

ORDINANCE NO. 4589

An Ordinance amending Planned Development Overlay Ordinance 4524, Section 2(g) to allow the relocation of an historic barn.

**RECITALS**

The Planning Commission received an application (ZC 9-95) from Les Toth for an amendment to Planned Development Overlay Ordinance No. 4524 which would allow relocation of an historic barn. The subject site is located at the northwest corner of Hembree Street and Burnett Road, further described as Tax Lots 2000 and 2001, Section 9, T. 4 S., R. 4 W., W.M.

A public hearing was held on May 11, 1995, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on May 6, 1995, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing, testimony was received, the application materials and a staff report were presented; and

The Planning Commission, being fully informed about said request, found that said change conformed to the planned development review criteria listed in Chapter 17.51 of Ordinance No. 3380 based upon the material submitted by the applicant and findings of fact and the conclusionary findings for approval contained in the staff report, all of which are on file in the Planning Department, and that the planned development amendment is consistent with the Comprehensive Plan; and

The Planning Commission approved said planned development amendment and has recommended said change to Council; now, therefore,

**THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:**

**Section 1.** That the Council adopts the findings and conclusions of the Planning Commission, staff report on file in the Planning Department, and the application filed by Les Toth.

**Section 2.** That Ordinance No. 4524, Section 2(g) be amended to read as follows:

“(g) That the mature trees on the site as well as the historic single-family residence located on space 24 as shown on the approved Heather Manor manufactured home park plan be preserved.”

**Section 3.** That a new subsection (i) be added to Ordinance 4524, Section 2, to read as follows:

“(i) That the historic barn may be removed from the subject site provided the following conditions are satisfied:

1. That the barn be completely reassembled on property located at 16435 SW Muddy Valley Road, McMinnville, Oregon within two years of its removal from the

Heather Manor manufactured park property. Failure to complete the required restoration within this time period may result in the manufactured home park property owner being cited for violation of this ordinance, and shall be subject to the provisions of Section 17.75.050 of the McMinnville zoning ordinance.

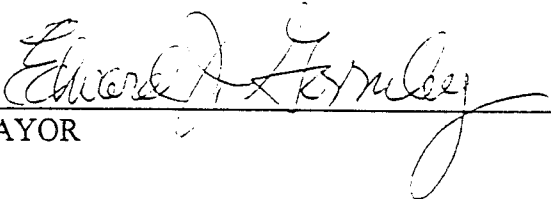
2. That the applicant submit plans for the removal and reassembly of the structure to the McMinnville Historic Landmarks Committee for their review and approval prior to the structure being dismantled."

Passed by the Council this 13th day of June 1995, by the following votes:

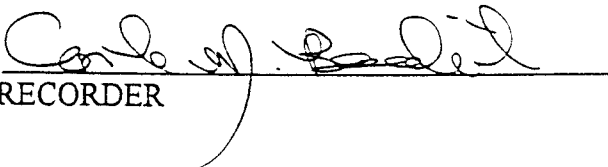
Ayes: Kirchner, Massey, Payne, Windle

Nays: \_\_\_\_\_

Approved this 13th day of June, 1995.

  
MAYOR

Attest:

  
RECORDER