



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

October 16, 2021

Karl Heinz Berto Wolff
1206 NE 10th Avenue
McMinnville, OR 97128

Email: worxconstruction@onlinenw.com

SENT VIA EMAIL

Re: Tentative Partition Approval (Docket MP 1-21)

Dear Karl-Heinz:

This is to advise you that the McMinnville Planning Department has received and carefully studied your application (MP 1-21) to partition an approximately 8,482 square foot parcel of land into two (2) parcels approximately 4,205 and 4,277 square feet in size. The subject site is located at 1206 NE 10th Avenue. The property is also identified as Tax Lot R4421AB01800.

The Planning Department reviewed your application against the criteria of Section 17.53.060 (Submission of Tentative Partition Plan) of the McMinnville Municipal Code (MMC). Under the provisions of Section 17.72.110 (Applications – Director’s Review with Notification) of the MMC, notice of the proposed tentative partition application was provided to property owners within 100 feet of the subject site and partner agencies. The Planning Department did not receive any public testimony on the proposed tentative partition during the public comment period.

Based on the material submitted and the Planning Department evaluation, I have **APPROVED** your request for a tentative partition (MP 1-21), subject to conditions.

Attached is the land-use decision with the Findings of Fact and conditions of approval for your records. The conditions of approval are also outlined below:

1. Each parcel shall have its own separate sanitary sewer lateral connected all the way to the City sanitary sewer main. A right-of-way permit will need to be obtained for the lateral installation from the edge of the property to the City main. All sewer laterals need to be inspected by the City. Contact Jeff Gooden at 971-241-7738 with any questions regarding the sewer lateral inspection.
2. The final partition plat shall include easements for access and sanitary sewer facilities as shown on the tentative partition plat. These easements shall be noted as private.

Page 2

3. The final partition plat shall include a reciprocal easement for each proposed parcel for a roof overhang on the other property.
4. The final partition plat shall include a reciprocal maintenance easement for the common wall boundary between the two properties, so that each property can access the exterior wall on the common wall property boundary that is not part of the shared wall.
5. Maintenance agreements as necessary for the existing private sanitary sewer facilities serving each of the proposed parcels shall be submitted to the Planning Department for review and approval prior to approval of the final partition plat.
6. Prior to the City's approval of the final plat, the applicant shall reconstruct the site driveways and sidewalks in the right-of-way that conform to the public right-of-way accessibility guideline (PROWAG) standards. Only those sections that do not meet the PROWAG standards have to be reconstructed. Contact Matt Bernards at 503-474-5106 with any questions regarding the driveway/sidewalk improvements.

Contractor to construct the corner curb ramps on the SE and SW corner of the Logan and 10th Avenue intersection. City will reimburse contractor for construction of the two corner curb ramps. Contractor to submit cost estimate to City for approval prior to completing this work.

7. Prior to the City's approval of the final plat, the applicant shall show proof that the common wall is a fire wall as required by the State Building Codes, and that it has a sound barrier which has a sound transmission class rating of not less than fifty per the State Building Codes.
8. That two (2) copies of the final partition plat mylars shall be submitted to the City Engineer for the appropriate City signatures. The signed plat mylars will be released to the applicant for delivery to McMinnville Water and Light and the County for appropriate signatures and for recording.
9. That this partition will not be considered a legal partition until such time that a copy of the recorded document is provided to the City of McMinnville's Planning Department.
10. That approval of this tentative plat will expire 12 (twelve) months after the effective date of decision. If the final plat has not been submitted prior to expiration of the tentative plat, or a written request for an extension of this approval has not been submitted and approved within that same period, the applicant must resubmit a tentative plat for further consideration and comply with regulations and conditions applicable at that time.

This letter shall act as official notification of my decision. Pursuant to Section 17.72.170 of the McMinnville Municipal Code, a decision by the Planning Director may be appealed to the Planning Commission within fifteen (15) days of the date of this letter. If no appeal is filed with the Planning Department on or before October 31, 2021, the decision of the Planning Director will be final. Please note that we are providing the conditions of approval within this letter as a courtesy. The official Decision Document with the Findings of Fact, Conclusionary Findings and Conditions of Approval is a separate document and is attached to this letter for the applicant and is also on file with the Planning Department.

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

Karl-Heinz Berto Wolff
October 16, 2021
Re: Tentative Partition Approval (Docket MP 1-21)

Page 3

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Richards", written in a cursive style.

Heather Richards, PCED
Planning Director

HR:sjs

c: Josh Adelman, Interim Engineering Services Manager, City of McMinnville

Attachments: *DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A TENTATIVE PARTITION AT 1206 NE 10th AVENUE (Docket MP 1-21).*