



MULTNOMAH COUNTY
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/landuse>

RE-NOTICE OF DECISION

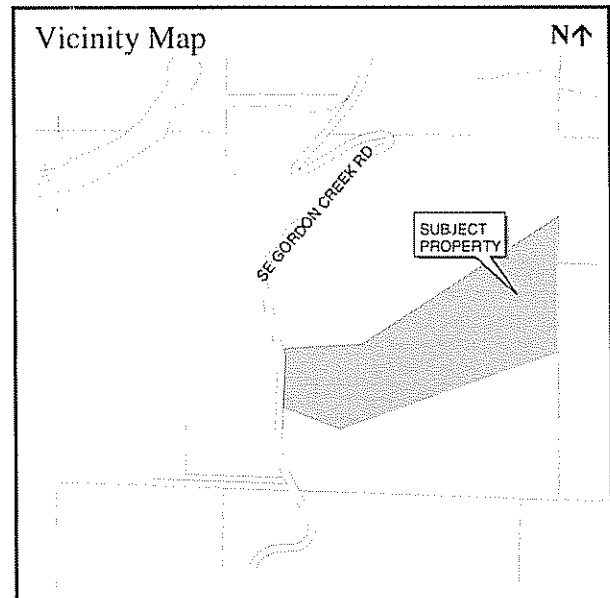
This notice concerns a Planning Director Decision on the land use case(s) cited and described below.

Case File: T2-07-056

Permit: Significant Environmental Concern and
CFU Development Standards

Location: 37615 SE Gordon Creek Rd
TL 300, Sec 14, T1S, R4E, W.M.
Tax Account # R994140030

**Applicant/
Owner:** Wanda Janus




Summary: A request for a Significant Environmental Concern and CFU Development Standards Permit relating to the replacement of an existing manufactured home, with a new 2,178 square foot dwelling, and 873 square foot two-car attached garage.

Decision: Approved, with conditions.

Unless appealed, this decision is effective **Wednesday, October 31, 2007 at 4:30 PM.**

Issued by:

By: 
Kenneth Born, AICP, Planner

For: Karen Schilling- Planning Director

Date: October 17, 2007

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 Kenneth Born, AICP, Staff Planner at 503-988-3043 ext. 29397.

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 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 Wednesday, October 31, 2007 at 4:30 PM.

APPLICABLE APPROVAL CRITERIA: §35.2275 – Lot of Record; §35.2225 - Review Uses; §35.2256 - Forest Practices Setbacks and Fire Safety Zones; §35.2261 -Development Standards for Dwellings and Structures; §35.4555 - Criteria for Approval of SEC Permit

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/landuse>.

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. **This land use permit expires two (2) 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 or 37.0700, as applicable. The request for a permit extension must be submitted prior to the expiration of the approval period.**

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. **The applicant shall record the Notice of Decision (pages 1-3 of this decision) with the County Recorder. The Notice of Decision shall run with the land. Proof of recording shall be made prior to the issuance of any building permits and shall be filed with the Land Use Planning Division. Recording shall be at the applicant's expense. [MCC 37.0670]**

2. The existing residence shall be removed from the property within three (3) months of occupancy of the new home, as agreed upon by the applicant in the Replacement Dwelling agreement. A copy of that signed agreement shall be submitted to the Land Use Planning office prior to the issuance of building permits. Please note that a statement declaring the property legally contains only one dwelling must be recorded with the Division of Records as a part of that agreement and a copy of that statement must be submitted to this office prior to building permit sign-off. [MCC 35.2225(A)(1)]
3. A primary fire safety zone shall be established and maintained around the new dwelling. The zone must extend 130-feet to the west, and 30-feet to the north, south and east from the roof edge. Trees within the primary fire safety zone shall be spaced with greater than 15-feet between crowns. Installation of the fire safety zones shall occur prior to construction. All fire safety zones shall be continuously maintained. [MCC 35.2256(D)(1)]
4. The proposed dwelling shall be constructed with a fire retardant roof, and must contain a spark arrester on all chimneys. This shall be clearly noted on the building plans prior to County authorization of a building permit. [MCC 35.2261(C)]
5. The proposed light fixture type shall be clearly shown on the building plans submitted for building permit approval. The fixture type shall be fully shielded (covered on the sides) and hooded (covered on top) so as to only direct light downward over the doors. [MCC 35.4555(L)]
6. A Minimal Impact Inspection fee shall be paid at the time of zoning approval of the building permit. The plans shall show the location of ground disturbing activities and erosion control measures consistent with the Erosion Prevention Sediment Control Plans Technical Guidance Handbook.

The property owner shall maintain best erosion control practices through all phases of development. Erosion control measures are to include the installation of sediment fences/barriers at the toe of disturbed areas and post construction re-establishment of ground cover. Straw mulch, erosion blankets, or 6-mil plastic sheeting shall be used as a wet weather measure to provide erosion protection for exposed soils. All erosion control measures are to be implemented as prescribed in the current edition of the Erosion Prevention Sediment Control Plans Technical Guidance Handbook, copies of which are available for purchase at our office, or through the City of Portland. [MCC 29.333(B)]

Note: Multnomah County must review and sign off the building permits before the applicant submits building plans to the City of Gresham. Three (3) sets each of the site plan and building plans are needed for building permit sign off. Please contact Ken Born at 503-988-3043 (ext. 29397) to obtain an appointment for sign-off review.

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.