



## COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | Community Development 541-917-7550

# Notice of Filing

## Minor Variance to Front Setback

VR-07-24

June 11, 2024

The Planning Division has received the following APPLICATION. Please provide any comments you may have on this project to **David Martineau** (541-917-7555, [david.martineau@albanyoregon.gov](mailto:david.martineau@albanyoregon.gov)) **before 5:00 p.m. on June 25, 2024**, so we may take your comments into account.

### Application Information

Proposal:	Reduction of a 15-foot front yard setback to 13 feet 6 inches
Review Body:	Staff (Type I-L review)
Applicant/Property Owner:	Michael Quinn; 4455 Sunset Ridge Drive NW; Albany, OR 97321
Address/Location:	970 Jessica Court SE, Albany, OR 97322
Map/Tax Lot:	Linn County Assessor: 11S-03W-18AA Tax Lot 8600
Zoning:	Residential Medium Density Attached (RM)
Overlay Districts:	Airport Approach Overlay
Total Land Area:	6,278 square feet (0.14 acre)
Existing Land Use:	Single Dwelling Unit

The City of Albany has received the application for a Minor Variance as referenced above. We are mailing notice of the application to property owners within 100 feet of the proposed development. We invite your written comments on this application to be considered when staff decide on this application. Your comments must relate to the approval standards listed below. Issues that may provide the basis for an appeal to the Planning Commission must be raised in writing and with sufficient detail to allow the City to respond to the issue. The deadline for submission of written comments is 5:00 p.m. on **June 25, 2024**, 14 days from the date the City mails the notice of filing.

We have attached a location map and a site plan. All application materials are available for review in person at the Planning Division, and copies can be obtained for a minimal charge. Should you wish to discuss this case with a planner, please call **David Martineau**, project planner, at 541-917-7555. Submit any written comments to the Planning Division; PO Box 490, Albany, OR 97321 or by email to [david.martineau@albanyoregon.gov](mailto:david.martineau@albanyoregon.gov). Any person submitting written comments will receive a copy of the notice of decision on the application.

### Approval Standards for This Request

#### Minor Variance Review Criteria

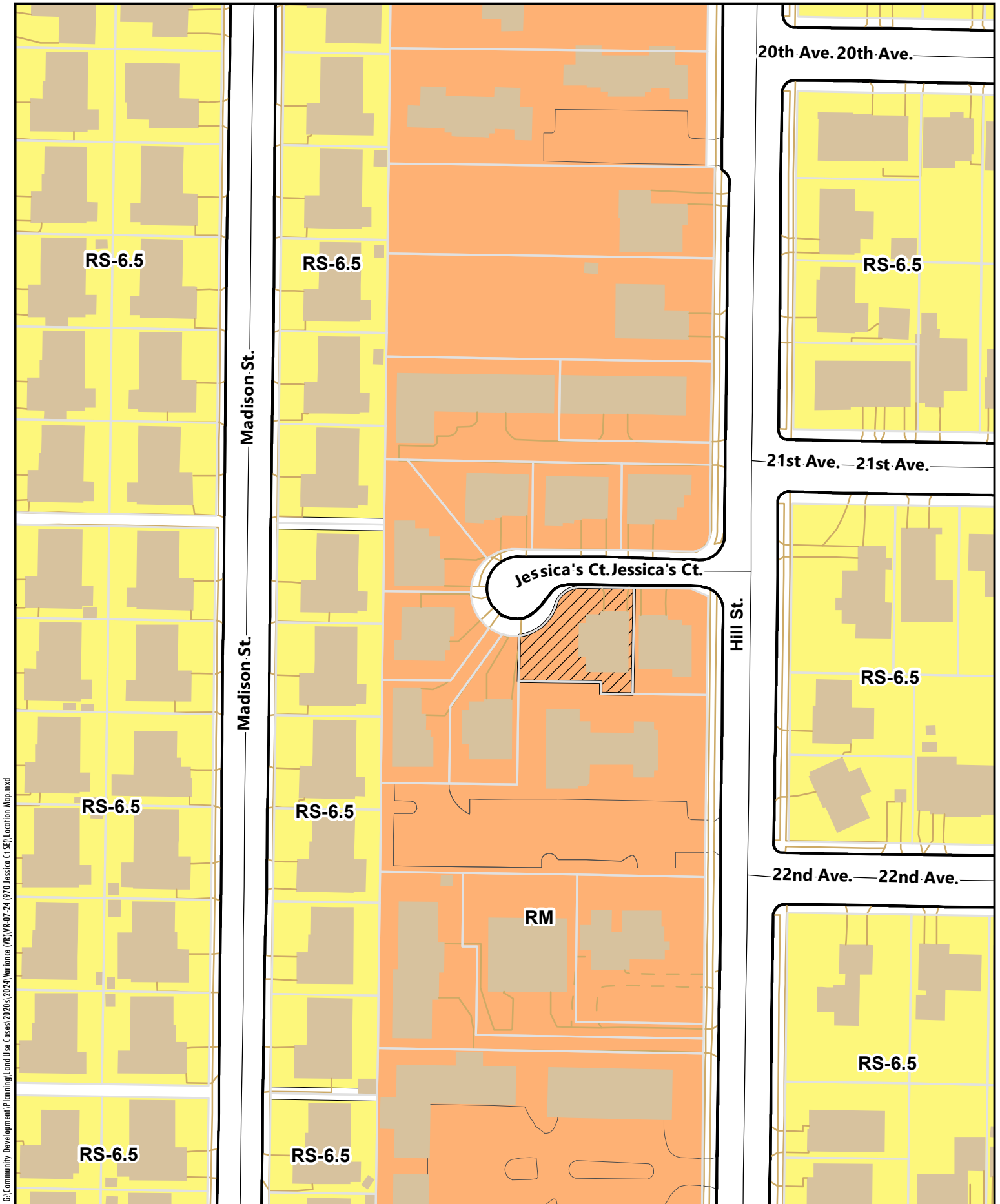
Section 2.696 of the ADC includes the following review criteria that must be met for this application to be approved.

- (1) The Minor Variance is not requested to avoid a land use review process or increase density; AND
- (2) The need for the Minor Variance is created by the unusual configuration of the property, to protect natural features, due to the location of an existing structure on the site, or the site is an infill or redevelopment site less than one acre with development on both sides; AND

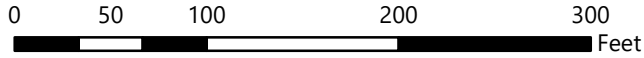
- (3) The Minor Variance is the minimum necessary to address the unusual circumstance, generally no more than 10 percent from a numeric standard, and the request is still consistent with the purpose of the zoning district and any applicable overlay districts.

Additional review standards for this Land Use Review application are found in ADC Articles 1, 2, & 3.

Attachments: Location Map, Site Plan



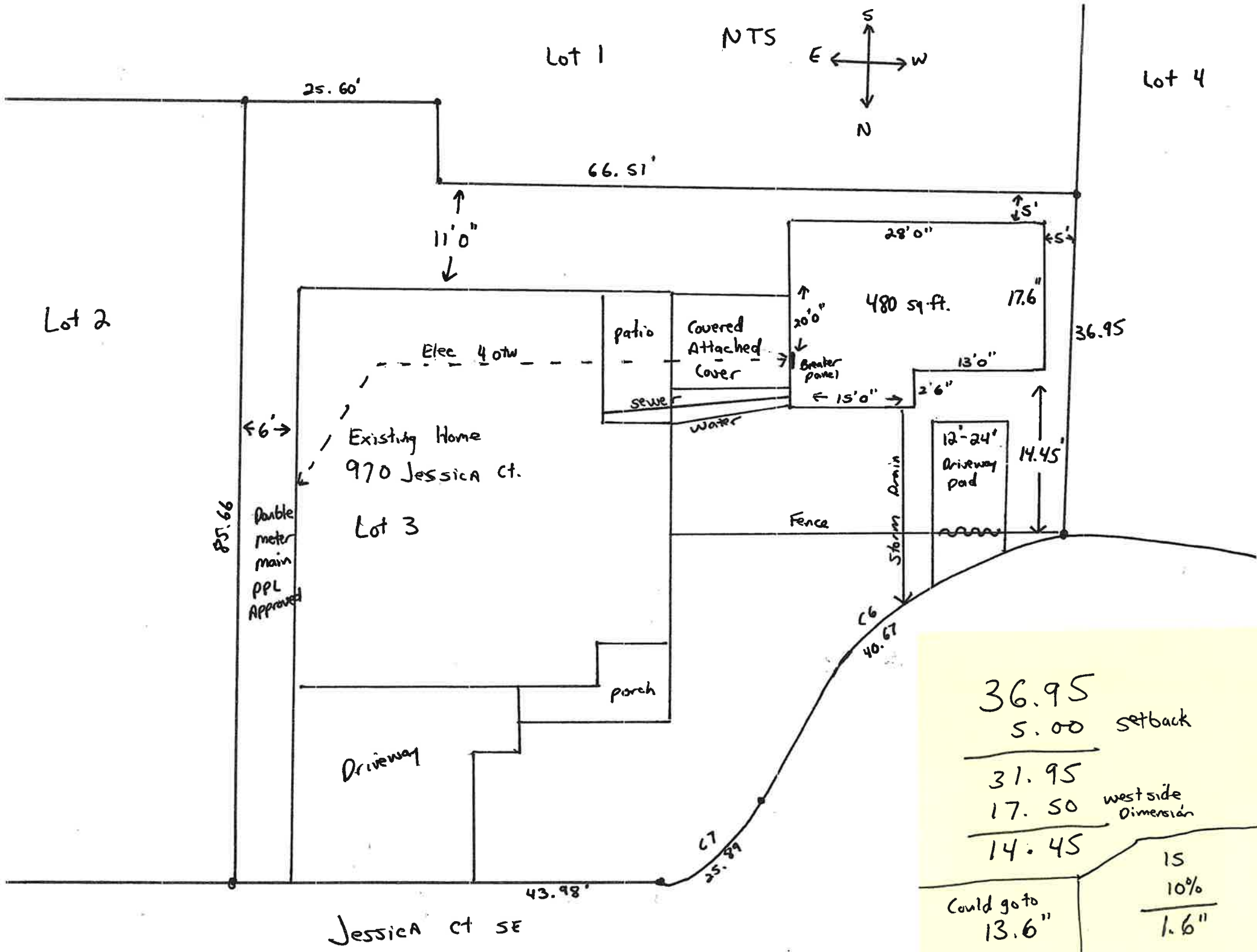
G:\Community Development\Planning\Land Use Cases\2020s\2024\Variances (VR)\VR-07-24 (970 Jessica Ct SE)\Location Map.mxd



**970 Jessica Ct. SE**

Date: 6/5/2024 Map Source: City of Albany

Location / Zoning Map



36.95  
 5.00 setback  
 -----  
 31.95  
 17.50 west side dimension  
 -----  
 14.45

15  
 10%  
 -----  
 1.6"

Could go to 13.6"