

RESOLUTION NO. 11-81

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF THE DALLES APPROVING VARIANCE #14-81, A REQUEST TO VARY THE REQUIREMENT FOR SIGHT OBSCURING FENCING ALONG THE SOUTHERN PORTION OF THE PROPERTY CONTAINING A SALVAGE AND AUTOMOBILE WRECKING YARD IN THE M-2 (HEAVY INDUSTRIAL AND MANUFACTURING) ZONING DISTRICT.

I. Recitals.

- (A) The Planning Commission of the City of The Dalles has heretofore, on September 17, 1981 conducted a public hearing to consider Variance #14-81 relating to the following described property:

1N-13-2 Tax Lot 400

- (B) Said property is located in the M-2 (Heavy Industrial and Manufacturing) zoning district.
- (C) Said zoning district regulations allow automotive wrecking yards subject to a Conditional Use Permit and provided they are enclosed within a sight obscuring fence or wall (Sec. 13.030 (A)).
- (D) Conditional Use Permit #13-81 has been issued allowing the establishment of a salvage and automobile wrecking yard.
- (E) The applicant, H.Robert Cole, requests variance approval to allow him to establish the use without the required fencing or wall material along the Southern portion of the property.
- (F) Section 10.000 (Variances) of The Dalles Zoning Code 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 to the fencing requirements along the Southern portion of the property is hereby approved for the following reasons:
1. Unusual circumstances apply to this property which do not apply generally to other properties in the same zoning district or vicinity resulting from the following circumstances over which the applicant has not control:

The property is bounded on the Southern side by a high basalt bluff which creates a natural barrier for direct viewing of the site from the public right-of-way or other properties located to the South of the proposed location.

2. The variance is necessary to achieve the preservation of a property right which is substantially the same as that which the owners of other property possess in the same zoning district or vicinity inasmuch as:

Other properties in the M-2 zone could be developed with automobile salvage yards enclosed by fences or walls which would result in obscuring the yard from adjoining properties and public rights-of-way. In this case, due to the existing topography, the requirement for installing a fence or wall along the Southern boundary would not result in obscuring vision since that has been accomplished by the existing bluff.

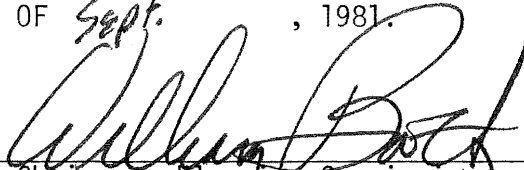
3. The variance will not be materially detrimental to the purpose of the Zoning Ordinance, or the property in the zoning district or vicinity in which the property is located in that:

The purpose of the provisions listed in Section 13.030 (A) is to obscure view of the automobile wrecking yard from neighboring properties and public rights-of-way. In approving this Variance request this stated purpose has not been violated since the basalt bluff which is to the South of the property will adequately screen the Southern portion of the project.

4. The variance would not conflict with the objectives of the Comprehensive Plan which is to require that all uses be designed to be compatible with maintenance of the community's quality of life with a minimum of conflict between industry and other land uses.
5. The variance request is the minimum variance which would alleviate the hardship since any other location, size or type of fencing or wall would not result in obscuring the project from the adjacent properties or public right-of-way due to the fact the bluff located along the Southern boundary will effectively screen the project from view.

- 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 17th DAY OF Sept., 1981.



Chairman, Planning Commission

I, Greg Scoles, 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 17th day of Sept., 1981, by the following vote:

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| AYES: | COMMISSIONERS: | Honald, Donnell, Elliott, Northrop and Byrne |
| NOES: | COMMISSIONERS: | |
| ABSENT: | COMMISSIONERS: | Matthew |
| ABSTAIN: | COMMISSIONERS: | |

ATTEST: 

Secretary, Planning Commission