



MULTNOMAH COUNTY OREGON

LAND USE AND TRANSPORTATION PROGRAM

1600 SE 190TH Avenue Portland, OR 97233

PH: 503-988-3043 FAX: 503-988-3389

http://www.co.multnomah.or.us/dbcs/LUT/land_use

NOTICE OF DECISION

This notice concerns a Planning Director Decision on the land use case(s) cited and described below.

Case File: T2-03-072

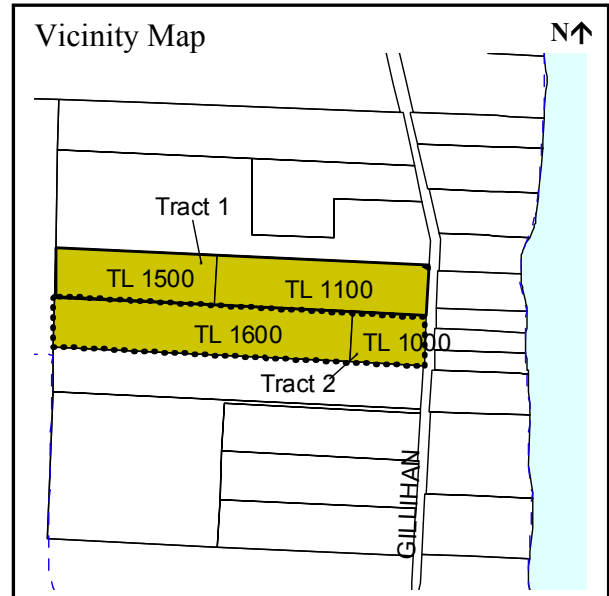
Permit: Property Line Adjustment

Location: 22625 & 22505 NW Gillihan Road
TL 1000, 1100, 1500 & 1600 Sec 02B,
T 2N, R 1W, W.M.
Tax Account #R97102-0280, R97102-0270, R97102-0310 & R97102-0260

Applicant: Keith Lerch
33464 Mazour Drive
Warren, OR 97053

Owner: Tax Lot 1100 & 1500 - Edwin F. &
Maria M. Lerch
22625 NW Gillihan Road
Portland, OR 97231

Tax Lot 1600 - Keith & Sandra Lerch
33464 Mazour Drive
Warren, OR 97053-9775



Tax Lot 1000 - Theodore Morris
22505 NW Gillihan Road
Portland, OR 97231

Summary: Request to adjust the property lines between two legal parcels to form one, 17.93 acre parcel and one, 2.09 acre parcel.

Decision: Approved with conditions.

Unless appealed, this decision is effective Monday, March 8, 2004, at 4:30 PM.

Issued by:

By: _____
Lisa Estrin, Planner

For: Karen Schilling- Planning Director

Date: Monday, February 23, 2004

Opportunity to Review the Record: A copy of the Planning Director Decision, and all evidence submitted associated with this application, is available for inspection, at no cost, at the Land Use Planning office during normal business hours. Copies of all documents may be purchased at the rate of 30-cents per page. The Planning Director's Decision contains the findings and conclusions upon which the decision is based, along with any conditions of approval. For further information on this case, contact Lisa Estrin, Staff Planner at 503-988-3043.

Opportunity to Appeal: This decision may be appealed within 14 days of the date it was rendered, pursuant to the provisions of MCC 37.0640. An appeal requires a \$250.00 fee and must state the specific legal grounds on which it is based. To obtain appeal forms or information on the procedure, contact the Land Use Planning offices at 1600 SE 190th Avenue (Phone: 503-988-3043). This decision cannot be appealed to the Land Use Board of Appeals (LUBA) until all local appeals are exhausted.

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Monday, March 8, 2004 at 4:30 pm.

Applicable Approval Criteria: Multnomah County Code (MCC):

General Provisions: 34.0005(L)(12) Definitions - Lot of Record,

Multiple Use Agriculture – 20: 34.2825(F) Review Uses - Property Line Adjustment, 34.2855 Dimensional Requirements, 34.2860(B) Property Line Adjustment, 34.2870 Lot of Record,

Land Divisions: 34.7970 Property Line Adjustment (Lot Line Adjustment),

Administration and Procedures: Chapter 37, Type II

Copies of the referenced Multnomah County Code sections can be obtained by contacting our office at 503-988-3043 or by visiting our website at http://www.co.multnomah.or.us/dbcs/LUT/land_use.

Scope of Approval

1. Approval of this land use permit is based on the submitted written narrative(s) and plan(s). No work shall occur under this permit other than that which is specified within these documents. It shall be the responsibility of the property owner(s) to comply with these documents and the limitations of approval described herein.
2. **Pursuant to MCC 37.0690, this land use permit expires two years from the date the decision is final if; (a) development action has not been initiated; (b) building permits have not been issued; or (c) final survey, plat, or other documents have not been recorded, as required. The property owner may request to extend the timeframe within which this permit is valid, as provided under MCC 37.0690 and 37.0700. Such a request must be made prior to the expiration date of the permit.**

Conditions of Approval

The conditions listed are necessary to ensure that approval criteria for this land use permit are satisfied. Where a condition relates to a specific approval criterion, the code citation for that criterion follows in parenthesis.

1. Owners of both properties involved in the property line adjustment shall record a conveyance or conveyances conforming to the approved property line adjustment. [MCC 34.7970(C)(2)]
2. The applicant shall complete the procedures provided in the enclosed “Applicant’s Instructions for Finishing a Property Line Adjustment,” and in the enclosed “Surveyor’s Instructions for Finishing a Property Line Adjustment”. [MCC 36.7970(D)]

Notice to Mortgagee, Lien Holder, Vendor, or Seller:

ORS Chapter 215 requires that if you receive this notice it must be promptly forwarded to the purchaser.

Findings of Fact

FINDINGS: Written findings are contained herein. The Multnomah County Code criteria and Comprehensive Plan Policies are in **bold** font. The applicants statements are identified below as ‘**Applicant:**’. Staff comments and analysis are identified as ‘**Staff:**’ and address the applicable criteria. Staff comments may include a conclusionary statement in *italic*.

1.0 **General Criteria**

1.01 **Project Description**

Staff: The applicant is proposing to adjust a common property line between two 10 acre parcels. Tract 1 is currently owned by Edwin and Maria Lerch and is occupied by a single family dwelling with the most of the property currently being utilized for agriculture. Tract 1 consists of Tax Lot 1500 and 1100, Section 02B, Township 2 North, Range 1 West (see vicinity map). Tract 2 is currently owned by Theodore Morris and Keith and Sandra Lerch and is occupied with 2 acres being utilized for a single family dwelling, barn, shed, driveway and septic system. The remainder of the area is being utilized for agriculture. Tract 2 consists of Tax Lot 1600 and 1000, Section 02B, Township 2 North, Range 1 West (see vicinity map).

1.02 **Procedural Process**

MCC 37.0530(B): ...Upon receipt of a complete application, notice of application and an invitation to comment is mailed to the applicant, recognized neighborhood associations and property owners within 750 feet of the subject tract. The Planning Director accepts comments for 14 days after the notice of application is mailed and renders a decision...

Staff: The application was submitted November 17, 2003 and was deemed complete as of January 16, 2004. An “Opportunity to Comment” notice was mailed on January 16, 2004 to all properties within 750 feet of the subject properties in compliance with MCC 37.0530. No written comments were received.

1.03 **Proof of Ownership**

MCC 37.0550 Initiation of Action

Except as provided in MCC 37.0760, Type I – IV applications may only be initiated by written consent of the owner of record or contract purchaser. PC (legislative) actions may only be initiated by the Board of Commissioners, Planning Commission, or Planning Director.

Staff: The proposed property line adjustment is between 2 parcels consisting of 4 tax lots. The following table shows the various tax lots and their associated owners:

Tax Lot	Property Owners
TL 1000, 2N1W02B	Theodore Morris
TL 1100, 2N1W02B	Edwin & Maria Lerch
TL 1500, 2N1W02B	Maria Lerch
TL 1600, 2N1W02B	Keith & Sandra Lerch

All property owners have granted approval for Keith Lerch to make application for the property line adjustment (Exhibit A.1, A.2, A.3, A.4, A.5 & A.6). *This criterion has been met.*

1.04 **MCC 37.0560 CODE COMPLIANCE AND APPLICATIONS.**

The County shall not approve any application for a permit or other approval, including building permit applications, for any property that is not in full compliance with all applicable provisions of the Multnomah County Land Use Code and/or any permit approvals previously issued by the County. A permit or other approval, including building permit applications, may be authorized if it results in the parcel coming into full compliance with all applicable provisions of the Multnomah County Code.

Staff: The proposed property line adjustment is to correct a land division violation which occurred in the year 2000 with the sale of Tax Lot 1000, 2N1W02B to Theodore Morris separate from Tax Lot 1600, 2N1W02B which remained in Keith and Sandra Lerch's ownership. With the completion of the property line adjustment the land division violation will be corrected.

As conditioned, this criterion has been met.

1.05 **34.0005 Definitions**

As used in this Chapter, unless the context requires otherwise, the following words and their derivations shall have the meanings provided below.

(L)(12) Lot of Record – Subject to additional provisions within each Zoning District, a Lot of Record is a parcel, lot, or a group thereof which when created and when reconfigured (a) satisfied all applicable zoning laws and (b) satisfied all applicable land division laws. Those laws shall include all required zoning and land division review procedures, decisions, and conditions of approval.

(a) "Satisfied all applicable zoning laws" shall mean: the parcel, lot, or group thereof was created and, if applicable, reconfigured in full compliance with all zoning minimum lot size, dimensional standards, and access requirements.

Staff: The following shows the historical zoning for Tracts 1 and 2:

Time Period	Zoning District
July 1958 to Dec. 8, 1975	F-2
Dec. 9, 1975 To Oct. 5, 1977	RL-C
Oct. 6, 1977 To Oct. 12, 1983	EFU
Oct. 13, 1983 To Present	MUA-20

Tract 1 Recorded Documents	Exhibit #	Recordable Form	Zoning	Lot Size
Warranty Deed for Combined TL's 1100 & 1500 (10 acres)	B.10	June 17, 1974	F-2	2 acres
Bargain and Sale Deed for TL 1500 (4.3 acres)	B.6	Dec. 18, 1975	RL-C	38 acres
Tract 2 Recorded Documents	Exhibit #	Recordable Form	Zoning	Min. Lot Size
Warranty Deed for Combined TL's 1000 & 1600 (10 acres)	B.8	June 17, 1974	F-2	2 acres
Note & Mortgage for TL 1000 (2 acres)	B.9	Oct. 28, 1974	F-2	2 acres
Statutory Warranty Deed Conveying TL 1000 (2 acres)	B.11	Sept. 8, 2000	MUA-20	20 acres
Bargain & Sale Deed for TL 1600 (8 acres)	B.12	Sept. 8, 2000	MUA-20	20 acres

Tract 1 consists of Tax Lot 1100 and Tax Lot 1500. Deed information provided by the applicant and County Records available to staff show that the 10 acre, Tract 1 was originally created on June 17, 1974 when the property was zone F-2 (Exhibit B.10, B.14 & B.16). On December 18, 1975 Edwin and Maria Lerch signed a Bargain and Sale Deed conveying 4.3 acres to Maria Lerch in an attempt to divide the property (Exhibit B.6 & B.16). The zoning at the time was RL-C which had just been adopted by the County Board of Commissioners through an emergency ordinance on December 9, 1975.

The RL-C zoning district required a minimum lot size of 38 acres and required all lots to abut a street or have other access held suitable by the Hearings Council (Exhibit B.18). The 4.3 acre property deeded off on December 18th does not meet the minimum lot size or have road frontage adjacent to Gillihan Road. No evidence has been found that a Hearings Council authorized alternative access for this parcel or a Lot of Exception to the minimum lot size. Based upon the review of the evidence in the record, it would appear that the combined Tax Lots 1100 and 1500 would be the legal parcel as shown as Tract 1 on the Tentative Plan Map.

The combined 10 acre parcel consisting of Tax Lots 1100 & 1500 were lawfully created in compliance with the 1974 zoning ordinance.

Tract 2 consists of Tax Lot 1000 and Tax Lot 1600. Deed and archival information in the record indicate the 10 acre, Tract 2 was originally created on June 17, 1974 while the property was zoned F-2 (Exhibit B.10, B.14 & B.16). On October 28, 1974 Keith and Sandra Lerch signed a Note and Mortgage Document to finance a loan (Exhibit B.9). It used as security for the loan a mortgage lot consisting of what is now known as Tax Lot 1000. No separate deed has been found or is in the record separating Tax Lot 1600 from Tax Lot 1000 until September 8, 2000 (Exhibit B.11 & B.12). The zoning in the year 2000 through present is Multiple Use Agriculture -20 (MUA-20).

The MUA-20 zoning district has a minimum lot size of 20 acres for the creation of a new lot or parcel and requires that any lot created abut a street or have the alternative access approved by the approval authority to be safe and convenient. Neither Tax Lot 1000 or 1600 meet the

minimum lot size of 20 acres. Tax Lot 1600 does not abut a street. Staff has found no evidence of approval for an alternative access to the parcel or a Lot of Exception to the minimum lot size allowing the creation of these two parcels below 20 acres. Based upon the review of evidence in the record, it would appear that the combined Tax Lots 1000 and 1600 would be the legal parcel as shown on Tract 2 on the Tentative Plan Map.

The combined 10 acre parcel consisting of Tax Lots 1000 & 1600 were lawfully created in compliance the 1974 zoning ordinance.

1.06 **(b) “Satisfied all applicable land division laws” shall mean the parcel or lot was created:**

1. By a subdivision plat under the applicable subdivision requirements in effect at the time; or

2. By a deed, or a sales contract dated and signed by the parties to the transaction, that was recorded with the Recording Section of the public office responsible for public records prior to October 19, 1978; or

3. By a deed, or a sales contract dated and signed by the parties to the transaction, that was in recordable form prior to October 19, 1978; or

4. By partitioning land under the applicable land partitioning requirements in effect on or after October 19, 1978; and

5. “Satisfied all applicable land division laws” shall also mean that any subsequent boundary reconfiguration completed on or after December 28, 1993 was approved under the property line adjustment provisions of the land division code. (See Date of Creation and Existence for the effect of property line adjustments on qualifying a Lot of Record for the siting of a dwelling in the EFU district.)

Staff: The creation of Tract 1 (TL 1100 & TL 1500 combined) and Tract 2 (TL 1000 & TL 1600 combined) in June 1974 by the recordation of warranty deed met the applicable land division laws at that time. The sale of Tax Lot 1000 in September 2000 separate from Tax Lot 1600 did not satisfied all applicable land division laws as detailed above under the finding for MCC 33.0005(L)(12)(a).

This criterion has been met.

1.07 **(c) Separate Lots of Record shall be recognized and may be partitioned congruent with an “acknowledged unincorporated community” boundary which intersects a Lot of Record.**

1. Partitioning of the Lot of Record along the boundary shall require review and approval under the provisions of the land division part of this Chapter, but not be subject to the minimum area and access requirements of this district.

2. An “acknowledged unincorporated community boundary” is one that has been established pursuant to OAR Chapter 660, Division 22.

Staff: Tract 1 and 2 are located entirely within the Multiple Use Agriculture – 20.

This criterion is not applicable.

2.0 **Multiple Use Agriculture Zoning District**

2.01 **34.2855 Dimensional Requirements**

(A) Except as provided in MCC 34.2860, 34.2870, 34.2875 and 34.4300 through 34.4360, the minimum lot size for new parcels or lots shall be 20 acres.

(B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the area of such lot.

Staff: Tract 1 consists of 10.11 acres and Tract 2 consists of 10.11 acres including that portion of Gillihan Road that would accrue to each parcel if the street was vacated. Pursuant to MCC 34.2870, Tracts 1 and 2 are excepted from the minimum lot size of 20 acres.

This criterion has been met.

2.02 **(C) Minimum Yard Dimensions - Feet**

Front	Side	Street Side	Rear
30	10	30	30

Maximum Structure Height – 35 feet

Minimum Front Lot Line Length – 50 feet.

Staff: Tract 1 contains 1 single family dwelling only. No accessory structures exist on the site based upon the Tentative Plan Map (Exhibit A.8). The dwelling on Tract 1 has a 180 ft front yard setback. The southern side setback is 72 feet and the northern side setback is 92 feet. The rear yard setback is over 1000 feet in depth. These setbacks will not change as part of the property line adjustment request.

No structures are proposed as part of this application on Tract 1 so the height limitation is not applicable at this time. The front lot line on Tract 1 will remain the same at 242.69 feet in length, which exceeds the minimum front lot line length of 50 feet.

Tract 2 contains a single family dwelling with attached garage, a barn and a shed. The proposed setbacks for the buildings after adjustment are as follows:

Structure	Front	Side (N/S)	Rear
Dwelling	186 ft	75.74/72 ft	113 ft
Barn	82 ft	123.74/78 ft	281 ft
Shed	95 ft	25/206.74 ft	289 ft

No structures are proposed as part of this application on Tract 2 so the height limitation is not applicable at this time. The front lot line will remain the same length at 243.74 feet in length which exceeds the minimum front lot line length of 50 feet.

These criteria have been met.

2.3 **(D) The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall**

determine the necessary right-of-way widths and additional yard requirements not otherwise established by ordinance.

Staff: Gillihan Road is currently designated a Rural Collector on the Multnomah County's Functional Classification of Trafficways. A rural collector should have a total right of way width of 60 feet. Currently in front of Tracts 1 and 2 the right of way width ranges between 40 to 45 feet. Additional right of way will be needed in the future from these properties to achieve the rural collector right of way standard. The existing buildings as described under (C) above have an existing setback exceeding the additional setback needed under this criterion.

This criterion has been met.

- 2.4 **(E) Structures such as barns, silos, windmills, antennae, chimneys or similar structures may exceed the height requirement if located at least 30 feet from any property line.**

Staff: No structures are proposed as part of this property line adjustment. *This criterion is not applicable at this time.*

- 2.5 **34.2860 Lots of Exception and Property Line Adjustments**

(B) Property Line Adjustment

Pursuant to the applicable provisions in the Multnomah County Land Division Ordinance, the approval authority may grant a property line adjustment between two contiguous Lots of Record upon finding that the approval criteria in (1) and (2) are met. The intent of the criteria is to ensure that the property line adjustment will not increase the potential number of lots or parcels in any subsequent land division proposal over that which could occur on the entirety of the combined lot areas before the adjustment.

- 2.6 **(1) No additional lot or parcel is created; and**

Staff: As discussed under the Lot of Record provisions MCC 34.0005(L)(12) above and 34.2870 below, Tract 1 and Tract 2 have been found to be lawfully created parcels. Upon completion of the property line adjustment, Tract 1 will be one parcel containing 17.93 acres and Tract 2 will be one parcel containing 2.09 acres.

This criterion has been met.

- 2.7 **(2) One of the following situations occurs:**

(a) The lot or parcel proposed to be reduced in area is larger than 20 acres prior to the adjustment and remains 20 acres or larger in area after the adjustment, or

(b) The lot or parcel proposed to be enlarged in area is less than 40 acres in area prior to the adjustment and remains less than 40 acres in area after the adjustment.

Staff: Tract 1 and 2 are each currently 10 acres in size. Upon completion of the property line adjustment, Tract 1 will be 17.93 acres in size and Tract 2 will be 2.09 acres (Exhibit A.8).

These criteria have been met.

2.8 **34.2870 Lot of Record**

(A) In addition to the Lot of Record definition standards in MCC 34.0005, for the purposes of this district the significant dates and ordinances for verifying zoning compliance may include, but are not limited to, the following:

- (1) July 10, 1958, SR zone applied;**
- (2) July 10, 1958, F-2 zone applied;**
- (3) December 9, 1975, F-2 minimum lot size increased, Ord. 115 & 116;**
- (4) October 6, 1977, MUA-20 zone applied, Ord. 148 & 149;**
- (5) October 13, 1983, zone change from EFU to MUA-20 for some properties, Ord. 395;**
- (6) May 16, 2002, Lot of Record section amended, Ord. 982, reenacted by Ord. 997.**

Staff: Staff has reviewed these dates in relation to the creation of the parcels under the Lot of Record finding listed under MCC34.0005(L)(12) above.

- 2.9 **(B) A Lot of Record which has less than the minimum lot size for new parcels or lots, less than the front lot line minimums required, or which does not meet the access requirement of MCC 34.2885, may be occupied by any allowed use, review use or conditional use when in compliance with the other requirements of this district.**

Staff: Tracts 1 and 2 do not currently meet the minimum lot size of 20 acres. Both tracts are approximately 10 acres in size. Both tracts currently meet the minimum front lot line length of 50 ft. Other than the property line adjustment, no other use is proposed at this time.

- 2.10 **(C) Except as otherwise provided by MCC 34.2860, 34.2875, and 34.4300 through 34.4360, no sale or conveyance of any portion of a lot other than for a public purpose shall leave a structure on the remainder of the lot with less than minimum lot or yard requirements or result in a lot with less than the area or width requirements of this district.**

Staff: Based upon MCC 34.2860, Tract 1 will increase in size to 17.93 acres from 10 acres currently. Tract 2 will be reduced in size from 10 down to 2.09 acres. This conveyance of land is permissible under the findings listed in MCC 34.2860 above.

This criterion has been met.

- 2.11 **(D) The following shall not be deemed to be a Lot of Record:**

- (1) An area of land described as a tax lot solely for assessment and taxation purposes;**
- (2) An area of land created by the foreclosure of a security interest.**
- (3) An area of land created by court decree.**

Staff: Tax Lots 1000, 1100, 1500 & 1600 are areas of land described as a tax lot solely for assessment and taxation purposes. They are not legal separate parcels. Tract 1 (tax lots 1100 &

1500 combined) was created legally in June 1974 as a 10 acres parcel. Tract 2 (tax lots 1000 & 1600 combined) was created legally also in June 1974 as a 10 acre parcel. See additional findings under MCC 34.0005(L)(12) above. The proposed property line adjustment is to correct the non-permitted sale of Tax Lot 1000 as a separate property in the year 2000. The two legal parcels were created in 1974 by the recordation of warranty deeds.

3.0 **Land Division Regulations**

3.1 **34.7970 Property Line Adjustment (Lot Line Adjustment)**

A property line adjustment is the relocation of a common property line between two abutting properties.

Staff: The adjustment between Tracts 1 and 2 will move the common property line to form a new rear property line on Tract 2 (Exhibit A.8). Tract 1 will go from being a long, narrow rectangle to a flag lot shape with 242.69 feet of street frontage. Tract 2 will be changed from a long, narrow rectangle (243.74 ft wide by 1798.36 ft long) to a short rectangle (243.74 ft wide by 375 ft long).

This criterion has been met.

3.2 **(A) The Planning Director may approve a property line adjustment between two properties, in the Rural Area, where an additional lot or parcel is not created and where the existing lot or parcel reduced in size by the adjustment is not reduced below the minimum lot size established by the applicable zoning designation.**

Staff: Both parcels are currently below the minimum lot size in the MUA-20 zoning district.
This criterion has not been met.

3.3 **(B) The Planning Director may approve a property line adjustment between two properties in the Rural Area where an additional lot or parcel is not created but where one or both of the adjusted properties are below the minimum lot size established by the applicable zoning district designation. Such an adjustment shall comply with any applicable zoning district standards for a Property Line Adjustment or Lot Line Adjustment.**

Staff: Tract 1 and Tract 2 are legally created parcels that are currently below the 20 acre minimum lot size of the MUA-20 zoning district. Both tracts are currently 10 acres in size. Upon the completion of the property line adjustment 2 parcels will exist; no parcels will be created. See additional findings under MCC 34.2860 above.

This criterion has been met.

3.4 **(C) Property line adjustments approved under subsections (A) and (B) above shall meet the following additional standards:**

(1) No additional lot or parcel shall be created from any parcel by the property line adjustment; and

Staff: Staff has verified that Tracts 1 and 2 are legally created parcels. At the completion of the property line adjustment only 2 parcels will exist (Exhibit A.8). No parcels will be created.

This criterion has been met.

- 3.5 **(2) Owners of both properties involved in the property line adjustment shall consent in writing to the proposed adjustment and record a conveyance or conveyances conforming to the approved property line adjustment; and**

Staff: All property owners have consented in writing to the proposed adjustment (Exhibit A.4, A.5, & A.6). A condition of approval has been included requiring that the owners of the properties to record proper conveyances conforming to the property line adjustment.

As conditioned, this criterion has been met.

- 3.6 **(3) The adjusted properties shall meet all dimensional requirements in the underlying zoning district designation except for lot area.**

Staff: The buildings on both Tracts 1 and 2 will meet all required setbacks. Both tracts meet the minimum front lot lines length of 50 feet. Please see additional findings under MCC 34.2855 above.

This criterion has been met.

- 3.7 **(4) The right-of-way width between the front line of each adjusted property and the centerline of any adjacent County road shall comply with the applicable provisions of the Street Standards Code and Rules as determined by the County Engineer.**

Staff: While the Gillihan Right of Way is substandard to the Rural Collector designation on the Functional Classifications of Trafficways, a property line adjustment does not cause an increase in the amount of traffic generated from the sites. Based on the lack of demand generated by the action, the dedication of additional right of way is not warranted at this time.

This criterion has been met.

- 3.8 **(D) The procedure and forms for obtaining approval of a property line adjustment shall be as provided for by the Planning Director.**

Staff: The applicant has utilized the proper procedure and forms as provided for by the Planning Director for a property line adjustment (Exhibits A.1, A.2, A.3, A.4, A.5, A.6 & A.8).

4.0 **Conclusion**

Based on the findings and other information provided above, the applicant has carried the burden of proof necessary for the property line adjustment in the MUA-20 zoning district. This approval is subject to the conditions of approval established in this report.

5.0 **Exhibits**

“A” Applicant Exhibits, “B” Staff Exhibits “C” Procedural Exhibits

The applicant’s exhibits are identified below under ‘A’. Staff’s exhibits are identified below under ‘B’. Procedural exhibits are listed under ‘C’ below.

“A” Exhibit #	Document Description	Date Received
A.1	General Application Form with Edwin & Maria Lerch Signatures	11/17/03

A.2	General Application Form with Keith & Sandra Lerch Signatures	11/17/03
A.3	General Application Form with Theodore Morris Signature	11/17/03
A.4	Statement of Property Owner's Consent with Edwin & Maria Lerch and Ted Morris signatures	11/17/03
A.5	Statement of Property Owner's Consent with Maria Lerch signature	11/17/03
A.6	Statement of Property Owner's Consent with Keith & Sandra Lerch signatures	11/17/03
A.7	Tentative Plan Map	11/17/03
A.8	Revised Tentative Plan Map	1/30/04

"B" Exhibit #	Document Description	Document Date/Received
B.1	A&T Property Information for Tax Lot 1100, 2N1W02B	11/17/03
B.2	A&T Property Information for Tax Lot 1600, 2N1W02B	11/17/03
B.3	A&T Property Information for Tax Lot 1500, 2N1W02B	11/17/03
B.4	A&T Property Information for Tax Lot 1000, 2N1W02B	11/17/03
B.5	Letter from Paul Norr Regarding Lerch Sauvie Island Property	12/26/02
B.6	Bargain and Sale Deed for Tax Lot 1500, 2N1W02B Recorded 12/22/1975 (Book 996, page 1169)	12/26/02
B.7	A&T Tax Map with Tax Lot 1500, 2N1W02B Highlighted	12/26/02
B.8	June 1974 Warranty Deed for Tax Lot 1000 & 1600 Combined into a 10 acre property (Book 992, page 1251)	6/17/1974
B.9	Note and Mortgage for Tax Lot 1000 (Book 1015, page 106 & 107)	10/28/1974
B.10	Warranty Deed for Tax Lots 1100 & 1500 (Book 992, page 1250)	6/17/1974
B.11	Statutory Warranty Deed Conveying Tax Lot 1000	9/11/2000
B.12	Bargain and Sale Deed for Tax Lot 1600	9/11/2000
B.13	Tax Lot Description Card for TL 1600 (26) 2N1W02B	12/5/2003
B.14	Tax Lot Description Card for TL 1100 (27) 2N1W02B	12/5/2003
B.15	Tax Lot Description Card for TL 1000 (28) 2N1W02B	12/5/2003
B.16	Tax Lot Description Card for TL 1500 (31) 2N1W02B	12/5/2003
B.17	Tax Lot Description Card for TL 18, 2N1W02B	12/5/2003
B.18	RL-C zoning district regulations	12/9/1975

"C" Exhibit #	Document Description	Document Date/Received
C.1	Incomplete Letter	12/8/2003
C.2	Acceptance of 180 Day Time Period by Applicant	12/10/2003
C.3	Complete Letter	1/16/2004
C.4	Opportunity to Comment	1/16/2004
C.5	Administrative Decision	2/23/04