

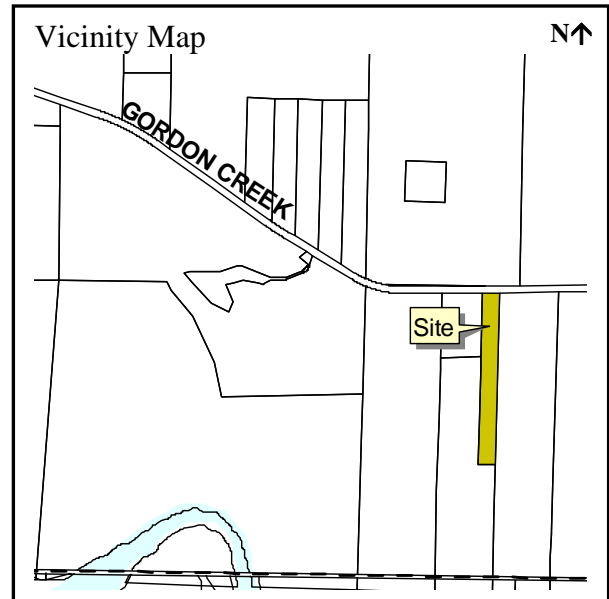


MULTNOMAH COUNTY
LAND USE AND TRANSPORTATION PROGRAM
1600 SE 190TH Avenue Portland, OR 97233
PH: 503-988-3043 FAX: 503-988-3389
<http://www.co.multnomah.or.us/landuse>

NOTICE OF DECISION

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

Case File: T2-2010-544
Permit: Temporary Permit
Location: 39604 SE Gordon Creek Road
TL 300, Sec 24D, T 1S, R 4E, W.M.
Tax Account #R99424-0160
Applicant: Dale Burkholder
Owner: Judith Meacher
Base Zone: Commercial Forest Zone – 4 (CFU-4)
Overlays: Hillside Development (HD)



Summary: Temporary permit to store two detached sections of a manufactured home on site while the owner applies for a replacement/new dwelling.

Decision: Approved with conditions.

Unless appealed, this decision is effective Thursday, May 6, 2010, at 4:30 PM.

Issued by:

By: _____
Lisa Estrin, Planner

For: Karen Schilling- Planning Director

Date: Thursday, April 22, 2010

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 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, ext. 22597.

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 Thursday, May 6, 2010 at 4:30 pm.

Applicable Approval Criteria: Multnomah County Code (MCC): MCC 35.0510 Temporary Permits; MCC 35.2220 through MCC 35.2230 – Allowed Uses, Review Uses, Conditional Uses. Copies of the referenced Multnomah County Code (MCC) 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 on May 6, 2011.**

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. Prior to movement of the manufactured dwelling on County right-of-way, the property owner or her representative shall obtain the necessary Transportation permit from Oregon Department of Transportation [MCC 29.574(E) & ORS 818].
2. No work to assemble, permanently place, connection to septic system, installation of the two sections of the manufactured dwelling to be stored on the site is to occur until such time as permit, T2-2010-552 is approved and the necessary permits are issued by the County's Building Department, Gresham Building. [MCC 35.2215 & MCC 35.7214]
3. The manufactured dwelling may only be stored for one year from the date of this permit. If the necessary permits are not issued to assemble the dwelling within one month of this temporary permit expiration, the property owner shall commence removal within the next 30 days and have all components of the dwelling removed by the temporary permits expiration. [MCC 35.0510]

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 (MCC) criteria and Comprehensive Plan Policies are in **bold font**. Staff analysis and comments are identified as ‘**Staff:**’ and address the applicable criteria. Staff comments may include a conclusionary statement in *italic*.

1.00 Project Description:

Applicant: The applicant requests a temporary permit to move a double wide trailer in 2 sections on the property prior to issuance of the land use approval for a replacement. The home has to be removed from the site it is currently on and to not move it on to the site being applied for would put an unnecessary financial burden on the owner as Mrs. Meacher is working with limited funds. Please give your urgent attention to this matter. And inform me of what will be necessary to help in expediting the application. The application for the replacement dwelling will follow.

2.00 Property Description & History:

Staff: The subject property is zoned Commercial Forest Use – 4 (CFU-4) with an overlay of Hillside Development. The Hillside Development overlay is located over a portion of the southern half of the 5 acre parcel. Up until December 2009, the property contained a 14 ft wide by 70 ft long manufactured dwelling approximately 130 ft south of Gordon Creek Road. At that time, the property owner authorized the removal of the dwelling prior to obtaining authorization for a replacement dwelling. The property owner has since applied for a Verification and Replacement of a Nonconforming Use permit (T2-2010-601) to replace the dwelling with a newer manufactured dwelling.

3.00 Temporary Permit Criteria:

§ 35.0510- TEMPORARY PERMITS

(A) Notwithstanding the limitations of use as established by this Chapter in each of the several districts, the Planning Director may issue temporary permits, valid for a period of not more than one year after issuance, for structures, or uses which are of a temporary nature, such as: ...

(3) Temporary storage of structures or equipment; ...

(6) Other uses of a temporary nature when approved by the Planning Director.

Staff: The property owner has submitted a separate application, T2-2010-601 to authorize the replacement of a single family dwelling on the subject site. During the application process, she would like to store the home on her property in two pieces until such time as she is authorized to replace the dwelling and assemble the manufactured dwelling. While the County typically does not authorize temporary permits for the storage of equipment or buildings, the Planning Director will grant this temporary permit provided the structure is stored in two pieces.

4.00 Exhibits

‘A’ Applicant’s Exhibits

‘B’ Staff Exhibits

All exhibits are available for review in Case File T2-2010-544 at the Land Use Planning office.

Exhibit #	# of Pages	Applicant Exhibits	Date Received/ Submitted
A.1	1	T2-2010-544	3/12/2010

A.2	1	Project Description	3/12/2010
A.3	1	Site Plan	3/12/2010
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'B'	#	Staff Exhibits	Date
B.1	1	A&T Property Information	12/10/2009
B.2	1	Complete Letter	3/23/2010
B.3	1	Opportunity to Comment	3/25/2010
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