



**SCIO PLANNING COMMISSION MEETING MINUTES
WEDNESDAY, June 28, 2017**

7:00 PM

COMMISSION MEMBERS PRESENT: Commissioners Richard Androes, Beau Buganski, Nicole Buganski, Karen Goodman, Ron Loewen, Cliff Wooten.

STAFF PRESENT: Planning Consultant Dave Kinney, Administrative Assistant Cathy Martin

CALL TO ORDER: Chairman Wooten called the regular meeting of the Scio Planning Commission to order at 7:02 p.m. Dennis Thomas was absent.

APPROVAL OF MINUTES: The minutes of the April 26, 2017 meeting were reviewed.

Commissioner Loewen moved, Commissioner N. Buganski seconded, to approve the April 26, 2017 minutes as presented. Motion passed 6/0

CORRESPONDENCE: A notice of Pending Land Use Action was received from the Linn County Planning & Building Department, regarding the application of JW Land Company for a property line adjustment for the properties located at 38640 Robinson Drive and 38790 Gilkey Road, the commission made no comment to the application.

REGULAR SESSION:

1. **Public Hearing, PL2017-09 – Zimmerman Variance** – Wooten opened the Public Hearing at 7:08. The commission members introduced themselves and declared that they had no ex-parte contact.

Kinney presented the staff report. He stated that the applicants have constructed a patio cover on the property, and the Linn County Planning & Building Department notified the city of the need for a permit for the structure. In reviewing the property, the property owner was required to obtain a variance for the structure (listen to tape)

The criteria for granting a variance are as follows: 1) Unusual circumstance. The unusual circumstance in this case is that the lot size 50 x100, which does not meet current lot size requirements. The home was built before the current zoning ordinance and does not comply with the setback requirements. 2) Preserves a property right – the dwelling is a permitted use in the commercial use. Granting the variance doesn't affect the criteria. 3) Impact on neighboring property owners. The property is located in the area that was rezoned for commercial development. If a commercial business was built on the property, it could have a 0 lot line, as long as they met fire code. Kinney stated that the map in staff report shows there are multiple structures that would violate the current zoning code. The proposal is consistent with the development pattern in the neighborhood. 4) Minimum variance to relieve hardship. The patio cover has already

been constructed. The applicant will have to comply with the county building requirements, fire code.

Staff recommends 2 conditions for approval – 1) obtain building permit and 2) comply with the permit requirements of Linn County.

Wooten asked Kinney to clarify the commercial setbacks – Kinney stated that if a new commercial structure was built, it could be built on a “0” lot line, with fire walls.

John Zimmerman presented his application. He stated that this came about because family sold farm out of town, moved into town in the middle of February, had equipment needed to get under cover, did not realize that a permit was needed at the time. The patio cover was constructed to get property under shelter. Now, they are trying to make it right after the fact.

Nicole Buganski asked how did this come about. Martin explained that the city was notified by the Linn County Building Inspector that the structure had been constructed and based on construction, that it required a building permit. The applicants were contacted and an application was filed for a variance to the setback requirement. If the variance is approved then the structure could remain as long as a building permit was obtained.

Wooten asked if there were any proponents or opponents, there were none.

Zimmerman asked about the engineering requirement by the county. It was suggested that he contact the county building department regarding those questions.

Wooten closed the public hearing at 7:29 pm.

Commissioner Androes moved, Commissioner Loewen seconded, to approve the findings of fact as prepared and to approve the application of John & Darilee Zimmerman for a variance to rear setback requirements for a patio cover at 38956 SW 4th Avenue in Scio, subject to compliance with the two (2) recommended conditions of approval. Motion passed 6/0

2. TA Grant

- a. Memo – Scio Buildable Lands Analysis** – Kinney reviewed the memo and the attached map exhibits.
- b. Memo – Biological Opinion/NFIP Regulatory Changes** – Kinney reviewed the recommendations to changes to the city’s ordinances and development standards.
- c. Final Reports** – Kinney reviewed the Proposed recommendations May 2017 Addendum City of Scio Natural Hazards Mitigation Plan. Recommendations to update spreadsheet.

Wooten spoke to the commission about the Transportation Meeting. Speed limit concern Stayton-Scio Road – to change the speed zone. Kinney stated that the commission could request the city council to ask the county to study the speed zone.

Commissioner N. Buganski moved, Commissioner Goodman seconded, to request to the city council that the city make a request to the county to look at the School Zone and speed from the bottom of Leffler Hill to the Stop Sign. Motion passed 6/0

Nicole Buganski announced that this is her last meeting as a commissioner as she was elected to a position on the Scio School Board.

- 3. Summer Meeting Schedule** – Due to staff vacations, the next meeting will be held in September, unless an application is received and a special meeting scheduled.

There was no further business and the meeting was adjourned at 8:24 pm.

The next regular meeting was scheduled for September 27, 2017.

Cathy Martin, Clerk
Scio Planning Commission