STAFF REPORT

CASE NO.:   CU-78-06
             V-78-01
SUBJECT: Conditional Use & Variance

LOCATION: N. W. 3rd & N. W. Washington

APPLICANT: William Wahl

I. BASIC FACTS

    A. Current zoning is R-3 (multiple family)

    B. Parcel data
            Dimensions and size = 93x100 = 9300 sq. ft. (approximate)

    C. Existing structures
            None

    D. Access
            The lot is accessible from either N. W. Washington or N. W. 3rd

    E. Public services
            Water - Existing 10" line on Washington Street
            Sewer - Existing 8" line on Washington Street
            Drainage - Existing 8" line on Washington Street

II. FINDINGS

    A. The applicant seeks a conditional use with variance to permit construc-
        tion of a duplex. The parcel is currently vacant.

    B. Lot size is approximately 9300 sq. ft. The current minimum lot size
        requirements for two family dwellings is 10,000 sqare feet.

    C. Required findings (Ord. 588, Art. VI Sec. 6.02 and Art. VIII Sec. 8.02)

        1. Adequacy of Public Services and Facilities
                Sanitary sewer, storm sewer, water, street access, electrical
                distribution, parks, schools and public safety are available
                and adequate.

                Sidewalks and a planned bikeway section are needed to service
                the site.

        2. Conformance with the Comprehensive Plan and Implementing Ordinances.
                The proposal is in conformance with existing zoning except with
                regard to the lot size for which a variance is herein requested
                and is in conformance with the Comprehensive Plan to the extent
                that it has been adopted.

        3. Public Need
                There is a need for multi-family housing units as evidenced by
                low vacancy rates and local housing shortages caused by restricted
                sewer service.

4. Location of Use

    The public need would be best served by the location of the proposed use on the property in question considering other available property.

5. Adverse Effects

    No significant adverse effects that cannot be addressed by conditions on approval are foreseen.

6. Extraordinary circumstances exist which would be appropriately addressed by granting the variance requested. They include:

    A. The lot preexisted the Sherwood Zoning Ordinance.
    B. The highest and best economic use cannot be achieved for the parcel without granting the variance.
    C. The lot lacks but 700 square feet from the standard requirement of the zone for a duplex.

7. The variance is necessary to preserve the property right of the owner substantially the same as owners of other property in the same zone or vicinity.

8. The variance would not be detrimental to the purposes of the Sherwood Zoning Ordinance, or other policy or to property in the zone in which it is located.

9. The variance would be the minimum required to alleviate the hardship

III. STAFF RECOMMENDATIONS

The staff recommends approval of the applicants request based on the above findings with the following conditions:

1. That the applicant enter into a nonremonstrance agreement for any future water, sewer, or drainage local improvement district benefitting the subject property.

2. That the applicant construct the following to adequately serve the proposed development:

    An (8) eight foot combination sidewalk and bikepath along the property's Washington Street frontage.

APPROVED MINUTES

The meeting was called to order by Vice Chairman Taylor with members Clyde List, Al Swenson, Paul Clayton and Lloyd McFall present. Also attending were William Wahl, Jim Parr, Glenn Huitt, Beverly Huitt, Joanna Aebischer, Mildred Delker, Marge Stewart, Wilton Turner, and Todd Dugdale, City Planner.

PUBLIC HEARING FOR CONDITIONAL USE AND VARIANCE FOR WILLIAM WAHL

The Public Hearing was opened. Mr. Wahl stated that he wanted to build a duplex at N. W. 3rd & Washington Sts., that the property is zoned R-3 (multiple family), and he plans a ranch style building. A duplex requires 10,000 sq. ft. and this lot has 9,300 sq. ft.

Mr. Turner stated that a lot of pieces of property in the city are zoned for a certain type of building but do not have the required square footage and felt that something should be done to correct this situation.

Jim Parr stated that he could not see how a duplex could be built on this property with sidewalks on two sides and landscaping.

Mr. Huitt stated that he was against having rental units as opposed to a single family residential unit and also that parking can be a problem on 3rd Street. He said he was not opposed to a good attractive building but felt there were other sites available for duplexes.

Mrs. Delker said she felt there was a need for using available land to revitalize the downtown area and encourage new buildings to be built.

The Public Hearing was closed.

Marsha Taylor stated that she was against allowing this variance because of the lack of 10,000 sq. ft. Al Swenson stated that he was against this use and felt it should be single family residential.

Al Swenson made a motion to deny the conditional use and variance for William Wahl as proposed. Marsha Taylor seconded the motion and the motion passed with four in favor and one opposed.

APPROVAL OF MINUTES

Paul Clayton moved and Al Swenson seconded approval of the minutes of July 18. The motion passed unanimously.

SELECTION OF CHAIRMAN AND VICE CHAIRMAN

It was decided to schedule the election of a chairman and vice chairman for the regular business meeting in September.

SEPTEMBER MEETINGS -   September 5 - Workshop (NOW CANCELLED)

September 19 - Regular business meeting

UPDATE ON PLANNING

Todd Dugdale stated that a consultant on Transportation Planning will be meeting with the Park Board and Planning Commission. Al Swenson will be the liaison person with the Park Board. Todd also advised that we have advertised for consultants on the Environmental Resources Element, Traffic Engineering, Community

Facilities and Services, and their findings will be presented to the Planning Commission in the near future. The Port of Portland will be submitting an alternative layout for the industrial area soon.

The meeting adjourned.

Gertie

Gertie Hannemann, Secretary