



HATHAWAY LARSON

Koback · Connors · Heth

July 16, 2025

Sent Via Email Only (lup-submittals@multco.us)

Multnomah County
Department of Community Services - Land Use Planning Division
1600 SE 190th Avenue
Portland, OR 97233

Re: Application No. T3-2025-0002
Property: 38905 SE Gordon Creek Road, Corbett, OR
Applicants: Jim and Linda Gee
Response to Notice of Incomplete Application

Dear County Planner:

This firm represents Mr. and Mrs. Gee with respect to the above-referenced application for approval of a lot of record, accessory use determination, forest development standards, exception to the CFU safety setback, and a variance (the "Application"). We are submitting the enclosed material for the Application in response to the County's notice of incomplete application, dated March 28, 2025 (the "Notice of Incomplete Application"). The following is a list of the new/revised material we are submitting in response to the Notice of Incomplete Application.

1. Site Plan. We submitted the enclosed revised Site Plan which shows all the existing accessory structures on the subject property and labels the use of each structure so that it matches the uses described in the Application narrative. As we previously discussed with Izze Liu, the County planner handling the Application, there is only one storage shed on the property. Pursuant to the May 22, 2025 email from Ms. Liu, a copy of which is enclosed, the County agreed that labeling the distance between the structures will address the Primary Fire Safety setback issue. We did not include the Primary Fire Safety zone on the site plan itself because it would not be legible and is not required under the applicable approval criteria.
2. Floor Plan. We submitted the enclosed floor plans and pictures for the remaining accessory structures located on the property showing the square footage and height of the structures. Although we provided this requested information, please note that these other structures are located more than 100 ft. from the house, and therefore are subject to MCC 39.4075(L) which does not require a floor plan.

E. Michael Connors
1125 NW Couch Street, Suite 550
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3. **Building/Structure Elevations.** We submitted the enclosed floor plans and pictures for the accessory structures located on the property. The pictures include the height of each accessory structure. Pursuant to the April 9, 2025 email from Ms. Liu, a copy of which is enclosed, the County agreed that the floor plans and pictures are sufficient to address this issue. Please note that building/structure elevations are not required under the applicable criteria and the accessory structures are well below the 35-foot height limit – the tallest structure is less than 20 feet.
4. **Update to Stormwater Drainage Control Certificate.** We enclosed a memorandum from Karl Koroch, who provided the original Stormwater Drainage Control Certificate, dated May 29, 2025, verifying that the original certificate is still valid and there is no runoff from the site improvements on the property.
5. **Update to Fire Service Agency Review.** Pursuant to the May 22, 2025 email from Ms. Liu, the County agreed to accept an email from the Fire Service Agency confirming that the prior service provider letter is still valid and the current project does not require additional review. We enclosed an email from Dave Flood, Fire Marshall, dated June 3, 2025, confirming that the prior service provider letter is still valid and the current project does not require additional review.
6. **Update to Septic Review Certification.** Pursuant to the May 22, 2025 email from Ms. Liu, the County agreed to accept an email from the Septic Review Agency confirming that the prior service provider letter is still valid and the current project does not require additional review. We enclosed an email from Lindsey Reschke, Senior Multnomah County Septic Sanitarian, dated July 8, 2025, confirming that the prior service provider letter is still valid and the current project does not require additional review.
7. **Update to Transportation Planning Review.** Pursuant to the June 18, 2025 email from Ms. Liu, a copy of which is enclosed, the County agreed that an updated Transportation Planning Review is not necessary. The access to the property and uses on the property haven't changed since the previous Transportation Planning Review service provider letter so there are not any new access or transportation impacts since the previous review.

We believe this response to the Notice of Incomplete Application and the enclosed material provides the County with the requested information and is sufficient to deem the Application complete. Pursuant to ORS 215.427(2)(b), the Applicant does not intend to submit any additional material in response to the Notice of Incomplete Application and hereby requests that the County deem the Application complete.

Land Use Planning Division
July 16, 2025
Page 3

Please let me know if you have any questions or need further clarification.

Very truly yours,

HATHAWAY LARSON LLP

/s/ E. Michael Connors

E. Michael Connors

EMC/ep
Enclosures

cc: Jim and Linda Gee
Izze Liu, County Planner

From: [Izze Liu](#)
To: [Mike Connors](#)
Cc: [Jim Gee](#)
Subject: Re: T3-2025-0002 Incomplete
Date: Wednesday, April 9, 2025 4:25:59 PM
Attachments: [image001.png](#)
[image002.png](#)

[External Email]

Hi Mike & Jim,

The requested site plan, floor plan, and elevation drawings do not need to be professionally drafted. We can accept hand drawn to-scale drawings.

Site Plan -

I thought the narrative was addressing four storage sheds but I'm realizing it was just listed as item 4. It was confusing to review the site plan as not all of the buildings were labeled or the label did not match the narrative, and I couldn't tell which buildings had been removed. Please just make sure all of the buildings are labeled to match the narrative so it is clear and consistent in the record. An accurate site plan will be required again at the Zoning Plan Review stage prior to the issuance of building permits.

I'm asking for the Primary Fire Safety Zone to be included on the site plan so I can confirm that each structure is meeting this requirement. The applicant can provide a zoomed in version of the site plan that shows the structures more clearly if the addition of the primary setback on the site plan of the entire property will be illegible.

Floor Plan -

I do not need a floor plan for the pool and deck. I will need a floor plan for the chicken/poultry house and pump house. The applicant needs to provide a floor plan to demonstrate compliance with MCC 39.4070(T). Please make sure to include the dimensions and label the uses of each building.

Building/Structure Elevations -

The applicant can provide photographs of the existing structures and label the height on the photographs.

Stormwater/Service Provider Forms -

The service provider forms were completed based on the old site plan which is not consistent with the actual proposal. We need confirmation from these agencies that the current proposal meets their requirements. The submitted Stormwater Drainage Control Certificate was for the existing dwelling.

Please let me know if you have any additional questions.

Thank you,
Izze

On Tue, Apr 1, 2025 at 3:59 PM Mike Connors <mike@hathawaylarson.com> wrote:

External Sender



Izze,

Thanks for the email and attached letter. Jim and I had some questions/thoughts we wanted to run by you first before we officially respond to the notice of incomplete application. The sections below correspond to the sections in your letter.

Before addressing the specific issues listed in the County's notice of incomplete application, we wanted to note that the County did not raise these issues in its previous reviews of the Application. We are willing to provide the County additional information in the hopes that it will help staff support the Application, but we don't want to reinvent the wheel on the submittals if it is unnecessary. The Application has been in various stages over the last few years and is designed to legalize relatively minor accessory structures, so we are hoping to not add new requirements and over complicate it at this stage.

1. Site plan. We are unclear where you got the list of structures in Section 1.b. The revised narrative lists the following accessory structures: “(1) garage/workshop; (2) storage shed (12’x16’); (3) above ground pool; (4) detached deck; (5) pump house; (6) two pigeon pens; (7) barn; and (8) the dog house, which has been converted to a chicken/poultry house.” Narrative p.1-2. We also verified that the shed/pigeon pen (9’x12’) and the old dog house (7.5’x 20’) have already been removed. Narrative p.1.

Your list of structures mentions 4 storage sheds. There is only one storage shed.

All of the structures are labeled on the site plan with the exception of the storage shed (12’x16’), which we can label when we submit the requested information. The remaining structures are labeled consistent with the narrative, with the exception of the chicken/poultry house and the pigeon pens. The chicken/poultry house is labeled as the dog house, but we clarified in the narrative that this structure is now the chicken/poultry house. The two pigeon pens are referenced as the “coop” on the site plan, which we can clarify in the narrative. We are hoping we can simply clarify these structures in the narrative as opposed to making these changes to the site plan. Too many changes to the site plan will likely require us to get a new site plan and we want to avoid the additional cost/time of getting a surveyor/planner to do so if it is not necessary. We did not see a requirement in the MCC to label each structure on the site plan and are hoping that clarifying the chicken/poultry house and the pigeon pens in the narrative is sufficient for the County to understand where the various structures are located on the property.

We did not see a requirement in the MCC to include the primary fire safety setback on the site plan nor do we understand the need or purpose for this requirement. We understand that the primary fire safety setback will be required around all the structures, the County will impose a condition to that effect and the County is entitled to inspect the setback after they are created. Requiring that we revise the site plan to include the primary fire safety setback around all the structures will definitely require a new site plan to be created, will make the site plan difficult to read in certain portions and seems like overkill for this proposal. We want to avoid this requirement if at all possible.

2. Floor plans. We provided floor plans for everything except the chicken/poultry house, above ground pool and the deck. We can certainly provide a floor plan for the chicken/poultry house. Do you really need a floor plan for the pool and deck? Can we simply provide the square footage for these structures?
3. Building/Structure elevations. We did not see a requirement in the MCC to include building/structure elevations nor do we understand the need or purpose for this requirement. The only application that requires this type of information is the Design Review Plan (MCC 39.8025(A)), which applies to new development that is much more significant in scale. The Gees would be required to retain an engineer or architect to prepare these plans, which would be extremely expensive for all of the structures. The structures are well below the 35-foot height limit – the tallest structure is less than 20 feet. We can provide the height for each structure if that is helpful. We want to avoid this requirement if at all possible.
4. Stormwater drainage certificate. We did not see anything in the MCC regarding an expiration date

for this type of document. Is there an expiration date? Nor does an updated form seem necessary since there haven't been any changes to the stormwater drainage. We want to avoid this requirement if at all possible.

5. Fire service review. We did not see anything in the MCC regarding an expiration date for this type of document. Is there an expiration date? Nor does an updated form seem necessary since there haven't been any changes to the access road noted in the current review. We want to avoid this requirement if at all possible.
6. Septic review certificate. We did not see anything in the MCC regarding an expiration date for this type of document. Is there an expiration date? Nor does an updated form seem necessary since the septic tank was replaced 3 years ago and the County signed off on the replacement. We want to avoid this requirement if at all possible.
7. Transportation planning review. We did not see anything in the MCC regarding an expiration date for this type of document. Is there an expiration date? Nor does an updated form seem necessary since the driveway access is the same and the accessory structures have no transportation impacts. We want to avoid this requirement if at all possible.
8. Accessory use determination. We will provide the total square footage for the structures and address MCC 39.4075(L)(6).

We look forward to getting your feedback on these issues. In the interim, we will submit the additional information form soon. Can I sign the form as the Applicant's representative? Thanks, Mike

E. Michael Connors
Partner



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From: Izze Liu <isabella.liu@multco.us>

Sent: Friday, March 28, 2025 11:26 AM

To: Jim Gee <jimg1949@icloud.com>; Mike Connors <mike@hathawaylarsen.com>

Subject: T3-2025-0002 Incomplete

[External Email]

Good Afternoon,

I've completed my initial review of the submitted materials and have deemed this application incomplete. Please see the attached letter.

Let me know if you have any follow up questions.

Thank you,

--

Izze Liu

Planner 2 | Land Use Planning Division

Pronouns: she/her/hers

(503) 936-3868 | <https://multco.us/landuse>



Disclaimers:

- *The statements in this email are not a land use decision and should not be relied upon as such.*
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Izze Liu

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From: [Izze Liu](#)
To: [Mike Connors](#)
Cc: [Jim Gee](#)
Subject: Re: T3-2025-0002 Incomplete
Date: Wednesday, June 18, 2025 3:18:34 PM
Attachments: [image001.png](#)
[image002.png](#)

[External Email]

Hi Mike,

I'm confirming that we do not need an updated Transportation Planning Review form. In regards to the septic review, I haven't seen anything from Lindsey yet but I'll be able to accept her email confirmation. Let me know if you have any other questions.

Thanks,
Izze

On Tue, Jun 17, 2025 at 9:55 AM Mike Connors <mike@hathawaylarson.com> wrote:

External Sender



Izze,

I'm following up on my email from last week. We are wondering if Lindsay in the septic department spoke with you about the septic service provider letter and if we can rely on the previous transportation department service provider letter since there have been no transportation changes since the prior letter. We are hoping to submit the additional information soon and get the application deemed complete. Thanks, Mike

E. Michael Connors
Partner



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From: Mike Connors
Sent: Wednesday, June 11, 2025 1:24 PM
To: Izze Liu <isabella.liu@multco.us>
Cc: Jim Gee <jimgee1949@icloud.com>
Subject: RE: T3-2025-0002 Incomplete

Izze,

Thanks for getting back to us on these final incomplete application issues. We are very close to finalizing the additional information/documents to submit in response to the notice of incomplete application, but there are two service provider issues we want to run by you first.

For the septic service provider form, Jim spoke with Lindsay in the septic department a few weeks ago (503-823 8786 Septic@PortlandOregon.gov). Lindsay agreed that the original septic review was still valid, but instead of providing us an email or something in writing Lindsay said she would contact you directly to confirm. Did Lindsay contact you and confirm? Are we good on that issue?

With respect to the transportation service form, transportation has not responded to our requests or provided a confirming email. While we understand the desire to have the other service providers confirm that the prior reviews are still valid, it seems unnecessary for the transportation review. The access to the property and uses on the property haven't changed since transportation's previous review, so there are not any new transportation impacts since their prior review. We are unclear why an updated transportation review is necessary and are hoping we can move forward without it and rely on the previous review. Please let us know if that is acceptable.

Please let me know if you have any questions or want to discuss either of these last two items. We look forward to submitting the additional information/documents and getting the application deemed complete. Thanks, Mike

E. Michael Connors
Partner



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From: Izze Liu <isabella.liu@multco.us>
Sent: Thursday, May 22, 2025 11:21 AM
To: Mike Connors <mike@hathawaylarson.com>
Cc: Jim Gee <jimg1949@icloud.com>
Subject: Re: T3-2025-0002 Incomplete

[External Email]

Hi Mike,

I'm requesting the forest practice/fire safety setbacks to be identified on the site plan because it's unclear on the submitted site plan if all of the structures meet those standards. Could you label the distance between the structures? The distances were included for some of the structures so if you could include it for all of the structures south of the dwelling, that would be helpful.

From: [Izze Liu](#)
To: [Mike Connors](#)
Cc: [Jim Gee](#)
Subject: Re: T3-2025-0002 Incomplete
Date: Thursday, May 22, 2025 11:21:34 AM
Attachments: [image001.png](#)
[image002.png](#)

[External Email]

Hi Mike,

I'm requesting the forest practice/fire safety setbacks to be identified on the site plan because it's unclear on the submitted site plan if all of the structures meet those standards. Could you label the distance between the structures? The distances were included for some of the structures so if you could include it for all of the structures south of the dwelling, that would be helpful.

image.png



In regards to the service provider forms, I'm relying on these outside agencies to confirm that the project under review meets their standards. If these agencies are able to confirm via email that the current project does not require additional review, you may submit those emails into the record rather than the updated service provider forms.

Please let me know if you have any follow up questions.

Thanks,
Izze

On Fri, May 16, 2025 at 11:42 AM Mike Connors <mike@hathawaylarson.com> wrote:

External Sender



Izze,

I'm following up on my email from a couple of weeks ago. Any updates on our requests about the site plan and service provider letters?

The Gees are very anxious to move forward with responding to the County's letter of incomplete application and we cannot do so until we hear back from you regarding my April 14 email. Please let us know as soon as possible. Thanks, Mike

E. Michael Connors
Partner



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From: Mike Connors

Sent: Thursday, May 1, 2025 1:18 PM

To: Izzie Liu <isabella.liu@multco.us>

Cc: Jim Gee <jimgee1949@icloud.com>

Subject: RE: T3-2025-0002 Incomplete

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Partner



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