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11/09/2020
City of White Salmon
100 N. Main Street
White Salmon, WA 98672

RE: Variance Approval Criteria Narrative

Dear City of White Salmon,

Thank you for your consideration in this matter regarding the removal of certain trees within our property for our upcoming house project. The City's municipal code specifies that Oregon white oak trees over 14" DBH are automatically regulated as heritage trees. Our subject lot is a relatively narrow 0.33ac parcel located on a forested hillside within the R-1 zone. Save for a single large ponderosa pine tree located on the lower portion of the property, the forest is comprised of tightly-spaced oak trees. We completed a first-pass at fire fuels reduction per DNR specifications 3 years ago, yet the existing tree spacing is such that, while some trees have technically reached the 14" DBH or larger threshold, most branching is excessively 'leggy' - with some larger DBH trees having no top at all due to natural shearing of the main trunk where it was too thin for support. There are several oak trees exceeding 14" DBH, some of which are in the path of the construction project while others are not. Due to the high ratio of forested-to-open land on our parcel, the need to remove trees is eminent to create any feasible residence.

Our house project includes our 3 bed/2.5 bath main residence (approx. 2150sf gross), a 2-car garage (approx. 24' x 24' footprint), a studio space located above the garage, a reasonable off-street parking and vehicle maneuvering area, and a relatively small yard area. Please refer to the attached site plan for more specific information but in summary, due to the narrow lot width and the fact that construction disturbance generally has more impact immediately down a slope rather than to either side or above (relative to tree roots and natural drainage patterns – IE the water a tree expects to receive), a comparatively narrow building width was chosen which transitions from the garage/studio/parking/yard area on the upper portion of the property outward to the lower portion of the property. The building is oriented perpendicular to the general slope and the foundation transitions to a post-and-pier system on strip footings, both of which were consciously chosen to minimize implied excavation depths and grading extent.

I would also like to point out that by zoning code up to 50% lot coverage is allowed in the R-1 zone. The approximate lot coverage implied by our proposal is 20% (250% less than the zoning limit). We do not view our proposed house project as excessive in any way, and believe we have designed this structure in a manner that negotiates the myriad of competing variables well.

Please see below for written narrative responses to the City's Variance Approval Criteria:

A. The variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zoning district in which the subject property is located.

- a. The proposal is to create a reasonably-sized house, a reasonable off-street vehicle parking and maneuvering area, and relatively small backyard. In no way does this imply special privilege beyond that of any other residential parcel within the City limits.

- B. The variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zoning district in which the subject property is located;**
- a. As discussed above, the parcel is relatively narrow and this is a reasonable house proposal. If one were to assume the small yard area and garage/vehicle parking & maneuvering area as necessary for reasonable enjoyment of one's property rights and basic function, then there is no practical way to create the livable building area needed for a family without infringing on the City's tree standards whether it was direct (as in a tree must be removed to create a building) or indirect (as in to create the necessary building area above the forest would imply a monumental grading project that would inherently impact the forest below). Due to the location of most of the subject trees, even if there were no building setbacks, it would still not be possible to create the necessary building area without infringing on the City's tree standards.
- C. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zoning district in which the subject property is located;**
- a. As eluded to in the preface discussion above, the proposal is designed to minimize a variety of impacts within and outside of the subject parcel.
- D. The special circumstances of the subject property make the strict enforcement of the provisions of this chapter an unnecessary hardship to the property owner;**
- a. See narrative response to Approval Criteria 'B'. Strict adherence to the City's tree standards would in fact render our lot unbuildable.
- E. The special circumstances of the subject property are not the result of the actions of the applicant;**
- a. This lot was created long before we purchased it. As stated, this is not an audacious proposal but rather a reasonable one that has consumed much thinking over how to best minimize impact.
- F. The variance is the minimum necessary to fulfill the purpose and the need of the applicant;**
- a. Yes this is correct – as discussed above this is a fair proposal designed to minimize its impact while providing enjoyment of the basic rights of a property owner within a residential zoning district.
- G. The variance is consistent with the purposes and intent of this chapter;**
- a. Per Municipal Code Chapter 17.80.058, "The purpose of the variance process is to provide a mechanism whereby the city may grant relief from the provisions of this chapter where practical difficulty renders compliance with the provisions of this chapter an unnecessary hardship, where the hardship is a result of the physical characteristics of the subject property and where the purpose of this chapter and of the city comprehensive plan can be fulfilled."
 - b. This is an unnecessary hardship that has resulted from the physical characteristics of the property. See narrative response to Approval Criteria "H" for discussion of the City's comprehensive plan and goals.
- H. The variance is consistent with the goals and policies of the city comprehensive plan;**
- a. As discussed in the comprehensive plan and reflected in the zoning code, the minimum lot size within the R-1 district is 5,000sf. The zoning code allows up to 50% lot coverage. The comprehensive plan and zoning code, as is normally the case, work together to establish a desired density to meet the projected needs of the City. Our parcel is roughly 15,000sf and our proposed lot coverage would only be approximately 20%, which is about 250% less than what we could theoretically build based on the 50% zoning limit. In one sense we have not done what the zoning district and comprehensive plan want, which is to maximize development up to the specified limits, but we are proposing a reasonably-sized residence while maintaining a comparatively large amount of open space.
- I. The fact that property may be utilized more profitably will not be an element of consideration before the decision maker.**
- a. As discussed, there is no practical way to create a reasonable house without infringing on the tree standards and this variance is necessary. Our proposal does not reflect an impact, beyond that which is necessary to produce a reasonable house, resulting from a profit-driven motive.