



# City of Rockaway Beach

## Planning Commission Special Meeting Minutes

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**Date:** Thursday, January 25, 2024  
**Location:** Rockaway Beach City Hall, 276 HWY 101 - Civic Facility

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### 1. CALL TO ORDER

Planning Commission President Hassell called the meeting to order at 5:00 p.m.

### 2. PLEDGE OF ALLEGIANCE

### 3. ROLL CALL

Start time: [05:01:06 PM \(00:00:44\)](#)

[Position #2 - Stephanie Winchester: Present](#)

[Position #3 - Pat Olson: Absent](#)

[Position #7 - Georgeanne Zedrick: Present](#)

[Position #5 - Bill Hassell: Present](#)

[Position #1 - Zandra Umholtz: Present](#)

[Position #4 - Sandra Johnson: Present](#)

[Position #6 - Nancy Lanyon: Present](#)

**President:** Bill Hassell

**Commissioners:** Sandra Johnson, Georgeanne Zedrick, Zandra Umholtz, Stephanie Winchester, and Nancy Lanyon

**Excused:** Pat Olson, and Mayor Charles McNeilly

**Staff Present:** Luke Shepard, City Manager; Mary Johnson, City Planner; and Melissa Thompson, City Recorder.

### 4. OLD BUSINESS

#### a. Variance #23-05: Consideration of an Application for Variance at Unimproved Real Property at Tillamook County Assessor's Map # 1N1005BA Lot #9900 to Increase the Building Height and Reduce the Front Yard Setback

Start time: [05:01:36 PM \(00:01:14\)](#)

Hassell stated that old business before the Planning Commission was the consideration of an Application for Variance at Unimproved Real Property at Tillamook County Assessor's Map # 1N1005BA Lot #9900 to Increase the Building Height and Reduce the Front Yard Setback

Hassell explained that the Commission held a Public Hearing on the matter on January 18, 2024, and after the staff report, receipt of correspondence, applicant's presentation, public testimony and Commission questions, the Commission moved to close the Public Hearing and keep the record open until January 25, 2024 for additional written arguments.

Hassell explained the order of business, noting that since the Public Hearing was closed after comments were heard on January 18<sup>th</sup>, there would be no public comment.

There were no biases or conflicts of interest declared.

Commissioner Johnson reported that she made another site visit to the subject property.

City Planner Johnson reported that staff received additional written testimony from the Agent for the applicant, and that copies were included in the meeting packet.

City Planner Johnson gave a presentation, providing a review of the matter. She reviewed the criteria for granting a variance. (A copy of the presentation is included in the meeting record.)

Hassell inquired about any considerations regarding slopes in the Comprehensive Plan. City Planner Johnson responded that there were none that she was aware of. Hassell noted that the building height was calculated on an average. City Planner Johnson confirmed that an average is used for determining building height, and that it is defined in the City's code.

Winchester noted that at the January 18<sup>th</sup> hearing, City Planner Johnson clarified that there were no other requests for height variances in the area that she recalled. Winchester inquired about variances in other areas, and Johnson responded that most variances were for setbacks in yards. City Planner Johnson further clarified for Winchester the method for determining building heights as defined in the City's code.

Commissioner Johnson inquired about finish levels. City Planner Johnson responded that she was unsure how to answer the question regarding finish levels, but noted that the applicant provided the average height on their application. The Commissioners reviewed the applicant's drawings.

Zedrick commented that after reviewing the evidence and the criteria, it appears that the need for a variance is based on this particular structure, rather than something smaller, and the applicant possibly put it upon themselves, as referenced in criteria 4.

Umholtz commented that she didn't see extenuating or special circumstances that would prevent someone from building a home, it would just prevent them from building a home of this magnitude.

Commissioner Johnson concurred with the assessments of Zedrick and Umholtz. She said that she did not believe all four criteria had been met. She questioned whether the safety criteria had been met regarding the front yard setback variance request. Johnson expressed concerns that the area is very steep, and the street is the only ingress and egress to the subdivision, and any further washing of the hillside could be detrimental to the whole neighborhood. Johnson said based on the safety factor, she would want to deny the front setback request. As far as the height request, she noted that the Applicant's Agent indicated that a home could be designed to meet code requirements, but just couldn't be built to meet the needs of the Applicant. Johnson noted that plans seemed to show that the design was raising the height more than necessary. She commented that since the Applicant was requesting the variance for their own purposes, that they created the need for the variance, and it should not be granted.

Winchester agreed with Johnson and noted that the Agent for the Applicant indicated that they had not attempted to design a home to meet the City's ordinance requirements.

Lanyon commented that she concurred with all of the Commissioners comments.

Hassell questioned whether adjacent lots were buildable. City Planner Johnson explained that from a zoning perspective, we never say that any lot is not buildable, and it would require a geologic report to show what could be built.

Umholtz made a **motion**, seconded by Winchester, to deny the Variance Application #23-05.

The motion **carried** by the following vote:

Position #1 - Zandra Umholtz: Motion

Position #2 - Stephanie Winchester: 2nd

Position #2 - Stephanie Winchester: Approve

Position #7 - Georgeanne Zedrick: Approve

Position #5 - Bill Hassell: Approve

Position #1 - Zandra Umholtz: Approve

Position #4 - Sandra Johnson: Approve

Position #6 - Nancy Lanyon: Approve

## 5. ADJOURNMENT

Start time: 05:25:54 PM (00:25:32)

Johnson made a **motion**, seconded by Umholtz, to adjourn the meeting.

Position #4 - Sandra Johnson: Motion

Position #1 - Zandra Umholtz: 2nd

Position #2 - Stephanie Winchester: Approve

Position #7 - Georgeanne Zedrick: Approve

Position #5 - Bill Hassell: Approve

Position #1 - Zandra Umholtz: Approve

Position #4 - Sandra Johnson: Approve

Position #6 - Nancy Lanyon: Approve

MINUTES APPROVED THE  
15<sup>TH</sup> DAY OF FEBRUARY 2024

  
William Hassell, President

ATTEST



Melissa Thompson, City Recorder