

SECOND POST-HEARING MEMORANDUM

To: Record in Hearing of T2-2022-16204
From: County Staff
Date: April 28, 2023
RE: Response to New Information Submitted into the Hearing Record on April 21, 2023.

The Applicant's representative presented additional information to the Hearing's Officer ("HO") as Exhibits I.2 and I.3. Staff addresses considerations below for the HO to account for in their analysis.

CONSIDERATIONS

1. The applicability of "Needed housing" provisions in ORS 197.307.

As noted by staff in Exhibit I.1 (p. 1), ORS 197.307 is not applicable to the subject application.

2. The Applicant's belief that the subject property predates zoning [requirements].

Exhibit I.2 (p. 1) and Exhibit I.3 (pp. 1 and 6), did not cite any applicable approval criteria supporting the Applicant's claim that the subject property predates zoning [requirements]. The Hearings Officer found in T2-2018-10124 that the subject property was created from an unlawful land division in 1985.

3. The Applicant's sentiments (Exhibit I.3, pp. 2 - 7) regarding the County and prior actions.

The Applicant's sentiments relate to topics, including prior (final) land use actions, that are not at issue. Such topics are not part of the subject application, and not eligible for consideration as part of this appeal.

CONCLUSION

The new information (Exhibits I.2 and I.3) does not change the County's determination that the subject property identified as 2N1W33A – 00600 is *not* a Lot of Record in its current configuration.