

RESOLUTION NO. P.C. 9-81

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF THE DALLES APPROVING VARIANCE #13-81, A REQUEST TO VARY THE FRONT YARD SETBACK AREA ALONG EAST 19TH STREET FROM 20 FEET TO 17 FEET FOR PURPOSES OF CONSTRUCTING A SOLAR GREENHOUSE TO BE ATTACHED TO THE EXISTING DWELLING UNIT LOCATED IN THE R-1 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT.

I. Recitals:

- (A) The Planning Commission of the City of The Dalles has heretofore, on July 2, 1981 conducted a public hearing to consider Variance #13-81 relating to the following described property:  
1N-13-10BA Tax Lot 9400 (731 East 19th Street)
- (B) Said property is located within the R-1 (Single Family Residential) zoning district.
- (C) Said R-1 zoning district regulations require a twenty (20) foot front yard setback area.
- (D) The applicants, Robert & Sandra Haechrel have requested to construct an attached solar greenhouse to the existing residential structure with a 17 foot front yard setback.
- (E) The existing structure has a east-west alignment.
- (F) The proposed greenhouse structure will be located on southerly side of the existing residential structure.
- (G) Due to the existing orientation of the residential structure other locations for this type of solar-collector would not be feasible.
- (H) The attached solar greenhouse would not result in the enlargement of the actual living area of the single family residential dwelling.
- (I) Section 19.000 (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 of a front yard setback area 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 no control:

The winter sun is located low in the southern sky requiring the placement of the solar greenhouse on the southern portion of the property. Other property owners on the opposite side of the street are able to build attached solar greenhouses without regard to the setback requirements since their south facing walls are at the rear of the property. Eight feet is the minimum width for this type of solar greenhouse, thus necessitating a 3 foot variance in order to construct the solar greenhouse.

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:

Property owners on the opposite side of the street are not faced with the same circumstances as this particular property since their south walls lie to the rear of the property allowing them to build attached solar greenhouses without encroaching on the setback requirements.

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

The proposed addition will not be located near any street intersection. Future excavation in the public rights-of-way will not affect this structure due to its 17 foot+- distance from the right-of-way line. The proposed greenhouse will enhance air quality and reduce noise and vibration pollution due to its design. Twenty-two property owners in the immediate vicinity have signed a petition stating they believe the application should be approved. Adequate light, air and open space will not be reduced to adjoining property owners or to the applicant.

4. The variance would not conflict with the objectives of the Comprehensive Plan for the following reasons:

- a. The attached solar greenhouse will promote and provide safe and affordable housing.
- b. There will be no detracting from off street parking.
- c. Better protection from dust, fumes, and noise of traffic will be provided.

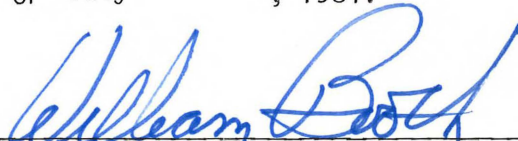
- d. Site distances from existing intersections will not be effected.
  - e. The uniformity and aesthetic quality of the streets will not be detrimentally effected.
  - f. The proposed structure will result in the conservation of energy.
  - g. Construction of the attached solar greenhouse will promote passive energy in the community, both as a model and a learning experience for workshop participants assisting in the City's desired goal to raise our fellow citizens' energy quotient.
  - h. Promote the Comprehensive Plan goal to convert concepts into application regarding alternative energy.
  - i. The location of the proposed solar greenhouse suits the Comprehensive Plan's criteria for passive solar energy systems:
    - (1) Long east-west access.
    - (2) Major living area directly behind the collector.
    - (3) Large thermo mass storing winter sun.
    - (4) Shading to prevent summer over-heat.
    - (5) Westside windows minimized.
    - (6) The workshop aspect complies with the Comprehensive goal to make available information regarding local conservation programs.
    - (7) Granting the variance will allow the City to implement its policy to actively assist and encourage the development of alternative sources of energy.
    - (8) The variance will result in the conservation of electrical energy.
5. The variance request is the minimum variance which would alleviate the hardship based on the following reasons:
- a. The overhang must be 5 feet wide to provide adequate summer shading of the heat storage unit.
  - b. The south facing glass must be at an angle between 61° and 66° for optimum solar gain and minimum summer heating.
  - c. Adequate access must be available from east-west.
  - d. Adequate space for heat collection and storage, plant growth,

work space and maneuverability is minimally provided within an 8 foot space.

e. The 8 foot space is required to allow for the location of adequate venting.

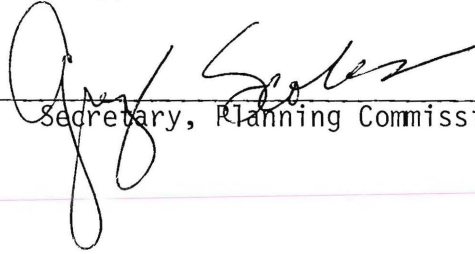
C. The Secretary of the Commission shall (a) certify to the adoption of the Resolution and (b) forthwith transmit a copy of the said Resolution to the City Council of the City of The Dalles.

ADOPTED AND APPROVED THIS 2nd DAY OF July, 1981.

  
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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 as a Regular Meeting of the Planning Commission of the City of The Dalles, held on the 2nd day of July, 1981, by the following vote:

AYES: COMMISSIONERS: Joe Byrne, Gary Donald and Wendy Donnell  
NOES: COMMISSIONERS:  
ABSENT: COMMISSIONERS: Jim Kelly, Bill Matthew and Dale Elliott  
ABSTAIN: COMMISSIONERS:

ATTEST:   
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Secretary, Planning Commission