

NOTICE OF DECISION



www.multco.us/landuse ▪ Email: land.use.planning@multco.us ▪ Phone: (503) 988-3043

Application for Lot of Record Verification

Case File: T2-2025-0060

Applicant: Gladys Gieczys and Mateusz Gieczys

Proposal: The applicant is requesting a Lot of Record Verification for the property identified below. A Lot of Record Verification determines if a property was lawfully established in compliance with zoning and land division laws at the time of its creation or reconfiguration and the County's aggregation requirements. No development is proposed at this time.

Location: 14419 NW Springville Rd, Portland
Map, Tax lot: 1N1W16B -00800

Property ID # R324350
Alt. Acct. # R961160720

Base Zone: Exclusive Farm Use (EFU)

Overlays: Significant Wildlife Habitats (SEC-h)

Determination: The subject property known as 1N1W16B -00800 is a Lot of Record in its current configuration.

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is April 23, 2026 at 4:00 pm.

Opportunity to Review the Record: The complete case file and all evidence associated with this application is available for review by contacting LUP-comments@multco.us. Paper copies of all documents are available at the rate of \$0.71/page.

Opportunity to Appeal: The appeal form is available at www.multco.us/landuse/application-materials-and-forms. Email the completed appeal form to LUP-submittals@multco.us. An appeal requires a \$250.00 fee and must state the specific legal grounds on which it is based. This decision is not appealable to the Land Use Board of Appeals until all local appeals are exhausted

Issued by: _____
Natalie Olivier, Planner

For: Megan Gibb,
Planning Director

Date: April 9, 2026

Vicinity Map

N↑



Applicable Approval Criteria:

Multnomah County Code (MCC): MCC 39.1250 Code Compliance and Applications, MCC 39.2000 Definitions, MCC 39.3005 Lot of Record – Generally, MCC 39. 3070 Lot of Record – Exclusive Farm Use (EFU)

Copies of the referenced Multnomah County Code sections are available by visiting <https://www.multco.us/landuse/zoning-codes> under the link **Chapter 39: Multnomah County Zoning Code** or by contacting our office at (503) 988-3043.

Notice to Mortgagee, Lien Holder, Vendor, or Seller:

ORS Chapter 215 requires that if you receive this notice it must be promptly forwarded to the purchaser.

Findings of Fact

FINDINGS: Written findings are contained herein. The Multnomah County Code (MCC) criteria and Comprehensive Plan Policies are in **bold** font. Staff analysis and comments are identified as ‘**Staff:**’ and address the applicable criteria. Staff comments may include a conclusionary statement in *italic*.

1.0 Project Description:

Staff: The applicant requests a Lot of Record Verification for the property identified as 1N1W16B-00800 (subject property). The application does not propose any new development currently.

Through the Lot of Record Verification process, the County reviews the creation or reconfiguration of each parcel, lot, or unit of land involved in the request. The County then verifies that the creation or reconfiguration of the parcel, lot, or unit of land satisfied all applicable zoning laws and all applicable land division laws in effect on the date of its creation or reconfiguration. In the EFU zone, the County also considers adjacent ownership on February 20, 1990 in determining whether a parcel, lot, or unit of land is a Lot of Record on its own. If the parcel, lot, or unit of land met all applicable zoning laws, applicable land division laws and meets the aggregation requirements, it may be determined to be a Lot of Record.

2.0 Property Description:

Staff: The subject property is in unincorporated west Multnomah County in the area known as the West Hills rural area. The property is zoned Exclusive Farm Use (EFU) and is located outside Metro’s Urban Growth Boundary (UGB). According to Assessment and Taxation records, the subject property is occupied by a single-family dwelling with a detached garage and shed.

3.0 Public Comment:

Staff: Staff mailed a notice of application and invitation to comment on the proposed application to the required parties pursuant to MCC 39.1105 (Exhibit C.2). Staff received one public comment during the 14-day comment period.

3.1 Sookyung Choi, a neighbor to the subject property, provided e-mail comments on January 1, 2026 (Exhibit D.1)

Staff: Sookyung Choi noted their awareness of this property being zoned EFU, the potential uses allowed in EFU, and their impact on neighboring properties. Additionally, noting this property is near Washington County, they asked which county will be responding to future neighborhood concerns. Planning staff concurs that the property is in Unincorporated Multnomah County and therefore is the agency who would respond to concerns.

4.0 Code Compliance and Applications Criteria:

4.1 MCC 39.1250 CODE COMPLIANCE AND APPLICATIONS.

Except as provided in subsection (A), the County shall not make a land use decision approving development, including land divisions and property line adjustments, or issue a building permit or zoning review approval of development or any other approvals authorized by this code for any property that is not in full compliance with all applicable provisions of the Multnomah County Zoning Code and/or any permit approvals previously issued by the County.

(A) A permit or other approval, including building permit applications, may be authorized if:

* * *

Staff: As noted in Section 1.0 above, this application is a request for a Lot of Record Verification, which does not require the County to approve development, including land divisions and property line adjustments, or issue a building permit or zoning review approval. *These criteria are not applicable.*

5.0 Lot of Record Criteria:

5.1 MCC 39.3005 - LOT OF RECORD – GENERALLY.

(A) An area of land is a “Lot of Record” if it meets the standards in Subsection (B) of this Section and meets the standards set forth in this Part for the Zoning District in which the area of land is located.

(B) A Lot of Record is a parcel, lot, or a group thereof that, when created or reconfigured, either satisfied all applicable zoning laws and satisfied all applicable land division laws, or complies with the criteria for the creation of new lots or parcels described in MCC 39.9700. Those laws shall include all required zoning and land division review procedures, decisions, and conditions of approval.

(1) “Satisfied all applicable zoning laws” shall mean: the parcel, lot, or group thereof was created and, if applicable, reconfigured in full compliance with all zoning minimum lot size, dimensional standards, and access requirements.

(2) “Satisfied all applicable land division laws” shall mean the parcel or lot was created:

(b) By a deed, or a sales contract dated and signed by the parties to the transaction, that was recorded with the Recording Section of the public office responsible for public records prior to October 19, 1978; or

(c) By a deed, or a sales contract dated and signed by the parties to the transaction, that was in recordable form prior to October 19, 1978; or

Staff: To qualify as a Lot of Record, the subject property, when created or reconfigured, must meet MCC 39.3005(B) of this section and meet the Lot of Record standards set forth in the EFU zoning district. More specifically, section (B) above requires demonstration that the subject property (a) satisfied all applicable zoning laws and (b) satisfied all applicable land division laws. The Lot of Record standards set forth in the EFU district establish additional requirements unique to the district, which are evaluated in Section 5.2 of this decision. The findings below analyze whether the Lot of Record provisions in section (B) have been met.

The applicant provided 18 deed(s) to support the Lot of Record request (Exhibit A.2-A.19). The earliest deed provided was recorded September 10, 1959 conveyed 34.05 acres of the North one-half of the South one-half of the Northwest one-quarter of Section 16, Township One North, Range One West (Exhibit A.2). The deed is illustrated in the Table below:

Exhibit	Instrument	Grantor	Grantee	Recording Date	Staff Graphic
A.2	<p>Warranty Deed recorded in Book 1973, Page 535</p> <p>Zoning: Suburban Residential (SR)</p>	Anna F. Morris	Francis Burnham, Leona L. Burnham and John F. Burnham	September 10, 1959	

The next deed provided was recorded on April 29, 1966 conveying 1.37 acres within the North one-half of the South one-half of the Northwest one-quarter of Section 16, Township One North, Range One West (Exhibit A.3).

Exhibit	Instrument	Grantor	Grantee	Recording Date	Staff Graphic
A.3	<p>Bargain and Sale Deed recorded in Book 491, Page 767</p> <p>Zoning: Suburban Residential (SR)</p>	Francis L. Burnham and Leona L. Burnham	John F. Burnham and Janet A. Burnham	April 29, 1966	

In 1966 that area of land was zoned Suburban Residential (SR) per historical County zoning maps (Exhibit B.5). The SR zone had a minimum lot size requirement ranging from 10,000 to 40,000 square feet depending on the services in the area. It also required a minimum average lot width of 70 feet, a minimum average lot depth of 100 feet, and public road frontage or other access deemed safe and convenient (Exhibit B.8). To establish a lot that was (a) 40,000 sq. ft. or more, the property would need to have the following characteristics:

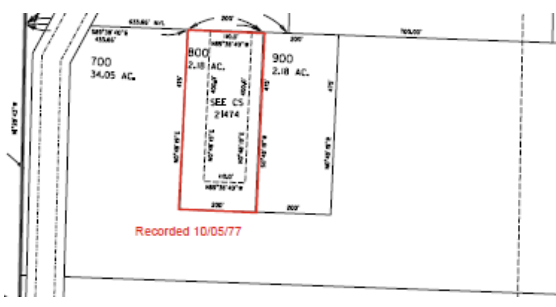
Lot Area	Minimum Standards
40,000 sq. ft.	<p>Approved public or private water supply</p> <p>Approved individual sewage disposal system</p> <p>Approved public access or other access</p>

The described area of land at that time was 44,000 sq. ft, and average lot depth of 200 feet (Exhibit B.3). However, it had an average lot width of 55 feet.

The property at that time did not comply with all applicable zoning laws at the time of its creation.

The next deed provided was recorded October 5, 1977, which first described what is now known as 1N1W16B -00800 (Exhibit A.6). The deed enlarged the property from the area of land

described in 1966 to the property’s current size and configuration. That deed is illustrated in the Table below:

Exhibit	Instrument	Grantor	Grantee	Recording Date	Staff Graphic
A.6	Bargain and Sale Deed recorded in Book 1212, Page 011-013 Zoning: Suburban Residential (SR)	Francis L. Burnham and Leona L. Burnham	John F. Burnham and Janet A. Burnham	October 5, 1977	

In 1977, 1N1W16B -00800 was zoned Suburban Residential (SR) per historical County zoning maps (Exhibit B.5).

The SR zone had a minimum lot size requirement ranging from 10,000 to 40,000 square feet depending on the services in the area. It also required a minimum average lot width of 70 feet, a minimum average lot depth of 100 feet, and public road frontage or other access deemed safe and convenient (Exhibit B.6). To establish a lot that was (a) 40,000 sq. ft. or more, the property would need to have the following characteristics:

Lot Area	Minimum Standards
40,000 sq. ft.	Approved public or private water supply Approved individual sewage disposal system Approved public access

The subject property is 2.18 acres or 94,960.8 sf, has an average lot width of 100 feet, an average lot depth of 237.50 feet, and contained other access deemed safe and convenient. (Exhibit B.2 and B.4).

The subject property complied with all applicable zoning laws at the time of its reconfiguration.

The applicant provided a current deed for the subject property that contains a legal description that matches the recorded 1977 legal description (Exhibit A.4 and A.17). In 1977, the process to create or divide a parcel required a deed or sales contract dated and signed by the parties to the transaction. The document needed to be in recordable form or recorded with the County Recorder prior to October 19, 1978. As evidenced by the 1977 deed, the applicable land division laws were satisfied (Exhibit A.5).

The subject property satisfied all applicable land division laws when it was created in 1966 and then reconfigured in 1977.

5.2 MCC 39.3070 LOT OF RECORD – EXCLUSIVE FARM USE (EFU).

(A) In addition to the standards in MCC 39.3005, for the purposes of the EFU district a Lot of Record is either:

- (1) A parcel or lot which was not contiguous to any other parcel or lot under the same ownership on February 20, 1990, or
- (2) A group of contiguous parcels or lots:
 - (a) Which were held under the same ownership on February 20, 1990; and
 - (b) Which, individually or when considered in combination, shall be aggregated to comply with a minimum lot size of 19 acres, without creating any new lot line.
 - 1. Each Lot of Record proposed to be segregated from the contiguous group of parcels or lots shall be a minimum of 19 acres in area using existing legally created lot lines and shall not result in any remainder individual parcel or lot, or remainder of contiguous combination of parcels or lots, with less than 19 acres in area. See Examples 1 and 2 in this subsection.
 - 2. There shall be an exception to the 19 acre minimum lot size requirement when the entire same ownership grouping of parcels or lots was less than 19 acres in area on February 20, 1990, and then the entire grouping shall be one Lot of Record. See Example 3 in this subsection.
 - 3. Three examples of how parcels and lots shall be aggregated are shown in Figure 1 below with the solid thick line outlining individual Lots of Record:
 - 4. The requirement to aggregate contiguous parcels or lots shall not apply to lots or parcels within exception or urban zones (e.g., MUA-20, RR, RC, SRC, BRC, R-10), but shall apply to contiguous parcels and lots within all farm and forest resource zones (i.e. EFU and CFU), or

Staff: The subject property is now reviewed under MCC 39.3070(A)(2) where a Lot of Record in the EFU zone can be a group of contiguous parcels or lots which were held under the same ownership on February 20, 1990; and which, individually or when considered in combination, shall be aggregated to comply with a minimum lot size of 19 acres, without creating any new lot line.

The subject property (1N1W16B -00800) is 2.18 acres and was owned by Burnham, John F & Janet A on February 20, 1990. Planning staff reviewed the 1989 and 1990 ownership of adjacent properties that are zoned EFU & CFU to see if any were owned together by Burnham, John F and Janet A.

Map, Tax lot	Alternative Acct #	Property Size	1989 Ownership	1990 Ownership
1N1W16B -00800	R961160720 (Subject Property)	2.18 acres	Burnham, John F & Janet A	Burnham, John F & Janet A
1N1W16B -00700	R961160030	34.20 acres	Burnham, Francis L -1/4 & Leona L-1/4 & Burnham, John F-1/2	Burnham, Francis L-1/4 & Leona L-1/4 & Burnham, John F-1/2

1N1W16B -00400	R961160260	18.32 acres	Hahn, Richard C-1/3 & Severson, Patricia L-1/3 & Hahn, Allen L-1/3	Hahn, Richard C-1/3 & Severson, Patricia L-1/3 & Hahn, Allen L-1/3
1N1W16B -00900	R961160840	2.18 acres	Burnham, Francis L & Leona L	Burnham, Francis L & Leona L

According to the Multnomah County Assessor Information for 1N1W16B -00700, Burnham, John F was a ½ (50 percent) owner of said property as of September 10, 1959 (Exhibit B.7). John’s ownership was confirmed by reviewing Deeds A.2, A.3, A.5, and A.6.

Although Burnham, John F had ownership in both the subject property and the adjacent property (1N1W16B -00700) the entirety of the property owners was not identical, since Burnham, John F & Janet A owned 1N1W16B -00800 and Burnham, Francis L -1/4 & Leona L-1/4 & Burnham, John F-1/2 owned 1N1W16B -00700.

Therefore, no other property was in Same Ownership as of February 20, 1990. The subject property meets MCC 39.3070(A)(1).

(B) In this district, significant dates and ordinances applicable for verifying zoning compliance may include, but are not limited to, the following:

* * *

Staff: Section (B) is for information purposes.

(C) A Lot of Record which has less than the minimum lot size for new parcels, less than the front lot line minimums required, or which does not meet the access requirements of MCC 39.4260 may be occupied by any allowed use, review use or conditional use when in compliance with the other requirements of this district.

Staff: The subject property has less than the minimum lot size for new parcels or lots in the EFU zone and does not front onto a public street and is subject to (C) above. It may be occupied by any allowed, review or conditional use when in compliance with the other requirements of this district provided it remains a Lot of Record. *Criterion met.*

(D) The following shall not be deemed a Lot of Record:

- (1) An area of land described as a tax lot solely for assessment and taxation purposes;**
- (2) An area of land created by the foreclosure of a security interest;**
- (3) A Mortgage Lot.**
- (4) An area of land created by court decree.**

Staff: As discussed above under section 5.1, the subject property is not an area of land described as a tax lot solely for assessment and taxation purposes. The subject property is not an area of land created by the foreclosure of a security interest, mortgage lot, or created by court decree. *Criterion met.*

Based on the findings in 5.1 & 5.2 above, the subject property is a single Lot of Record.

6.0 Exhibits

- ‘A’ Applicant’s Exhibits
- ‘B’ Staff Exhibits
- ‘C’ Procedural Exhibits

‘D’ Comments Received

All exhibits are available for digital review by sending a request to LUP-comments@multco.us.

Exhibit #	# of Pages	Description of Exhibit	Date Received / Submitted
A.1	2	Application Form	10/28/2025
A.2	1	Warranty Deed recorded in Book 1973, Page 535 on September 10, 1959	10/28/2025
A.3	1	Bargain and Sale Deed recorded in Book 491, Page 767 on April 29, 1966	10/28/2025
A.4	3	Bargain and Sale Deed recorded in Book 1212, Page 009-010 on October 5, 1977	10/28/2025
A.5	3	Bargain and Sale Deed recorded in Book 1212, Page 011-013 on October 5, 1977	10/28/2025
A.6	3	Bargain and Sale Deed recorded in Book 1212, Page 594-596 on October 5, 1977	10/28/2025
A.7	3	Statutory Warranty Deed recorded in Book 2381, Page 316-318 on January 25, 1991	10/28/2025
A.8	3	Deed recorded under Instrument #2002-116606 on June 28, 2002	10/28/2025
A.9	3	Bargain and Sale Deed under Instrument #2003-288847 on December 9, 2003	10/28/2025
A.10	3	Bargain and Sale Deed under Instrument #2011-036907 on March 25, 2011	10/28/2025
A.11	3	Bargain and Sale Deed under Instrument #2011-036908 on March 25, 2011	10/28/2025
A.12	3	Bargain and Sale Deed under Instrument #2011-043386 on April 11, 2011	10/28/2025
A.13	3	Bargain and Sale Deed under Instrument #2011-060226 on May 24, 2011	10/28/2025
A.14	3	Bargain and Sale Deed under Instrument #2011-069497 on June 20, 2011	10/28/2025
A.15	3	Bargain and Sale Deed under Instrument #2016-080664 on June 30, 2016	10/28/2025
A.16	2	Bargain and Sale Deed under Instrument #2018-122769 on November 29, 2018	10/28/2025
A.17	3	Warranty Deed under Instrument #2021-058155 on April 9, 2021	10/28/2025
A.18	4	Warranty Deed under Instrument #2022-103341 on November 21, 2022	10/28/2025

A.19	7	Statutory Warranty Deed under Instrument #2025-052050 on August 15, 2025	10/28/2025
'B'	#	Staff Exhibits	Date
B.1	2	Assessment and Taxation Property Information for 1N1W16B -00800 (Alt Acct #R961160720 / Property ID #R324350)	10/28/2025
B.2	1	Current Tax Map for 1N1W16B	10/28/2025
B.3	1	Survey #21474	10/28/2025
B.4	1	Survey #69390	10/28/2025
B.5	1	Map showing zoning from 1962 to 1977	02/24/2026
B.6	41	Historical Zoning Code adopted on May 17, 1974	02/24/2026
B.7	3	1N1W16B -00700 Parcel Record Card	03/03/2026
B.8	1	Map showing zoning from 1955 to 1962	03/10/2026
B.9	49	Historical Zoning Code adopted on June 18, 1964	03/10/2026
'C'	#	Administration & Procedures	Date
C.1	1	Complete letter (day 1)	11/25/2025
C.2	3	Opportunity to Comment	12/23/2025
C.3	10	Decision	04/09/2026
'D'	#	Comments	Date
D.1	1	Sookyung Choi Email Comments	01/01/2026