

AGENDA
PLANNING COMMISSION MEETING
Wednesday, June 2, 2021
7:00 P.M.
Maggie Osgood Library
70 N. Pioneer Street

This meeting will be held electronically through Zoom. Limited seating is available at the Library. Members of the public are encouraged to provide comment or testimony through the following:

- Joining by phone, tablet, or PC. For details, click on the event at www.ci.lowell.or.us.
- In writing, by using the drop box at Lowell City Hall, 107 East Third Street, Lowell, OR 97452
- By email to: jcaudle@ci.lowell.or.us

Special Meeting Agenda

1. Call to Order/Roll Call

Commissioners: Dragt ____ Kintzley ____ Wallace ____

2. Approval of Agenda

3. Approval of Minutes

- a. April 7, 2021

4. Old Business

5. New Business

- a. Review and render a decision on a variance on Land Use Application #2021-05, "A variance to the front yard setback for the property located at 103 North Shore, on Map and Tax Lot 19-01-14-23-09809."

6. Other Business

7. Adjourn

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the City Clerk, Joyce Donnell, at 541-937-2157.

**City of Lowell, Oregon
Minutes of the Planning Commission Meeting
April 7, 2021**

The meeting was called to order at 7:07 PM by Commissioner Chair Dragt.

Members Present: Lon Dragt, Mary Wallace, Suzanne Kintzley

Staff Present: CA Jeremy Caudle, City Planner Henry Hearley LCOG

Approval of Minutes: Commissioner Kintzley moved to approve the minutes from March 3, 2021, second by Commissioner Wallace. PASS 3:0

New Business:

- Land Use File 2021-03 (variance) – 586, 598, 614, and 622 Sunridge Lane

Close Public Meeting: 7:10 PM

Open Public Hearing: 7:10 PM

- a. Land Use File 2021-03 (variance) – 586, 598, 614, and 622 Sunridge Lane

Staff Report – Henry Hearley City Planner, LCOG, presented report, with recommendation to approve a variance to the 10-foot front yard setback to allow for a minimum 5-foot front yard setback for the properties located at: 586 Sunridge Lane (Tax Lot 4600; Sunridge Lot 45), 598 Sunridge Lane (Tax Lot 4700; Sunridge Lot 47), 614 Sunridge Lane (Tax Lot 4800; Sunridge Lot 49) and 622 Sunridge Lane (Tax Lot 4900; Sunridge Lot 51) as seen in the applicant’s application.

Applicants Presentation – Mia Nelson Lookout Point LLC, Land Developer, presented information and responded to questions of the commission. Dan Fischer property owner of Lot 49 & 51 spoke in favor of variance.

Public Testimony – None

Public Hearing Closed: 7:20 PM

Reconvene Public Meeting: 7:20 PM

Commission Deliberation: Commissioner Kintzley moved to approve variance on Land Use Application 2021-03 to the front yard setback for Lots 45, 47, 49 and 51 of the Sunridge Second Addition Subdivision. Second by Commissioner Wallace. PASS 3:0

- Land Use File 2021-04 (vacation) – 622 Sunridge Lane; 19-01-14-13 TL 4900

Close Public Meeting: 7:25 PM

Open Public Hearing: 7:25 PM

- b. Land Use File 2021-04 (vacation) – 622 Sunridge Lane; 19-01-14-13 TL 4900

Staff Report – Henry Hearley City Planner, LCOG, presented report regarding a request to vacate a slope easement that is recorded on the plat of the Second Addition Sunridge Subdivision, with recommendation to approve to City Council for final adoption per City Ordinance. Applicant will need to record the vacation at Lane County Deeds & Records.

Applicants Presentation – Mia Nelson Lookout Point LLC, Land Developer, presented information on need to vacate slope easement.

Public Testimony – Dan Fischer property owner, voiced support for vacate of slope easement.

Public Hearing Closed: 7:35 PM
Reconvene Public Meeting: 7:35 PM

- **Commission Deliberation: Commissioner Kintzley moved to approve recommendation to City Council on Land Use Application 2021-04 regarding a request to vacate a slope easement that is recorded on the plat of the Second Addition Sunridge Subdivision. Second by Commissioner Wallace. PASS 3:0**

Other Business: None

Adjourn: 7:37 PM

Approved: _____
Lon Dragt - Chair

Date: _____

Attest: _____
Jeremy Caudle, City Recorder

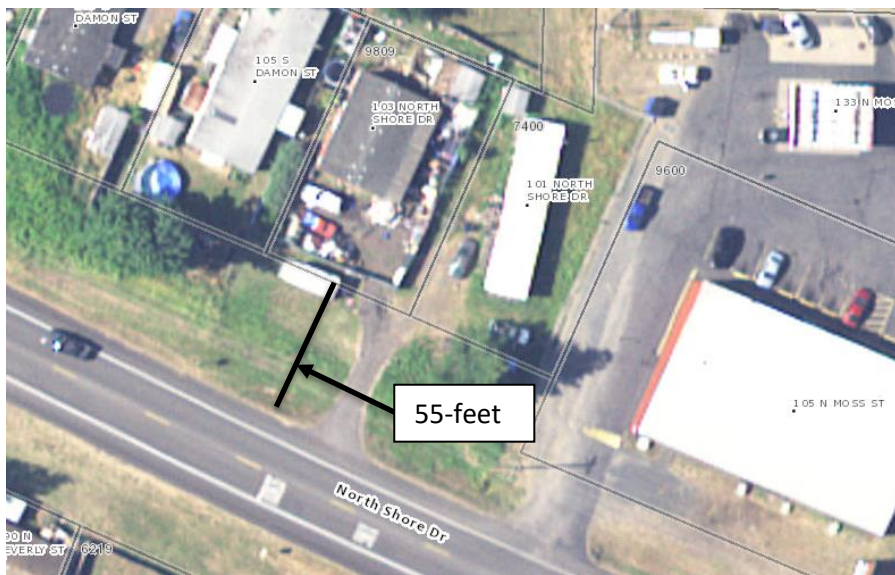
Date: _____

**Staff Report
Variance
103 North Shore Drive
LU 2021-05 (variance)
Staff Report Date: May 24, 2021
Planning Commission Hearing Date: June 2, 2021**

1. **Proposal.** The Planning Commission is being asked to review and render a decision on a variance to the front yard setback for the property located at 103 North Shore, on Map and Tax Lot 19-01-14-23-09809. The applicant is asking for a reduction to the front yard setback to bring it down from 15-feet to 3-feet (North Shore has no constructed sidewalks or curbs). The property is zoned R-1 and the previous dwelling located on the property has been demolished. The future use of the property will be to build a single-family home. The owner of the property is Lowell Investments Properties, LLC.
2. **Approval Criteria.** LDC, Section 9.252, paragraph (a), establishes the decision process required for variances. An application for a variance requires a quasi-judicial public hearing before the Planning Commission. Following public hearing and after evaluating the application against the decision criteria contained in LDC Section 9.252(b), the Planning Commission must adopt findings which approve, deny or conditionally approve the variance application and may attach any reasonable standards of development to attain compliance with the zoning district and the LDC.
3. **Staff review of applicable criteria for a variance**

LDC 9.525. (b) Decision Criteria. A variance may be granted in the event that all of the following circumstances exist:

(1) That there are circumstances or conditions affecting the property or use



Discussion: The front property line is setback from the edge of pavement at North Shore Drive for a distance of approximately 55-feet (see image above). This creates an extraordinarily large setback due to the right-of-way taking up an additional 55-feet of frontage along North Shore Drive. Properties located immediately to the left and right of the subject property also experience this large setback, but properties located across North Shore Drive, do not and are generally only setback about 25-feet. Building a home within any right-of-way is not permitted, so the extraordinary large setback of 55-feet from the edge of pavement to the front property line acts as an additional front yard setback on the property. If held to the standard of a 15-foot front yard setback, the home would be placed 70-feet from the edge of the pavement. With the subject property already small at ~6,000 square feet, having to place a home 15-feet from the front property line, when it's already 55-feet from the edge of pavement, greatly restricts the size and buildability of a home to be placed on this property. Staff want to make clear that if approved, a home would not be sited close to North Shore Drive, as there is essentially a forced 55-foot setback from the road as it is. Staff believe there to be circumstances or conditions affecting the use of the property for a home. A variance to the front yard setback to bring it down to 3-feet from 15-feet would assist in alleviating the circumstances or conditions.

Staff also note, the applicant references a need to take access from the alley located behind the property, located off West 2nd Street. The potential use of this alley for access to the back of the subject property is not the subject of this variance request. The applicant is seeking a separate alley access permit from the City to access the property from the alley. Staff do note, the subject property does have access off North Shore Drive and appears to share access with the adjacent property located on 101 North Shore (which is vacant and once sited a manufactured home on it, that has since then been demolished).

Recommended FINDING for approval: The subject property has circumstances or conditions that affects its use. There is an extraordinarily large right-of-way setback of approximately 55-feet from the edge of pavement to the front property line. Criterion met.

(2) That the variance is necessary for the proper design and/or function of the proposed development or land division.

Discussion: Because of the applicant's desire to take vehicular access via the alley off West 2nd Street, this requires the design of the home to be such that the front of the home must be pushed closer towards North Shore. Hence the request to bring the front yard setback down from 15-feet to 3-feet. The granting of the proposed variance will allow for a family sized home with a garage and parking to be located at the rear of the house. It would be cumbersome to locate a garage on the lot, with it having to be setback 20-feet from property line. This is why the garage proposed to be placed at the rear of the property and largely out of sight as seen from the right-of-way.

Recommended FINDING for approval: A front yard setback of 3-feet for the subject property is required in order for the property to take vehicular access from the alley located off West 2nd Avenue and for the property to have a garage, that is not placed in the front yard setback and subject to a setback of 20-feet, but rather placed in the rear of the home. The property is small at just over 6,000 square feet, so a garage setback of 20-feet from the front property line, restricts the size and function of the garage. Criterion met.

(3) That the granting of the variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is situated.

Recommended FINDING for approval: The proposed variance is not expected to be detrimental to the public welfare or injurious to other property in the area. The property located immediately to the east of the subject property is vacant and is joined with the Bridge Town Market. The eventual home to be placed on the property will still be approximately 58-feet from the edge of the pavement on North Shore, so while the variance brings the home closer to the front property line, the home will remain far from the street and traffic.

Staff did send Lane County Transportation Planning (LCTP) referral comment for this application (see **Attachment C** for comment). In LCTP’s comments, they state the proposed variance will no have impact on North Shore Drive (which is Lane County jurisdiction). LCTP does recommend the Planning Commission implement an informational item stating that stormwater run-off from private property must not be directed to the Lane County road right-of-way or into any Lane County drainage facility, including roadside ditches. Staff recommend Planning Commission apply this informational item to the requested variance.

Criterion met.

(4) That the granting of the variance will not conflict with the purpose and intent of the district or zone, this Code, or other related ordinances of the City.

Recommended FINDING for approval: The purpose of the Lowell Development Code (LDC), as stated in Section 9.102 is to “*establish standards and procedures for the orderly development of land within the City of Lowell in conformance with the Lowell Comprehensive Plan, to protect property rights, provide due process of law and promote the public health, safety and welfare of the citizens of Lowell.*”

By allowing a dwelling to be sited in harmony with the existing constraints of the extraordinary 55-foot right-of-way setback, the proposed variance is allowing for the necessary and proper development of a single-family home on the subject property and allowing for a rear garage and rear vehicular access. The underlying zoning of the subject property, and that of the surrounding area, is residential and that is the use proposed on the subject property. Staff do not find the proposed variance will conflict with the purpose and intent of the district or zone, this Lowell Development Code or other related ordinances of the City. Relatedly, the Downtown Master Plan, of which the boundaries are directly adjacent to the subject property, require smaller setbacks in an effort to bring uses closer to the right-of-way and increase pedestrian interaction with the built environment. As such the adjacent properties will not present a present a clear conflict with its own adjacent zones. Criterion sufficiently addressed.

4. Recommendation

Staff recommends the Planning Commission **APPROVE**, a variance to the 15-foot front yard setback to allow for a minimum 3-foot front yard setback for the property located at: 103 North Shore as seen in the applicant’s application.

5. Informational Item

In accordance with Lane Manual 15.515, stormwater runoff from private property must not be directed to the Lane County road right-of-way or into any Lane County drainage facility, including roadside ditches. Ditches adjacent to County roads are designed solely to accommodate stormwater runoff generated by the roadways themselves.

6. Attachments

Attachment A: Applicant's application materials

Attachment B: Notice materials

Attachment C: LCTP Comments

JB

ATTACHMENT A

Land Use Permit Application

Site Plan Review Lot Line Adjustment Partition Subdivision
 Conditional Use Variance Map Amendment Text Amendment
 Annexation Vacation Other, specify _____

Please complete the following application. If any pertinent required information or material is missing or incomplete, the application will not be considered complete for further processing. If you have any questions about filling out this application, please contact staff at Lowell City Hall, phone (541) 937-2157, 107 East Third, Lowell.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Map# 19-01-14-23 Lot # 09809

Map# _____ Lot # _____

Map# _____ Lot # _____

Street Address (if applicable): 103 N Shore

Area of Request (square feet/acres): 6,000 ±

Existing Zoning: residential

Existing Use of the Property: residential (tore down home 12/10/2020)

Proposed Use of the Property residential

Pre-application Conference Held: No _____ Yes _____ If so, Date _____

Submittal Requirements:

- 1. Copy of deed showing ownership or purchase contract with property legal description.
- 2. Site Plan/Tentative Plan with, as a minimum, all required information. Submit one copy of all plans 11x17 or smaller; 12 copies of all plans larger than 11x17. (See attached checklist for required information)
- 3. Applicant's Statement: Explain the request in as much detail as possible. Provide all information that will help the decision makers evaluate the application, including addressing each of the decision criteria for the requested land use action.
- _____ 4. Other submittals required by the City or provided by the applicant. Please List.
 - a. _____
 - b. _____
 - c. _____
 - d. _____
 - e. _____
 - f. _____
- _____ 5. Filing Fee: Amount Due: 292.00

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that incomplete applications may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge. I (We) also acknowledge that if the total cost to the City to process this application exceeds 125% of the application fee, we will be required to reimburse the City for those additional costs in accordance with Ordinance 228.

PROPERTY OWNER

Name (print): Lowell Investment Properties Phone: 541 251-1670
Address: PO Box 447
City/State/Zip: Lowell OR 97452
Signature: [Signature]

APPLICANT, If Different

Name (print): _____ Phone: _____
Company/Organization: _____
Address: _____
City/State/Zip: _____
Signature: _____
E-mail (if applicable): _____

APPLICANTS REPRESENTATIVE, if applicable

Name (print): _____ Phone: _____
Company/Organization: _____
Address: _____
City/State/Zip: _____
E-mail (if applicable): _____

For City Use.

Application Number _____

Date Submitted: 4-13-21 Received by: [Signature] Fee Receipt # _____

Date Application Complete: _____ Reviewed by: _____

Date of Hearing: _____ Date of Decision _____ Date of Notice of Decision _____

AFTER RECORDING RETURN TO:
CASCADE TITLE COMPANY
811 WILLAMETTE ST., EUGENE, OR 97401

158158JJ

Lane County Clerk
Lane County Deeds & Records

2021-009682

02/11/2021 03:23:22 PM

RPR-MOD Cnt=1 Stn=40 CASHIER 01 1pages
\$5.00 \$11.00 \$10.00 \$61.00

\$87.00

MODIFICATION OF NOTE AND TRUST DEED

IT IS AGREED between **LOWELL INVESTMENT PROEPRTIES, LLC** an Oregon limited liability company, Grantor and **DAVID A. ROMMEL** and **RENEE I. ROMMEL**, Trustees of the **DAVID A. ROMMEL** and **RENEE I. ROMMEL REVOCABLE TRUST**, Beneficiary of that certain Deed of Trust dated August 28, 2020 and recorded September 2, 2020, Reception No. 2020-049311 Official Records of Linn County, Oregon covering property legally described as:

Lot 3, Block 8, PLAT OF LOWELL, as platted and recorded in Book 4, Page 37, Lane County Oregon Plat Records, in Lane County, Oregon.

ALSO: Parcel 1, LAND PARTITION PLAT NO. 92-P0262, as platted and filed on October 7, 1992, Lane County Oregon Plat Records, in Lane County, Oregon.

THE NOTE SECURED BY THE DEED OF TRUST ABOVE DESCRIBED SHALL BE MODIFIED USING THE FOLLOWING PARTICULARS ONLY:

INTEREST RATE: 4.13%

Dated this 9th day of February, 2021

DAVID A. ROMMEL and RENEE I. ROMMEL REVOCABLE TRUST

By: [Signature]
DAVID A. ROMMEL, Trustee

By: [Signature]
RENEE I. ROMMEL, Trustee

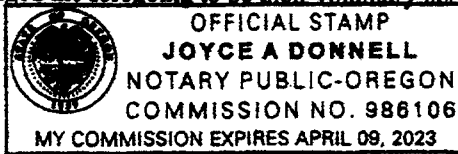
LOWELL INVESTMENT PROPERTIES, LLC

By: [Signature]
JAMES D. MARTINI, Managing Member

By: [Signature]
MINDY B. MARTINI, member

State of Oregon
County of Lane

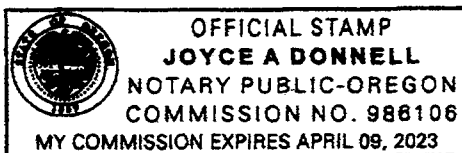
On February 9th, 2021, before me, the undersigned Notary Public for Oregon, personally appeared **LOWELL INVESTMENT PROEPRTIES, LLC** by **JAMES D. MARTINI**, Managing Member and **MINDY B. MARTINI**, Member and acknowledged the foregoing to be their voluntary act and deed.



[Signature]
Notary Public for Oregon

State of Oregon
County of Lane

On February 9th, 2021, before me, the undersigned Notary Public for Oregon, personally appeared **DAVID A. ROMMEL** and **RENEE I. ROMMEL**, Trustees of the **DAVID A. ROMMEL** and **RENEE I. ROMMEL REVOCABLE TRUST** and acknowledged the foregoing to be their voluntary act and deed.



[Signature]
Notary Public for Oregon



Lane County Clerk Lane County Deeds & Records	2018-052517 11/09/2018 03:21:20 PM
RPR-DEED Cnt=1 Stn=41 CASHIER 04 2pages \$10.00 \$11.00 \$10.00 \$61.00	\$92.00

TITLE NO. 0310310
 ESCROW NO. EU18-2618 - JJ
 TAX ACCT. NO. 1485422 / 1485430
 MAP/TAX LOT NO. 19 01 14 2 3 #9808 #9809

GRANTOR

JUDY E. ALLEN

GRANTEE

LOWELL INVESTMENT PROPERTIES, LLC
 105 N. MOSS, #447
 LOWELL, OR 97452

Until a change is requested
 all tax statements shall be
 sent to the following address:
 SAME AS GRANTEE

After recording return to:
 CASCADe TITLE CO.
 811 WILLAMETTE
 EUGENE, OR 97401

WARRANTY DEED -- STATUTORY FORM

JUDY E. ALLEN, Grantor,
 conveys and warrants to
 LOWELL INVESTMENT PROPERTIES, LLC, an Oregon Limited Liability Company, Grantee,
 the following described real property free of encumbrances except as specifically set forth herein:

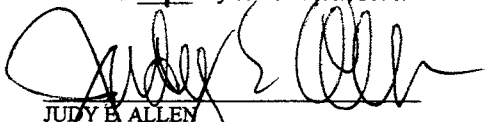
Parcels 1 and 2, LAND PARTITION PLAT NO. 92-P0262, as platted and filed on October 7, 1992, Lane County Oregon Plat Records, in Lane County, Oregon.

The true consideration for this conveyance is \$75,000.00 AS PAID BY/TO AN ACCOMMODATOR PURSUANT TO IRC 1031.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 (Definitions for ORS 92.010 to 92.192) OR 215.010 (Definitions), TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930 (Definitions for ORS 30.930 to 30.947), AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Except the following encumbrances:
 Covenants, Conditions, Restrictions, Easements and Rights of Way of record, if any.

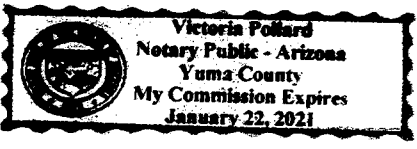
Dated this 7th day of November, 2018.

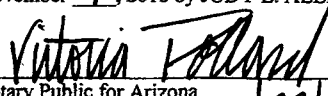


JUDY E. ALLEN

State of Arizona
County of YUMA

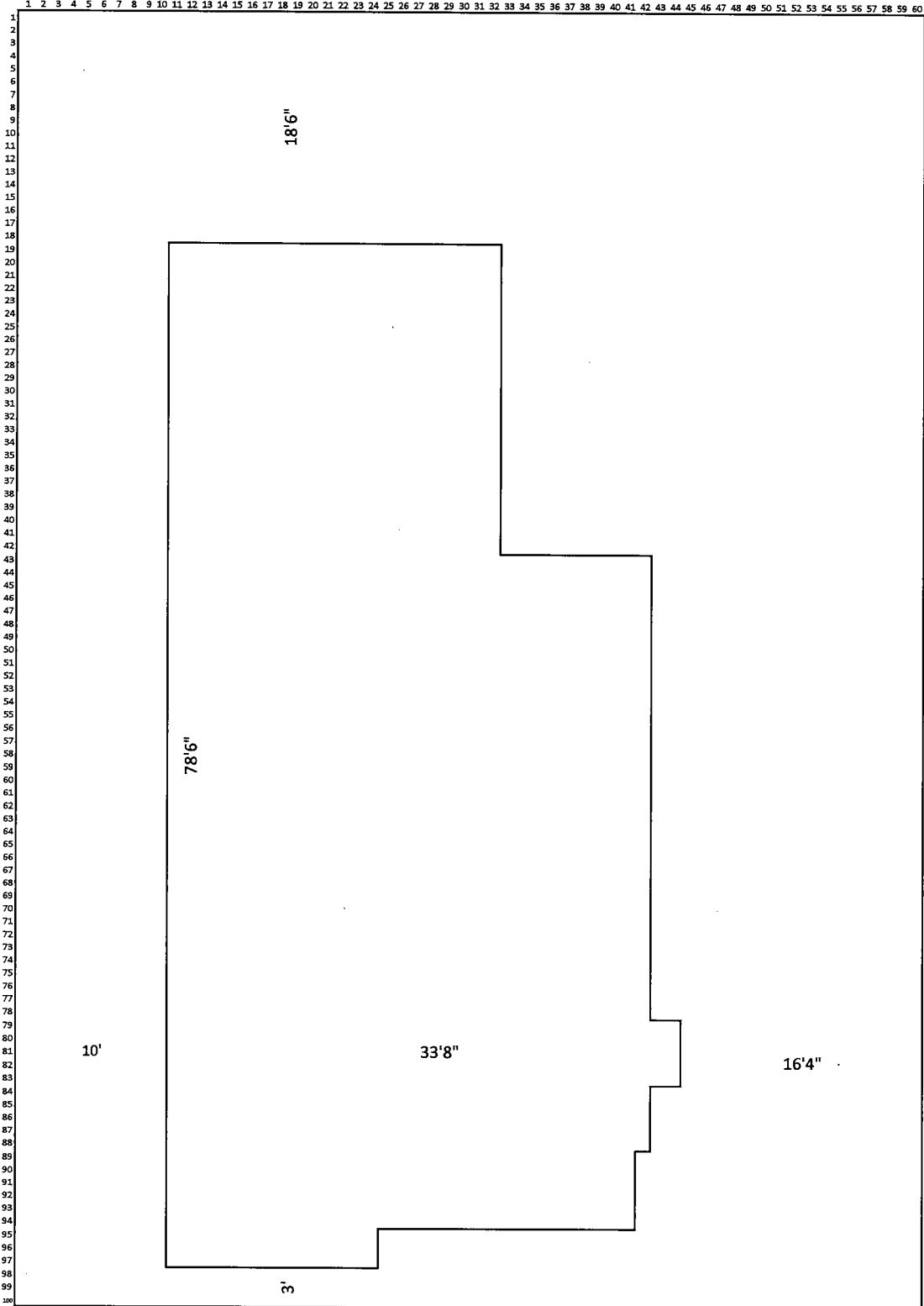
This instrument was acknowledged before me on November 7th, 2018 by JUDY E. ALLEN.





Notary Public for Arizona
My commission expires 01/22/2021

Site Plan
103 North Shore



Approximately 57' - County ROW

North Shore Drive

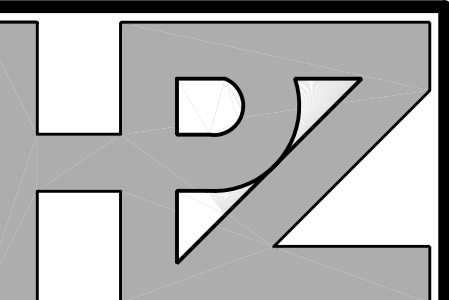
Applicant's Statement

We purchased 101 & 103 North Shore in November 2018. We purchased these 2 lots with the intent of making 101 North Shore parking for Bridge Town Market and to place an above ground fuel tank for Non-Ethanol and of improving 103 North Shore as residential. We placed the above ground tank in service in June 2020 and we completed the parking area in December 2020. We tore down the manufactured home at 103 N Shore in December 2020 as well in order to prepare to build a new residence.

We now have plans to build a new home at 103 N Shore and we would like to place the home as close to the North Shore Drive as possible for two reasons. 1) there is approximately a 57' setback off North shore for a County Right of Way (which would more than satisfy any normal front yard setback requirements) and 2) in the spirit of the new 'downtown master plan' we would like to have the front of the house facing the road and as close to the property line as possible. This lot is just outside of the master plan's outline. The site plan attached shows we are looking for a 3' setback on the North Shore side of the lot.

(a) **Decision Criteria.** A Variance may be granted in the event that all of the following circumstances exist:

- (1) That there are circumstances or conditions affecting the property or use.
 - There is approximately a 57' setback from North Shore Road that is tied to a County Right of Way, which should satisfy any required road set back. Also, the access off North Shore feeds 133 North Moss (formerly 101 North Shore) so we are bringing in the car access from the alley off West 2nd. This access requires pushing the front of the house closer towards North Shore. Granting this variance will allow for a family sized home with a garage and parking at the rear of the house.
- (2) That the Variance is necessary for the proper design and/or function of the proposed development or land division.
 - The access off North Shore feeds 133 North Moss so we are bringing in the car access from the alley off West 2nd. This access requires pushing the front of the house closer towards North Shore. Granting this variance will allow for a family sized home with a garage and parking at the rear of the house.
- (3) That the granting of the Variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is situated.
 - The variance for the set back will not hinder access to the property nor create any issue that might be injurious to another property. The alley off W 2nd specifically provides access to the back of this lot as well as 133 North Moss.
- (4) That the granting of the Variance will not conflict with the purpose and intent of the district or zone, this Code, or other related ordinances of the City.
 - This lot is zoned residential and this requested variance will not limit or restrict its residential use. In fact the variance will allow for a family sized home with a garage and plenty of yard space for residential use.



House Plan Zone, LLC

House Plan Zone, LLC
Email: Sales@HPZplans.com Fax: 1-800-574-1387

House Plan Zone, LLC has exercised great care and effort in the development of these plans and the completion of these construction documents. However, the user assumes all responsibility for any damages, including structural failures resulting from errors, omissions or deficiencies in the design. House Plan Zone, LLC highly recommends that these plans be reviewed by a licensed structural engineer in the area of construction, and other special conditions required by local building codes. All dimensions to be verified on site prior to construction. Foundation plan shall be verified by a licensed engineer prior to construction.

A B D

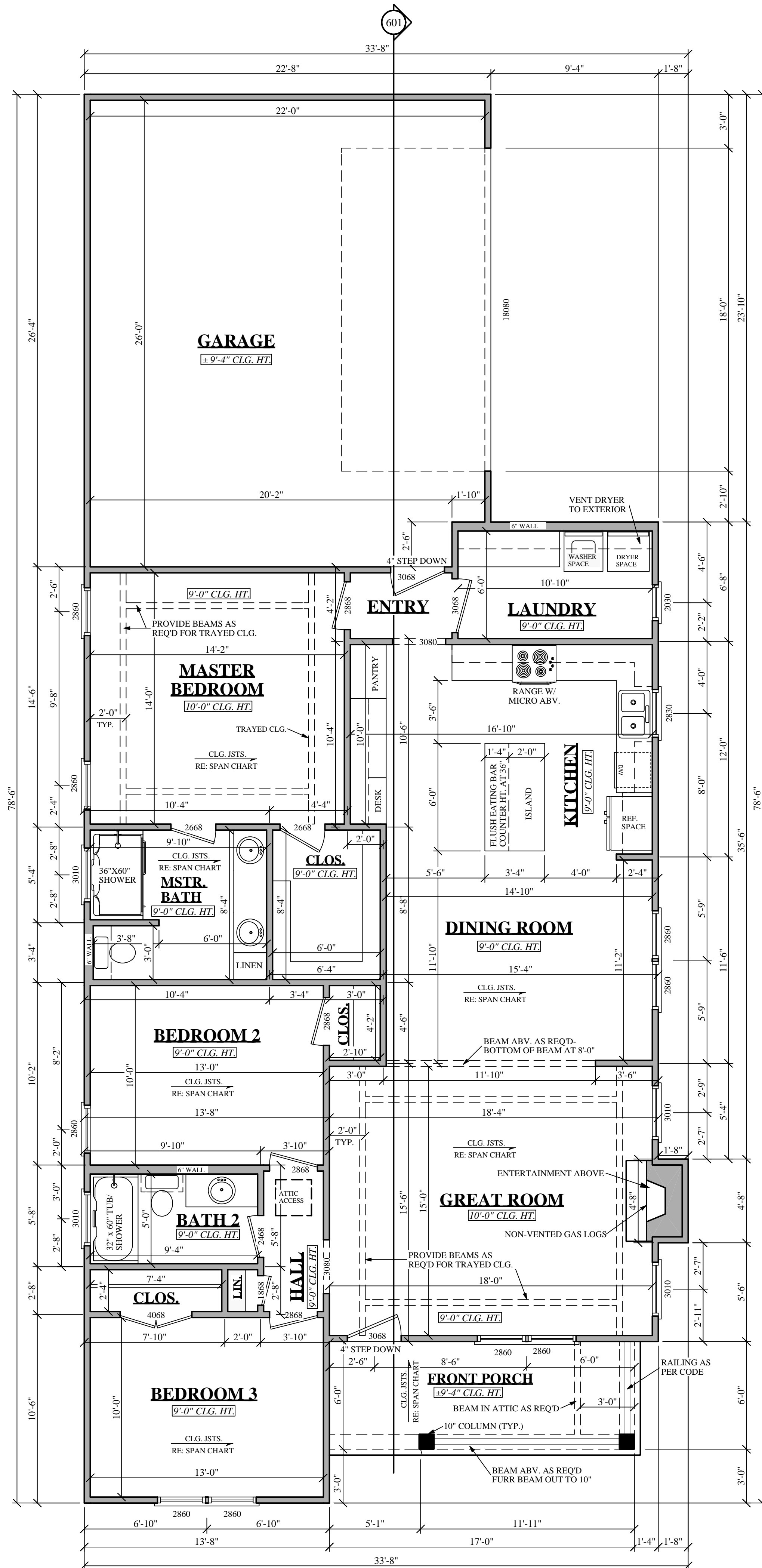
Plan ID:
BB-1300

Date: 05/02/07

Drawn By: C.T.B.

SHEET NUMBER

X



NOTE: HVAC UNIT TO BE LOCATED IN ATTIC SPACE ABOVE.

FLOOR PLAN

SCALE: 1/4" = 1'-0"

AREAS:	S.F. HEATED
591	S.F. UNHEATED - GARAGE
102	S.F. UNHEATED - FRONT PORCH
693	S.F. UNHEATED - TOTAL
2234	S.F. TOTAL

- **DOOR LABEL / SIZE:** 3068 IS A DOOR THAT IS 3 FT 0 INCHES WIDE BY 6 FEET 8 INCHES TALL. TO FURTHER CLARIFY, THE 3068 LABEL IS TO BE READ AS FEET AND INCHES (WIDTH) AND FEET AND INCHES (HEIGHT). THE DOOR LABEL IS THE ACTUAL SIZE OF THE DOOR ITSELF, NOT THE ROUGH OPENING SIZE. VERIFY THE ROUGH OPENING SIZE WITH THE DOOR MANUFACTURER CHOSEN AT SITE.
- **WINDOW LABEL / SIZE:** 3050 IS A WINDOW THAT IS 3 FT 0 INCHES WIDE BY 5 FEET 0 INCHES TALL. TO FURTHER CLARIFY, THE 3050 LABEL IS TO BE READ AS FEET AND INCHES (WIDTH) AND FEET AND INCHES (HEIGHT). THE WINDOW LABEL IS THE ACTUAL SIZE OF THE WINDOW ITSELF, NOT THE ROUGH OPENING SIZE. VERIFY THE ROUGH OPENING SIZE WITH THE WINDOW MANUFACTURER CHOSEN AT SITE.

*****NOT FOR CONSTRUCTION*****

Notes: These plans are for preliminary purposes only and not for construction. Any attempt to build from these plans is unlawful and unsafe. The design of this plan is protected under copyright and shall not be reproduced or distributed without prior written consent from House Plan Zone, LLC.

103 North Shore

Double Wide has been torn down
Site is prepared for a new Home
60' Wide x 100' Long

Existing Homes

133 N Moss
Fuel Pumps for
Bridge Town Market

101 North Shore has merged lots
with 133 N Moss
Single Wide has been torn down

105 N Moss
Bridge Town Market



**CTIY of LOWELL
NOTICE OF PUBLIC
HEARING**

Mailing Date: May 10, 2021

Notice is hereby given for a Public Hearing by the Lowell Planning Commission for a **variance to front yard setback standards** for a single-family zoned residential lot on the property located at 103 North Shore on Map and Tax Lot 19-01-14-23-09809, in Lowell, Oregon.

The applicable approval criteria for granting a variance are contained in Section 9.252 of the Lowell Development Code.

The hearing for the **Variance** will be held on **Wednesday, June 2, 2021 at 7:00 PM in front of Planning Commission.**

The hearing will be held entirely remotely due to COVID-19. The hearing will occur via video-conference on Zoom. The City will not provide a physical space for individuals to present testimony. All that is required to attend the hearing and present oral testimony is a telephone.

Variance:

Owner/Applicant: Lowell Investment Properties
Property Location: 103 North Shore
Assessor Map: 19-01-14-23
Tax Lot: 09809
Existing Area: 0.14 acres
Zoning: R-1 Single-Family Residential

The Lowell Land Use Development Code specifies the applicable procedures and criteria for evaluation of the requested action. Applicable Code Sections include 9.252 Variances, 9.304 Notification and Section 9.306 Quasi-Judicial Public Hearings. The specific criteria will be addressed in the Staff Report.

A copy of the Application, all documents and evidence relied upon by the Applicant and the Staff Report containing the applicable criteria will be available for inspection at the Lowell City Hall at least seven days prior to the public hearing meeting.

Failure of an issue to be raised in the Hearing or by letter, or failure to provide sufficient detail to afford the decision makers an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA) on that issue.

A variance request requires a Public Hearing. Oral testimony may be presented at the Hearing or written testimony may be delivered or mailed to the Lowell City Hall located at 107 East Third Street, PO BOX, 490, Lowell, Oregon 97452 or emailed to Henry Hearley, City Planner, at hhearley@lcog.org or jcaudle@ci.lowell.or.us

To be included in the staff report, written testimony shall be received by the City no later than 4:00 pm on May 26, 2021.

To participate in the remote hearing via Zoom, you must pre-register with the City by 4PM on June 2. Please contact Henry or Jeremy to receive the meeting link.

The meeting link will also be posted on the City's website at <https://www.ci.lowell.or.us/meetings>.

For additional information please write to City Hall at the above address or call City Hall at (541) 937-2157 or fax to 541-937-2066.

Henry Hearley
541-682-3089
City Planner
Lane Council of Governments
hhearley@lcog.org

Jeremy Caudle
541-937-2157
City Administrator
City of Lowell
JCaudle@ci.lowell.or.us

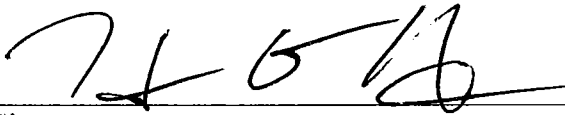


SUBJECT PROPERTY

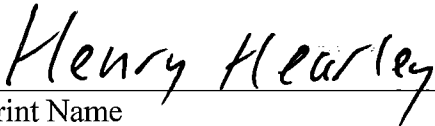
AFFIDAVIT OF MAILING

LANE COUNCIL OF GOVERNMENTS
859 Willamette Street, Suite 500
Eugen, OR 97401

I, Henry Hearley, contracted planner, depose and state that I mailed, by regular first-class mail, on MAY 10, 2021, a notice of a public hearing for a VARIACNE at Map and Tax Lot 19-01-14-23-09809 AT 103 North Shore, known as the LU 2021 05 in the City of Lowell to the addresses contained herein.



Signature



Print Name

ASHER TOMMY A
40355 JASPER LOWELL RD
LOWELL OR 97452

HAZLETT DAVID D
PO BOX 111
LOWELL OR 97452

PRISER BILL D & RACHEL N
85 W 2ND ST
LOWELL OR 97452

HARRIS STACIE L
PO BOX 379
LOWELL OR 97452

MILLER WAYNE R
PO BOX 571
WALTERVILLE OR 97489

TAPSCOTT SHELTON LYNN
115 W 2ND ST
LOWELL OR 97452

BURNETT MELONY
PO BOX 7252
SPRINGFIELD OR 97475

WELLS CLIFFORD R & THELMA A
PO BOX 85
LOWELL OR 97452

POPKE ADAM & MICHAELA
164 N MOSS ST
LOWELL OR 97452

BALLWEG ERIC J & BONI L
PO BOX 534
LOWELL OR 97452

21ST PLACE INVESTMENT GROUP LLC
4527 E 91ST ST
TULSA OK 74137

LOWELL INVESTMENT PROPERTIES LLC
PO BOX 447
LOWELL OR 97452

KISER LESLIE & ROBERT
68 W 2ND ST
LOWELL OR 97452

PAYNE RICHARD ANDREW &
ADRIANNA MARIE
84 W 2ND ST
LOWELL OR 97452

GROVE WILMA J
25610 RICE RD
SWEET HOME OR 97386

LUNDBERG ROCHELLE M
132 W 2ND ST
LOWELL OR 97452

WELLS BRIAN K
PO BOX 41
LOWELL OR 97452

WELLS CLIFFORD R & THELMA A
PO BOX 85
LOWELL OR 97452

CURRIER RICHARD H JR & CYNTHIA J
PO BOX 501
LOWELL OR 97452

REEVES SUSAN R
PO BOX 162
LOWELL OR 97452

ZUNDEL JAKOB & LYONS TASHIA I
50 N EVERLY ST
LOWELL OR 97452

GOLAN CASSANDRA
20 LOFTUS AVE
LOWELL OR 97452

DEENEY STEPHEN L
PO BOX 503
LOWELL OR 97452

TRIMBLE CARMEN A
80 LOFTUS AVE
LOWELL OR 97452

MEE DEBORAH A
PO BOX 87293
VANCOUVER WA 98687

KORDON CLINT L
87-1950 PAKEKE ST APT G
WAIANAE HI 96792

SUSAN H EGGER LIVING TRUST
PO BOX 456
LOWELL OR 97452

PADGETT TAYLOR & AMANDA
35 LOFTUS AVE
LOWELL OR 97452

ROBERT & MURIEL JACKSON REVOC
LIVING TRUST
81550 HUPP ST
SILVER LAKE OR 97638

GLANDER TRUDI A
PO BOX 521
LOWELL OR 97452

HURD SHELBY NICOLE & JUSTIN
ALLEN
90 N EVERLY ST
LOWELL OR 97452

CITY OF LOWELL
PO BOX 490
LOWELL OR 97452

LOWELL INVESTMENT PROPERTIES
LLC PO BOX 447
LOWELL OR 97452

VALENCIA JERRY L & JULIE E
11 N ALDER ST
LOWELL OR 97452

ALLEN RANDOLPH A
PO BOX 70491
SPRINGFIELD OR 97475

ALLEN RANDOLPH A & JUDY E
PO BOX 70491
SPRINGFIELD OR 97475

ATTACHMENT C



PUBLIC WORKS DEPARTMENT | TRANSPORTATION PLANNING
3040 N DELTA HIGHWAY | EUGENE, OR 97408
P: 541.682.6996 | F: 541.682.8554

April 23, 2021

OWNER: Lowell Investment Properties
MAP & TAX LOT: 19-01-14-21-09809
BASE ZONE: Residential

PROPOSAL: **A REQUEST FOR A VARIANCE TO FRONT YARD SETBACKS.**

Please accept the following comments from Lane County Transportation Planning. Thank you for the opportunity to review and comment on the request.

COMMENTS FROM LANE COUNTY TRANSPORTATION PLANNING

The proposed variance will have no impact on Pengra Rd (North Shore Rd).

CONDITIONS

As an informational item related to development:

- Stormwater runoff from private property must not be directed to the Lane County road right-of-way or into any Lane County drainage facility, including roadside ditches.

FINDINGS

The subject property has frontage on and takes access off Pengra Rd (North Shore Rd). Pengra Rd (North Shore Rd) is an Urban Major Collector that has a minimum right-of-way width of 70 feet for building setback purposes [Lane Code 15.070(1)(c)(i)(cc)]. The minimum right-of-way measured from the centerline of Pengra Rd (North Shore Rd) is 35 feet. The existing property currently meets the Lane County setback standard. As long as the minimum right-of-way setback of 35 feet, Lane County Transportation Planning does not have any issues with the proposal.

Lane Manual 15.515: Drainage

In accordance with Lane Manual 15.515, stormwater runoff from private property must not be directed to the Lane County road right-of-way or into any Lane County drainage facility, including roadside ditches. Ditches adjacent to County roads are designed solely to accommodate stormwater runoff generated by roadways themselves.

**FINAL ORDER AND DECISION
OF THE LOWELL PLANNING COMMISSION**

**LU 2021 05 Variance to Front Yard Setbacks for 103 North Shore Drive on Map
and Tax Lot 19-01-14-23-09809.**

A. The Lowell Planning Commission finds the following:

1. The Lowell Planning Commission has reviewed all materials relevant to the Variance Application (**FILE NO. LU 2021 05**) that has been submitted by the applicant and staff regarding this matter for Assessors Map 19-01-14-23 TL 09809, including the criteria, findings and conclusions within the Final Order and referenced staff report.
2. On **June 2, 2021**, the Lowell Planning Commission reviewed LU 2021 05 after giving the required notice as per the Lowell Development Code and held a public hearing that was open to the public.
3. At the **June 2, 2021**, public hearing, the Lowell Planning Commission made a motion to **approve the application subject to the findings, conclusions and conditions as contained and presented in the Staff Report, presented to the Planning Commission on June 2, 2021.**
4. This approval is subject to a 15-day appeal period. The appeal must be submitted within 15-days of the notice of decision being mailed out.

Signed this _____ day of **June 2021**

Date Mailed: _____

Mr. Lon Dragt, Chair, Lowell Planning Commission