

RESOLUTION NO. P.C. 117-90

A RESOLUTION DENYING VARIANCE NO. 57-90 FOR  
A VARIANCE TO SIGN ORDINANCE NO. 915 TO  
ALLOW AN ADDITIONAL FREE STANDING SIGN  
IN THE HIGHWAY DISTRICT

I. **RECITALS:**

A. The Planning Commission of the City of The Dalles has heretofore, on April 5, 1990, conducted a public hearing to consider Variance No. 57-90 relating to the following described property:

2222 West 6th Street; Township 2 North, Range 13 East, Section 33C, tax lot number 1501

B. Said property is located in the General Commercial District and is also included in a special Highway district under Sign Ordinance No. 915.

C. Section 32 (Variance) of The Dalles Zoning Ordinance establishes the criteria for approving or denying variance applications.

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. 57-90 for a variance to Sign Ordinance No. 915 to allow an additional free standing sign in the Highway District is hereby denied 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.

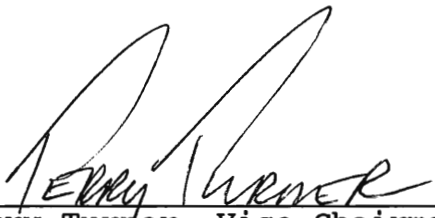
2. Findings:

- a. All properties in the Highway District are required to comply with the Sign Ordinance provisions limiting businesses to one principal sign, either flush, projecting, or free-standing.
- b. Additional signs have been granted when a separate building is constructed for a different product or service.
- c. The applicant was granted a variance to the Sign Ordinance in 1987 to allow construction of a free standing sign on the condition that a separate commercial building be constructed within two years.
- d. The applicant has failed to comply with the aforementioned condition to construct a commercial building.

3. Conclusion: The variance application fails to meet the criteria for granting of 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 denies Variance application No. 57-90 to allow an additional free-standing sign in the Highway District.
- 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 19TH DAY OF APRIL, 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 19th day of April, 1990.

AYES: Terry Turner, Bud Earl, Ken Farner, Carol Cutler

NO'S:

ABSENT: Carri Morris, Shirley Miller

ABSTAIN:

ATTEST:   
Secretary, Planning Commission