

**FINAL FINDINGS OF FACT
PLANNING COMMISSION
VARIANCE VAR26-000001**

REQUEST: To allow an existing secondary access point on a single parcel.

OWNER/APPLICANT: Angelica Araiza
407 SW Kinkade
Boardman, Oregon 97818

PROPERTY DESCRIPTION: Tax Lot 1800 of Assessor's Map 4N 25 17AD.

ZONING OF THE AREA: Residential

PROPERTY LOCATION: South side of Willow Fork Drive, between Locust and Kinkade.

- I. **GENERAL INFORMATION:** The subject property's existing residence was lost in a wildfire last year. During the process of obtaining permits to rebuild, the property owners discovered that the property had been divided into two parcels and later combined into one parcel. As a result of the lot consolidation, both existing access points are now located on the same parcel. The applicants are requesting to retain the secondary driveway rather than remove an existing access point.
- II. **APPROVAL CRITERIA:** The application has been filed under the City of Boardman Development Code Chapter 5.1 Variances, more specifically 5.1.400 Class C Variances. The criteria are identified below in **bold** type with responses in regular type.

5.1.400 Class C Variances

A. Purpose. The purpose of this section is to provide standards for variances which exceed the Class A and Class B variance criteria in Sections 5.1.200 and 5.1.300. Class C variances may be granted if the applicant shows that, owing to special and unusual circumstances related to a specific property, the literal application of the standards of the applicable land use district would create a hardship to development which is peculiar to the lot size or shape, topography, sensitive lands (Chapter 3.7), or other similar circumstances related to the property over which the applicant has no control, and which are not applicable to other properties in the vicinity (e.g., the same land use district); except that no variances to "permitted uses" or "prohibited uses" shall be granted.

The applicant has worked with staff to identify the best approach for addressing the existing secondary access on the property. After consultation, it was determined that the most appropriate course of action is to apply for a Class C Variance to allow the existing secondary access to remain and not interfere with any utilities along with landscaping.

B. Applicability.

1. The variance standards are intended to apply to individual platted and recorded lots only.
2. An applicant who proposes to vary a specification standard for lots not yet created through a land division process may not utilize the Class C variance procedure.
3. A variance shall not be approved which would vary the "permitted uses" or "prohibited uses" of a land use district (Chapter 2).
4. Variance to Parking Standards (Chapter 3.3).

- a. **The City may approve variances to the minimum or maximum standards for off-street parking in Section 3.3.100 upon finding all of the following:**
 - (1) **The individual characteristics of the use at that location require more or less parking than is generally required for a use of this type and intensity;**
 - (2) **The need for additional parking cannot reasonably be met through shared parking with adjacent or nearby uses; and**
 - (3) **All other parking design and building orientation standards are met, in conformance with the standards in Chapter 2 and Chapter 3.**
- b. **The City may approve a reduction of required bicycle parking per Section 3.3.200, if the applicant can demonstrate that the proposed use by its nature would be reasonably anticipated to generate a lesser need for bicycle parking.**
- c. **The City may allow a reduction in the amount of vehicle stacking area required for drive-through facilities if such a reduction is deemed appropriate after analysis of the size and location of the development, limited services available and other pertinent factors.**

This Variance is applicable to a platted lot, is not for a lot not yet created, and does not address a permitted or prohibited uses. The variance relates only to vehicle parking standards as they are affected by the proposed secondary driveway.

C. Approvals Process and Criteria.

- 1. **Class C variances shall be processed using a Type III procedure, as governed by Section 4.1.500, using the approval criteria in subsection 2, below. In addition to the application requirements contained in Section 4.1.500, the applicant shall provide a written narrative or letter describing his/her reasoning for the variance, why it is required, alternatives considered, and compliance with the criteria in subsection 2.**

This Variance request has been processed as a Type III with notice and a public hearing before the Planning Commission.

- 2. **The City shall approve, or approve with conditions, an application for a variance based on finding that all of the following criteria are satisfied:**
 - a. **The proposed variance will not be materially detrimental to the purposes of this Code, to any other applicable policies and standards, and to other properties in the same land use district or vicinity;**
 - b. **A hardship to development exists which is peculiar to the lot size or shape, topography, sensitive lands, or other similar circumstances related to the property over which the applicant has no control, and which are not applicable to other properties in the vicinity (e.g., the same land use district);**
 - c. **The use proposed will be the same as permitted under this title, and City standards will be maintained to the greatest extent that is reasonably possible while permitting reasonable economic use of the land;**
 - d. **Existing physical and natural systems, such as, but not limited to, traffic, drainage, natural resources, and parks, will not be adversely affected any more than would occur if the development occurred as specified by the subject Code standard;**
 - e. **The hardship is not self-imposed; and**
 - f. **The variance requested is the minimum variance which would alleviate the hardship.**

The proposed variance is not materially detrimental to this Code or applicable policies or standards. The variance is requested to allow two existing access points on the property where only one access point is currently permitted for a single-family lot. The second access point existed before the property line adjustment combined the two lots into one. The property owners would like to keep the existing access rather than remove it.

The proposed residential use will remain the same, and other standards will continue to be met. The existing access points will not negatively water and wastewater lines, neighboring properties, or other systems.

The Planning Department coordinated with the landowner regarding the landscaping requirements and provided notice of those requirements. Maintaining the required landscaping is listed as a condition of approval.

The variance requested is the minimum necessary to address the hardship and allow the property owner to continue using the existing access. This request is not for a new access point, but to allow the continued use of an existing access that has historically served the property.

- III. **LEGAL NOTICE PUBLISHED:** East Oregonian
July 22, 2026
- IV. **PROPERTY OWNERS NOTIFIED:** July 22, 2026
- V. **AGENCIES NOTIFIED:** August 13, 2026
Glenn McIntire, Building Official; Roy Drago, Public Works Director; Jeremy Gierke, Boardman Fire Protection District
- VI. **HEARING DATE:** August 20, 2026
Council Chambers
Boardman City Hall
200 City Center Circle
Boardman, Oregon 97818
- VII. **PLANNING OFFICIAL RECOMMENDATION:** The Planning Official recommends approval with condition.
1. Maintain front landscaping.

Zack Barresse, Vice-Chair
Planning Commission

Date

ATTACHMENTS:
Vicinity Map
Applicants' Site Plan
Applicant Narrative List