

**CITY OF ST. HELENS PLANNING DEPARTMENT  
STAFF REPORT  
Variance V.4.24**

**DATE:** April 2, 2024  
**TO:** Planning Commission  
**FROM:** Jennifer Dimsho, AICP, Associate Planner

**APPLICANT:** Julie & Roy Wheeler  
**OWNER:** Same as applicant

**ZONING:** Moderate Residential (R7)  
**LOCATION:** 4N1W-5AC-4500  
**PROPOSAL:** Variance for a reduced exterior side yard (setback) for a corner lot

**SITE INFORMATION / BACKGROUND**

The subject property is an L-shaped corner lot at 14,375 square feet (0.33 acres). It fronts both Mayfair Drive to the west and N. Vernonia Road to the south. It is developed with a detached single-family dwelling with a driveway off N. Vernonia Road.

**PUBLIC HEARING & NOTICE**

**Public hearing** before the Planning Commission: **April 9, 2024**

**Notice** of this proposal was sent to surrounding property owners within 100 feet of the subject properties on March 20, 2024, via first class mail. Notice was sent to agencies by mail or e-mail on the same date.

**Notice** was published on March 27, 2024, in The Chronicle newspaper.

**AGENCY REFERRALS & COMMENTS**

As of the date of this staff report, there are no relevant agency comments.

**APPLICABLE CRITERIA, ANALYSIS & FINDINGS**

**DISCUSSION:**

The applicant applied for a building permit (BP No. 749-24-000059-STR) to remodel the detached single-family dwelling. The request is to extend the footprint of the home north while retaining the existing home's roofline. As a corner lot in the R7 zone, this property is subject to a 14' exterior side yard (setback) along the flanking street side. This requires a variance because the existing detached single-family dwelling has an exterior side setback of 8'. The rear and interior side setback requirements are met with the remodel.

**CRITERIA:**

**SHMC 17.108.050 (1) – Criteria for granting a Variance**

- (a) The proposed variance will not be significantly detrimental in its consequence to the overall purposes of this code, be in conflict with the applicable policies of the comprehensive plan, to any other applicable policies and standards of this code, and be significantly detrimental in its consequence to other properties in the same zoning district or vicinity;
- (b) There are special circumstances that exist which are peculiar to the lot size or shape, topography or other circumstances over which the applicant has no control, and which are not applicable to other properties in the same zoning district;
- (c) The use proposed will be the same as permitted under this code and city standards will be maintained to the greatest extent that is reasonably possible while permitting some economic use of the land;
- (d) Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic landforms, or parks, will not be adversely affected any more than would occur if the development were located as specified in the code; and
- (e) The hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship.

The Commission needs to find all these criteria **(a)** – **(e)** are met in order to approve the variance

**FINDINGS:**

**(a) This criterion requires a finding that the variance will not be detrimental.**

- See applicant's narrative.
- Staff comments: The proposal will have the most visual impact along Mayfair Drive. There are some mature arbor vitae which will screen a portion of the addition. However, most of the addition and setback encroachment will be visible as there is no fencing or landscaping along the rear side yard. There is a 4-5' high fence between the subject property and the property to the rear.
- **If retaining the existing landscaping screening is important to the Commission to help screen the setback encroachment area, the Commission could consider a condition which:**
  - **Retains the existing landscaping where possible.**
  - **Replaces the landscaping where it is required to be removed for the remodel.**
  - **Extends the landscaping at least to the extent of the remodel.**



Top: Google Street view May 2023 taken from Mayfair Drive looking at proposed remodel. Note mature arbor vitae and mature tree.  
Middle: Taken March 2024 looking towards Mayfair Drive standing in subject property's yard. Proposed remodel will extend the uppermost roofline.  
Bottom: Taken in rear yard looking towards remodel area. Uncovered deck and structure to left to be removed/remodeled.

**(b) The criterion requires a finding that there are special and unique circumstances.**

- See applicant's narrative.
- Staff comments: The applicant did not build the home in its current location. Corner lots are not rare in the City, but they are less common than traditional interior lots.

**(c) This criterion prohibits a use variance and requires a finding that the applicable standards are maintained to the greatest extent that is reasonably possible.**

- See applicant's narrative.
- Staff comments: SHMC 17.108.050 (4) allows a reduction in yard requirements by 20% without a variance provided that the reduction of the yard is for the enlargement of remodeling of an existing principal building. 20% of 14' is 2.8', which means the applicant is required to provide only an 11.2' exterior side yard. With a proposed 8' setback, the variance request is for 3.2'.
- The applicant is proposing to remove a single-car garage as part of the remodel. Detached single-family dwellings are required to have two non-tandem off-street parking spaces. Removal of the garage does not reduce the property below this requirement.
- The proposal is also under the maximum lot coverage standards with the proposed addition.

**(d) This criterion requires a finding that existing physical and natural systems will not be adversely affected as a result of the requested Variance.**

- See applicant's narrative.
- Staff comment: The Engineering Department will have the opportunity to review and require any related stormwater conditions as part of the Building Permitting process.
- There is no evidence that the physical or natural systems will be adversely affected.

**(e) This criterion requires a finding that the variance issue is not self-imposed and that the variance is the minimum necessary to alleviate the hardship.**

- See applicant's narrative.
- Staff comment: The applicant is not requesting to extend the remodel beyond the setback line that has already been established by the existing principal building.
- According to the County Assessor's website and the applicant's narrative, the house was built in 1930. The applicant did not build the house with the 8' exterior side setback.

The Commission needs to find all these criteria **(a)** – **(e)** are met in order to approve the variance. If you think one of these is not met, we'll need to address why.

The Commission can find all criteria are met based on the above and/or any other findings, or specify which criteria are not met and why as a basis for Variance denial.

## CONCLUSION & RECOMMENDATION

**Based upon the facts and findings herein, if the Commission can approve the variance, staff recommends with the following conditions of approval:**

1. This Variance approval is valid for a limited time pursuant to SHMC 17.108.040.
2. This Variance shall apply to the proposed plan as submitted only or one with equal or less yard encroachment.
3. << Optional landscaping condition >> Mature landscaping shall be retained where possible with the remodel. Any landscaping which is removed as part of the project shall be replanted with plants which will have a similar height at maturity. In addition, new landscaping of similar height at maturity shall extend the extent of the northern-most building addition.
4. Owner/applicant and their successors are still responsible to comply with the City Development Code (SHMC Title 17), except for the Variance(s) granted herein.

**Attachments:** Applicant's narrative (3 pages), Plan set (5 pages)

**General Land Use Application  
Request for a variance  
Project Narrative**

**PROJECT LOCATION:**

240 N Vernonia Road St Helens, OR 97051.

Account Number: 11668

Map and Taxlot: 4105-AC-04500

Acreage: 0.33 ac (14,375 square feet)

**OWNERS:**

WHEELER, ROY B & JULIE L

**PROPERT DETAILS:**

The original home was constructed in 1930. The original design included a covered back porch that was eventually enclosed and incorporated into the living space. Subsequently, a garage was added to the structure. Also added is an uncovered deck on the rear of the house.

**PROJECT DESCRIPTION:**

The enclosed rear porch, the garage and the existing deck will be removed. The existing exterior design of the home will be restored and extended towards the rear of the site as shown on the submitted plans.

The existing footprint, including the uncovered deck, is 1,935 square feet.

The new footprint, including the covered patio, is 1,982 square feet.

Lot coverage is not an issue for this request.

1) The commission shall approve, approve with conditions, or deny an application for a variance based on finding that the following criteria are satisfied:

(a) The proposed variance will not be significantly detrimental in its consequence to the overall purposes of this code, be in conflict with the applicable policies of the comprehensive plan, to any other applicable policies and standards of this code, and be significantly detrimental in its consequence to other properties in the same zoning district or vicinity.

*The requested variance will have minimum impact on policies and code standards. The existing structure's setback has existed for going on a hundred years. The location of the project on the lot will make the addition hardly noticeable as a significant change.*

(b) There are special circumstances that exist which are peculiar to the lot size or shape, topography or other circumstances over which the applicant has no control, and which are not applicable to other properties in the same zoning district.

*The existing location of the residence is the factor beyond the applicant's control.*

(c) The use proposed will be the same as permitted under this code and city standards will be maintained to the greatest extent that is reasonably possible while permitting some economic use of the land.

*This is an R7 residential zone. Neither lot size nor lot coverage are at issue.*

(d) Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic landforms, or parks, will not be adversely affected any more than would occur if the development were located as specified in the code.

*The project will have no adverse impacts as listed above.*

(e) The hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship.

*The hardship is the result of the location of the home falling within the setback for the R7 zone, which was not in place in 1930 when the original home was built. This request is the minimum necessary to extend the existing home consistent with the existing setback of the original home.*

PROJECT CONSULTANT:

David Bonn

[bonndesign@yahoo.com](mailto:bonndesign@yahoo.com)

971.203.3633



**PROPERTY:**  
240 N Vernonia Rd  
Existing setback 8 feet.  
Existing landscaping along  
Mayfair Drive to be kept.



**NOTE:** The structure on the right  
is a sewer pump station to Vernonia Rd.  
This will be removed and the sewer  
connected to the Mayfair sewer line.



**Architectural  
Design  
Services**

David Bonn, Principal  
bonndesign@yahoo.com  
971.203.3633

**CLIENT:**

Julie & Roy Wheeler  
240 N Vernonia Rd  
Saint Helens, OR 97051

**PROJECT:**

design an addition  
to the existing  
residence

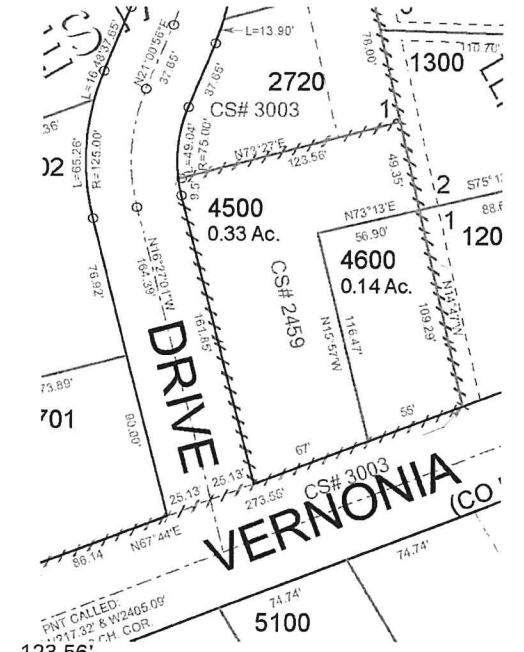
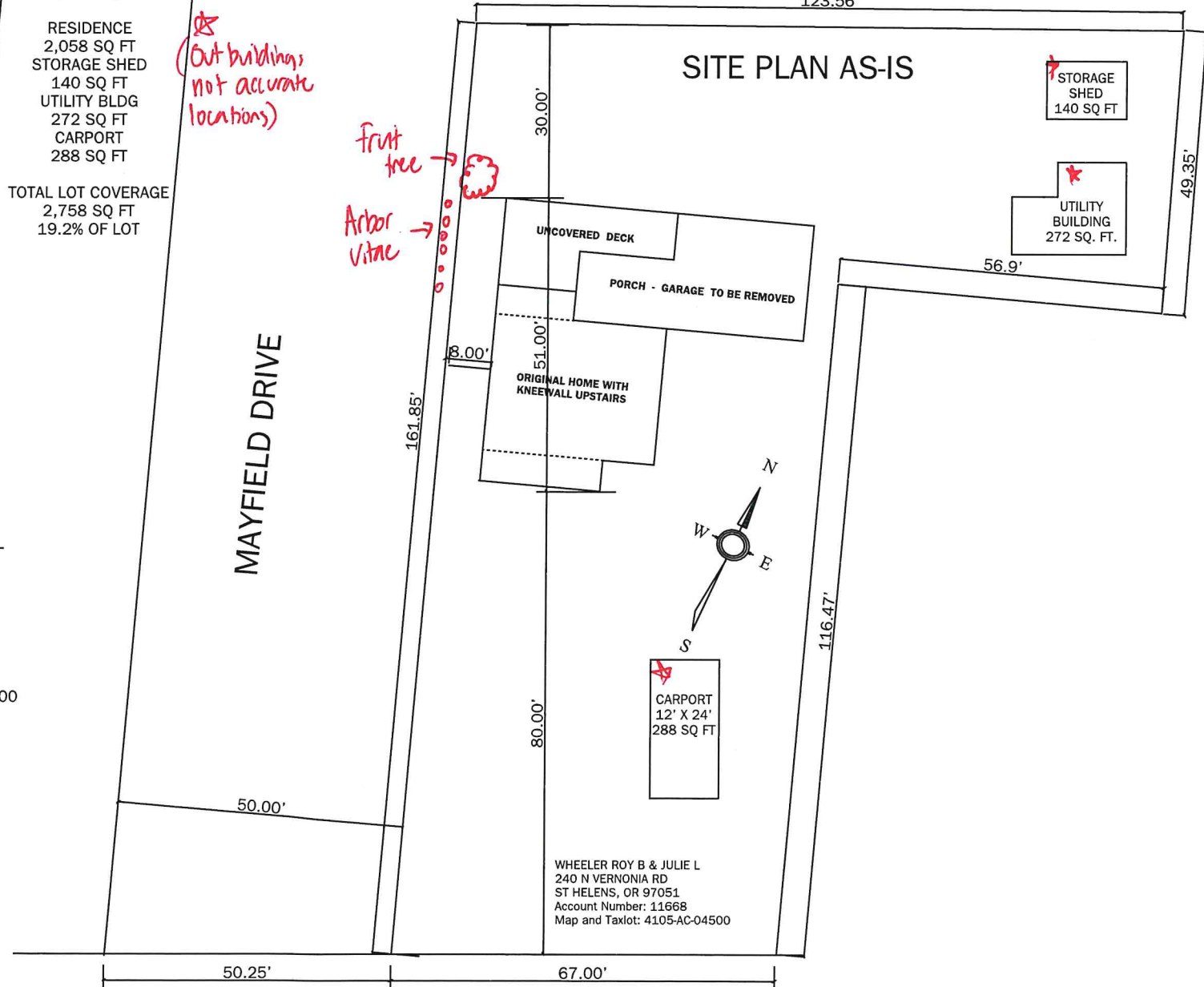
**REVISIONS**

DATE	REVISION
3 JAN 24	REMODEL

DATE	MAR 24
SCALE	

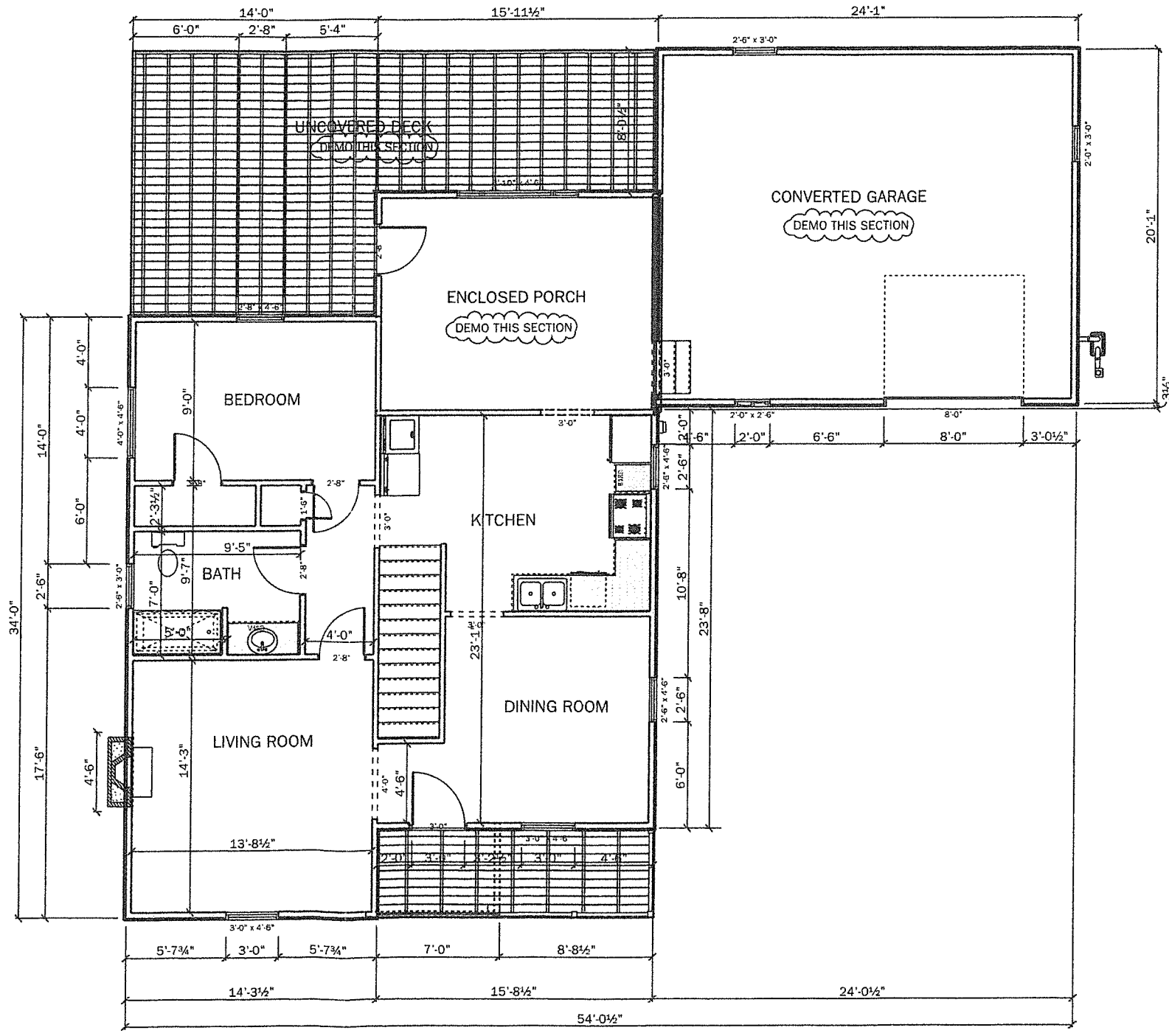
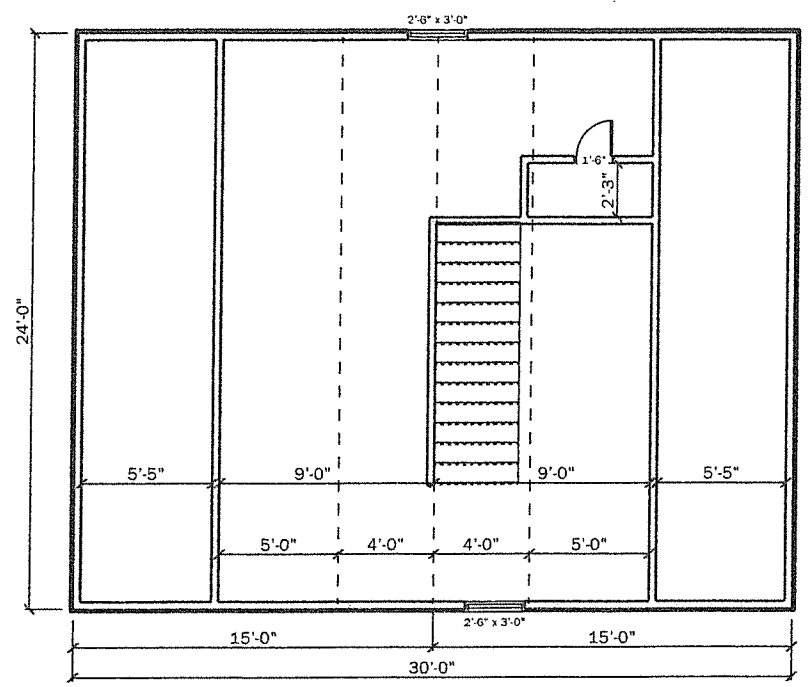
**SITE PLAN**

**A 1.0**



NORTH VERNONIA ROAD

NORTH



Architectural  
Design  
Services

David Bonn, Principal  
bonndesign@yahoo.com  
971.203.3633

**CLIENT:**  
  
Julie & Roy Wheeler  
240 N Vernonia Rd  
Saint Helens, OR 97051

**PROJECT:**  
  
design an addition  
to the existing  
residence

**REVISIONS**

DATE	REVISION
29 JUN 2023	DRAFT

DATE	JAN 24
SCALE	1/8" = 1'-0"

**FLOOR PLAN  
AS-IS**

A 1.2

Architectural  
Design  
Services

David Bonn, Principal  
bonndesign@yahoo.com  
971.203.3633

CLIENT:

Julie & Roy Wheeler  
240 N Vernonia Rd  
Saint Helens, OR 97051

PROJECT:

design an addition  
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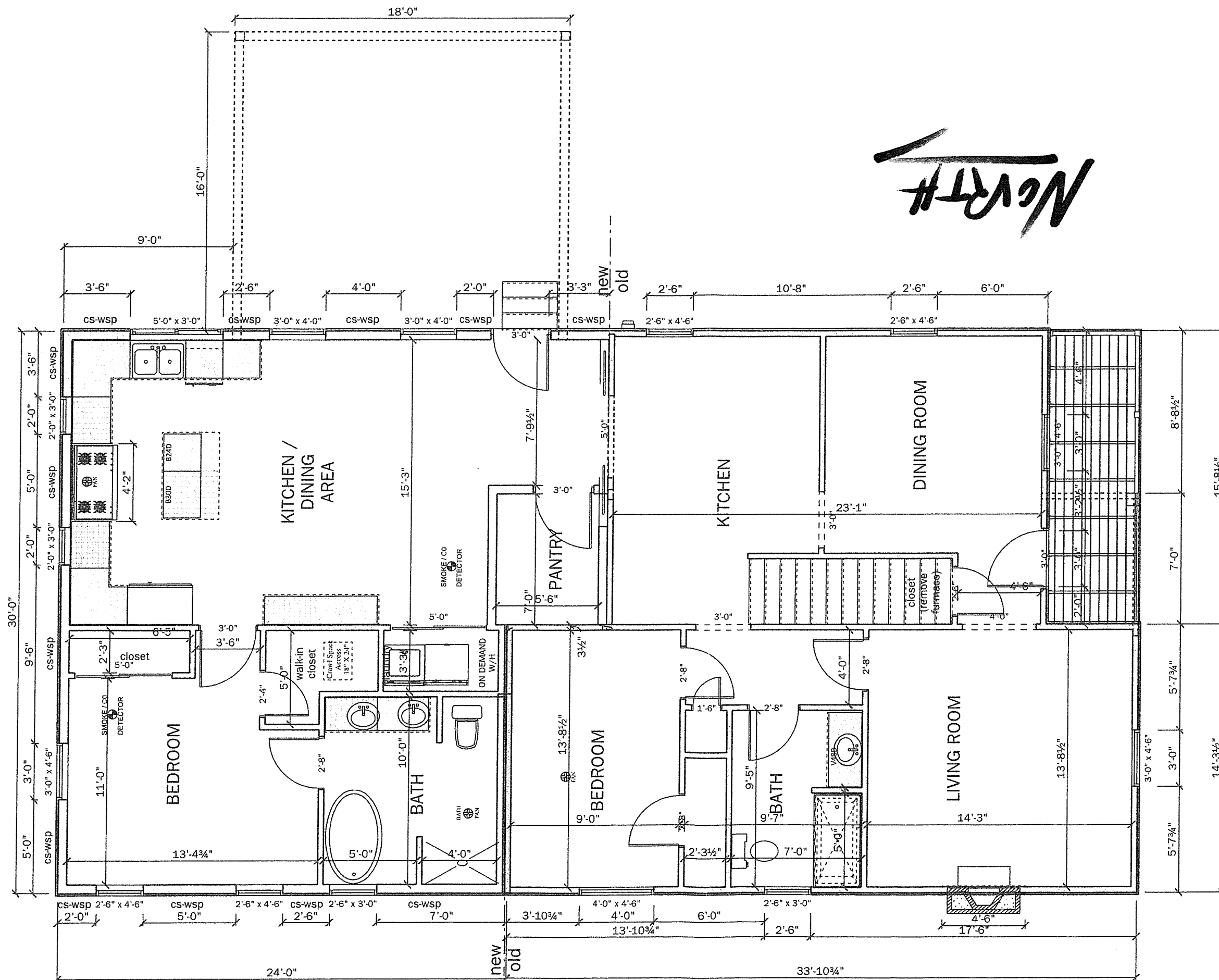
REVISIONS

DATE	REVISION
3 JAN 24	REMODEL

DATE	3 JAN 24
SCALE	3/16" = 1'-0"

FLOOR PLANS  
REMODEL

A 1.4



North

Architectural  
Design  
Services

David Bonn, Principal  
bonndesign@yahoo.com  
971.203.3633

CLIENT:

Julie & Roy Wheeler  
240 N Vernonia Rd  
Saint Helens, OR 97051

PROJECT:

design an addition  
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residence

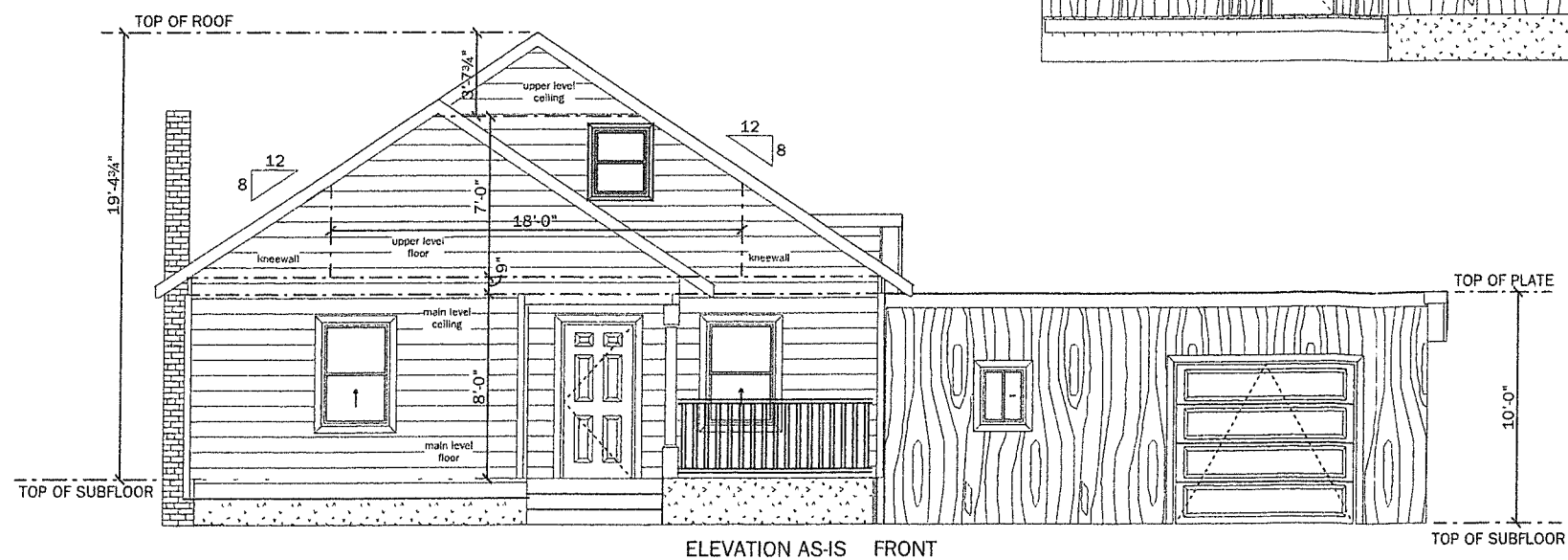
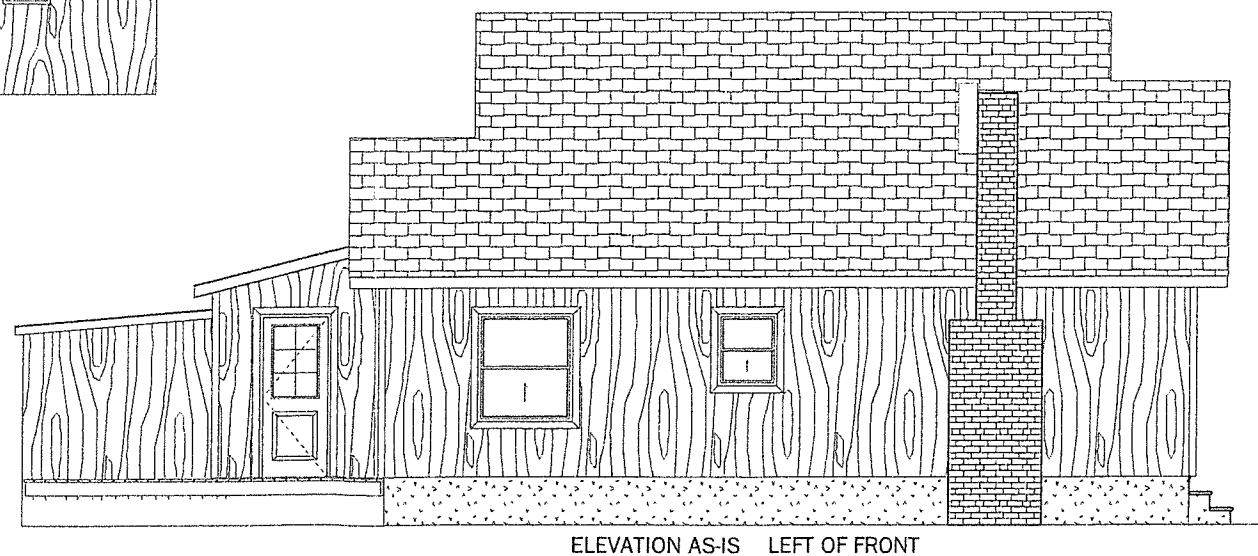
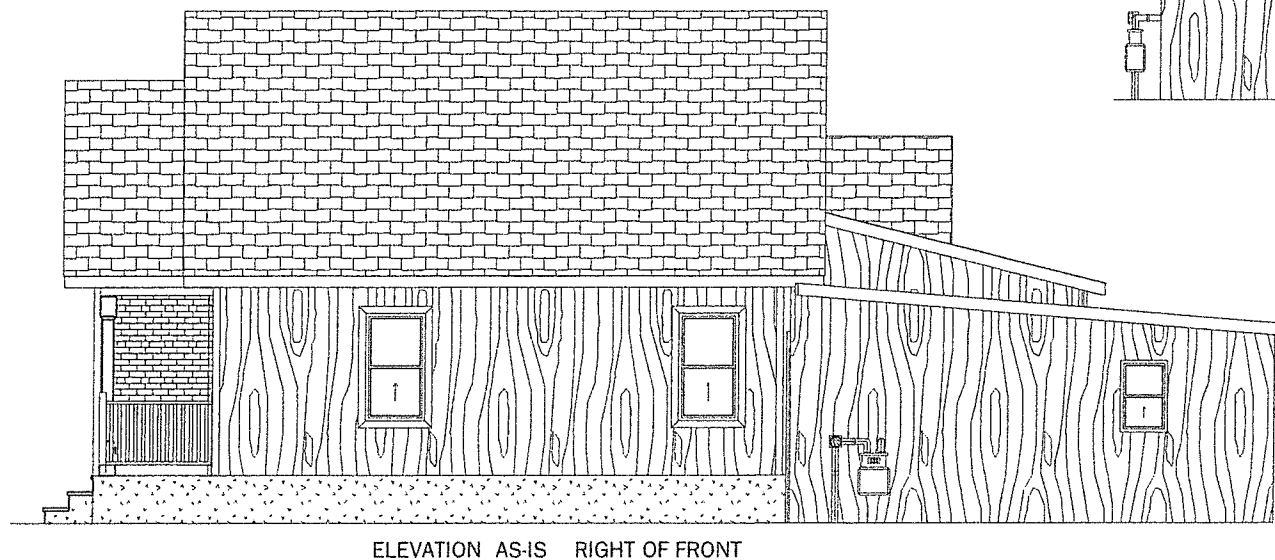
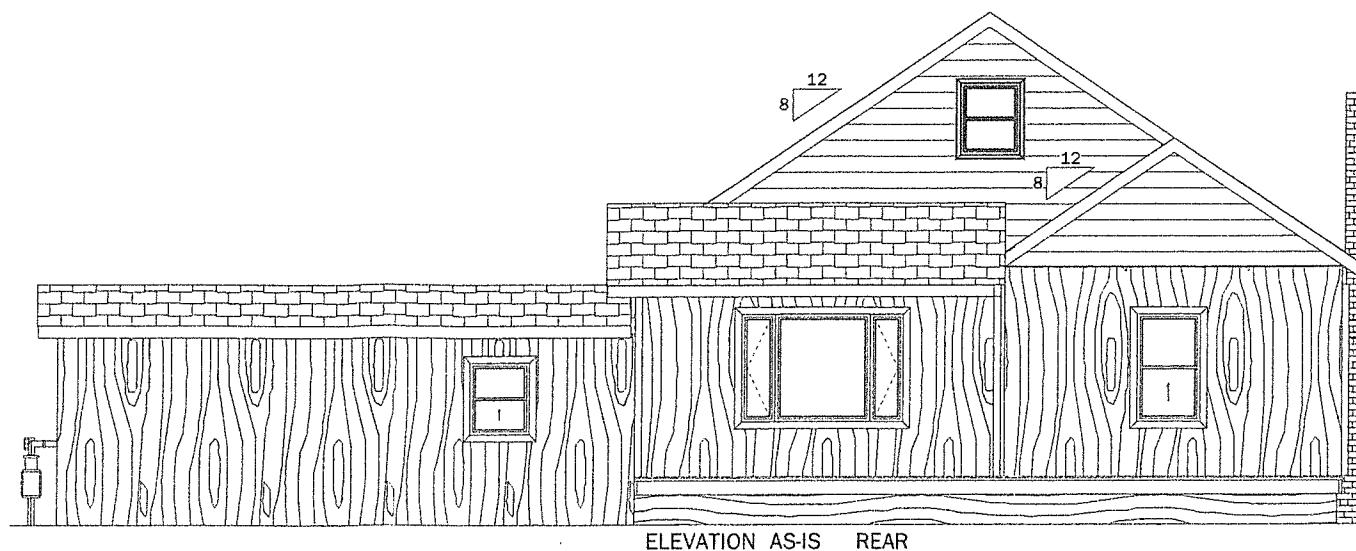
REVISIONS

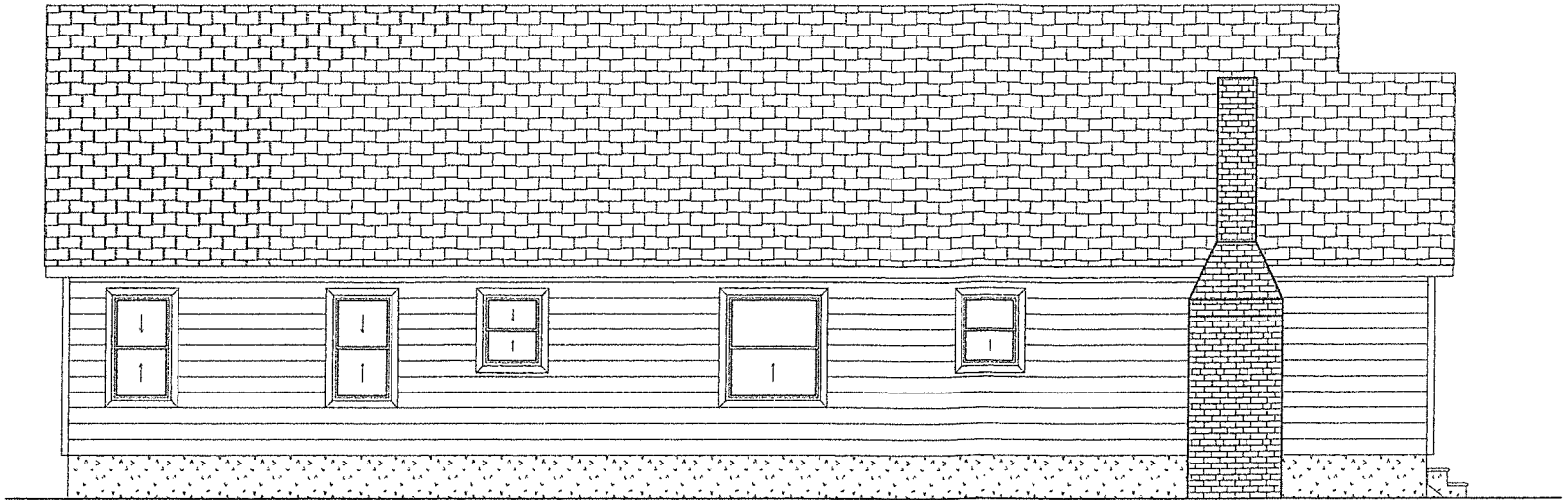
DATE	REVISION
29 JUN 2023	DRAFT

DATE	JAN 24
SCALE	1/8" = 1'-0"

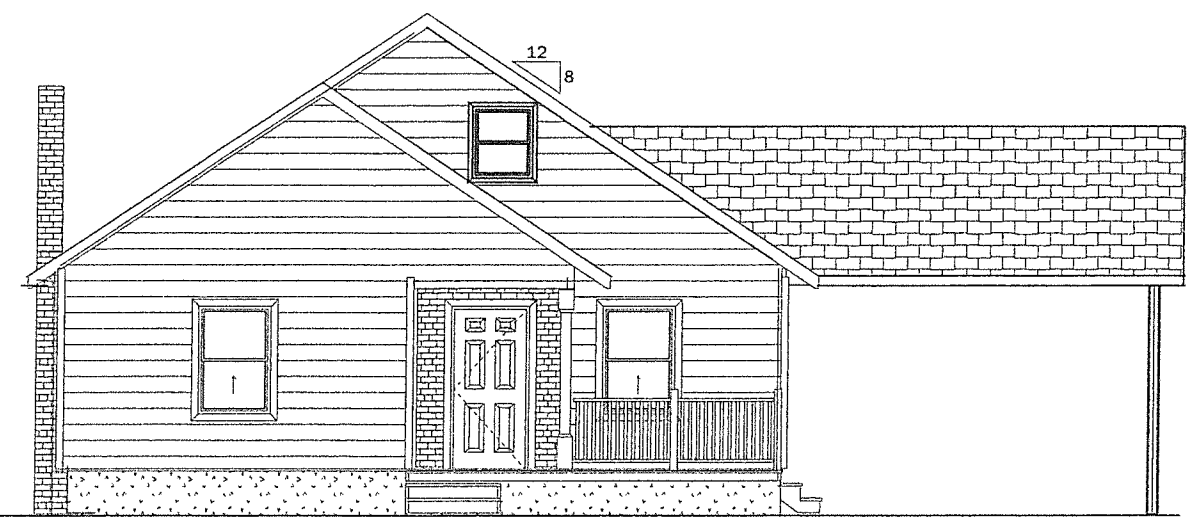
ELEVATIONS  
AS-IS

A 1.1

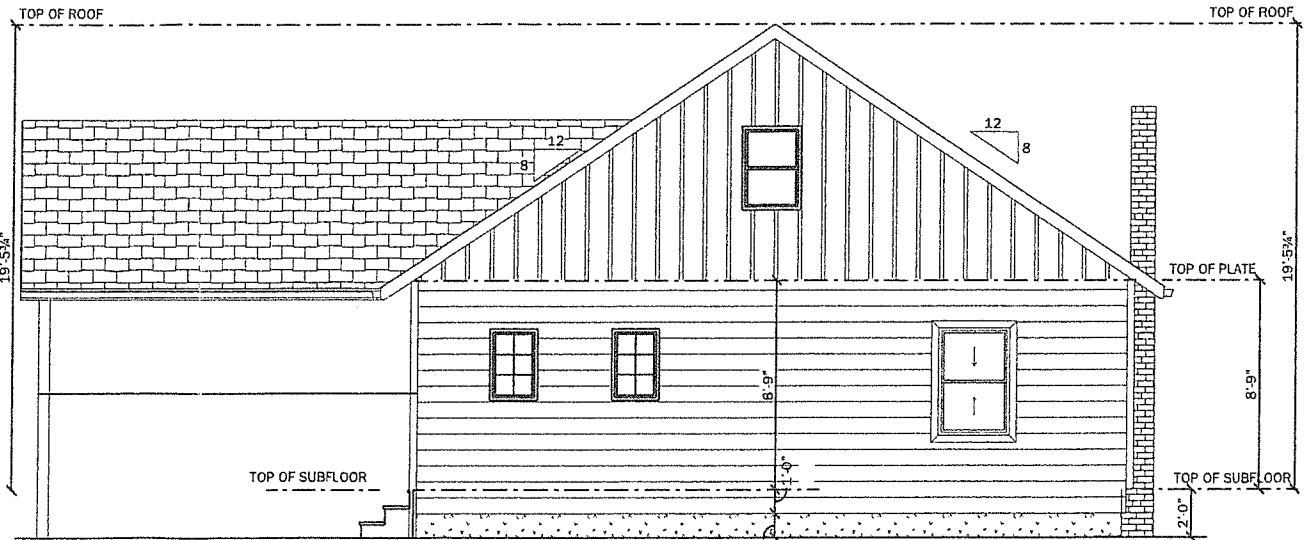




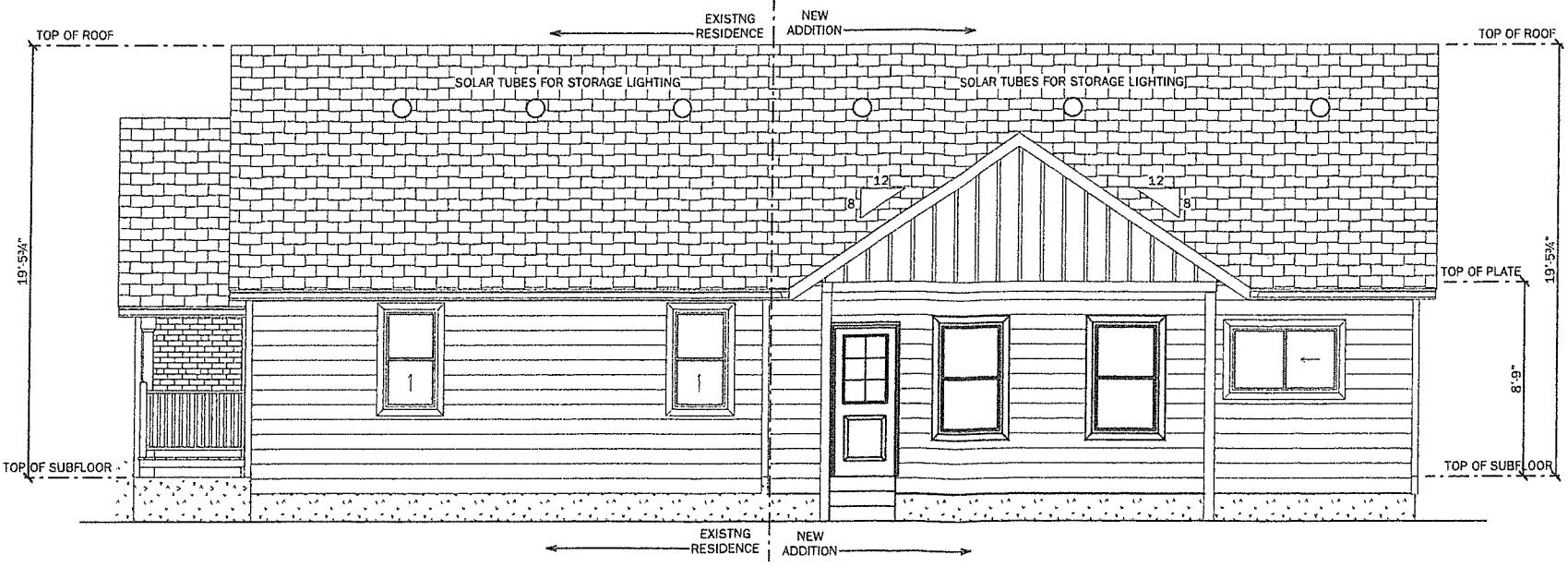
ELEVATION LEFT OF FRONT REMODEL



ELEVATION FRONT REMODEL



REAR ELEVATION - REMODEL



Architectural  
Design  
Services

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bonndesign@yahoo.com  
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Saint Helens, OR 97051

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**REVISIONS**

DATE	REVISION
3 JAN 24	REMODEL

DATE	JAN 24
SCALE	1/8" = 1'- 0"

**ELEVATIONS  
REMODEL**

A 1.3