion about changing the meeting date the following motion was made.

MOTION by Commissioner Gribble, seconded by Commissioner Hagen that the next regular meeting be held on October 9, 1980. Motion carried unanimously.

4. Mike Steevens.

Commissioner Brimm informed the Commission members that on October 2nd the Curry County Planning Commission would hold their public hearing on Steevens, and there should be some representation from the Planning Commission. Chairman Breuer appointed Commissioner Brimm to appear at the hearing.

5. Dick Keusink of the Curry Coastal Pilot mentioned that there was an unsightly area in front of the Azalea State Park and that if the Planning Commission looks at one area, then we should look at all the areas in Brookings. Chairman Breuer mentioned that the Cliff House also should be condemned and asked for a motion that the Commission recommend to the Council that they look into drafting an ordinance to condemn all the run down areas and broken down buildings.

MOTION by Commissioner Brimm, seconded by Commissioner Hagen that we recommend to the Council that they draft an ordinance to take care of all the unsightly areas, premises and old buildings in the City. Motion carried unanimously.

Councilman Brimm stated that there should be some thought before they drafted the ordinance.

VIII. ADJOURNMENT:

The meeting was adjourned at 9:34 p.m.

This meeting is recorded on tape and is on file in the City Recorder's Office.


Chairman

ATTEST:


Secretary