

RESOLUTION NO. P.C. 86-86

A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF THE DALLES APPROVING VARIANCE  
#32-86, A REQUEST TO VARY THE SIDE YARD  
SETBACK AREA FROM 5 FEET TO 0 FEET FOR AN  
ATTACHED CARPORT.

I. Recitals.

- (A) The Planning Commission of the City of The Dalles has heretofore, on May 22, 1986, conducted a public hearing to consider Variance No. 32-86 relating to the following described property:  

Tax Lot 9700, T.1N, R.13E, Sec. 3CC  
(308 E. 14th St.)
- (B) Said property is located in the R-1 zoning district, where a 5 foot side yard setback is required.
- (C) The applicant, Earl R. Henry, proposes to construct an attached single car carport over an existing driveway, which would result in a 0 foot side setback.
- (D) Notice of public hearing was made pursuant to The Dalles Zoning Ordinance. Three adjacent and nearby property owners submitted written and oral testimony in support of the variance.
- (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 a side yard setback area is hereby approved for the following reasons:
  - (1) There are special circumstances or conditions applicable to the property involved or to the intended use of this property that do not apply to other property in the same vicinity and zone.

The proposal represents the only opportunity for a vehicle cover due to location of the house. There is no alley access which would provide for placement in the rear.

- (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).

The applicant would be denied the ability to have a normal part of single family residential usage, i.e. garage or carport.

- (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.


Most residences in the vicinity have a single car garage or carport or both.

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

Reduction of the side yard setback would result in little impact on adjacent properties. There is a greater than normal side yard setback on the adjacent property (13 ft.). There would be no view obstruction resulting from the proposal. The carport is proposed over an existing driveway. It would not protrude beyond the house line. Carport to remain open on side as opposed to solid wall along property line. It will be guttered for drainage.


- (C) The Secretary of the 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 19<sup>th</sup> DAY OF June, 1986.

  
Chairman, 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 Regular Meeting of the Planning Commission of the City of The Dalles, held on the 19<sup>th</sup> day of June, 1986.

AYES: COMMISSIONERS: Joe Byrne, Mike O'Herron, Chris Zukin,  
Dick Hawkins, Shirley Walker  
NOES: COMMISSIONERS: none  
ABSENT: COMMISSIONERS: Wendy Donnell, Bud Earl(late)  
ABSTAIN: COMMISSIONERS: none

ATTEST:   
(Secretary, Planning Commission)