

1600 SE 190th Avenue, Portland OR 97233-5910 • PH. (503) 988-3043 • Fax (503) 988-3389

NOTICE OF APPEAL

EVERY NOTICE OF APPEAL SHALL INCLUDE:

1. The county's case file number and date the decision to be appealed was rendered.
2. The name, mailing address, and daytime telephone number for each appellant.
3. A statement of how each appellant has an interest in the matter and standing to appeal.
4. A statement describing the specific reason for the appeal which includes the criteria or standard the appeal is addressing.
5. The appropriate appeal fee.

It is the responsibility of the Appellant to complete a Notice of Appeal as set forth in the Multnomah County Code. Failure to complete all of the above may render an appeal invalid. Any additional comments should be included on this form.

APPELLANT INFORMATION (Person or group making appeal)

1. Appellant:

If several individuals are appealing together, list the additional names and addresses on a separate sheet and identify a representative in #2 below. If an organization is appealing, indicate group's name and mailing address here and identify a representative in #2 below.

Name: Querin, Phillip, Cosley
Last First Middle

Address: 150 SW Harrison Ste 50, Portland, OR, 97201
Street or P.O. Box City State Zip Code

Telephone: (503) 444 - 7661 (Day) or (503) 780 - 1538

Fax: 503.961.1862 Email Address: phil@q-law.com

2. Authorized Representative:

Name of representative if different from the appellant indicated above. Groups and organizations must designate one person as their representative/contact person.

SAME
Name: _____, _____, _____
Last First Middle

Address: _____, _____, _____, _____
Street or P.O. Box City State Zip Code

Telephone: (_____) _____ - _____ (Day) or (_____) _____ - _____

Fax: _____ Email Address: _____

(over)

DECISION BEING APPEALED

CASE INFORMATION

Decision being appealed (e.g., denial of a NSA Site Review, approval of a SEC permit, etc.):
Lot of Record Verification for TL 15, 16 and 17.

Case Number: T2-2020-13067 Date of Issuance of Decision: January 2, 2021

APPEAL INFORMATION

Answer each question as completely and specifically as you can. (Attach separate sheets if needed)


1. What is your interest in this decision? (State your interest in the matter and your standing to appeal)

Originally, the owners were James L. Smith and Sheryl Anderson. This application was filed by Phil Querin, their attorney. Smith and Anderson sold to Pinky Smith, LLC which gave a Power of Attorney to Phil Querin to complete the application on its behalf.

2. What are your objections to the decision? (State the specific grounds for the appeal, i.e. criteria or standard)

See, Exhibit A, attached.

Standing to appeal: those who are entitled to appeal a decision include those who are entitled to notice under Multnomah County Code and include: owners of record of property within 750 feet of the subject tract, neighborhood associates, and persons who have identified themselves in writing as interested parties or as to be potentially aggrieved or impacted by the decision.

SIGNATURE:  DATE: Jan. 13, 2021

CHECK ONE: APPELLANT AUTHORIZED REPRESENTATIVE

Appeals and fees must be received prior to the close of the appeal deadline.

Deliver or mail appeal and fee to:

MULTNOMAH COUNTY
Land Use Planning Division
1600 SE 190th Ave., Suite 116, Portland, OR 97233
Phone: (503) 988-3043

Appeal Notice

FOR STAFF USE ONLY	
Fee: Notice of Appeal for Planning Director's Decision: \$250.00	
Received by: _____	Date: _____

EXHIBIT A TO NOTICE OF APPEAL FOR CASE T2-2020-13067.

The Director's Decision dated 1/2/21 correctly determined that TL 15 is owned by the applicant, that it is a separate legal parcel, and that it is a separate legal lot of record. However, the Director's Decision improperly interpreted and applied the relevant approval criteria in this proceeding as to whether tax lots 16 and 17 are, together, one legal lot of record, and in doing so, made a decision with regard to those tax lots that is not supported by substantial evidence in the record. In short, based upon the Director's Decision, it is the applicant/appellant's current position that TL 15 is one legal lot of record, and that TL 16 and 17, which have never been lawfully divided, are a second legal lot of record, and that the applicant is the record owner of this second lot of record.

Prior to the initial evidentiary hearing, the applicant will provide Multnomah County with hearing memorandum detailing its objections. In the meantime, the applicant requests a phone conference with staff and the Director, to discuss the decision and other options that may allow the applicant to withdraw this appeal.



LUP Submittals <lup-submittals@multco.us>

Merchant Email Receipt

1 message

Auto-Receipt <noreply@mail.authorize.net>

Thu, Jan 14, 2021 at 9:54 AM

Reply-To: Auto-Receipt <noreply@mail.authorize.net>

To: Eric Arellano <multco.treasury@multco.us>, Matt Conrad <lup-submittals@multco.us>

External Sender - Be Suspicious of Attachments, Links, and Requests for Payment or Login Information.

===== SECURITY STATEMENT =====

It is not recommended that you ship product(s) or otherwise grant services relying solely upon this e-mail receipt.

===== GENERAL INFORMATION =====

Merchant : Multnomah County (2231539)

Date/Time : 14-Jan-2021 9:54:16 PST

===== ORDER INFORMATION =====

Invoice : T2-2020-13067-NOA

Description : T2-2020-13067 Notice of Appeal fee. IMPORTANT NOTE: Notice Appeal is not considered 'submitted' until full payment is received. (HK).

Amount : 250.00 (USD)

Payment Method: Visa xxxx2023

Transaction Type: Authorization and Capture

===== Line Items =====

Item: 1

Description: Notice of Appeal

Quantity: 1

Unit Price: \$250.00 (USD)

Item Total: \$250.00 (USD)

===== RESULTS =====

Response : This transaction has been approved.

Auth Code : 02511D

Transaction ID : 62793794892

Address Verification : Street Address: No Match -- First 5 Digits of Zip: Match

===== CUSTOMER BILLING INFORMATION =====

Customer ID : 2045672552

First Name : Phillip

Last Name : Querin

Company :

Address : 150 SW Harrison ST STE 50, Suite 50

City : Portland

State/Province : Oregon

Zip/Postal Code : 97201

Country : US

Phone : 5034447661

Fax :

E-Mail : phil@q-law.com

===== CUSTOMER SHIPPING INFORMATION =====

First Name :

Last Name :

Company :

Address :

City :

1/14/2021

Multnomah County Mail - Merchant Email Receipt

State/Province :
Zip/Postal Code :
Country :

===== ADDITIONAL INFORMATION =====

Tax : 0.00
Duty :
Freight : 0.00
Tax Exempt :
PO Number :