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Fwd: Case File T3-2024-0006

1 message

LUP Hearings <lup-hearings@multco.us>

Wed, Jul 9, 2025 at 7:06 AM

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

Multnomah County

Department of Community Services - Land Use Planning Division

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From: **Cindy Reid** <cinbah17@gmail.com>

Date: Tue, Jul 8, 2025 at 7:39 PM

Subject: Case File T3-2024-0006

To: lup-hearings@multco.us <lup-hearings@multco.us>

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Dear Hearings Officer:

First, I received the notice of this hearing on 7/3/2025 before the holiday weekend, with very little time to prepare public comment.

I have carefully reviewed the materials available online including the staff report, narrative, and other reports. I have also communicated with Vanessa Dawson, homeowner, and read Mark Greenfield's comments of 7/7/2025.

It is essential for me to report that I have emails back to 2018, with the County, acknowledging there was an active compliance case concerning 19114 Sauvie Island Road, **going back to 2016**. I made every attempt to inform the County of the non-permitted dwelling, the non-permitted usage, and made a call the moment the 19114 Sauvie Island Rd. property was listed for sale showing the "guest house" door but saying nothing about the open compliance case or the unpermitted structure. My primary concern was that an unwitting buyer might get saddled with the situation that the County allowed to go on unresolved and unenforced, except for an effort to stop the Air BnB rentals at one point.

To me, it is a collective failure of the County who had the open case for nearly a decade, and those who *knowingly* built the non-compliant structure to act in good faith to get this issue resolved in a

timely way *before* the property was sold and the issues passed to a new owner, to my understanding, without full disclosure.

On the case as it stands now:

1) The Variance for the setback to our property line is acceptable to us (about 1 foot away, rather than 10 feet).

2) Code 4310 states:

(4) The Accessory Structure shall not contain: (a) More than one story; (b) Cooking Facilities; (c) A toilet; (d) Bathing facilities such as a shower or bathing tub; (e) A mattress, bed, Murphy bed, cot, or any other similar item designed to aid in sleep as a primary purpose, unless such item is disassembled for storage; or (f) A closet built into a wall.

The Code is about the structure, its components and permitted use but goes on to allow exceptions. In this case, the proposed use is an office/studio/storage space. The current owners propose removing the kitchen appliances, leaving the sink, but request to leave the bathroom - which I understand is a sink, toilet and shower.

My concern is that if the County makes decisions homeowner by homeowner, rather than by structure and usage, the Codes become meaningless. Those who built the non-compliant structure without a permit, walk away, the ones trying to comply bear the burden and costs.

I believe the County has some responsibility to alleviate the burden of the current homeowners, perhaps with an extension of time or significantly modifying or even waiving some of the permitting fees. I am not sure the County should be making code allowances to make up for failing to enforce the Code for a decade with the actual code violators. The current owners are paying a high price not only in money but undue stress, and to me, it is unfair and unwise.

In this particular case, is it possible to leave the bathroom intact and require that *prior* to any sale or transfer of the property in the future, the bathroom then be removed? This would need to be recorded and followed through. It would, however, relieve the current owners of some of the unexpected burden.

I am not concerned that these owners will violate the Code about using the structure as a dwelling, rental or residence of any kind. I am concerned that if a new owner comes along and the structure supports an easy transition to a dwelling (adding a sofa bed, hot pot, convection oven, etc) the slippery slope starts again toward use as a second dwelling/house on 2.1 acres of MUA property.

Thank you for the opportunity to comment.

Sincerely, Cindy Reid

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