

FILED
YAMHILL COUNTY, OREGON
1987 JAN -9 AM 11:52
CHARLES STERN
COUNTY CLERK
R. W. Scher

IN THE BOARD OF COUNTY COMMISSIONERS OF THE STATE OF OREGON

87-004

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)
Lots 5506-700,701,900, and a)
portion of 5601-100 to Make the)
Parcel Designated as AF-20 by)
Authorizing an Amendment to the)
Yamhill County Zoning Ordinance)
No. 310, 1982, requested by)
Francis & Verna Hay and Marilee)
Deitrich.)

ORDINANCE NO. 439

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON the (Board) on the 24th day of December, 1986, sat for the transaction of County business in special session, Commissioners Donald Porter, Ted Lopuszynski, and David Bishop being present.

WHEREAS, Tax Lots 5506-700,701,900 and a portion of 5601-100 a 138.97 acre property located approximately .6 miles Northeast of the City of Sheridan, on the south and west side of Dupee Valley in the northwest 1/4 of Section 6, Township 5 South, Range 5 West, currently have a boundary line for EF-40 and AF-20 zones running through them; and

WHEREAS, on the 24th day of December, 1986, a public hearing was held before the Board on the question of whether to grant a zoning boundary adjustment to the owners of said Tax Lots, Francis & Verna Hay and Marilee Deitrich, pursuant to Section 303.01 (I) of the Yamhill County Zoning Ordinance, No. 310, 1982; and

WHEREAS, the entire 134.97 acre property was Plan-designated Agriculture/Forestry Holding; and

WHEREAS, Francis & Verna Hay and Marilee Deitrich have applied to the Department of Planning and Development for adjustment of the boundary which would result in the property being zoned AF-20 in its entirety; and

WHEREAS, the subject parcel was in a single ownership at the date of 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 adjustemnt would not reduce in area the predominant zoning on the subject property in that the AF-20 District now consists of 94.57 acres of the parcel and the proposed adjustment will result in the remaining 44.40 acres being zoned AF-20; and

WHEREAS, the proposed boundary adjustment will follow existing property lines;

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 Lots 5506-700,701,900 and a portion of 5601-100 as AF-20 in its entirety, as set forth in the attached sketch map, labeled Exhibit "B" incorporated herein by this reference.

INDEXED

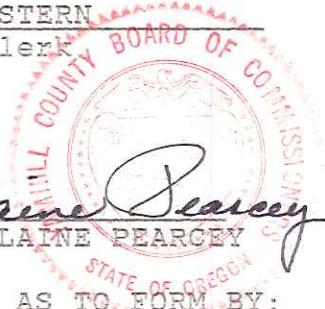
Section 2. This Ordinance being necessary for the health, safety and welfare of the citizens of Yamhill County, and an emergency having been declared to exist, shall be effective upon passage hereof.

DONE this 7th day of January, 1987, at McMinnville, Oregon.

ATTEST:

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STERN
County Clerk



JAY BUSH
Chairman

By: Elaine Pearcey
Deputy ELAINE PEARCEY

Ted Logunyszki
Commissioner

APPROVED AS TO FORM BY:

John Gray
JOHN GRAY
County Counsel

Ronald A. Berto
Commissioner

Docket: Z-5-86
Request: A zone change from an AF-20/EF-40 zone to entirely AF-20 on Tax Lots 5506-700, 701, 900 and a portion of 5601-100.
Location: Approximately 6 miles northeast of the City of Sheridan on the South and West side of Dupee Valley Road.
Applicant: Francis & Verna Hay and Marilee Deitrich.

Findings of Fact

1. The applicant has requested to change the zoning on the 134.97 acre property from an EF-40/AF-20 mix to entirely AF-20. Additionally, 1 acre of an abutting 80 acre ownership to the South (5506-900) and 3+ acres of an abutting 131 acre ownership to the west (5601-100), are suggested by staff to be included in the zone boundary alignment request.
2. The entire 134.97 acre subject property and the abutting properties are Plan-designated "Agriculture/Forestry Large Holding".
3. Approximately 94.57 acres of the subject property are zoned AF-20 and the remaining 40.40 acres are zoned EF-40. Additionally, nearly the entirety of the abutting 2 parcels is zoned AF-20.
4. The proposed zone alignment will remove a 40 acre island of EF-40 zoning, thereby resulting in a single zoning district for the subject property.
5. Notice of the requested zone change has been sent to surrounding property owners and published in a newspaper of general circulation.

DECISION-MAKING CRITERIA

The Board of Commissioner's decision must be based upon consideration of the criteria for a zone boundary adjustment as set forth in Section 303.01(I) of the Zoning Ordinance.

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 property, and abutting properties, is "Agriculture/Forestry Large Holding" and because this plan designation applies to both the EF-40 and AF-20 districts, the proposed boundary adjustment to make the entire property zoned AF-20 and to change 3 to 4 acres of EF-40 zoned land on abutting properties to AF-20 is consistent with the Comprehensive Plan Map designation on the property.
2. The proposed zone boundary adjustment will not reduce in area the pre-dominant zoning currently existing on the subject property in that the AF-20 District now covers 71% of the property (94.57 out of 134.97 acres) and the proposed adjustment will result in the remainder of the property also being zoned AF-20.
3. In that the property will be rezoned from its present EF-40/AF-20 mix to completely AF-20, the boundary adjustment will result in a single zoning district for the entire property.

SKETCH MAP FOR OFFICIAL ZONING MAP AMENDMENT

EXHIBIT "B"

FILM 44 PAGE 2015

TO CHANGE THE OFFICIAL ZONING MAP

FROM "EF-40" TO "AF-20"

Applicant: Francis & Verna Hay and Marilee Deitrich

Address: 11916 S.W. Dupee Valley Rd.
Sheridan, OR 97378

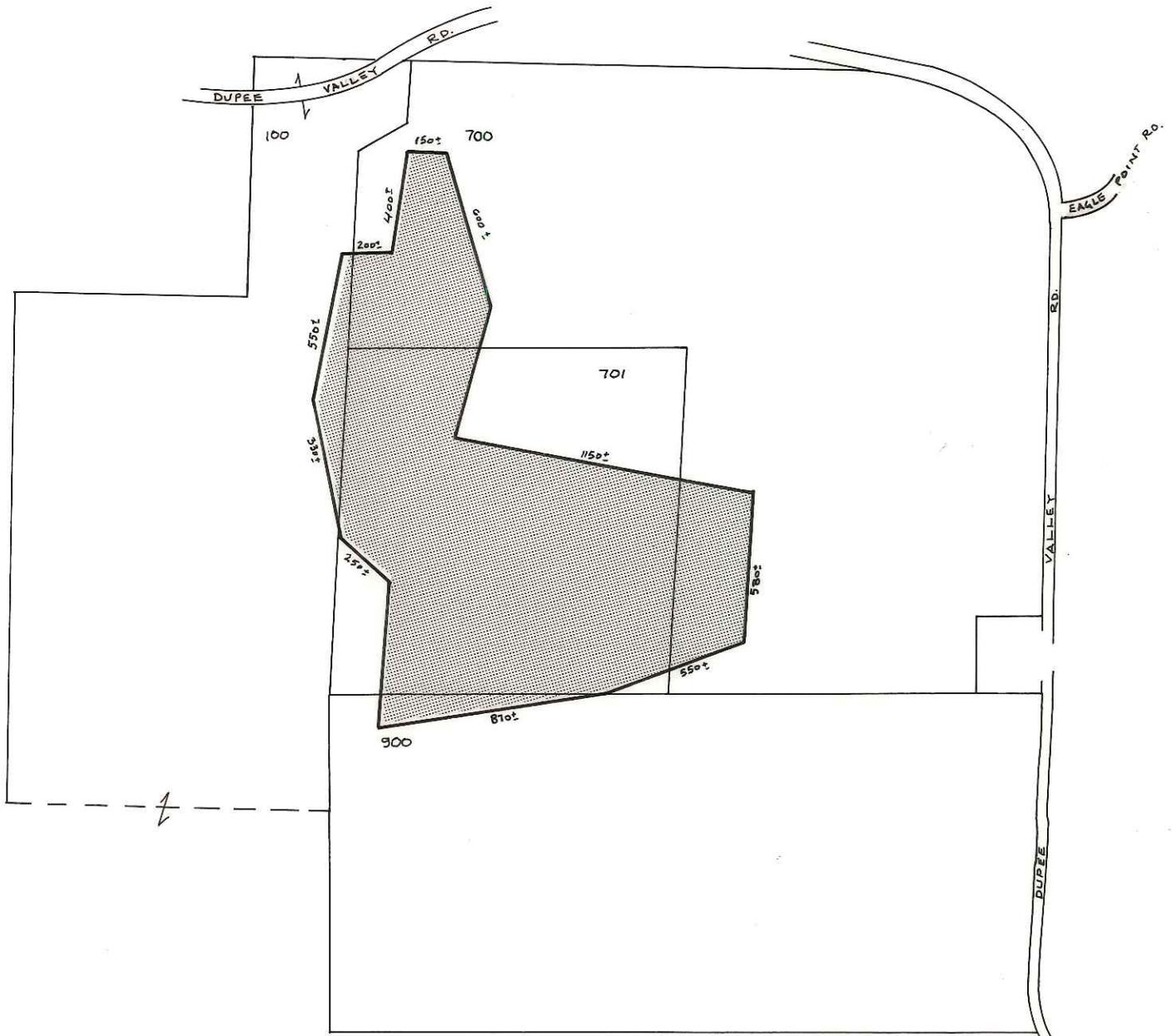
Phone: (503) 843-3642

Tax Lot No: 5506-700, 701, 900
5601-100

Docket No: Z-5-86



Scale: 1" = 600'



Change applies to shaded portions of tax lots 5506-700, 701, 900 & 5601-100

Sketch prepared by Yamhill County Department of Planning and Development.