

RESOLUTION NO. P.C. 73-85

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF THE DALLES APPROVING VARIANCE #27-85, A REQUEST TO VARY THE REAR YARD SETBACK AREA FROM 3 FEET TO 2 FEET FOR A DETACHED GARAGE (RECONSTRUCTION ON EXISTING FOUNDATION).

I. Recitals:

- (A) The Planning Commission of the City of The Dalles has heretofore, on June 20, 1985, conducted a public hearing to consider Variance No. 27-85 relating to the following described property:

Tax Lot 10900, T.1N, R.13, Sec. 3CB (325 E. 11th St.)

- (B) Said property is located in the R-2 zoning district, where detached accessory buildings may be located in the required rear yard provided that it is a minimum of 3 feet from the property line to the eave line (perpendicular driveway access to a garage off an alley requires a greater setback).
- (C) The applicant, Fred E. Fahrni, proposes to reconstruct a single car garage on an existing foundation which would result in a two foot setback (to the wall).
- (D) Notice of public hearing was made pursuant to The Dalles Zoning Ordinance. No one testified in either opposition or support of the request other than the applicant.
- (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 rear 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.

There is a need to reconstruct a garage on an existing foundation. The garage was destroyed by an arson fire.

- (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 it would be necessary to pour a new foundation approximately two feet to the south of the existing foundation, and to move and rip up the storage building, trees, shrubs, and sprinkler system.

- (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.

The other garages along the alley have a rear yard setback less than three to five feet. Applicant is requesting the use of an existing foundation and there would be no enlargement (garage will remain single car).

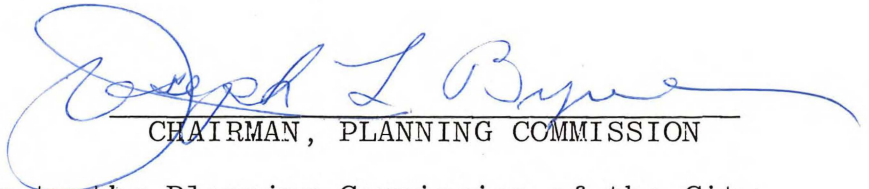
- (4) Approval of the variance would not be detrimental to public health and welfare and be contrary to the intent of the Ordinance.

No direct impact on surrounding properties. On the west is the Methodist Church parking lot; existing garages across the alley on the north; applicant's rear yard on the south; and another rear yard and garage to the east.

Access is not perpendicular to the alley, a situation where a greater setback is necessary for vehicle maneuvering.

- (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.

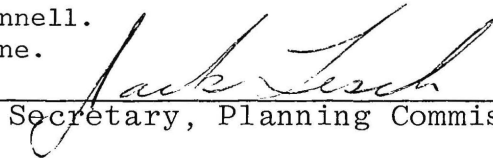
ADOPTED AND APPROVED THIS 20th DAY OF June , 1985.


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 20th day of June , 1985.

AYES: COMMISSIONERS: Byrne, Zukin, Hawkins, Northrop, O'Herron, Walker.
NOES: COMMISSIONERS: none.
ABSENT: COMMISSIONERS: Donnell.
ABSTAIN: COMMISSIONERS: none.

ATTEST:


Secretary, Planning Commission