

ORDINANCE NO. 4067

An Ordinance amending Ordinance 3939 by permitting the construction of common-wall, single-family structures on specified lots in the Jandina Subdivision.

WHEREAS, the Planning Commission received an application dated October 23, 1979, for an amendment to an existing planned unit development to allow the construction of common-wall, single-family structures on specified lots in the Jandina Subdivision which is located off West Second Street (ZC 5-78); and

WHEREAS, a public hearing was held on January 24, 1980, at 7:00 p.m. before the Planning Commission after due notice had been given in the local newspaper on January 7, 1980, and written notice had been mailed to property owners within 300 feet of the affected property; and

WHEREAS, at said public hearing the testimony of the applicant and surrounding property owners was received and a staff report was presented; and

WHEREAS, the Planning Commission being fully informed about said amendment to the existing planned development, and based on the observations and the findings of fact has approved said amendment and has recommended said change to the 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 Danny E. Hockert, President, J. Gregcin, Inc.

Section 2. That Ordinance 3939 is amended to permit the construction of common-wall, single-family structures on specified lots in the Jandina Subdivision, by incorporating the following provisions and changes:

- (a) That the following lots are approved for either duplex dwellings or common-wall, single-family dwellings:

Block 2, Lot 28	Block 7, Lot 14
Block 4, Lot 5	Block 8, Lot 2
Block 5, Lots 1, 6, and 21	Block 9, Lots 12 and 16
Block 6, Lots 1 and 7	

- (b) That the following lots are approved for either triplex dwellings, duplex dwellings, or two-unit, common-wall, single-family dwellings:

Block 1, Lots 1 and 7	Block 7, Lot 18
Block 2, Lot 20	Block 8, Lots 1 and 3
Block 5, Lots 12 and 18	

- (c) That the Jandina Subdivision hardboard be flagged to show that it is encumbered by the provisions of this ordinance.

- (d) That the conditions of Ordinance 3995 be met before any common-wall construction is allowed.

- (e) That approval of the Water and Light Department be received before any common-wall construction is allowed.
- (f) That under no condition will a cut in a new street be allowed to facilitate a common-wall structure.
- (g) That Section 2.3 of Article II of the Restrictions and Covenants (Deed Restrictions) of Jandina Development be amended to read:

"2.3 Each owner of a lot shall use the property solely for residential purposes, as shown on the preliminary plan approved by the City or as enumerated in McMinnville Ordinance No. 4067 which amended the preliminary plan."

Section 3. That this ordinance shall be subject to the terms and conditions of Ordinance 3823, entitled "Initiative and Referendum," for a period of thirty days.

Passed by the Council this 5 day of February, 1980, by the following votes:

Ayes: Allen, Springer, Wilson and Hamby

Nays: _____

Approved this 5 day of February, 1980.


MAYOR

Attest:


RECORDER