



## COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | BUILDING 541-917-7553 | PLANNING 541-917-7550

# Notice of Decision

## Historic Review of New Construction/Exterior Alteration

HI-25-18/HI-26-18

March 7, 2019

Proposal:	HI-25-18: Historic Review of New Construction to construct a two-story attached accessory structure (e.g. garage) with second floor accessory dwelling unit. HI-26-18: Historic Review of Exterior Alterations for the construction of a new second-floor door opening and door (west elevation); and a new railing above the north Porte-cochere (attached carport) and south porch.
Review Body:	Landmarks Advisory Commission
Property Owner/Applicant:	Steven Ballinger; 828 Calapooia Street SW, Albany, OR 97321
Address/Location	828 Calapooia Street SW, Albany, OR 97321
Map/Tax Lot:	Linn County Assessor's Map No.; 11S-04W-12AD Tax Lot 6700
Zoning:	Hackleman Monteith (HM) Zone with Historic Overlay District (/HD) (Monteith National Register Historic District)

On March 6, 2019, the Albany Landmarks Advisory Commission granted **APPROVAL WITH CONDITIONS** of the application described above. The Landmarks Advisory Commission based its decision upon consideration of applicable standards and review criteria listed in the Albany Development Code and consideration of public testimony. The supporting documentation relied upon by the City in making this decision is available for review at City Hall, 333 Broadalbin Street SW. For more information, please contact Project Planner **Laura LaRoque** at [laura.laroque@cityofalbany.net](mailto:laura.laroque@cityofalbany.net) or 541-917-7640 or Planning Manager David Martineau, at 541-917-7561.

The City's decision may be appealed to the City Council if a person with standing files a completed Notice to Appeal application and the associated filing fee no later than 10 days from the date the City mails the Notice of Decision. The applicants may proceed, at their own risk, prior to the end of the appeal period, provided they sign a Release and Indemnity Agreement with the City.

This approval expires in three years, unless a valid approved building permit exists for new construction or improvements, and work has commenced, or unless an extension has been granted pursuant to ADC 1.083. The issuance of this approval by the City of Albany does not eliminate the need for compliance with other federal, state, or local regulations. It is the applicant's responsibility to contact other federal, state, or local agencies or departments to assure compliance with all applicable regulations.

*Signature on file*

Landmarks Commission Chair

[cd.cityofalbany.net](http://cd.cityofalbany.net)



**Appeal Date:** March 18, 2019

**Approval Expiration Date:** March 7, 2022

Attachments: Location Map, Applicant's Plan Set

## Conditions of Approval

- Condition 1 Interior Setbacks.** Prior to issuance of a building permit, the applicant shall submit a revised site plan showing the distance between the proposed structure and interior property equal to or greater than 8 feet in accordance with interior setback standards for a two-story accessory dwelling unit stated in ADC 3.230, Table 2 for review and approval by the Community Development Department.
- Condition 2 Public Utility Easement.** Prior to issuance of a building permit, the applicant must provide a legal description for the required 6-foot wide public utility easement along the subject property's north boundary. The City will insert the legal description into a City document for signatures and approval.
- Condition 3 Wood or Paintable/Stainable Doors.** All new exterior doors shall be constructed of wood or some other untextured composite paintable/stainable material. Prior to issuance of a certificate of occupancy, windows that are either wood or some other untextured composite paintable/stainable material in the same dimension, style, and location as proposed shall be installed in accordance with approved plans.
- Condition 4 Siding and Trim.** All existing siding and trim in the area of the proposed doorway shall be reused when finishing the altered area and/or on the proposed addition, when possible. Prior to the issuance of a certificate of occupancy, all new siding and trim on the primary structure shall be wood material in the same dimensions, style, and reveal as the original material in accordance with approved plans.

## Information for the Applicant

Please read the following requirements. This list is not meant to be all-inclusive; we have tried to compile requirements that relate to your specific type of development. These requirements are not conditions of the land use decision. They are Albany Municipal Code (AMC) or Albany Development Code (ADC) regulations or administrative policies of the Planning, Public Works, Fire, or Building Departments that you must meet as part of the development process. You must comply with state, federal, and local law. The issuance of this permit by the City of Albany does not eliminate the need for compliance with other federal, state, or local regulations. It is the applicant's responsibility to contact other federal, state, or local agencies or departments to ensure compliance with all applicable regulations.

### Planning

Land use approval does not constitute Building or Public Works permit approvals.

### Building

#### Permits

Obtain Building Permits prior to any construction.

#### Plan Review for Permits

All plans submitted for review for building permits will need to be submitted electronically. Contact the Building Division front counter at [ePlans@cityofalbany.net](mailto:ePlans@cityofalbany.net) for details and instructions prior to submittal.

### Public Works

1. Contact Public Works regarding required system development charges associated with proposed development.
2. In order to protect the public sewer main and allow for access to the main for the purposes of maintenance and/or replacement, the property owner must provide a public utility easement over the northernmost six (6) feet of the subject property. No permanent structures will be allowed within that easement.
3. It is the property owner's responsibility to ensure that any proposed grading, fill, excavation, or other site work does not negatively impact drainage patterns to, or from, adjacent properties. ADC 12.530 states that a development will be approved only where adequate provisions for storm and flood water run-off have been made, as determined by the City Engineer. Roof drains shall be discharged to a collection system approved by the City Engineer and/or the Building Official. Also, no storm water may be discharged to the public sanitary sewer system.
4. Roof drains from the proposed structure must be discharged to the existing roof drains serving the house on the site, or to weep holes in the curb along the frontage of the subject property. If new weep holes will be constructed, the applicant must obtain an encroachment permit from the Public Works Department before beginning work.