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| white salmon logo | **CITY OF WHITE SALMON****Planning Commission Meeting - Wednesday, June 26, 2019****DRAFT** |

**COMMISSION AND ADMINISTRATIVE PERSONNEL PRESENT**

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|   | **Commission Members:**David LindleyTom StevensonRoss HenryMichael MorneaultNot present:Anne Medenbach | **Staff Present:**Erika Castro Guzman, City Associate PlannerJan Brending, Clerk TreasurerKen Woodrich, City Attorney |

**CALL TO ORDER/ ROLL CALL**

Planning Commissioner Chairman David Lindley called the meeting to order at 5:30 PM.

**MINUTES OF RECORD**

1. ***Minutes of June 12, 2019***

Moved by Michael Morneault, seconded by Ross Henry.

Motion to approve minutes of June 12, 2019. CARRIED 4 – 0

**PUBLIC HEARING**

1. **P*roposed Variance 2019.003***

***Applicant: Kabe and Roberta Grant, 480 NW Michigan Avenue***

Public hearing for Variance 2019.003 was opened at 5:32 PM. Chairman Lindley recited the Appearance of Fairness Doctrine. No concern or objection was voiced by Commissioners nor applicant to participation.

The public hearing proceeded with a visual presentation and reading of the staff report by Associate Planner, Erika Castro Guzman, and Clerk-Treasurer, Jan Brending (in place for the City Administrator, Patrick Munyan).

***Orientation and Background***

The applicant is seeking to obtain a variance from the density provisions of White Salmon Municipal Code 17.28.040, for their lot located at 480 NW Michigan Avenue, White Salmon. The Applicant is seeking an 18-ft relief from the minimum 50-ft lot width requirement, with the intent to move forward with short platting one additional lot.

***Commissioner Comments***

Commissioner Michael Morneault requested clarification regarding the determination of a heritage tree. Brending stated WSMC 18.10.317—Special Provisions Heritage Trees, where it specifically identifies White Oaks and any tree larger than a specified diameter. Brending also stated that variances from the Critical Areas Ordinance are heard by the City Council. Chairman Lindley clarified the application being heard is a Variance to lot width, and any site plan or separate variance application should not be a deciding factor. Attorney Ken Woodrich stated that he understands why the heritage tree ordinance is mentioned in the staff report, as a precaution that there is a further application beyond the variance presented today, but agrees it should not be a deciding factor as the Planning Commission is not the decisionmaker. Commissioner Tom Stevenson further discussed that trees may be viewed as unnatural restrictions as apposed to lots that do not have trees.

Staff clarified the interpretation of the new proposed lot width and how the lot width is calculated by definition. Commissioner Stevenson shared his interpretation of the code and believes that it may mean a diagonal line may measure the irregular shape with the length of the angling line, similar to the measurement of a building height. Chairman Lindley identified WSMC 17.08.290 to disagree that the code speaks to angles as it states, “Lot width means the distance between side lot lines, measured at the front yard building line; in case of irregular-shaped lots, the lot shall be measured at a point midway between the front and rear lot lines.”

Attorney Woodrich initially requested the Applicant to request his engineer to provide a line table for Attachment B, the most resent dated work, but then cleared his request with the finding of a line table on Attachment C.

***Applicant Comments***

Kabe Grant, Applicant and Property Owner of 480 NW Lincoln Street

Kabe Grant stated that he and his wife purchased the property a few years ago as two lots; Lot 6 and Lot 7 that were combined into one lot. He said the house was built in 1894 and it’s main entrance is on the north side of the home. Grant stated the primary residence and garage slightly share a roof line and identified the existing driveway that provides access to the garage and main door. He said he understands that if the garage were to be demolished, there would not be a need for a variance. Kabe said the garage was built in 1940 into the hillside and is made of giant basalt rooks and heavy timber. He said he believes the garage is unique and special, although not on the historical register, and that it is the only garage for the property as there would be no other space to rebuild. Grant said it is his goal is to create a lot to build their new home and rent the existing or vise versa. He said he believes there is adequate amount of room to build a larger home than the existing, regardless of the lot’s narrowness and irregular shape.

Grant presented a plat from WS-SP-2016.03 to add to the record as support for a recent lot approved by the City that does not meet the appropriate zoning lot depth.

Grant stated he understands that a structure is not considered a hardship, but believes it is a practical hardship as it is built into the side of the hill and because with the lack of a garage where could items be stored. He said he sees it as a practical hardship. Grant said he is requesting the Planning Commission approve the variance as the land was originally plated as two lots and would like to continue its use of the property as such.

Commissioner Morneault asked how the lot is legally considered today. Attorney Woodrich answered the lot is one, additionally commenting that in building requirements, the garage would have not been permitted, even in the 1940s, because it crosses a boundary line. Commissioner Morneault clarified, by asking the applicant, no licensed archeologist or historian has viewed the garage.

Clerk-Treasure Brending, in response to WS-SP-2016.03, read WSMC definitions of lot depth and lot width, emphasizing staff reviewed a number of irregular shaped lots that were created before the adoption of these codes in 2012.

Commissioner Henry asked if the Applicant would consider creating an accessory dwelling unit as a second option for housing. Grant answered he may consider it; but states it may be small considering the existing home is roughly 1,200 square-feet, in which the maximum unit size per code would be about 600 square-feet. Further discussion entailed the potential home placement on the new lot and grade of the property.

Commissioner Morneault questions the applicant as he was aware the property was purchased as is, so when the idea of short-platting the property commence. Grant answered it looked like a good opportunity to place a second home with the allowable zoning density there being R-2.

***Public Testimony***

There was no public testimony.

***Public Hearing Closed at 6:28 PM.***

***Deliberation***

Commissioners discussed the unique property in an area that is designed for medium development, other factors that the property developer may be facing and whether or not this decision, if approved, would be a precedent. There was consensus of the commission agreed that a structure, unless registered as historical, is not a hardship.

Additionally in reference to the plat associated with previously approved WS-SP-2016.03, Attorney Woodrich stated there is unknown information related to that application that set forth approval of the short plat with the lot depth reduction. Chairman Lindley stated that the facts related to that approval are not similar to the variance request before the commission.

Attorney Woodrich and Chairman Lindley requested that any motion put forth strike reference to heritage trees as it does not pertain to the decision of the variance.

Moved by Michael Morneault, seconded by Ross Henry

*Motion to adopt Staff’s facts and findings and conclusion, with the exception of WSMC 17.80.058 5c, directing staff to rewrite the finding be to remove reference of heritage trees according to the official record (Page 7 of 9).* CARRIED 4 – 0

***Further Deliberation***

Chairman Lindley confirmed Staff will need to rewrite the section regarding the variance’s would be materially detrimental to the public welfare. Commissioner Henry expressed his concern that an approval of a variance such as the one proposed would set a precedent.

Moved by Michael Morneault, seconded by Ross Henry

*Motion to deny Variance 2019.003.* CARRIED 4 – 0

**ADJOURNMENT**

 The meeting was adjourned at 6:45 p.m.

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| David Lindley, Chairman | Erika Castro Guzman, Associate Planner |