

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 685-77

AN ORDINANCE ADOPTING FINDINGS WITH RESPECT TO APPLICATION OF H. L. BRUCE AND LUPE BRUCE, HUSBAND AND WIFE, FOR CHANGE OF ZONE CLASSIFICATION FROM R-3 (HIGH DENSITY RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL) WITH RESPECT TO TAX LOTS 5300 AND 5201 TAX MAP #2S132BD, GRANTING APPLICATION FOR CHANGE OF LAND USE CLASSIFICATION AND FIXING EFFECTIVE DATE.

THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1: The Council finds that the lands hereinafter described have heretofore been and now are classified R-3 (High Density Residential) pursuant to the zoning ordinances of the City of Sherwood.

Section 2: The Council further finds that pursuant to the prescribed procedures, application for change of zone classification of said land from R-3 (High Density Residential) to C-2 (General Commercial) was the subject of a public hearing held by the Planning Commission on August 24, 1977, and the Commission has heretofore filed its written minutes of its hearing and its recommendations to the Council regarding the application.

Section 3: The Council further finds that after due and legal notice, a public hearing was held on August 24, 1977, before an impartial council, and at said hearing all parties at interest were afforded an opportunity to be heard and to present and rebut evidence.

Section 4: Having considered on the evidence adduced at the hearing before the Council, the Planning Commission's recommendations, and the information disclosed by the application, the Council makes the following findings:

a. The subject property consists of .70 acres and has an existing wooden grain storage building located on the premises. Premises are better suited from both an economic and environmental standpoint, for development under a general commercial classification than under the existing R-3 classification.

b. No objections were made to the application. There would be no burden imposed on the public incident to the proposed use classification change disproportionate to benefits considering the site location, utilities and services available.

c. The change would not result in material detriment to abutting property or property in the vicinity. The proposed change is consistent with the purposes and objectives of the comprehensive land use plan.

Section 5: The lands described in the attached sheet marked Exhibit A headed "Description for Bruce Zone Change Application" attached hereto and incorporated herein, be and the same are hereby zoned as C-2 (General Commercial) for use in accordance with the

General Commercial classification of the zoning code of the City of Sherwood, which zoning code with reference to the general commercial classification is by this reference made a part hereof.

Section 6: The zoning map is hereby amended with respect to the property described on Exhibit A and as depicted on Exhibit B, attached hereto and by this reference made a part hereof, and the Recorder is hereby directed to maintain a copy of Exhibit B certified to be a true copy of the original attached hereto and bearing the number of this ordinance in a book on file entitled "Zone Map Amendments", said book being kept and maintained as a part of the permanent records of the City of Sherwood.

Section 7: This ordinance shall become effective on the 31st day after its enactment by the City Council of Sherwood, Oregon.

PASSED: By the Council, by Unanimous vote of all Council members present, after being read by caption three times this 28 day of September, 1977.

Polly Blankenbaker
RECORDER

APPROVED: By the Mayor, this 28 day of September, 1977.

Jack O. Harper
MAYOR

EXHIBIT A

"Description for Bruce Zone Change Application"

PARCEL I:

Lots 1 and 2, Block 5, EPLER'S ADDITION TO SHERWOOD,
Washington County, Oregon.

PARCEL II:

That part of Lot 9, CITY VIEW ADDITION TO SHERWOOD, within 4.6
feet of the Southwesterly line of Lot 1, Block 5, EPLER'S ADDITION
TO SHERWOOD, Washington County, Oregon.

PARCEL III:

A tract of land situated in the Northwest Quarter of Section 32,
Township 2 South, Range 1 West of the Willamette Meridian,
Washington County, Oregon, being more particularly described as
follows:

Beginning at an iron pipe that is located South $42^{\circ}37'$ East 171.5
feet and North $47^{\circ}41'$ East 120.3 feet from the most Easterly
corner of Block 3, Town of Sherwood; thence North $47^{\circ}45'$ East,
parallel with and 92 feet (Measured at right angles) from the
centerline of the Southern Pacific Railroad, a distance of 95
feet to the Northwesterly corner of Block 5, EPLERS ADDITION
thence South $43^{\circ}01'$ East 109.7 feet along the Westerly line of
said Block 5, to an iron pipe at the Northeasterly corner of
Lot 9, CITY VIEW ADDITION; thence South $48^{\circ}14'$ West 158.4 feet
to an iron pipe at the Northwesterly corner of said Lot 9;
thence North $12^{\circ}30''$ West 34.5 feet to an iron pipe at the Northeast
corner of that certain tract conveyed to A.E. Denley at page 30
Volume 301, Deed Records; thence Continuing North $12^{\circ}30'$ West
90 feet to the place of beginning.

PARCEL IV:

Lot 9, CITY VIEW ADDITION TO SHERWOOD, Washington Counth, Oregon,
EXCEPT that part within 4.6 feet of the Southwesterly line of
Lot 1, Block 5, EPLERS ADDITION TO SHERWOOD.