

CITY OF DUNDEE
PLANNING COMMISSION AGENDA
PO Box 220
801 N. Highway 99W
Dundee, Oregon 97115

MEETING WILL BE IN PERSON AND TELECONFERENCED

Join Zoom Meeting: <https://us02web.zoom.us/j/85908365834>

Or listen by calling: 1-253-215-8782

Meeting ID: 859 0936 5834

MEETING DATE: November 19, 2025

Meeting Time: 7:00pm

- I.** Call Meeting to Order
- II.** Approval of Minutes from Previous Meeting(s)
 - 1. May 21, 2025 (tentative)
- III.** Public Comment
- IV.** Public Hearing
 - 1. V 25-20, Irons/McGaw
- V.** Issues from Planning Commissioners
- VI.** Adjournment

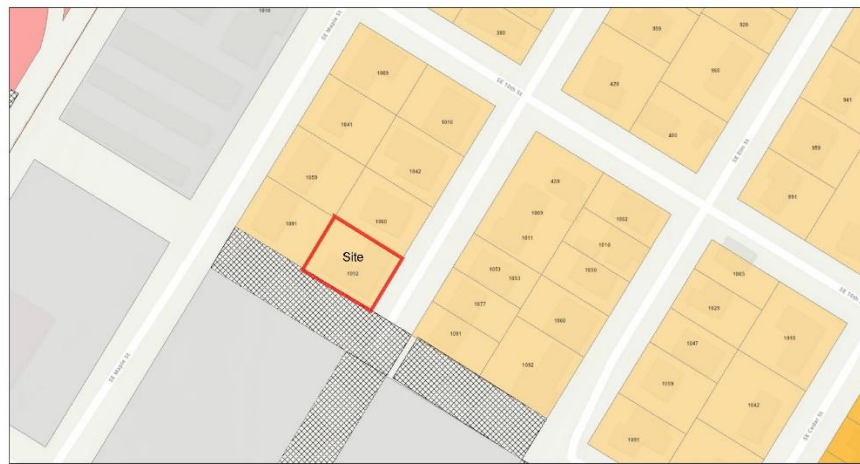


CITY OF DUNDEE
Staff Report
Type III Variance
File No. V 25-20 – Side Yard Setback
1092 SE Locust Street

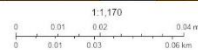
Request: The Applicant has requested a Variance for the side yard setback to reduce the setback from the required 7.5 feet down to 5 feet.

Project Information	
Applicant and Agent	Autumn Irons & Alexander McGaw
Property Owner	Autumn Irons & Alexander McGaw
Location	1092 SE Locust Street
Site Address	1092 SE Locust Street
Tax Lot	R3325CC 06800
Zoning	R-2 (Single-family Residential)
Applicable Criteria	Dundee Municipal Code Chapter 17.406
Hearing Date	November 19, 2025

Location Map



10/29/2025, 10:26:28 AM



Source: Esri, DeLorme, Garmin, FAO, NOAA, NGS, © OpenStreetMap contributors, and the GIS User Community. Sources: Ben Stover, Andrew CO, 2022; NOAA, NGA, CMAP, Ty Robinson, NOAA, TILS, US, NOAA, GeoInformation, Reuterstock, GSA, Imagery.

Staff Recommendation:

At the November 19, 2025, hearing staff recommends the Planning Commission:

1. Consider the staff report and public testimony.
2. Deliberate and make findings. Proposed findings are shown in Exhibit A of the Planning Commission Order.
3. Pass a motion adopting the Planning Commission Order.

Public Notice:

Public notice of the project was posted on the site, published in The Newberg Graphic, and mailed to property owners within 100 feet of the project location.

Comments Received:

Below are Public and Agency comments received by 12 pm on November 10. If additional public comments are received, they will be forwarded to the Commissioners. Department comments have been incorporated into the staff report.

Public Comments

- None.

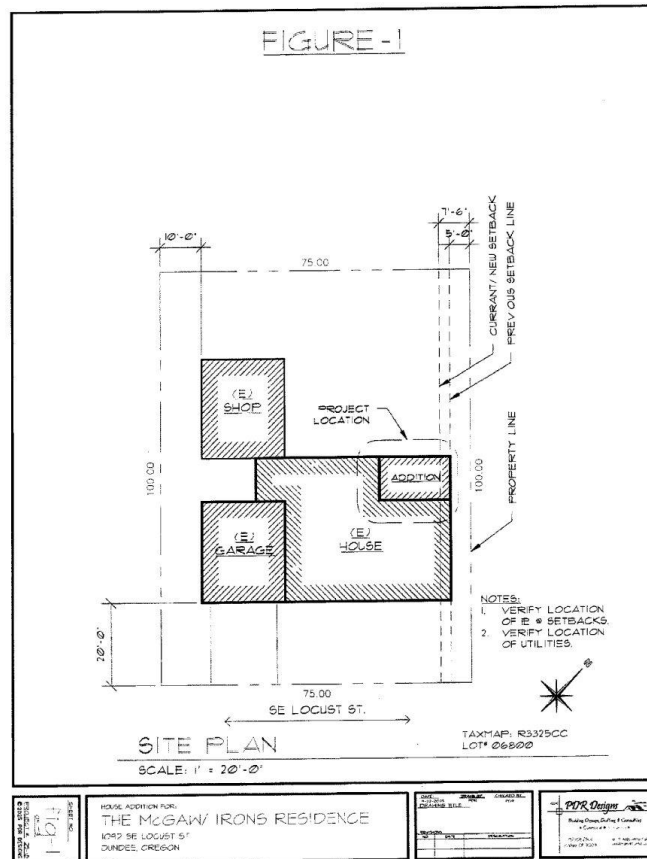
Agencies

- Building Department: Reviewed, No comment.
- CPRD: CPRD has reviewed the application and has no comments.
- Dundee Fire Department: I have no questions or comments.
- PGE: Reviewed, No conflict.

Discussion

The request is to reduce the side yard setback on the north side of the single-family dwelling down to 5 feet from the Code required 7.5 feet for a building addition. The single-family dwelling was construct in 1971 under different regulations that allowed a 5-foot side yard.

Site Plan



Attachments

Planning Commission Order with:

Exhibit A: Findings

Exhibit B: Conditions of Approval

1. Application Materials.

DUNDEE PLANNING COMMISSION ORDER
FILE NO. V 25-20

AN ORDER APPROVING A VARIANCE FOR SIDE YARD SETBACK AT 1092 SE LOCUST STREET, TAX MAP AND LOT R3325CC 06800

RECITALS:

1. Autumn Irons and Alexander McGaw submitted a Variance application to reduce the north side yard setback to 5 feet from the Code required 7.5 feet for a building addition at 1092 SE Locust Street (R3325CC 06800). The property is zoned R-2 (Single-family Residential).
2. The single-family dwelling was constructed in 1971 with a 5-foot side yard setback under a different set of land use regulations.
3. The Dundee Planning Commission held a public hearing to consider the proposal on November 19, 2025.
4. At the November 19, 2025, public hearing the Planning Commission heard public testimony.
5. At the November 19, 2025, public hearing, the Planning Commission heard a summary of the staff report, considered the applicant’s testimony and the public testimony, closed the public hearing and deliberated. The Planning Commission finds the proposed Variance meets the applicable Development Code criteria for approval with conditions of approval.

The Dundee Planning Commission orders the following:

The Variance application to reduce the north side yard setback for a building addition to 5 feet is hereby approved, subject to conditions of approval in Exhibit “B”. This Order is based on the November 19, 2025, staff report, findings shown in Exhibit “A”, conditions of approval shown in Exhibit “B”, and public testimony. Exhibits “A” and “B” are hereby attached and by this reference incorporated herein.

ADOPTED BY THE DUNDEE PLANNING COMMISSION THIS 19st DAY OF NOVEMBER, 2025:

AYE: **NAY:** **ABSTAIN:** **ABSENT:**

SIGNED: _____
Ed Carlisle, Planning Commission Chair Date

ATTEST: _____
Brandon Hamilton, Interim City Administrator Date

EXHIBIT A
DEVELOPMENT CODE CRITERIA & FINDINGS
V 25-20, Side Yard Setback

Note: The Dundee Municipal Code criteria are written in ***bold italic*** font and the findings are written in regular font. Items related to conditions of approval are underlined. The Development Code criteria will be presented first followed by the findings of fact.

Chapter 17.406 Variances and Adjustments

1. Applicable Dundee Municipal Code Criteria – Variance and Sign Permit Review

17.406.010 Purpose.

This chapter provides standards and procedures for variances and adjustments, which are modifications to development standards that are not otherwise permitted elsewhere in this code as exceptions to code standards. These procedures provide relief from specific code provisions when they have the unintended effect of preventing reasonable development in conformance with all other codes. The variance and adjustment procedures provide flexibility while ensuring that the resulting development is consistent with the code’s intent. [Ord. 521-2013 § 3 (Exh. A)].

Finding: The Applicant’s application requests a Variance to reduce the north side yard setback for a building addition to 5 feet to match the existing single-family dwelling 5-foot side yard setback. The request is more than 20% of the allowed minimum setback to qualify for an Adjustment application request.

17.406.020 General provisions.

A. Authorization of Adjustments and Variances. This chapter provides for two types of modifications to development code standards: adjustments and variances.

1. Adjustments involve limited discretion and are processed through an administrative Type II review procedure under DMC 17.401.030. Adjustments are subject to the approval criteria under DMC 17.406.030.

2. Variances involve more discretion than adjustments and require quasi-judicial Type III review under DMC 17.401.040. Variances are subject to the approval criteria under DMC 17.406.040.

Finding:

1. The request is not an Adjustment application.
2. The application request is for a Variance and requires a quasi-judicial Type III review.

B. Application Requirements. Adjustment applications shall be filed pursuant to the requirements for Type II review under DMC 17.401.030, and variance applications shall be filed pursuant to the requirements for Type III review under DMC 17.401.040, as applicable. In addition, the applicant shall provide a narrative or letter explaining the reason for the variance request, alternatives considered, how the variance criteria in DMC 17.406.040 are satisfied, and why the subject code standard(s) cannot be met without the variance.

Finding: The submitted Variance application was filed pursuant to a Type III review under DMC 17.401.040. The Applicant provided a narrative for the reasons for the Variance request which is included in Attachment 1.

C. Concurrent Review with Other Applications – Permit Approvals by Other Agencies. Adjustment and variance requests may be combined with other city land use and development applications; however, some variances may be subject to approval by other permitting agencies, such as ODOT or Yamhill County in the case of variances to highway or street access standards. Variances to city of Dundee public works design standards are reviewed by the city engineer and are not subject to the development code.

Finding: The submitted Variance application was not submitted concurrently with another land use application.

D. Allowed Uses Not Subject to Adjustment or Variance. An adjustment or variance may not be used to add a new use to the list of allowed or conditionally allowed uses by zoning district. [Ord. 521-2013 § 3 (Exh. A)].

Finding: The submitted Variance application is not a request to add a new use to the list of allowed or conditionally allowed uses.

17.406.040 Variances.

A. Applicability. Except where this code specifically authorizes exceptions, or where the city may approve an adjustment pursuant to DMC 17.406.030, a variance is required to deviate from a standard of this code.

Finding: There are no Code exceptions applicable to the proposed setback reduction request. The proposed setback reduction does not qualify for an Adjustment process because the requested 5-foot setback is more than 20 percent allowed by an Adjustment.

B. Approval Criteria. The planning commission may approve an application for a variance through a Type III review upon finding that the application meets all of the following criteria:

- 1. The variance is necessary because the subject code provision does not account for special or unique physical circumstances of the subject site, existing development patterns, or adjacent land uses;***

2. The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site;

3. The need for the variance is not self-imposed by the applicant or property owner (for example, the variance request does not arise as result of a property line adjustment or land division approval previously granted to the applicant);

4. The variance does not conflict with other applicable city policies or other applicable regulations;

5. The variance will result in no foreseeable harm to adjacent property owners or the public; and

6. All applicable building code requirements shall be met. [Ord. 521-2013 § 3 (Exh. A)].

Finding:

1. The Variance is necessary because the existing single-family dwelling was constructed in 1971 under a different set of Code provisions which at the time allowed for a 5-foot side yard setback. The Applicant wishes to construct a building addition for a bedroom that matches the existing 5-foot setback for the single-family dwelling. The Applicant has also shown what the addition would look like if the 7.5-foot setback was complied with in Attachment 1. Other single-family dwellings in the neighborhood appear to also have 5-foot side yard setback based on review of the city GIS building layer. Allowing a 5-foot side yard setback would be consistent with the existing setback and setbacks for other dwellings in the neighborhood.
2. The Applicant has stated “The variance is the minimum necessary to build onto the existing structure aligning with the existing wall plane, if the 7.5 foot setback is to be maintained, then the bedroom being added on to will have an odd and awkward ‘bump’ to an already confining space. Even with the allowed 20% code adjustment change there would still be a 1 foot ‘bump’ to the space.” The request is for a 5-foot setback to allow the addition to have a wall plane that matches the existing dwelling. The variance is the minimum necessary to address the special or unique physical circumstances based on land use regulations that existed at the time the dwelling was constructed in 1971 related to the subject site.
3. The Applicant indicates “The need for the variance arises because the code has changed since the original structure was built. We are simply proposing to align our addition with the existing wall plane at the north side. We considered other options such as cutting in the wall to meet the current zoning code or apply for a 20% code adjustment however that adds an odd ‘bump’ to the space and reduces the square footage of an already small project. See Figure-2 attached.” Staff evaluation is the request is not self-imposed as it is a request to align with the setback dimension that occurred at the time the dwelling was constructed in 1971. Changes to the Code since 1971 have modified setback requirements in the R-2 zone to 7.5 feet. As noted previously other dwellings in the area have a 5-foot side yard setback.
4. Staff has evaluated the proposal and did not identify conflicts with other policies and applicable criteria.

5. The Applicant has stated “The variance will not result in harm to adjacent property owners which are also residential. There is currently approximately 24 lineal feet of our existing house wall on the 5 foot setback line at the north side of our property. The addition is proposed to be aligned with this wall and will not be any closer to our neighbor than the existing wall is. In addition, the roof height of the addition is proposed to be lower than the original house’s ridge line. See Figure-3 attached.” As noted previously other dwellings in the area have a 5-foot side yard setback for homes that were constructed in the 1970’s. Allowing a 5-foot side yard setback for the building addition would be similar to other dwellings in the area and would not be harmfully to the adjacent property owners or the public.
6. The Applicant has indicated “The addition is proposed to be built to the codes and standards set forth in the current 2023 ORSC. A professional building designer and structural engineer have been hired to provide the construction documents for the building department permit review process and a licensed, bonded, and insured contractor with the state of Oregon has been hired to preform the construction.” If the variance is granted the applicant will be required to apply for a Building Permit and comply with all applicable standards for the building addition.

17.406.050 Expiration.

A variance or adjustment approval, as applicable, shall expire if not acted upon by the property owner within one year of approval. Where the owner has applied for a building permit or final plat, or has made site improvements consistent with an approved development plan (e.g., site development review or preliminary subdivision plan), the city planning official may extend the approval without a separate land use action. [Ord. 521-2013 § 3 (Exh. A)].

Finding: The Variance approval is good for a one-year period from the date of the Planning Commission decision of approval. Extension of the approval, if applicable, will follow the requirements of DMC 17.406.050.

EXHIBIT B
CONDITIONS OF APPROVAL
V 25-20, Side Yard Setback

Based on the findings in Exhibit A, the proposed Variance meets the required criteria contained in the Dundee Municipal Code and is **approved**, subject to completion of the following conditions of approval:

Variance

1. The Variance approval is good for a one-year period from the date of the Planning Commission decision of approval. Extension of the approval, if applicable, will follow the requirements of DMC 17.406.050.



Type III Review

Variance

Fee: \$1,260.00 | File No. V 25-20
 (Fee includes a 5% technology charge.)

Applicability: A variance application is used when the request would result in more than a 20 percent change to a quantifiable Code standard; or, for any deviation from a standard of this code. Note: A variance application may be submitted concurrently with other applications for review on the same project (i.e. partition, site design review, etc.).

Applicant:	Autumn Irons and Alexander McGaw
Address:	1092 S.E. Locust ST Dundee, OR 97115
Email Address:	autumnirons74@gmail.com / amcgaw@icloud
Phone(s):	(541) 525-7340 / 503-960-6490
Owner (if different from above):	same
Owner Address:	1092 S.E. Locust ST Dundee, OR 97115
Engineer/Surveyor:	N/A
Phone:	
Engineer/Surveyor Address:	
Project Name:	McGaw/Irons Addition
Project Location:	1092 SE LOCUST ST Dundee, OR 97115
Map/Tax Lot No.:	R3325 CC Lot# 06800 ^{Zone:} R2
Comp Plan Designation:	Low Density Residential
Explanation of Variance Request:	To utilize original 5' setback for constructing small addition.

*Application must be accompanied by required submittals as noted in Dundee Municipal Code Chapter 17.406.040.

Submit the following information for review (10 copies + one electronic copy):

- Site plan showing:
- Existing features of the site;
 - Proposed new site features;
 - The proposed variance details (where on the site, dimensions, etc);

September 22, 2025

Written response to criteria in 17.406.040(B)

1. The variance is necessary because the subject code provision does not account for special or unique physical circumstances of the subject site, existing development patterns, or adjacent land uses:

The requested variance is necessary because when the existing structure was built in 1971 the city code had a side yard setback of 5 feet from the property line. The existing house was constructed up next to this setback line on the north side of the property. The new addition is proposed to be aligned with the existing structure's wall plane along this side of the property. New zoning codes have been passed for this zone that now require 7.5 foot setbacks along this property line. See Figure-1 attached.

2. The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site:

The variance is the minimum necessary to build onto the existing structure aligning with the existing wall plane. If the 7.5 foot setback is to be maintained, then the bedroom being added on to will have an odd and awkward 'bump' to an already confining space. Even with the allowed 20% code adjustment change there would still be a 1 foot 'bump' to the space.

3. The need for the variance is not self-imposed by the applicant or property owner (for example, the variance request does not arise as a result of a property line adjustment or land division approval previously granted to the applicant):

The need for the variance arises because the code has changed since the original structure was built. We are simply proposing to align our addition with the existing wall plane at the north side. We considered other options such as cutting in the wall to meet the current zoning code or apply for a 20% code adjustment however that adds an odd 'bump' to the space and reduces the square footage of an already small project. See Figure-2 attached.

4. The variance does not conflict with other applicable city policies or other applicable regulations:

The variance does not conflict with other applicable city policies or regulations. The addition is proposed to be built to the codes and standards set forth in the current 2023 ORSC.

5. The variance will result in no foreseeable harm to adjacent property owners or the public; and.

The variance will not result in harm to adjacent property owners which are also residential. There is currently approximately 24 lineal feet of our existing house wall on the 5 foot setback line at the north side of our property. The addition is proposed to be aligned with this wall and will not be any closer to our neighbor than the existing wall is. In addition, the roof height of the addition is proposed to be lower than the original houses ridge line. See Figure-3 attached.

6. All applicable building code requirements shall be met.

The addition is proposed to be built to the codes and standards set forth in the current 2023 ORSC. A professional building designer and structural engineer have been hired to provide the construction documents for the building department permit review process and a licensed, bonded, and insured contractor with the state of Oregon has been hired to preform the construction.

September 22, 2025

Statement explaining the reason for the variance.

To Whom it May Concern,

Thank you for considering our application for a variance to the City of Dundee's new requirement that side yards need to have a 7.5 foot setback.

We are proposing to construct an addition to an existing bedroom at the NW corner of our existing house and utilize the original 5 foot setback. The addition is proposed to be approximately 178 square feet. The addition will extend the existing north wall by 10.5 feet. The existing north wall currently sits on the original 5 foot setback line which was in place when the original house was built. The addition is proposed to follow the existing wall line. We are proposing to add to our existing structure. Not construct a new, stand alone or detached structure.

We are working with a licensed, bonded, and insured contractor (Kiwi Construction). A professional building designer (PDR Designs). And a professional licensed structural engineer (Summit Structural Engineering) to ensure that this project is built to code.

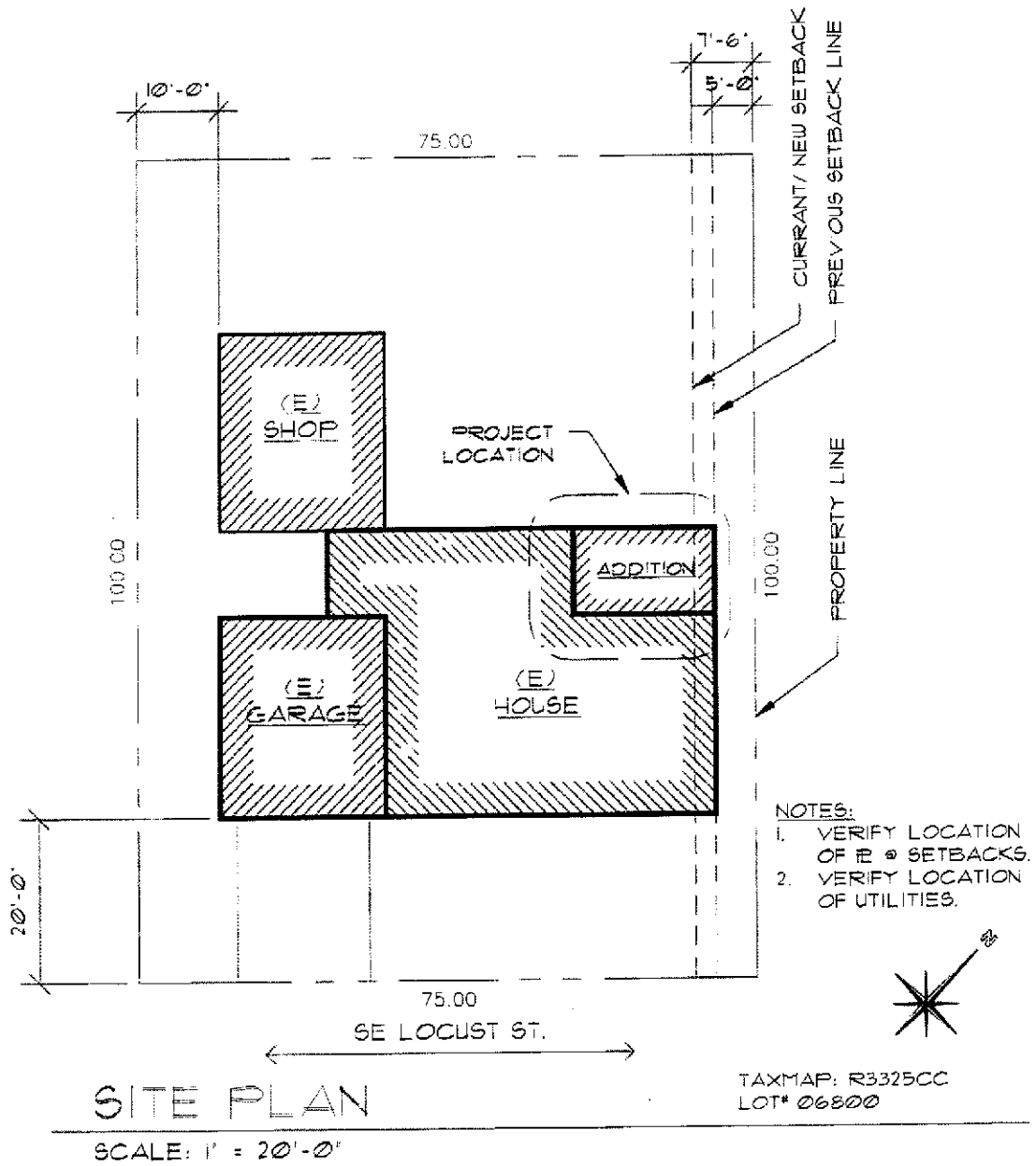
When the original structure was built in 1971 the zoning code allowed for the 5 foot side yard setback. The new 7.5 foot setback would require us to construct a space that would have an awkward bump in the open room and reduce an already confining space

We have carefully considered our options with this project and have decided that filing for a variance on the existing code is the most attractive option. We therefor request that you grant us this variance.

Thank you for your consideration,

Alexander McGaw and Autumn Lei Irons
1092 SE Locust St.
Dundee, OR. 97115

FIGURE - 1



SHEET NO.
FIG-1
PROJECT # 2508
© 2005 PDR DESIGN

HOUSE ADDITION FOR:
THE MCGAW/ IRONS RESIDENCE
1042 SE LOCUST ST
DUNDEE, OREGON

DATE:	DESIGNED BY:	CHECKED BY:
4-22-2005	PKS	PKS
DRAWING TITLE		
NO.	DATE	DESCRIPTION

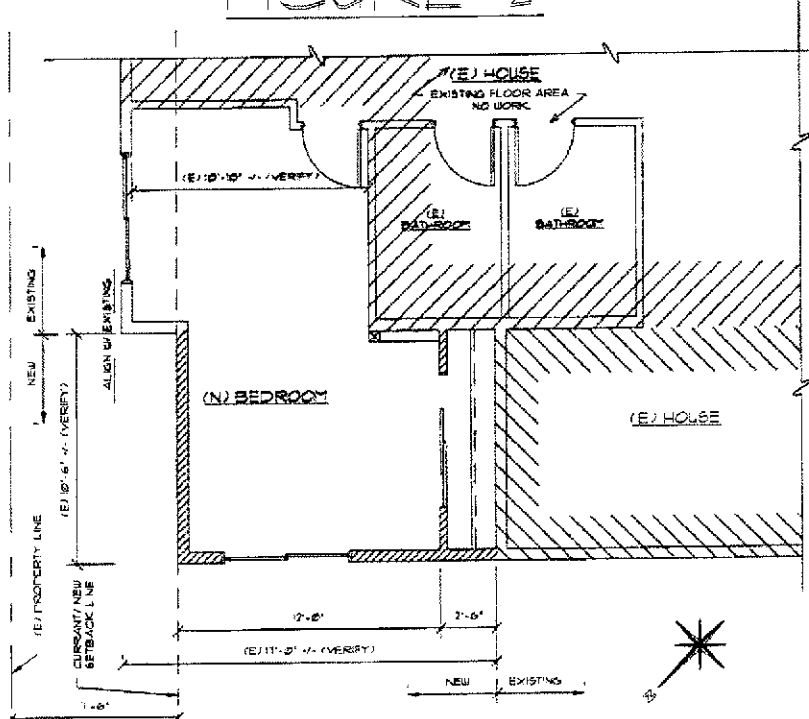
PDR Designs

Building Design, Drafting & Consulting
• Commercial • Residential

70228 2nd St
Dunbar, OR 97024

© 1998-2005
www.pdrdesign.com

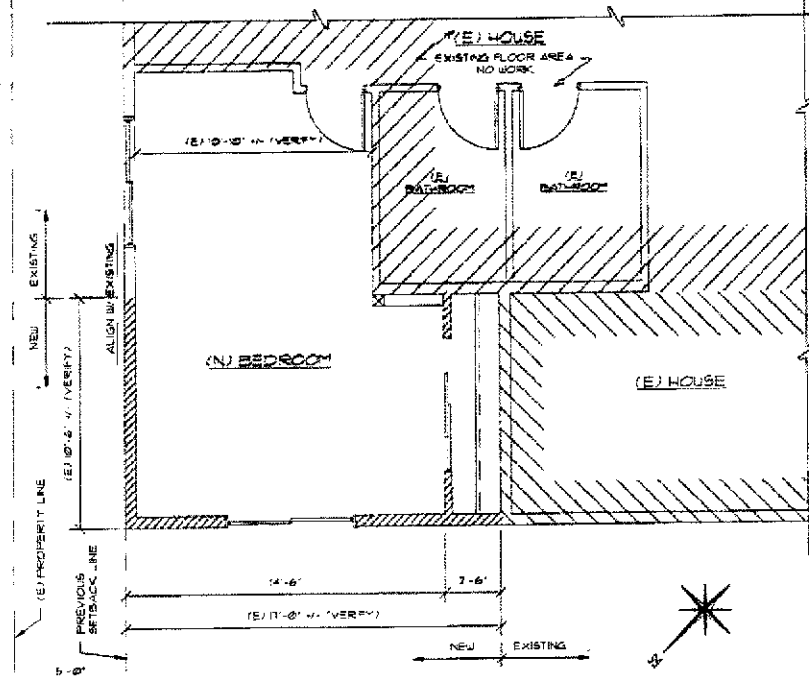
FIGURE - 2



ALTERNATE FLOOR PLAN

ADDITION = 162 SF

SCALE: 1/8" = 1'-0"



PROPOSED FLOOR PLAN

ADDITION = 163 SF

SCALE: 1/8" = 1'-0"

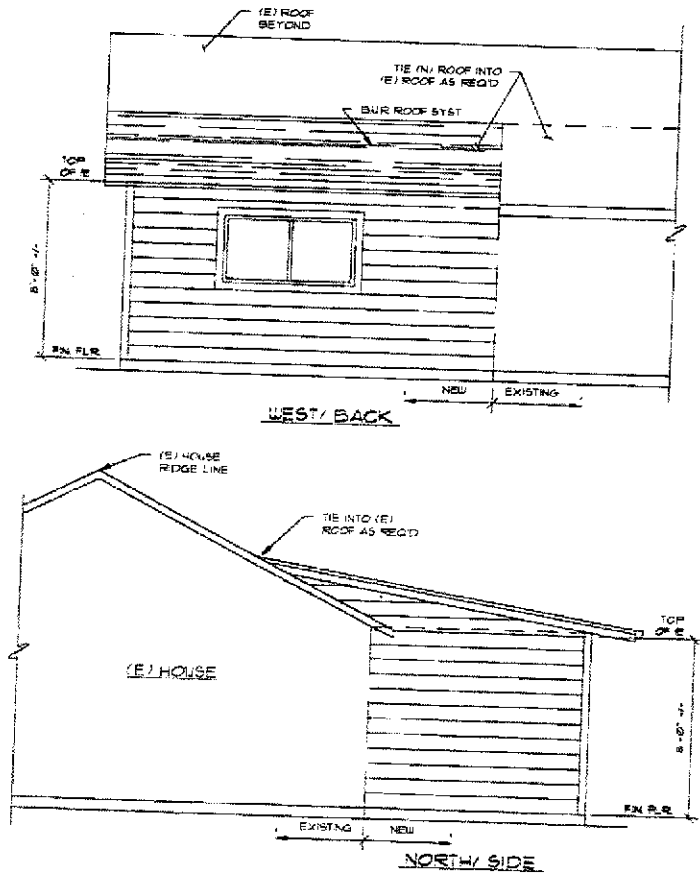
DRAWING NO. 19-2
 PROJECT NO. 2548
 02/20/2020

HOUSE ADDITION FOR
THE MCGAW IRONS RESIDENCE
 1092 SE LOCUST ST
 DUNDEE, OREGON

DATE: 02-20-20	DESIGNER: PDR	CHECKED BY: PDR
DRAWING TITLE		
REVISION NO.	DATE	DESCRIPTION

PDR Designs
 Pulling Design, Drafting & Consulting
 4 Corners # 111 111
 1111 1111 1111 1111 1111 1111

FIGURE-3



EXTERIOR ELEVATIONS

SCALE: 1/4" = 1'-0"

PROJECT NO. 25-210
 © 2023 PDR DESIGNS
 FIG-3

HOUSE ADDITION FOR:
THE MCGAW IRONS RESIDENCE
 1097 SE LOCUST ST.
 DUNDEE, OREGON

DATE	APPROVED FOR	APPROVED BY
4/27/2025	FOR	FOR
DRAWING TITLE		
NO.	DATE	DESCRIPTION

PDR Designs
 Planning, Design, Drafting & Consulting
 • Commercial • Residential

1057 25th St. • Dundee, OR 97115
 Phone: 503-251-1101