

CITY OF MILTON-FREEWATER
PLANNING COMMISSION MINUTES
May 13, 2026

The Planning Commission of the City of Milton-Freewater met for an informal pre-meeting study session at 6:30 pm on May 13, 2026, for the purpose of discussing questions on agenda items.

Those present were Commissioners, Tucker Stringham, Margo Piver, and Chair Nathan Lyon.

Staff participants included Planning Assistant Cassidy Ruiz.

No action was taken.

The study session adjourned at 6:59 p.m.

The Planning Commission special meeting was called to order on Wednesday, May 13th in the Albee Room of the City Library, 8 SW 8th Ave, Milton-Freewater, OR 97862 at 7:00 p.m. by Chair Nathan Lyon.

Commissioners Present: Commissioners Margo Piver, Tucker Stringham, and Chair Nathan Lyon.

Commissioners Mary Ward and Reilly Miller were absent.

There are currently two commissioner positions vacant.

Staff Participants: Planning Assistant Cassidy Ruiz.

Citizens Participants: Jeri Romine – 907 Cowl Street, Leanne Steadman – 722 S Main Street, and Tim Johnson – 722 S Main Street.

Chair Nathan Lyon asked if there were any corrections or additions to the May 4, 2026 minutes. None were stated. Commissioner Margo Piver motioned to approve the May 4, 2026 minutes as written. Commissioner Tucker Stringham seconded the motion. All were in favor of approval. Motion carried 3-0. The minutes of the May 4, 2026 meeting minutes were approved as written.

Citizen Concerns: None shared.

The public hearing was then opened for the variance application received from Jerrilynn Romine to allow reduced lot frontage on a public road for one proposed lot located at 907 Cowl Street.

Rules for a public hearing were read. No members of the Commission abstained or disclosed ex parte contact.

No audience member objected to any commissioner's right to participate in the public hearing.

Planning Assistant Kassidy Ruiz stated that the notice of the hearing was published as required by law.

Planning Assistant Kassidy Ruiz stated that no comments were received.

Planning Assistant Kassidy Ruiz provided the staff report.

BACKGROUND

The applicant is in the process of completing a lot line adjustment along with a minor partition of the property. The proposal would remove the existing property line between Tax Lot 3605 and the adjoining parcel and then create a new property line that separates the front home (907 Cowl Street) from the rear home (905 Cowl Street).

The home at 907 Cowl Street was built in 1992 and was located so that it sits across two tax lots (Tax Lot 3400 and Tax Lot 3605). At the time, the property owner was advised by the City not to place the home in its proposed location due to the presence and configuration of Tax Lot 3605. The home was placed in that location regardless, which resulted in the City requiring the property owner to obtain ownership of both Tax Lot 3400 and Tax Lot 3605 to address the issue. The second dwelling, located at 905 Cowl Street, was built more recently in 2024.

The property is located on Cowl Street, along what functions as the straightaway of a cul-de-sac. As part of the creation of a new lot, each parcel is typically required to have at least 50 feet of street frontage. However, because of the way the lot is laid out and where the 907 Cowl Street home was placed under prior circumstances, the applicant can only provide about 24 feet of frontage. This area would serve as an ingress and egress easement for access to the rear property.

City code (Section 10-5-9) allows for flag lots with a minimum width of 25 feet when the lot fronts entirely along the circumference of a cul-de-sac. While this property functions similarly to a flag lot within a cul-de-sac, it is located along the straightaway portion rather than the circumference.

VARIANCE APPLICABLE CODE PROVISIONS

10-10-5 CONDITIONS FOR GRANTING VARIANCE:

All variances other than minor setback variances shall be heard by the Planning Commission in accordance with Level III processing procedures.

In granting a variance, the Planning Commission shall find that the following conditions have been met:

(A) Exceptional or extraordinary circumstances apply to the property itself such as lot size, shape, or topography, which do not apply generally to other properties in the same zone or vicinity and result from a situation over which the applicant has no control.

Findings: Exceptional or extraordinary circumstances apply to the subject property due to the placement of the existing dwelling addressed as 907 Cowl Street. The home, which is located closer to the street frontage, was constructed in 1992 by a previous property owner and was placed in a location that was not consistent with City direction at the time. As a result, the current configuration of the property limits the ability to meet standard frontage requirements.

This circumstance is unique to the property and does not generally apply to other properties in the same zone or vicinity. Additionally, this situation was created by a prior property owner and was outside the control of the current property owner, as they were not the owners of the property at the time of construction in 1992. If the dwelling had originally been placed differently on the property, it is likely that sufficient street frontage could have been achieved to meet current standards.

(B) The variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same zone or vicinity.

Findings: After constructing the additional dwelling at 905 Cowl Street, the property owner has decided to sell the property. In working through the sale process, the owner has encountered issues with securing financing because the 905 Cowl Street home does not meet lender requirements for being on a shared lot with the existing manufactured home (907 Cowl Street).

As a result, lenders are unwilling to provide funding unless the homes are placed on individual parcels. To address this, the owner is seeking to separate the dwellings into two legal lots so each home can stand on its own for financing and sale purposes.

Approval of the frontage variance would allow the property to be divided into two separate legal lots. This would make it possible to complete the sale of the property and ensure each dwelling is properly established on its own parcel, avoiding ongoing complications with financing and property configuration in the future.

(C) The granting of the proposed variance will not be materially detrimental to property within the vicinity in respects such as public safety, traffic, noise, health and sanitation, and hours of operation. The granting of a variance shall not constitute a grant of special privilege inconsistent with the limitations on other properties in the same zoning district.

Findings: The proposed minimum lot width of 24 feet would continue to provide sufficient access to the rear property. A site plan review was conducted by City staff, and both the fire and police departments did not identify any concerns or require additional conditions for the property. Based on this, staff find that the requested variance would not be materially detrimental to surrounding properties, particularly in terms of public safety or traffic.

Impacts related to noise, health and sanitation, and hours of operation are not applicable in this situation, as the request is limited to a frontage reduction and does not introduce new or more intensive use.

Additionally, the location of the newer dwelling unit (905 Cowl Street) was previously approved through a zoning permit by former City Planner Laurel Sweeney. The conditions of the property have not changed since that approval. The requested variance is intended to address lot configuration and access, rather than alter the use or intensity of the property.

For these reasons, the variance does not create a special privilege that would be inconsistent with other properties in the same zoning district.

(D) It must be shown that a material hardship unwarranted within the intent of this ordinance will exist if the variance is not granted, and that the hardship cannot be remedied by other means. The hardship demonstrated must not be self-created, and must relate to the land itself and not to problems personal to the applicant. The variance permitted shall be the minimum variance which will alleviate the hardship.

Findings: A material hardship would exist if the variance were not granted due to the unique configuration of the property and the placement of the existing dwelling at 907 Cowl Street. This situation relates directly to the physical characteristics of the land and is not a result of actions taken by the current property owner.

Without approval of the variance, the applicant would be unable to create two separate legal parcels that meet lending requirements. This would prevent the sale and financing of the property in a typical manner and continue the existing issues associated with the current lot configuration.

There are no other reasonable alternatives to remedy this hardship given the location of the existing structures on the property.

The hardship is not self-created, as it stems from decisions made by a previous property owner and the resulting lot configuration. The requested variance to allow approximately 24 feet of frontage is the minimum necessary to provide access to the rear parcel and allow the property to be divided in a functional manner.

Additionally, there have been prior approvals for properties with smaller street frontage widths within Milton-Freewater. This demonstrates that similar variances have been found acceptable when warranted by site-specific circumstances.

GENERAL COMMENT

Based on the findings above, staff supports approval of the requested variance. The need for the variance is driven by the unique configuration of the property and the placement of the existing dwelling, which was established by a previous property owner and is outside the control of the current applicant. The request is the minimum necessary to allow reasonable use of the property, including the ability to create two separate legal parcels that can be independently owned, financed, and maintained.

The proposed frontage reduction will not negatively impact surrounding properties or public safety, and similar variances have been approved in the past under comparable circumstances. An ingress and egress easement would be recorded to ensure legal and functional access to the rear parcel. Overall, the request is consistent with the intent of the zoning code and allows the property to function in a manner similar to other properties in the same zone.

STAFF RECOMMENDATION

Staff recommends granting the variance.

The applicant was then invited to speak.

Jerrilynn Romine thanked city staff and the Planning Commission for allowing the special meeting.

The Public hearing was declared closed.

Commissioner Piver motioned to adopt the findings of fact and staff report provided and approve the variance request submitted by Jerrilynn Romine to approve reduced lot frontage from 50 feet to 24 feet, for a proposed lot located at 907 Cowl Street. Commissioner Stringham seconded the motion. All were in favor. The motion carried 3-0.

Planning Assistant Cassidy Ruiz presented the Administrative Actions of the Planning Department.

The meeting was adjourned at 7:45 p.m.