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## Notice of a Public Hearing Before the Land Use Hearings Officer on an Appeal of a Planning Director Decision on a Proposal in Your Area

**Date of Mailing of this Notice:** December 18, 2024.

**Notice Sent To:** Agencies, Community Planning Organization(s) and property owners within 2,640 feet of the subject property.

**HEARING DATE:** January 9, 2025

**HEARING TIME:** This hearing will not begin before 9:30 a.m.. However, it may begin later depending on the length of any preceding items.

**HEARING LOCATION:** The public hearing will be conducted virtually using the Zoom platform. One week prior to the hearing, a Zoom link to the public hearing and details on how to observe and testify online or by telephone will be available on our website: [www.clackamas.us/meetings/planning/hearingsofficer](http://www.clackamas.us/meetings/planning/hearingsofficer)

**File Number:** Z0315-24

**Appellant/applicant:** Bennett Johnson, Appellant

**Property Owner:** Pamela Jewell, Applicant

**Proposal:** The applicant proposed a Non-Conforming Use verification for a detached garage built in 1962, that does not comply with the 10-foot side setback standard in the RRFF-5 zone, stated in Table 316-2 of the ZDO. This encroaches into SE side setback area. The application also requested retroactive approval for an alteration of a non-conforming use for the attic addition on top of the garage, added in 2019. The modification for the attic addition was approved by County staff, with conditions that the applicant retroactively apply for and receive Building Permits for the 2019 attic addition.

**Planning Director's Initial Decision:** Approved, with Conditions.

**Applicable Zoning and Development Ordinance and Comprehensive Plan Criteria:** Section 202, 316, 1206, and 1307. These criteria may be viewed online at <http://www.clackamas.us/planning/zdo.html>

**Site Address and/or Location:** 28899 SE Woods Rd, Eagle Creek, OR 97022

**Assessor's Map:** T3S, R3E, Section 13AA, Tax Lot 5100, W.M.

**Property Size:** Approximately 0.25 acres

**Zoning:** RRFF-5, Rural Residential Farm and Forest – 5-acre

**NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.**

**HOW TO OBTAIN ADDITIONAL INFORMATION**

**Staff Contact:** Mya Ganzer; 503-742-4520 or [mganzer@clackamas.us](mailto:mganzer@clackamas.us)

A copy of the Planning Director's initial decision, the application, all documents and evidence submitted by or on behalf of the applicant, and applicable criteria are available for inspection at no cost at the Planning Division offices. Copies may be purchased at the rate of \$2.00 per page for 8 1/2" x 11" or 11" x 14" documents, \$2.50 per page for 11" x 17" documents, \$3.50 per page for 18" x 24" documents and \$0.75 per sq ft with a \$5.00 minimum for large format documents, or you may view these materials:

1. By emailing or calling the staff contact; or
2. Online at <https://accela.clackamas.us/citizenaccess/>. After selecting the "Planning" tab, enter the File Number to search. Select Record Info and then select "Attachments" from the dropdown list, where you will find the submitted application.

**Community Planning Organization for Your Area:** The following recognized Community Planning Organization (CPO) has been notified of this application and may develop a recommendation. You are welcome to contact the CPO and attend their meeting on this matter, if one is planned. If this CPO currently is inactive and you are interested in becoming involved in land use planning in your area, please contact the Community Involvement Office at [communityinvolvement@clackamas.us](mailto:communityinvolvement@clackamas.us). **CPO:** Eagle Creek-Barton CPO, **Contact:** Brent Parries, 503-680-3824, [EAGLECREEKCPO@GMAIL.COM](mailto:EAGLECREEKCPO@GMAIL.COM)

**HOW TO SUBMIT TESTIMONY ON THIS APPLICATION**

- All interested parties are invited to "attend" the hearing remotely online or by telephone and will be provided with an opportunity to testify orally, if they so choose. One week prior to the hearing, specific instructions will be available online at [www.clackamas.us/meetings/planning/hearingsofficer](http://www.clackamas.us/meetings/planning/hearingsofficer)
- Written testimony received prior to the close of the record on this matter will be provided to the Hearings Officer for consideration. Please note that the record may close as soon as the conclusion of the public hearing.
- Written testimony may be submitted by email, fax, regular mail, or hand delivery. Please include the permit number on all correspondence and address written testimony to the staff contact who is handling this matter.
- Testimony, arguments, and evidence must be directed toward the criteria identified above, or other criteria in the Zoning and Development Ordinance or Comprehensive Plan that you believe apply to the decision. Failure to raise an issue in person at the hearing or by letter prior to the close of the record, or failure to provide statements or evidence sufficient to afford the Hearings Officer and the parties involved an opportunity to respond to the issue, precludes an appeal to the Oregon Land Use Board of Appeals based on that issue.
- Written notice of the Hearing Officer's decision will be mailed to you if you submit oral or written testimony or make written request for notice of decision **and provide a valid mailing address.**

**PROCEDURE FOR THE CONDUCT OF THE HEARING**

The hearing will be conducted by one of the Land Use Hearings Officers, who are appointed by the Board of County Commissioners to conduct public hearings and issue decisions on certain land use permit applications. The following procedural rules have been established to allow an orderly hearing:

1. The length of time given to individuals speaking for or against an item will be determined by the Hearings Officer prior to the item being considered.
2. A spokesperson representing each side of an issue is encouraged.
3. Prior to the conclusion of the evidentiary hearing, any participant may request an opportunity to present additional evidence, argument, or testimony regarding the application. The Hearings Officer will either continue the hearing or leave the record open for additional written evidence, argument, or testimony.

*Clackamas County is committed to providing meaningful access and will make reasonable accommodations, modifications, or provide translation, interpretation or other services upon request. Please contact us at 503-742-4545 or email [DRehhard@clackamas.us](mailto:DRehhard@clackamas.us).*

503-742-4545: ¿Traducción e interpretación? |Требуется ли вам устный или письменный перевод?  
翻译或口译? | Cần Biên dịch hoặc Phiên dịch? | 번역 또는 통역?