

**DUNES CITY PLANNING COMMISSION
REGULAR MEETING
August 20, 2003**

I. CALL TO ORDER

Chair Lee Riechel called the meeting to order at 7:10 p.m.

II. ROLL CALL

Present: Chair Lee Riechel, Commissioners, Fred Hilden, Les Zemlicka, and Planning Secretary Jeannie Cerda. There were no people in the audience at the beginning of the meeting.

III. PUBLIC HEARINGS

A. CONDITIONAL USE PERMIT- MARVIN & DARLENE BECKMAN, APPLICANTS

Chair Riechel, announced the hearing was for a Conditional Use Permit request by Marvin & Darlene Beckman, to build a single family dwelling on tax lot 201 on Map 20-12-00, Booth Island which has an Open Space Overlay designation.

Chair Riechel noted that there were no people in the audience, proponent or opponents. Chair Riechel asked for a motion to forego all the preliminaries and proceed directly to deliberation.

F. Hilden made a motion to forego all preliminaries and proceed directly to deliberation.

L. Zemlicka seconded the motion. The voting was unanimous and the motion carried.

3-Aye, 0-Nay

The public hearing was opened and closed at 7:22 p.m.

Chair Riechel started the commissioners discussion stating that he felt that the application presented was identical to a Conditional Use Permit granted to the Beckman's just two months previously on a different tax lot. Chair Riechel also stated that he believed the conditions placed upon the first Conditional Use Permit would be sufficient for this request:

1. A site review must be conducted on the property by the Planning Commission and Conservation Committee prior to any development.
2. The Conditional Use Permit will expire after 24-months if there has been no building activity within that time period.

The Beckman's arrived at 7:30 P.M.

A brief discussion was had regarding transport of building materials, docks, parking, and dock placement, wind and winter weather.

Motion

Fred Hilden made a motion to accept the Staff Report with the correction that line "(1)" on Page 8, is changed to "J". L. Zemlicka seconded the motion. The voting was unanimous and the motion carried.

3-Aye, 0-Nay, 0-Abstain

Motion

F. Hilden made a motion to accept the conclusions of law. L. Zemlicka seconded the motion. The voting was unanimous and the motion carried.

3-Aye, 0-Nay, 0-Abstain

The commissioners concurred on the following Conclusions of Law:

- A. Adequate public notice was given.
- B. The request meets the Conditional Use criteria
- C. The request meets the Conditional Uses. criteria for Booth Island (156.093 Booth Island (C) *Conditional Uses.*, for structures, which can meet the variance criteria and underlying zone limitations.
- D. If the proposal was denied and the applicant was not able to construct a home on the proposed property, the strict or literal interpretation and enforcement of the specified requirement would result in a practical difficulty or unnecessary hardship and would be inconsistent with the objectives.
- E. There are exceptional and extraordinary circumstances and conditions applicable to the property and the intended use, which do not apply to the platted portions of surrounding properties on Booth Island.
- F. A strict and literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges legally enjoyed by the owners of the surrounding properties.
- G. The granting of a Conditional Use Permit/Variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties of improvements in the near vicinity if setbacks for wetland/riparian areas are strictly adhered to.
- H. The requirement for access to the property can be met with a building permit to construct a dock.
- I. The construction of a home can meet the underlying zone (R-1) requirements and limitations as single-family dwellings are allowed outright without a conditional use permit.
- J. The request is in conformity with the Comprehensive Plan.

Condition

1. A site review must be conducted on the property by the Planning Commission and Conservation Committee prior to any development.
2. The Conditional Use Permit will expire after 24-months if there has been no building activity within that time period.

Action

L. Zemlicka, made a motion to recommend to the City Council that it approve the request of Marvin & Darlene Beckman, for a Conditional Use Permit, because having considered the evidence presented by those for the proposal, as well as the evidence against the proposal, it is found by the weight of the evidence 'for' that the proposal should be approved with the specified conditions stated in the staff report and the conditions previously stated. F. Hilden seconded the motion. The voting was unanimous and the motion passed.

3-Aye, 0-Nay, 0-Abstain

Chair Riechel announced that this application would be heard by the City Council on September 11, 2003, at 7:00 p.m.

VII. NEW BUSINESS

None

VIII. UNSCHEDULED ITEMS NOT LISTED ON AGENDA

None

IX. ADJOURNMENT

Chair Riechel adjourned the meeting at 8:01 p.m.

CHAIR, LEE RIECHEL

PLANNING SECRETARY, J. CERDA

FRED HILDEN

LES ZEMLICKA