

RESOLUTION NO. P.C. 100-88

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF THE DALLES APPROVING VARIANCE #41-88, A REQUEST TO REDUCE PARKING REQUIREMENTS FROM 2 SPACES TO 0.

I. RECITALS.

- A. The Planning Commission of the City of The Dalles has heretofore, on February 18, 1988, conducted a public hearing to consider Variance #41-88, relating to the following described property:

Township 1N, Range 13E, Section 4AB, Tax Lot #6000
(718 West 6th Street)

- B. Said property is located in CG, General Commercial zoning district where off-street parking space requirements are governed by Section 27 of the Zoning Ordinance (No. 80-986).
- C. The applicants, Lorraine Horzynek and Leneta Jean Miller d/b/a "The Candy Castle" request a Variance to reduce the off-street parking space requirement for their proposed business from 2 spaces to 0.
- 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 Variance #41-88 to reduce the off-street parking requirement to 0 is hereby approved for the following reasons:
1. 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.

The residence which the applicants propose to use for the candy shop is located in a General Commercial District. The shop would be an allowed use in the zone. At least one other older business in the area does not have any off-street parking. This is an older, built up commercial area and other nearby businesses also do not meet the off-street parking standards. To allow the Variance would not be a grant of special privilege.

2. 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.

Lack of space to install additional off-street parking spaces is due to the topography of the lot (it is rocky and slopes uphill on the south) and the location of a nine foot rock wall on the north and west property lines. The physical limitations of this site constitute special circumstances that prevent the applicants from installing the additional off-street parking required for a retail use.

- C. The Planning Commission approves Variance #41-88 to reduce the off-street parking space requirement from 2 to 0.
- 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 3RD DAY OF MARCH, 1988

Joe Byrne

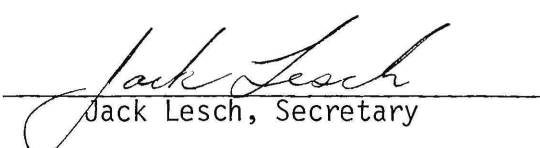


Chairman of Planning Commission

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 3rd day of March, 1988.

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

ATTEST:



Jack Lesch, Secretary