



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

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# REVISED

## **CANCELLATION OF PUBLIC HEARING PLANNING COMMISSION REVIEW OF A VARIANCE REQUEST & MINOR PARTITION FOR 835 SW HILARY STREET**

PLEASE BE ADVISED that the application for a variance to increase the number of lots permitted to be accessed by private easement from three (3) to four (4) at 835 SW Hilary Street (docket VR 1-21) has been withdrawn and the public hearing regarding the variance or minor partition that was recently noticed is canceled.

Following staff and legal review of past land-use documents, it has been determined that legal access to a portion of the property at 835 SW Hilary Street via private access easement from SW Fellows Street has already been approved by the City via land-use approval, MP 7-00. Therefore, no variance is required and the application has been withdrawn. Please refer to the images and documentation below.

The review process for the minor partition application for the property at 835 SW Hilary Street to create three (3) parcels (docket MP 6-20) will be the standard Director's Review with Notification per Section 17.72.110 of the McMinnville Zoning Ordinance. Because the partition application is no longer concurrent with a variance application, a public hearing is not required. Public notice of the 14-day public comment period for MP 6-20 is attached. If you want to provide comments on the minor partition please do so by May 19, 2020. You will find more information on how to provide comments on the attached public notice.

Since there was so much interest in this variance application, the Planning Department has set up an online zoom meeting to answer questions you may have about the change in procedures for applications VR 1-21 and MP 6-20, and to discuss your opportunities for participation.

**PUBLIC INFORMATION MEETING SCHEDULED, THURSDAY, MAY 13, 2021, 5:30 PM.  
ZOOM MEETING DETAILS ON THE PAGE THAT FOLLOWS.**

Please contact Jamie Fleckenstein, Associate Planner, with any questions at (503) 474-4153 or [jamie.fleckenstein@mcminnvilleoregon.gov](mailto:jamie.fleckenstein@mcminnvilleoregon.gov).

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**Invitation to Zoom Meeting:** The public is invited and welcome to attend a Planning Department meeting to discuss the aforementioned matter. Due to the COVID-19 public health emergency and in accordance with Governor Kate Brown's Executive Order, the meeting is being held virtually through the Zoom meeting software to avoid gatherings and allow for social distancing. The Planning Department encourages those that are interested in participating and have access to technology to access the Zoom meeting online or through the call-in options (see below for details).

The public may join the Zoom meeting online here:

<https://mcminnvilleoregon.zoom.us/j/99503218684?pwd=aWd2Zz0hvSjVteGRHSExnSnRRSm9KZz09>

Meeting ID: 995 0321 8684

Passcode: 027542

The public may also join the Zoom meeting by phone by following the instructions below:

+1 669 900 9128

Meeting ID: 995 0321 8684

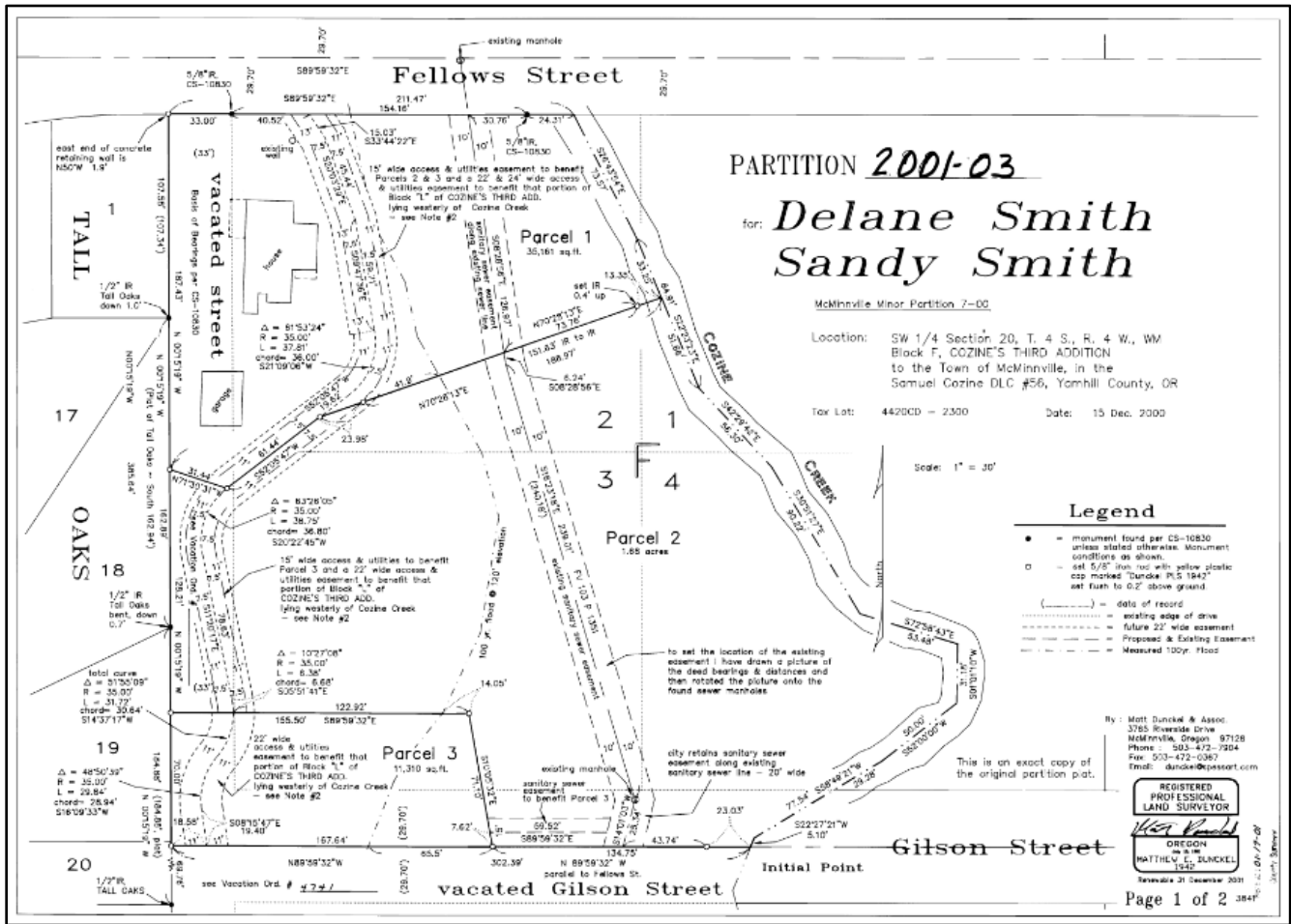
If you do not have access to a telephone or computer to participate in the meeting, a conference room with access to a computer to participate in the Zoom Online Meeting can be provided at the Community Development Center at 231 NE 5<sup>th</sup> Street, McMinnville, OR 97128. Please call the Planning Department at (503) 434-7311 at least 24 hours in advance of the meeting for assistance. Participation in the conference room will be limited to accommodate social distancing guidelines and will be provided on a first-come, first-served basis.

## **VARIANCE (VR 1-21) IMAGES & DOCUMENTATION**

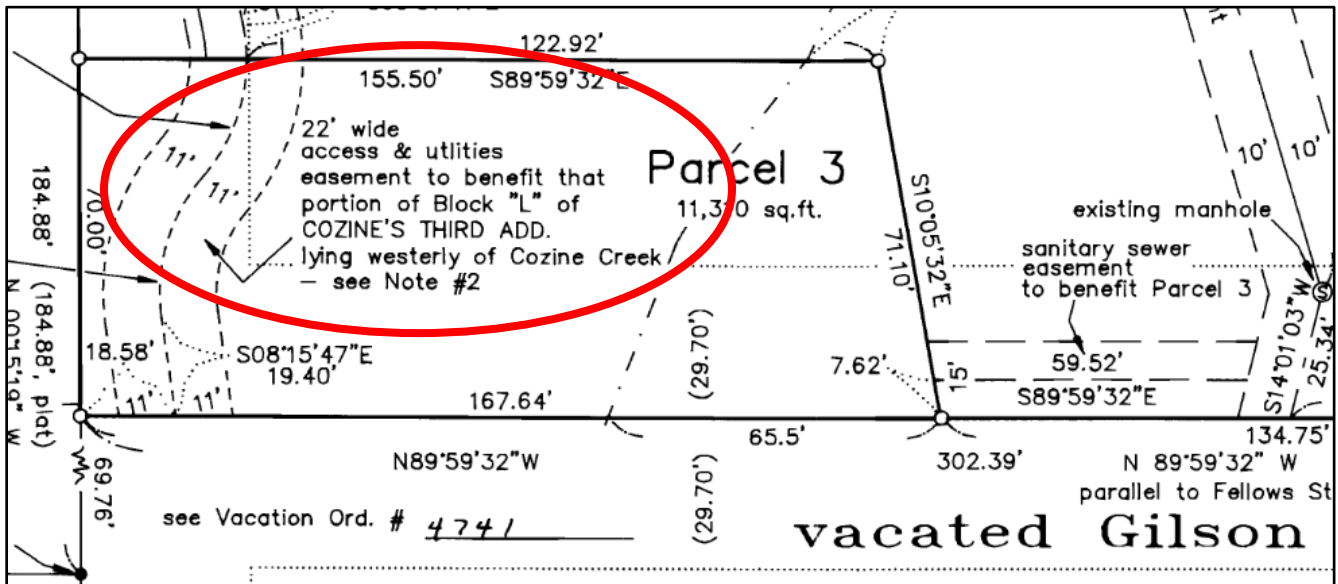
### ***Exhibit 1. Vicinity Map & Aerial Photo***



**Exhibit 2a. Partition Plat 2001-03 (McMinnville Minor Partition 7-00) Partition Plat 2001-03** documents that the Smith property was partitioned into 3 parcels and a private access easement was established giving access from Fellows Street to the three (3) parcels plus the portion of the Allen property west of Cozine Creek. This plat was approved by the City of McMinnville and signed by the Planning Director, Doug Montgomery on January 10, 2001.






**Exhibit 2b. Partition Plat 2001-03 Enlargement** indicating the specific portion of the Allen property that may legally draw access via the access easement from Fellows Street.





**Exhibit 2c. Partition Plat 2001-03, Page 2 Enlargement with Doug Montgomery's approval signature (City of McMinnville Planning Director) and Note #2.**

<u>APPROVALS :</u>	<u>Notes</u>
 City of McMinnville Surveyor      1/10/01 Date	1) Prior to Issuance of building permits for Parcels 2 or 3 of this partition, arrangements must be made with the City for construction of a turnaround for emergency vehicles if required by the McMinnville fire Marshall.  2) The easements for access & utilities granted by the recording of this plat shall be perpetual, non-exclusive and subject to and governed by the provisions of that Driveway Construction and Maintenance Agreement recorded in Instrument No. <u>200100600</u>
 City of McMinnville Planning Director      1/10/01 Date	
 Yamhill County Surveyor      1/12/01 Date	

**Exhibit 3. Zoning Map** illustrating the property at 835 SW Hilary Street. The portion of the property in the northwest corner that is residentially zoned (R-2, Single-Family Residential), does not have access to the surrounding street network via public right-of-way, and is separated by Cozine Creek and its flood plain from the eastern portion of the lot that does have right-of-way access, is the portion of the property described as Block "L" of COZINE'S THIRD ADD. lying westerly of Cozine Creek on the partition map 2001 – 03, identified in Exhibit 2a and 2b.

