

## 14 DAY OPPORTUNITY TO COMMENT

### Application for Verification and Alteration of Nonconforming Use and Lot of Record Verification

This notice serves to notify neighboring property owners of the opportunity to submit written comments on the proposal described below. All comments should relate to the approval criteria and any neighbor that submits comments will receive the County's complete decision in the mail. **If you do not wish to submit comments, no response is necessary.**

**Case File:** T2-2019-12723

**Location:** 18015 NW Sauvie Island Rd, Portland  
Map, Tax Lot: 2N1W17D - 03100  
Alternate Account #R971170100 Property ID #R324973

**Applicants:** Michael Miller & Heather Poehler

**Base Zone:** Multiple Use Agriculture – 20 (MUA-20)

**Overlays:** Willamette River Greenway (WRG) / Flood Hazard (FH)

**Proposal:** Applicants is seeking a Verification of a Nonconforming Use for two existing dwellings on the subject property. Upon the verification that the two dwellings are lawful, the applicants will renovate the original 1918 dwelling in an effort to restore the home's traditional design. In addition, the applicants have requested a Lot of Record Verification that the subject property was lawfully established in accordance with the zoning and land division regulations at the time.

**Comment Period:** Written comments regarding this application will be accepted, if received by 4:00 pm on **Wednesday, March 11, 2020**. Comments should be directed toward approval criteria applicable to the request. Application materials and other evidence relied upon are available for inspection at the Land Use Planning office (Tuesday-Friday 8am-4pm, except holidays) at no cost. Copies of these materials may be purchased for 30-cents per page. For further information regarding this application contact case planner, Lisa Estrin at 503-988-0167 or [lisa.m.estrin@multco.us](mailto:lisa.m.estrin@multco.us).

**Decision Making Process:** The Planning Director will render a decision on this application after the comment period expires. Notice of the Director's decision will be mailed to the applicant, parties within 750 feet of the subject property, any recognized neighborhood associations, and any other persons who submitted written comments during the comment period. The Planning Director's decision can be appealed. An explanation of the requirements for filing an appeal will be included in the notice of decision.

**Important Note:** Failure to raise an issue before the close of the public record in sufficient detail to afford the County and all parties an opportunity to respond may preclude appeal on that issue to the Land Use Board of Appeals.





For this application to be approved, the proposal will need to meet the applicable approval criteria below:

**Multnomah County Code (MCC):** General Provisions: MCC 39.1515 Code Compliance and Applications, MCC 39.2000 Definitions, MCC 39.6850 Dark Sky Lighting Standards;

Lot of Record Verification: MCC 39.3005 Lot of Record – Generally, MCC 39.3080 Lot of Record – Multiple Use Agriculture – 20;

Verification and Alteration of a Nonconforming Use: MCC 39.8300 through MCC 39.8315 Nonconforming Uses; and

Multiple Use Agriculture – 20: MCC 39.4310 Allowed Uses, MCC 39.4325 Dimensional Requirements and Development Standards

Copies of the referenced Multnomah County Code sections can be obtained by contacting our office or by visiting our website at <http://multco.us/landuse/zoning-codes/> under the link **Chapter 39 – Zoning Code**.

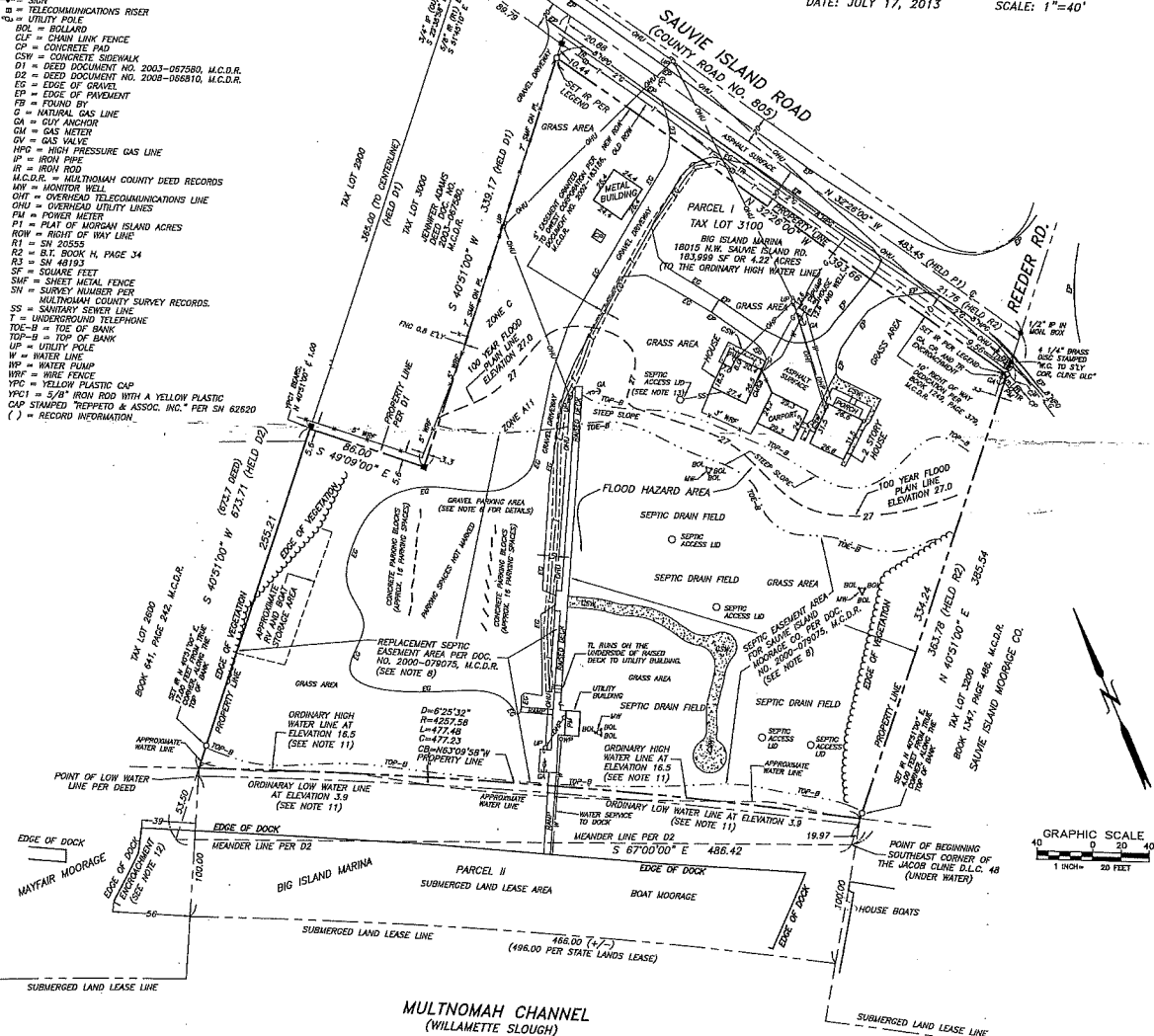
## LEGEND

- = 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "REPPETO & ASSOC. INC." SET JUNE 11, 2013
- = FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "REPPETO & ASSOC. INC." PER SN 62620
- = MONUMENT FOUND AS NOTED
- = CENTERLINE ROAD
- = GAS METER
- = POWER METER
- = SON
- = TELECOMMUNICATIONS ROSEY
- = UTILITY POLE
- = BOLLARD
- = CHAIN LINK FENCE
- = CONCRETE PAD
- = CONCRETE SIDEWALK
- D1 = DEED DOCUMENT NO. 2003-07580, M.C.D.R.
- D2 = DEED DOCUMENT NO. 2008-06610, M.C.D.R.
- ED = EDGE OF DRIVE
- EP = EDGE OF PAVEMENT
- FB = FOUND BY
- G = NATURAL GAS LINE
- GA = GUY ANCHOR
- GM = GAS METER
- GV = GAS VALVE
- HPD = HIGH PRESSURE GAS LINE
- IP = IRON PIPE
- IR = IRON ROD
- M.C.D.R. = MULTNOMAH COUNTY DEED RECORDS
- MV = MONITOR WELL
- OHT = OVERHEAD TELECOMMUNICATIONS LINE
- OU = OVERHEAD UTILITY LINE
- PI = PLAT OF MORGAN ISLAND ACRES
- ROW = RIGHT OF WAY LINE
- RT = SN 20555
- R2 = E.L. BOOK M, PAGE 34
- R3 = SN 48193
- SF = SQUARE FEET
- SMF = SHEET METAL FENCE
- SN = SURVEY NUMBER PER MULTNOMAH COUNTY SURVEY RECORDS
- T = UNDERGROUND TELEPHONE
- TOE-B = TOE OF BANK
- TOP-B = TOP OF BANK
- UP = UTILITY POLE
- W = WATER LINE
- WP = WATER PUMP
- WVF = WIRE FENCE
- YPC = YELLOW PLASTIC CAP
- YPC1 = 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "REPPETO & ASSOC. INC." PER SN 62620
- ( ) = RECORD INFORMATION

# ALTA/ACSM LAND TITLE SURVEY

TAX LOT 3100, SITUATED IN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON

DATE: JULY 17, 2013 SCALE: 1"=40'



## LEGAL DESCRIPTION

## PARCEL I:

THAT PORTION OF THE JACOB CLINE DONATION LAND CLAIM NO. 48 IN TOWNSHIP 2 NORTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF MULTNOMAH AND STATE OF OREGON, DESCRIBED AS: THE SOUTHEAST CORNER OF THE JACOB CLINE DONATION LAND CLAIM ON THE RIGHT BANK OF THE WILLAMETTE SLOUGH; BEGINNING THENCE NORTH 40°51' EAST 385.54 FEET TO THE CENTER OF THE COUNTY ROAD THENCE NORTH 32°26' WEST ALONG THE CENTER LINE OF SAID COUNTY ROAD 483.45 FEET TO AN IRON PIPE; THENCE SOUTH 47°51' WEST 613.7 FEET TO THE MEANDER LINE OF THE WILLAMETTE SLOUGH; THENCE SOUTH 67° EAST TO THE MEANDER LINE OF SAID SLOUGH UPSTREAM, 485.42 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 2 NORTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF MULTNOMAH AND STATE OF OREGON, BEING A PORTION OF THE JACOB CLINE DONATION LAND CLAIM NO. 48, DESCRIBED AS FOLLOWS:

AND NORTH 32°26' WEST 483.45 FEET FROM THE SOUTHWEST CORNER OF SAID CLINE DONATION LAND CLAIM, WHICH IS THE MOST NORTHERLY PART OF THAT TRACT CONVEYED BY PAULA TICHY, WIDOW, TO RINE RAIN, BY DEED RECORDED IN DECEMBER 20, 1950 IN BOOK 1450, PAGE 301, DEED RECORDS; THENCE SOUTH 40°51' WEST ALONG THE NORTHWEST THENCE NORTH 40°51' EAST PARALLEL WITH THE NORTHWEST LINE SAID RAIN TRACT TO A POINT, 86 FEET TO A POINT; SAID COUNTY ROAD THENCE NORTH 32°26' WEST ALONG THE CENTER LINE OF SAID COUNTY ROAD TO THE POINT OF BEGINNING.

AND FURTHER EXCEPTING THEREFROM THAT PORTION CONVEYED TO MULTNOMAH COUNTY FOR ROAD PURPOSES BY DEED RECORDED MARCH 17, 1978, BOOK 1948, PAGE 379.

RECORDED MARCH 17, 1978, BOOK 1948, PAGE 379.

AND FURTHER EXCEPTING THEREFROM THAT PORTION OWNERSHIP OF THE STATE OF OREGON IN AND TO THAT PORTION OF THE PREMISES HEREBY DESCRIBED Lying BELOW THE LINE OF ORDINARY HIGH WATER OF THE WILLAMETTE CHANNEL, ALSO KNOWN AS THE WILLAMETTE SLOUGH.

## PARCEL II:

A Leasehold Estate as created by that certain Submerged and Submersible Land Lease (16832-AL) dated September 1, 2013, recorded September 1, 2013, as recording No. 2013-09-01, between the State of Oregon, by and through the Oregon State Land Board and the Department of State Lands, Lessor, and Big Island Marina 18015 LLC, Lessee, for the term and upon and subject to all the provisions therein contained in and to the following described land:

All state-owned submerged lands in the Multnomah Channel (Willamette Slough) in Section 17, Township 2 North, Range 1 West, Willamette Meridian, Multnomah County, Oregon, more particularly described as follows:

Commencing at a point on the intersection of the East line of Tax Lot 3100 (Multnomah County Assessor's Map Number 172 2N 1W) and the West line of Ordinary High Water on the right bank of the Multnomah Channel; Thence riverward along a line perpendicular to the thread of the stream to the line of Ordinary Low Water and the true point of beginning; Thence continuing riverward along said perpendicular line a distance of 100 feet; Thence downstream and 100 feet parallel to said line of Ordinary Low Water a distance of 498 feet, more or less, to a point which lies 100 feet riverward from the line of Ordinary Low Water as extended perpendicular to the thread of the stream from a point which is the intersection of the West line of Tax Lot 3100 (Multnomah County Assessor's Map Number 172 2N 1W) and the Ordinary Low Water; Thence shoreward along said perpendicular line a distance of 100 feet to the line of the line of Ordinary Low Water; Thence upstream along said line of Ordinary Low Water a distance of 498 feet, more or less, to the true point of beginning.

## SURVEYOR'S CERTIFICATE

TO JOSEPH O. TOBIN II, CHICAGO TITLE INSURANCE COMPANY OF OREGON, JUNE PARKER, LLC, AN OREGON LIMITED LIABILITY COMPANY, MIKE HASHEM AND BIG ISLAND MARINA 18015 LLC, AN OREGON LIMITED LIABILITY COMPANY

THIS IS TO CERTIFY THAT THIS MAP AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD-DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ACSM, AND INCLUDES TABLE A ITEMS 1, 2, 3, 4, 6, 8, 9, 11B, AND 20 THEREOF. THE FIELD WORK WAS COMPLETED ON JUNE 11, 2013.

SEPTEMBER 9, 2013  
STEVEN P. BUCKLES - OREGON PLS 2231 - DATE

## NOTES

1. BASIS OF BEARINGS IS PER THE PLAT OF MORGAN ACRES. THE COMMON PROPERTY LINE BETWEEN TAX LOT 3000 AND 3100 IS SHOWN PER A BOUNDARY LINE AGREEMENT DATED JENNIFER ADAMS AND MIKE HASHEM.
2. ELEVATIONS BASED ON A 1" BRASS DISK IN CONCRETE, STAMPED "17.22 ELEV. 2002 NOV 1929" FOUND AT THE TOP OF SAUVIE ISLAND BOAT RAMP AT THE WEST END OF N.W. FERRY ROAD TO MULTNOMAH CHANNEL. ELEVATION DATUM IS NAVD 1929.
3. THIS MAP AND SURVEY IT IS BASED ON ARE REPRESENTATIVE OF THE CONDITIONS FOUND ON THE GROUND ON JUNE 11, 2013. THE DATE THE FIELD WORK WAS COMPLETED.
4. THE SUBJECT PROPERTY IS LOCATED IN ZONE C, ABOVE ELEVATION 27, WHICH IS DEFINED AS AREAS OF MINIMAL FLOODING, AND IN ZONE A11, BELOW ELEVATION 27, WHICH IS THE 100 YEAR FLOOD HAZARD AREA PER FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 410179 0040 B, DATED MARCH 16, 1986.
5. THE GRAVEL PARKING AREA CONTAINS UNDESIGNED PARKING SPACES. THERE ARE APPROXIMATELY 32 STANDARD DESIGNED PARKING SPACES.
6. RECORD EASEMENTS SHOWN ON THIS SURVEY ARE PER A PRELIMINARY TITLE REPORT PREPARED BY CHICAGO TITLE INSURANCE COMPANY OF OREGON, ORDER NO. 472513508505A, DATED JUNE 11, 2013.
7. A SEWER DRAINFIELD EASEMENT, GRANTED TO SAUVIE ISLAND MOORAGE CO., PER DOC NO. 2000-076078, AFFECTS THE SUBJECT PROPERTY AND IS PLOTTED ON THE SURVEY. THE APPROXIMATE LINES OF THIS EASEMENT ARE SHOWN ON THE SURVEY. THE NORTH BOUNDARY BEING THE TOE OF SLOPE, THE WEST BOUNDARY BEING THE NAMED DICK, THE SOUTH EASEMENT AREA IS WEST OF THE PRIMARY DRAIN FIELD AREA DESCRIBED ABOVE AS SHOWN ON THE SURVEY.
8. THE SUBJECT PROPERTY AND IS PLOTTED ON THE SURVEY.
9. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE DEPARTMENT OF STATE LANDS. THE ORDINARY LOW WATER LINE WAS ESTABLISHED BY USING AN ELEVATION OF 3.9 (NOV 1929), PROVIDED BY THE DEPARTMENT OF STATE LANDS.
10. THE PORTION OF THE BOAT MOORAGE THAT ENCLOSED INTO THE HAYFAR MOORAGE SUBMERGED LAND LEASE IS SUBJECT TO AN UNRECORDED SUB-LEASE BETWEEN BIG ISLAND MARINA AND HAYFAR MOORAGE.
11. THE EXISTING FIELD LOCATION FOR THE EXISTING HOUSES COULD NOT BE DETERMINED.
12. A BOUNDARY LINE AGREEMENT DATED JENNIFER ADAMS, BIG ISLAND MARINA, LLC, AND THE JUNE PARKER, LLC, WAS RECORDED MAY 10, 2011, PER DOCUMENT NO. 2011-060316. BOUNDARY LINE IS MONUMENTED AND PLOTTED ON THIS SURVEY.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
STEVEN P. BUCKLES  
PLS 2231  
R01W046 12/31/15

REVISED: SEPT. 9, 2013, LEGAL DESCRIPTION

REPPETO & ASSOCIATES, INC.  
LAND SURVEYORS

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Portland, Oregon 97233  
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Fax: (503) 408-2370

DATE: JULY 17, 2013 FILE: H09026-ALTA.DWG  
DRAWN BY: CJH JOB NO: H09026