

ORDINANCE NO. 4760

An Ordinance rezoning certain property from a County EF-80 (Exclusive Farm Use – 80-acre minimum) zone to a City R-2 PD (Single Family Residential Planned Development) zone on a parcel of land approximately 5.3 acres in size.

RECITALS

The Planning Commission received an application (ZC 1-02) from Ty Angevine, Doug Kizer, and Chris Szedlak, dated February 14, 2002, for a zone change from a County EF-80 (Exclusive Farm Use- 80-acre minimum) zone, to a City R-2 PD (Single Family Residential Planned Development) zone on a parcel of land approximately 5.3 acres in size. The property is located north of Grandhaven Street, west of Lucas Drive, and east of Grandhaven Elementary School, and is more specifically described as Tax Lot 1800, Section 09DB, T. 4 S., R. 4 W., W.M.

A public hearing was held on March 21, 2002, at 7:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on March 12, 2002, 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 zone change review criteria listed in Chapter 17.72.035 of Ordinance No. 3380 based on 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 zone change is consistent with the Comprehensive Plan; and

The Planning Commission approved said zone change and has recommended said change to the Council; and 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 Ty Angevine, Doug Kizer, and Chris Szedlak.

Section 2. That the property described in Exhibit "A", is hereby rezoned from a County EF-80 (Exclusive Farm Use – 80-acre minimum) zone to a City R-2 PD (Single Family Residential Planned Development) zone subject to the following conditions:

1. That the Fast Addition subdivision plan be placed on file with the Planning Department and that it become a part of the zone and binding on the property owner and developer.

That the developer is responsible for requesting approval of the Planning Commission for any major change of the details of the adopted plan. Minor changes to the details of the adopted plan may be approved by the Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by him may be made only to the

Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the Commissioners.

2. That the exterior side yard setback for Lots 4, 5, 12, 14, and 23 shall be a minimum of 15 feet. All other setbacks shall be as required by the R-2 zone.

Passed by the Council this 23rd day of April, 2002, by the following votes:

Ayes: Aleman, Hansen, Olson, Payne, Rabe, Windle

Nays: _____

Approved this 23rd day of April 2002.


MAYOR

Approved as to form:


CITY ATTORNEY