

1 Depoe Bay Planning Commission
2 Regular Meeting
3 Wednesday, January 13, 2010 – 6:00 P.M.
4 Depoe Bay City Hall

5
6 PRESENT: S. Scopelleti, B. Taunton, R. Hageman, D. Goddard, J. Hayes, P. Leoni
7 ABSENT: G. Steinke
8 STAFF: City Planner L. Lewis, Recording Secretary C. Duering

9
10 I. CALL MEETING TO ORDER

11 Goddard called the Meeting to order and established a Quorum at 6:00 P.M.

12
13 II. APPROVAL OF MINUTES: December 9, 2009 Regular Meeting.

14
15 Motion: Hageman moved to approve the Minutes of the December 9, 2009 Regular Meeting as written.
16 Hayes seconded the Motion.

17
18 Goddard said it was moved and seconded, and called for discussion. There was none.

19
20 Vote: Motion passed.

21 Ayes: Hageman, Goddard, Hayes, Leoni, Scopelleti

22 Abstain: Taunton
23

24 III. ELECTION OF PRESIDENT & VICE-PRESIDENT

25
26 Leoni nominated D. Goddard for President and R. Hageman for Vice-President. Scopelleti seconded.

27
28 Vote: President – D. Goddard, Vice-President – R. Hageman

29 Show of Hands: Leoni, Hayes, Taunton, Scopelleti
30

31 IV. ITEMS FROM THE AUDIENCE

32 There were no Items from the Audience.
33

34 V. UNFINISHED BUSINESS
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36 VI. PUBLIC HEARING ITEMS

37 Goddard explained the Public Hearing procedure, noting that this procedure applies to all Public
38 Hearing Items (Agenda Item A.) that will be heard this evening. Goddard said Testimony and evidence
39 given must be directed toward criteria described by the City Planner, or other criteria in the Code that
40 the Testifier believes apply to the request. Failure to raise an issue, accompanied by statements or
41 evidence sufficient to afford the Commission and the parties an opportunity to respond to the issue
42 precludes appeal to the State Land Use Board of Appeals on that issue. Application materials or other
43 evidence relied upon by the Applicant had been provided to the City and made available to the Public.
44 Commissioners will be asked for any declaration of ex-parte contact, conflict of interest, or bias to
45 declare. The Public will have the opportunity to state objection to any Planning Commissioner hearing
46 the Case. Applicants will have the opportunity to present information relevant to their Application,
47 followed by Testimony in support of the Application, then Testimony in opposition, with the Applicant

1 having the opportunity for rebuttal. Unless there is a request to hold the Record Open, Testimony will
2 be closed and the Commission will enter into Deliberations on the Application.

3
4 A. Case File: #4-PAR-PC-09
5 Applicant: Ronald and Mary Gilliam
6 Application: Request for a 2-Lot Partition
7 Map and Tax Lot: 09-11-05-CA #8100
8 Location: 125 N.W. Vista Street
9

10 Goddard asked if there was exparte contact, conflict of interest, or bias to declare. All the Planning
11 Commissioners declared exparte contact (acquaintance of the Applicants, familiarity with their existing
12 Home and Subject Lot). Goddard then asked if anyone had objection to any Planning Commissioner
13 Hearing the Case. There was no objection. Lewis summarized the Staff Report (copy attached to
14 original of these Minutes). Written Testimony was received from Pat and Monika Farris and Kate G.
15 Becker (copies attached to original of these Minutes). He specifically noted that Setbacks do apply
16 because of the Existing Single Family Dwelling on the Proposed West Lot and made a correction to
17 Staff Analysis, Item 2. R-4 Residential Zone Standards – Lot Width, Lot Depth, Yard Setbacks Table
18 West Lot *Setbacks do not apply at this time. At the time of development, Setbacks need to adhere to R-4*
19 *and Coastal Shoreland Standards. The Applicable Setback is the east Side Yard. A minimum of 8’6”*
20 *Side Yard is required with an Existing 25’6” Building Height. A 10’ Setback is proposed.* He
21 recommended Conditions of Approval Item 1. be modified to include *The Westerly Lot shall have a*
22 *minimum east Side Yard of 8’6” with the Existing 25’6” Building Height. Ronald Gilliam, 125 N.W.*
23 *Vista, acknowledged that he believes the Staff Report indicates that the Application meets the DBZO*
24 *Standards for approval. There were no questions for the Applicant. Goddard asked if the*
25 *Commissioners had any questions to address to the City Planner. Goddard asked Lewis to address the*
26 *issue raised in Kate Becker’s Written Testimony Item 2. That the square footage per Lot is today’s*
27 *actual measurements and not based on an Assessors or Engineers Map developed many years ago.*
28 Lewis verified that he measured the dimensions using the Lincoln County GIS Program and compared
29 them to the Plot Plan submitted by the Applicant and the Lincoln County Assessment Maps (not a recent
30 Survey). Gilliam stated that the dimensions illustrated on his submitted Plot Plan were derived from a
31 Survey (completed at the time of construction of his current residence – approximately 2004). There
32 was no Testimony in support of the Application and no Testimony in opposition. There was no request
33 to keep the Record Open. The Public Hearing was closed and Deliberations began.
34

35 MOTION: Hageman moved to approve Case File #4-PAR-PC-09 (Request for a 2-Lot Partition) and
36 adopt the Conditions of Approval (Items 1. thru 3.) as recommended and modified (Condition of
37 Approval Item 1.) by the City Planner. Taunton seconded the Motion.
38

39 Goddard said it was moved and seconded, and called for discussion. There was none
40

41 Vote: Motion passed.

42 Ayes: Hageman, Goddard, Hayes, Leoni, Scopelleti, Taunton
43

44 Goddard directed Lewis to prepare the Findings, Conclusion and Final Order for her signature.
45

46 VII. NEW BUSINESS
47

1 VIII. CITY COUNCIL LIAISON REPORT

2 After brief discussion it was the consensus of the Commission to continue the City Council Liaison
3 Rotation and to direct Lewis to prepare a Memo proposing the 2010 Schedule and suggested that the
4 Monthly Assignment also be listed on the Agenda. Hageman volunteered to attend the second Meeting
5 in January and the February Meetings; Hayes requested March. Roy Hageman (Position #1) and Jim
6 Hayes (Position #5) were reappointed to the Planning Commission (4-Year Terms ending December 31,
7 2013).

8
9 IX. PLANNER'S REPORT

10 There was none (no Building Permit or Land Use Applications). Lewis reported he has been preparing
11 Grant Applications. Discussion ensued regarding the procedure/timeline the City Council will follow
12 once they receive the Planning Commission's recommended Text Amendments to the Depoe Bay
13 Zoning Ordinance (DBZO).

14
15 X. PLANNING COMMISSION CONCERNS

16 Goddard thanked: Taunton for applying to serve another term on the Planning Commission; Planning
17 Commissioners for nominating and voting for her to serve as President another year. Hayes
18 congratulated Goddard and Hageman - keep up the good work. Leoni and Goddard wished everyone a
19 Happy New Year.

20
21 XI. ADJOURN

22 There being no further business, the Meeting was adjourned at 6:28 P.M.

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Dorinda Goddard, President

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31 _____
32 Carla Duering, Recording Secretary