

ORDINANCE NO. 4753

An Ordinance approving an amendment to Section 3(4) of McMinnville Planned Development Ordinance No. 4722 to reduce the minimum side yard setback requirements from 7.5 feet to 5 feet for certain lots within the Oak Ridge residential subdivision.

RECITALS

The Planning Commission received an application (ZC 5-01) from Jeff and Lori Zumwalt, dated September 14, 2001, for approval of an amendment to Section 3(4) of McMinnville Planned Development Ordinance No. 4722 to reduce side yard setback requirements from 7.5 feet to 5 feet for certain lots within the Oak Ridge residential subdivision. The affected property is more specifically described as Tax Lots 3200, 3300, 3400, 3500, 3600, 3700, 3800, 4900, 5000, 5100, 5200, 5300, 5400, 5600, 5700, 5800, 5900, 6000, 6100, 6200, 6300, 6400, 6500, 6600, 6700, of Section 17BB, T. 4 S., R. 4 W., W.M.

A public hearing was held on October 18, 2001, at 7:30 p.m. before the McMinnville Planning Commission, after due notice had been given in the local newspaper on October 9, 2001, 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 Jeff and Lori Zumwalt.

Section 2. That Section 3(4) of Ordinance No. 4722 be amended to read as follows (new text appears in bold type and is underlined, text that has been stricken will be deleted):

"Section 3(4). That building setbacks for lots ~~3~~ 96, ~~4~~ 95, ~~5~~ 94, ~~13~~ 52, ~~14~~ 56, ~~87~~ 88, ~~88~~ 87, ~~89~~ 86 shall be as follows:

Front – 20 feet; however, the front yard setback measured to the open side of a garage or carport shall not be less than eighteen (18) feet.

Rear – 15 feet.

Side – 7.5 feet.

Exterior Side – 20 feet.

Building setbacks for lots 3-9, 20-25, and 27-38 shall be as follows:

Front, Rear, and Exterior Side – Standard R-2 zone setbacks.

Side - 5 feet.

Building setbacks for all other lots shall be as required by the R-2 zone.”

Passed by the Council this 27th day of November 2001, by the following votes:

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

Nays: _____

Approved this 27th day of November 2001.


MAYOR

Approved as to form:


CITY ATTORNEY