



COMMUNITY DEVELOPMENT

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

Notice of Decision

Site Plan Review

SP-33-18

November 21, 2018

Application Information

Proposal:	Site Plan Review for new construction of a 1,256 square-foot accessory structure with 16 foot walls and an overall height of 21 feet.
Review Body:	Staff (Type I-L review)
Report Prepared By:	Travis North, Planner I
Property Owner/Applicant:	Mike McKay; 2041 36 th Avenue SE; Albany, OR 97322
Address/Location	2013 36 th Avenue SE
Map/Tax Lot:	Linn County Assessor's Map No. 11S-03W-17DB; Tax Lot 5300
Zoning:	Residential Single Family (RS-6.5)

On November 21, 2018, the City of Albany Community Development Director granted **Approval with Conditions** of the application referenced above.

The City based its decision on the project's conformance with the review criteria listed in the Albany Development Code. 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 **Travis North, Project Planner**, at 541-791-0176, or David Martineau, Planning Manager, at 541-917-7561.

The City's decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) if a person with standing files a Notice of Intent to Appeal not later than 21 days after the Director's notice of decision is mailed [ADC 1.330(5)(a)]. 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 the final plat has been submitted to the City's Planning Division for review and approval.

Signature on file

Community Development Director

Appeal Deadline: December 12, 2018

Approval Expiration Date (if not appealed): November 22, 2021

Attachments: Location Map, Residential Accessory Structure Compatibility Worksheet, Site Plan, and Building Elevations.

cd.cityofalbany.net



Conditions of Approval

- Condition 1 Prior to the issuance of a building permit, the applicant shall submit a site plan to the Community Development Department that demonstrates the driveway width does not exceed 24 feet for that portion located in the public right-of-way.
- Condition 2 Prior to requesting final inspection, the applicant shall demonstrate that the driveway is paved 20 feet from the sidewalk.
- Condition 3 Prior to approval of a final inspection, the applicant shall obtain an encroachment permit from the Public Works Department, and construct public sidewalk along the site's frontage on 36th Avenue together with a driveway located in conformance with the approved site plan.

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 assure compliance with all applicable regulations.

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 Municipal Code (AMC) or Development Code (ADC) regulations or administrative policies of the Planning, Engineering, 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 assure compliance with all applicable regulations.

Planning

1. Land use approval does not constitute Building or Public Works permit approvals.
2. Construction of the development must substantially conform to the approved site plan review.

Building

Permits

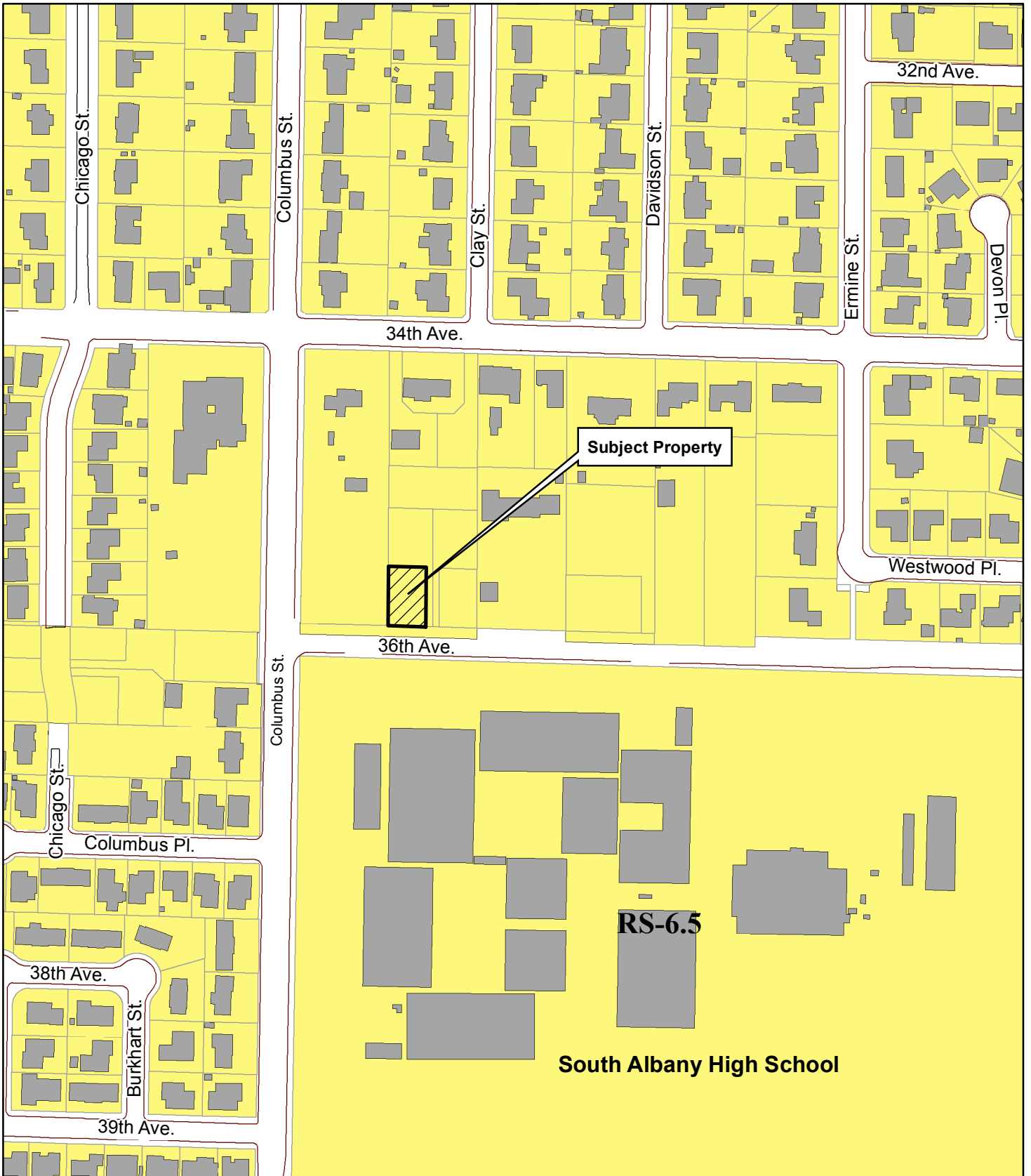
3. Obtain Building Permits prior to any construction.
4. An Erosion Prevention and Sediment Control Permit (EPSC) is required to be obtained from Public Works before commencing land disturbing activities affecting an area of 2,000 square feet or greater, cumulatively.

Plan Review for Permits


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

Public Works - Engineering

The City of Albany's infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All information provided represents the current information we have in a readily available format. While the information we provide is generally believed to be accurate, occasionally this information proves to be incorrect, and thus we do not warrant its accuracy. Prior to making any property purchases or other investments based, in full or in part, upon the information provided, we specifically advise that you independently field verify the information contained within our records.




Location Map: 2013 36th Avenue SE

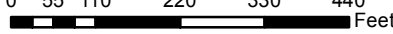


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Feet

September 17, 2018

Planning Division

City of Albany - 333 Broadalbin St. SW, Albany, Oregon 97321 (541) 917- 7550



COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division
P.O. Box 490
333 Broadalbin Street SW
Albany, OR 97321
Phone 541-917-7550
Fax 541-917-7598
www.cityofalbany.net

Residential Accessory Structure Compatibility Worksheet

For proposed detached structures 750 sq. ft. or larger and/or with walls taller than 11 feet.

This handout addresses land use planning issues. Building Permits are required for any residential accessory structure larger than 200 square feet.

Property Owner (print): Mike McKay
Property Address: 2013 36th Ave. SE Albany OR 97322
Assessor's Parcel Map No: _____ Tax Lot(s): _____
Zoning District: RS-6.5
Intended Use of the Structure: RV Parking - extra car parking

The Albany Development Code allows **attached** additions to a residence without limiting size or wall height outright; subject to meeting the applicable development standards (see Table 1).

A **detached** accessory structure also is allowed outright if it can meet the applicable development standards (see Table 2) and the total square footage of the proposed structure is less than 750 square feet and the wall height does not exceed 11 feet. If the size would be larger or the walls taller, the structure may be allowed without a land use review, if it meets all of the established compatibility thresholds listed below. [Albany Development Code 3.080(9)]

Other considerations related to an accessory structure include the location of existing easements, septic tanks, drain fields, wells; access (existing and proposed); and whether trees would be removed (number and diameter of the trunks). You must include information about these items on a site plan drawing submitted with this worksheet.

Don't Forget! To support the information below, attach a scale drawing of your property showing and labeling the location of all existing and proposed buildings and a scale drawing of each elevation of the proposed building. Include distances (in feet) between all structures and between all structures and property lines.

Fill in the explanation area after each question below. If you answer "no" to Questions 1, 2, or 3, or "yes" to Questions 4 or 5, the structure will not be considered compatible. Question 6 calls your attention to special construction standards that will apply in all cases if the property is located in a Special Purpose District, such as the 100-year floodplain. In addition to answering the questions, you must attach a site plan of the property and elevation drawings of the proposed building to the worksheet.

If the structure cannot meet all of the compatibility standards, you may either alter the building to meet them or submit a Site Plan Review Accessory Building application to the Planning Division. This plan review typically takes 6 to 8 weeks to process, and requires additional paperwork and a non-refundable review fee. A Notice of Filing will be sent to property owners within 100 feet of your property giving them an opportunity to comment on the project. Filing an application does not guarantee approval.

Question #1: Will the roof and siding materials and colors on the proposed building be the same as those on the primary residential structure on the site? Yes No

• Fill out (a) and (b) to demonstrate this standard would be met:

a) The building materials and colors of the proposed accessory building will be:

Materials: Siding: Hardie Plank Lap Roof: Architectural Comp.
Colors: Siding: Grey Roof: Black - Grey

b) The building materials and colors of the primary residential structure on the property are (or will be as part of this project):

Materials: Siding: Hardie Plank Lap Roof: Architectural Comp.
Colors: Siding: Grey Roof: Black - Grey

Question #2: If the proposed accessory building were built, would the percentage of lot coverage be the same as or less than the percentage allowed in the applicable zoning district? (See Table 1) Yes No (you may not exceed the lot coverage threshold by site plan review.)

• Fill out a) through d) to demonstrate this standard would be met:

a) The maximum lot coverage allowed in the RS-6.5 zoning district is 60 percent.

b) Total land area of the property is 7707.7 sq. ft.

c) The foundation (footprint) size of each building on the property is:

Primary residence: 1259 sq. ft.

Proposed building: 1232 sq. ft.

Other structures: 0 sq. ft., 0 sq. ft., 0 sq. ft.

Total foundation area of all structures on the property: 2491 sq. ft.

d) Percentage of building coverage on this lot after construction of the proposed accessory building would be 32% percent. (To calculate this percentage, divide the total foundation area of all structures (c) by the total land area of the property (b). This number cannot be larger than (a).)

Question #3: Will the proposed accessory building meet the minimum setback requirements for the primary residential structure? (see Table 1) Yes No

• Fill out a) and b) to demonstrate this standard would be met:

a) The minimum setbacks from property lines for the primary structure in this zone are:

Front: 20' ft. Sides and rear, single-story: 5' ft., or two-story: 8' ft.

b) The setbacks from the property lines for the proposed accessory building are:

Front: 20' ft. Sides and rear, single-story: 5 ft., or two-story: ft.

Question #4: Will the proposed building be taller than the tallest building on adjacent property? Yes _____ No (Height in this case is measured to the highest point on the structure. "Adjacent" means any property bordering the property on which the accessory structure would be built or across an adjacent street.)

• Fill out a) through c) and attach a drawing showing the location of the tallest building on adjacent property in relation to your property.

- a) The total height of the proposed accessory building is 21' feet.
- b) The wall height of the proposed accessory building is 16' feet.
- c) The height of the tallest building on adjacent property is 21' feet, and it is located at (address) 2010 34th

Question #5: Will the area of the proposed building's foundation be larger than the area of the foundation of the largest building on adjacent property? Yes _____ No

• Fill out (a) and (b) to demonstrate this standard would be met:

- a) The area of the proposed accessory building's foundation is 1232 sq. ft.
- b) The area of the foundation of the largest building on adjacent property is 2396 sq. ft. (include attached garages). The address of this building is 2041 36th Ave.; currently occupied by Mr./Ms. McKay, phone 541-990-3826.

Question #6: Is this property located in any of the following Special Purpose Districts listed in Articles 6 and 7 of the Development Code? Yes _____ No (The text of the Albany Development Code is on the City's website: www.cityofalbany.net)

Check the district(s) that apply to this property.

- Airport Approach District (Near the Albany Municipal Airport located east of the I-5 freeway)
- Floodplain District (Property is located within a 100-year floodplain)
- Hillside Development District (Property has slopes greater than 12%)
- Historic District (Monteith, Hackleman, or Downtown districts)
- Willamette Greenway (Property is located near the Willamette River)

If the property is in one of the special districts, have you researched the construction regulations of the special district and determined that the proposed building can meet the standards of the district(s)? Yes _____ No _____ (Regardless of approval to allow an oversized accessory structure, you must be able to construct the proposed building in accordance with the regulations of the applicable special district.)


Property Owner's Signature

9-10-18
Date

Mike McKay
Print Property Owner's Name

541-990-3826
Daytime Phone

mikel.mckay@comcast.net
Fax No. or e-mail address

PRIVATE LANE

Plot Plan

Mike McKay 2013 36ST AVE

UNDERGROUND UTILITIES

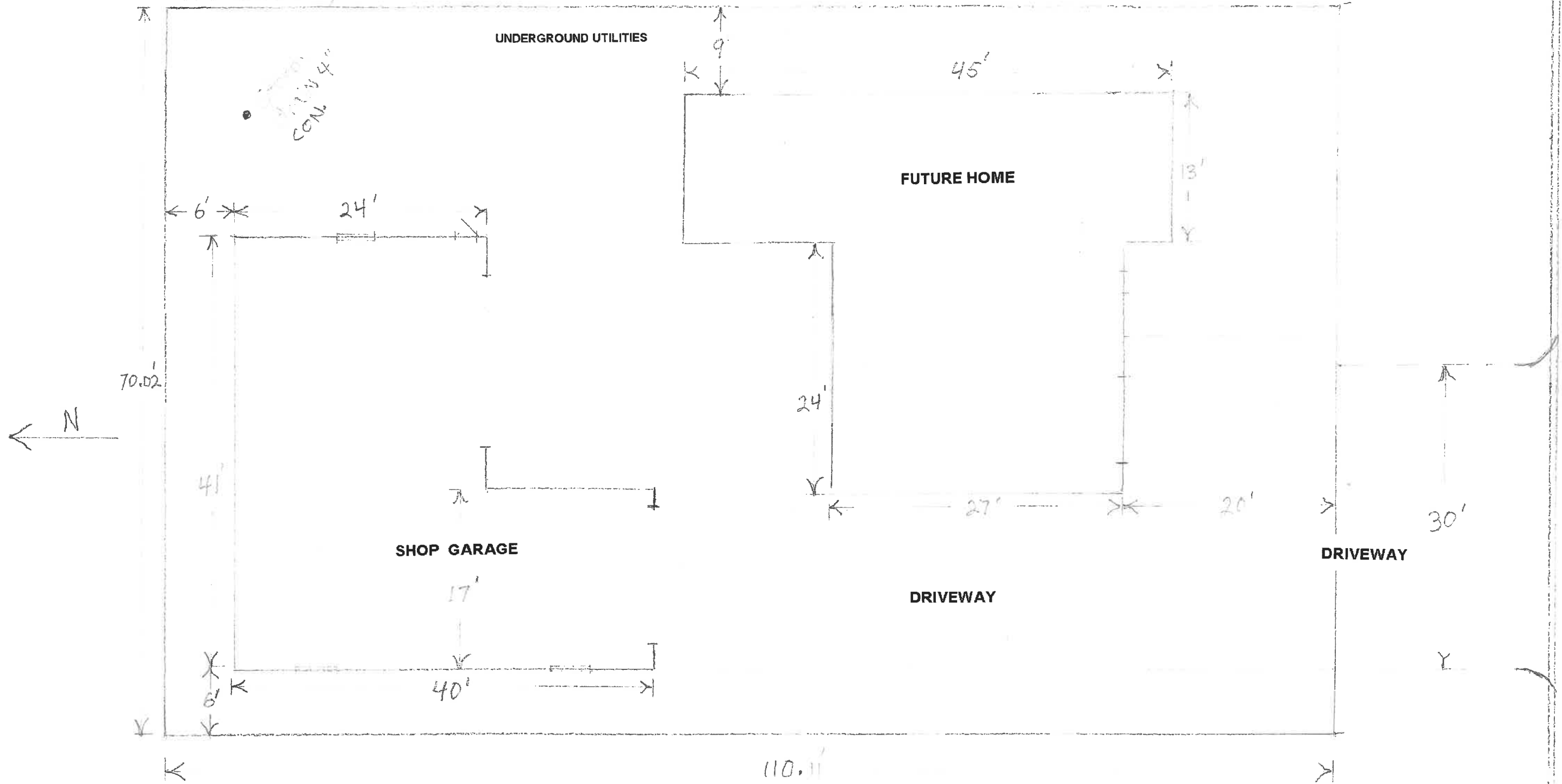
FUTURE HOME

SHOP GARAGE

DRIVEWAY

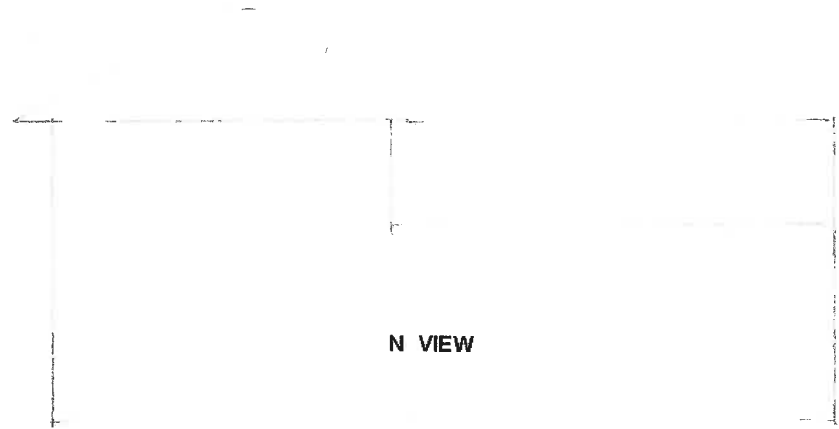
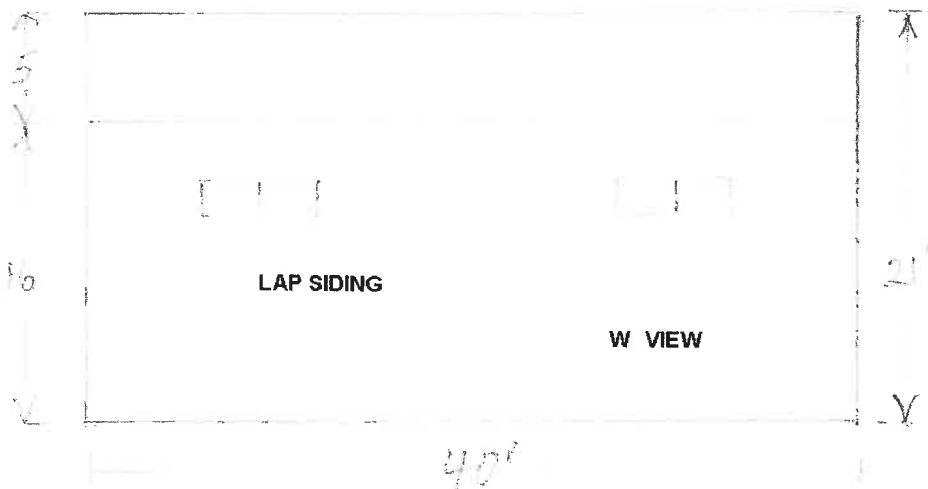
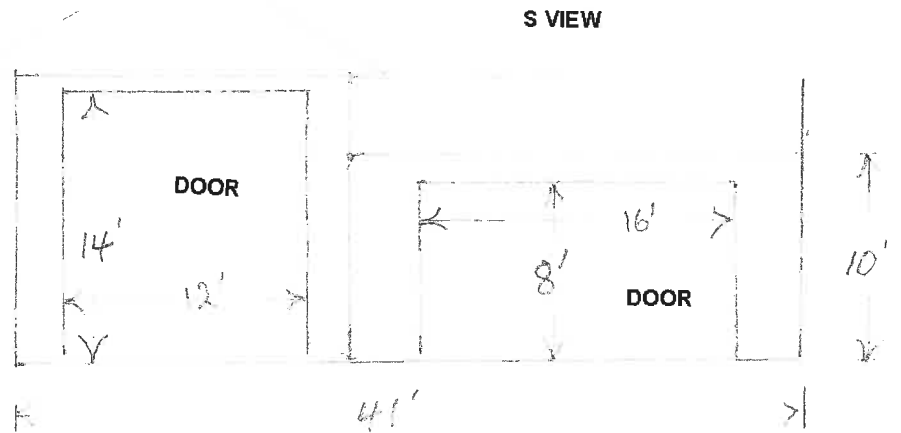
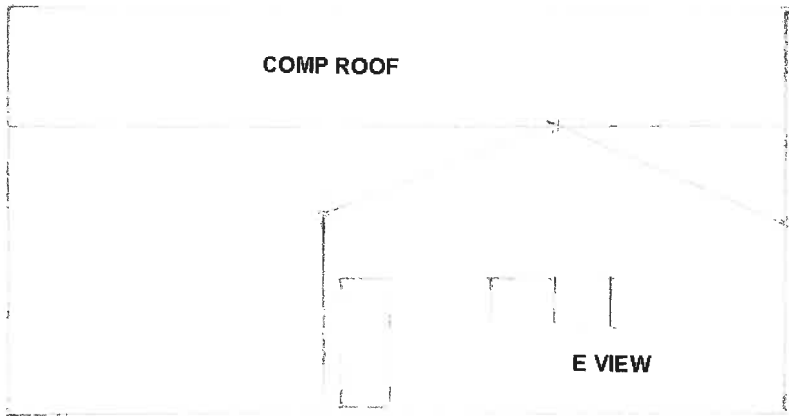
DRIVEWAY

36ST AVE



1" = 10' Scale

Mike McKay 2013 33 Ave 1" = 10' Scale



Scale 1" = 10'