

PLANNING COMMISSION MINUTES

REGULAR MEETING

APRIL 23, 1985

MEMBERS PRESENT

JOHN LITTLEHALES
JOHN FOSTER
BETTY ROHOLT
BOB KNUDSON
AL LIANE

STAFF PRESENT

TOPAZ FAULKNER,
PLANNING DIRECTOR
DEANNA ROBINSON,
STENOGRAPHER

EXCUSED ABSENCE

DON TROTTER

Mr. Littlehales called the meeting to order at 6:30 PM and introduced Anne Nickel, who is the new Development Coordinator.

3.1 APPLICANT - DAVID & ANETA HAKOLA

PROPERTY OWNER - SAME

LOCATION - 11122 SE 30th

PROPOSAL - THE APPLICANT IS REQUESTING APPROVAL OF THE FOLLOWING -(1) A VARIANCE TO REDUCE THE REQUIRED LOT WIDTH FROM 50' TO 40' (2) A VARIANCE TO REDUCE THE REQUIRED LOT AREA FROM 5000 SQUARE FEET TO 4000 SQUARE FEET. (3) LOT LINE ADJUSTMENT WHICH WOULD RELOCATE NORTH PROPERTY LINE OF TAX LOT 1200 A DISTANCE OF 10 FEET TO THE SOUTH.

Topaz presented the staff report, pointing out the following changes: That there are sidewalks existing; no developer's agreement is required. Therefore, staff's recommendation No. 2 should be deleted.

APPLICANT'S RESPONSE

SPEAKING: DAVE HAKOLA, 11122 SE 30th, Milwaukie

Mr. Hakola stated that the reason the applicant is asking for a variance is that when they originally bought the house they were given the opportunity to buy the tax lot next door to it with the idea of selling it sometime in the future. Since that time, Mr. Hakola has found the lot line is not fifty foot wide as was earlier believed, so he is now requesting a variance to make it into a four thousand square foot lot instead of five thousand square foot. Mr. Hakola added that if he sells the lot, he will eventually sell the house also.

Mr. Foster asked the applicant if there are two fifty-foot lots on his property. Mr. Hakola affirmed and added that both are taxed as fifty-foot wide lots. Mr. Foster asked if the requested additional five feet was for simply getting past the garage to the rear yard. Mr. Hakola agreed that it was, and added that it was also so as to not crowd the houses too close together, for the walkway, and to enable them to get equipment such as the lawnmower through the area.

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Mr. Liane noted that there would not be very much side lot clearance allowed because of the narrow lot and suggested possibly building the house in another direction, i.e., lengthways instead of crossways.

COMMENTS/QUESTIONS

SPEAKING: BRAD MARSHALL, new owner of property at 1175 SE 30th.

Mr. Marshall asked if there is a hundred feet from the sidewalk to the back fence or from the street to the back fence. Mr. Littlehales responded it would be from the front property line which would be the center line from thirtieth. Mr. Marshall expressed concern about overcrowding the area with houses.

SPEAKING: ELEANOR MARSHALL, new owner of property at 1175 SE 30th.

Mrs. Marshall asked if there is any type of criteria as to how close the homes can be to each other. Mr. Littlehales explained the setback requirements.

TESTIMONY IN OPPOSITION

There was no testimony offered in opposition.

APPLICANT'S CLOSING STATEMENT

SPEAKING: DAVID HAKOLA

Mr. Hakola added that he and his neighbor had recently measured from the neighbor's fence to his sidewalk and came up with one hundred one feet.

The public portion of the hearing was closed at 6:55 PM.

Mr. Littlehales expressed a concern about retaining the trees. Mr. Liane expressed concern about having only thirty feet left after allowing a five-foot side yard variance.

Mr. Littlehales Made a Motion to Approve the variance request with the finding that the requests comply with the variance criteria as the existing house and garage limit the alternatives for the development of an additional lot and the benefits of providing new and affordable housing in the community outweigh any potential adverse impacts.

And the following conditions:

1. That the Lot Line Adjustment be recorded at the County Recorder's Office without creating a new Tax Lot within the next 60 days.
2. That the large fir tree on Lot 2 be preserved.

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Ms. Roholt seconded the Motion. THE MOTION CARRIED 4-1, Mr. Laine opposing.

Mr. Littlehales moved the public comment portion up on the agenda as Jim Backenstos had earlier requested.

SPEAKING: JIM BACKENSTOS

Mr. Backenstos shared an article from the April 22 issue of the Enterprise Courier concerning the Adult Business Ordinance and expressed his opinion that the City is not properly enforcing the Ordinance. He felt the Commission should ask the City Council to enforce the Ordinance. In the discussion that followed it was clear a majority of the Commission did not agree with Mr. Backenstos.

3.2 CONSIDERATION OF REVISIONS TO THE M-L (LIMITED MANUFACTURING-INDUSTRIAL) AND M-G (GENERAL MANUFACTURING-INDUSTRIAL) ZONES, CONTINUED FROM THE APRIL 09, 1985 PLANNING COMMISSION HEARING.

The Commissioners discussed the Draft with staff. Topaz shared concerns expressed by the Fire Chief regarding the hazardous materials definition. Topaz suggested that the Planning Commission needs to adopt a philosophy about what is appropriate activity in a Manufacturing Zone. Commissioners expressed agreement. Topaz distributed examples from Clackamas County Zoning.

6.1 PLANNING COMMISSION MINUTES, APRIL 9, 1985

Ms. Roholt suggested waiting on approving the minutes until Mr. Trotter is present because much of the minutes is concerning him.


Mr. Laine pointed out an error on page 10, second paragraph: Mr. Laine made the suggestion to wait until all Commissioners were present instead of Mr. Trotter.

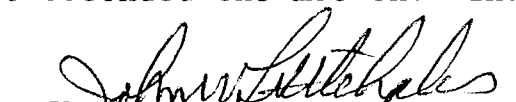
Mr. Knudson noted an error on page 10: the first motion to approve with no second was an error and should be omitted. Mr. Littlehales added that the corrections that he had pointed out for the minutes of March 12, 1985 should have been referred to as corrections and not amendments.

7.1 PARK MANDATORY DEDICATION ORDINANCE - RESPONSE FROM CITY COUNCIL

Topaz announced that a memo was sent to City Council as had been requested at the last Planning Commission meeting. Council discussed it at their last meeting and decided that they agreed with the Commission's statement that a Park Plan was necessary prior to creating a mandatory dedication ordinance.

Mr. Laine moved to adjourn. Ms. Roholt seconded the motion. The meeting was adjourned at 8:10 PM.


Deanna Robinson, Stenographer


John Littlehales, Chairman