

City of Rockaway Beach

Planning Commission Special Meeting Agenda



Date: Thursday, January 25, 2024
Time: 5:00 P.M.
Location: Rockaway Beach City Hall, 276 HWY 101 - Civic Facility

Watch live stream here: <https://corb.us/live-stream>
View meeting later here: <https://corb.us/planning-commission/>

Join here to attend remotely:

Planning Commission Meeting

Meeting ID: 879 5385 3754

Passcode: 577890

Dial by your location

253 215 8782 US (Tacoma)

1. CALL TO ORDER – Bill Hassell, Planning Commission President

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

President: Bill Hassell

Commissioners: Pat Olson, Zandra Umholtz, Sandra Johnson, Georgeanne Zedrick, Stephanie Winchester, and Nancy Lanyon

4. OLD BUSINESS

- a. Variance #23-05: Consideration of an Application for Variance at Unimproved Real Property at Tillamook County Assessor's Map # 1N1005BA Lot #9900 to Increase the Building Height and Reduce the Front Yard Setback

5. ADJOURNMENT



**CITY OF ROCKAWAY BEACH
PLANNING COMMISSION ACTION**

STAFF REPORT

Case File #VAR-23-05

Special Meeting Date: January 25, 2023

APPLICANTS: Stuart M. and Karen C. Hunt

REQUEST: The Applicants are seeking a variance to build a new home. The Applicants seek a height variance and a reduction in the front yard setback to construct the home. The property is located in the R1 zone which has a 15-foot front yard setback. The Applicants are requesting the front yard setback be reduced 3'3", for an 11'7" front yard setback. Building height for this property is limited to 29'. The Applicants seek to construct a home that is 39' in height.

CONCLUSION

Staff conclude that the criteria required to approve the requested building height and front yard setback variances have substantially been met. However, Staff direct the Planning Commissioners to carefully consider Section 8.020. (d) and make a determination if this criterion has been met.

Rockaway Beach Zoning Ordinance §8.020 (d): *That the granting of the variance would support policies contained within the Comprehensive Plan. Variances in accordance with this subsection should not ordinarily be granted if the special circumstances upon which the applicant relies are a result of the actions of the applicant or owner.*

The criteria specifically states that the variance should not be granted if the "special circumstances" for needed a variance are a "result of the actions of the applicant or owner". Since the proposal and variance requests are for a home yet to be constructed, Staff question if the Applicants are creating the special circumstance. However, it cannot be overlooked that the subject lot is extremely sloped and that even a smaller home could possibly require a height variance.

The Planning Commission should carefully consider the request, including all oral and written testimony on record and presented at the public hearing. After considering the testimony as it relates to the applicable criteria, the Planning Commission will need to make a decision on the request.

If the Commission determines that sufficient facts exist to grant the variance request and the standards of the Rockaway Beach Zoning Ordinance have been met, it can make a motion to approve the variance request, including a statement that generally reflects the facts and rationale relied upon to reach the decision. The motion should also direct staff to prepare findings, conclusions, and final order to implement the decision.

A motion to deny the variance request should set forth the general facts and rationale for the decision and direct staff to prepare the final order.

**ADDITIONAL
WRITTEN TESTIMONY
SUBMITTED FOR
JANUARY 25, 2024
PLANNING COMMISSION
HEARING**

Variance #23-05: Consideration of an Application for
Variance at Unimproved Real Property at Tillamook County
Assessor's Map # 1N1005BA Lot #9900 to Increase the Building
Height and Reduce the Front Yard Setback

Received as of 11:00 am

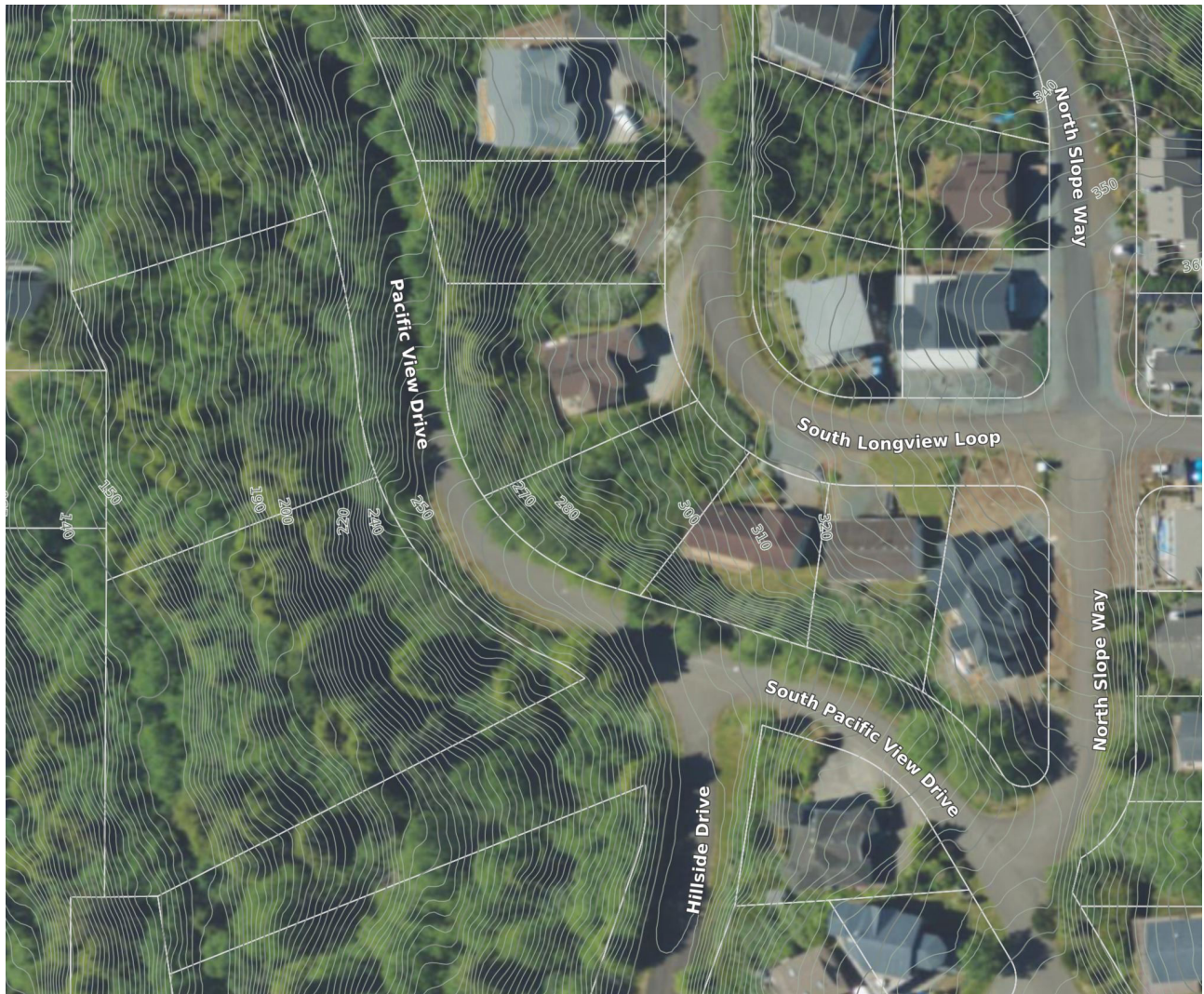
01/24/2024

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The goal of this project is to create a new single family home in Pacific View Estates, while not interrupting current or future views of other homes in the neighborhood. In an attempt to minimize the height, the house appears as a single story home from the street side and having a max height of less than 18' from the highest point on the lot. We are asking for the height variance not so the building can raise up above, but so the building can flow down the hill. In the initial hearing on the 18th, multiple residence raised concerns about blocking views and the CC&R document. Even though the City is not taking the CC&R into account I think it is important to note that we are in compliance with the 18' height issue that was brought up by multiple residence. Again our goal is to build a single family home on a very steep lot, the height is a by-product of the slope.

- 1.) Lidar Topography
- 2.) Perspective showing the 18' height limitation and how the building is compliant.
- 3.) 3D Views showing building placement

1. LIDAR TOPOGRAPHY



MAIN FLOOR LEVEL 100' = 242'

MAIN FLOOR OF LOTS ON HILL = 300'

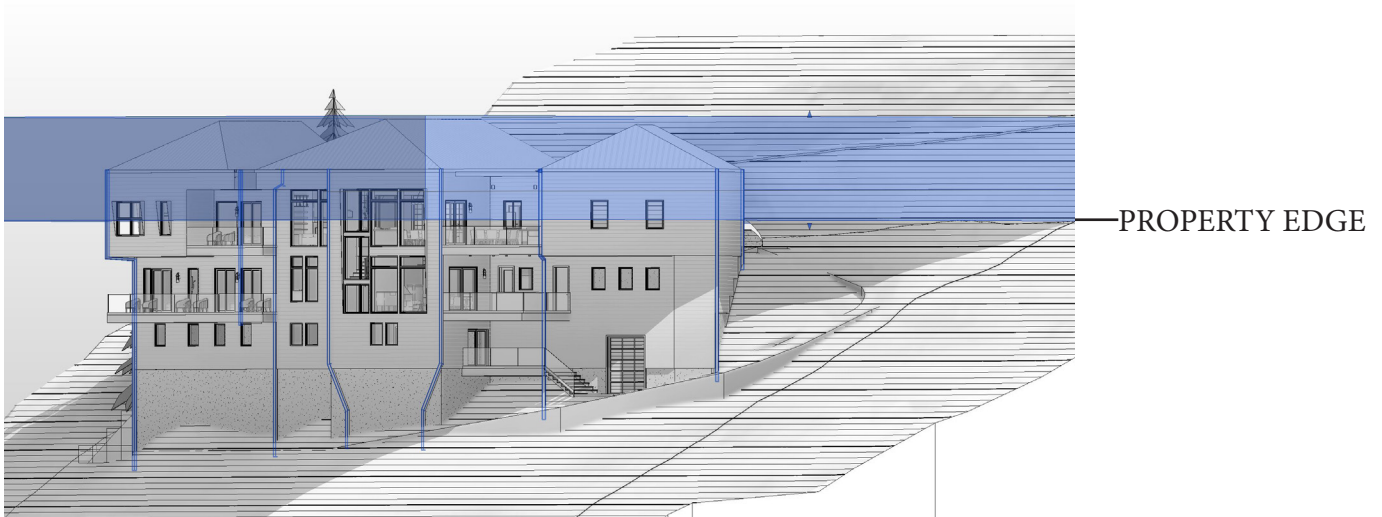
There is a difference of 58' from the finish floor levels.

2. 18' CC&R Height

Even though the council is not looking at the CC&R's, I think it's a good idea to address how the building is compliant with the 18' limitation. Several people brought up the 18' height and to make sure not blocking anyone's view. Doug Circosta wrote: "...and to protect the views of other homeowners."

CC&R excerpt:

No building, either residence or accessory building, shall be so constructed so that any part of the roof, excepting chimneys, shall extend vertically more than eighteen (18) feet from the highest point of the lot as it presently exists nor twentyfour (24) feet above natural ground level at the uphill side of the building.



The highlighted blue box is 18' above the highest point of the site. The top of the tallest roof point is several inches under this requirement in the CC&R. Protecting the view of other home owners.

3. SITE PERSPECTIVE

