

IN THE BOARD OF COUNTY COMMISSIONERS OF THE STATE OF OREGON

84-528

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of an Ordinance)
to Adjust the Zoning Boundary)
of Tax Lot 2522-500 to Make the)
Entire Parcel Designated as AF-)
20 by Authorizing an Amendment)
to the Yamhill County Zoning)
Ordinance, No. 310, 1982, Re-)
quested by Michael and Kathleen)
Shoepe)

ORDINANCE NO. 392

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) on the 12th day of September, 1984, sat for the transaction of County business in special session, Commissioners David E. Bishop, Ted Lopuszynski and Robin J. Hamblet being present.

WHEREAS, Tax Lot 2522-500, a 70 acre parcel, located approximately 8 miles northwest of the City of Yamhill, north of County Road 248 in the southwest 1/4 of Section 22, Township 2 South, Range 5 West, currently has a boundary line for EF-40 and AF-20 zones running through it; and

WHEREAS, on the 5th day of September, 1984, a public hearing was held before the Board on the question of whether to grant a zoning boundary readjustment to the owner of said Tax Lot, Michael and Kathleen Shoepe, pursuant to Section 303.01(I) of the Yamhill County Zoning Ordinance, No.310, 1982; and

WHEREAS, the entire 70 acre parcel was Plan-designated Agriculture/Forestry Large Holding; and

WHEREAS, Michael and Kathleen Schoepe have applied to the Department of Planning and Development for readjustment of the boundary which would result in the parcel being zoned AF-20 in its entirety; and

WHEREAS, the subject parcel has been in a single ownership since the adoption of Ordinance No. 310; and

WHEREAS, notice of the requested zone change has been sent to surrounding property owners and published in a newspaper of general circulation; and

WHEREAS, the proposed readjustment would not reduce in area the predominant zoning on the subject property in that the AF-20 District now consists of 50 acres of the parcel and the proposed readjustment will result in the remaining 20 acres being zoned AF-20; and

WHEREAS, the proposed boundary readjustment will follow existing property line

NOW THEREFORE, based upon and for the reasons set forth in the attached conclusionary findings for approval, identified in Exhibit "A" and incorporated herein by this reference;

IT IS HEREBY ORDAINED BY THE BOARD:

Section 1. The Official Zoning Map of Yamhill County be and hereby is amended to designate the zoning on Tax Lot 2522-500 as AF-20 in its entirety, as set forth in the attached sketch map, labeled Exhibit "B" incorporated herein by this reference.

Section 2. This Ordinance being necessary for the health, safety and welfare of the citizens of Yamhill County, and an emergency having been declared to exist, shall be effective upon passage hereof.

DONE this 12th day of September, 1984, at McMinnville, Oregon.

ATTEST:

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STEWARD
County Clerk

By: Elaine Pearcey
Deputy ELAINE PEARCEY

Approved as to Form by:

Daryl S. Garrettson
DARYL S. GARRETTSON
County Counsel

David E. Bishop
Chairman DAVID E. BISHOP

Date: 9-12-84

Ted Lopuszynski
Commissioner TED LOPUSZYNSKI

Date: Sept 12

Robin J. Hamblet
Commissioner ROBIN J. HAMBLET

Date: 9/12/84

EXHIBIT "A"

Findings of Fact

1. The applicant has requested to change the zoning on the 70 acre subject parcel from an EF-40/AF-20 mixture to entirely AF-20.
2. The entire 70 parcel is plan designated "Agriculture/Forestry Large Holding".
3. Approximately 50 acres of the parcel are zoned AF-20 and the remaining 20 acres are zoned EF-40.
4. The proposed zone realignment will follow the existing property lines and will result in the parcel being zoned AF-20 in its entirety.
5. The following public agency comments have been received:
 - a) County Sanitarian - Septic approval as given in June of 1984.
6. Notice of the requested zone change has been sent to surrounding property owners and published in a newspaper of general circulation.

Conclusionary Findings

Approval

The following conclusionary findings can be made for approval of the request:

1. In that the Comprehensive Plan Map designation for the entire parcel is "Agriculture/Forestry Large Holding" and because this plan designation applies to both the EF-40 and AF-20 Districts and the proposed boundary adjustment to make the entire parcel zoned AF-20 is consistent with the Comprehensive Plan Map designation on the parcel.
2. The proposed zone boundary adjustment will not reduce in area the predominant zoning currently existing on the subject property in that the AF-20 District now covers 71% of the subject property (50 out of 70 acres) and the proposed adjustment will result in the remainder of the 70 acre parcel also being zoned AF-20.
3. In that the parcel will be rezoned from its present EF-40/AF-20 mix to completely AF-20, the boundary adjustment will follow existing property lines and will result in a single zoning district for the entire parcel.

EXHIBIT "B"

