

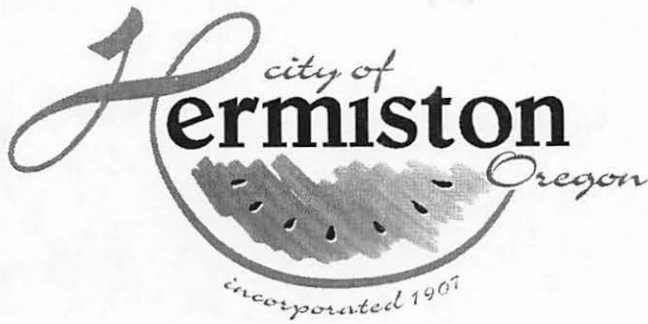
The Pet Store currently located in the plaza has applied for a parking variance at the old Dress Well Cleaners site (4th and Main) where they want to locate. The building does not have any parking in the back and is located too far away from any of the original off street parking lots to be convient to shoppers. Standard regulations for the size of the building require more parking spaces than are currently available . Obtaining this variance is the only way The Pet Store will be able to relocate to this site. and bring important retail business to the downtown core area. This will be an owner operated business and the owner has plans to clean up and beautify the property so that it will be a boost to the downtown area. Due to the nature of the business long term parking is not needed, and therefore we believe this variance should be granted.

<u>NAME / BUSINESS</u>	<u>ADDRESS</u>	<u>PHONE</u>
Lee Ann Burgess	1168 W. Poplar Place	567-6234
Sandra Mason	350 W Spanish	4493798
Olivia Hogan	1100 S HWY 395 Apt E-1	567-6055
Judy Cayler	280 SE 6th Street Wagon	922-5515
Sandra Tolson	32621 W Columbia Ln Herm.	567-3534
Kiley Kaymer	32653 W Columbia Ln Herm	567-0811
Julie Handlin	1545 SW Riverhill Dr. Herm.	
Gene Bennett	363 NE 33rd Pl. Pendleton	966-1103
Mark Elmer	36 NE 33rd Pendleton ch 9201	966-1103
Connie McDermott	626 Chenoweth Ave Umatilla	922-9569
Anna McDermott	626 Chenoweth Ave Umatilla	922-9569
Dustin Pfeiffer		
Malinda Buckley	828 Hwy 395 S Hermiston	564-6019
Johnnie Jackson	1000 S Hwy 395 PM. AATA Hermiston	922-5787
Tom Renow	175 Kristan IRRIGON OR	97838
John Chess	716 SW 1st Pendleton OR	97801 278-0307
WH Burke	P.O. Box 911 Hermiston OR	97838 567-7018
Gerry Conner	77403 1st Pl. Clatskanie	
Lucy Thompson	P.O. Box Pilot Rock Ore	
Quiana Thompson	1500 WE 10 Sp 28 Hermiston Ore	97838
K.D. Tolson	P.O. Box 67 Astoria	97103
Karen Baker	P.O. Box Echo OR	376-5032
William Charles	1480 NE Gillispie	5104-7525

The Pet Store currently located in the plaza has applied for a parking variance at the old Dress Well Cleaners site (4th and Main) where they want to relocate. The building does not have any parking in the back and is located too far away from any of the original off street parking lots. Standard regulations for this size of the building require more parking spaces than are currently available . Obtaining this variance is the only way The Pet Store will be able to relocate to this site and bring important retail business to the downtown core area. This will be an owner operated business and the owner has plans to clean up and beautify the property so that it will be a boost to the downtown area. Due to the nature of the business long term parking is not needed, and therefore we believe this variance should be granted.

NAME / BUSINESS ADDRESS PHONE

NAME / BUSINESS	ADDRESS	PHONE
<i>Hermiston Realty</i> Claudia Stewart	143 E Main	567-6457
Cheryl B. Christy	609 E Main	567-0690
<i>Scrapbooks</i> Laurine Cline	158 E. Main St.	564-9711
Jan Ash	935 South 1st	
<i>B4SS Stampade</i> Sharron Paxton	325 W. Mckenzie Ave	567-3799
Jarvis Russell	158 E. Main St.	564-4711
<i>Hermiston Realty</i> Peggy Westfall	235 E MAIN ST	567-0645
<i>Secret B. CARDS</i> Dennis	235 E. Main St B	564-8098
Frederic L. Zook	215 E Main St D	567-8627
Community Bank of Abbe	204 E Main St	567-0303
Steve Bunn <i>Hermiston Realty</i>	301 Umanilla	567-8191
<i>Boyer</i> Doreen (Wick) P	305 E Main	567-6468
Barbara Augustine	295 E Main St.	564-8385 xt 12
John Purdie Allstate	245 E Main St	567-6334
Paul York Cellulose	245 E Main # B	567-4696
Garb. Place AmFamily Jns.	254 E. Main St.	567-3339
Kathy Bush - Edward Jones	245 E MAIN ST.	564-9734
Marshall Hill IT Services	239 E Main	567 3975
Branon Howard - Andree's	215 E Main St	567-5618
Rae Gardner	201 E Main	567-3231
Marilyn Gardner	"	"
Beverly Ann "Onnagers"	157 E Main	567-3758
Melanie Staveland Pheasant	149 E Main	567-3022
Judy Robinson Country Treasures	148 E. Main	567-2726



Planning Department
180 N.E. 2nd Street
Hermiston, OR 97838-1860
Phone (541) 567-5521 • Fax (541) 567-5530
E-mail: planning@hermiston.or.us

August 9, 2001

Dear Property Owner:

This is your official notification that on August 8, 2001, the Hermiston Planning Commission granted Linda Miller's request to operate a pet shop at 379 E. Main Street without meeting the minimum parking requirements for a retail business. Mrs. Miller received a variance from §157.176 of the Hermiston Code of Ordinances which requires a pet shop (a retail business) to provide one (1) parking space for every 200 square feet of floor area. The planning commission's decision was based upon findings of fact and subject to the following condition:

1. Any change of use of the property shall:
 - a. Provide the required amount of off-street parking.
 - OR
 - b. The new use shall request a new off-street parking variance which must be approved by the planning commission.

The City's zoning ordinance has a provision that allows an action of the planning commission to be appealed to the city council within 12 days after notice of decision has been mailed to all persons involved in the planning commission's decision. The notice of decision was mailed on August 9, 2001. Therefore, the appeal period will expire on August 21, 2001. In order for an appeal to be valid, a completed appeal application and \$375.00 fee must be submitted to the planning department prior to the deadline. If no appeal is filed within the 12 day period, the decision of the planning commission shall be final.

If you have any questions, please feel free to contact me at (541)567-5521.

Sincerely,

Steven E. Sokolowski
City Planner



Planning Department
180 N.E. 2nd Street
Hermiston, OR 97838-1860
Phone (541) 567-5521 · Fax (541) 567-5530
E-mail: planning@hermiston.or.us

December 19, 2022

Linda Miller
1075 W. Madrona Drive
Hermiston, OR 97838

Dear Mrs. Miller:

This is your official notification that on August 8, 2001, the Hermiston Planning Commission granted your request to operate a pet shop at 379 E. Main Street without meeting the minimum parking requirements for a retail business. You received a variance from §157.176 of the Hermiston Code of Ordinances which requires a pet shop (a retail business) to provide one (1) parking space for every 200 square feet of floor area. The planning commission's decision was based upon findings of fact and subject to the following condition:

1. Any change of use of the property shall:
 - a. Provide the required amount of off-street parking.
 - OR
 - b. The new use shall request a new off-street parking variance which must be approved by the planning commission.

The City's zoning ordinance has a provision that allows an action of the planning commission to be appealed to the city council within 12 days after notice of decision has been mailed to all persons involved in the planning commission's decision. The notice of decision was mailed on August 9, 2001. Therefore, the appeal period will expire on August 21, 2001. In order for an appeal to be valid, a completed appeal application and \$375.00 fee must be submitted to the planning department prior to the deadline. If no appeal is filed within the 12 day period, the decision of the planning commission shall be final.

A statement of out of pocket expenses associated with the hearing is enclosed. If you have any questions, please feel free to contact me at (541)567-5521.

Sincerely,

Steven E. Sokolowski
City Planner

c: Tim Mabry, Schroth Realty, Inc.

Decision

Commissioner Finley moved and Commissioner Sienia seconded to grant the conditional use request based upon the findings of fact. Motion carried unanimously.

Hearing/Variance/379 E Main Street/Linda Miller

Chairman Saylor announced that a hearing was scheduled to consider a request for a variance from §157.176 of the Hermiston Code of Ordinances which requires a retail store to provide one parking space for every 200 square feet of floor area. The applicant requests a 100% variance from this requirement. The applicant is Linda Miller. Chairman Saylor asked if any commissioner wished to declare a potential conflict of interest. Hearing none, she opened the hearing at 7:16 p.m. and read the following hearing guidelines:

- a. The applicable substantive criteria relied upon by the City in rendering the decision to grant the variance are contained in §157.225(A)(1) of the Hermiston Code of Ordinances.
- b. Testimony and evidence must be directed toward the criteria described above or other criteria in the comprehensive plan or land use regulations which the person believes apply to the decision.
- c. Failure to raise an issue by the close of the record at or following the hearing, in person or by letter, precludes appeal to the Land Use Board of Appeals (LUBA) or the city council based upon that issue.
- d. Failure to raise an issue with sufficient specificity to afford the decision maker and the parties an opportunity to respond to that issue precludes appeal to LUBA or the city council based upon that issue.
- e. Failure to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government or its designee to respond to the issue precludes an action for damages in circuit court.
- f. Prior to the conclusion of the evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application. The planning commission shall grant such a request by continuing the public hearing pursuant to ORS 197.763(6)(B) or leaving the record open for additional written evidence, arguments or testimony pursuant to ORS 197.763(6)(C).

Chairman Saylor said that for this hearing, the process begins with the staff report, followed by testimony from the applicants and any other supporters of the application. This will be followed by opponents to the application. Finally, a rebuttal by the applicant will be allowed. The public hearing portion of the procedure will then be closed, and the planning commission will consider the information and testimony received and may render a decision.

Staff Report

City Planner Sokolowski reported that Linda Miller has submitted a request for a variance for property located at 379 E Main Street. The applicant has requested a 100% variance from the minimum parking standard for a retail store as established in §157.176 of the Hermiston Code of Ordinances. §157.176 states that a retail store must provide one parking space for every 200 square feet of floor area. The existing building encompasses approximately 2,472 square feet and would require 12 parking spaces if used for retail purposes. There are presently no off-street parking spaces provided at this location. The applicant wishes to remodel the existing Dres-Well Cleaners building into a pet shop.

In 1977, the City of Hermiston formed a local improvement district (LID) in the downtown area to create four municipal parking lots. Many businesses and properties along E Main Street, E Gladys Avenue and E Hurlburt Avenue participated in this LID. Properties which participated in the LID were exempted from meeting future parking requirements. The owner of the Dres-Well Cleaners property elected not to participate in the LID when it was formed and is therefore still subject to parking requirements. Since the Dres-Well Cleaners building is subject to off-street parking requirements and does not have any off-street parking spaces, the building is considered a non-conforming structure. Per §157.194 of the Hermiston Code of Ordinances, a non-conforming use which is discontinued from active use for a period of one year shall be a conforming use. Therefore, in order for the building to revert to a dry cleaners, off-street parking would have to be provided.

Per §157.225 of the Hermiston Code of Ordinances, the planning commission may authorize variances from the requirements of the zoning code where it may be shown that owing to special and unusual circumstances, the literal interpretation of the zoning code would cause an undue or unnecessary hardship.

All properties within 300 feet of the site were provided a direct mailing of the proposal. Staff received letters from Diane Collier of Columbia Outdoor & Surplus, Don Daggett of Banner Bank, Clarice Morrow of Hermiston Realty and Robert and Billie Luke who own property on E Main Street. Ms. Collier objects to the proposed variance on the grounds that there is not presently enough parking for her business and the pet shop's customers will use her existing parking spaces. She feels that an office or other low impact use may be more compatible with that location. Mr. Daggett supports the proposed variance because it will allow a vacant building to be occupied and enhance the downtown area. Ms. Morrow supports the proposed variance and says that the business will not conflict with other downtown businesses. Mr. and Mrs. Luke object to the proposed variance due to the fact that there is not enough parking in this block.

City Planner Sokolowski briefly reviewed the proposed findings of fact and said that the planning commission could make one of three decisions regarding the variance request:

1. Approve the variance request.
2. Approve the variance request with the recommended condition.
3. Deny the variance request.

Commissioner Finley moved and Commissioner Ferguson seconded that the staff report be made a part of the record. Motion carried unanimously.

Testimony

Linda Miller, 1075 W Madrona Ave, said she is the applicant and submitted a petition in support containing 107 signatures and letters of support from Ginny Holthus who resides at 420 E Tamarack Ct and Billie Jean Morris of the Hermiston Chamber of Commerce. Ms. Miller said it is possible to park employees behind the building. The rear door will be closed to the public and will be for freight only. She spoke with the owner of Columbia Outdoor and Surplus and they agreed to support whatever decision the planning commission makes. If the variance is not granted, the building will not be usable for any purpose. Customers visiting the pet store will visit other downtown businesses and enhance the downtown.

Commissioner Finley said the building does not have the right to use the parking behind Columbia Outdoor and Surplus. Ms. Miller said that her employee parking area is not part of Columbia Outdoor and Surplus' parking. Commissioner Finley asked if there are two parking spaces in front of the building. Ms. Miller said there are two spaces on Main Street. Commissioner Finley said that it would be important to install a sign stating that the rear door is not for public use. Ms. Miller said she will hang a sign on the rear door. Commissioner Ferguson said most of the spaces are usually filled along that block.

Sheila Cross, 26 W Cedar Drive, said that she supports the application. She spoke with the manager of Bank of America and he said he will tell his employees not to park along Main Street if the variance is approved.

Tim Mabry, 415 E Main Street, said he represents the property's seller. He also is a neighbor to the property. There are very few times when all the parking spaces are full along Main Street. There are a total of 23 spaces along the block and there is no problem with the parking situation. The variance will provide a good opportunity to renovate an existing business. Mr. Mabry stated that a pet store would likely generate much less traffic than previous dry cleaner operation. The current pet store in the Plaza generates about 20 customers a day.

Marty Krogh, 356 E Gladys Ave, said any business that locates on Main Street is a welcome addition to the downtown. A pet store is very compatible with the location. The alley is presently gravel and has many potholes. He would be more comfortable with the proposal if the applicant was required to pave the alley. There is not enough room behind the building for parking and the building should be shortened and more parking installed. Delivery trucks will block the alley while delivering goods.

Sandy Taylor, 80752 Highway 395 N, said that there are lots of empty buildings on Main Street, giving the impression that Main Street is dying and new businesses are afraid to locate there. The pet store will enhance Main Street and will improve the area.

Ron Perkins said that he owns 1/3 of the building. The building has been in the family since the 1950s. Buildings on Main Street sell below their assessed value and their business is for sale below what it is worth. There has never been a problem with parking on Main Street. The building has been for sale for several years and there have been no buyers. Commissioner Ferguson asked who decided not to participate in the LID. Mr. Perkins said his father elected not to participate because he felt there was no benefit to his property because the lots are located over a block away. Mr. Perkins addressed Mr. Krogh's concern stating that he is more than willing to participate in a paving LID for the alley.

Glenn Chowning, 1645 W Orchard Ave, said he supports the application and Ms. Miller can improve the area. Her business will be a good addition to Main Street.

Commissioner Finley said that the rear door should be used only as a delivery door. Chairman Saylor said that the planning commission's decision will establish a precedent regarding properties which did not participate in the LID. Mr. Mabry said that the planning commission should consider each variance on a block by block basis because the LID participation drops off as the properties get farther from the municipal lots.

No one else wished to testify and the hearing was closed at 7:57 p.m.

Findings of Fact

Following further discussion, Commissioner Finley moved and Commissioner Storment seconded to adopt the findings of fact as follows:

1. The building occupies approximately 81% of the lot, leaving inadequate space to construct an off-street parking lot.
2. The only way for a business to operate from this building/property is to obtain a variance from the minimum required off-street parking requirement.
3. The previous property owner had the opportunity but elected not to participate in the LID which created four municipal parking lots. Properties which participated in the LID were exempted from meeting future parking requirements.
4. The applicant anticipates that the proposed pet shop's overall impact to the neighborhood will be minimal.
5. The applicant does not anticipate that the proposed pet shop will generate more customer traffic than the previous tenant's dry cleaning shop.
6. The majority of public testimony and letter received by the planning commission were in support of the application.
7. It is not possible to conduct business using the existing building and provide any off-street parking without obtaining additional property.

Motion carried unanimously.

Conditions

Commissioner Storment moved and Commissioner Sienia seconded to impose the following condition on the variance request:

1. Any change in use of the property shall:
 - a. Provide the required amount of off-street parking.
 - or
 - b. The new use shall request a new off-street parking variance which must be approved by the planning commission.
2. The rear entrance shall not be used for public access and shall be clearly marked as such.

Motion carried unanimously.

Decision

Commissioner Storment moved and Commissioner Finley seconded that the variance request be approved, based upon the findings of fact and subject to the conditions of approval. Motion carried unanimously.

Chairman Saylor asked if there are any plans to pave the alley. City Planner Sokolowski said there are no plans at this time, but he will investigate the maintenance of the alley with the street superintendent. The consensus of the planning commission was to request that the city council investigate the possibility of paving the alley.

Major Partition/N First Street/David and Gloria Ego

Wednesday, August 8, 2001

**Planning Commission
City of Hermiston**

To Whom It May Concern:

While I am not able to attend tonight's meeting, it is my desire to voice an opinion in support of making it possible for The Pet Store to move to downtown. The Pet Store would be a big step toward revitalizing our downtown area.

**Ginny Holthus
420 E Tamarack Ct
Hermiston, OR 97838**

August 8, 2001

Planning Department
180 N.E. 2nd Street
Hermiston, OR 97838-1860

Attn: Steven E. Sokolowski, City Planner

Ref: Requested Code Variance for 379 E. Main Street

Gentlemen:

We feel the requested variance will increase the parking problems in this area. At certain times of the day, the three businesses in that block do not have adequate parking. Customers for Columbia Outdoor Store will park in the alley to the west of their parking lot. The East Oregonian lot overflows when carriers are picking up newspapers. The Bank of America not only has too few parking spaces for their customers, but their drive-up window customers often are cued-up onto Main Street and double parked in the alley..

This block already has traffic and parking problems. Allowing another business to open without off street parking would only add to the problems. If the City of Hermiston is serious about keeping the downtown area alive and vibrant, they must maintain a level of quality in traffic flow, parking, and general usability.

Sincerely,



Robert & Billie Luke
PO Box 183
Hermiston, OR 97838

Owners of 351 & 357 E. Main Street

Greater Hermiston



www.hermistonchamber.com email: ghcc@ucinet.com

415 So. Hwy 395 - P.O. Box 185 - Hermiston, OR 97838
(541) 567-6151 Fax (541) 564-9109

August 6, 2001

To Whom It May Concern:

Please accept this letter as support of Linda Louise and her effort to relocate her business to Main Street in Hermiston. We are elated that Ms. Louise has decided to keep her business in Hermiston rather than relocate to another community in Umatilla County.

The Greater Hermiston Chamber of Commerce recognizes and promotes "inner-city" economic development. I congratulate The Pet Store for their determination to renew the use of one of our vacant properties on Main Street. Our hope would be that other business professionals would consider Hermiston downtown as a great place to locate a business.

Sincerely,

A handwritten signature in cursive script that reads "Billie Jean".

Billie Jean Morris
Executive Director



August 3, 2001

Mr. Steve Sokolowski
City Planner
City of Hermiston
180 NE Second Street
Hermiston, Or 97838

Dear Mr. Sokolowski;

Please consider this letter of support for Linda Miller's variance request on the property at 379 E. Main Street in Hermiston. One of the difficulties facing small towns and cities across the country is the deterioration of downtown core business areas. We have the opportunity to take a vacant building and provide a location for a successful small business.

While the lack of parking in downtown Hermiston seems to be a topic of much conversation and little action, the owners of this small property will never have the opportunity to add any additional off-street spaces. By not allowing a parking variance, the next logical step for the current property owner would be to allow the building to deteriorate, not pay the property taxes and let the county ultimately own it. That is an outcome that certainly is not in the best interests of the city of Hermiston.

Thank you for the opportunity to comment on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald R. Daggett", with a long horizontal line extending to the right.

Donald R. Daggett
Senior Vice-President

Hermiston Realty LLC

N. Highway 395 • Rt. 2 Box 2101-B
Hermiston, OR 97838
(541) 567-8949

Planning Department
180 N.E. 2nd St.
Hermiston, OR 97838

Aug. 3, 2001

Hermiston has experienced a tremendous amount of economic growth and development and along with our progress comes the need for redevelopment to ensure a strong economic base for our future. Redevelopment means change. A simple change is what is requested and required in this case to insure that a downtown commercial property will be utilized to its full potential. Objections have been raised due to concerns over the availability of parking being lowered for their clientele as spaces are filled by Pet Store shoppers. The parking area of the nearest business uses the alley parking lot with their main entry door adjacent to that lot. The plans for the Pet Store allow only front access for retail customers while the alley access will be used for deliveries and employees only. Conflict in future daily operations is not foreseen and the new consumer interest will only benefit the surrounding businesses. Please allow this parking variance to enhance quality redevelopment in our down town area.

Respectfully,
Clarice Morrow
REALTOR





CITY OF HERMISTON

180 N.E. 2nd Street
Hermiston, OR 97838
(541) 567-5521
Fax: (541) 567-5530

FAX COVER SHEET

Please deliver the following to:

Name: Linda Miller

Company/location: _____

Fax #: (509)-839-3331

From: Steve Sokolowski

Subject: Variance - 1) Letter 2) Site Plan

Date: 8/3/01 Time: 9:10AM

Number of pages: 3, including cover sheet

If you do not receive all of the above described material, please telephone immediately to:

Business phone: (541) 567-5521

Fax phone: (541) 567-5530

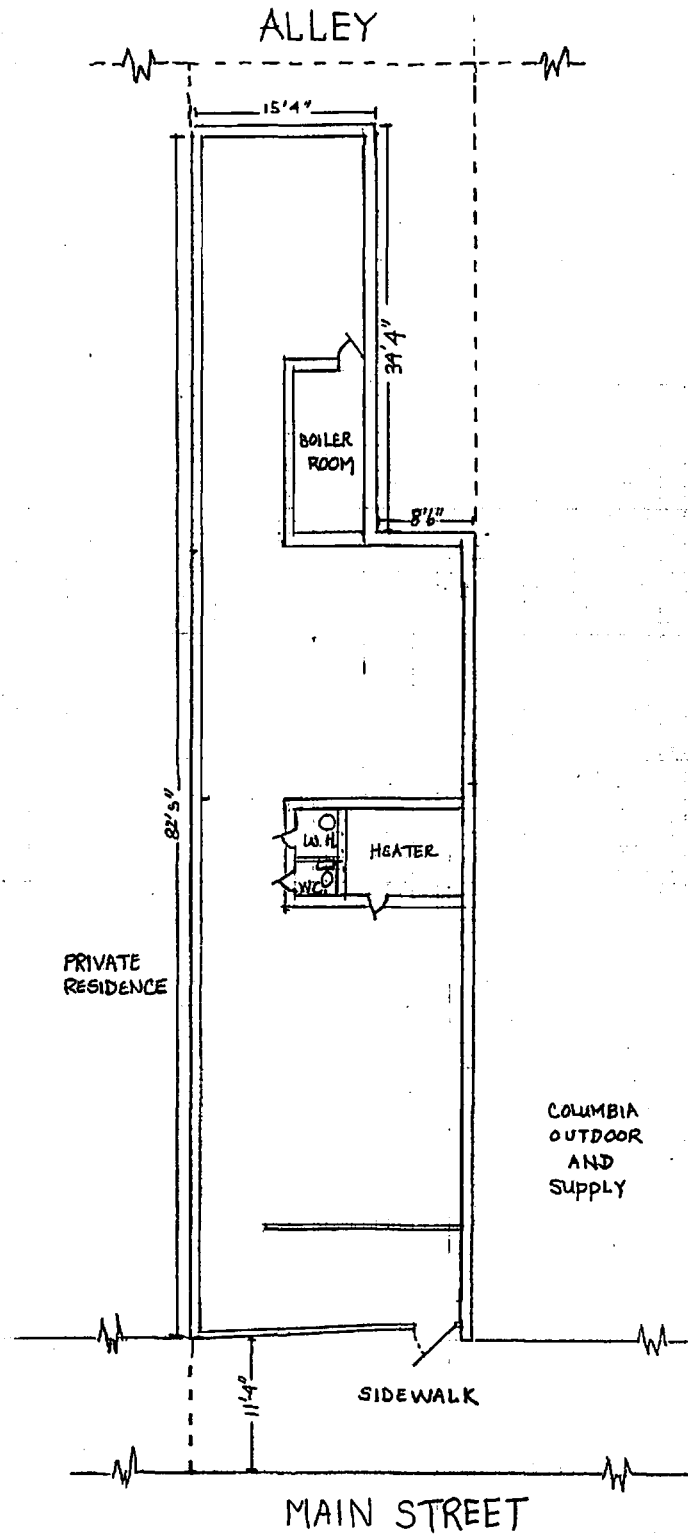
Sender's name: Steve Sokolowski

COMMENTS:

Linda - the site plan is incorrect. Please have someone submit a correct site plan including the correct property dimensions and correct building dimensions. This site plan should be submitted ASAP because the staff report goes out today and an incorrect site plan will not help your case. Please submit no later than 12:00 PM today.

Steve

DRESWELL CLEANERS
LOT # 6800
HERMISTON, OR 97138
SUBMITTED FOR PARKING
VARIANCE
SCALE - 3/32" = 1' ±
DATE: 07-02-01



July 26, 2001

Planning Department
180 N.E. 2nd. St.
Hermiston, Or. 97838

This Letter is addressing the issue of granting a variance to Linda Miller to remodel the old Dresswell Dry Cleaner's to be used as a pet shop.

Please find enclosed a diagram of the property which adjoins our building and property with a common wall.

As you can see from the diagram there is no parking available. We have great difficulty with the AMOUNT of parking as we are one of the busiest businesses on main street. ALL of our employees(six) are required to park up Fourth street, towards the North, in order to free up Fourth Street parking. Our parking lot is quite small and inadequate even for us. As you can also see, Fourth street, on the side of our building is "no parking".

If she has plans to allow the public to enter or exit the door located facing our parking lot, there is no way that we can keep customers out of our parking lot, even with signs... people WILL park in our lot and be gone before we could have the car towed away(which we don't want to do).

While we agree that Main street needs vital businesses, we feel that a business such as a legal office or such, that will not require the public parking that a pet shop would, might be a better choice. Where their customers are one or two at a time it would be a better choice. Where there are one or two at a time, it would not create a hazard with illegal parking which we feel would be the issue.

We have voiced our concerns, now it is up to the planning commission to address this problem---we want to be a good neighbor and create no problems for anyone, including ourselves. However, the situation is such that there is grave concern.

Thank you for your attention,

Linda Miller, Owner

COLUMBIA OUTDOOR & SURPLUS.
395 E. Main St.
Hermiston, OR 97838
(541) 867-2000

STOP LIGHT



MAIN ST.

4th STREET

NO PARKING ZONE

Columbia
Outdoor
Surplus

HOUSE

Dry cleaners

Columbia
Outdoor
PARKING LOT

NO
PARKING
AREA
PRIVATE LOT

NO PARKING
AREA ALLEY



Planning Department
180 N.E. 2nd Street
Hermiston, OR 97838-1860
Phone (541) 567-5521 • Fax (541) 567-5530
E-mail: planning@hermiston.or.us

To: Planning Commission
From: Steven E. Sokolowski, City Planner *SS*
Subject: Miller Variance Request
Date: August 1, 2001

Background

Linda Miller has submitted a request for a variance for property located at 379 E Main Street. The applicant has requested a 100% variance from the minimum parking standard for a retail store as established in §157.176 of the Hermiston Code of Ordinances. §157.176 states that a retail store must provide one parking space for every 200 square feet of floor area. The existing building encompasses approximately 2,472 square feet and would require 12 parking spaces if used for retail purposes. There are presently no off-street parking spaces provided at this location. The applicant wishes to remodel the existing Dres-Well Cleaners building into a pet shop.

In 1977, the City of Hermiston formed a local improvement district (LID) in the downtown area to create four municipal parking lots. Many businesses and properties along E Main Street, E Gladys Avenue and E Hurlburt Avenue participated in this LID. Properties which participated in the LID were exempted from meeting future parking requirements. The owner of the Dres-Well Cleaners property elected not to participate in the LID when it was formed and is therefore still subject to parking requirements. Since the Dres-Well Cleaners building is subject to off-street parking requirements and does not have any off-street parking spaces, the building is considered a non-conforming structure. Per §157.194 of the Hermiston Code of Ordinances, a non-conforming use which is discontinued from active use for a period of one year shall be a conforming use. Therefore, in order for the building to revert to a dry cleaners, off-street parking would have to be provided.

Per §157.225 of the Hermiston Code of Ordinances, the planning commission may authorize variances from the requirements of the zoning code where it may be shown that owing to special and unusual circumstances, the literal interpretation of the zoning code would cause an undue or unnecessary hardship.

All properties within 300 feet of the site were provided a direct mailing of the proposal. Staff received a letter from Diane Collier of Columbia Outdoor & Surplus at 395 E Main Street. Ms. Collier objects to the proposed variance on the grounds that there is not presently enough parking for her business and the pet shop's customers

will use her existing parking spaces. She feels that an office or other low impact use may be more compatible with that location.

Criteria

The specific criteria relied upon by the planning commission are contained in §157.225(A)(1) of the Hermiston Code of Ordinances. In granting a variance, the applicant must demonstrate that all of the following criteria have been met:

1. Exceptional or extraordinary conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of the lot size, topography or other circumstances over which the applicant has no control.
2. The variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same zone or vicinity.
3. The authorization of the variance shall not be materially detrimental to the purpose of this ordinance, be injurious to the property in the zone or vicinity in which the property is located, or be otherwise detrimental to the objectives of any development pattern or policy.
4. It is impractical to maintain the zoning code requirements and, at the same time, build, erect or use the structure as desired.

It is not necessary to restate other ordinances and statutory requirements of the variance as a part of the proceedings. The granting or denial of a variance will not affect the requirements of the City of Hermiston to comply with building, plumbing, and electrical codes, other ordinances, statutory or regulatory compliance issues.

Draft Findings

Subject to the comments and considerations of the public hearing, the following draft findings are presented:

EXCEPTIONAL OR EXTRAORDINARY CONDITIONS APPLY TO THE PROPERTY THAT DO NOT APPLY GENERALLY TO OTHER PROPERTIES IN THE SAME ZONE OR VICINITY, WHICH CONDITIONS ARE A RESULT OF THE LOT SIZE, TOPOGRAPHY OR OTHER CIRCUMSTANCES OVER WHICH THE APPLICANT HAS NO CONTROL.

1. The building occupies approximately 81% of the lot, leaving inadequate space to construct an off-street parking lot.

THE VARIANCE IS NECESSARY FOR THE PRESERVATION OF A PROPERTY RIGHT OF THE APPLICANT SUBSTANTIALLY THE SAME AS IS POSSESSED BY OWNERS OF OTHER PROPERTY IN THE SAME ZONE OR VICINITY.

2. The only way for a business to operate from this building/property is to obtain a variance from the minimum required off-street parking requirement.
3. The previous property owner had the opportunity but elected not to participate in the LID which created four municipal parking lots. Properties which participated in the LID were exempted from meeting future parking requirements.

THE AUTHORIZATION OF THE VARIANCE SHALL NOT BE MATERIALLY DETRIMENTAL TO THE PURPOSE OF THIS CODE, BE INJURIOUS TO PROPERTY IN THE ZONE OR VICINITY IN WHICH THE PROPERTY IS LOCATED, OR BE OTHERWISE DETRIMENTAL TO THE OBJECTIVES OF ANY DEVELOPMENT PATTERN OR POLICY.

4. The applicant anticipates that the proposed pet shop's overall impact to the neighborhood will be minimal.
5. The applicant does not anticipate that the proposed pet shop will generate more customer traffic than the previous tenant's dry cleaning shop.

IT IS IMPRACTICAL TO MAINTAIN THE ZONING CODE REQUIREMENTS AND, AT THE SAME TIME, BUILD, ERECT OR USE THE STRUCTURE AS DESIRED.

6. It is not possible to conduct business using the existing building and provide any off-street parking.

Draft Conditions

Should the planning commission decide to grant the variance, staff recommends that the following condition be imposed on the project:

1. Should a future use of the property require more parking spaces than the amount required for a retail store (1 space for every 200 square feet of floor area), the new use shall:

Staff Report
Miller Variance Request
Page 4

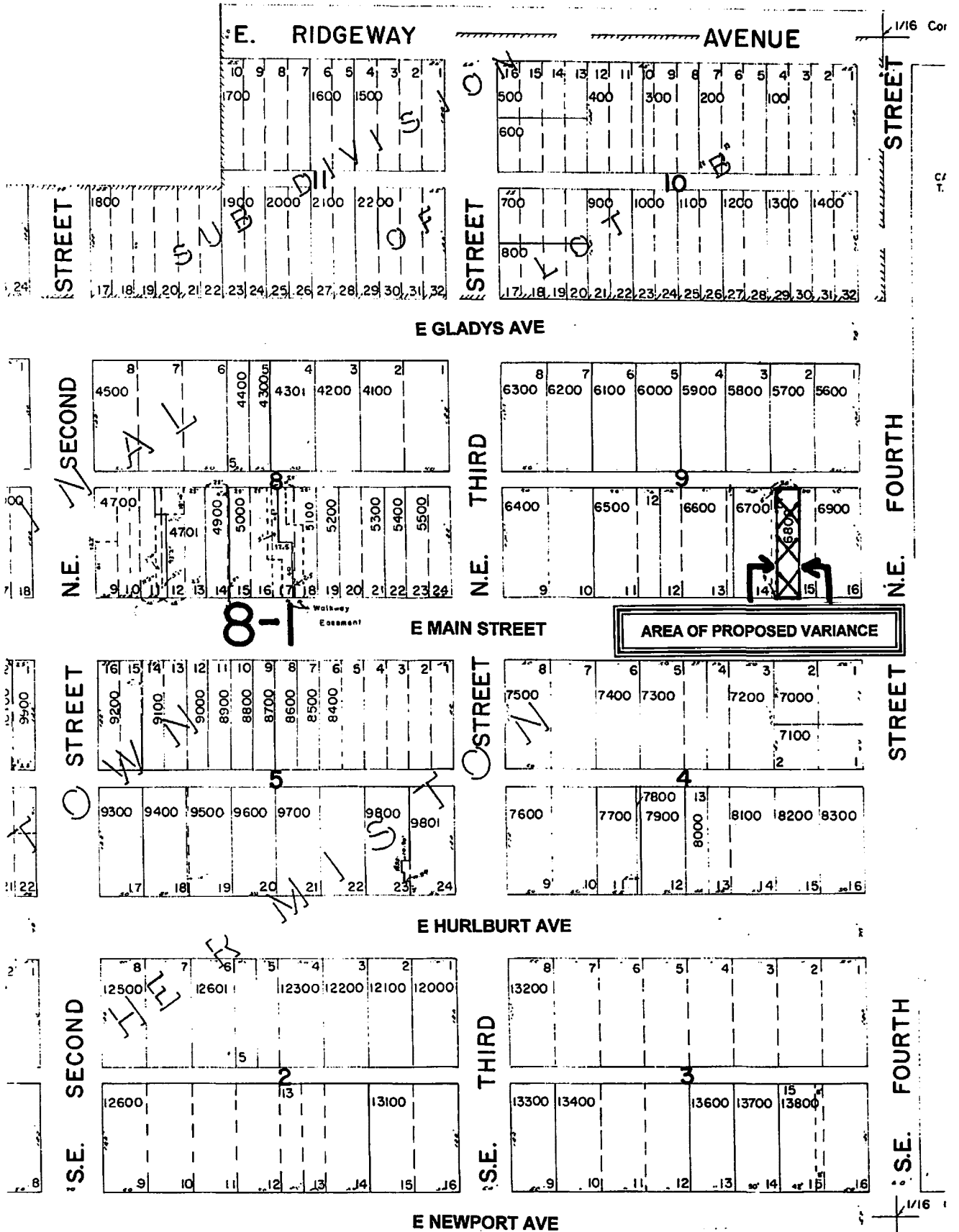
- a. Provide the required amount of off-street parking.
- or
- b. The new use shall request a new off-street parking variance which must be approved by the planning commission.

Potential Planning Commission Action

The planning commission may take one of the following actions:

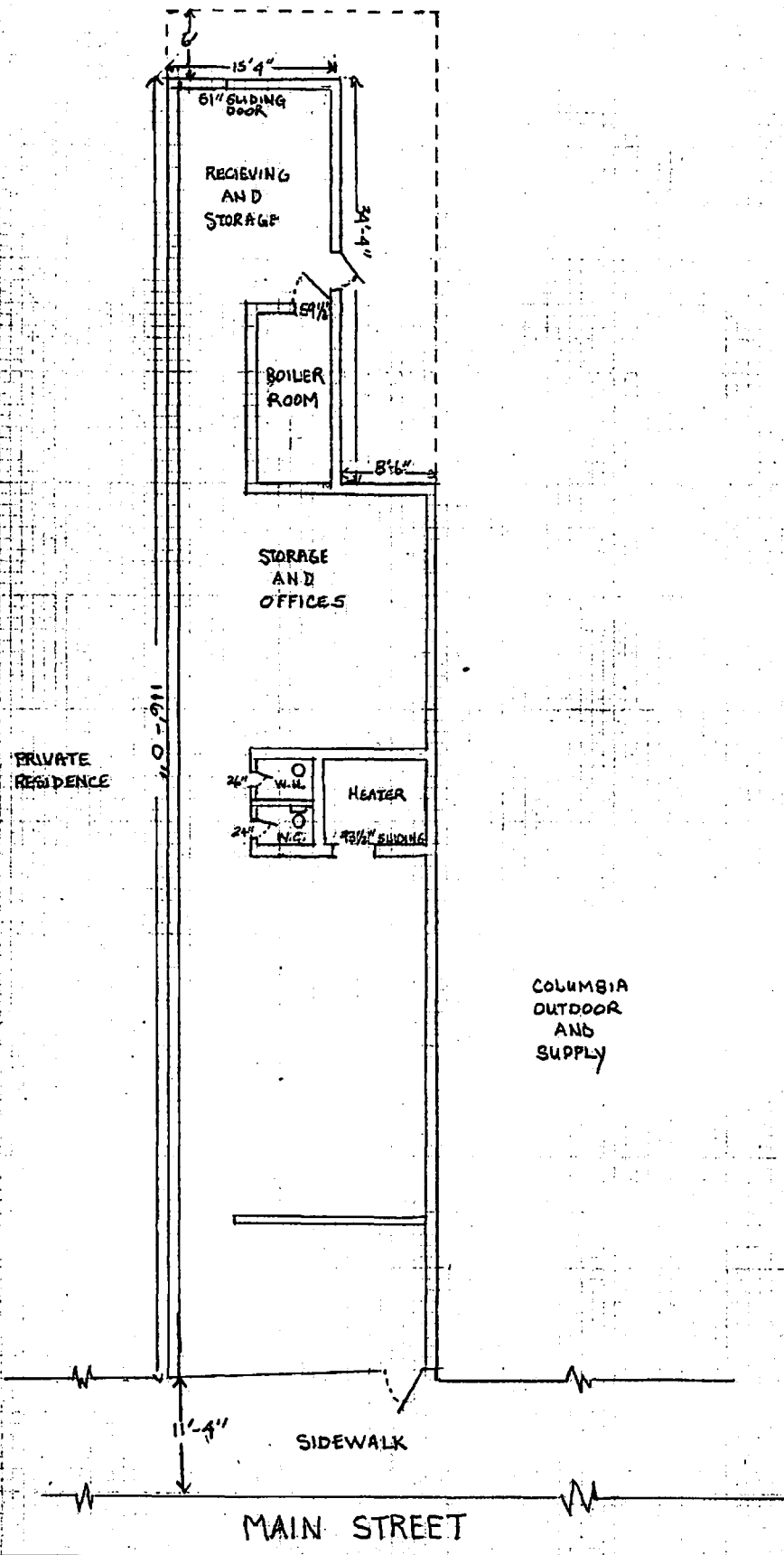
- 1. Approve the variance request.
- 2. Approve the variance request with the above recommended condition.
- 3. Deny the variance request.

See Map 4N 28 11BC



See Map 4N 28 11CC

APPROVED FOR THE
SUBMITTED FOR PARK
VARIAN
SCALE: 3/8" = 1'-0"
AMENDED: 8-23-01



CITY OF HERMISTON

APPLICATION FOR VARIANCE

Pursuant to the provisions of §157.225 of the Hermiston Code of Ordinances, application is hereby made for a variance for the following described property:

Name of Applicant: Linda Miller Phone: 567-9123

Mailing Address: 1075 W. Madonna Hermiston, Or 97838

Name of Owner (If Different): _____ Phone: _____

Mailing Address: _____

Legal Description: Assessor's Map No: 110CB Tax Lot No: 6800

Subdivision (If Applicable): _____

Please Attach a Metes and Bounds Legal Description

Street Address: 379 E MAIN

Current Zoning Designation: C-1

Variance Requested: 100% VARIANCE FROM MINIMUM PARKING STANDARD

IMPORTANT!: Oregon's Land Use Planning Laws and §157.225 of the Hermiston Code of Ordinances require the planning commission to make "findings of fact" with regard to variance requests. The findings provide justification to either approve or deny the application. Read the questions that follow and answer them as completely as you can; use additional sheets if necessary. Your responses will be used by the City to make findings and evaluate the merits of your request. The chances of a successful application depend upon the adequacy of the arguments you present to justify approval of the application.

- 1. Explain what exceptional or extraordinary conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, topography or other circumstances over which the applicant has no control? (NOTE: These exceptional circumstances should relate to the land rather than persons.)

The exceptional conditions of this building is that the building takes up the whole lot, leaving no room to create a parking lot. None of the city parking lots

are located within walking distance of the building. We are not a member of the L.I.D.

2. Why is the variance necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same zone or vicinity?

Due to the fact the building takes up the entire space of the lot, we have no place for our customers to park. When this building was originally built it was okay for customers to park on main street and the additional 6 foot space was given to the house next door. All of the other buildings in the immediate area have parking spaces at their locations so they don't need on street parking.

3. Explain why the authorization of the variance would not be materially detrimental to the purposes of the zoning ordinance, be injurious to property in the zone or vicinity in which the property is located, or be otherwise detrimental to the objectives of any development pattern or policy.

The location of the building is not in a high retail traffic area, thus not requiring a lot of street parking; plus the other stores have off street parking lots for their customers, where we do not, due to the fact that our building takes up the whole lot. The business was a dry cleaners and the customer count for us will be approximately the same with somewhat the same length of visits.

4. Explain why it is impossible to maintain the zoning ordinance requirements and, at the same time, build, erect or use the structure?

This particular location does not have any availability for off street parking due to the size of the building on this lot, making it impossible to conduct business from this location.

- j. Explain why the variance requested in the minimum variance from the provisions and standards of this chapter which will alleviate the hardship. *If we are able to let our customers park on the street, we will be able to conduct business out of this location, creating a positive new retail store on Main Street and help with the redevelopment of downtown Hermiston.*

ADDITIONAL INFORMATION TO BE FURNISHED & ATTACHED TO APPLICATION:

1. Evidence that applicant is owner or purchaser of the property or has written permission of such owner to make an application for the variance.
2. Two copies of a site plan (11"x17") drawn to scale, showing the location of the property concerned with all proposed or existing building(s), and the location of all highways, streets and alleys.

The above statements are true to the best of my belief and knowledge. As applicant, I understand that the planning commission requests my attendance, or the attendance of my

I am the ___ owner/ owner's authorized representative.
If authorized representative, please attach letter signed by owner.

Elizabeth A. Duple

Signature of Applicant

07/11/01

Date

OUT-OF-POCKET EXPENSES FOR MAILING & PUBLICATION COST WILL BE BILLED LATER

NOTE: The Hermiston Planning Commission meets the second Wednesday of each month. Because of public notice requirements and time constraints, this application must be returned to City Hall no less than **four weeks** prior to the hearing date. If you have any questions about completing the application or the procedure, please feel free to contact the planning department at the Hermiston City Hall, 180 N.E. 2nd Street, Hermiston, Oregon 97838, or telephone (541) 567-5521. The City's fax number is (541) 567-5530.

Office Use Only

Date Filed: _____ Received By: _____ Meeting Date: _____

Fee: \$275.00 Date Paid: _____ Receipt No: _____

HERMISTON IRRIGATION DISTRICT

366 E. Hurlburt Ave.
Hermiston, OR 97838
Phone: (541) 567-3024
Fax: (541) 564-1069
e-mail: hid@eoni.com

July 31, 2001

City of Hermiston
Planning Department
Attn: Steve Sokolowski
180 NE 2nd Street
Hermiston, OR 97838

Re: Linda Miller / Request for Variance

Dear Steve:

After review of the above mentioned request for variance, we have no objections.

Should you have any further questions, give me a call at 567-3024.

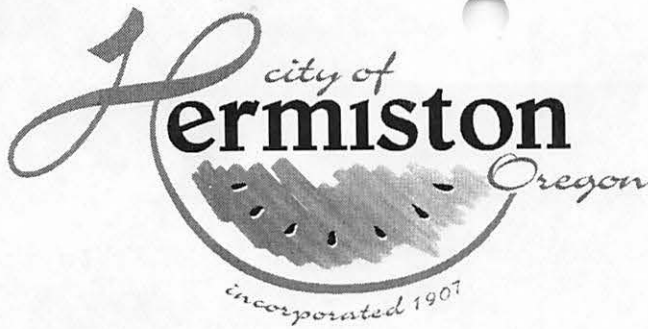
Sincerely,

Chuck Wilcox /dn

Chuck Wilcox
Manager

NAME	ADDR1	ADDR2	CITY	ST	ZIP	Map	TXLOT	SERIAL
CHINN LILLY Y		PO BOX 7	HERMIST	OR	97838	4N2811CB	700	127814
CHINN LILLY Y		PO BOX 7	HERMIST	OR	97838	4N2811CB	800	127815
SANDOVA CATARINA	1780 E HO		HERMIST	OR	97838	4N2811CB	900	127819
SANCHEZ GUARDAD	347 E GLA		HERMIST	OR	97838	4N2811CB	1000	127822
BOWNS ELIZABETH	355 E GLA		HERMIST	OR	97838	4N2811CB	1100	127823
CAMERON %GROSS	371 E GLA		HERMIST	OR	97838	4N2811CB	1200	127826
GROSS FF %BOATRI	625 HERM	HERMIST	OR	OR	97838	4N2811CB	1300	127829
SEVERSON ROBERT	945 W RID		HERMIST	OR	97838	4N2811CB	1400	127832
PIERSOL MICHAEL &	394 E GLA		HERMIST	OR	97838	4N2811CB	5600	131494
TRUKOSIT WUERZBL	CMR 475 E	APO AE			9036	4N2811CB	5700	131495
KELLEY ADAM E & SI	368 E GLA		HERMIST	OR	97838	4N2811CB	5800	131496
KROGH MARTIN A	174 W HEI		HERMIST	OR	97838	4N2811CB	5900	131497
KNUTZ JACKIE H & C	79551 CA	STANFIEL	OR	OR	97875	4N2811CB	6000	131498
EASTERN ORE PUBL	PO BOX 1	PENDLET	OR	OR	97801	4N2811CB	6100	131499
PACHECO JUAN M	PO BOX 9		HERMIST	OR	97838	4N2811CB	6200	131500
TERJESON ISABEL	525 SE 4TI		HERMIST	OR	97838	4N2811CB	6300	131501
BANK OF / %ARTHUF	PO BOX 1	SAN FRAN	CA	CA	94119	4N2811CB	6400	131502
EAST OREGONIAN P	PO BOX 1	PENDLET	OR	OR	97801	4N2811CB	6500	131503
LUKE ROBERT D & B	PO BOX 1		HERMIST	OR	97838	4N2811CB	6600	131504
COUCH DELBERT M	373 E MAII		HERMIST	OR	97838	4N2811CB	6700	131505
HEXUM ROGER L & (4930 DOVI	W RICHLA	WA	WA	99353	4N2811CB	6800	131506
COLLIER DIANE J & L	81249 ALP		HERMIST	OR	97838	4N2811CB	6900	131507
BROWN D %BROWN	PO BOX 5		HERMIST	OR	97838	4N2811CB	7000	131508
PATRICK JOSEPH D	120 SE 4TI		HERMIST	OR	97838	4N2811CB	7100	131510
PETERSEI %HOPKIN	620 NSE K	GRESHAM	OR	OR	97030	4N2811CB	7200	131511
NEWMAN EDWARD (29701 FEE		HERMIST	OR	97838	4N2811CB	7300	131512
SHERRELL RICHARD	PO BOX 2		HERMIST	OR	97838	4N2811CB	7400	131513
INLAND EI %SHERRE	PO BOX 2		HERMIST	OR	97838	4N2811CB	7500	131514
US WEST CORP TA	6300 S SYI	ENGLEWC	CO	CO	80111	4N2811CB	7600	139650
US WEST CORP TA	6300 S SYI	ENGLEWC	CO	CO	80111	4N2811CB	7800	131515
US WEST CORP TA	6300 S SYI	ENGLEWC	CO	CO	80111	4N2811CB	7900	131516
US WEST CORP TA	6300 S SYI	ENGLEWC	CO	CO	80111	4N2811CB	8000	131517
WHITLOCK SAMUEL	28200 HW	UMATILLA	OR	OR	97882	4N2811CB	8100	131518
FROST ALBERT J & I	80752 HW		HERMIST	OR	97838	4N2811CB	8200	131519
DOMINGU UMANA-D	395 E HUF		HERMIST	OR	97838	4N2811CB	8300	131520
BRESHAHAN HARRY	PO BOX 1		HERMIST	OR	97838	4N2811CB	9900	131534
HALE ROBERT C & R	PO BOX 1		HERMIST	OR	97838	4N2811CB	10100	131535
TERJESON ISABELLE	525 SE 4TI		HERMIST	OR	97838	4N2811CB	10200	131536
BONNEY C %BONNEY	80257 REE		HERMIST	OR	97838	4N2811CB	10300	131537
KEIMIG DWAYNE E &	PO BOX 8		HERMIST	OR	97838	4N2811CA	3300	127454
TREVINO VINCENT T	419 E GLA		HERMIST	OR	97838	4N2811CA	3400	127456
FIGG DONALD R & A	423 E GLA		HERMIST	OR	97838	4N2811CA	3500	127458
BURKE WILLIAM H & P	O BOX 9		HERMIST	OR	97838	4N2811CA	3600	127460
HARMON . HARMON .	PO BOX 5		HERMIST	OR	97838	4N2811CA	3700	127462
BURNS PAUL & BILLI	140 SW BL		HERMIST	OR	97838	4N2811CA	4200	127474
SCHROTH NORMAN	PO BOX 8		HERMIST	OR	97838	4N2811CA	4400	127477
SCHROTH NORMAN	PO BOX 8		HERMIST	OR	97838	4N2811CA	4500	127480
SCHROTH %SCHROTH	PO BOX 8		HERMIST	OR	97838	4N2811CA	4600	127482
SCHROTH %SCHROTH	PO BOX 8		HERMIST	OR	97838	4N2811CA	4700	127484
FLINT DELWIN G & C	455 E MAII		HERMIST	OR	97838	4N2811CA	4800	127487
ARMSTRC DBA AA IN	11400 AIRI	EVERETT	WA	WA	98204	4N2811CA	4900	127504

ANDERSON GEORGE 625 W DIV HERMISTON	97838 4N2811CA	5000	127505
B P O E #1480 E MAIL HERMISTON	97838 4N2811CA	9900	135467
HERMISTON ELKS L (PO BOX 8) HERMISTON	97838 4N2811CA	10000	127690
HERMISTON ELKS L (PO BOX 8) HERMISTON	97838 4N2811CA	10100	127692
FERRANTI %FERRAN 408 E MAIL HERMISTON	97838 4N2811CA	10200	127694
FERRANTI %FERRAN 408 E MAIL HERMISTON	97838 4N2811CA	10300	127696
FERRANTI %FERRAN 408 E MAIL HERMISTON	97838 4N2811CA	10301	127698



Planning Department
180 N.E. 2nd Street
Hermiston, OR 97838-1860
Phone (541) 567-5521 • Fax (541) 567-5530
E-mail: planning@hermiston.or.us

July 24, 2001

Dear Property Owner:

The City of Hermiston Planning Commission will hold a public hearing on Wednesday, August 8, 2001, at or after 7:00 pm in the council chambers of the city hall, 180 NE 2nd Street, Hermiston, Oregon. The purpose of the hearing is to consider a request for a variance from §157.176 of the Hermiston Code of Ordinances which requires retail stores to provide 1 parking space for each 200 square feet of floor area. There are no parking spaces presently provided at the proposed location. Therefore, the applicant has requested a 100% variance from this requirement. Linda Miller, the applicant has requested the variance prior to remodeling the existing Dres-Well Cleaners building located at 379 E Main Street into a pet shop.

The planning commission may authorize variances from the Code of Ordinances where it can be shown that, owing to special and unusual circumstances, strict application of the zoning ordinance would cause an undue or unnecessary hardship. In granting a variance, the planning commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or neighborhood. The planning commission will not take action until the hearing is complete and adjacent property owner concerns are heard.

The specific criteria relied upon by the planning commission are contained in Section 157.225(A)(1) of the Hermiston Code of Ordinances. In granting a variance, the applicant must demonstrate the following:

1. Exceptional or extraordinary conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of the lot size, topography or other circumstances over which the applicant has no control.
2. The variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same zone or vicinity.
3. The authorization of the variance shall not be materially detrimental to the purpose of this ordinance, be injurious to the property in the zone or vicinity in which the property is located, or be otherwise detrimental to the objective of any development pattern or policy.
4. It is impractical to maintain the zoning code requirements and, at the same time, build, erect or use the structure as desired.

Failure to raise an issue during the hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the planning commission an opportunity to respond to the issue precludes

precludes appeal to the Land Use Board of Appeals (LUBA) or the city council based upon that issue. An appeal will be on the record unless directed otherwise by the city council.

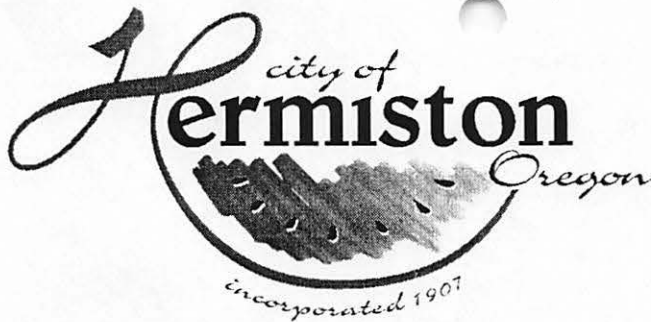
A copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost. A copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing and will be provided at reasonable cost.

The public hearings process begins with the staff report, followed by testimony from the applicant and any other supporters of the application. This will be followed by opponents to the application. Finally, a rebuttal by the applicant will be allowed. The public hearing portion of the procedure will then be closed, and the planning commission will consider the information and testimony received and may render a decision. Written testimony will be received until 5:00 p.m., August 8, 2001, at the planning department office in city hall. Oral testimony will be received during the hearing. If you have any questions, please feel free to contact me at (541)567-5521.

Sincerely,



Steven E. Sokolowski
City Planner



Planning Department
180 N.E. 2nd Street
Hermiston, OR 97838-1860
Phone (541) 567-5521 • Fax (541) 567-5530
E-mail: planning@hermiston.or.us

July 24, 2001

Bob Perry
Umatilla County Planning Department
216 SE 4th Street
Pendleton, OR 97801

Dear Bob:

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4. It is impractical to maintain the zoning code requirements and, at the same time, build, erect or use the structure as desired.

Failure to raise an issue during the hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the planning commission an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA) or the city council based upon that issue. An appeal will be on the record unless directed otherwise by the city council.

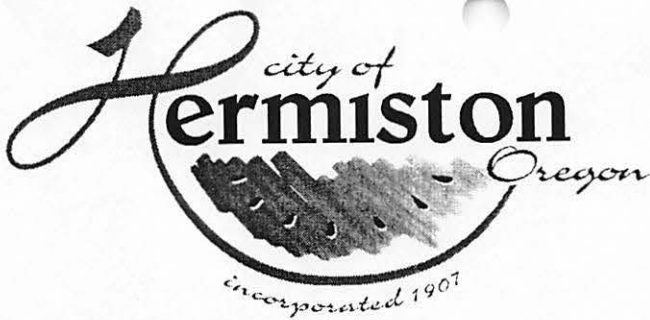
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Sincerely,



Steven E. Sokolowski
City Planner



Planning Department
180 N.E. 2nd Street
Hermiston, OR 97838-1860
Phone (541) 567-5521 • Fax (541) 567-5530
E-mail: planning@hermiston.or.us

July 24, 2001

Chuck Wilcox
Hermiston Irrigation District
366 E Hurlburt Ave
Hermiston, OR 97838

Dear Chuck:

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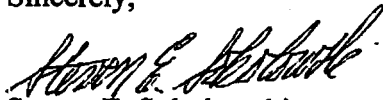
4. It is impractical to maintain the zoning code requirements and, at the same time, build, erect or use the structure as desired.

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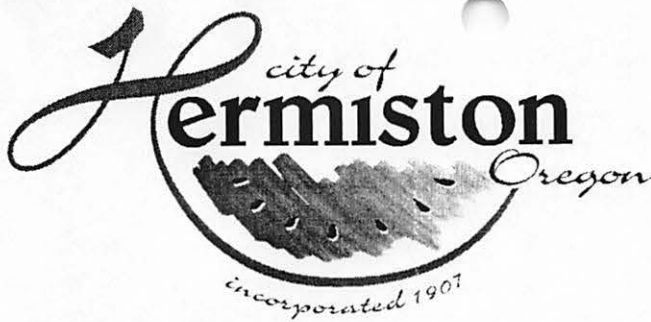
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Sincerely,



Steven E. Sokolowski
City Planner



Planning Department
180 N.E. 2nd Street
Hermiston, OR 97838-1860
Phone (541) 567-5521 • Fax (541) 567-5530
E-mail: planning@hermiston.or.us

July 24, 2001

George Ruby
Oregon Department of Transportation
1327 SE 3rd Street
Pendleton, OR 97801

Dear George:

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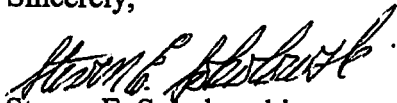
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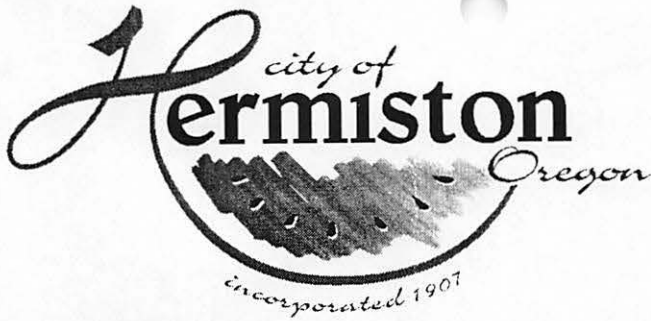
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Sincerely,



Steven E. Sokolowski
City Planner



Planning Department
180 N.E. 2nd Street
Hermiston, OR 97838-1860
Phone (541) 567-5521 • Fax (541) 567-5530
E-mail: planning@hermiston.or.us

July 24, 2001

Hal Phillips
Umatilla County Road Department
3920 Westgate
Pendleton, OR 97801

Dear Hal:

The City of Hermiston Planning Commission will hold a public hearing on Wednesday, August 8, 2001, at or after 7:00 pm in the council chambers of the city hall, 180 NE 2nd Street, Hermiston, Oregon. The purpose of the hearing is to consider a request for a variance from §157.176 of the Hermiston Code of Ordinances which requires retail stores to provide 1 parking space for each 200 square feet of floor area. There are no parking spaces presently provided at the proposed location. Therefore, the applicant has requested a 100% variance from this requirement. Linda Miller, the applicant has requested the variance prior to remodeling the existing Dres-Well Cleaners building located at 379 E Main Street into a pet shop.

The planning commission may authorize variances from the Code of Ordinances where it can be shown that, owing to special and unusual circumstances, strict application of the zoning ordinance would cause an undue or unnecessary hardship. In granting a variance, the planning commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or neighborhood. The planning commission will not take action until the hearing is complete and adjacent property owner concerns are heard.

The specific criteria relied upon by the planning commission are contained in Section 157.225(A)(1) of the Hermiston Code of Ordinances. In granting a variance, the applicant must demonstrate the following:

1. Exceptional or extraordinary conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of the lot size, topography or other circumstances over which the applicant has no control.
2. The variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same zone or vicinity.
3. The authorization of the variance shall not be materially detrimental to the purpose of this ordinance, be injurious to the property in the zone or vicinity in which the property is located, or be otherwise detrimental to the objective of any development pattern or policy.

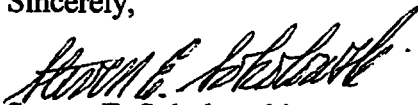
4. It is impractical to maintain the zoning code requirements and, at the same time, build, erect or use the structure as desired.

Failure to raise an issue during the hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the planning commission an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA) or the city council based upon that issue. An appeal will be on the record unless directed otherwise by the city council.

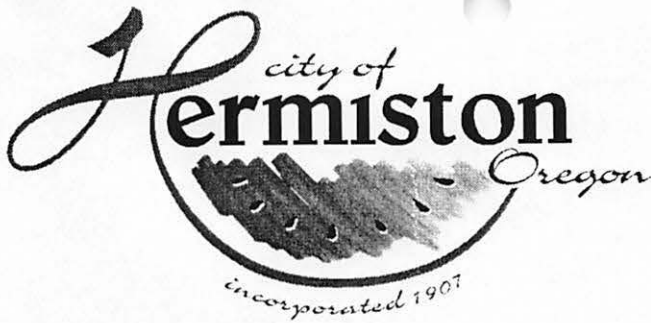
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Sincerely,



Steven E. Sokolowski
City Planner



Planning Department
180 N.E. 2nd Street
Hermiston, OR 97838-1860
Phone (541) 567-5521 • Fax (541) 567-5530
E-mail: planning@hermiston.or.us

July 24, 2001

Manfred Jaehnig
Cultural Resources Protection Program
Confederated Tribes of Umatilla
PO Box 638
Pendleton, OR 97801

Dear Mr. Jaehnig:

The City of Hermiston Planning Commission will hold a public hearing on Wednesday, August 8, 2001, at or after 7:00 pm in the council chambers of the city hall, 180 NE 2nd Street, Hermiston, Oregon. The purpose of the hearing is to consider a request for a variance from §157.176 of the Hermiston Code of Ordinances which requires retail stores to provide 1 parking space for each 200 square feet of floor area. There are no parking spaces presently provided at the proposed location. Therefore, the applicant has requested a 100% variance from this requirement. Linda Miller, the applicant has requested the variance prior to remodeling the existing Dres-Well Cleaners building located at 379 E Main Street into a pet shop.

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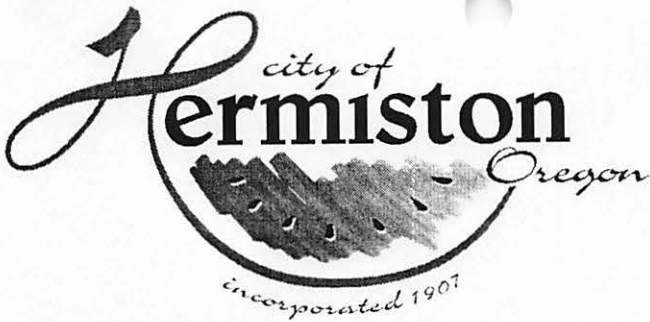
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Sincerely,



Steven E. Sokolowski
City Planner



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180 N.E. 2nd Street
Hermiston, OR 97838-1860
Phone (541) 567-5521 • Fax (541) 567-5530
E-mail: planning@hermiston.or.us

July 24, 2001

Barb Hill
Bureau of Reclamation
32871 Diagonal Road
Hermiston, OR 97838

Dear Ms. Hill:

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Sincerely,



Steven E. Sokolowski
City Planner

AFFIDAVIT OF PUBLICATION

State of Oregon)
) ss.
County of Umatilla)

#47.70

I, Claudia Stewart, being first duly sworn
depose and say that I am the publisher of The Hermiston
Herald, a newspaper of general circulation, as defined
by sections ORS 193.010 and 193.020, printed and
published at Hermiston in the aforesaid county and
state; that the

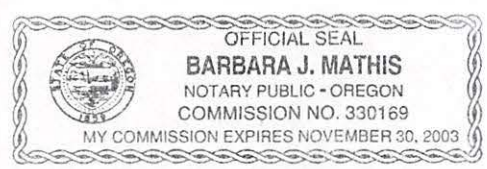
Legal #2656, a printed copy of which
is hereto annexed, was published in the entire issue of
said newspaper for one successive and consecutive
weeks in following issues:
July 24, 2001

[Handwritten Signature]

Subscribed and sworn to before me this 26th
day of July, 2001

[Handwritten Signature: Barbara J. Mathis]
Notary Public for Oregon

My commission expires 11-30-2003




NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN that the Hermiston Planning Commission will hold a public hearing on the 8th day of August, 2001, at or after 7:00 p.m. in the council chambers of the city hall, 180 N.E. 2nd Street, Hermiston, Oregon. The purpose of the hearing is to consider a request for a variance from § 157.176 of the Hermiston Code of Ordinances which establishes that a retail store must provide 1 parking space for every 200 square feet of floor area. There are presently no parking spaces provided. Therefore, the applicant requests a 100% variance from this requirement.
The applicant is Linda Miller. The property is described as 4N 28 11CB Tax Lot 6700. If the variance is granted, the applicant proposes to remodel the existing Dres-Well Cleaners building located at 379 Main Street into a pet shop.
All interested persons are encouraged to attend. Questions, comments or correspondence should be addressed to the City of Hermiston Planning Department, 180 N.E. 2nd Street, Hermiston, OR 97838. The phone number is (541) 567-5521.
/s/ Robert D. Irby,
City Recorder
Published: July 24, 2001.
#2656.

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City Recorder (Robert D. Irby)

Publish: July 24, 2001

AA.

OFFICIAL RECEIPT
CITY OF HERMISTON
 180 N.E. 2ND STREET
 HERMISTON, OREGON 97838
 (541) 567-5521

ACCT. NO. 19100 DATE 7-11
 REC'D. FROM ELIZABETH BURKE

CASH	CHECK	OTHER	AMOUNT
	4923		\$ 275.00

VARIANCE APP

PAID BY _____

	TOTAL	275 00
29116	REC'D. BY	<i>[Signature]</i>

WILLIAM H. BURKE
ELIZABETH A. BURKE
 P.O. BOX 911 541-567-7018
 HERMISTON, OR 97838

Pay to the Order of City of Hermiston \$ 275.00
Two Hundred Seventy Five and 00/100 Dollars

Bank of America
 Hermiston 2890 Oregon

Date 07/11/01

4923
 24-7038/3230 OR 2890

For 132307038014923 2890 2 1 1 2 1

[Signature]

GUARDIAN SAFETY YELLOW INK