

CITY of BOARDMAN

Community Development

STAFF REPORT

DATE: September 29, 2021

TO: Boardman Planning Commission and all interested parties

FROM: Barry C. Beyeler, Community Development Director

SUBJECT: LU 21-004 Variance Request – Woodhill Homes 129 SW Eagle Dr.

On August 26, 2021, the city received an application for a variance of the front yard setback for 129 SW Eagle Dr. The need for a variance was noted as for the driveway were being installed. It was noted the garage was within the 20' setback by 2.6', and the house encroaching into the 15' setback 2.4'. Both measurements are greater than 10% allowance of a Class A decision and requiring a Class C variance, which is a Type III decision.

The house was more than 85% completed when this issue was discovered and the need for the variance was initiated. Attached with this report is the Zoning permit submitted which was signed by the Community Development Director. Also attached is the variance application and a redrawn site plan of what was under construction. The Community Development Director and the Building Official have established additional attention to setbacks and are putting two sets of eyes on lines strung from property corners. We have since found two other homes, all of which on cul-de-sacs or knuckle turns, which involve a radius measurement. We pointed out how to use the monuments to determine setbacks on these lots and the contractor is doing better on hitting the appropriate marks.

The reason this house was moved forward from the original approved site plan is the buyer want a bigger back yard. The house was moved closer to the street a few feet too much creating this situation. Aesthetically, the house does fit nicely with the neighboring homes.

Findings of Fact:

- 1) The house encroaches into the Front yard setback 2.4' and the garage encroaches into the Front yard setback 2.6'.
- 2) The house is at 85% completion or greater.
- 3) The house is on a radius across the entire front yard.
- 4) The city has taken step between there Community Development Director and the Building Official to coordinate showing the contractor to measure using monuments to make their front yard setbacks to prevent mishaps like this.

Staff Recommendations:

Although this mistake should have been caught at an earlier point it was not. To punish the contractor by starting over would seem egregious for a home this far along. Staff recommendation is for APPROVAL of LU 21-004 and staff double check the setback are met.



ZONING APPROVAL

City of Boardman
Community Development Dept.
P.O. Box 229
Boardman Oregon 97818
(541) 481-9252
FAX: (541) 481-3244

File Number 2P21-018 Date Received 4-13-21 Date Completed 4-13-21 Fee \$50.-

Applicant / Contractor: Name(s) Sean Jackson Emerio Design / Woodhill Homes

Mailing Address 6445 SW Fallbrook PL #100, Beaverton, Or 97008

Phone 503-310-7113

E-mail address sean@emeriodesign.com

Legal Owner (if different from applicant):

Name(s) Woodhill Homes

Address 70 SW Century Blvd Bend Or 97702

Property Description:

Township 4N Range 25 Section 17 DB Tax Lot 912

Physical Address 129 SW Eagle Drive, Boardman Oregon

Subdivision/Partition River Ridge Estates Phase 3 Parcel Zoning Residential

Proposed Set Backs: Lot Width _____ ft. Lot Depth _____ ft.

Front 15 ft. Side 7 ft. Side 7 ft. Rear 15 ft.

Proposed Structures:

1. <u>Single Family Residence</u>	Sq Ft <u>1600</u>	Baths <u>2</u>
2. _____	Sq Ft _____	Baths _____
3. _____	Sq Ft _____	Baths _____

Plot Plan: Attach a plot plan showing where on the lot the structures will be located. Identify setbacks, existing structures, location of access, septic system, drain field, and well if applicable. The drawing does not need to be to scale.

Certification: I, the undersigned, acknowledge I agree to the standards and limitations set forth by the Boardman Development Code. I propose to meet all standards set forth by the Boardman Development Code and any applicable State and Federal regulations. I certify that the statements and information provided with this application are true and correct to the best of my knowledge.

Signed: _____
(Applicant / Contractor)

(Legal Owner)

Printed: Isaias Valencia
(Applicant / Contractor)

(Legal Owner)

If this application is not signed by the property owner, a letter authorizing signature by the applicant must be attached.

Planning Approval Signature [Signature] Date 4-13-21

* UNOBSTRUCTED STRING LINE ON SIDE YARD
PROPERTY LINES

NOTE TO CONTRACTOR:

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO THE COMMENCEMENT OF WORK.

EMERIO DESIGN ASSUMES NO LIABILITY FOR THE ACCURACY & COMPLETENESS OF THE DRAWING. ALL EXISTING UTILITIES SHOULD BE FIELD VERIFIED.

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES SHOWN ON THESE PLANS ARE OBTAINED BY A SEARCH OF AVAILABLE RECORDS. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT THOSE SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN ON THESE DRAWINGS. THE CONTRACTOR FURTHER ASSUMES ALL LIABILITY AND RESPONSIBILITY FOR THE UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN OR NOT SHOWN ON THESE DRAWINGS.

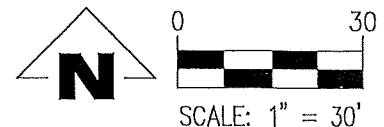
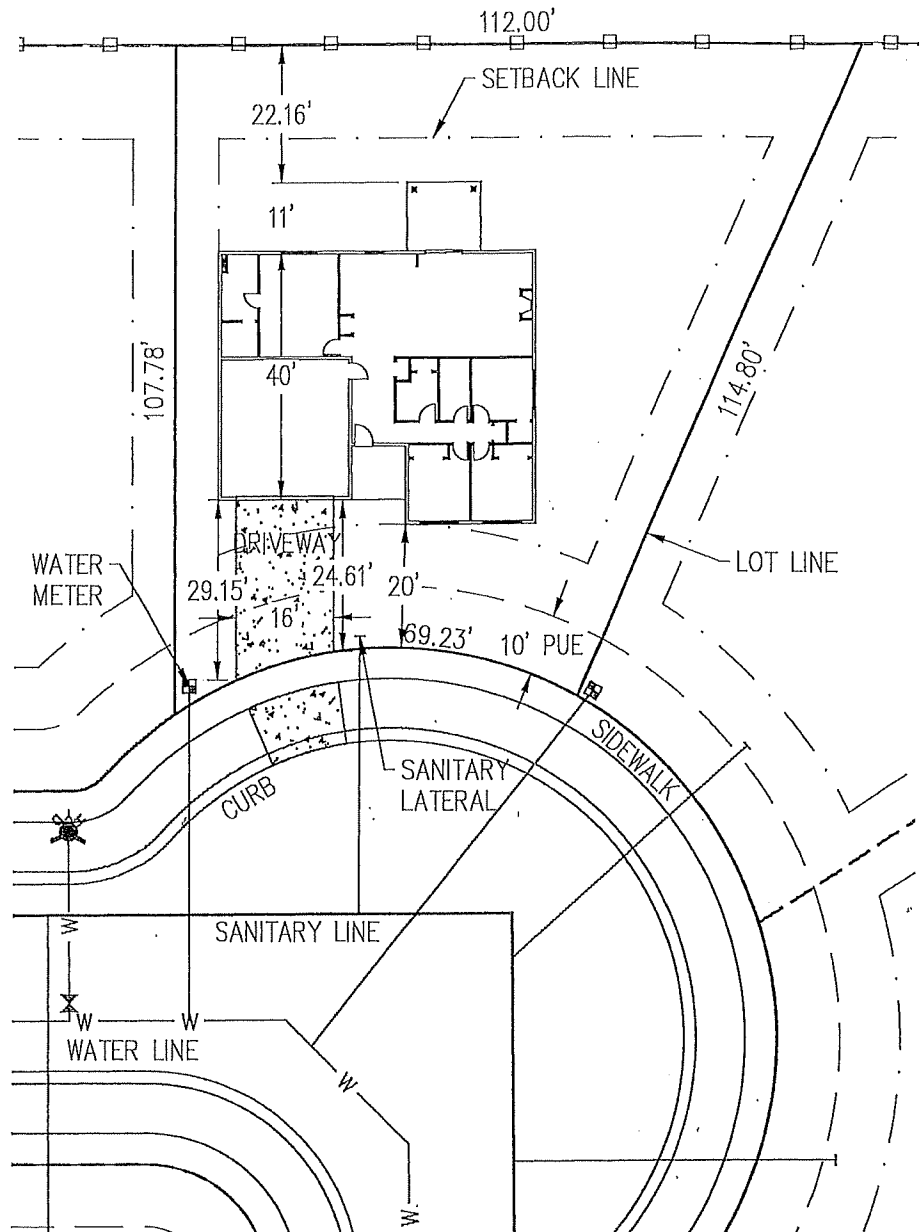
PROPERTY DATA:

ZONE: R

SETBACKS (MINIMUM)

FRONT	15'
GARAGE	20' (PARALLEL),
SIDE	7' (15' STREET)
REAR	15'

LOT AREA: 9,014 SF
LOT COVERAGE: 2,721 SF
PERCENT COVERAGE: 30.2%



PROJECT NO. 0041-055
ORIG. DATE: 03/11/21
DRAWN BY:
SHEET No. 1 of 1

SITE PLAN
RIVER RIDGE ESTATES PH3 - LOT 12
FOR: WOODHILL HOMES
CITY OF BOARDMAN, OREGON

EMERIO
ENGINEERING • SURVEYING • DESIGN
6445 SW FALLBROOK PLACE, SUITE 100
BEAVERTON, OREGON 97008
TEL: (503) 746-8812
FAX: (503) 639-9592
www.emeriodesign.com



City of Boardman
200 City Center Circle | PO Box 229
Boardman, OR 97818
(541) 481-9252

XBP Confirmation Number: 105383867

Transaction detail for payment to City of Boardman.			Date: 08/26/2021 - 4:52:09 PM MT
Transaction Number: 155468882PT			
Visa — XXXX-XXXX-XXXX-7900			
Status: Successful			
Account #	Item	Quantity	Item Amount
LU21-004	Site Planning Fees	1	\$150.00

TOTAL: \$150.00

Billing Information
James Campbell
70 SW Century Blvd
Bend, OR 97703

Transaction taken by: jackie



City of Boardman Land Use Application

Office Use Only:

File No. LU21-004

Date Received 8-26-21

Decision Type 111

Owner: Woodhill homes Phone: 503-310-7113
Address: 70 SW Century Dr City: Bend State: OR Zip: 97702
Applicant or Agent: Isaias Valencia Phone: 509-520-9668
Address: 70 SW Century Dr City: Bend State: OR Zip: 97702
Property Address: 129 SW Eagle Dr Designed Zone: Residential
Map Number: 4N2517DB 912 Lot: 12 Block: 3
Subdivision: River Ridge Estates Tax Lot(s): _____
Proposed Usage: Single family Residence - Front Yard Set-back
Variance

Estimated Construction Cost Evaluation: \$ _____ Total Square Footage: _____

Requested Action: (Please circle one)

Zone Change Variance Conditional Use Permit Property Line Adjustment

Partition Subdivision Preliminary Plat Other: _____

The following material and supplemental information must be submitted with this application as a requirement for submittal to the Planning Commission:

- ☐ Plans and specifications, drawn to scale, showing the actual shape, setbacks and dimensions of the property to be used, together with a plot plan and vicinity map of the subject property.
- ☐ The size and location of the property, buildings, other structures; and use of buildings or structures, existing and proposed.
- ☐ Plot plan indicating all on/off-site improvements, including streets, fire hydrants, water and sewer facilities, etc.

I acknowledge that I am familiar with the standards and limitations set forth by the City of Boardman Zoning Ordinance, and that additional information and materials may be required. I fully intend to comply with plans and specifications submitted with this application. I do hereby certify that the above information is correct and understand that issuance of a permit based on this application will not excuse me from complying with the effective Ordinances and Resolutions of the City of Boardman and Statutes of Oregon, despite any errors on the party of the issuing authority in checking this application.

Signed: [Signature]
(Applicant)

Signed: [Signature]
(Legal Owner)

Printed: Isaias Valencia
(Applicant)

Printed: James P Campbell
(Legal Owner)

If this application is not signed by the property owner, a letter authorizing signature by the applicant must be attached.

Staff Comments:

Recommended Action: _____

Decision: _____ Approved _____ Not Approved _____

Date: _____ Signature: _____ Title: _____

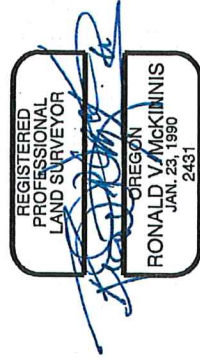
Township 4 North, Range 25 East, W.M, Section 17
 Tax Lot Map 4N 25 17DB, Tax Lot 912
 Lot 12 of River Ridge Estates, Phase 3
 129 SW Eagle Drive
 City of Boardman, Oregon 97818
 Morrow County

SURVEYORS NARRATIVE:

This Survey is Based on the best available found evidence. I used the found Property Corners as indicated along Eagle Drive and the found property corners from The Plat River Ridge Estates, Phase 3 to establish the Lot Lines and the existing Right of Way Line of Eagle Drive and Lot 12. I measured distances from those Found Lot Lines to the Foundation of the Newly Constructed Residence located at 129 Eagle Drive. I have listed the found distances from the foundation to the established Lines of Lot 12, 4N 25E 17DB, Tax Lot 912.

I, Ronald V. McKinnis, being a Registered Professional Land Surveyor of the State of Oregon, certify that I have correctly surveyed and recorded the Found Structure Corners with the best available information as existed at the time of my field survey for this 'Lot 12 of River Ridge Estates, Phase 3', located in the City of Boardman, Morrow County, Oregon.

By my Seal:



Foundation Survey for:
 Brian Decoursey & Crystal Davison,
 Umpqua Bank,
 Wood Hill Homes, Inc.,
 &
 Mid-Columbia Title Company
 for:

129 SW Eagle Drive
 Boardman, Oregon 97818
 Morrow County
 August, 2021

Rev. 08-10-21

