

RESOLUTION NO. P.C. 90-87

A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF THE DALLES APPROVING VARIANCE  
#34-86, A REQUEST TO REDUCE THE RESIDENTIAL  
LOT DEPTH REQUIREMENT FROM 100 FEET TO 55  
FEET (AVERAGE) IN A PROPOSED LAND PARTITION

I. Recitals.

- (A) The Planning Commission of the City of The Dalles has heretofore, on December 18, 1986, conducted a public hearing to consider Variance No. 34-86 relating to the following described property:

Tax Lot 5000, Township 1N, Range 13, Section 10BA

- (B) Said property is located in the R-1 zoning district, where the minimum lot depth requirement is 100 feet.
- (C) The applicant, Richard A. Miller, proposes a land partition and new property line which would create two residential lots from one existing 21,450 square foot lot. The westerly lot would have a depth of only 55 feet (average), with an area of about 9900 square feet.
- (D) Notice of public hearing was made pursuant to The Dalles Zoning Ordinance.
- (E) Section 32 (Variances) of The Dalles Zoning Ordinance requires that the Commission review the Variance application with respect to specific circumstances for approval.

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 of minimum lot depth from 100 to 55 feet is hereby approved, with a condition, for the following reasons:
- (1) There are special circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply to other property in the same vicinity and zone.

There are unusual conditions including elongated lot shape and steep slope.

The original lot was partitioned without the required minimum 100 feet depth requirement due to very steep topographical limitations on the North part of the lot.

- (2) Difficulties and unnecessary hardships will be created by the strict application of the Ordinance (the difficulties or hardships must be due to special circumstances or exceptional characteristics of the property).

Without the variance, the lot could not be partitioned. One large lot would remain with one residence.

- (3) The variance would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the property is located.

This is a very unusual situation: angled street layout, elongated shape of existing lot and the topography.

- (4) Approval of the variance would not be detrimental to public health and welfare and be contrary to the intent of the Ordinance.

A condition of approval is a requirement for determination of lot suitability for construction by a soils engineer.

- (C) Variance Application - #34-86 is hereby approved with the conditions that a licensed soils engineer conduct an analysis to determine suitability of the new lot for home construction; and that the report be submitted to the Planning Department.

- (D) The Secretary of the Planning 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.

ADOPTED AND APPROVED THIS 15TH DAY OF JANUARY, 1987.

  
CHAIRMAN, PLANNING COMMISSION

I, Jack Lesch, Secretary to the Planning Commission of the City of The Dalles, hereby certify that the foregoing Resolution was adopted at a Regular Meeting of the Planning Commission of the City of The Dalles, held on the 15th day of January, 1987.

AYES: COMMISSIONERS: Byrne, O'Herron, Hawkins, Walker, and Earl

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS: Donnell

ABSTAIN: COMMISSIONERS:

ATTEST:

  
Secretary, Planning Commission