

RESOLUTION NO. P.C. #102-88

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF THE DALLES APPROVING VARIANCE IN CONJUNCTION WITH SUBDIVISION #25-88 REDUCING THE MINIMUM LOT LENGTH FROM 100' TO 90' FOR 4 OUT OF 14 LOTS

I. RECITALS.

- A. The Planning Commission of the City of The Dalles has heretofore, on March 17, 1988, conducted a public hearing to consider a variance in conjunction with Subdivision #25-88, "Oak Knoll", relating to the following described property: 1N 13E 11BA, Tax Lots 3400 & 3800; proposed Lots 4-7, Block 2, Oak Knoll.
- B. Said property is located in the R1, Single Family Residential zoning district, where lot depth requirements are governed by Section 7.3 (B) 2. of the Zoning Ordinance (No. 80-986).
- C. The applicant, Duffy Construction Company, requests a variance to reduce the minimum lot depth on proposed Lots 4-7, Block 2, Oak Knoll from 100' to 90'.
- D. Notice of public hearing was made pursuant to The Dalles Zoning Ordinance.
- E. Section 32 (Variances) of The Dalles Zoning Ordinance require that the Commission make findings of fact and state the reasons for its action.

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 a variance in conjunction with Subdivision #25-88 to reduce the minimum lot depth requirement from 100' to 90' for the following reasons:
 - 1. The proposal is consistent with a variance criterion which states:

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.

Lots 4-7, Block 2, are 90' in depth instead of the required 100'. Lots 4-7, Block 2, are only 90' deep because a 10'

easement was granted to the City of The Dalles so that Roberts Street would have the required 50' right-of-way. This variance is necessary to allow single family homes to be built on lots of more than 5,000 square feet. This would not be a grant of special privilege inconsistent with the limitations upon other properties in the vicinity.

2. The proposal is consistent with the second variance criterion which states:

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 classifications.

Lots 4-7, Block 2, are substandard because 10' needed to be added to the right-of-way of Roberts Street. Roberts Street is at the eastern edge of Duffy's property and cannot be moved east 10'.

Taking the western 10' off the eastern edge of Lots 4-7 is the only way the right-of-way can be expanded to the required width. These lots cannot be enlarged by adding 10' to the west because Lot 7 abuts tax lots in different ownerships on the west and north. Adding 10' to Lots 4-6 would make the width of Lot 3 more substandard. If Lot 3 were eliminated, Lots 1 and 2 would be much larger than the other lots in the subdivision, which range from about 6,000 square feet to 8,000 square feet.


- C. The Planning Commission approved the variance to lot depth for Lots 4-7, Block 2, and the tentative plan for Subdivision #25-88 with the following conditions:

1. A plan for street lighting be submitted to the City Engineer.
2. All electrical, telephone, C.A.T.V. and similar utility services shall be placed underground.
3. Lot 3, Block 1 be lengthened by 3' or more so that it is an average of 100' deep.

- D. The Secretary of the Commission shall (1) certify to the adoption of the Resolution; and (2) forthwith transmit a copy of the said Resolution to the City Council of the City of The Dalles.


ADOPTED AND APPROVED THIS 21ST DAY OF APRIL, 1988.

Joe Byrne


Chairman of Planning Commission

I, Jack Lesch, Secretary to the Planning Commission of the City of The Dalles, do hereby certify that the foregoing Resolution was passed at a Meeting of the Planning Commission of the City of The Dalles held on the 21st day of April, 1988.

AYES, COMMISSIONERS: Joe Byrne, Carol Cutler, Shirley Miller, and Bud Earl
NOES, COMMISSIONERS: None
ABSENT, COMMISSIONERS: Terry Turner, Bob Peickert, and Ken Farner.
ABSTAIN COMMISSIONERS: None

ATTEST: 
Jack Lesch, Secretary