

**MULTNOMAH COUNTY****LAND USE AND TRANSPORTATION PROGRAM**1600 SE 190TH Avenue Portland, OR 97233

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

<http://www.multco.us/landuse>

NOTICE OF DECISION

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

Case File: T2-2012-2237

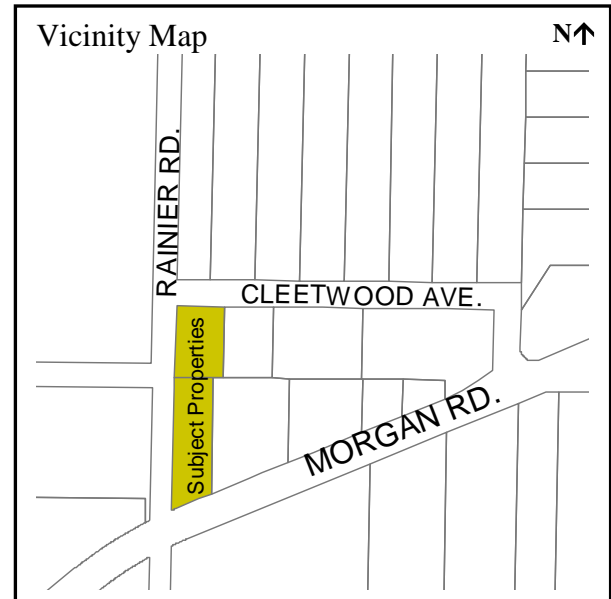
Permit: Time Extension

Location: 19440 Cleetwood
Township 2 North, Range 2 West,
W.M., Section 12DB, Tax Lot 2800 &
Section 12DC Tax Lot 1400
Tax Acct. #R708301910 & R708303665

**Applicant/
Owner:** Matt and Rachel Greer
Francis Adams

Base Zone: Rural Residential (RR)

Overlays: Significant Environmental Concern
Permit – Wildlife Habitat (SEC-h) and
Scenic Views (SEC-v).



Summary: Time extension to a previous land use decision, T2-10-002.

Decision: Approved with Conditions

Unless appealed, this decision is effective Thursday, December 13, 2012, at 4:00 PM.

Issued by:

By: _____
Kevin Cook, Planner

For: Karen Schilling- Planning Director

Date: Thursday, November 29, 2012

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 Kevin Cook, Staff Planner at 503-988-3043, ext. 26782.

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, December 13, 2012 at 4:00 pm.

Applicable Approval Criteria: Multnomah County Code (MCC): 37.0695(A) Extension of a Type II or Type III Decision

Copies of the referenced Multnomah County Code (MCC) and Multnomah County Road Rules (MCRR) 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> or <http://web.multco.us/transportation-planning>

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 permit is a time extension of a previous land use approval. The 12 month extension granted under this permit begins on the day the original approval would have expired after the appeal period for this decision ends since work has not been able to be undertaken since the expiration of the original permit and through the processing of this permit. The one 12 month extension granted in this permit shall expire on December 13, 2013.**

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. Conditions from T2-10-002 are still valid and are included as Exhibit B.4 in this decision.

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:

Staff: The applicant is seeking a time extension for a previous permit, T2-10-002, which would have expired on April 9, 2012 if a time extension application had not been received prior to that date. T2-10-002 authorized a replacement of the single-family dwelling, to move the existing carport and shipping container, to build an approximately 620 sq. ft, 20 ft tall garage and a sauna, place a hot tub, replace a septic system and install a storm water control system within the Rural Residential Zone and Significant Environment Concern for Wildlife Habitat and Scenic Views Overlay Zones.

2.00 Time Extension of a Type II or Type III Decision

MCC 37.0695 EXTENSION OF A TYPE II OR TYPE III DECISION.

(A) The Planning Director shall grant one extension period of 24 months for approvals of dwellings listed in Section 37.0690(C) and shall grant one extension period of up to 12 months for all other approvals provided:

- A. **(1) An applicant makes a written request for an extension of the development approval period;**

Staff: The applicant submitted a written request for a time extension on April 5, 2012.

Criterion met.

- B. **(2) The request is submitted to the county prior to the expiration of the approval period;**

Staff: The applicant submitted a written request for a time extension on April 5, 2012. The original decision approving the development would have expired on April 9, 2012. Therefore, the request was received prior to the expiration of the approval.

Criterion met.

- C. **(3) The applicant states reasons that prevented the applicant from beginning or continuing development within the approval period; and**

(4) The county determines that the applicant was unable to begin or continue development during the approval period for reasons for which the applicant was not responsible.

Staff: The applicant indicates that various family matters prevented the development from moving forward. Additionally, the applicant has sold the property to the current owner during the end of the approval period.

Staff finds that the new applicant is not responsible for the reasons causing delay in development.

Criteria met.

3.00 Conclusion

Based on the findings and other information provided above, the applicant has carried the burden necessary for the Time Extension to County Land Use Permit T2-10-002. This approval is subject to the conditions of approval established in T2-10-002 except for the length of time the permit is valid. With the approval of this time extension, T2-10-002 shall expire on December 13, 2013.

4.00 Exhibits

‘A’ Applicant’s Exhibits

‘B’ Staff Exhibits

Exhibits are available for review in Case File T2-2012-2237 at the Land Use Planning office.

Exhibit #	# of Pages	Description of Exhibit
A.1	1	General Application Form
‘B’	#	Staff Exhibits
B.1	2	A&T Property Information
B.2	1	May 4, 2012 Incomplete Letter
B.3	1	October 3, 2012 Complete Letter
B.4	3	Opportunity to Comment and Mailing List, October 9, 2012
B.5	5	Conditions of Approval From T2-10-002