

## **RESOLUTION NO. P.C. 460-06**

Adopting Variance No. 108-06, Minor Partition No. 246-06, Property Line Adjustment No. 150-06, Site Plan Review No. 335-06 of Kase Limmeroth to build three townhouse units on two lots with a total width of 75 feet. The variance is requested to allow lots less than 28 feet in width, the minor partition is to create three lots out of two, the property line adjustment is to move an existing property line, and the site plan review is required by the Land Use and Development Ordinance (LUDO) when single family attached dwellings are proposed in the RH zone.

### **RECITALS:**

- A.** The Planning Commission of the City of The Dalles has on June 1, 2006 conducted a public hearing to consider the above request for property located at 418 E. 14<sup>th</sup> Street that is further described as 1N 13E 3 CC tax lots 9500 and 9800. Property is zoned "RH" – Residential High-Medium Density. A staff report was presented, stating the findings of fact, conclusions of law, and a staff recommendation.
- B.** Staff's report of Variance No. 108-06, Minor Partition No. 246-06, Property Line Adjustment No. 150-06, Site Plan Review No. 335-06 and the minutes of the June 1, 2006 Planning Commission meeting, upon approval, provide the basis for this resolution and are incorporated herein by reference.

### **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.** Variance No. 108-06, Minor Partition No. 246-06, Property Line Adjustment No. 150-06, Site Plan Review No. 335-06 are hereby approved with the following conditions:

1. Completion of the related minor partition, and property line adjustment.
2. Completion of a three unit townhouse development similar to that proposed in the related site plan review application.
3. All development must be completed in accordance with Land Use and Development Ordinance 98-1222.

### **IF APPROVED, RECOMMENDED CONDITIONS OF APPROVAL FOR THE MINOR PARTITION AND PROPERTY LINE ADJUSTMENT APPLICATIONS:**

1. Final plat submission will have to meet all the requirements outlined in the LUDO.
2. All utilities will have to be provided to each lot.

### **IF APPROVED, RECOMMENDED CONDITIONS OF APPROVAL FOR THE SITE PLAN REVIEW APPLICATION:**

1. All development must be completed in accordance with Land Use and Development Ordinance 98-1222.

2. System Development Charges for sanitary sewer and water will be required at the time of construction.
3. New driveways and approaches will be required to be paved.
4. Parking is required to be two spaces per unit.
5. A geological hazard study must be submitted prior to any development. A physical constraints permit will be required for any cut or fill. If cut and fill exceeds 250 cubic yards, an engineer report will also be required.
6. Landscaping is required in the first 15 feet of the front yard not otherwise developed.
7. If irrigation is provided, a backflow device is required.

**2. 1. APPEALS, COMPLIANCE, AND PENALTIES**

- a. Any party of record may appeal a decision of the Planning Commission to the City Council for review. Appeals must be made according to Section 3.020.080 of the Land Use and Development Ordinance, and must be filed with the City Clerk within ten (10) days of the date of mailing of this resolution.
- b. Failure to exercise this approval within the time limits set either by resolution or by ordinance will invalidate this permit.
- c. All conditions of approval must be met within the time limits set by this resolution or by ordinance. Failure to meet any condition will prompt enforcement proceedings that can result in: 1) permit revocation; 2) fines of up to \$500.00 per day for the violation period; 3) a civil proceeding seeking injunctive relief.

The Secretary of the Commission shall (a) certify to the adoption of the Resolution; (b) transmit a copy of the Resolution along with a stamped approved/denied site plan or plat to the applicant.

APPROVED AND ADOPTED THIS 1<sup>st</sup> DAY OF JUNE 2006



Bruce Lavier, Chairman  
Planning Commission

I, Dan Durow, Community Development Director for the City of The Dalles, hereby certify that the foregoing Resolution was adopted at the regular meeting of the City Planning Commission, held on the 1<sup>st</sup> of June 2006.

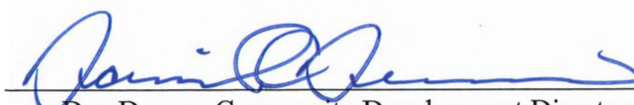
AYES: Lavier, Bryant, Poppoff, Ahlberg, Wixon, Wilcox

NAYS: None

ABSENT: Hiser

ABSTAIN: None

ATTEST:



Dan Durow, Community Development Director  
City of The Dalles