



PLANNING DIVISION

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

PUBLIC HEARING NOTICE:

**PLANNING COMMISSION REVIEW OF A
ZONING VARIANCE APPLICATION**

2005 NW MICHELBOOK LANE (TAX LOT R4417BD00800)

NOTICE IS HEREBY GIVEN that an application has been submitted to the McMinnville Community Development Department. The purpose of this notice is to provide an opportunity for surrounding property owners to submit comments regarding the application or to attend the public meeting of the Planning Commission where the request will be reviewed, and a public hearing will be held. Please contact Evan Hietpas with any questions at 503-474-5170, or Evan.Hietpas@mcminnvilleoregon.gov.

DOCKET NUMBER: VR 2-24 (Zoning Variance Application)

REQUEST: The applicant is requesting a zoning variance to propose the installation of a pool and fence within the required exterior side yard setbacks of a property in the R-1 zoning district.

APPLICANT: Andrew and Susanne Duvall

SITE LOCATION: 2005 NW Michelbook Lane (see vicinity map at end of document)

MAP & TAX LOT: R4417BD00800

ZONING: R-1, Low-Density, 9000 SF Lot Residential Zone

MMC REQUIREMENTS: McMinnville Municipal Code (MMC) 17.74.100 and 17.74.110.
(complete criteria is included at the end of this document)

NOTICE DATE: October 31, 2024

PUBLIC HEARING DATE: November 21, 2024, at 6:30 P.M.

HEARING LOCATION: This will be a hybrid meeting with the opportunity to join an in-person meeting at Civic Hall or virtually on a Zoom meeting.

Meeting Location:

Taylor Kent Civic Hall, 200 NE 2nd Street, McMinnville, OR 97128
OR

Zoom Meeting Details:

Meeting ID: 893 6863 4307

Passcode: 989853

Join by Phone: +1 253 215 8782

Proceedings: A staff report will be provided at least seven days before the public hearing. The Planning Commission will conduct a public hearing, take testimony, and then make a decision to approve the application, approve the application with conditions, or deny the application based on the applicable criteria.

Persons are hereby invited to attend the McMinnville Planning Commission hearing in person or via Zoom (please see Zoom instructions below) to observe the proceedings, and to register any statements in person or via Zoom, by attorney, or by mail to assist the McMinnville Planning Commission in making a decision. Should you wish to submit comments or testimony on this application prior to the public meeting, please call the Planning Division office at (503) 434-7311, forward them by mail to 231 NE 5th Street, McMinnville, OR 97128, or by email to Evan.Hietpas@mcminnvilleoregon.gov.

The decision-making criteria, application, and records concerning this matter are available on the Planning Division's portion of the City of McMinnville webpage at www.mcminnvilleoregon.gov. The materials can also be made available at the McMinnville Planning Division office at 231 NE 5th Street, McMinnville, Oregon. If you cannot access the materials electronically, please call the Planning Division at (503) 434-7311 to request a copy of the materials.

Project Page: Please visit the City's website for more details, including application materials, at <https://www.mcminnvilleoregon.gov/cd/page/vr-2-242005-nw-michelbook-lane>. You can access the webpage by typing "VR 2-24" in the search box on the City's homepage.



Appeal Process Failure to raise an issue in person or via Zoom or by letter prior to the close of the public hearing with sufficient specificity precludes appeal to the City Council on that issue. Details on the appeal process for Planning Commission rulings can be found in MMC 17.72.180.

Requests for Assistance: The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 24 hours in advance by contacting the City Manager (503) 434-7405 – 1-800-735-1232 for voice, or TDY 1-800-735-2900.

REVIEW CRITERIA:

This project will be reviewed against the regulatory framework found in McMinnville’s Comprehensive Plan, McMinnville’s Municipal Code and individual ordinances that were adopted specific to this property.

McMinnville Municipal Code (MMC) Title 17 (McMinnville Zoning Ordinance):

17.74.100 Variance-Planning Commission Authority.

The Planning Commission may authorize variances from the requirements of this title where It can be shown that, owing to special and unusual circumstances related to a specific piece of property, strict application of this title would cause an undue or unnecessary hardship, except that no variance shall be granted to allow the use of property for a purpose not authorized within the zone in which the proposed use would be located. In granting a variance, the Planning Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or neighborhood and otherwise achieve the purposes of this title.

17.74.110 Conditions for Granting Variance.

A variance may be granted only in the event that the following circumstances substantially exist:

- A. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape legally existing prior to the date of the ordinance codified in this title, topography, or other circumstance over which the applicant has no control;
- B. The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same zone or vicinity possess;
- C. The variance would not be materially detrimental to the purposes of this title, or to property in the zone or vicinity in which the property is located, or otherwise conflict with the objectives of any city plan or policy;
- D. The variance requested is the minimum variance which would alleviate the hardship.

Vicinity Map:

