

City of Union, Oregon



PO Box 529
342 S. Main Street
Union, OR 97883

Phone: 541-562-5197
Fax: 541-562-5196
www.cityofunion.com

Home to the Buffalo Peak Golf Course

CITY OF UNION OREGON PLANNING COMMISSION AGENDA

June 19, 2024 at 7:00pm

Leonard Almquist Chambers located at 342 S. Main Union, OR 97883

1. Call to Order and Roll Call

Commissioners:

J. Jones, Baird, Burton, Diller, Good, Hall, Williams

2. Minutes

- a. March 20, 2024 – Planning Commission Meeting Minutes
- b. April 17, 2024 - Planning Commission Work Session Minutes
- c. May 15, 2024 – Planning Commission Work Session Minutes

3. Old Business

- a. Planning Commission Member assignment – Operating Rules – X. Tickler Files

4. New Business

- a. CUP-24-01 – Conditional Use Permit – Kenneth and Constance Crape
- b. V-24-01 – Variance – Vernon and Kay Slippy

5. Public Comment (All speakers are entitled to 3 Minutes)

6. Upcoming:

7. Adjourn

If you have a disability that requires any special materials, services, or assistance, please contact City Hall at least 48 hours prior to the meeting at 541-562-5197 so appropriate accommodations can be made.



CITY OF UNION OREGON PLANNING COMMISSION MINUTES

March 20, 2024 at 7:00pm

Leonard Almquist Chambers located at 342 S. Main Union, OR 97883

1. Call to Order and Roll Call

This meeting was called to order at 7:01 PM

Roll Call: Commissioners Jocelyn Jones, Samn Diller, Edwin Baird, Dan Hall and Jeff Williams were present. Commissioner Robert Burton excused.

2. New Business

- a. Swear in new commissioner – Marlin Good

Mr. Good was sworn in as new commissioner by City Administrator Tate.

- b. Elect a new chair

Jocelyn Jones was nominated as chair by Commissioner Hall. No other nominations were made. Nominations were closed. Passed unanimously.

Vice Chair nominations were made. Commissioner Baird was nominated by Commissioner Diller. Commissioner Williams was nominated by Commissioner Hall. Commissioner Williams declined. Nominations were closed. Passed unanimously.

3. Minutes

- a. December - Planning Minutes

Commissioner Baird made a motion to approve minutes from December. Motion was seconded by Commissioner Williams.

4. Old Business

The status of the Kennon appeal was given by Administrator Tate in which the council had affirmed the findings of the commission and passed a Resolution with findings after a quasi-judicial hearing before city council. The appellant has the option to file an appeal with the State of Oregon LUBA.

The need for a reference sheet for the commission on land use and development topics was discussed.

5. Public Comment (All speakers are entitled to 3 Minutes)

Calvin Stout came forward. He said he is in the process of building a shop on N 1st Street and was told that he could not build a shop without building a house first. Commissioner Williams asked what zoning says in that area. Mr. Stout said that it is zoned Rural Residential. Administrator Tate said that she advised Mr. Stout that he would need to come to the planning commission and ask for a variance in order to construct a shop prior

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to building a house. This is due to the primary purpose of the zone being Residential per city Ordinance. Commissioner Jones agreed that a variance is needed in order to construct a shop prior to building a residence and she referenced a situation on her own land in which she had to have a variance in order to leave a shop on a piece of property without a house. Commissioner Williams asked what the variance would give Mr. Stout. Commissioner Jones said both a conditional use permit as well as a variance would mean paying a \$350 filing fee and coming before the commission. A variance would be permanent as opposed to a conditional use permits being contingent and temporary. Commissioner Jones said it would be a variance because it is outside what the rules currently state. Commissioner Jones gave feedback to Mr. Stout that Administrator Tate will look into the request and give him a recommendation on what the path forward is. Whether that be Mr. Stout can go forward with building the shop on the Rural Residential lot prior to building a house, or whether he needs to come before the planning commission and ask for a variance.

6. Upcoming

Commissioner Jones would like to have a work session each month on the topic that relates to any applications coming before them. Other commissioners agreed that this is needed. The work sessions will be at 7pm if there are no applications coming before the commission and if there are applications, then the work session will start at 6pm.

Commissioner Williams reminded the other members to complete the Oregon annual Statement of Economic Interest filing with the Ethics Commission before the next meeting.

7. Adjourn

This meeting was adjourned at 7:26 PM

Approved: _____
Chairman, Jocelyn Jones

Attest: _____
City Administrator/Recorder, Celeste Tate



**CITY OF UNION OREGON PLANNING COMMISSION
WORK SESSION MINUTES**

APRIL 17, 2024 at 7:00pm

Leonard Almquist Chambers located at 342 S. Main Union, OR 97883

1. Call to Order and Roll Call

This meeting was called to order at 7:01PM

Roll Call: Commissioners Robert Burton, Edwin Baird, Samn Diller, Marlin Good, Jeff Williams and Dan Hall were present. Commissioner Jocelyn Jones was excused.

2. Work Session Discussion Topics

1. Planner's Bible

-Procedures and Enabling Ordinances 259, 280, 344

The enabling Ordinances were reviewed and the membership history was discussed.

-Operating Rules

The purpose and authority of the planning commission was discussed and the commissions charge to make the final decisions on conditional use permits and variances. Though the decisions can always be appealed.

-Comprehensive Plan

It was mentioned that the Comprehensive Plan is from 1984 and needs to be updated along with the economic development plan. Commissioner Diller discussed her role on the economic development group when she first come to the City of Union. Administrator Tate said that the City Council has requested that she look at the economic development plan, and look at the amount of existing land that is available in the different zones and see if there are changes that need to be made. Also to look at the urban growth boundary and the zones that are surrounded by other zones and where there are houses that have been built in heavy commercial zones. There are also lot line adjustments that need to be made, which is a common issues over time in small towns

-Transportation Plan

-Bicycle and Peds Plan

It was requested to have copies of the bicycle and pedestrian plan for commission members. It was mentioned that it is part of the transportation plan.

3. Other

There was a discussion on the issue of zoning on Rural Residential property and building a barn or shop on the land prior to building a residence. Administrator Tate said she spoke with legal counsel Paige Sully as the individual wanted to be shown where in the ordinance it says he can't build a shop prior to building a residence. Tate said that ordinances and zoning are prohibitive meaning that if it does not explicitly state that you can do something, then it is prohibited. The primary purpose of the rural residential zone is residential. Commissioner Williams asked how the property

at 1650 N College was able to start building a garage prior to a residence and how was that application approved? It was approved when the interim City Administrator was here. The process of the City Administrator looking at the building permits is to make sure all information is there, that the plans have the right setbacks to them and that it follows the Ordinances. When Doug was here, he would tell people that you cannot build an accessory building before you build the residence. It was said that in order to build a barn or shop prior to a residence, it should have come before the planning commission. Administrator Tate said that in looking at other cities in the state of Oregon, if you submit plans for a shop and a house, as long as you keep the permit for the house valid, then you can build the buildings in any order you want. Therefore, if you had a plan for a house and a shop, you could build the shop first as you are planning to build the house very soon as you have a building permit. This detail is not lined out in the City of Union Ordinances however. In addition, the individual who came in asking to build the shop prior to the house was not submitting a building permit for a house at this time. There was a discussion on the need to update the city Ordinances. The need to follow back up with conditional use permits was discussed and that there are no repercussions if the plans that the applicant brought forward are not followed through with.

The purchase of some of the Kennon property was discussed and the purchaser originally wanted to live in their travel trailer while building their home. However, they did not come before the planning commission because they were waiting to have the Kennon appeal play out. They have since moved forward on trying to get a residence built on their land. They have obtained a building permit.

The stipulations for a minor and major partition were discussed and that if a partition makes a road, it is a major partition. It was also mentioned that if there is difficulty in deciphering what the city code is for road development, that Anderson and Perry should be called and brought in. It was said that the planning commission does have the power to put stipulations on the approval of partitions.

There will continue to be work sessions each month. They will start at 6pm when there are applications for the commission to review so that the commission can review those applications at 7 at their regular business meeting. If there are no applications for the commission to review, the work session will begin at 7pm. The work session will be targeted to the topic that is most applicable to applications coming before the commission that month.

4. Adjourn

This meeting was adjourned at 8:24PM

Approved: _____
Chairman, Jocelyn Jones

Attest: _____
City Administrator/Recorder, Celeste Tate



**CITY OF UNION OREGON PLANNING COMMISSION
WORK SESSION MINUTES**

May 15, 2024 at 7:00pm

Leonard Almquist Chambers located at 342 S. Main Union, OR 97883

1. Call to Order and Roll Call

This meeting was called to order at 7:04PM

Roll Call: Commissioners Jocelyn Jones, Robert Burton, Edwin Baird, Marlin Good, and Dan Hall were present. Commissioners Samn Diller and Jeff Williams were excused.

2. Work Session Discussion Topics

1. Planner's Bible

-Procedures

Chair Jones requested to go through the planner's bible starting at Procedures to ensure everyone has all the same sections in the planner's bible. It was discussed what city staff members are to do and not do. City staff members are only allowed to make ministerial decisions, in other words decisions that are written down and they are reading those with no independent interpretation, such as the pre-building permits. Things that do not require independent thought. Administrator Tate said that the Ordinances do leave a lot up to interpretation. Chair Jones read that the planning commission makes final decisions on conditional uses and variances which is the commissions primary business though they can all be appealed. The planning commission has a major role, but not final role in approval of partitions and subdivisions. The commission gives recommendations to City Council on those. Every zone in the city has both permitted uses and conditional uses. Conditional uses are not allowed outright. Those are the things that come to the commission who makes a decision on those, dependent upon a variety of factors. A variance gives permission to violate an Ordinance. Variances have very strict rules and can only be granted if the commission finds that their unique conditions apply to the property in question that don't apply to other properties in the neighborhood, exercise property rights or won't harm the neighbors, neighborhood or city, or is necessary to alleviate a hardship. There was a discussion on what constitutes a minor partition and a major partition. A Minor partition is splitting a parcel into 2 or 3 lots. A Major partition is splitting into 2 or 3 lots and creating a road, and subdivisions are 4 or more lots regardless of whether a road is created. There was a discussion on what the advantage to a developer is to bring forth a minor partition versus a major partition or a subdivision is, which is the public works minimum standards which are different for the different types of development. There was a discussion on whether a road is created if it is planned in the transportation plan but has not yet been developed. Even if it is planned, if it does not actually exist or been developed yet, that is creating a road.

In regards to zone changes and Ordinance changes, the Planning Commission makes recommendations to City Council, including vacating streets. The City Council would make the final decision.

-Operating Rules

It was discussed that terms on the planning commission are 4 year terms and that it may be good to put a notice out to the public when terms are coming up to see if someone is interested in serving. There was a discussion on site visits under VIII. Site visits would need to be made known publicly where the site visit will be and when the meeting would be reconvened at city hall to comply with public meeting law. Per the operating rules, there is to be on a rotating basis, a member of the planning commission that will be assigned to follow up on the status of the conditional use permits and the things that the planning commission approved. It was requested to have Administrator Tate make copies of Ordinances 259, 280 and 344 for planning commission members for the next meeting.

-Comprehensive Plan

The comprehensive plan section was reviewed, and comments were made on the need to update due to the age of the document. The plan says under goal 2, policies number 9 that it will be reviewed in its entirety and updated every 5 years to determine its adequacy to meet future needs and to maintain its relevance to current social, economic, and environmental conditions. The urban growth boundary was briefly discussed and whether it was ever expanded to which the answer was no. The list of historic sites was reviewed. It was discussed that under the Comprehensive Plan goal 11, policy number 3 it says that "The cost for service and street improvements required for land being converted to urban uses will be borne by the developer." It was requested to have Administrator Tate make copies of the rest of section 4, Comprehensive Plan for those who don't have it in their planning bibles.

-Transportation Plan

It was requested to have Administrator Tate make copies of the Transportation Plan for planning commission members for the next meeting.

-Bicycle and Peds Plan

It was requested to have Administrator Tate make copies of the Bicycle and Pedestrian Plan for planning commission members for the next meeting.

3. Other

4. Adjourn

This meeting was adjourned at 8:18PM

Approved: _____
Chairman, Jocelyn Jones

Attest: _____
City Administrator/Recorder, Celeste Tate

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CITY OF UNION PLANNING APPLICATION

Application #: 24-01
Received By: KG

Date Submitted: 4/25/24
Date of Notification: 5/30/24
Date of 1st Hearing: June 19, 2024
Date Completed: _____

APPLICATION TYPE (Check one):

<input checked="" type="checkbox"/>	Conditional Use Permit	<input type="checkbox"/>	Minor Partition	<input type="checkbox"/>	Street/Alley Vacate	<input type="checkbox"/>	Zone Text Amendment
<input type="checkbox"/>	Flood Zone Permit	<input type="checkbox"/>	Plan Amendment	<input type="checkbox"/>	Variance	<input type="checkbox"/>	Site Plan Review
<input type="checkbox"/>	Historic Design Review	<input type="checkbox"/>	Property Line Adjustment	<input type="checkbox"/>	Zone Change	<input type="checkbox"/>	Major Partition

Other: Summer + Early Fall use Fee Amount: \$ 350⁰⁰
Applicant: Kenneth + Constance Crape
Address: 21320 Lundberg Rd
City: Clatskanie State: OR Zip: 97016 Phone: 360-430-4240

Property Owner (if Different): _____
Address: _____
City: _____ State: _____ Zip: _____ Phone: _____

DEVELOPMENT REQUEST

Proposed Land Use (be specific): Our summer get away or help our son take care of his place as he helps us too across street at 1020 N. Bellwood. An enjoy the people around us.

PROPERTY INFORMATION

- Physical Site Address: 972 N Bellwood, Union Oregon
- Map: #0454018CA Tax Lot: 3701 Lot Size: 100x100
- Has property been surveyed? Yes No Inside urban growth boundary? Yes No
- Current zone classification? _____ Existing Structures: Shed
- Existing Easements: _____
- Overlay Zones: Flood Zone? Yes No Historic District? Yes No
- Major Topographical features (stream, ditch, slope, etc.): _____

STATEMENT OF UNDERSTANDING

I understand that I have the burden to prove my request meets all applicable ordinance requirements and that I must address all criteria that may apply. The criteria for approving or denying my request has been furnished to me as part of this application. I understand supplemental materials and information may be required by City of Union staff to complete the application.

I certify the above information to be true and correct and that I am the property owner, or authorized representative for the property owner. I understand that my application may be denied or delayed if incomplete or found to be falsified.

APPLICANT SIGNATURE: Kenneth + Constance Crape DATE: April 23, 2024
Phone # 360-430-4240
kccrape@clatskanie.com

City of Union + Counsel

We are Kenneth + Constance Grape on
We bought the lot at 97211. Bellwood.

We are looking to be able to bring
our RV there to the lot more than 6
weeks a year. We have made improvements
over the last year by removing a mobile
home and a attached shed. Cleaned the
lot. Painted existing storage shed.

Our son owns the house and lot across
the street. We help and other keeping
our lots looking as good as possible.

We enjoy coming to events in area
and enjoy the the sun over here.

We just plan to bring our R.V. to lot
and make improvements

Thank You for your
time and assistance

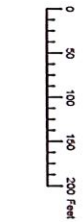
Kenneth + Constance Grape

RECEIVED

APR 25 2024

BY: KG

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



NE 1/4 S.W. 1/4 SEC. 18 T. 4S. R. 40E. W.M.
UNION COUNTY
1" = 100'

04S40E18CA
UNION

0001 Control
Pt ties by
Survey Nos.
012-1992
054-1998

042-2020

Subdivisions on
This Page
MCCULLY'S ADDITION
SWACKHAMER'S ADDITION
SWACKHAMER'S SECOND ADDITION

0001 Control
Pt ties by
Survey Nos.
012-1992
054-1998

SEE MAP 04S 40E 18CB

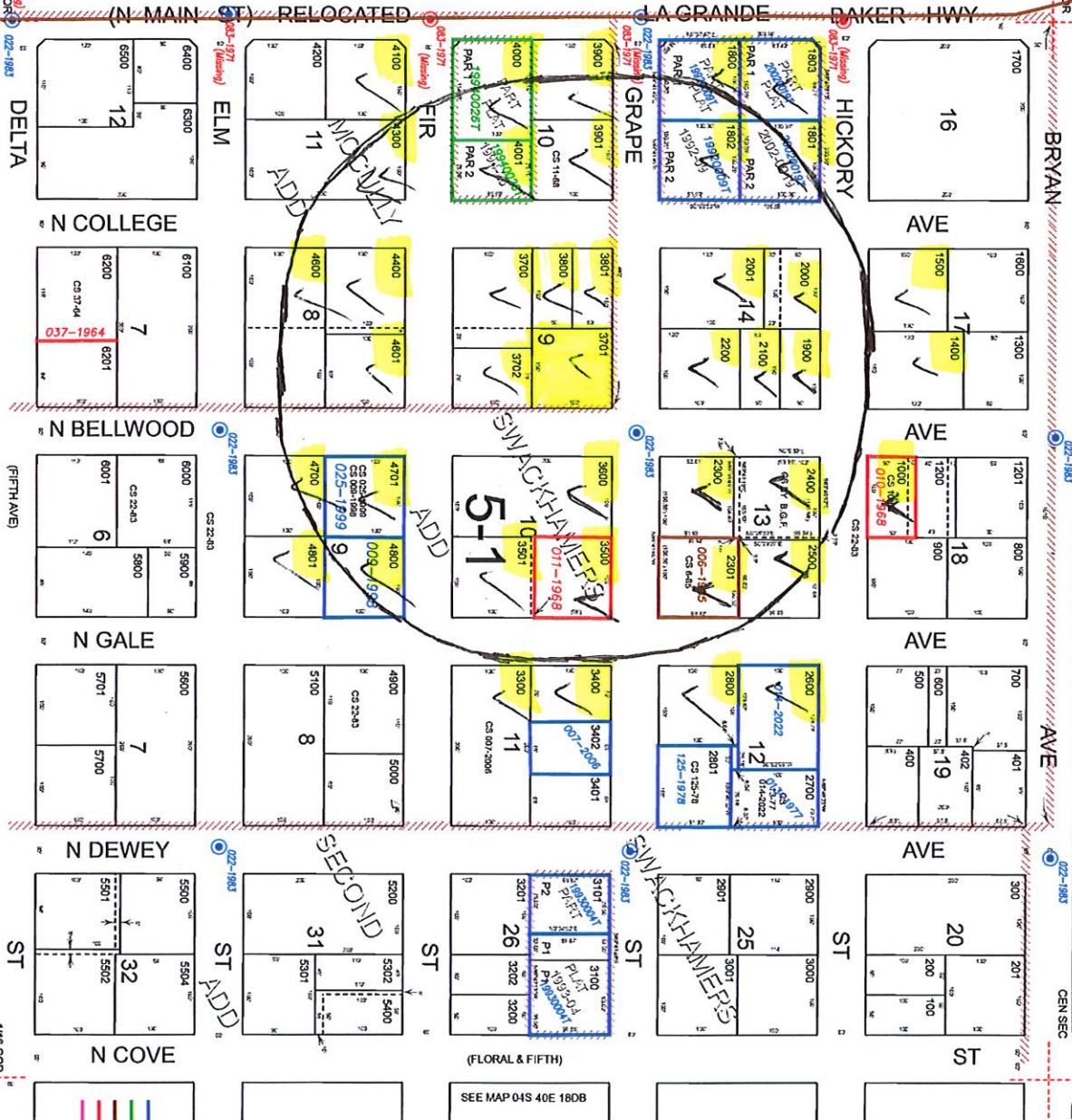
SEE MAP 04S 40E 18BD

SEE MAP 04S 40E 18DB

- Cancelled
- 101
- 403
- 1100
- 1101
- 1801
- 2302
- 2402
- 2601
- 2802
- 2803
- 3102
- 3502
- 4500
- 4602
- 4603
- 5200
- 5500
- 5505

- BGB Survey
- APA Survey
- Survey by Others
- Voelz Survey
- Old Book Survey

042-2020



Revised: MA
05/18/2022

UNION
04S40E18CA



Thursday, May 22, 2024

NOTICE OF PROPOSED LAND USE ACTION PUBLIC HEARING

Dear Property Owner,

You are receiving this letter because the boundary of your property is located within 300 feet of a parcel of land being considered for the following proposed land use action:

Applicant: *Kenneth and Constance Crape*
Land Use Application: *Conditional Use Permit to live in a RV on Residentially Zoned Property. (CUP-24-01)*
Property Description: *Union County Assessor's Map 04S4018CA, Tax Lot 3701; otherwise, 972 N Bellwood, Union, Oregon 97883.*

The hearing to consider the application will be held on **June 19, 2024 at 7:00 p.m.** in the Leonard Almquist Council Chambers, Union City Hall, 342 S. Main Street, Union, Oregon.

Applicable criteria for the Planning Commission's decision are found within the following:
City Ordinance Codified Code: Chapter 155 (Notices, Conditional Uses, Use Zones)

A copy of the application and provided supporting material from the applicant are available for inspection at no cost during City Hall business hours. The staff report will be available for inspection at City Hall, at no cost, one week prior to the hearing date. Copies of all materials will be available at cost.

Testimony for or against the proposed land use action may be presented orally at the planning commission hearing, or by written statement presented to City Hall staff by June 10th 12:00PM, 2024. Testimony and evidence must be directed toward the criteria above, or other criteria in the Zoning Ordinance and/or Land Use Plan that you believe to be appropriate. Failure to raise an issue with enough specificity to afford the Planning Commission and the parties an opportunity to respond will preclude appeal of any resulting land use decision to the Land Use Board of Appeals.

If you have questions or need more information, please contact City Administrator Celeste Tate at City Hall 541-562-5197, or fax 541-562-5196 or email admin@cityofunion.com.

If you have a disability requiring any special materials, services or assistance, please contact the City Office Manager at City Hall 541-562-5197 at least 48 hours before the hearing.

Sincerely,

Celeste Tate

Celeste Tate
City Administrator

**REPORT TO CITY OF UNION
PLANNING COMMISSION**

TO: City of Union Planning Commission
FROM: Celeste Tate, City Administrator/Recorder/Planner
RE: Kenneth and Constance Crape
• Application for Conditional Use Permit
Application #CUP-24-01
PROPERTY: 972 N Bellwood
County Assessor's Map #04S4018CA: , Tax Lot: 3701
Union, Oregon 97883

BACKGROUND

Application was filed by Kenneth and Constance Crape, for the referenced conditional use permit (CUP) and was determined to be complete. All property owners lying within 300 feet of the property described herein were mailed notices May 30, 2024 of the application, process, and notifying the hearing date of June 19, 2024 at 7:00 PM.

§ 155.140 NOTICES AND APPLICATION PROCEDURES.

The City Administrator or his or her designee shall give notice of a public hearing on a conditional use, variance, or quasi-judicial change to the zoning map, or any other public hearing required by this chapter to all property owners within the applicable radius for notices as specified in § 155.141, and to such other parties as are deemed affected by the proposed change. Notice shall be by first-class mail or personal service with proof of delivery. Names and addresses of property owners shall be those shown in the records of the Union County Assessor.

§ 155.141 RADIUS FOR NOTICES.

The radius for notices shall be within 300 feet of the exterior boundaries of the subject property, if the subject property is in the city limits but not in a farm or forest zone; or within 500 feet of the exterior boundaries of the subject property if the subject property is in a Farm or Forest Zone.

§ 155.142 CONTENT OF NOTICES.

Notices to property owners shall:

- (A) Explain the nature of the application and the proposed use or uses which could be authorized (O.R.S. 197.763(3)(a)).
- (B) List the applicable criteria from the Zoning Ordinance and land use plan that apply to the application (O.R.S. 197.763(3)(b)).
- (C) Set forth the street address or other easily understood geographical reference to the subject property (O.R.S. 197.763(3)(c)).

REPORT TO CITY OF UNION PLANNING COMMISSION

Prepared for the Public Hearing on June 19, 2024

- (D) State the date, time, and location of the hearing (O.R.S. 197.763(3)(d)).
- (E) State that the failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals based on that issue (O.R.S. 197.763(3)(e)).
- (F) Include the name of the local government representative to contact and the telephone number where additional information may be obtained (O.R.S. 197.763(3)(g)).
- (G) State that a copy of the application, all documents and evidence relied upon by the applicant, and the applicable criteria are available for inspection at no cost and will be provided at reasonable cost (O.R.S. 197.763(3)(h)).
- (H) If any staff report is to be used at the hearing, state that a copy of the staff report will be available at no cost at least seven days prior to the hearing and will be provided at reasonable cost (O.R.S. 197.763(3)(i)); and
- (I) Include a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings (O.R.S. 197.763(3)(j)).

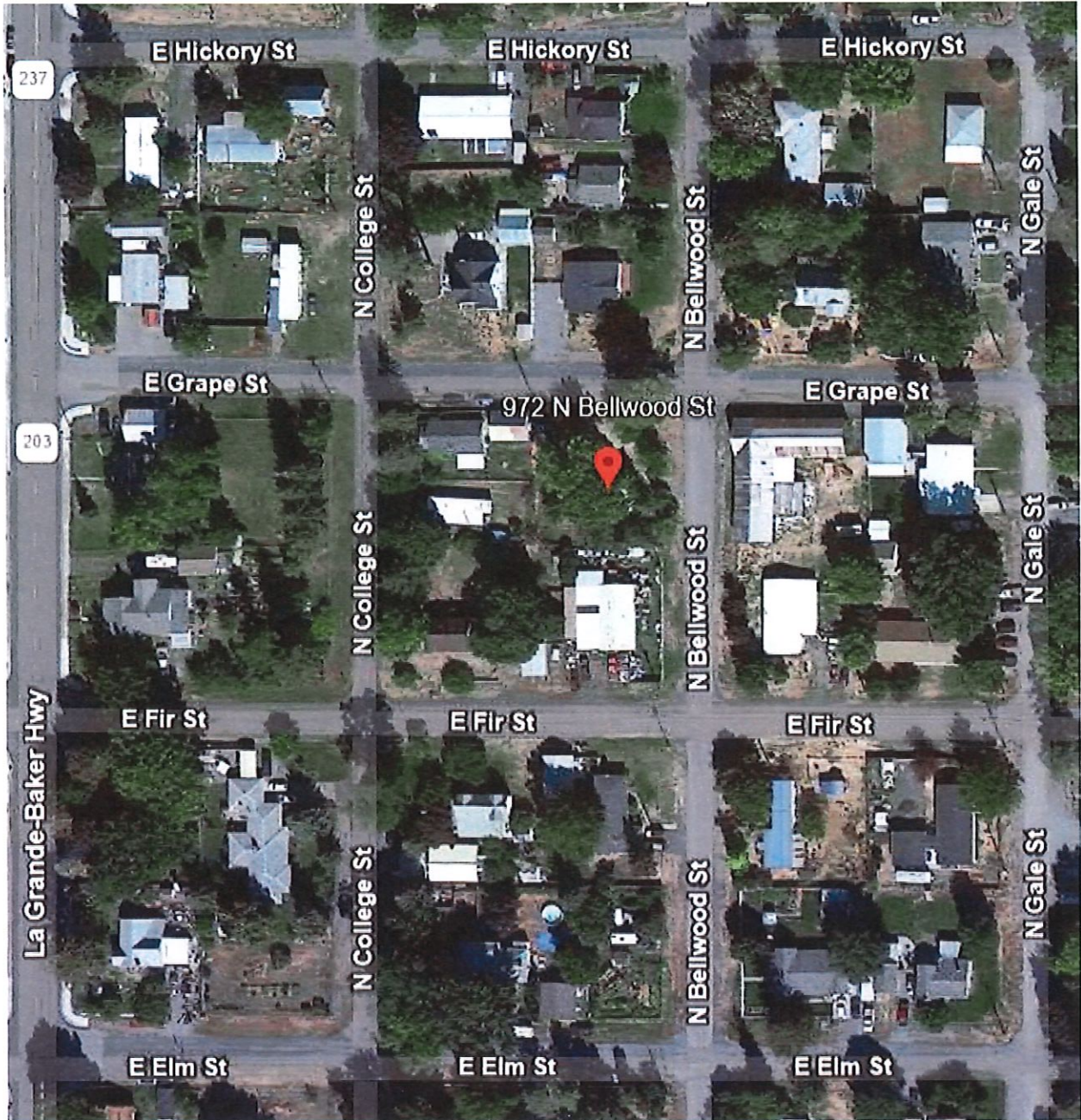
PROPOSAL DESCRIPTION

The applicant is requesting a CUP to bring their RV and stay in the RV as their summer home more than 6 weeks per year, help their son take care of his place and enjoy the area and events. The current property is zoned Residential (R1). The lot size is approximately 10,000 square feet.



REPORT TO CITY OF UNION PLANNING COMMISSION
Prepared for the Public Hearing on June 19, 2024

Additional Photo:



REPORT TO CITY OF UNION PLANNING COMMISSION
Prepared for the Public Hearing on June 19, 2024

Additional Photo:



REPORT TO CITY OF UNION PLANNING COMMISSION

Prepared for the Public Hearing on June 19, 2024

SITE AND VICINITY DESCRIPTION

The property is located on the corner of the intersection at E Grape Street and N Bellwood Street. Residential use is the predominant use surrounding the property with residences surrounding the lot along with a couple of vacant lots.

APPLICATION REQUEST

The applicant is requesting Conditional Use Approval to bring their RV and stay in their RV as their summer home more than 6 weeks per year.

LAND USE PLAN

The subject property is in Residential (R1) zoned ground. One and two-family dwelling units are allowed, but the use of a RV travel trailer as a temporary, primary dwelling unit is not allowed out right or as a conditional use within the provisions of Chapter 155.041. However, Chapter 154.05, *Rates Parking Outside of Trailer Parks*, (a) states that “Any person desiring to park, locate, keep or maintain an occupied trailer (RV) coach shall apply for a variance permit with the City of Union. Such application shall be referred to the Planning Commission”.

**The record shows that these types of requests have been processed as a conditional use application rather than an application for a variance permit. Granting a variance permit in this case which will allow an applicant to occupy a trailer coach for a period of 12 months as requested in the application is not the same as granting a variance to certain development requirements as provided for in the Zoning Ordinance. The criteria that the Planning Commission is to use in evaluating the request in the application are given in Chapter 154.05 *Rates Parking Outside of Trailer Parks*.*

APPLICABLE CRITERIA AND STANDARDS

§ 154.05 RATES PARKING OUTSIDE OF TRAILER PARKS.

It shall be unlawful for any person to park, locate, keep or maintain an occupied trailer coach, except an occupied visitor’s trailer under the provisions of § [154.07](#), without a permit as herein provided.

(A) (1) Any person desiring to park, locate, keep or maintain an occupied trailer coach shall apply for a variance permit with the city. Such application shall be referred to the Planning Commission.

(2) The application for the variance permit shall contain the name of the person desiring to park, locate, keep or maintain such trailer coach, the arrangement and location of sanitary, water and electrical facilities to be provided therein, identify the location of the unit and such other information as the City Planner and Planning Commission may request. Public Works and Fire Department shall give written notice to the Planning Commission regarding concerns with the application if such arises.

(B) Applicant shall meet all standards and requirements of the State of Oregon Health Division, Union County Health Department and the City of Union, including those requirements set forth in Section 16, (A) (3) of Ordinance No. 276, Series 1969, as amended by Ordinance No. 281, Series 1970. [Subsection (e) added by Ordinance No. 284 on May 10, 1971].
(Ord. 530, passed 5-13-2013) Penalty, see § [10.99](#)

REPORT TO CITY OF UNION PLANNING COMMISSION

Prepared for the Public Hearing on June 19, 2024

PROPOSED FINDINGS OF FACT

Additional information may be presented to the Planning Commission at its public hearing on this matter and may lead to different findings or conclusions. If so, appropriate changes in the proposed findings should be incorporated into the findings adopted to support the Planning Commission's Final Decision.

The staff review of the proposal has identified the following findings of fact and conclusions:

- The applicant, Kenneth and Constance Crape, has submitted an application to park and occupy a trailer coach or RV at 972 N Bellwood in Union. Said application has been reviewed, accepted, and referred to the Planning Commission.
- The application did not contain a sketch or suitable drawing showing the location of the RV trailer.
- Water and Sewer services are available at this location and resident is currently paying for services.
- Electrical is available at this location.
- The Fire Chief will require a minimum separation of 10 feet between occupied RV trailers and any other structure for fire, life, and safety concerns.
- I have received no feedback from any notices that have been sent to surrounding property owners.

CONCLUSION

Note: The proposed conclusion and recommendation were prepared prior to the Planning Commission's public hearing. Testimony presented at the hearing may affect the Planning Commission's determination of the facts and conclusion, and if so, this new information will be reflected in the adopted findings for this matter.

Conclusion: The applicant, Kenneth and Constance Crape, have met the requirements for applying for a variance permit to park and occupy a trailer coach at 972 N Bellwood, Union.

STAFF RECOMMENDATION:

Provided that no relevant testimony regarding the application is provided to the Planning Commission meeting, staff recommends the Planning Commission approve the variance permit subject to the following conditions:

1. The conditional use permit shall expire in 1 year; but may be extended by review of the Planning Commission.
2. The RV is properly anchored to the property for winds.
3. All electrical hookups meet standards set forth with the most current electrical code.
4. The RV continue to be hooked up to sanitary water and sewer services from the City and pay appropriately for a monthly service.
5. Off street parking must be maintained on the property.
6. The RV must maintain adequate street and side yard setbacks.
7. No propane bottle shall exceed a size of greater than 50 gallons.

City of Union, Oregon



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342 S. Main Street
Union, OR 97883

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Fax: 541-562-5196
www.cityofunion.com

Home to the Buffalo Peak Golf Course

CITY OF UNION PLANNING APPLICATION

Application #: 24-01
Received By: KG

Date Submitted: 5-2-24
Date of Notification: 5-30-24
Date of 1st Hearing: 6-19-24
Date Completed: _____

APPLICATION TYPE (Check one):

<input type="checkbox"/>	Conditional Use Permit	<input type="checkbox"/>	Minor Partition	<input type="checkbox"/>	Street/Alley Vacate	<input type="checkbox"/>	Zone Text Amendment
<input type="checkbox"/>	Flood Zone Permit	<input type="checkbox"/>	Plan Amendment	<input checked="" type="checkbox"/>	Variance	<input type="checkbox"/>	Site Plan Review
<input type="checkbox"/>	Historic Design Review	<input type="checkbox"/>	Property Line Adjustment	<input type="checkbox"/>	Zone Change	<input type="checkbox"/>	Major Partition

Other: _____ Fee Amount: \$ 350.00

Applicant: VERNON & KAY SLIPPY
Address: 495 N. Benson
City: Union State: OR Zip: 97850 Phone: 541-910-4054

Property Owner (if Different): _____
Address: _____
City: _____ State: _____ Zip: _____ Phone: _____

DEVELOPMENT REQUEST

Proposed Land Use {be specific}: see attached

PROPERTY INFORMATION

- Physical Site Address: 495 N. Benson
- Map: 04S4018 DC Tax Lot: 706 Lot Size: 10,000 SQ FT.
- Has property been surveyed? Yes No Inside urban growth boundary? Yes No
- Current zone classification? R1 Existing Structures: mobile home + shed
- Existing Easements: None
- Overlay Zones: Flood Zone? Yes No Historic District? Yes No
- Major Topographical features (stream, ditch, slope, etc.): none

STATEMENT OF UNDERSTANDING

I understand that I have the burden to prove my request meets all applicable ordinance requirements and that I must address all criteria that may apply. The criteria for approving or denying my request has been furnished to me as part of this application. I understand supplemental materials and information may be required by City of Union staff to complete the application.

I certify the above information to be true and correct and that I am the property owner, or authorized representative for the property owner. I understand that my application may be denied or delayed if incomplete or found to be falsified.

APPLICANT SIGNATURE: Vernon G. Slippy DATE: 5-2-24



Vernon & Kay Slippy

495 BENSON
UNION. OREGON 97883

VERNON — 541-910-4054
KAY — 541-910-4053

May 23, 2024

City of Union Oregon
Attention: Union Planning Department

My wife and I own the property at 495 Benson. Two sides of our property currently have a setback of 20'. We request a setback on the Benson side of our land to be changed to a setback of 10'.

The tax lot description on this property is:

Account number 8363
Code 0501 PLC: 109
.23 Acres (Lot size — {100X100 feet}
495 N. Benson Street

Benson Street is only one block long in this area and there is very little traffic on it. Including ours, there are three driveways in the block. One of these is used very little.

The property South of this property has a shed that is setback 7ft from their property line and their dwelling is setback 10ft from their property line.

We want to build a small home of about 1300 square feet on this property. With two setbacks of 20' we feel there will be a lot of wasted space.

With only 20' of setback on the Birch side it will give us room to park our RV and have room for off street parking on our property.

Thank you for your consideration on this matter.

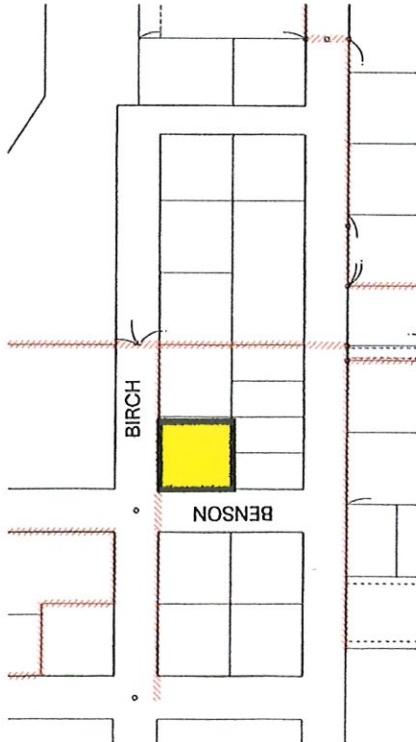
Sincerely,

Vernon G. Slippy

Katherine K. Slippy

City of Union, Oregon

342 S Main St,
Union, OR 97883



PROPERTY INFORMATION:

Owners -

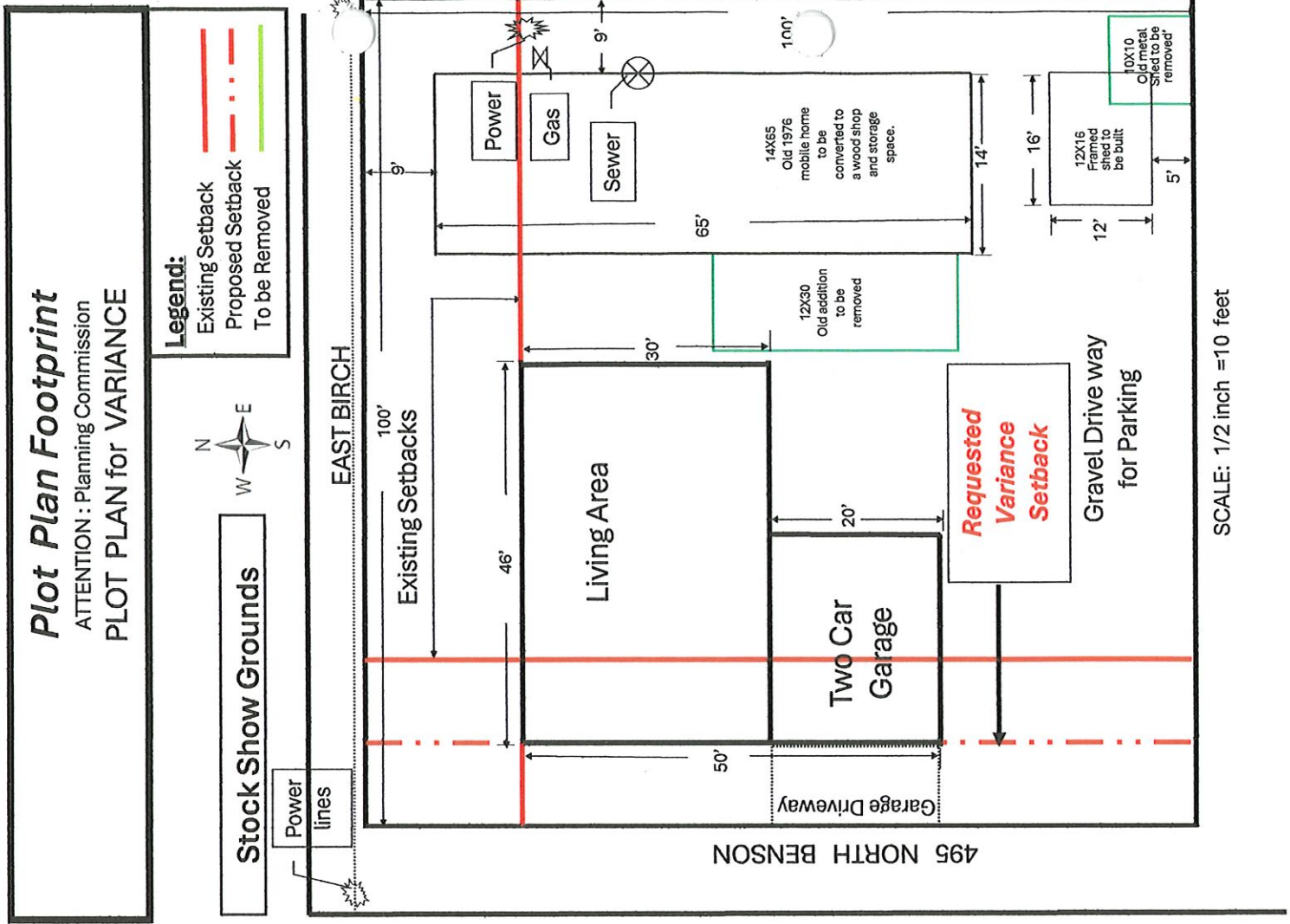
Vernon G. and Katherine K. Slippy
495 North Benson Street
Vernon—541-910-4054
Kay —541-910-4053

Tax Lot -

Account number 8363
Code 0501 PLC: 109
.23 Acres (Lot size—{100X100 feet}
495 N. Benson Street

Other Things to Consider-

- ◆ Benson Street is only one block long in this area
- ◆ There are three drive ways in the block
- ◆ There is very little traffic in this block
- ◆ The property South of this property has a shed that is setback 7ft from their property line and their dwelling is setback 10ft from their property line.



SCALE: 1/2 inch =10 feet

S.E. 1/4 S.W. 1/4 SEC. 18 T.4S. R.40E. W.M.
UNION COUNTY

SEE MAP 04S 40 198A
1" = 100'

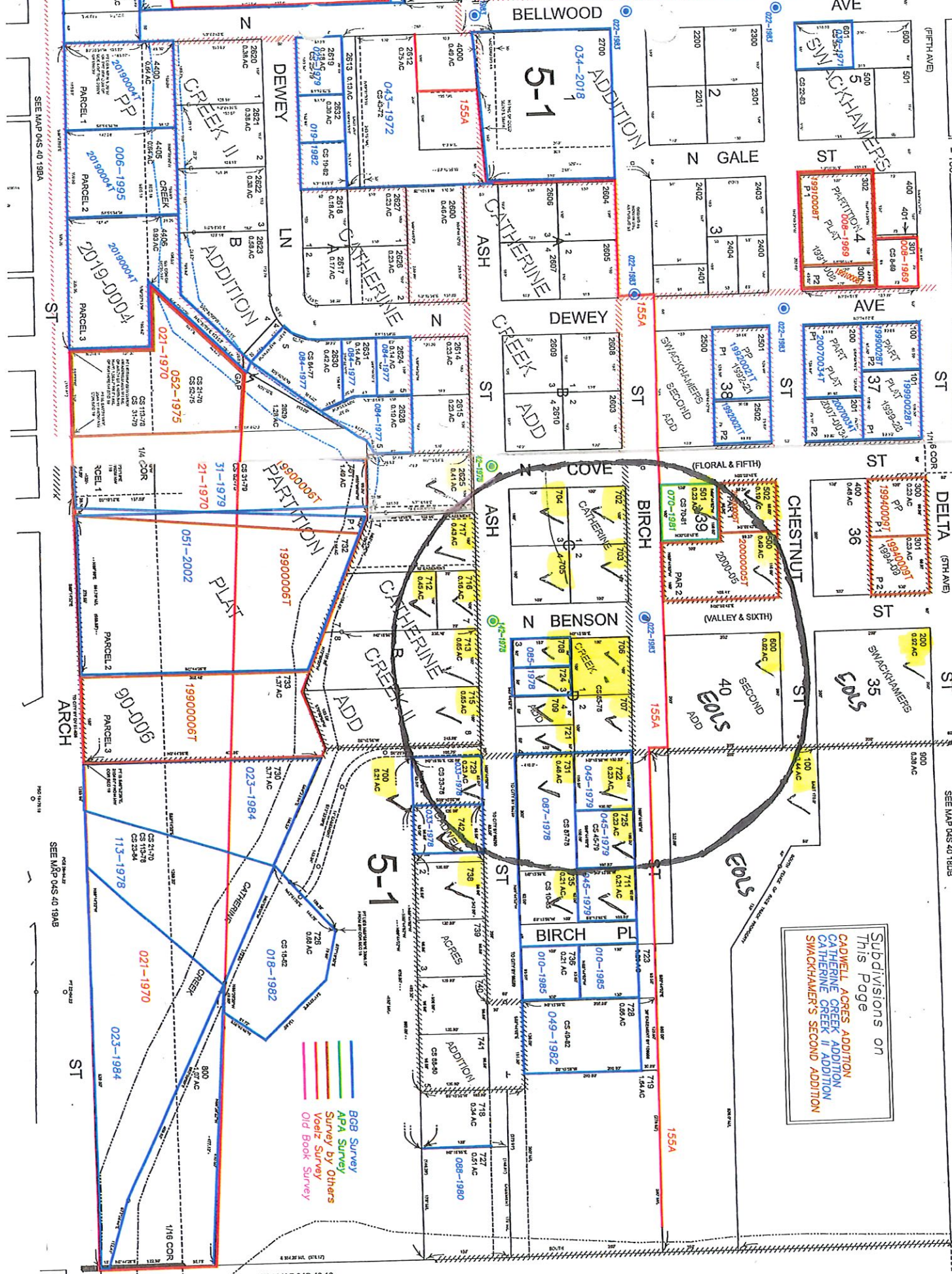
S.W. 1/4 S.E. 1/4 SEC. 18 T.4S. R.40E. W.M.
UNION COUNTY

SEE MAP 04S 40 198B
1" = 100'

04S40E1 UN

Subdivisions on
This Page
CADWELL ACRES ADDITION
CATHERINE CREEK II ADDITION
CATHERINE CREEK II ADDITION
SWACKHAMER'S SECOND ADDITION

BGB Survey
APA Survey
Survey by Others
Votz Survey
Old Book Survey



SEE MAP 04S 40 18

04S4



Thursday, May 22, 2024

NOTICE OF PROPOSED LAND USE ACTION PUBLIC HEARING

Dear Property Owner,

You are receiving this letter because your property is located within 300 feet of a parcel of land being considered for the following proposed land use action:

Applicant: *Vernon and Kay Slippy*
Land Use Application: *Variance to impede City setback requirement of 20 feet on a front yard line by 10 feet. (V-24-01)*
Property Description: *Union County Assessor's Map 04S4018DC, Tax Lot 706; otherwise, 495 N Benson, Union, Oregon 97883.*

The hearing to consider the application will be held on **June 19, 2024, at 7:00 p.m.** in the Leonard Almquist Council Chambers, Union City Hall, 342 S. Main Street, Union, Oregon.

Applicable criteria for the Planning Commission's decision are found within the following:
City Ordinance Codified Code: Chapter 155 (Notices, Variances, Use Zones)

A copy of the application and provided supporting material from the applicant are available for inspection at no cost during City Hall business hours. The staff report will be available for inspection at City Hall, at no cost, one week prior to the hearing date. Copies of all materials will be available at cost.

Testimony for or against the proposed land use action may be presented orally at the planning commission hearing, or by written statement presented to City Hall staff by June 10th 12:00PM, 2024. Testimony and evidence must be directed toward the criteria above, or other criteria in the Zoning Ordinance and/or Land Use Plan that you believe to be appropriate. Failure to raise an issue with enough specificity to afford the Planning Commission and the parties an opportunity to respond will preclude appeal of any resulting land use decision to the Land Use Board of Appeals.

If you have questions or need more information, please contact City Administrator Celeste Tate at City Hall phone 541-562-5197, fax 541-562-5196, or email admin@cityofunion.com.

If you have a disability requiring any special materials, services, or assistance, please contact the City Office Manager at City Hall 541-562-5197 at least 48 hours before the hearing.

Sincerely,

Celeste Tate

Celeste Tate
City Administrator

**REPORT TO CITY OF UNION
PLANNING COMMISSION**

TO: City of Union Planning Commission

FROM: Celeste Tate, City Administrator/Recorder/Planner

RE: Vernon and Kay Slippy, 495 N Benson Street, Union, OR. 97883

- Application for Variance V-24-01

PROPERTY: County Assessor's Map 04S 40E 18DC, Tax Lot 706
495 N Benson Street, Union, OR. 97883

BACKGROUND

Application was filed by Vernon Slippy on May 2, 2024, for the variance (V). The application was determined to be complete and included drawings depicting the reason for the variance request. Property owners lying within 300 feet of this property described herein were mailed notices May 30, 2024 notifying them of the application, process, and the hearing date of June 19, 2024 at 7:00 PM.

§ 155.140 NOTICES AND APPLICATION PROCEDURES.

The City Administrator or his or her designee shall give notice of a public hearing on a conditional use, variance, or quasi-judicial change to the zoning map, or any other public hearing required by this chapter to all property owners within the applicable radius for notices as specified in § 155.141, and to such other parties as are deemed affected by the proposed change. Notice shall be by first-class mail or personal service with proof of delivery. Notice shall be mailed or delivered not less than 20 days, but not more than 40 days, prior to the date set for the first public hearing on the application, or not less than ten days for applications requiring more than one evidentiary hearing. Names and addresses of property owners shall be those shown in the records of the Union County Assessor.

(Ord. 491, passed 6-13-2005; Ord. 509, passed 2-11-2008)

§ 155.141 RADIUS FOR NOTICES.

The radius for notices shall be within 300 feet of the exterior boundaries of the subject property, if the subject property is in the city limits but not in a farm or forest zone; or within 500 feet of the exterior boundaries of the subject property, if the subject property is in a Farm or Forest Zone

(O.R.S. 197.763(2)(a); Ord. 491, passed 6-13-2005)

REPORT TO CITY OF UNION PLANNING COMMISSION

Prepared for the Public Hearing on June 19, 2024

§ 155.142 CONTENT OF NOTICES.

Notices to property owners shall:

- (A) Explain the nature of the application and the proposed use or uses which could be authorized (O.R.S. 197.763(3)(a)).
- (B) List the applicable criteria from the Zoning Ordinance and land use plan that apply to the application (O.R.S. 197.763(3)(b)).
- (C) Set forth the street address or other easily understood geographical reference to the subject property (O.R.S. 197.763(3)(c)).
- (D) State the date, time, and location of the hearing (O.R.S. 197.763(3)(d)).
- (E) State that the failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals based on that issue (O.R.S. 197.763(3)(e));
- (F) Include the name of the local government representative to contact and the telephone number where additional information may be obtained (O.R.S. 197.763(3)(g)).
- (G) State that a copy of the application, all documents and evidence relied upon by the applicant, and the applicable criteria are available for inspection at no cost and will be provided at reasonable cost (O.R.S. 197.763(3)(h)).
- (H) If any staff report is to be used at the hearing, state that a copy of the staff report will be available at no cost at least seven days prior to the hearing and will be provided at reasonable cost (O.R.S. 197.763(3)(i)); and
- (I) Include a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings (O.R.S. 197.763(3)(j)).

(Ord. 491, passed 6-13-2005)

PROPOSAL/REQUEST/DESCRIPTION AND VICINTY

The application submitted is requesting a variance (V) to encroach setback requirements from the front yard line by 10 feet (10 foot setback rather than 20 foot). Current City standards require setbacks from front yard line to be 20 feet and applicant is asking for 10 foot setback from the west front lot boundary of his property.

The property is located on Benson Street adjacent to the old baseball fields which at this time is only used for parking during stockshow. The said property is zoned residential with commercial amusement zoned property to the north, exclusive farm use zoned property to the east, and residential zoned property on the west and south. The size of the lot is approximately 10,000 SqFt.

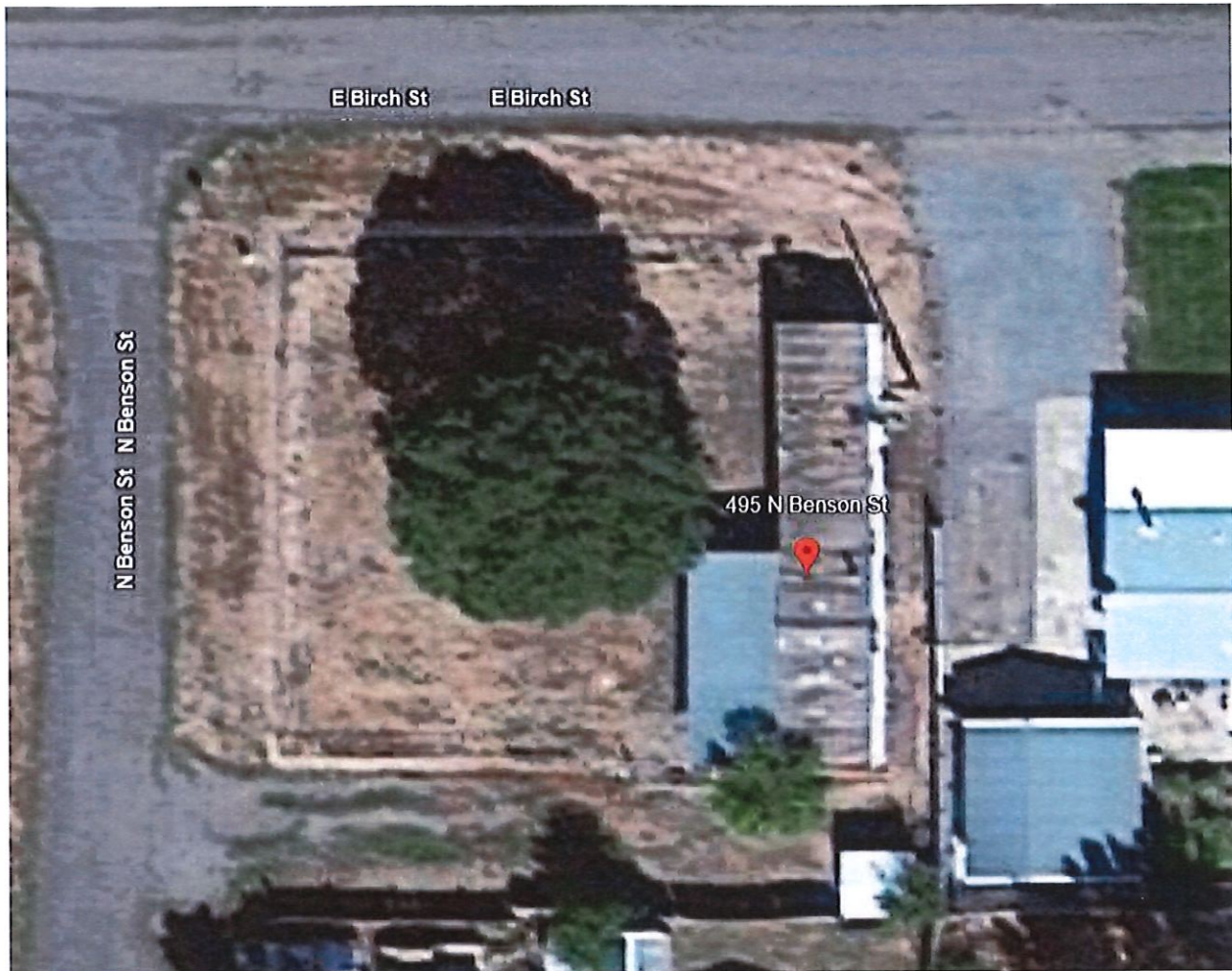
REPORT TO CITY OF UNION PLANNING COMMISSION

Prepared for the Public Hearing on June 19, 2024

Lot highlighted in yellow below:



REPORT TO CITY OF UNION PLANNING COMMISSION
Prepared for the Public Hearing on June 19, 2024



REPORT TO CITY OF UNION PLANNING COMMISSION

Prepared for the Public Hearing on June 19, 2024



APPLICABLE ZONING/LAND USE/CRITERIA/STANDARDS

The following criteria must be applied for the variance by the commission when deciding whether to allow the applicant to impede setbacks on Residential (R-1) zoned property:

§ 155.068 AUTHORIZATION OF VARIANCES.

The Planning Commission may authorize variances from the requirements of this chapter where it can be shown that owing to special and unusual circumstances related to a particular piece of property, the literal interpretation of this chapter would cause undue or unnecessary hardship. No variance shall be granted to allow the use of property for purposes not authorized within the zone in which the proposed use would be located. In granting a variance, the Planning Commission may attach conditions which it finds necessary to protect the best interest of the surrounding property and to otherwise achieve the purposes of this chapter.

(Ord. 337, passed 6-11-1979)

§ 155.041 RESIDENTIAL ZONE (R).

(E) *Setback requirements.* Minimum requirements shall be 20 feet front yard line, ten feet side yard line, and ten feet rear yard line. Both street frontages of corner lots shall be considered front yards. Accessory structure minimum setback requirements shall be five feet from side yard or rear lot lines. On all streets and street easements of less than 40 feet, building setbacks shall be calculated so that if the street right-of-way were widened to 60 feet the above minimum setbacks would result. No building permit shall be issued for construction of a building without such setback adjustments unless a variance is granted.

(Ord. 337, passed 6-11-1979; Ord. 351, passed 9-9-1980; Ord. 429, passed 2-11-1991; Ord. 437, passed 1-11-1993; Ord. 496, passed 6-12-2006; Ord. 558, passed 8-12-2019)

§ 155.069 CONDITIONS FOR GRANTING A VARIANCE.

REPORT TO CITY OF UNION PLANNING COMMISSION

Prepared for the Public Hearing on June 19, 2024

No variance shall be granted by the Planning Commission unless it can be shown that all of the following conditions exist:

- (A) Exceptional or extraordinary conditions applying to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size or shape, topography, or other circumstances over which the applicant has no control;
 - (B) The variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other properties in the same zone or vicinity;
 - (C) The authorization of the variance shall not be materially detrimental to the purposes of this chapter, be injurious to the property in the zone or vicinity in which the property is located, or be otherwise detrimental to the objectives of any municipal development plan or policy; and
 - (D) The variance request is the minimum variance from the provisions and standards of this chapter which will alleviate the hardship.
- (Ord. 337, passed 6-11-1979)

PROPOSED FINDINGS OF FACT

The staff review of the proposal has identified the following findings of fact:

Additional information may be presented to the Planning Commission at its public hearing on this matter and may lead to different findings or conclusions. If so, appropriate changes in the proposed findings should be incorporated into the findings adopted to support the Planning Commission's Final Decision.

1. The applicant, Vernon and Kay Slippy, have applied to impede front yard setback along the west side of their property in Union, OR. Application has been reviewed, accepted, and referred to the Planning Commission.
2. The application contained a sketch or suitable drawing showing the location of the proposed residence and ancillary building to be built along with structures proposed to be removed.
3. The sketch with proposed accessory building locations includes additional setback issues which should also be addressed to include; proposed framed shed with only a 5' setback from south side lot line and only a 9' setback from the existing mobile home to be converted into a wood shop.
4. The property is zoned Residential (R1).
5. No comments have been voiced or written from the public as of the writing of this report.

STAFF RECOMMENDATION

Note: The proposed recommendations were prepared prior to the Planning Commission's public hearing. Testimony presented at the hearing may affect the Planning Commission's determination of the facts and conclusion, and if so, this new information will be reflected in the adopted findings for this matter.

REPORT TO CITY OF UNION PLANNING COMMISSION

Prepared for the Public Hearing on June 19, 2024

Provided that no relevant testimony regarding the application is provided to the Planning Commission meeting, staff recommends that if the Planning Commission approves the Variance, the following conditions should apply:

1. The setback may only affect that setback along the west side of the property in the area depicted by the applicants drawing and shall not impede more than 10 foot of the 20-foot setback.
2. The accessory building (shed) depicted in the drawing be either reduced in size to meet the 10' setback from the south side lot line and 10' distance from the existing mobile home or relocated on the property to meet the 10' setbacks.