

LAND USE HEARING – Shannon A. McMahon Trust
Monday, May 22, 2017, 9:00 a.m.
Anne Basker Auditorium, 600 NW Sixth Street, Grants Pass, OR 97526

Present: Simon G. Hare, Chair; Lily N. Morgan, Vice-Chair (joined the meeting at 9:04 a.m.); and Daniel E. DeYoung, Commissioner; Wendy Watkins, Recorder

These are meeting minutes only. Only text enclosed in quotation marks reports a speaker's exact words.

Pursuant to notice through the media and in conformance with the Public Meeting Law, Simon G. Hare, Chair, called the meeting to order at 9:00 a.m. Items discussed were as follows:

1. **LAND USE HEARING:** *(Hearings are conducted in accordance with Josephine County Land Use Hearing Rules as they apply to Remand Hearings, a copy of which is available from the Recorder.)*

Appeal Hearing on the Record to the Board of County Commissioners of the Planning Commissioner decision to approve a tentative plan for the McMahon Subdivision creating 7 lots for single-family residential development in the Rural Residential 5-Acre zone with access off of North Applegate Road. The subject property is identified in the Josephine County Assessor's records as Map: 37-05-26, Tax Lot (TL) 300, location: 11390 North Applegate Road. The property owner is Shannon A. McMahon Trust.

Commissioner Hare read the Limited to the Record Hearing Rules and then asked if there were any objections to the Board of Commissioners hearing the case. There were none. He then asked the Board if anyone needed to abstain from the hearing due to a conflict of interest. None did.

Staff Report: Exhibit 1 – 30 pages

Nora Schwartz, Planner II, reviewed the Staff Report (**Exhibit 1**) with the Board.

Appellant's Case:

William McMahon read and submitted Board of Commissioners Statement 5/22/17 (**Exhibit 2**).

Applicant's Expert Witness:

Mel Galli, Civil Engineer with The Galli Group, provided as part of the zone change they were required to do a traffic analysis and the traffic study provided North Applegate Road is considered a very safe road.

Shannon A. McMahon, read and submitted her statement (**Exhibit 3**).

Rebuttal:

Neil Burgess, Public Works Civil Engineer, reviewed Public Works PowerPoint (**Exhibit 4**).

Surrebuttal:

William McMahon explained his family has spent a lot of money to adhere to all the codes and spoke about a driveway at 9321 North Applegate Road which is a terrible driveway and said he has no idea how that got through this strenuous process. He said his family put in a lot of effort to make this a safe and manageable proposal.

Commissioner Morgan stated she would be in support of the McMahon's request and Commissioner DeYoung agreed. Commissioner Hare recommend that the \$2,500 appeal fee be waived.

The Board discussed the following conditions:

- GC#13, the Board agreed to strike out the proposed changes by Appellant.
- PH1 #2, the Board agreed to strike out the proposed changes by Appellant.
- PH2 #1, the Board agreed to strike out the proposed changes by Appellant.

Commissioner Morgan made a motion to approve the appeal with the noted changes that the Board just noted individually, seconded by Commissioner DeYoung. Upon roll call vote, motion carried 3-0; Commissioner DeYoung – yes, Commissioner Morgan – yes and Commissioner Hare – yes.

Meeting adjourned at 11:16 p.m.


Wendy Watkins, Recorder

All Exhibits are listed on the tally sheet attached to the minutes.