

## HEARINGS OFFICER DECISION SUMMARY

### **Approved (Rolling Hills Church), subject to conditions.**

**File No.:** Z0460-09-HMV; Map Verification; Z0160-09-C; Conditional Use; Z0161-09-IHO; Interpretation; Rolling Hills Church;

**Proposal :** Habitat Conservation Area (HCA) Map Verification to establish the boundary of the HCA for purposes of Phases 3 and 4 of the Rolling Hills Church development.

A conditional Use Permit (File No. Z0351-02-C) was approved on the subject property in 2002 for a four phase expansion of the church facility. The church approval included a phasing schedule for all four (4) phases which extended from April 9, 2005 for Phase one (1) through April 9, 2010 for Phase four (4). This proposal includes two applications:

1. Conditional Use Permit for the improvements included in Phase three (3) and four (4) of the original approval. The improvement proposed in Phase three (3) include a 15,700 square, multi-story classroom building and associated changes to driveway, parking and landscaping on the south end of the site; finish about 50,812 square feet on the lower level of the existing church structure. The improvements in Phase four (4) include a 10,400 square foot, 400 seat chapel and adjoining hallway, relocation of the sanitary drain field to the east side of the Athey Creek tributaries and improve about 338 off street parking spaces.

The prior Conditional Use permit file already approved all development proposed in this application. Approval of the application in effect will extend the approval period for the development for another two year period.

2. Hearings Officer Interpretation of Section 1203.02 of the Clackamas County Zoning and Development Ordinance, Section 1203.02 outlines the approval period for a Conditional Use permit and states: *"A Conditional Use approval shall expire if it is not implemented within two (2) years from the date of the final written decision unless a lesser time period is specified as a condition of approval or a Time Extension is approved pursuant to Section 1203.0"*. The applicant has requested an Interpretation of the how long a second phase or subsequent phasing may be approved once the Conditional Use has been implemented. The applicant has requested the Hearings Officer to interpret this section of the ZDO to allow separate five-year terms for Phases three (3) and four (4) as proposed in the Conditional Use Permit.

**Location :** South side of SW Borland Road, about 1,500 feet west of its intersection with SW Stafford Rd

**Legal Description:** T2S, R2E, Section 29A, Tax Lots 500, 600, 602, 900, W.M.

T2S, R1E, Section 29B, Tax Lot 101

**Zoning:** RRFF-5, Rural Residential Farm Forest, 5 Acre District

**Staff Contact:** Rick McIntire; 503-353-4516; email; rickm@co.clackamas.or.us

### **Approved (Clackamas County Parks), subject to conditions.**

**File No.:** Z0522-09-C; Conditional Use; Clackamas County Parks;

**Proposal :** A conditional Use permit to establish a new County park – Hardscrabble Quarry / Madrone Wall Park, on 43.99 acres in the Timber zone. The proposal includes; parking spaces for 20 vehicles, bike parking, one vault toilet, trails for all levels of visitors from ADA to advanced hikers, Madrone Wall for climbing, interpretive signs, trailhead kiosk, and an improved overlook above Madrone Wall. The park will be open from 6 a.m. to 9 p.m., April through October and from 6 a.m. to 6 p.m., November through March. The park will be open for day use only. Access to the property is from Highway 224.

**Location :** Approximately 0.25 miles south of the intersection of Highway 224 and Marna Road. The site is located on the east side of Highway 224.

**Legal Description:** T2S, R3E, Section 17, Tax Lot 3400, W.M.

**Zoning:** TBR, Timber 80 acre size

**Staff Contact:** Sandy Ingalls; 503-742-4532; email; SandyIng@co.clackamas.or.us

**Approved (Jerry Marshall), subject to conditions.**

**File No.:** Z0673-08-C; Conditional Use; Jerry Marshall.

**Proposal:** Conditional Use permit to increase the uses of an existing winery to include a Home Occupation to host weddings and other events in an existing building. The event facility will be open from 2:00 p.m. to 10:00 p.m. for events of up to 300 participants. Other proposed site improvements include off-street parking and circulation areas. Access is proposed from S Rosemont Road.

**Location:** South side of S Rosemont Road, at the intersection of Whitten Lane.

**Legal Description:** T2S, R1E, Section 22B, Tax Lot 600, 700, W.M.

**Zoning:** EFU; Exclusive Farm Use

**Staff Contact:** Sandy Ingalls; 503-742-4532; email; SandyIng@co.clackamas.or.us

**Approved (John & Kathryn Muro).**

**File No.:** Z0540-09-V; Variance; Z0541-09-SSR; Steep Slope Review; John & Kathryn Muro.

**Proposal:** Applicant is constructing a single family residence on slopes between 20 and 35 percent. Applicant is seeking a Variance to disturb 56 percent of slopes, 20 percent or greater, rather than the 30 percent maximum allowed disturbance area.

**Location:** Lot two (2) of Emmert Heights subdivision located generally at the intersection of SE 92<sup>nd</sup> Avenue and Emmert View Court.

**Legal Description:** T1S, R2E, Section 28AC, Tax Lot 7002, W.M.

**Zoning:** R-10; Urban Low Density Residential

**Staff Contact:** Steve Koper; 503-742-4551; email; SteveKop@co.clackamas.or.us.

**Appeal denied (Jerry Gravo & McKenzie Cook), application denied.**

**File No.:** Z0456-09-V; Variance Appeal; Jerry Gravo & McKenzie Cook; Appellant; McKenzie Cook.

**Proposal:** Applicant is appealing staff denial of a Variance proposal to reduce the front yard property setback from 20 feet to 10 feet.

**Location:** One half mile south of the intersection of Highway 26 and E Salmon River Road.

**Legal Description:** T3S, R7E, Section 4DB, Tax Lot 300, W.M.

**Zoning:** HR, Hoodland Residential

**Staff Contact:** Steve Koper; 503-742-4551; email; SteveKop@co.clackamas.or.us.