



City of Lyons

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## **LYONS PLANNING COMMISSION MEETING/HEARING**

**September 10, 2013**

### **OPEN MEETING 6:00 P.M.**

Planning Commission Chair Steve Baldwin called the Lyons Planning Commission meeting to order at 6:00 P.M. Present were Planning Commissioners Michelle Keirse-Coulibaly and Kimberley Keirse. City Manager Mary Mitchell and Assistant City Manager Audrey McNerney attended as staff.

### **GUESTS**

Albert Rossi, Lon Conner and Herb Bastuscheck.

Baldwin asked that all stand for the Pledge of Allegiance. He then inquired as to whether there were any declarations of conflict of interest or ex-parte contact regarding the agenda items. There being none, the meeting continued.

Herb Bastuscheck was sworn in as a Planning Commissioner and drew for term. He drew Position No. 4, a three year term expiring on December 31, 2013. He then took his seat as a Planning Commissioner.

### **MINUTES**

Michelle Keirse-Coulibaly made a motion to approve the Minutes of the October 9, 2012 Planning Commission Meeting/Hearing and the April 9, 2013 Minutes of the Planning Commission Comprehensive Plan Workshop. Kimberley Keirse seconded the motion. Voice vote. Motion carries.

Baldwin commented that according to the April 9, 2013 Minutes he was to have checked to see if the Big Cliff/Lyons segment of the North Santiam River has been identified as an Oregon Scenic Waterway or if the Oregon Parks and Recreation Department is still studying the issue. He said that he had not yet accomplished that task but that he would do so.

### **OPEN HEARING**

McNerney asked if everyone had had an opportunity to read the staff report, (a copy of which is available upon request), whether they wanted it read or if they had any questions. The Planning Commissioners stated that they had read the Staff Report and that it was not necessary to read it.

Baldwin asked why, since the standard rule provides a side yard setback of 5 feet the variance requested is from a 3 foot setback. McNerney explained that LMC 18.30.010 sets forth an exception to that rule. LMC 18.30.010 provides in pertinent part that regardless of the side yard requirements of the zone in a residential zone a side or rear yard may be reduced to three feet for an accessory structure.

There was discussion regarding the reasons for the necessity of the 2 foot rather than the 3 foot setback and the construction of the proposed structure. Baldwin asked why the applicant did not use a pre-engineered carport and he responded that the posts of a pre-engineered carport are not very far apart which makes access awkward. He wants to make it look nice.

Keirse-Coulibaly asked Lon Conner, applicant's neighbor, if he had any objection to the construction of this carport. Conner stated for the record that he had no objection and that everything that Mr. Rossi has already done to the house has been to enhance it.

Baldwin asked if applicant's new plan was to attach the carport to the house. Rossi stated that it was and that he had discussed this with the contractor. There was discussion regarding snow load and gutters with downspouts which will be installed in accordance with county requirements. There was also discussion regarding the slope of the roof and the distance snow would slide onto a neighboring property. There was also discussion regarding the fact that the structure will be more parallel to the fence than the house and will be no more than 2 feet from the fence.

Baldwin asked if there were any further questions regarding this matter. There were none.

### **HEARING CLOSED**

Based upon the findings of fact, Keirse-Coulibaly made a motion to approve the variance request to reduce the setback on the right side of the property from 3 feet to 2 feet. Bastuscheck seconded the motion. Voice vote. Motion carries.

### **OLD BUSINESS**

Mitchell stated that staff would like to schedule training for the Planning Commissioners, however, it has been difficult finding the time to do so. Training will be scheduled as soon as possible.

### **NEW BUSINESS**

Kimberley Keirse stated that she had moved out of the City. Because of that fact she regretfully submitted her resignation from the Planning Commission effective immediately. Baldwin thanked her for her service.

There being no further business to come before the Planning Commission, Baldwin made a motion to adjourn the meeting. Keirse-Coulibaly seconded the motion. Voice vote. Motion carries. The meeting adjourned at 6:25 PM.

Audrey McNerney  
Assistant City Manager