



Community Development  
925 S. Main Street  
Lebanon, Oregon 97355

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**NOTICE OF DECISION**  
**Planning File No. AR-20-07**  
(Administrative Review)

June 15, 2020

**I. BACKGROUND**

**APPLICANT:** Mark Gorman

**PROPERTY LOCATION:** The subject property is generally located on the south side of W. Oak Street, between S. 12<sup>th</sup> Street and Gilbert Drive. The current property address is 1142 W. Oak Street, and the County Assessors map identification is within Township 12 South, Range 2 West, Section 10CC, Tax Lot 3100.

**PARCEL SIZE:** The project area is approximately 0.5 acres.

**ZONING:** Residential Mixed Density (Z-RM).

**EXISTING DEVELOPMENT:** There is an existing single-family residence located on the northern portion of the property, and miscellaneous accessory structure at the southern end of the property.

**ADJACENT ZONING AND LAND USES:** Surrounding properties to the north, east and west are zoned Residential Mixed Density (Z-RM) and consist of single-family residences. Properties to the south are zoned Mixed-Use (Z-MU) and consist of single-family residences.

**PROJECT SUMMARY/REVIEW CRITERIA:** The Applicant is requesting approval of the construction of a 36-foot by 36-foot pole barn accessory structure.

- Section 16.05.040 of the Lebanon Development Code requires an application for an Administrative Review for an accessory structure larger than 1,000 square feet and/or taller than 25 feet. The accessory structure proposed is 1,296 square feet, but under 25-feet in height.
- Section 16.05.150.B of the LDC states that accessory structures constructed more than 60-feet from streets or other alleys may have the rear and side yard reduced to 3-feet. The structure is proposed to be constructed 104 feet from the street, and there is no alley in the vicinity. The building is proposed to be situated 4 feet at the closest point to the side setback, meeting the setback requirements. (Decision Criteria #2.a in Section

16.20.040).

- The site is accessed from an existing driveway on Oak Street. A concrete paved area has been installed from the property line to a fence (approximately 57 feet from the driveway), around the side of the building, to a gate. The gate would provide access to the accessory building. No off-site improvements are required for the installation of the accessory structure. (Criteria #2.b in Section 16.20.040).
- There are no parking requirements for an accessory structure in a residential zone. (Criteria #2.c in Section 16.20.040)
- The subject property is a single-family residence, which is exempt from landscape standards found in Chapter 16.15. (Criteria #2.d in Section 16.20.040)
- There are no public facility improvements triggered for an accessory structure. (Criteria #2.e in Section 16.20.040)
- The site is not located in a hazard area or overlay zone. (Criteria #2.f in Section 16.20.040)
- The accessory structure complies with the code requirements for accessory structures found in Section 16.19.010. (Criteria #2.g in Section 16.20.040)

The City's review criteria for an Administrative Review in Chapter 16.20 – Review and Decision-Making Procedures. The Project summary above provides the data for the basis of review and the decision criteria. Based on the proposal, the project complies with the required development standards per Chapter 16.05 of the Development Code, and all required findings can be met.

## II. PUBLIC NOTIFICATION

The City issued a public notification in compliance with the Lebanon Development Code and State regulations on February 19, 2020. The public comment period remained open until 5:00pm on Wednesday, March 4, 2020. The City received no public comment letters on the proposed application.

## III. DECISION AND CONDITIONS OF APPROVAL

Based on the project summary and the record, the Administrative Review meets all the required development criteria set forth in Chapter 16.05, and the required decision criteria in Chapters 16.20 of the Lebanon Development Code. City staff concludes the proposal complies with the provisions for an Administrative Review and **APPROVES** the application subject to the following Conditions:

- A. A detailed site plan shall be submitted to verify the setbacks for the accessory structure.
- B. An Engineering residential site plan shall be submitted with building permits. No additional driveways or expansion of existing driveway will be approved.
- C. Compliance with these conditions, and the applicable requirements of the Lebanon Development Code, City Public Works Standards, Lebanon Fire District requirements and adopted building code, shall be the sole responsibility of the property developer.

#### IV. OTHER PERMITS AND RESTRICTIONS

The Applicant is herein advised that the use of the property involved in this application may require additional permits from the City or other local, State or Federal agencies.

The City of Lebanon land use and review and approval process does not take the place of, relieve the Applicant of responsibility for acquiring such other permits, or satisfy any restrictions or conditions thereon. The land use approval herein does not remove, alter or impair in any way any covenants or restrictions imposed on this property by deed or other instrument.

#### V. APPEALS

This action is final unless appealed to the Lebanon Planning Commission within fifteen (15) calendar days from the date of this notice. **The appeal must be submitted to the Community Development Department by 5:00 PM on Tuesday, June 30, 2020.** Only the applicant and/or a party receiving a copy of this decision may appeal this land use decision. The appeal must state the purpose of the appeal, identifying specific criteria which the application fails to meet, and include the required appeal fee of \$250.00.

Should you wish to appeal this action, or have any questions regarding this project, please contact the Lebanon Planning Division at (541) 258-4906, for further information.

#### VI. RECORD

The City's case file and record can be viewed in the Community Development Department at Lebanon City Hall, located at 925 S. Main Street, Lebanon, OR 97355 during regular business hours.

Respectfully,



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Kelly Hart  
Community Development Director

June 15, 2020

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Date