

VARIANCE APPLICATION

No. 2024-02

Applicants: Debra Reeves and Bryce Zehrung

Location: 101 South Miller Street



STAFF REPORT

- Property Information
- Applicant's Request
- Images & Maps
- Public Comment Received
- Criteria for Granting a Variance
- Analysis of Application
- Planning Commission Action

PROPERTY INFORMATION



Property Location

The property is located at 101 South Miller Street in Rockaway Beach and is further identified on Tillamook County Assessor's Map # 2N1032CC Lot #9600.

Lot Size

Approximately 4,987 square feet.

Zoning Designation

C1 (Commercial Zoning)

Surrounding Land Use

The subject property is surrounded by mixed-use property to the South, commercial property to the West, the railroad and Highway 101 to the East, and the wayside public parking lot to the North.

Existing Structures

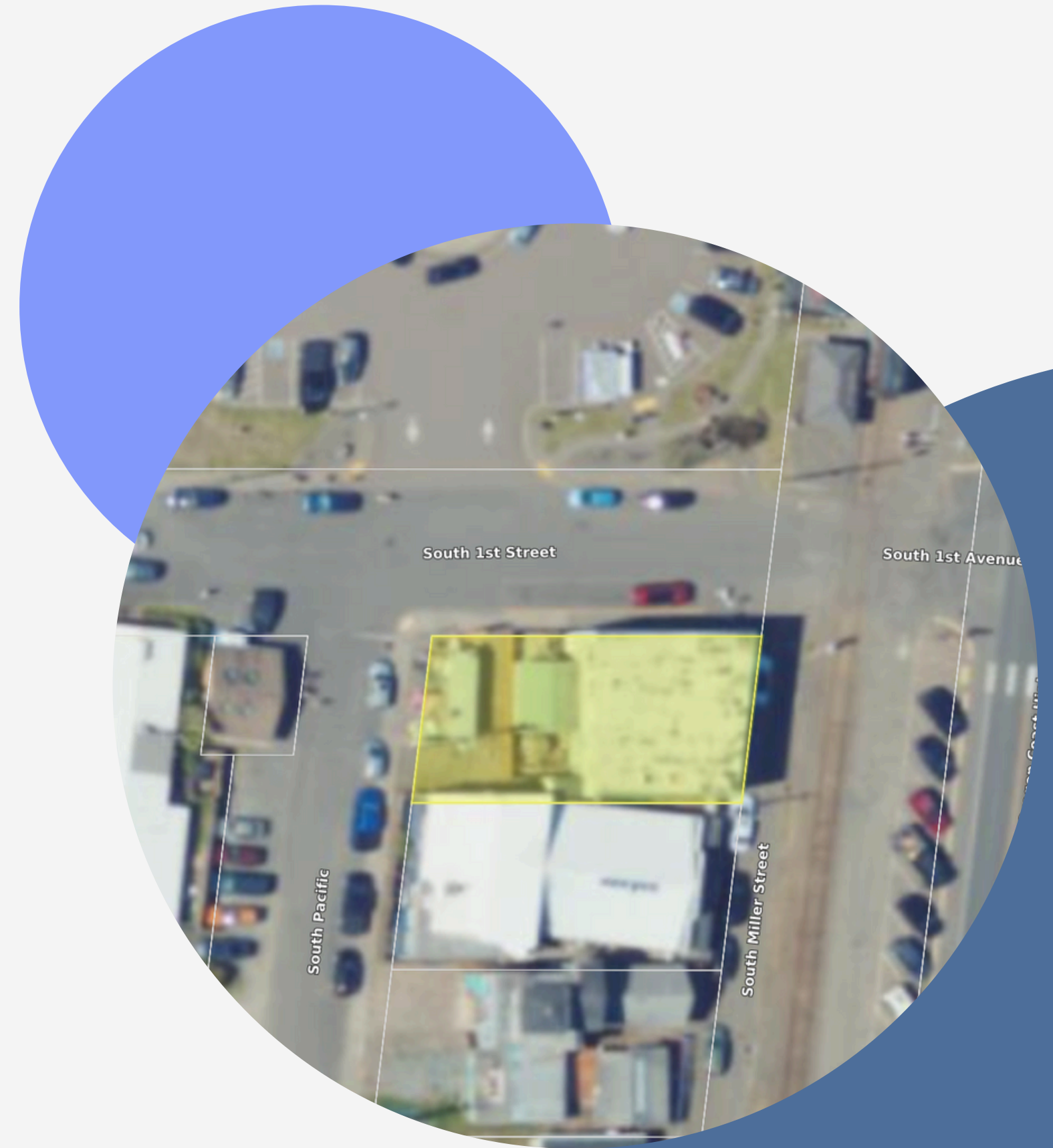
There is a two-story mixed-use building on this property that was constructed in 1920.

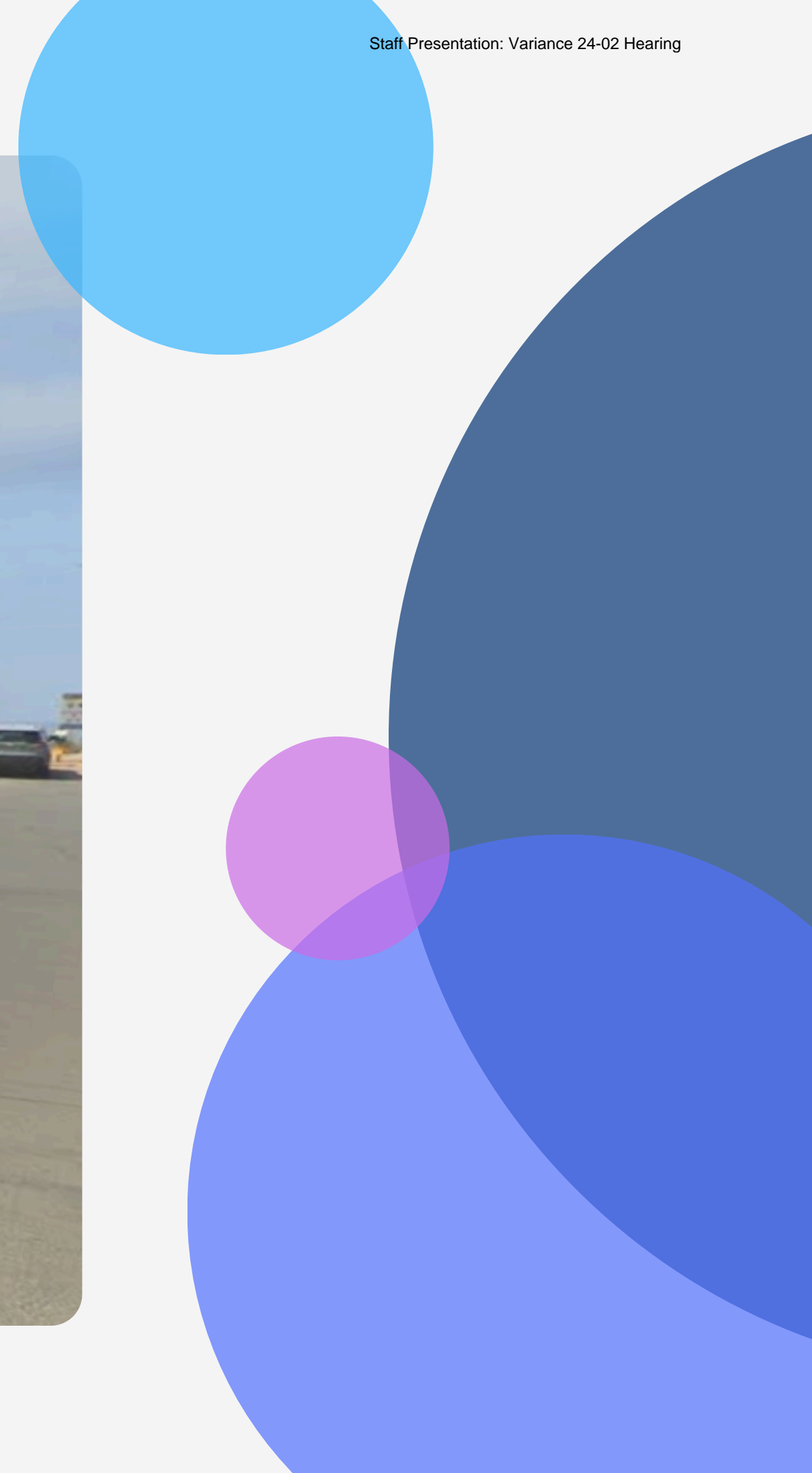
Development Constraints

None that will impact this request.

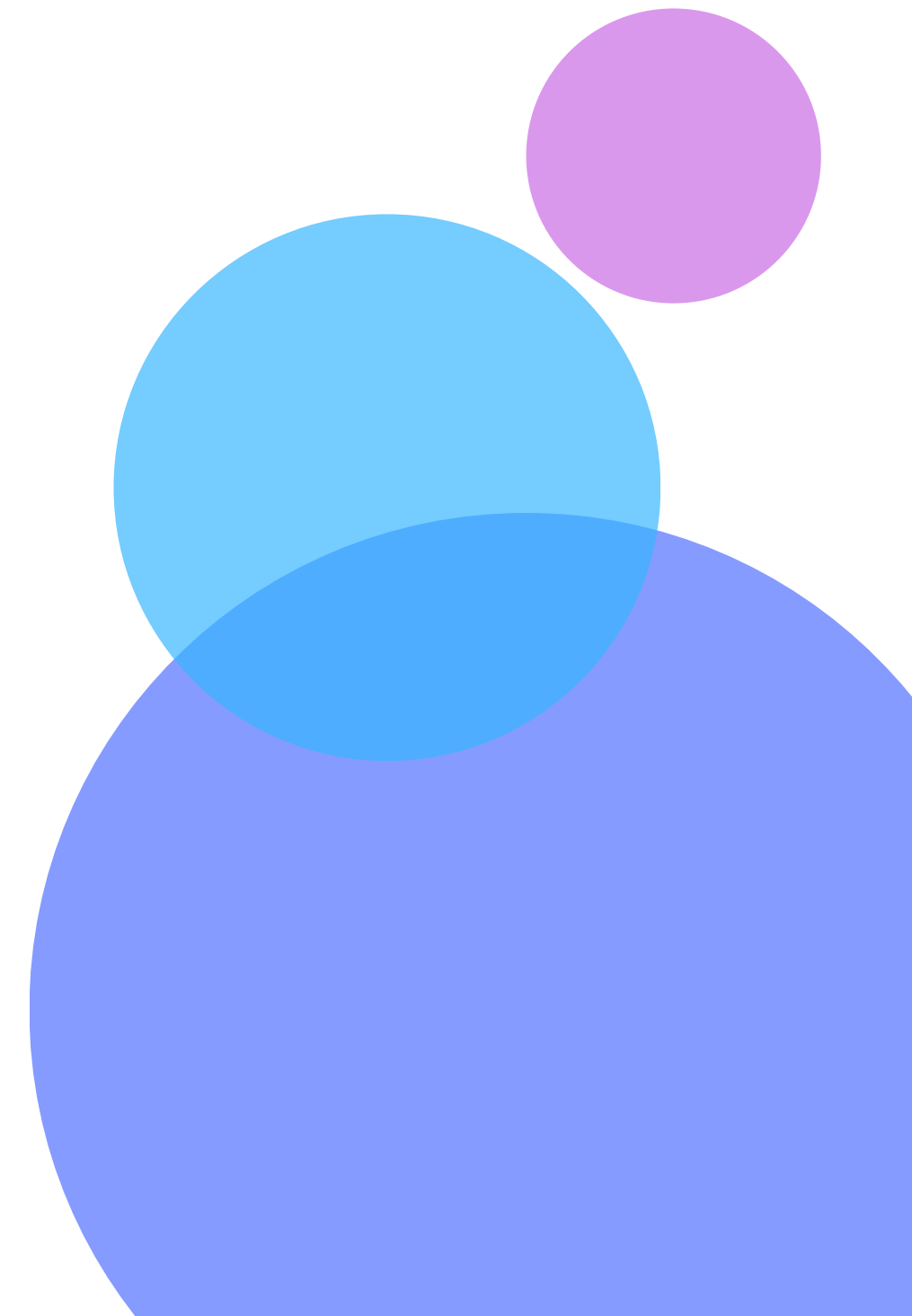
APPLICANT'S REQUEST

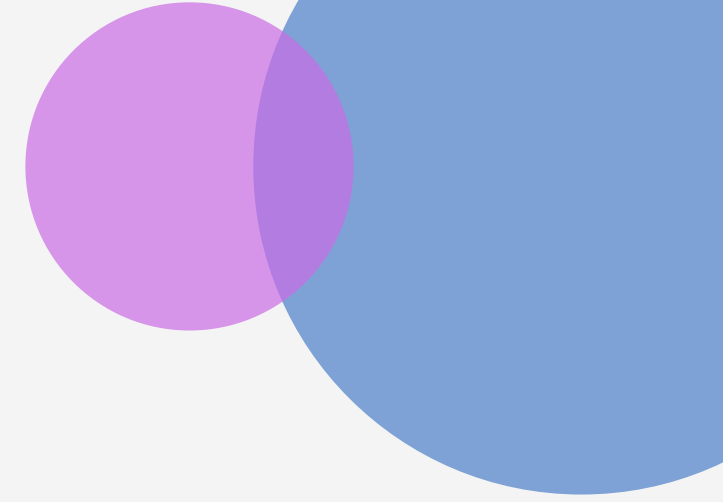
- The Applicants are requesting a variance to reduce the number of required parking spaces for their proposed mixed-use building from six parking spaces to two. The Applicants seek to construct three story mixed-use building which would consist of commercial space on the bottom floor, two dwelling units on the second floor, and a third dwelling unit on the third floor. No parking is required for the commercial space. Two parking spaces are required for each of the dwelling units.
- The subject property currently has a two-story mixed-use building that was constructed in 1920.



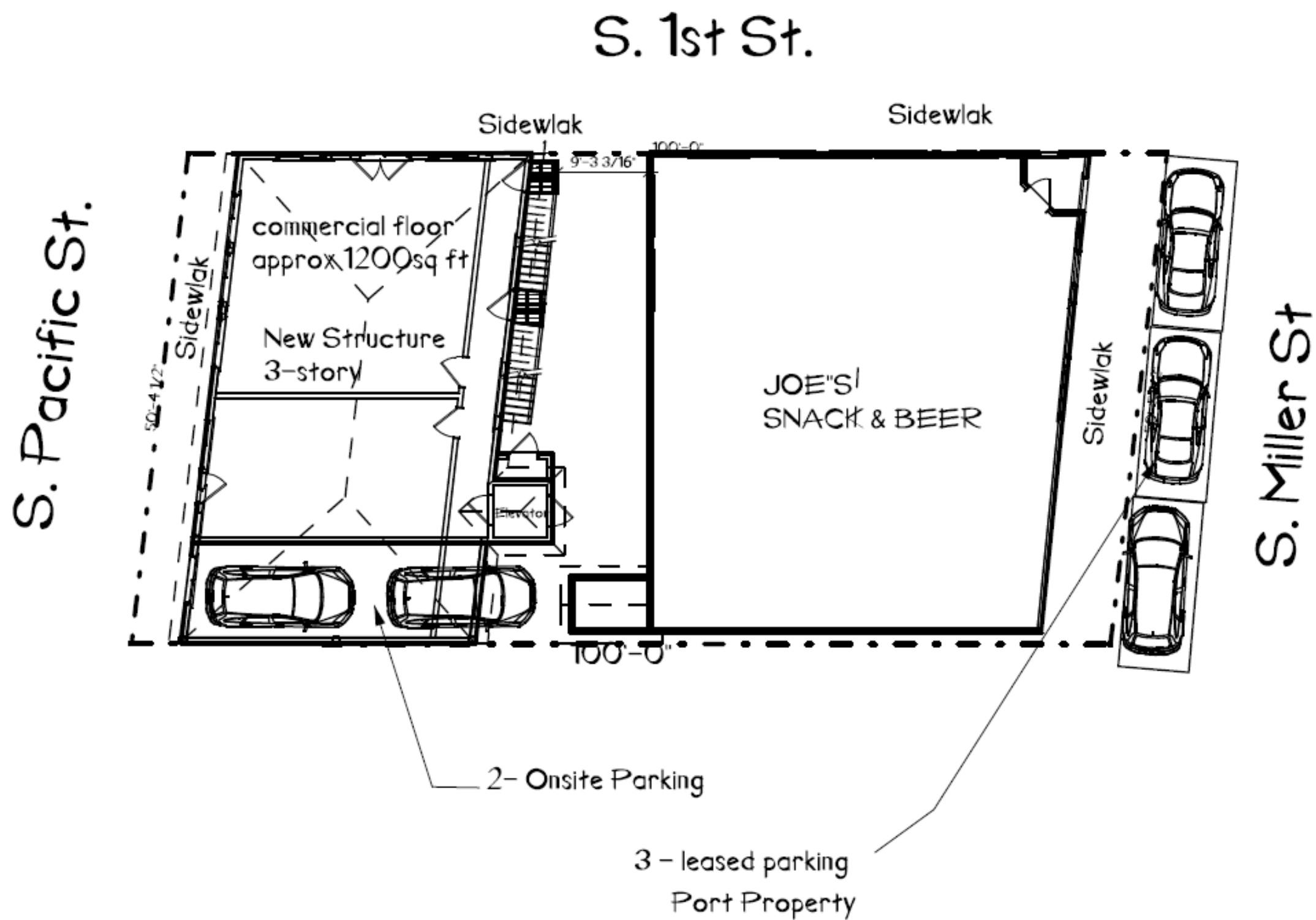


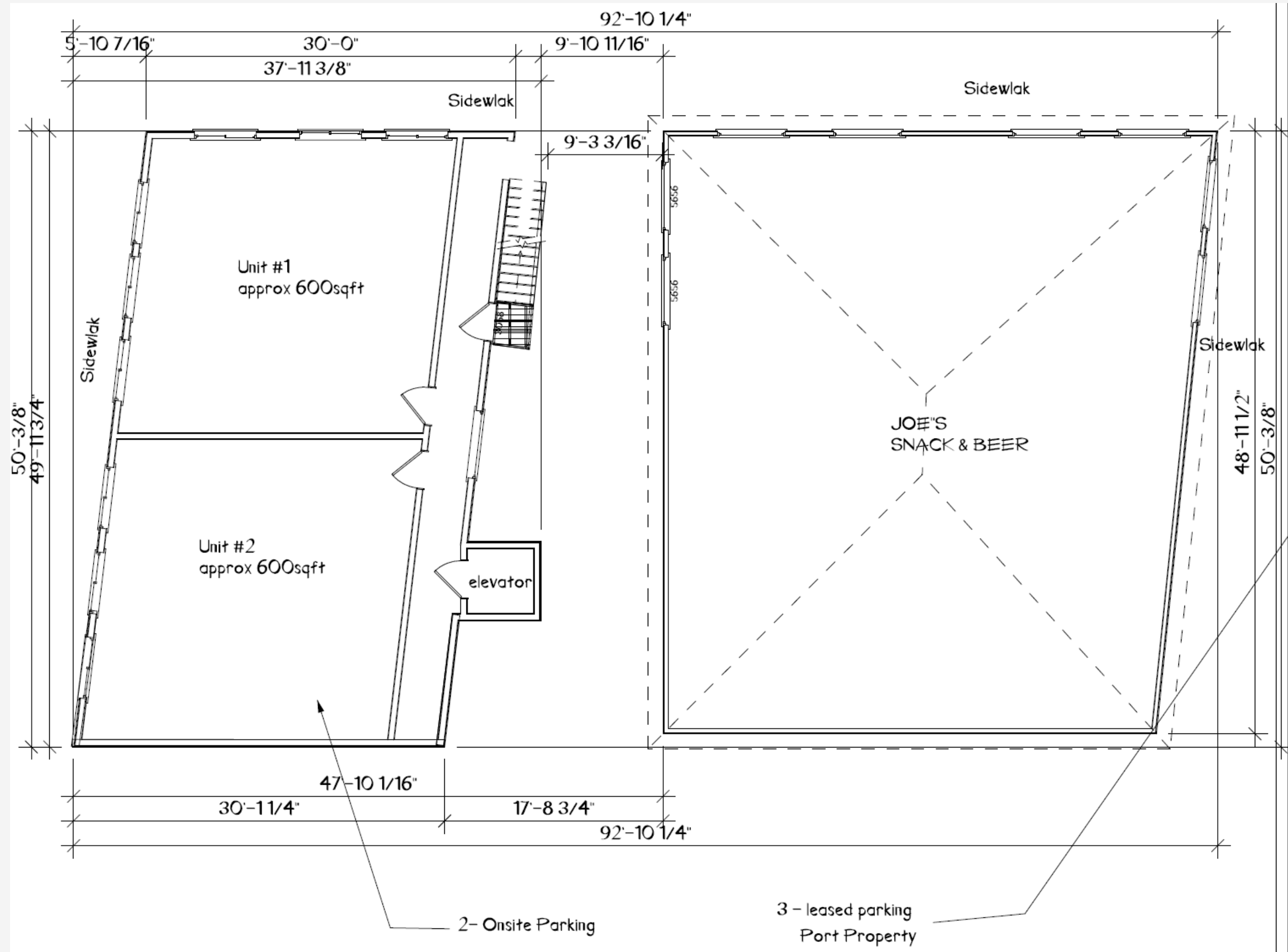
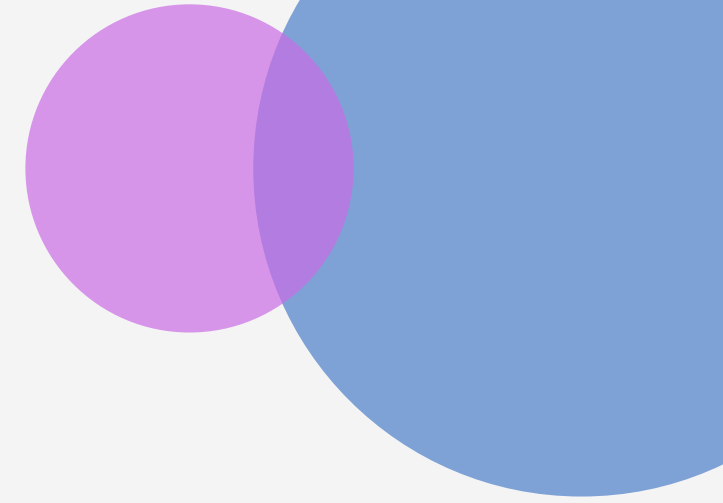


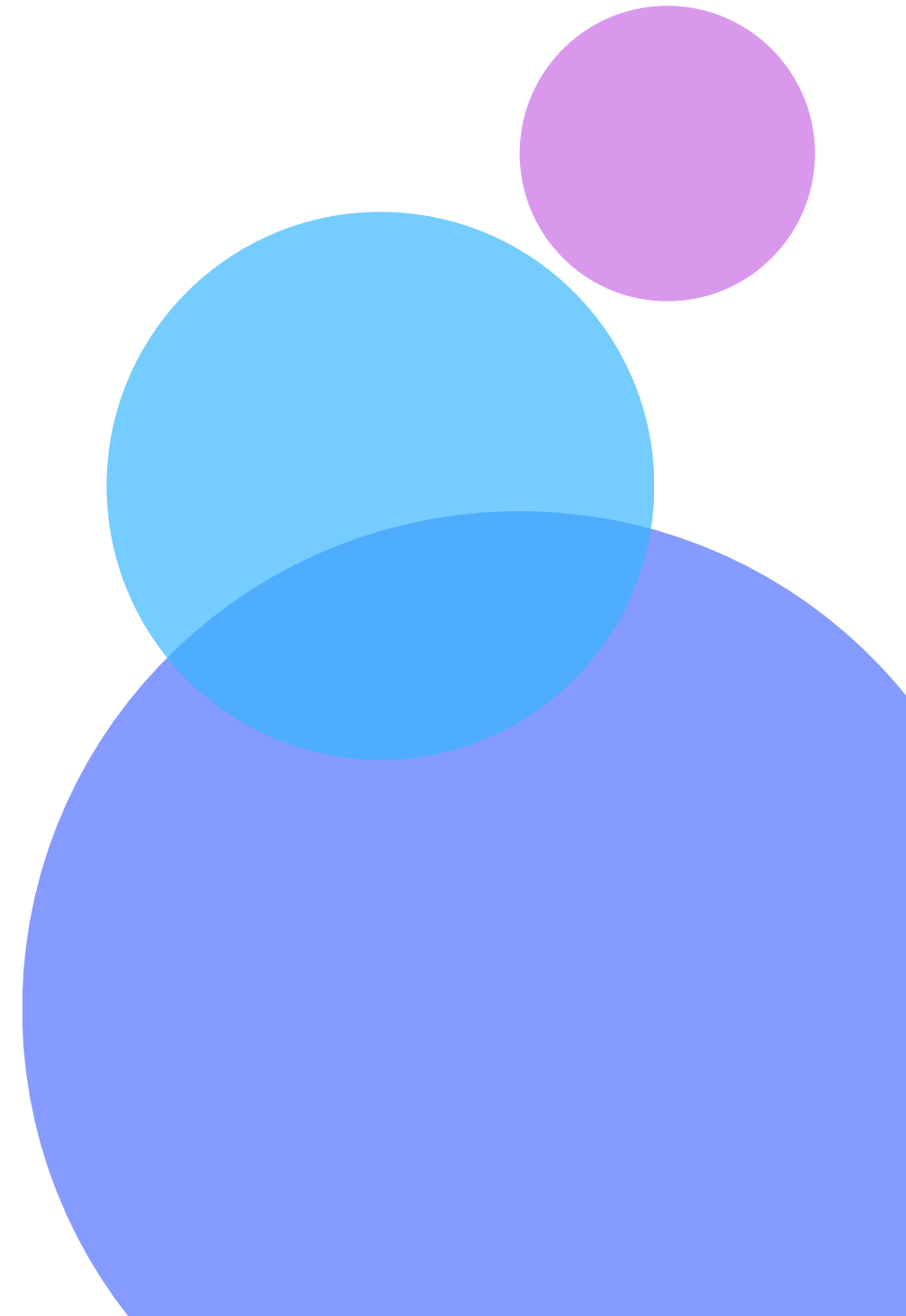
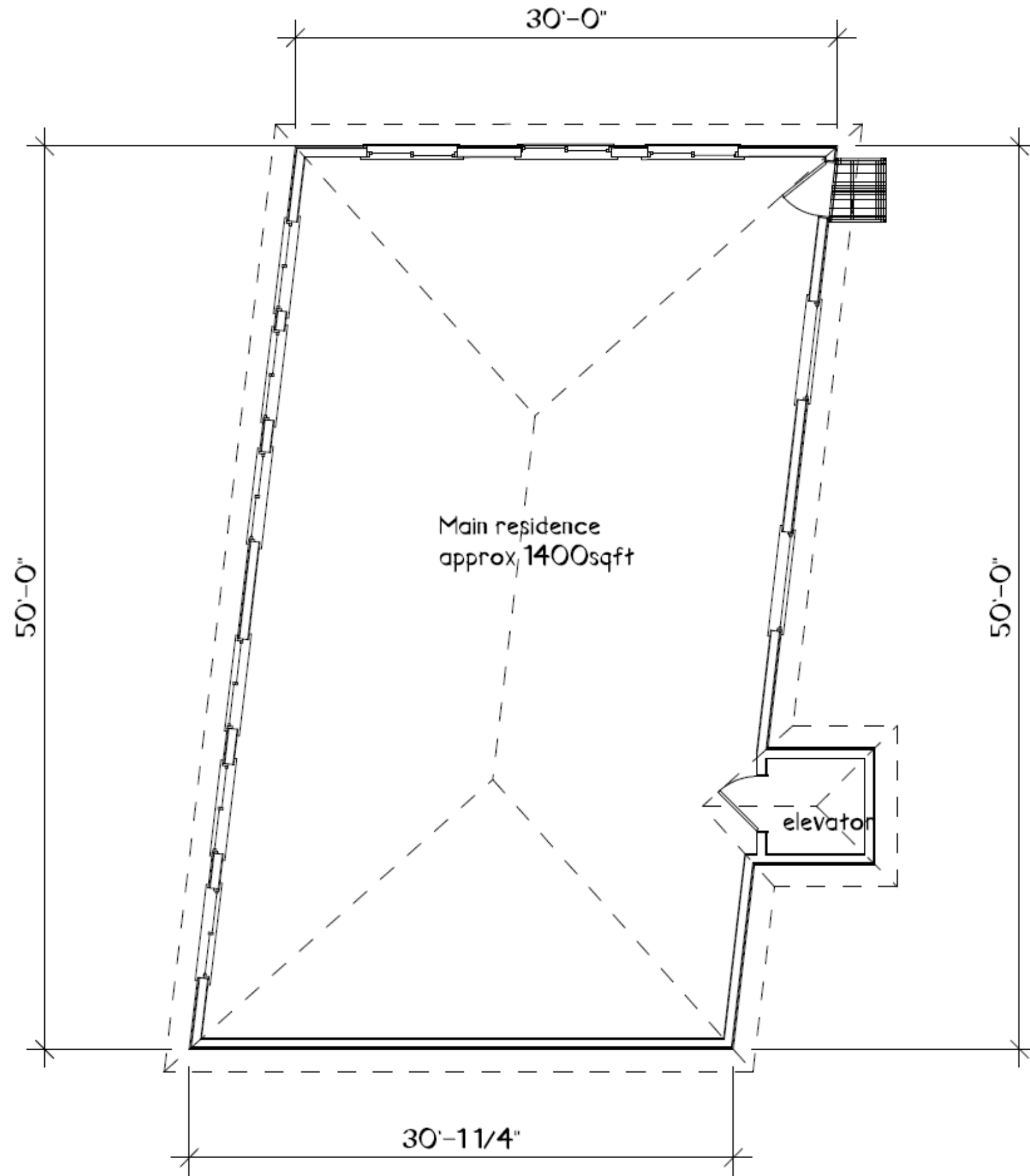














**PUBLIC
COMMENT
RECEIVED**

Testimony Opposed to the Application

- Elizabeth Vermeulen and Alice Pyne
- Carolyn Walters

Testimony in Support of the Application

- None

CRITERIA FOR GRANTING A VARIANCE

Variances to requirements of this chapter with respect to off-street parking and loading facilities may be authorized as applied for or as modified, if, on the basis of the application, investigation, and the evidence submitted, the following express written findings are made:

- That neither present nor anticipated future traffic volumes generated by the use of the site or use of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the requirements of this chapter;
- That the granting of the variance will not result in the parking or loading of vehicles on public streets in such a manner as to materially interfere with the free flow of traffic on the streets;
- That the granting of the variance will not create a safety hazard or any other condition inconsistent with the general purpose of this chapter.

ANAYLSIS OF APPLICATION

That neither present nor anticipated future traffic volumes generated by the use of the site or use of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the requirements of this chapter;

Applicant states that granting this variance request would not impact current or future traffic volumes generated using the site or sites in the vicinity. The Applicant continued that the additional three leased parking spaces on Miller compensate for the lack of onsite parking. This leased space is currently used as parking spaces and do not, and will not, impede or modify current traffic and loading in the area.

Staff generally agree with the Applicant's assessment. However, Staff note the Miller Street lease may be cancelled at any time. Additionally, Staff acknowledge that granting the variance may lead to parking congestion in the area.

ANAYLSIS OF APPLICATION

That the granting of the variance will not result in the parking or loading of vehicles on public streets in such a manner as to materially interfere with the free flow of traffic on the streets.

The Applicants state that the leased parking spaces are currently used for and historically have been used as loading and unloading for the laundromat. Approval for the variance will not change the parking habits in the area or interfere with the free flow of traffic.

The Applicants have entered into a lease for three parking spaces on Miller, to make up for the lack of off-street parking available. The Applicant's state that this leased parking on Miller is current used for and historically has been used for loading and unloading for the laundromat. Staff question where these customers will now load and unload to use the Appliant's establishment and if they will choose to impede the free flow of traffic by loading and unloading on the street, since no on-street parking is available in front.

ANAYLSIS OF APPLICATION

That the granting of the variance will not create a safety hazard or any other condition inconsistent with the general purpose of this chapter.

The Applicant states that the granting of this variance would not create a safety hazard or other conditions inconsistent with this chapter.

Staff concur with the Applicant, that the granting of the variance would not create a safety hazard.

PLANNING COMMISSION ACTION



If, after hearing the evidence at the hearing, the Planning Commission agrees that sufficient facts exist to grant the variance, they should direct staff to write findings based on the evidence to permit the variance.

If they do not find that sufficient evidence exists to allow the variance, they should direct staff to write findings for denial of the variance.