

Keizertimes

SECTION A

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'I can't find fault'

Council gives thumbs up to apartments at cow pasture

By ERIC A. HOWALD
Of the Keizertimes

Members of the Keizer City Council paid a lot of lip service to the hours of testimony and reams of paper submitted to city officials opposing a rezoning of the area known as "the cow pasture" but, in the end, councilors granted the owners' petition.

While the council will still have to approve an ordinance completing the process, the decision Monday, Sept. 19, paves the way for the construction of up to 112 apartments. The council's decision was unanimous.

"It's very different sitting on the council and being part of the audience. I found many of the letters we received compelling if not persuading," said Councilor Mark Caillier. "The emotional side of me says one thing, and the quasi-judicial nature of this says another."

Councilors were acting as a quasi-judicial body in making the determination, which meant meeting criteria nec-

essary for rezoning was the standard by which the application had to be judged.

In explaining the city staff's recommendation to accept the rezoning, Nate

Brown, Keizer's community development director, said that he and others in the planning department had to rely on adopted standards in regard to traffic and school

impacts even when "common sense" would suggest drawing another conclusion.

Councilor Roland Herrera said he often thought of

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The long-standing farmhouse on Verda will either be moved through local efforts or razed to make room for apartments.

Conditions allow for move of farmhouse

By ERIC A. HOWALD
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The Keizer City Council approved a request to rezone the property known as "the cow pasture" and paved the way for a new apartment complex, but the approval is not without its conditions.

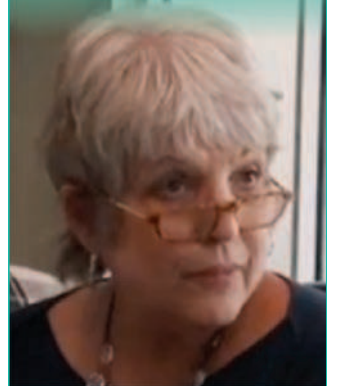
The most eye-catching is that developers will need to allow up to a year-and-a-half for someone to step forward and complete a project moving the "historically significant" farmhouse on the site.

The clock starts ticking when the council approves an ordinance granting the zone change at an upcoming meeting.

Anyone with a plan to move the house will have six months to approach the city with their proposal to preserve and

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Oral history project needs new host
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Fire damages garage
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MHS drama line-up
PAGE A5



One giant of a Celt
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HOA lawsuit ratchets up

By ERIC A. HOWALD
Of the Keizertimes

A lawsuit filed against the McNary Estates Homeowners Association (HOA) citing violation of state and federal fair housing laws has escalated to a new level.

The HOA refused to provide accommodations for a family with a disabled daughter in 2015 and it eventually ended with the family selling their home and moving away after almost a decade of ownership.

The woman, Khrizma Kuhn, and her parents, Renee and Gary, filed a lawsuit against several parties in relation to disagreements in January 2015. Now lawyers for the Kuhn family are asking for a partial summary judgement on the facts of the case.

"We feel the law is crystal clear in this case and we're asking a judge to make a determination that the law was violated," said Kuhn attorney Dennis Steinman.

In April 2015, the Kuhn family requested a waiver from the HOA to park an RV in their driveway. Doing so without a waiver violated McNary Estates HOA rules. Khrizma, 34, suffers from Down syndrome,

autism and other maladies that require access to a bathroom and a shower even on short trips. The Kuhns presented the HOA board with letters from two doctors citing the medical necessity, but the request was denied and the family later met

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— Dennis Steinman, Attorney for Kuhn Family

with hostility from neighbors.

When one neighbor claimed her view of the street was obstructed as she tried to pull out of her driveway, Renee purchased a parabolic mirror for her to install at the edge of her property. The neighbor declined to use it.

Another neighbor shoved

Gary twice outside his home as the situation unraveled. Yet another began sitting outside her home monitoring the family's activity.

"She had a chair and a notepad and did it for days," Gary said in an interview earlier this year. "She was trying to log our behavior."

The HOA did suggest alternatives such as parking the RV offsite or a van with a chemical toilet, but neither fully addressed the situation. The van would have lacked a shower. Parking it offsite would have left Renee without transportation as the Kuhns had to sell one of their vehicles to pay for the RV. Gary used the family's other car for commuting to and from work.

The summary judgement request was filed in district court in Eugene. Teresa Girod, the president of the HOA, is also listed as an individual defendant.

Should a judge rule in favor of the Kuhn family, a jury could be assembled to determine damages, but Steinman said most cases are settled after summary judgements are issued.

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Khrizma Kuhn, 34, is at the center of a lawsuit against the McNary Estates Homeowners Association.

Keizer Chamber seeking to reignite holiday parade

By ERIC A. HOWALD
Of the Keizertimes

The Keizer Chamber of Commerce is picking up the torch of the holiday lights parade.

"The chamber has gotten a lot of calls since it was announced that the holiday parade was ending and we sat down with the board a couple of weeks ago and had a long discussion about whether or not we wanted to take it on. In the end, we decided to do it," said Scott White, president of the Keizer Chamber of Commerce board of directors.

The Keizer Holiday Lights

Parade sponsored by the Keizer Chamber of Commerce and the City of Keizer already has a date – Saturday, Dec. 10 – but organizers are now scrambling to bring everything else into alignment.

At the top of the list for the event is engaging businesses along River Road North. White said several local business owners are already planning to use their parking lots to reach out to customers, but more are welcome.

"We are assembling a team to blanket River Road businesses to try and get them engaged

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The Keizer Chamber of Commerce is planning to resurrect a holiday light parade on River Road.

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