

MINUTES  
REGULAR PLANNING COMMISSION MEETING  
CITY OF BROOKINGS  
July 3, 1984  
7:30 p.m.

I. CALL TO ORDER

Chairman Brimm called the meeting to order at 7:30 p.m.

II. ROLL CALL

Commission Members Present: Chairman Mary Jane Brimm,  
Vice Chairman Earl Breuer, Commissioners Leo Appel,  
Jean Hagen, Lonny Draheim.

Commission Members Absent: Commissioners Richard Swigert,  
Joan Heavey.

Staff Present: City Manager Lynn Stuart, Planning  
Director Chuck Rhodaback, Executive Secretary Donna  
Van Nest.

III. APPROVAL OF MINUTES

There was a MOTION made by Commissioner Hagen, seconded by  
Commissioner Draheim to approve the June 5, 1984 Regular  
Planning Commission Meeting Minutes; MOTION carried un-  
animously.

IV. ANNOUNCEMENTS OF PUBLIC HEARINGS & PROCEDURES

Chairman Brimm, for the record, read the public hearing  
procedures for the benefit of the individuals attending  
the public hearing meeting.

V. PUBLIC HEARING - VARIANCE

A. VAR-1984 William Davies

Tax Lot 6200, Assessor's Parcel Map 41-13-5CD; property  
located at the northeast corner of Hazel Street and  
Del Norte Lane; request variance in a Residential Low-  
Density zone (R-LD) to allow required rear yard building  
setback to be reduced from 15 feet to 5 feet for const-  
ruction of proposed addition.

Chairman Brimm declared the public hearing open and asked  
for the Staff Report. Mr. Rhodaback briefly explained  
the request for a five (5) foot rear yard setback  
variance. The reduction in the rear yard setback is  
necessary to allow construction of a proposed addition  
to the existing single family home. Mr. Rhodaback in-  
dicated that the proposed addition would be used by a

handicapped member of the family. Mr. Rhodaback also outlined variance criteria and preliminary findings to be considered by the Planning Commission in the decision making process. The criteria included (1) exceptional or extraordinary circumstances that apply to the property; and (2) the variance is necessary for the preservation of property rights; and (3) the variance would not be materially detrimental to the purposes of the zoning ordinance; and, (4) the variance requested is the minimum variance which would alleviate the hardship. The staff, based on the criteria and preliminary findings, recommended to the Planning Commission that the applicant has not addressed the criteria sufficiently enough to make a determination of the need for a rear yard setback variance, at this juncture.

Chairman Brimm asked for public testimony. Mr. William Davies, applicant, and residing at 1910 Washington Street, Vancouver, Washington, stated that his wife and brother-in-law will be making their new home in Brookings and wish to construct an addition to the house on Hazel Street, to provide private living space for his handicapped brother-in-law. Mr. Davies indicated that the location of the existing house didn't allow enough rear yard area to construct the proposed addition without encroaching into the required rear yard setback area. Mrs. Evelyn Davies, 1910 Washington Street, Vancouver, Washington, stated that the new addition is necessary for her brother who has had a complete chemical breakdown and is handicapped. Mr. Eldon Gossett, 703 Chetco Avenue, Brookings, stated that the house Mr. and Mrs. Davies have purchased is located on an angle to the property lines at about 30 degrees and the structure behind the house is within 5 feet of the fenced property line. The new owners want to enclose the area between the two structures which would create the addition and maintain the 5 foot rear yard setback, for which the variance is being requested.

Commissioner Breuer asked Mr. Gossett if a breezeway between the house and existing building would suffice. Mr. Gossett said yes, but the building would still be within 5 feet of the property line. Commissioner Breuer stated that it sounded like Mr. and Mrs. Davies wanted to remodel the existing building rather than build a new addition. Mrs. Davies indicated that what they are planning is a complete new structure. Commissioner Breuer asked staff what constitutes a shed. Mr. Rhodaback explained that the shed is clarified as an

accessory building which may be located within 5 feet of the property line, both on rear and side yard setbacks. Commissioner Breuer suggested that Mr. and Mrs. Davies are not only asking for a variance, but also a change of density from single family to medium density.

Commissioner Appel asked the applicant if the proposed addition will include a separate restroom and eating facilities. Mrs. Davies said that the existing house has a small kitchen and that the new kitchen will become the main kitchen facility. Commissioner Appel asked the applicant if a portion of the proposed addition could be moved towards Del Norte Lane and eliminate the need for the variance. Mrs. Davies stated that to rearrange the location of the addition would destroy the setting of the property.

Commissioner Breuer stated that during the public hearing procedure the burden of proof is upon the proponent and I don't feel that they have proven that the variance is the only solution.

Commissioner Breuer made a MOTION that the request be denied. The MOTION failed for lack of second.

Commissioner Appel stated that he was concerned about having two kitchen facilities which could lead to a future duplex use. Commissioner Appel made a MOTION to table the request until more detailed plans are received. Commissioner Hagen seconded the MOTION. MOTION carried 4 to 1 with Vice Chairman Breuer voting against.

## VI. OTHER SCHEDULED COMMISSION ACTION

### A. Curry County Condition Use Permit

Located within the Brookings Urban Growth Boundary Jack and Lorene Holmes, File No. C-8418 request for "Bed and Breakfast" home occupation in a single family residential (R-1) zone.

Chairman Brimm asked for a Staff Report. Mr. Rhodaback briefly explained the request, County zoning, surrounding land uses and proposed "Bed and Breakfast" facility. Mr. Rhodaback also outlined preliminary findings to include: (1) the County and City Comprehensive Plans have identified the area as future urban residential development; and, (2) the Comprehensive Plan Policies address the need to stimulate the local economy (tourism); and,

(3) a "home occupation is an allowable and compatible use within a residential zone under the provisions and standards of a conditional use permit", as regulated by the Development Code. Based upon the preliminary findings, the Staff recommended to the Planning Commission that the request be approved. Mr. Jack Holmes, 17350 Holmes Drive, stated that there is a great need for the "Bed and Breakfast" type facility in the Brookings area.

Commissioner Breuer made a MOTION to recommend to the Curry County Planning Commission that the request be approved. Commissioner Hagen seconded the MOTION; MOTION carried 4 to 1 with Commissioner Appel abstaining due to a possible conflict of interest.

B. REVIEW AND ADOPTION OF LAND USE DECISION CRITERIA

Mr. Rhodaback reported, to the Planning Commission, that Staff has prepared a resolution establishing specific criteria to be utilized and reviewed by the Planning Commission during the decision making process on land use issues. Mr. Rhodaback stated that the criteria will be made a part of the application format and the applicant will address each criteria issue in preparation of the application.

Commissioner Breuer made a MOTION to recommend to the City Council that the criteria be adopted in resolution form. Commissioner Appel seconded the MOTION; MOTION carried unanimously.

C. ADOPTION OF LAND USE DECISION FINDINGS OF FACT DOCUMENTS

1. CU-1-84 Larry Anderson
2. CU-2-84 Larry Anderson
3. M3-1-84 Richard and E. June Juelson

Commissioner Appel made a MOTION to adopt the findings of fact documents for CU-1-84, CU-2-84 and M3-1-84. Commissioner Hagen seconded the MOTION; MOTION carried unanimously.

VII. OTHER MATTERS

Coastal Zone Acknowledgement Schedule - Status Report by Staff

Mr. Rhodaback briefly explained the status of the Coastal Goals 16, 17 and 18 and tentative acknowledgement schedule.

The City of Brookings has been tentatively scheduled for the September 13th and 14th LCDC public hearing. Mr. Rhodaback discussed a preliminary program for amendments and public hearing process to allow the City to meet the September date.

VIII. ADJOURNMENT

There being no further business, Chairman Brimm adjourned the meeting at 8:14 p.m.

  
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Chairman Mary Jane Brimm

ATTEST:

  
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Naomi Bradfield, City Recorder