



PLANNING DEPARTMENT, 231 NE Fifth Street, McMinnville, Oregon 97128  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

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**SENT VIA EMAIL**

November 17, 2020

Howard Aster  
335 NW 8<sup>th</sup> Street  
McMinnville, OR 97128

Re: Property Line Adjustment (BLA 1-20) and Administrative Variance (AV 3-20) Approval

Dear Mr. Aster:

This letter is to advise you that your applications requesting a property line adjustment (BLA 1-20) between two abutting parcels, and also an administrative variance (AV 3-20) to reduce the required rear yard setback for the property at 335 NW 8<sup>th</sup> Street, have been reviewed by the Planning Department. The subject properties are located at 335 NW 8<sup>th</sup> Street and 824 NW Cedar Street, and are identified as Tax Lots 9500 and 9501, Section 20AA, T. 4 S., R. 4 W., W.M.

The Planning Department reviewed your property line adjustment application against the criteria of Section 17.53.053 (Review and Tentative Approval Process) of the McMinnville Municipal Code (MMC) for compliance. The administrative variance application was reviewed against the requirements and criteria of Section 17.74.090 of the MMC.

Based on the material submitted and the Planning Department evaluation, I have **approved** your request for a Property Line Adjustment (BLA 1-20) and your request for an Administrative Variance (AV 3-20), with both approvals subject to conditions.

Please note that we are providing the conditions of approval within this letter as a courtesy. The official Decision Documents with the Findings of Fact, Conclusionary Findings, and Conditions of Approval are separate documents and are attached to this letter for the applicant and are also on file with the Planning Department.

**BLA 1-20 Conditions of Approval:**

**BLA 1-20** is **approved** subject to the following conditions of approval:

1. That the property line adjustment shall not be recorded with the Yamhill County Clerk's office until the Administrative Variance application (AV 3-20) that was submitted for concurrent review is approved and all appeal timeframes have passed.

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2. At the time of any future development of any of the parcels, any necessary frontage improvements shall be completed as required in Section 17.53.101(B) of the McMinnville Municipal Code. The plans for the frontage improvements may be included with building permit construction plans submitted for review and approval by the City of McMinnville, and may be completed at the time of any future development.
3. That copies of the amended deeds and surveys shall be submitted to the McMinnville Planning Department after they have been recorded in the Yamhill County Clerk's office so that maps and records may be officially updated.
4. That approval of these property line adjustments will expire 12 (twelve) months after the date of approval. If a copy of the recorded documents have not been submitted to our office prior to the expiration date, the applicant must resubmit an application for further consideration.

**AV 3-20 Conditions of Approval:**

**AV 3-20** is **approved** subject to the following conditions of approval:

1. That the decision for approval of the Administrative Variance (AV 3-20) is not rendered, and does not take effect, until and unless the Property Line Adjustment application (BLA 1-20) submitted for concurrent review is approved and all appeal timeframes have passed. Prior to the decision of the Administrative Variance (AV 3-20) taking effect, the proposed property line adjustment must also be completed and recorded with the Yamhill County Clerk's office, and copies of the amended deeds and surveys of the associated properties must be submitted to the McMinnville Planning Department.

This letter shall act as official notification of my decision on both applications. An appeal of the decision on either application may be made to the Planning Commission if notice of intent to appeal is filed in the Planning Department no later than December 2, 2020. If no appeal is filed by this date, the decision shall be considered final.

If you have any questions regarding this matter, please feel free to contact me at (503) 434-7311.

Sincerely,



Heather Richards, PCED  
Planning Director

HR:sjs

Attachments: *DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A PROPERTY LINE ADJUSTMENT AT 335 NW 8<sup>TH</sup> STREET AND 824 NW CEDAR STREET (Docket BLA 1-20)*

*DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF AN ADMINISTRATIVE VARIANCE AT 335 NW 8<sup>TH</sup> STREET (Docket AV 3-20)*