

# City of Harrisburg

## **PLANNING COMMISSION**

### **NOTICE OF DECISION**

**REQUEST:** The applicant requests approval of a Variance (LU #450-2023) and Adjustment (LU #451-2023) that will allow construction of a primary garage (accessory structure) that exceeds the size and height requirements of HMC 18.50.150. An adjustment is requested to slightly alter the east side setback by 1'3".

**LOCATION:** Linn County Assessor's Map 15S 04W 15BD, Tax Lot 00524

**HEARING DATE:** July 18, 2023

**ZONING:** R-1 (Low Density Residential)

**APPLICANT**

Keith & Jody Gregersen  
945 Greenway Dr.  
Harrisburg, OR 97446

**OWNER**

Same

**APPEAL DEADLINE:** August 1, 2023

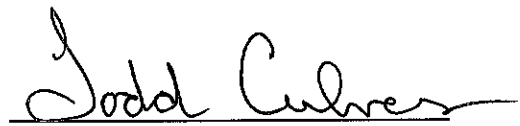
**DECISION:** The Harrisburg Planning Commission conducted a public hearing on July 18, 2023 and voted to approve the request with conditions of approval. The Planning Commission adopted the findings contained in the August 12, 2023 Staff Report to the Planning Commission, and portions of the minutes from the meeting that demonstrate support for the Planning Commission's actions. Criteria relied upon for review is found in HMC 18.50.150, 19.40.030, 19.40.040, and 19.40.050.

**APPEALS:** The decisions may be appealed by filing a Notice of Appeal with the City Recorder at 120 Smith Street. The Notice of Appeal should be filed by the Appeal Deadline date listed above. Specific information on the requirements for an appeal or a copy of the complete file of this land use action may be obtained at Harrisburg City Hall. There is a fee of \$750.00 plus actual expenses for appealing a Planning Commission decision to the City Council.

**EFFECTIVE DATE:** August 2, 2023, unless an appeal has been filed with the City Recorder.

**EFFECTIVE PERIOD:** Variance approvals shall be effective for eighteen (18) months from the date of approval. Where the owner has applied for a building permit, has made site improvements consistent with the approved development plan, or provides other evidence of working in good faith towards completing the project, the City Administrator may extend an approval accordingly.

Unless appealed, this Variance approval will expire on December 1, 2024.

A handwritten signature in black ink, reading "Todd Culver", written over a horizontal line.

Todd Culver  
Planning Commission Chair

## CONDITIONS OF APPROVAL

1. **Consistency with Plans** – Development shall comply with the plans and narrative in the applicant's proposal, except where modified by the following conditions of approval.
2. **Setback** – The applicant shall not be allowed to exceed the adjusted side setback allowance of 5.95'.
3. **Adjustments** – The applicant shall be allowed only two additional adjustments to apply to this tax lot in the next 12-months following approval.
4. **Height of Accessory Structure** - The applicant may not exceed the height of 21'6" on the proposed accessory structure.
5. **Size Limitation of Accessory Structure** - The applicant may not exceed the size limitation of 816 sq. ft. allowed by this variance request.
6. **Time Limitation** - The property owners must apply for a building permit within an 18-month time limit from the approval of this variance and adjustment request.

## DEVELOPMENT/BUILDING CODE REQUIREMENTS

**Development/Building Code Requirement No. 1.** The Property Owners must match the exterior of the primary garage/accessory structure to the home in appearance.

**Development/Building Code Requirement No. 2.** The Property owners will be required to apply for a building permit before any structural work is completed on the garage.