

Applicants response to the Palmers:

To whom it may concern,

1. I am writing this comment letter in strong opposition of granting variances as requested by applicant Abigail Freeland. The specific areas where I have a significant concern are the roadway width and usage.

2. Not improving and widening the roadway could potentially endanger drivers and is a safety concern for residents. We oppose any variances for rules regarding the roadway width and traffic studies. We request that the Freeland's specifically comply with all MCRR's that are related to these issues, especially the county roadway standard of a 20-ft wide travel surface.

Response: The above paragraph has no facts, evidence or code issues stated for not approving our RRV. The comment of the Palmers is that of opinion and perspective not facts. Additionally, we are proposing to improve upon the safety of Victory Road by grading the current road and the currently overgrown and unmaintained pull out that runs in the right of way next to the Palmers property that has been neglected of maintenance. Additionally, the applicant is placing a large hammer head turn around on the subject property to again improve safety. The 20ft standard is not necessary for a low traffic dead end road such as this. SEE Exhibit #5 and #6

It really is curious why the Palmers and Hentges both have issue with the same section of road when this section does not serve either of their property's. This section of the road only serves addresses 31325 and 31330 SE Victory. There is no reason for the palmers to want this area widened because it does not serve their property. Additionally a increase in road width in this section would require a retaining wall and ultimately make the palmers property less accessible on this specific section of road.

Specific issues of concern are:

3● There is a significant earth slope failure on the south side of the right of way and it is very hazardous. This is where the road narrows closest to the Freeland property line and ours. The slope is so steep that I cannot mow the right of way in my tractor.

We have already had the garbage truck slide down the embankment, so I can't imagine construction vehicles, like a full cement truck, being able to safely navigate this area of the road. I believe it is absolutely critical to widen the road and worry that we will incur future liabilities if this is not addressed. [SEP]

Response: The Fire department is aware of this slope and sees no concern. Slope near a code compliant, approved, existing, rural dead-end road that only serves two dwellings beyond the slope is not a significant concern. There is absolutely no "earth slope failure" there is a natural grade of the land that has been in place prior to any of these homes being built and have never been an issue of road failure or instability. Additionally we will be doing the required testing to the road to ensure its safety. The liability of drivers not staying on the road is that of the driver. No other liability can logically be found other than that of the driver. This comment is that of opinion and perspective. No recorded accidents have been identified on this section of victory road.

4● The unimproved roadway has had significantly more use recently due to more adult residents living in the homes driving more vehicles on the road and a noticeable increase in deliveries during the Covid 19 pandemic. These deliveries have not only increased the use of the roadway, but the increased speed of these vehicles is also causing a pronounced safety issue for residents who often use this roadway to recreate. [SEP] I hope I have provided enough detail about our concerns. I appreciate your attention to this matter and if more information is needed, please contact me at 503-663-4688 or email to susupalmer@yahoo.com . [SEP]

Response: This "increased traffic" is that of opinion and is said to be occurring prior to the approval of a home site and is not possible to be of the applicants making. It's not possible for this said "increased traffic" to have anything to do with the applicant or the RRV application. The statement of increased adults only applies to the Hentges adult son who lives at home. There has always been two adults living at each residence on Victory Rd and that still is true today. It is an opinion, and perspective without evidence or code application. This RRV is being requested to prevent further Significant environmental impact and concern. * This is reasonable due to the fact that the FIRE department has approved and seen the road as is and it is the ONLY County entity to be serving this dead end of Victory.

The fire department has reviewed this road many times for our permit review's and has been out to the site with engine twice due to calls placed by the Palmers and Hentges, resulting in no citation of burning or action taken by the fire department to extinguish these reported burns. This is also confirmed in the Hentges comments that there were two calls to the fire department about our subject property. There will be a pull off and turn around installed to create a safer passage for travelers on this Private right of way. The palmers are concerned about recreating in a public road and this sounds like a safety concern in that of itself.

The concern of speed is unfounded due to the fact that the Hentges have called the police about speed and are known to record the right of way, there has been NO citations for speed and no recorded accidents on this section of Victory.

We request the county to approve the RRV and Plans for development as submitted.