



PLANNING DEPARTMENT, 231 NE Fifth Street, McMinnville, Oregon 97128
www.mcminnvilleoregon.gov

**NOTICE OF PENDING ADMINISTRATIVE DECISION
PROPERTY LINE ADJUSTMENT AND
ADMINISTRATIVE VARIANCE
335 NW 8th STREET & 824 NW CEDAR STREET**

NOTICE IS HEREBY GIVEN that applications for a property line adjustment and an administrative variance have been submitted to the McMinnville Planning Department. The purpose of this notice is to provide an opportunity for surrounding property owners to submit comment regarding these applications prior to a decision by the Planning Director. Please contact Chuck Darnell with any questions at (503) 434-7311.

DOCKET NUMBER: BLA 1-20 (Property Line Adjustment) and AV 3-20 (Administrative Variance)

REQUEST: Approval of a property line adjustment to adjust the common property line between two existing parcels at 335 NW 8th Street and 824 NW Cedar Street. The applicant has also requested an administrative variance to allow for a 2 foot reduction in the required rear yard setback for a proposed addition to the existing building on the subject site at 335 NW 8th Street. The requested reduction in the rear yard setback would result in the new addition building wall being 18 feet from the north (rear) property line rather than the required rear yard setback of 20 feet.

APPLICANT: Howard Aster

SITE LOCATION(S): 335 NW 8th Street and 824 NW Cedar Street (see attached map)

MAP & TAX LOT(S): R4420AA09501 and R4420AA09500

ZONE(S): R-2 (Single Family Residential)

MMC REQUIREMENTS: McMinnville Municipal Code (MMC), Sections 17.15.040, 17.53.053(A), 17.74.080, and 17.74.090 (see reverse side for specific review criteria)

NOTICE DATE: October 23, 2020

Persons are invited to register any statement in person, by attorney, or by mail to the McMinnville Planning Department to assist the Planning Director in making a decision on this application. Should you wish to submit comments or testimony on these applications, please call the Planning Department office at (503) 434-7311, or forward them by mail to 231 NE Fifth Street, McMinnville, OR 97128, or by email to chuck.darnell@mcminnvilleoregon.gov.

Alternatively, you may request that the applications be considered at a public hearing before the McMinnville Planning Commission. A request for hearing must state the basis for the request. (Please see MMC Section 17.72.120).

Appeals of the Planning Director decision need to be made to the Planning Commission. Failure to raise an issue in person or by letter precludes appeals to the Planning Commission on this issue. (Please see MMC Section 17.72.170)

**COMMENTS OR REQUESTS FOR HEARING MUST BE RECIVED NO LATER THAN
5:00 pm, NOVEMBER 6, 2020**

The decision-making criteria, application, and records concerning this matter are available in the McMinnville Planning Department office at 231 NE 5th Street, McMinnville, Oregon during working hours and on the Planning Department's portion of the City of McMinnville webpage at www.mcminnvilleoregon.gov.

REVIEW CRITERIA:

MMC Chapter 17.15 (Single Family Residential Zone):

Section 17.15.040 Yard requirements. In an R-2 zone each lot shall have yards of the following size unless otherwise provided for in Section 17.54.050: [...]

- B. A rear yard shall not be less than twenty feet;

MMC Chapter 17.53 (Land Division):

Section 17.53.053 (Property Line Adjustment – Review and Tentative Approval Process).

- A. An application for a property line adjustment shall be reviewed by the Director in accordance with the procedure listed in Section 17.72.100.
 - 1. Existing lots are not reduced in size below the applicable minimum lot size as established by the zoning ordinance.
 - 2. Nonconforming properties that are less than the minimum size established for the zone shall not be further reduced in size.
 - 3. Existing structures shall not be made nonconforming with regard to setbacks or other requirements of the applicable zone.
 - 4. Existing utilities and streets to serve the adjusted lots or parcels shall be in conformance with current City standards or shall be constructed to conform to those standards.
 - 5. The property line adjustments shall not result in the creation of a landlocked parcel or lot; creation of a new parcel or lot; or increase the degree of non-conformity of each lot, parcel or structure that is nonconforming at the time of application.

MMC Chapter 17.74 (Review Criteria):

Section 17.74.080 Administrative Variance Limitations. Limitations for an administrative variance are outlined in Section 17.74.090. A request for an administrative variance beyond these limitations shall be submitted and processed as a variance application.

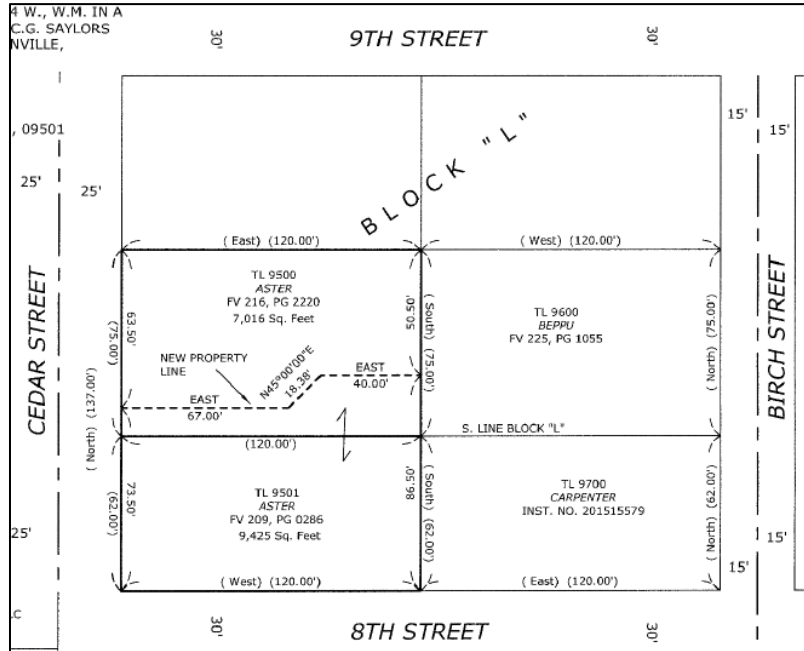
Section 17.74.090 Administrative Variance-Review Criteria. The Planning Director may grant limited adjustments to the terms of this title as follows:

- A. Lot area: Maximum possible adjustment of one percent of the minimum lot area, but not more than 90 (ninety) square feet;
- B. Setbacks: Maximum adjustment of 10 (ten) percent of the required setback.
- C. These provisions shall be used sparingly and shall not be exceeded except by regular referral to the Planning Commission.

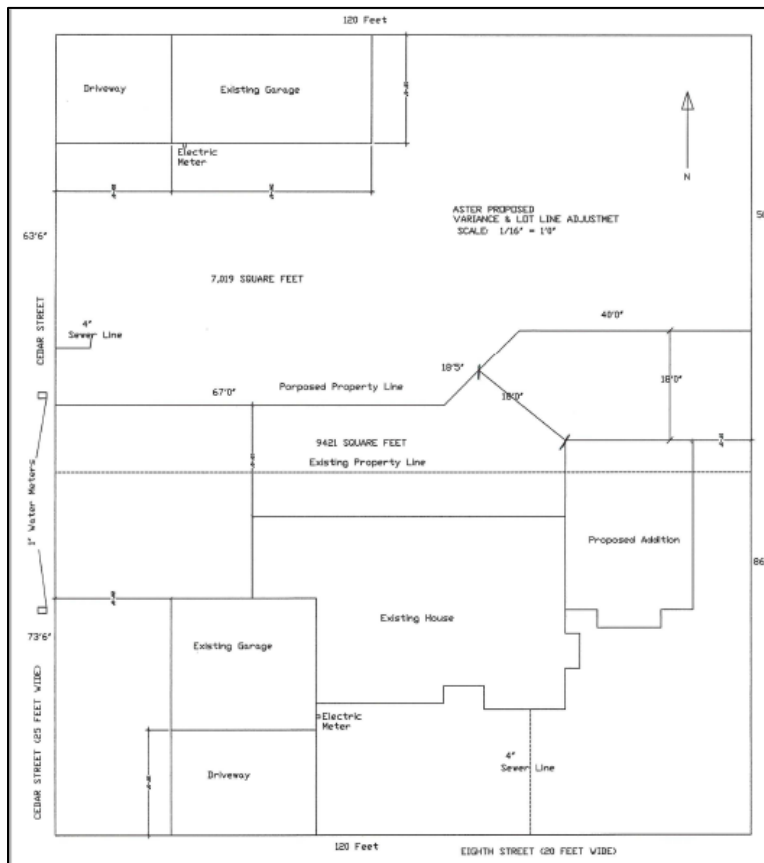
D. Special conditions may be attached to adjustments if such conditions relate directly to the adjustments.

Subjects not allowable for adjustment are: number of dwelling units permitted, parking requirements, height of building, vision clearance area, density or use of property.

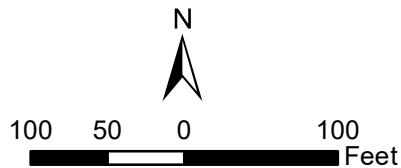
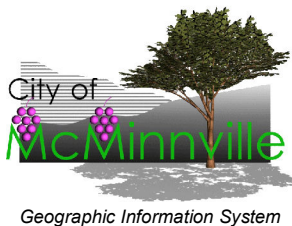
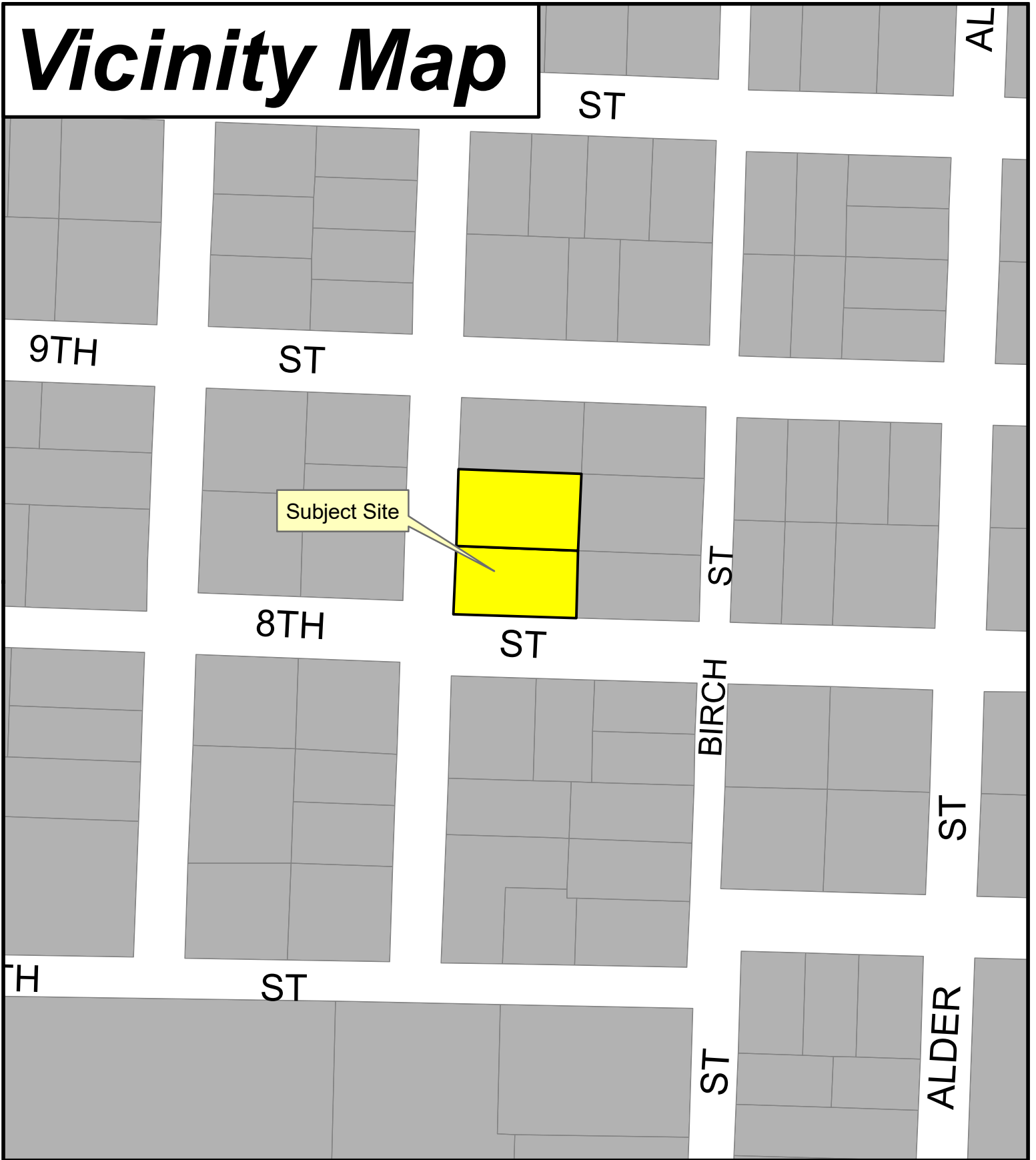
PROPOSED PROPERTY LINE ADJUSTMENT MAP:



PROPOSED SITE PLAN FOR ADMINISTRATIVE VARIANCE:



Vicinity Map



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311