

RESOLUTION NO. P.C. 119-90

A RESOLUTION APPROVING VARIANCE NO. 59-90
FOR A VARIANCE TO THE LOT DIMENSIONS IN
THE R-1 SINGLE FAMILY RESIDENTIAL DISTRICT

I. **RECITALS:**

- A. The Planning Commission of the City of The Dalles has heretofore, on April 19, 1990, conducted a public hearing to consider Variance No. 59-90 relating to the following described property:

2400 and 2500 block of East 16th Street, Township 1 North, Range 13 East, Section 2D, tax lot numbers 12501, 12700, 12702 and 12704.

- B. Said property is located in the R-1 Single Family Residential District. Applicant requests a variance to the depth requirement for several building lots.
- C. Section 32 (Variances) of The Dalles Zoning Ordinance establishes the criteria for approving or denying variance applications.
- D. All other development requirements of the district are complied with.

II. **RESOLUTION:** Now, therefore, be it FOUND, DETERMINED, and RESOLVED by the Planning Commission of the City of The Dalles as follows:

- A. In all respects as set forth in Recitals, Part "I" of this Resolution.
- B. The application requesting approval of Variance No. 59-90 for a variance to the lot dimensions in the R-1 Single Family District is hereby approved with conditions based upon the following Findings of Fact and Conclusions of Law:
1. Zoning Ordinance: Section 32 of The Dalles Zoning Ordinance allows for variances subject to meeting the criteria listed below:
- a. That any variance granted shall be subject to

such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is situated.

- b. That because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

2. Findings:

- a. The Planning Commission finds that a preliminary subdivision plat for the subject property was approved in 1979.
- b. A minor partition for two adjacent lots was approved by the Planning Department in 1980.
- c. The applicant's plans for the development of this property were based on the 1980 Zoning Ordinance which states:

"(B) Area and Width:

Every lot shall have a minimum area of 5000 square feet and a minimum width of fifty (50) feet except that all lots and parcels shall conform to the minimum health standards prescribed by the Oregon Department of Environmental Quality.

A lot having a width of less than fifty (50) feet or an area of less than 5000 square feet of record on January 14, 1948 may be occupied by a one family dwelling, provided that all yard requirements are complied with."

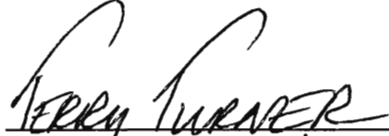
- d. Lots as proposed will range in area from 7,356 square feet to 12,000 square feet.
- e. All lots provide for the required width of 50 feet.

3. Conclusion: The variance application meets the

criteria for granting a variance as listed in Section 32 of The Dalles Zoning Ordinance.

- C. Based upon the above Findings of Fact and Conclusions of Law, the Planning Commission for the City of The Dalles hereby grants approval of the variance subject to the following conditions of approval:
1. Variance of the lot dimensions is subject to the applicant submitting a preliminary subdivision plat for Planning Commission approval within six months.
 2. All lots shall have an area greater than 5000 square feet and a width of 50 feet.
- D. The Secretary of the Commission shall (a) certify to the adoption of the Resolution and (b) forthwith transmit a copy of the said Resolution to the City Council of the City of The Dalles.

APPROVED AND ADOPTED THIS 3RD DAY OF MAY, 1990.



Terry Turner, Vice Chairman
Planning Commission


I, Frank Kaminski, Secretary to the Planning Commission of the City of The Dalles, hereby certify that the foregoing Resolution was adopted at the Regular Meeting of the Planning Commission of the City of The Dalles, held on the 3rd day of May, 1990.

AYES: Terry Turner, Ken Farner, Carol Cutler, Carri Ramsey
Rod Runyon

NO'S: None

ABSENT: Shirley Miller

ABSTAIN: None

ATTEST: 

Secretary, Planning Commission