



Community Development  
925 S. Main Street  
Lebanon, Oregon 97355

TEL: 541.258.4906  
cdc@lebanonoregon.gov  
www.lebanonoregon.gov

**NOTICE OF DECISION**  
**Planning File No. VAR-23-06**  
**(Class I Variance)**

October 18, 2023

I. BACKGROUND

APPLICANT: Dean Pickett

PROPERTY LOCATION: The subject property is located on the southwest corner of South Main Road and Sand Ridge Court. The property address is 10 & 12 Sand Ridge Court, and the County Assessor map locates the parcel within Township 12 South; Range 2 West; Section 22AA; Tax Lot 300.

PARCEL SIZE: 0.20 acres

ZONING: Residential Mixed Density (Z-RM)

EXISTING DEVELOPMENT: The site is currently under construction for a duplex.

ADJACENT ZONING AND LAND USES: The project site is surrounded by a mix of residential and commercial properties in the Residential Mixed Density (RM) zone to the north and west, Residential Low Density (RL) zone to the south and Highway Commercial (CH) zone to the east.

PROJECT SUMMARY/REVIEW CRITERIA: The Applicant is requesting approval of a Class I Adjustment for construction of a fence above the maximum height permitted within the setback area adjacent to South Main Road.

- The proposed fencing subject to the Class I Variance would be located within the street side setback on South Main Road, outside the vision clearance areas of the intersections. An exhibit, incorporated as reference and identified for conditioning purposes, attached to this approval identifies the location of the clear vision areas and intersection sight distance area to identify the location in which the fence would be installed in the street side setback.
- A Class I Adjustment requires the following decision criteria to be met in order to authorize the adjustment:

- The City's Planning Official may grant a minor adjustment to height limitations and/or setback requirements on fences and walls if such variations do not infringe upon the clear vision triangle requirements at intersections of streets or at intersections of driveways and streets as established in Section 16.12.030.H of the Lebanon Development Code. The clear vision triangles for the intersection of the private driveways and public streets measure 20 feet along the street right-of-way and 10 feet along the private access driveway as required in the LDC. The clear vision triangles for the intersections of the public streets measure 20 feet along the street rights-of-way. The proposed location of the fence is not within the limits of the clear vision triangles and do not block street intersection safe stopping sight distance required line of sight for the intersection or the driveway to the south. As such, with the vision and site distance triangle compliance, the application meets the criteria for a Class I Variance.

The City's review criteria for a Class I Minor Adjustment in Chapter 16.29 – Variances and Adjustments. The Project summary above provides the data for the basis of review and the decision criteria. Based on the proposal, the project complies with all other required development standards per Chapter 16.05 of the Development Code, and all required findings can be met.

## II. DECISION AND CONDITIONS OF APPROVAL

Based on the project summary and the record, the Class I Minor Adjustment proposal meets all the required development criteria set forth in Chapter 16.05, and the required decision criteria in Chapters 16.29 of the Lebanon Development Code. City staff concludes the proposal complies with the provisions for a Class I Minor Adjustment and APPROVES the application subject to the following Conditions:

- A. The maximum fence height permitted shall be 8-feet. Any additional fencing proposed shall be compliant with the Lebanon Development Code, or subject to a new variance application.
- B. Any fencing height seven feet or taller is subject to a building permit.
- C. The fence line shall be placed outside the corner and driveway clear vision and sight distance triangles as shown in the attached exhibit. Prior to installation, the Applicant shall contact the Engineering Department to determine whether they require the clear vision/sight distance triangles to be staked and inspected.
- D. To confirm adequate sight lines, a final sight distance evaluation will be performed post construction and prior to final occupancy of the duplex.

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 Thursday, November 2, 2023.** 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 or [cdc@lebanonoregon.gov](mailto:cdc@lebanonoregon.gov), 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,

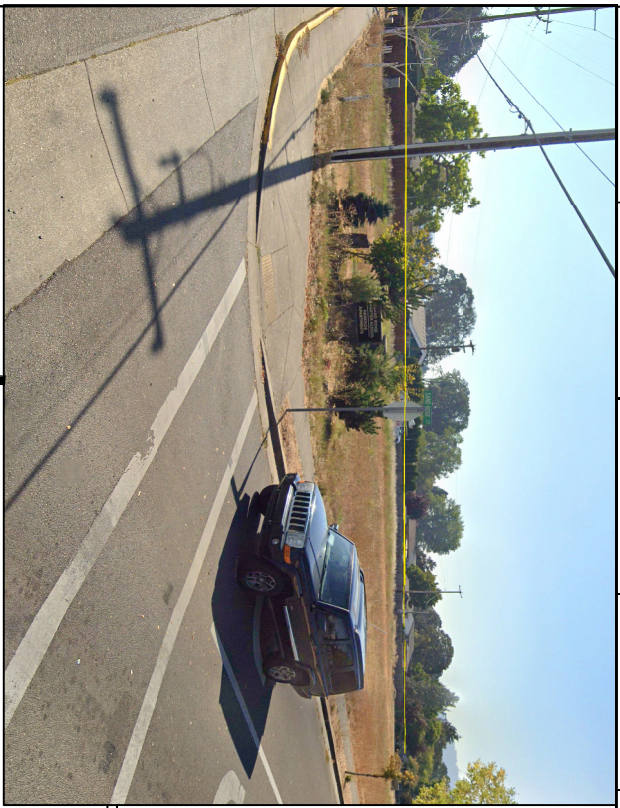
  
\_\_\_\_\_  
Tammy Dickey  
Senior Building and Planning Technician

Oct 18, 2023  
Date

Concurrence by:  
  
\_\_\_\_\_  
Kelly Hart  
Community Development Director

10/18/2023  
Date





**STREET VIEW**

SIGHT CUT-OFF LINE  
 SIGHT LINE FOR NORTH BOUND TRAFFIC ON MAIN  
 THAT COULD BE POTENTIALLY OBSCURED BY 6 FT  
 HIGH FENCE EXTENDING INTO SETBACK

**MAIN ST**  
 25 MPH

Braking/Stopping Distances in feet (NACTO)

MPH Ft./Sec.	25/36	35/52
Braking Deceleration Distance	30	60
Perception Reaction Distance	55	80
Total Stopping Distance	85	140

EDWARDS ESTATES LOT 6 - 12S02W22AA 00300

REVISION 4 16 OCT 23

**COE CONSTRUCTION**  
**SAND RIDGE LOT 6 - LEBANON OREGON**

**VCT DISTANCE**

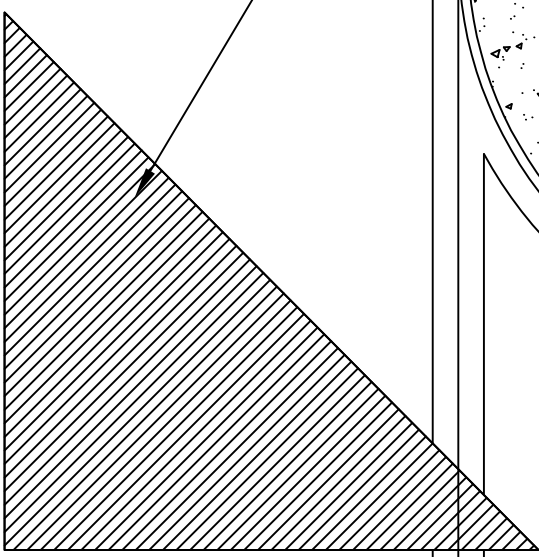
**KEATING ENGINEERING**

189 EAST 16TH AVENUE  
 EUGENE, OR 97401  
 VOICE (541) 242-0613  
 FAX (541) 242-0614

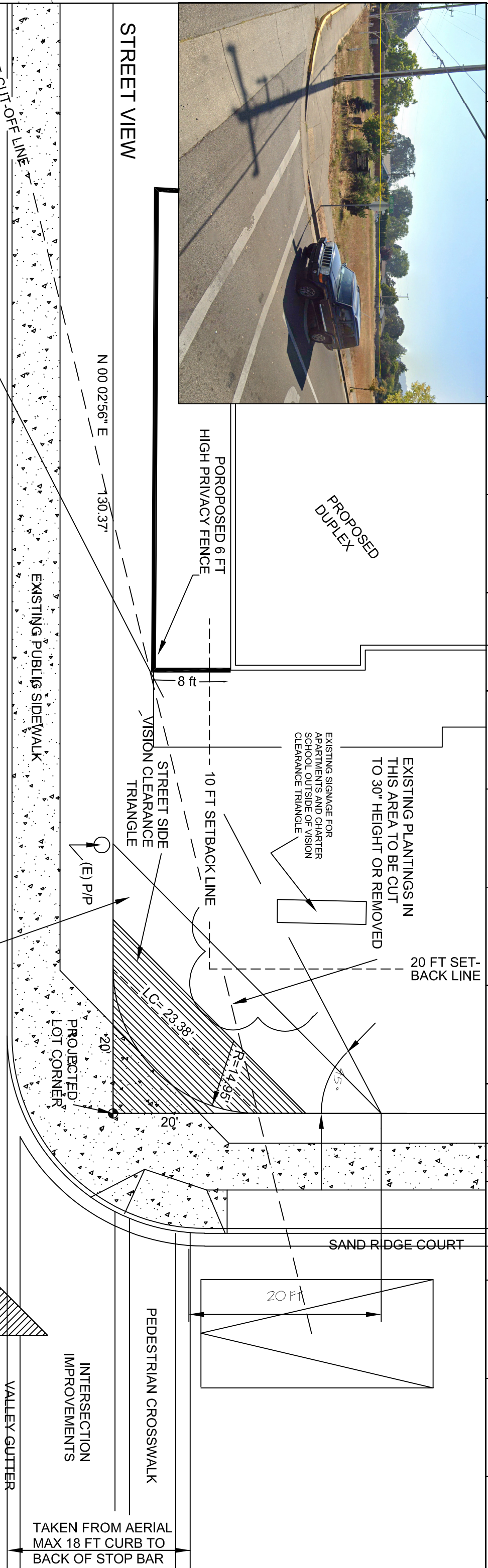
DATE 10/03/23  
 SCALE 1"=1'-1"  
 DRAWN BY SK  
 CHECKED BY SK  
 PROJECT NO N/A

**SHEET C2.2**

THE PURPOSE OF THIS DRAWING IS TO IDENTIFY THE VISION CLEARANCE AVAILABLE TO MOTORISTS STOPPING AT THE PEDESTRIAN CROSSING AT SAND RIDGE COURT, TO ENSURE THAT SIGHT DISTANCES TO MAIN STREET WERE NOT OBSCURED BY THE PLANTINGS AND THE PROPOSED FENCE AT THE EAST SIDE OF THE PROPOSED DUPLEX



ATTENUATED VISION CLEARANCE TRIANGLE BASED ON THE POSITION OF THE EXISTING STOP BAR



TAKEN FROM AERIAL  
 MAX 18 FT CURB TO  
 BACK OF STOP BAR