

RESOLUTION NO. P.C. 116-90

A RESOLUTION APPROVING VARIANCE NO. 58-90 FOR A
VARIANCE TO THE HEIGHT LIMITATION OF AN
ACCESSORY BUILDING IN THE R-3 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. 58-90 relating to the following described property:

100 West Ninth Street, Township 1 North, Range 13 East, Section 4DA, tax lot #400.

B. Said property is located in the Multiple Family Residential District. Applicant requests a variance to the height limitation of an accessory building.

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. 58-90 for a variance to the height limitation of an accessory building in the R-3 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 the subject property is listed on the State Inventory of Historic Buildings.
- b. The building was constructed in 1890 with an architectural style known as American Queen Ann.
- c. The building has been nominated to the National Register of Historic Places.
- d. Construction of a "carriage house" type structure will best match the architectural style and protect the aesthetic integrity of an important historic resource.

3. Conclusion: The variance application meets the criteria for granting of a variance as listed in Section 32 of The Dalles Zoning Ordinance.

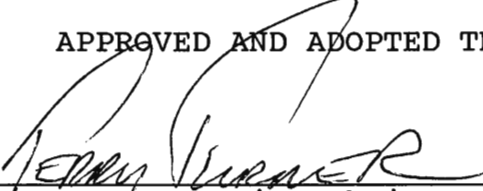
C. Based upon the above Findings of Fact and Conclusions of Law, the Planning Commission for the City of The Dalles hereby grants approval of the variance subject to the following conditions of approval:

1. The carriage house (accessory building) shall be lower than the height of the primary building.
2. The roof pitch of the accessory building shall be identical to the primary structure.

3. The accessory building cannot be used for any other purpose besides a garage.
4. The accessory building shall be constructed with the same roofing materials, windows and siding as are on the house.

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, Carol Cutler

NO'S:

ABSENT: Carri Morris, Shirley Miller

ABSTAIN: Ken Farner

ATTEST: 

Secretary, Planning Commission