

Yamhill County

DEPARTMENT OF PLANNING AND DEVELOPMENT

525 NE 4th STREET • McMINNVILLE, OREGON 97128

Phone:(503) 434-7516 • Fax:(503)434-7544 • TTY: (800) 735-2900 • Internet Address: <http://www.co.yamhill.or.us/plan/>

February 27, 2009

Catherine Wright
PO Box 625
McMinnville, OR 97128

Re: Docket FOR-02-09; Tax Lot 3514-402

Dear Ms. Wright:

This letter will serve as your official notification that your application for a principal forest dwelling on a large tract of forest land has been approved subject to the following conditions:

1. The dwelling shall be located in the northeast portion of the parcel and a minimum of 130 feet from all property lines as proposed by the applicant (see enclosed map) and the building site shall not be located on a slope of greater than 40 percent.
2. The property owner shall submit a stocking survey report to the County Assessor and the Assessor shall verify that the minimum stocking and survival requirements of ORS 527.610 to 527.770 have been met prior to building or septic permit approval.
3. Prior to issuance of building or septic permits, the landowner shall sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.
4. Prior to issuance of building or septic permits, the landowner shall sign and record a deed that prohibits residential development on the parcel located in Polk County (Tax Lot 8822-1501) or the use of the acreage of that parcel to qualify another parcel for the construction or siting of future dwellings. The applicant shall provide evidence that covenants and restrictions, in a form approved by the county, have been recorded with the County Clerk of Polk County.
5. The following requirements shall be shown on the site plan submitted at the time of application for building permits, and implemented upon construction or placement of the dwelling:
 - a. A primary fire break shall be constructed, no less than 30 feet wide. The primary firebreak could include a lawn, ornamental shrubbery or individual or groups of trees separated by a distance equal to the diameter of the crowns adjacent to each other, or 15 feet, whichever is greater. All trees shall be pruned to at least eight feet in height. Dead fuels shall be removed.

- b. A secondary firebreak of not less than 100 feet outside the primary firebreak shall also be constructed, or 150 feet if the dwelling will be on a slope of greater than 25%. Vegetation within the secondary firebreak should be pruned and spaced so that fire will not spread between crowns of trees, and small trees and brush growing underneath larger trees should be removed to prevent spread of fire into the crowns of the larger trees. Dead fuels shall be removed. The secondary fire break shall be increased if the dwelling or structure is located on a slope or other fire hazards exist.
 - c. No portion of a tree or any other vegetation shall extend to within 15 feet of the outlet of a stovepipe or chimney.
6. The dwelling shall have a fire-retardant roof. If the dwelling has a chimney or chimneys, each chimney shall be provided with a spark arrester.
 7. The applicant shall obtain an address from the county, and shall display that number in a location on the property that is clearly visible from the road used as the basis for numbering as well as locations along the private drive to distinguish the appropriate driveway from other driveways in the area, if necessary. The numbers shall not be less than three inches in height, shall be painted in a contrasting or visible color and shall comply with all other applicable standards for signs.
 8. The access road and driveway to the dwelling shall be constructed to meet the road design standards contained in Section 403.11(E) of the YCZO.
 9. If the water supply to the dwelling is from a well, a copy of the well constructor's report shall be submitted. If the water supply will be from a creek or spring, evidence shall be submitted that any necessary water rights have been obtained and that the water is not from a Class II stream as defined in the Forest Practices Rule.
 10. This approval is valid for two years from the date of the final decision and will expire unless substantial construction has occurred prior to that date. An extension may be requested provided the request and the required fee are submitted prior to the expiration of the original approval.

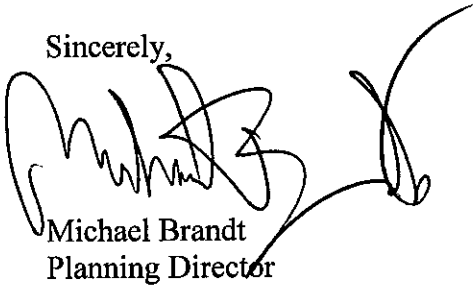
This decision is based on findings and conclusions in the enclosed staff report.

Please bear in mind that approval of this request does not guarantee building or septic tank approval. Applications for building and drainfield permits are available in the County Department of Planning and Development.

The Yamhill County Zoning Ordinance provides for appeal of any action or ruling of the Planning Director to the Board of Commissioners within fifteen (15) days of the decision on a proposed action. Anyone wishing to appeal the Director's decision must file an appeal form, together with a \$250.00 fee, with this Department no later than **5:00 p.m., March 16, 2009**. If no appeal is filed, the Director's decision will be final and this letter will serve as your official notice of approval of your application.

If you have any questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Brandt", with a long, sweeping flourish extending to the right.

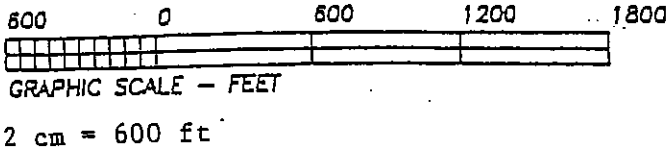
Michael Brandt
Planning Director

Enclosure

MB:kf:sa

cc: Board of Commissioners
Assessor
Public Works
Yamhill Fire District
Orson Properties, LLC, 450 Pacific Ave. N, Monmouth, OR 97361
cc/encl: Katherine Daniels, DLCD

AFTER ADJUSTMENT



Owner: **ORSON PROPERTIES LLC**
 450 Pacific Avenue North
 Monmouth, OR 97361
 Phone: (503) 838-6933

Parcel 3 of Partition
 Plat 2008-21

