

**RESOLUTION NO. P.C. 217-92  
APPROVING VARIANCE NO.70-92 OF ERNEST TIBBETS  
TO ALLOW A GARAGE WITH A 5' REAR SETBACK WHERE 10' IS REQUIRED**

**I. RECITALS:**

- A. The Planning Commission of the City of The Dalles has, on this day, conducted a public hearing to consider the above request for use of property located at: 1000 East 13th Street, described as Township 1N Range 13 East, Section 3DC, Tax Lot 11900.
- B. A staff report was presented, stating the findings of fact, conclusions of law, and a staff recommendation.
- C. Staff Report No. Variance 70-92 and the minutes of August 6, 1992, upon approval, provide the basis for this resolution and are herein attached 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 70-92 is hereby approved with the following conditions:
  - 1. The variance to allow a 5' alley setback shall apply only to the proposed garage for as long as it remains on the property.
  - 2. The garage shall be subject to compliance with all other development standards for the "R-2" zone, including a 5' side yard setback and a 15' accessory building height limitation.

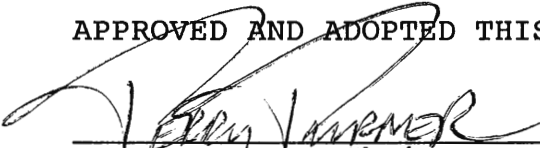
**III. APPEALS, COMPLIANCE, AND PENALTIES**

- 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 36 of the Zoning Ordinance, and must be filed with City Clerk with in ten (10) days of the date of 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 \$2,500 per day for the violation period and/or imprisonment in the County jail for a term not to exceed one (1) year.

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

APPROVED AND ADOPTED THIS 6th DAY OF AUGUST, 1992.

  
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Terry Turner, Chairman  
Planning Commission

I, Scott Keillor, 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 City Planning Commission, held on the 6th day of August, 1992.

AYES: Michael Maier, Ken Farner, Walter Hoffman, Terry Turner, Garri Ramsey,  
Rod Runyon  
NOES: None

ABSENT: Carol Cutler

ABSTAIN: None

ATTEST:   
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Secretary, Planning Commission