



128 S Main St.  
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**AGENDA**  
**CITY OF CONDON PLANNING COMMISSION**  
**128 SOUTH MAIN STREET, CITY HALL**  
**Wednesday, November 20, 2013 ~ 6 p.m.**

- 1) Call Meeting To Order/Roll Call
- 2) **PUBLIC HEARING** – Variance Hearing #534 – Daniel Potter
- 3) **PUBLIC HEARING** – Historic Review Hearing #534 – LaRue Insurance Agency, Inc.
- 4) Approval of Minutes of October 16, 2013 Planning Commissioner Hearing & Meeting
- 5) Correspondence/Other
- 6) Next Meeting – December 18, 2013 (if needed)
- 7) Adjourn Meeting

*Agenda prepared and distributed November 13, 2013*

**City of Condon Planning Commission  
Minutes/Public Hearings  
October 16, 2013  
6 p.m.**

Present:	Staff Present:
Vernon Grey Michelle Colby Betsy Pattee Larry Hardie	Kathryn Greiner, City Administrator

Absent:
None

**CALL TO ORDER**

The Planning Commission meeting was called to order by Chairman Larry Hardie at 6 p.m. Roll Call was taken and a quorum was noted.

**PLANNING HEARING – Historical Review #528 – Flatt/Grage Sales (M&A); #529 – Earl Pryor; and #530- Jim & Mary Doherty**

**Open the Hearing** – Chairman Hardie opened the hearing at 6:01 p.m.

**Hearing Disclosure Statement** – Chairman Hardie went over the disclosure statement with Commissioner Vernon Grey stating that he has assisted in all three designs and will abstain from voting. No audience was present so to challenge the planning commission members to hear the application. No other member of the Planning Commission had an ex parte contact or a conflict of interest with the three historical designs.

**Staff Report – Application #529 - Pryor** – CA Greiner summarized the staff report for Earl Pryor’s application with the façade improvement and that staff recommended approval with the applicant obtain proper building permits, and that colors are conditional on being approved by the Historic Review Committee.

**Applicant Testimony** – Laura Pryor, 17062 Highway 206, Condon, OR 97823, testified that Vernon Grey had done several designs which included recessed doorways, awning and larger windows to allow more light. It will remain two different businesses as currently used. Pryor noted that there may be an issue of structural integrity of the front wall which may have the design change and asked about the process. CA Greiner stated that any change to the design would first come to the City of Condon and if necessary would go back to the Planning Commission for approval. Pryor stated that she would like to turn this into an art gallery and be open more hours. She noted that a new roof was installed in the last year and that the downspout

and flashing at the peak would be copper. She is working to find copper material to then match the stucco colors.

**Other Proponent Testimony** – None

**Applicants Rebuttal** – None

**Other Public Agency Reports** – None

**Close Hearing** –Commissioner Pattee closed the hearing at 6:12 p.m.

**Planning Commission Decision** –A motion was made by Commissioner Betsy Pattee to approve the Historical Review application #529 – Earl Pryor with the conditions set forth in the staff report. The motion was seconded by Commissioner Michelle Colby and approved with yay votes from Pattee, Colby and Hardie. Commissioner Grey abstained from voting.

**Staff Report – Application #528 – Flatt/Grage Sales (M&A)** – (Opened this hearing at 6:16 p.m.) CA Greiner summarized the staff report for Flatt/Grage Sales (M&A) application with the façade improvement and that staff recommended approval with the applicant obtain proper building permits, and that colors are conditional on being approved by the Historic Review Committee.

**Applicant Testimony** – None

**Other Proponent Testimony** – None

**Applicants Rebuttal** – None

**Other Public Agency Reports** – None

**Close Hearing** –Commissioner Pattee closed the hearing at 6:21 p.m.

**Planning Commission Decision** –A motion was made by Commissioner Colby to approve the Historical Review application #528 – Flatt/Grage Sales (M&A) with the conditions set forth in the staff report. The motion was seconded by Commissioner Pattee and approved with yay votes from Pattee, Colby and Hardie. Commissioner Grey abstained from voting.

**Staff Report – Application #530 – Jim & Mary Doherty** – (Opened this hearing at 6:22 p.m.) CA Greiner summarized the staff report for the Doherty’s application with the façade improvement and that staff recommended approval with the applicant obtain proper building permits, and that colors are conditional on being approved by the Historic Review Committee.

**Applicant Testimony** – None

**Other Proponent Testimony** – None

**Applicants Rebuttal** – None

**Other Public Agency Reports** – None

Commissioner Grey explained that the building would have an art deco design with tile on the front planter that would extend to the north side of the building. The tiles would not have contrasting colors to the main color of the building, according to Grey. CA Greiner stated that the Jim Doherty had called her that morning and stated that he has left color samples with Sandra Harris that morning.

**Close Hearing** –Commissioner Pattee closed the hearing at 6:28 p.m.

**Planning Commission Decision** –A motion was made by Commissioner Pattee to approve the Historical Review application #530 – Jim & Mary Doherty with the conditions set forth in the staff report. The motion was seconded by Commissioner Colby and approved with yay votes from Pattee, Colby and Hardie. Commissioner Grey abstained from voting.

## **MINUTES**

The commission reviewed the minutes of the April 17 2013 planning commission meeting. A motion was made by Commissioner Grey to approve the April 17, 2013 Planning Commission minutes. The motion was seconded by Commissioner Colby and approved unanimously.

## **CORRESPONDENCE/OTHER**

CA Greiner said that she has several signage issues in the last several months of landowners not completing a city application. She has worked with H&H Auto owners Ryan and Heather Bennett and made an administrative review and approval based on code. Since this sign was placed in the Historic District it does fall under the district's provisions, CA Greiner did put it before the Historic Review Committee and they approved the design. Another sign has been put up at the Round-Up Grill for the Oregon Lottery and CA Greiner said that she will speak to the owner and discuss with the HRC to see if it is acceptable. She believes it doesn't quite fit into the Historic District criteria. CA Greiner has also been talking with the owners of B&C Grocery regarding them putting up signs on their buildings and on their adjacent neighboring property that is used as a residence. CA Greiner asked them to take them down this summer, then again after fair time in September and again that day. She has offered to work with the owners to find a solution but they are resistant to not being able to put signage on property that is not the business. CA Greiner asked if the sign ordinance needs to be reviewed, but the Commissioners suggested that they look into a design on the top of B&C Grocery that would be legal with the ordinances and provide better vision of their store from Walnut Street.

CA Greiner also stated that there will be a November 20, 2013 meeting because of a pending variance application that she received that afternoon and she estimates at least one more Historic District Review hearings.

**ADJOURN/NEXT MEETING DATE**

The meeting was adjourned 6:42 p.m. The next meeting date is Wednesday, November 20, 2013, 6 p.m.

\_\_\_\_\_ Date \_\_\_\_\_  
Larry Hardie, Planning Commission Chair

Attest: \_\_\_\_\_ Date: \_\_\_\_\_  
Kathryn Greiner, City Administrator



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## NOTICE OF PLANNING COMMISSION HEARING

The City of Condon Planning Commission will conduct two public hearings beginning at 6 p.m., November 20, 2013, in the Council Chambers of the Condon City Hall, 128 S. Main Street, Condon, Gilliam County, Oregon for the following applicants:

1. **Daniel Potter, 309 S. A Street, Condon, Oregon – Variance Hearing.** Potter is proposing an accessory building/garage in the back lot of his home. The lot is on B Street and will not have any setback from property line – a 15 foot setback is required by ordinance. The accessory structure will be on the property line, which is the same place that a former structure was located.. The project falls under the §152.605 – Authorization to Grant or Deny Variances; §152.606 – Circumstances for Granting a Variance; and §152.607 – Procedures for Granting a Variance.
2. **LaRue Insurance Agency, Inc., 105 S. Main Street, Condon, Oregon – Historic District Review** – LaRue Insurance Agency, Inc., is proposing restoration of the façade of their building at 105 S. Main Street, Condon, Oregon. This project is a part of the city's new Main Street Project. This project falls under §152.306.

Public comment will be accepted at this time, in addition to any written testimony. A copy of the staff report on these applications will be available for review at City Hall, 128 S. Main Street, Condon, Oregon or reviewed on [www.cityofcondon.com](http://www.cityofcondon.com) by November 13, 2013.

Failure to raise an issue in a hearing, either in person or by letter, or failure to provide statements or evidence sufficient to afford the decision make an opportunity to respond to that issue, precludes appeal to the Land Use Board of Appeals based on that issue.

If you have any questions contact Kathryn Greiner, City Administrator, 128 S. Main Street, Condon, Oregon 97823, 541-384-2711. All interested parties are urged to attend.

Kathryn Greiner  
City Administrator  
City of Condon

**CITY OF CONDON  
STAFF REPORT – VARIANCE #533**

**Application No.** 533

**Applicant:** Daniel Potter

**Address of Owner:** 309 S. A Street  
Condon, OR 97823

**Address of Property:** 421E 10CB Tax Lot 1400

**Zoning:** Residential 1

**Proposal:** Owner is requesting a Variance of 15 feet from the street setback on B Street to place an accessory building in the place of a structure that is existing. The setback requirement is §152.302(4) and requires on a street of 15 feet. This may be argued that it is actually a 5 foot setback since it is a rear yard even though it fronts a city street.

**VARIANCES AUTHORIZATION - §152.605**

The Condon Planning Commission may authorize a variance from the requirements of this chapter where it can be shown that owing to special and unusual circumstances related to a specific lot, strict application of the ordinance would cause an undue or unnecessary hardship. In granting a variance, the Condon City Council, may attach conditions which it finds necessary to protect the best interests of the surrounding property or vicinity and otherwise achieve purposes of this chapter.

**CIRCUMSTANCES FOR GRANTING A VARIANCE §152.606**

A variance may be granted if the following conditions exist:

1. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, topography or other circumstances over which the owners of property since enactment of this chapter have had no control.
2. The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same zone or vicinity possess.
3. The variance would not be materially detrimental to the purposes of this chapter, or to property in the same zone or vicinity in which the property is located. Or otherwise conflict with the objectives of any city plan or policy.
4. The variance requested is the minimum variance which would alleviate the hardship.

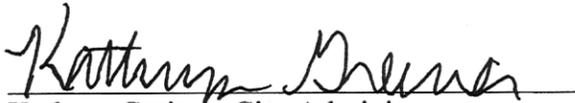
**CONSIDERATIONS:**

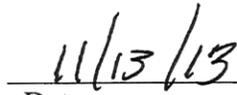
1. The property is an exceptional or extraordinary circumstance that applies to this property due to building in this neighborhood that has been placed on property line in the rear lots facing B Street. Garages in this neighborhood have been built on the property line without setbacks prior to the formation of this chapter.
2. The variance will be necessary to preserve the same location of the former garage.
3. The variance is not detrimental to the proposes of this chapter and meet similar setbacks of property within the same block.
4. There is the potential of no setback from property line, though it is setback further than the existing garage located adjacent to the proposed accessory building. A survey or property lines was recently completed for a city water improvement project and showed that portions of buildings encroach city property. The proposed setback will not have the garage on city property.

**RECOMMENDATION**

The staff recommendation is as follows:

1. Staff recommends approval of this variance with no setback of the rear yard due to the fact that it is replacing an accessory building in the same location toward the street. The structure meets the other setback requirements from the neighboring yard (5 feet required) and from the residence.
2. All building code rules and regulations apply.

  
Kathryn Greiner, City Administrator

  
Date

**CITY OF CONDON  
STAFF REPORT – HISTORIC REVIEW #534**

**Application No.** 534

**Applicant:** LaRue Insurance Agency, Inc.

**Address of Owner:** 105 S. Main Street  
Condon, OR 97823

**Address of Property:** 4S21E 10BD Tax Lot 10100

**Zoning:** Commercial 1/Historic District

**Proposal:** Owner is requesting a Historic Review according to §152.306 – City of Condon Land Usage Code, Zoning Regulations – Historic Combining Zone. LaRue is requesting the façade improvement on his building.

**PROCESS**

The process for this request of changes to a building in the Historic District is to conduct a public hearing before the City’s Planning Commission. At the close of the hearing the Planning Commission may either issue an approval or a denial or move to continue the deliberations of the Commission to another time and date. There is an appeal process available to residents to the Planning Commission and City Council on this issue if procedure is followed. Notices have been sent to adjacent landowners.

**PLANNING ANALYSIS/ISSUES**

This Planning Analysis will identify the issues in this matter to assure that the applicant does a project that adheres to the Historic District purposes. The State Historical Preservation Office and the Gilliam County Historical Society has been notified of this hearing to provide representation, plus the notice has been published in the Times-Journal on November 5, 2013, and the notice has been posted.

The requirement for the examination of plans of buildings in the Historic District is in §152.306(7)(A) that sets the criteria for review for major or minor alterations of the structure. Routine maintenance, including painting may be administratively reviewed or exempt from review in §152.306(7)(B).

This project is in cooperation with the City of Condon’s Main Street Project that assists property owners within Condon’s Historic District financially with façade improvements. This application will create an art deco features, new door and windows on and tile on planter. The window air conditioner unit will be removed and a solid awning will be

added over the doorway. Signage will be added to the front of the building where it presently is on the window.

### **STAFF RECOMMENDATION**

The staff recommendation is as follows for the alteration:

- Approval of the façade improvements with proper state permits as presented.
- Work with and receive approval from Historic Review Committee on color scheme prior to commencement of work.

Respectively submitted,

A handwritten signature in black ink, appearing to read "Kathryn Greiner". The signature is written in a cursive, flowing style.

Kathryn Greiner  
City Administrator

October 8, 2013