

**City of Cove
SPECIAL MEETING
Tuesday, May 17, 2022
At 7:00 p.m.
AT 504 ALDER STREET
COVE, OR 97824**

Call To Order

Mayor Sherry Haeger called the Daniel Landa Subdivision and Variance Hearing to order at 7:00 p.m. located at City of Cove City Hall, 504 Alder St., Cove, Oregon, 97824. The Pledge of Allegiance was led by the mayor. Remote access to the meeting was active with public participation.

Council Members Present: Councilors Jason Stone, Alan Cadinha, Jordan Hackwith, Shawn Parker

City Staff Present: Public Works Director Dave Johnson, City Recorder Sherry Riley

Virtual City Staff Present: Public Works Staff Eric Stone

Council Members not Present: Council President Matt McCowan, Councilor Lana Shira

Public Present: Maxine Parker, Dan Landa, Derick Reddington, Jaren Hackwith, Robert Myers, Linda Myers, Gary Koegler, Thomas Wade, Jack Hagey, Don Baumgartner, Catherine Parks, Charles Kirksey, Lori Shields, Marcus McKinney

Virtual Public Present: Jan Koegler, Mike Riley

Pledge of Allegiance

Mayor Sherry Haeger led the Pledge of Allegiance.

Council Roll Call

Roll call was performed by Sherry Riley, City Recorder. A quorum was determined to be present.

Public Hearing

7:00 p.m. – Daniel Landa Subdivision and Variance

Property 03S4015BC, Tax Lots 202, 204, 300, and 502

Mayor Haeger asked those present to declare any actual potential conflict of interest, ex parte contact, or personal bids. There being none, she opened the hearing and provided the Hearing Disclosure Statement.

Staff Report

Sherry Riley provided a verbal review of the Staff Report.

Written Testimony

See Opponent's Testimony.

Applicant's Testimony

Mr. Landa provided a verbal report outlining the steps he went through to come up with the plan for his land, and why he is requesting the variance and subdivision approval. It was concluded and clarified that he was asking for approval to divide his property into smaller lots and requesting a variance from a 20-foot set back to a 10-foot setback from the existing house to the proposed road Right of Way.

Proponent's Testimony: 3 minutes per person

There was no proponent's testimony.

Opponent's Testimony: 3 minutes per person

Sherry Riley read written opposition submitted by Vickie and Jack Hagey. It was their opinion that a landowner should have the right to do as they wish with their land. However, since the City of Cove has put a standardized ordinance in place for partitions and subdivisions, it follows that every developer must abide by these rules, or we will end up with substandard roads and subdivisions.

Tom Wade provided verbal opposition on behalf of his mother, Sandra Wade, who owns property at 1005 Antles Lane. She is opposed to the proposed road which runs by her back fence, as well as the density of the potential housing. Increased traffic and light pollution from the cars and housing were noted as problematic for her.

Lori Shields noted her concerns included traffic congestion, and impact on quality of life for neighbors.

Don Baumgartner, 1006 Antles Lane, asked for clarification on the length of the 10-foot variance request. It was noted the length of the variance is for the width of the existing house only.

Catherine Parks, 1006 Antles Lane, questioned if it was necessary to approve the lot for single family and the multi-family as well. Mayor Haeger noted she would like to seek clarification on which Oregon law it is that allows the city to approve multi-family dwellings. However, it was noted the city ordinance supersedes state and county laws when dealing with property within the city limits.

Applicant's Rebuttal

Mr. Landa noted he is not setting a precedence. Gary Koegler, property owner next to him, already has his property split into multiple lots. Discussion ensued about combining lots two and three into one lot; however, Mr. Landa noted he would have to give up too much usable land to do that.

Close Hearing

There being no further discussion and rebuttal, the hearing was closed.

Council Deliberation & Final Decision

Discussion ensued and Councilor Shawn Parker noted he believes Mr. Landa's variance request does not meet the first condition of Section 10:02: REQUIRED CONDITIONS. No other objections were made.

Motion: Councilor Jason Stone moved to approve the Variance application by Daniel Landa from 20-foot to 10-foot on Lot 1, that the applicant has satisfied the City of Cove Variance Criteria identified in the Variances Section 10:02: REQUIRED CONDITIONS because of the applicant's exhibit responding to variance criteria and verbal testimony. Councilor Alan Cadinha seconded. Councilor Shawn Parker dissented. Motion approved by majority vote.

The Subdivision application was reviewed and discussed. Ultimately, it was determined that Mr. Landa does not want to subdivide his property. Therefore, it was determined not to approve the Subdivision application, and grant Mr. Landa a continuance to resubmit a plan for what he really wants to do with his property, based on the city's rules, not the county's rules.

Good of the Order

No Good of the Order was discussed at this hearing.

Public Comment

No public comment was made at this time.

Adjournment

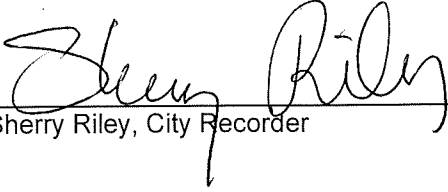
Mayor Sherry Haeger adjourned the meeting at 8:56 pm.



Sherry Haeger, City of Cove Mayor



Kerri McCowan, Billing Clerk



Sherry Riley, City Recorder