



**Community Development
 Development Services Division**
 501 SW Madison Avenue
 P.O. Box 1083
 Corvallis, OR 97339-1083
 (541) 766-6929
development.services@corvallisoregon.gov

**NOTICE OF DISPOSITION FOR A
 PLAN COMPATIBILITY REVIEW**

Order No.:	2016-061
Case Number:	PCR16-00005
Project Type:	Plan Compatibility Review
Procedure Type:	Administrative – Director’s Decision
Owner:	Barbara A English 1309 NW 13 th Street Corvallis, OR 97330
Applicant:	Will Adams 6423 Nashville Road Eddyville, OR 97343
Site Address:	1309 NW 13 th Street
Map and Tax Lot:	11-5-26 CD, Tax Lot 7100
Comprehensive Plan Designation:	Low Density Residential
Zoning Designation:	RS-3.5
Planner Assigned:	Tracy Carter
Application Submitted:	October 7, 2016
Application Complete:	November 9, 2016
120-Day Deadline:	March 9, 2017
Date of Decision:	November 29, 2016

I. REQUEST

The applicant has filed a Plan Compatibility Review (PCR) application with the City of Corvallis Development Services Division. The applicant is requesting approval of a reduced minimum south side yard setback, from 8 ft. to 7 ft., and to utilize the General Development Option of Land Development Code (LDC) Section 4.9.40.02, in lieu of the Ministerial Development Option, which would allow the applicant to deviate from the 8,000 square foot minimum lot area required to establish an ADU. The existing lot area is roughly 7,300 square feet. Both requests seek to allow the conversion of an existing accessory structure (detached garage) into an Accessory Dwelling Unit (ADU). **See Attachment A for application materials.**

II. PUBLIC COMMENTS

Twenty-four (24) public notices were mailed on November 9, 2016, and two weeks were allowed for written comments on the proposal. No written comments were received before the public comment period closed at 5:00 p.m. on November 23, 2016.

III. FINDINGS

The Development Services Division Project Manager has made the following findings:

1. **Property Description:** The subject site is located at 1309 NW 13th Street, and is zoned RS-3.5 (Low Density Residential). The site is comprised of 0.17 acres, and is developed with a 768 sq. ft. single family home, and a 336 sq. ft. detached garage, both of which were originally built in 1951 (per Benton County Assessor's Records). The site is also identified on Benton County Assessor's Map 11-5-26 CD as Tax Lot 7100.
2. **Natural Features:** There are no mapped Natural Hazards or Natural Resources on the site. Based on aerial and street view photos, there appear to be existing trees on and/or abutting the property.
3. **Land Use Case History:** There is no land use case history specific to the subject property.
4. **Review Process Determination:** Land Development Code Section 3.1.20.03 specifies the following for the RS-3.5 zone:

3.1.20.03 – General Development

Plan Compatibility Review – Subject to review in accordance with Chapter 2.13 – Plan Compatibility Review, and other applicable provisions of this Code.

- b. Development consistent with the development standards of the RS-5 Zone, provided adherence to the standards in Chapter 4.10 – Pedestrian Oriented Design Standards and provided that the Housing Types and land uses are consistent with the RS-3.5 Zone.

LDC Section 3.2.30.e specifies that, for a Single Detached dwelling in the RS-5 zone, the minimum side yard setback requirement is 5 feet. The applicant proposes a 7-ft. side yard setback, for an Accessory Dwelling Unit on an RS-3.5 lot.

Additionally, the applicant has specified that the Accessory Dwelling Unit "General Development Option" (LDC Section 4.9.40.02) standards will be utilized to establish the ADU. LDC Section 4.9.40.02.b specifies that when an ADU development application is filed using the General Development Option, it shall be reviewed in accordance with the procedures specified in Chapter 2.13 – Plan Compatibility Review.

Based on LDC Sections 3.1.20.03, 3.2.30.e and 4.9.40.02.b, the Plan Compatibility Review process is the appropriate process by which to review the proposal.

5. **Plan Compatibility Review (PCR) criteria** - A PCR cannot be approved, unless the following review criteria are satisfied. **NOTE:** *The following criteria are applicable only to the proposed side yard setback reduction. As per LDC Section 4.9.40.02.b, the criteria for review of the ADU General Development Option shall be those specified in LDC Section 4.9.40.02.c. The PCR application materials generally address the ADU General Development Option review criteria (Attachment A.2 – A.6), and Staff find that, with Condition of Approval 2, the criteria are satisfied.*

Section 2.13.30.05 – Plan Compatibility Review Criteria

- a. **Neighboring property owners and residents shall be protected through reasonable provisions regarding surface water drainage; suitable sound and site buffers; preservation of views, light, air; and other aspects of design that may have substantial effects on neighboring land uses;**

Staff Response: Satisfied With Conditions. The proposed ADU would have minimal impact on surrounding properties, when compared to development that would be allowed outright by the Land Development Code (LDC). The ADU will be contained within an existing one-story accessory structure (detached garage). The existing roof is a low pitch style shed roof, and the applicant plans to apply for permits to replace the existing roof with engineered trusses to match the pitch and materials of the primary dwelling unit. After the new trusses have been installed, the height of the structure will be roughly 10 ft. 9 inches at its highest point, and the rear yard setback of 27 feet, and side yard setback of 7 feet, would be maintained. The LDC would allow a 14-ft. tall accessory structure within 3 feet of the side and/or rear property lines, or a 30-ft. tall primary building with a rear yard setback of 25 feet and side yard setback of 8 feet. Existing privacy fencing consists of 62-inch tall wood fencing along the east property line, and between 62-inch and 69-inch tall wood fencing along the south property line that terminates several feet beyond the west façade of the existing garage. The applicant has also specified that existing landscaping, consisting of trees and bushes, will be undisturbed and remain on site. **Condition of Approval 3** specifies that for existing significant trees to be considered preserved, they must be treated as specified in LDC Section 4.12.60.f.

Prior to constructing the addition, the applicant is required to obtain a building permit from the Development Services Division (**Condition of Approval 2**). As part of the building permit review, the applicant will be required to demonstrate compliance with the ADU General Development Option review criteria specified in LDC Section 4.9.40.02.c. The application narrative includes responses to the ADU review criteria (**Attachments A.2 – A.6**).

Overall, Staff find that with **Conditions 1 - 3**, the proposal would not substantially affect neighboring land uses, and the criterion is satisfied.

Section 2.13.30.05 – Plan Compatibility Review Criteria

- b. **The proposed development shall not adversely affect traffic, parking, and access; and**

Staff Response: Satisfied. The proposed ADU conversion will have no significant effect on traffic, parking or access. LDC 4.9.40.02.c.8 specifies that if

the minimum parking requirement for the primary dwelling is met, no additional off-street parking is required for the ADU. An existing driveway provides more than the minimum number of parking spaces (two) that are required to serve the dwelling. No changes to existing parking or access are proposed by the applicant. The criterion is satisfied.

Section 2.13.30.05 – Plan Compatibility Review Criteria

- c. Where Significant Natural Features are involved, the proposed development shall not adversely impact Significant Natural Features regulated by Chapter 2.11- Floodplain Development, Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 – Floodplain Provisions, Chapter 4.11 – Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, Chapter 4.13 - Riparian Corridor and Wetland Provisions, and Chapter 4.14 – Landslide Hazard and Hillside Development Provisions.

Staff Response: Satisfied With Conditions. There are no existing mapped Natural Hazards or Natural Resources on the property. However, the site does appear to contain existing trees. It is unclear whether these qualify as “Significant Trees”, subject to LDC tree preservation standards.

“Significant trees” are defined in LDC Chapter 1.6 as trees having a trunk size 8 inches or greater in caliper at four feet above existing grade. LDC Section 4.2.20.d specifies that significant trees located outside of mapped Natural Features areas “should be preserved to the greatest extent practicable and integrated into the design of a development.” The applicant has specified that no changes to existing landscaping are proposed with this project. **Condition of Approval 3** specifies that the building permit application must identify any existing significant trees on the site, and include a site access and staging plan. If exterior access or staging will occur within 50 ft. of any existing significant trees on or abutting the site, then tree protection shall be provided in accordance with LDC Section 4.12.60.f. This includes the installation of temporary protective fencing in accordance with the “Circle of Protection” provisions outlined in Section 4.12.60.f.

With **Condition 3**, Staff find that the proposal would not adversely impact Significant Natural Features regulated by the LDC, and the criterion is satisfied.

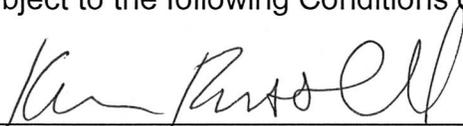
Conclusion on PCR review criteria:

Based on the above discussion of the applicable PCR review criteria of LDC Section 2.13.30.05, and the referenced Findings contained elsewhere in this report, the proposal is consistent with the PCR review criteria.

IV. DECISION

The above analysis finds that the proposed Plan Compatibility Review (PCR16-00005) is consistent with applicable Land Development Code requirements. Based on the information submitted by the applicant and conclusions reached through City Staff review of the applicable criteria, it is the decision of the Project Manager to approve the request as proposed in **Attachment A**, subject to the following Conditions of Approval.

11/29/16
Date of Decision


Kevin Russell,
Development Services Division
Project Manager

Attachments:

- A. PCR Application, Narrative and Graphics

APPEALS - EFFECTIVE DATE OF APPROVAL - EXPIRATION

APPEAL DEADLINE / EFFECTIVE DATE OF APPROVAL: December 16, 2016

If you wish to appeal this decision, the appeal must be filed within 12 calendar days from the Date of Decision, noted above. When the final day of the appeal period falls on a weekend or holiday, the appeal period shall be extended to 5:00 p.m. on the subsequent working day. All appeals must be submitted in writing to the City Recorder with the appropriate fee, and they must explain the specific grounds for appeal. If you have any questions about the appeal process, contact this office at 766-6929.

If no appeal has been filed, this approval is valid for a two-year period from the Effective Date of Approval.

EXPIRATION DATE: December 16, 2018

If the applicant has not begun the development, prior to December 16, 2018, the approval shall expire.

V. CONDITIONS OF APPROVAL

1. Consistency with Plans – Development shall comply with the plans and narrative in the applicant's proposal identified as **Attachment A**, except as modified by this approval or the conditions below.
2. Building Permit Required – A building permit is required prior to development. The required permit review process(es) shall ensure compliance with all applicable standards prior to development, including compliance with LDC Section 4.9.40.02 – General Development Option. If compliance with applicable requirements necessitates a redesign that would alter the design of the proposed development as represented for this land use approval, in a manner that would not comply with all applicable standards and conditions, a subsequent land use application will be necessary to consider the altered development proposal and any necessary variations to standards or conditions.
3. Tree Preservation – Plans submitted with the building permit application shall identify any existing significant trees on the site, and include a site access and staging plan. If exterior access or staging will occur within 50 ft. of any existing significant trees on or abutting the site, then tree protection shall be provided in accordance with LDC Section 4.12.60.f. This includes the installation of temporary protective fencing in accordance with the "Circle of Protection" provisions outlined in Section 4.12.60.f.
4. Sewer Easement – There is a backyard sewer adjacent to the east edge of the property and it does not appear to have a sufficient easement over the line. Concurrent with building permits, the easement needs to be widened to provide a minimum of 7.5 ft. from the centerline of the sewer or verified that the width is already provided.

STAFF USE ONLY

CASE: PCR16-00005 DATE FILED: 10/7/16 DATE COMPLETE: _____

FEE PAID RECEIPT #: _____



City of Corvallis - Development Services Division
501 SW Madison Ave.
Corvallis, OR 97333
Telephone: (541) 766-6929
FAX: (541) 766-6936
www.corvallispermits.com

POC. - Will Adams
CCB# 211844
Ph. 541 875 2197
Email: WILDGROWTH HARDWOOD@gmail.com

Plan Compatibility Review Application

Location / Description of Subject Property (ies)

Street Address 1309 NW 13th St, Corvallis, OR
Benton County Tax Assessor Map 11526 CD Tax Lot(s) # 11526 CD 07100
Subdivision Name or Partition # _____
Zone RS 3.5 Size (acres) .17 Density Range _____ du/ac - _____ du/ac
 Historic Overlay Natural Features Related Land Use Cases _____

Applicant Information

Applicant(s) Name(s) ENGLISH BARBARA A
Last First M.I.
 Same as Property Owner
Street Address 1309 NW 13th St
City CORVALLIS State OR Zip Code 97330
Phone # 541 231 3250 Email Address IMAGINEANDE@yahoo.com
Contact preference? mail phone email

Property Owner Information (where different than Applicant)

Property Owner(s) Name(s): _____
Last First M.I.
Street Address _____
City _____ State _____ Zip Code _____
Phone # _____ Email Address _____
Contact preference? mail phone email

Property Owner(s) Signature(s) _____ Date _____
(If Legal Representative: provide supporting documentation)

Attachments (refer to the following pages)



Track the status of your application
Visit corvallispermits.com and select "Check Case Status"

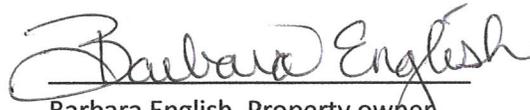
Application for Plan Compatibility Review

- A. 1309 NW 13th St, Corvallis, OR 97330
Tax lot 11526CD07100
Owner: Barbara A. English
POC: Will Adams, General Contractor CCB# 211844



General description: Convert existing detached garage into an Accessory Dwelling Unit. South side lot line is 7ft from the existing building which does not meet the 8ft setback requirement. All other requirements are met. The purpose of this application is to request we be allowed to reduce the minimum side lot setback to 5 feet.

- B. I, Barbara English, have read and understand the information provided this application. By signing below, I am providing written consent to the purpose, applicable fees and information provided in this application.


Barbara English, Property owner
1309 NW 13th St. Corvallis, OR 97330

- C. The south side lot line is seven feet off of the side of the existing garage. I have located the SW property marker and the opposite marker on the next house on Dixon, the next street over. A straight line between the two pins show the line just under the 8 ft setback requirement. As another verification, I have marked standoffs for both 5ft and 8ft off of the existing garage towards the lot line. Using the SW property marker as a base reference point, a straight line between the the marker and the 5ft measurement points to the neighbors garage at 1316 NW Dixon st (the neighbor sharing the back fence). Similarly, a straight line drawn between the SW marker and the 8 ft measurement leads onto the back deck of the next neighbor over at 1245 NW Beca Ave (Caddy corner 1309nw 13th). These three line measurements verify that the property line falls between 5 and 8 feet and would meet the requirements of the application request. Please see supplementary map A for reference.
- D. No additional changes to the existing property and key points listed in part D. The garage is already contains water and electrical. No additional changes will be made with the exception of connecting drainage lines to the existing drainage lines in the back yard. The driveway has room for two cars off street and the property has privacy fencing on all three sides of the yard. Utilities to be marked for inspection.
- E. There is existing exterior lighting on the building already wired in. Additional lighting can be added as required.
- F. See additional drawing labeled F, Plan elevation, building entrance, also additional floor plan and topographical survey map provided in packet.

PCR116-00005

- G. Yard already fully landscaped and serviceable drains in place, no additional landscaping at this time.
- H. Square footage of existing building is 336. This meets the requirement of 40% or 480 sq feet, whichever is greater. Main home is 760 ft², making this 44% of the main home. No additional landscaping to be made at this time. The driveway easily accommodates two additional vehicles to be completely off the street. The building is currently sided to match the main home, no changes or repair needed at this time. The existing roof is a low pitch shed style roof. We plan to apply for permitting to replace with engineered trusses to match the pitch and materials on the roof of the main house.
- I. Back yard and surrounding area is full landscaped and contains adequate vegetation and drainage. No changes to be made at this time.
- J. No additional information at this time, the only exception required to proceed with this project is reducing the minimum setback to the side lot line from 8 feet to 5 feet. All other requirements are met at this time for beginning the project and permitting process.
- K. No electronic submission at this time, although electronic versions can be provided as needed.
- L. Initial payment of \$100 in the form of check to be submitted with application, remainder to be submitted upon approval.

Thank you for your consideration!

--WILL ADAMS
CCB# 211844

Application for Plan Compatibility Review

ADDITIONAL REQUESTED ITEMIZED MATERIALS (PCR16-00005)

- A. 1309 NW 13th St, Corvallis, OR 97330
Tax lot 11526CD07100
Owner: Barbara A. English
POC: Will Adams, General Contractor CCB# 211844



1. PCR REVIEW CRITERIA per LDC section 2.13.30.05:
 - a. Neighbors should not be affected by surface water drainage, existing garage already has working gutters and appropriate drains installed. Sight and sound concerns for the neighboring properties are addressed by existing fences on all three sides of the yard. All line of sight from windows are lower than that of the main house and view only vegetation and fence line. The primary entry way faces the neighboring fence and garage, neighboring house windows, yards and home activities are not in open view.
 - b. Traffic, parking and access- The driveway easily accommodates two off street parking spaces and also leave adequate foot traffic access to the entrance of the proposed ADU and main house.
 - c. No significant natural features will be affected by the development. The building is already standing and no disturbance to the ground will occur with exception to tying into the existing sewer line which will run under a path in the yard and not disturb the existing vegetation. The ground level is higher than that of the street which already provides adequate drainage of rain water. Building electrical is in place and will not need to be added to the building.
2. ADU Review Criteria:
 - a. ADU option: General Development Option.
3. Drawings attached. The roof pitch will be a 4/12 pitch, max height of building will be 129 ¼". North fence line is chain link at 63" tall. East fence line is wood and 62" tall. South fence line is between 62" and 69" tall. There are also trees, bushes, and buildings inhibiting all line of sight between the project buildings view points and the neighboring properties. Complete visual privacy is already in place.
4. ADU conversion will meet all Building Code Standards.
5. We plan to tie in the septic with the existing house line and will not require any easement with neighboring properties.
6. The property owner is currently out of town. The remaining balance of \$594 can be paid in full when she returns somewhere around November 3rd. I did call and speak with the planning office prior to submitting these additional materials.

Please do not hesitate to contact me if you need more info or materials for this process. Thank you!

--WILL ADAMS

Application for Plan Compatibility Review

ADDITIONAL REQUESTED ITEMIZED MATERIALS (PCR16-00005)

- A. 1309 NW 13th St, Corvallis, OR 97330
Tax lot 11526CD07100
Owner: Barbara A. English
POC: Will Adams, General Contractor CCB# 211844

PCR REVIEW CRITERIA per LDC section 4.9.40.02.c.5:

1. Additional drawings of the south and east side of the building attached to email as well.
 - a. Roofing pitch will be changed to 4/12 and will match the primary residence. I plan to order engineered trusses to be made to the correct height, pitch and overhang. The overhand will extend nine inches past the side of the building and incorporate soffit vents to meet current code for roof ventilation. The roofing material will be three tab shingles and will match the roof that is on the main house.
 - b. Building is existing and will meet the current code standards for construction. The west wall currently has an automatic garage door that will be removed and replaced with a solid 2x6 wall with 16 inch center studs and insulated to a minimum of R-21 and will meet current code for new construction. The exterior of this wall will be sided with concrete hardy board siding to match the main house and provide fire additional fire protection. The color of the entire building already matches that of the existing main home and new exterior building materials will be painted to continue to match.
 - c. There three windows in the building that will be replaced with identical sized windows and upgraded to double pane vinyl windows. This will match the current windows in the main home and the window trim will meet current code and match that of the existing home. The view from each window will not invade privacy of abutting properties. The north window faces a neighboring fence and garage, and does not have a view of the neighboring home or yard. The East window faces an existing wooden fence and foliage and does not provide any view into the neighboring yards or homes. Once the project is underway, there will also be a shed build outside of the east window that will conform to size, height and setback requirements for storage sheds. The south window is up high and for light only and will be in the future bathroom, so it will be converted to translucent privacy glass and provide no view at all. Also, the south window faces the neighbors storage shed.
 - d. All aspects of color of the building will match that of the main home and meet current building code standards. This includes the siding, trim, roof and exterior walls.
2. The garage already has water running to the building via PVC pipe. This will be converted to protected PEX piping underground to bring water to the building. This aspect will be subcontracted to a local licensed, bonded and insured plumbing company to be determined once this application is complete. I

will also have this company perform all aspects of plumbing for the ADU and will ensure it meets current code. There will be a small hot water heater and plumbing to the kitchen sink, toilet, bathroom sink and shower unit. Water drainage and sewer will be tied into the main home.

3. The fence along the south side of the building is a wooden privacy fence that inhibits view into the neighboring yard. A portion of the fence has been replaced over time and both sections are wood fences. The wooden fence extends from the southeast corner of the property west towards the street and terminates several feet beyond the edge of the west side of the garage. This fence is continuous beyond the entire length of the garage and inhibits visibility into the neighboring property and protects privacy.

Please let me know if you have more questions!

Thank you!!

--WILL

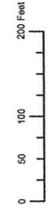
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 BENTON COUNTY

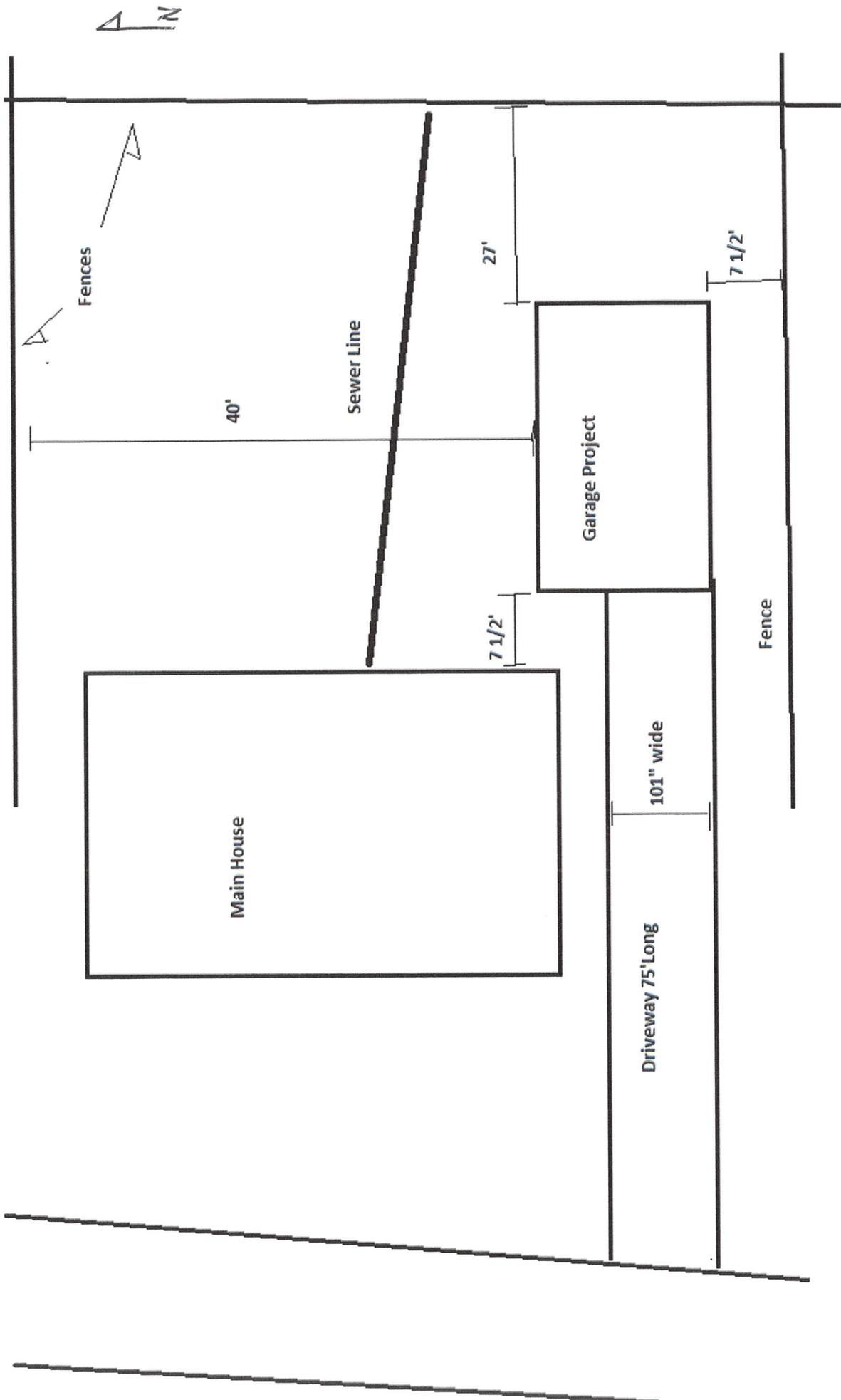
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 ASSESSMENT PURPOSE ONLY



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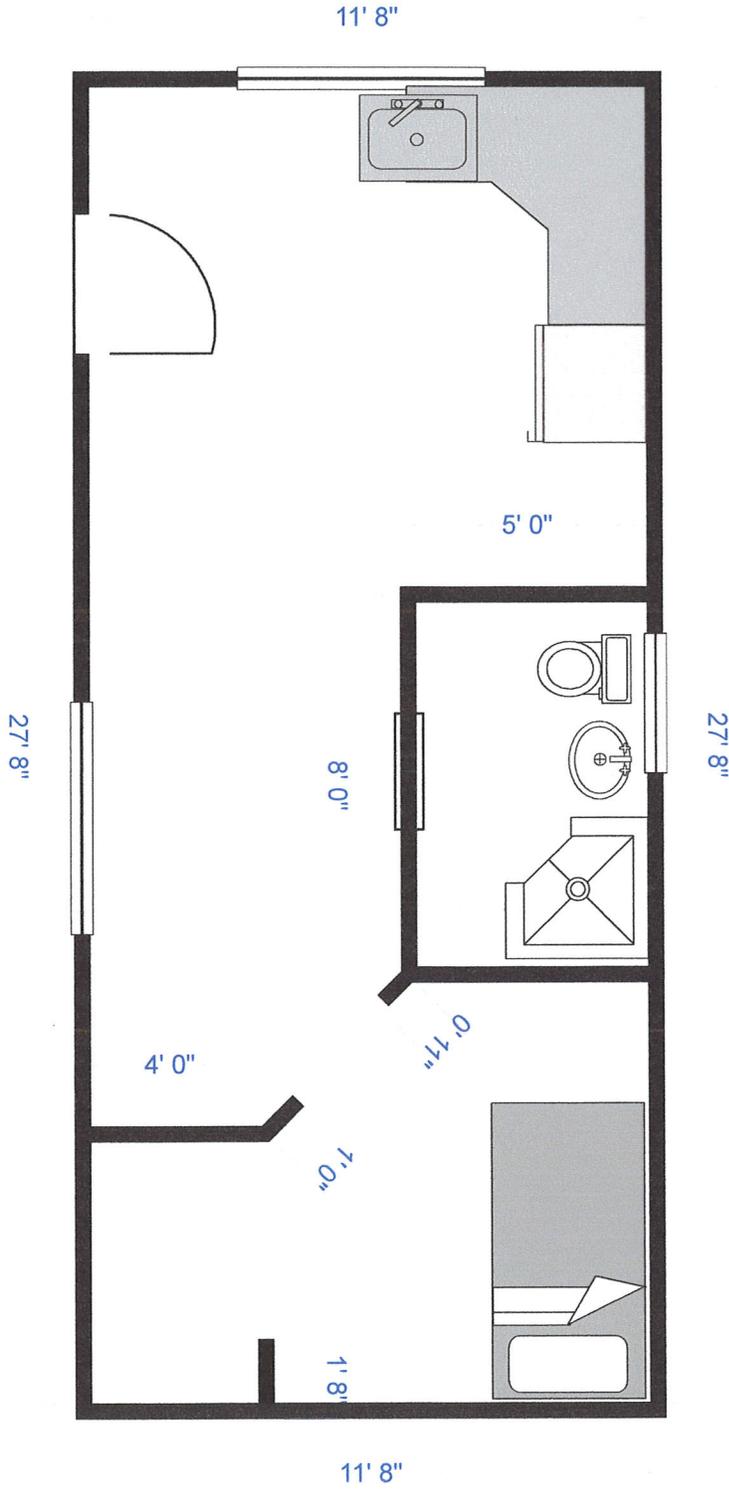




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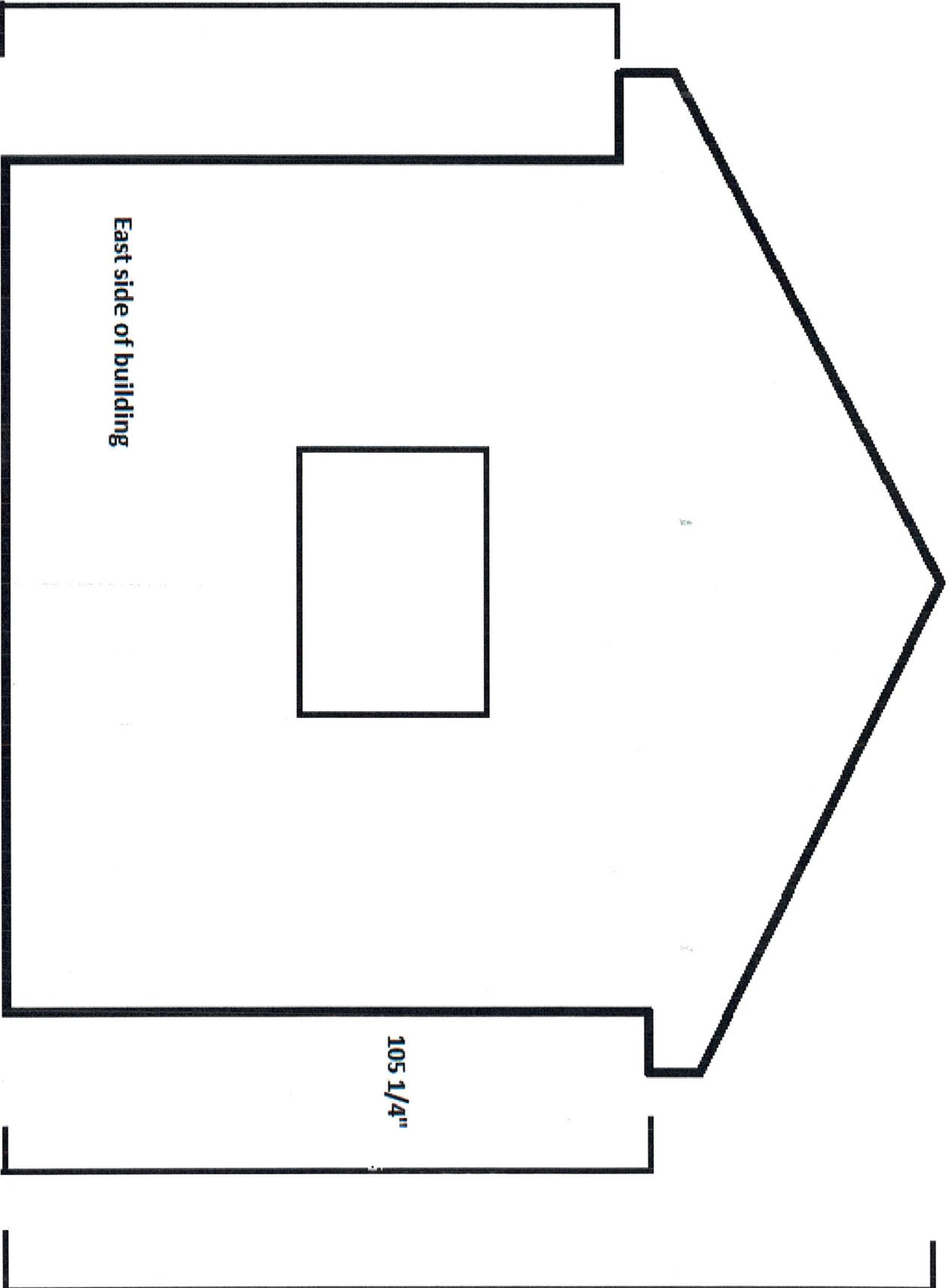
1309 NW 13th
 PCR-16-00005
 WILK ADAMS

PCR No. 1309 NW 13th St. 10/6/16



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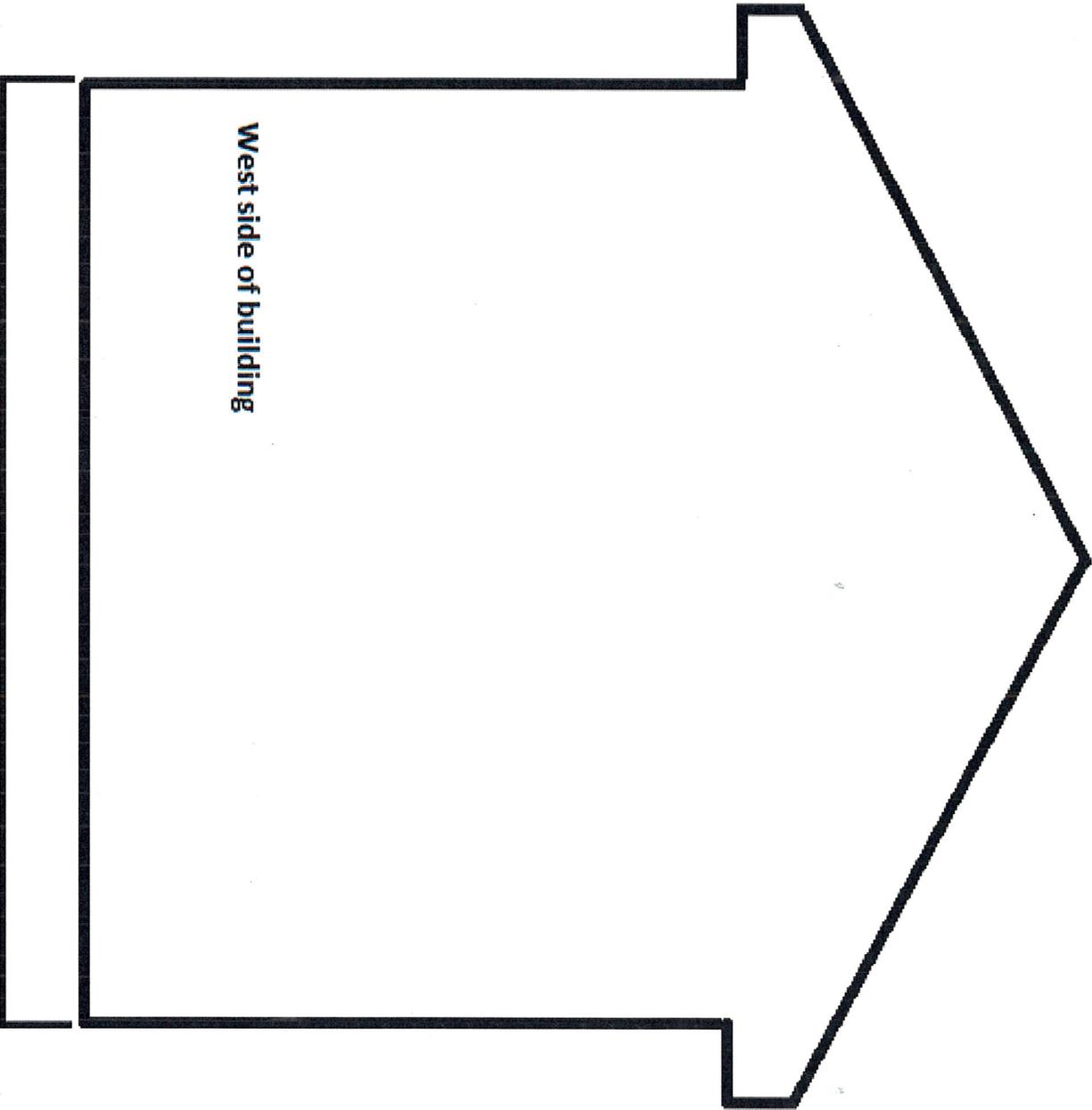
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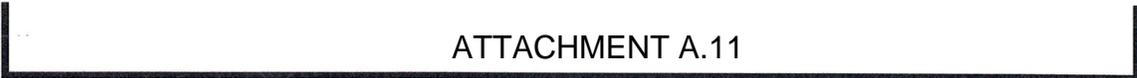


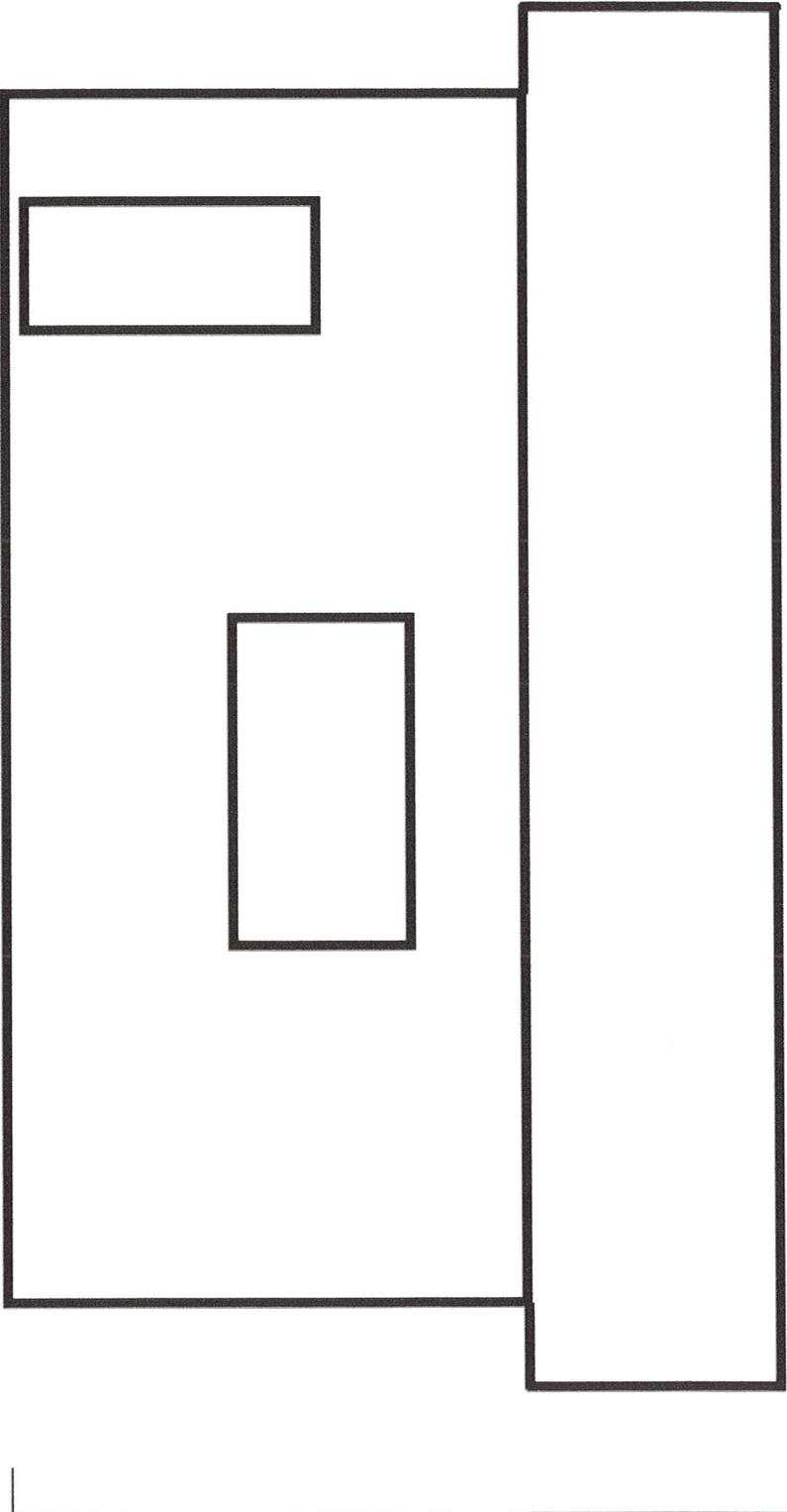
West side of building



12 feet wide

99 1/2"





PLR 16-00005
1309 NW 13th
Will ADAMS

RECEIVED
OCT 31 2016
DEVELOPMENT SERVICES

129 1/4"

