

### **Applicable Approval Criteria:**

**For this application to be approved, the proposal will need to meet applicable approval criteria below:**

**Multnomah County Code (MCC):** *General Provisions:* MCC 39.1515 Code Compliance and Applications, MCC 39.2000 Definitions, MCC 39.6850 Dark Sky Lighting Standards

*Lot of Record:* MCC 39.3005 Lot of Record – Generally, MCC 39.3070 Lot of Record – EFU

*Health Hardship:* MCC 39.8700 Temporary Dwelling for a Health Hardship Permit, MCC 39.4225 (Q) Temporary dwelling for health hardship, MCC 39.4245 Dimensional Requirements and Development Standards

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

**Chapter 39 - Zoning Code**

### **Conditions of Approval**

The conditions listed are necessary to ensure that approval criteria for this land use permit are satisfied. Where a condition relates to a specific approval criterion, the code citation for that criterion follows in parenthesis. It shall be the responsibility of the property owner(s) to comply with these documents and the limitations of approval described herein.

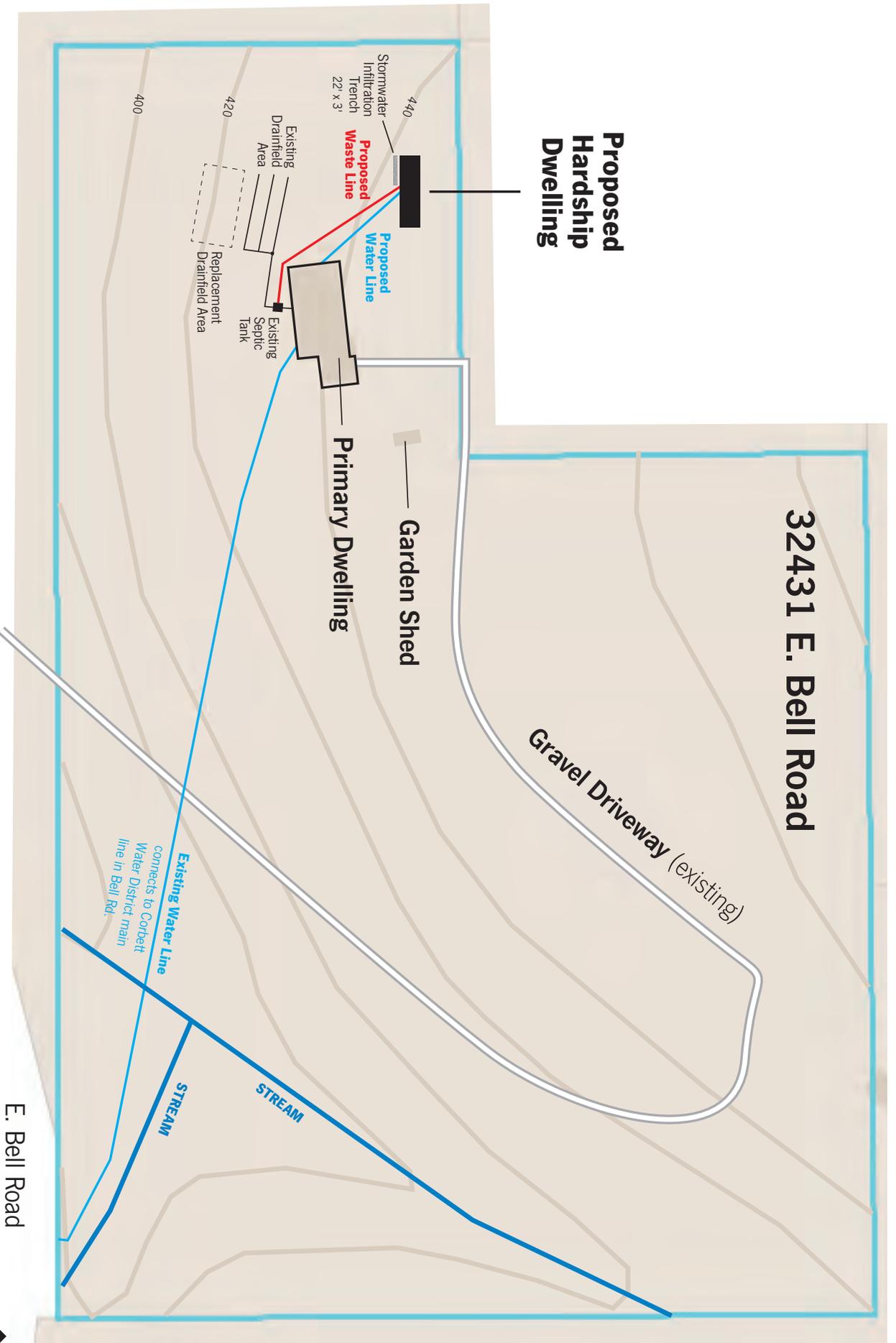
1. **Permit Expiration:** The Health Hardship Permit for the temporary dwelling shall expire automatically two years after the date of final approval of the permit unless an extension is approved as set forth MCC 39.8700 (E). Request for extension shall be submitted at least 30 days prior to the expiration and shall follow the requirements listed for renewal in MCC 8700. [MCC 39.8700(D)& (E)]
2. **Prior to zoning review approval for the temporary dwelling, the property owners shall:**
  - a. Record a covenant that states that the dwelling is temporary and must be removed as stated in Exhibit B.3. [MCC 39.8700(C)(2)]
  - b. Record a statement that the owner and the successors in interest acknowledge the rights of owners of nearby property to conduct forest operations consistent with the Forest Practices Act and Rules and to conduct accepted farming practices as stated in Exhibit B.4. [MCC 39.8700(C)(3)]
  - c. Modify the site plan to show the location of all exterior lighting on the temporary dwelling and add lighting details in compliance with MCC 39.6850 to the plans for building permits.
  - d. Add building elevations for the mobile home to the plans for building permits that demonstrate the overall height of the structure complies with MCC 39.4245(C).
  - e. Demonstrate compliance with the applicable zoning code requirements for the garden shed. A floor plan, dimensions of the shed and its use shall be provided for zoning review and approval. [MCC 39.1515]
3. The mobile home shall be removed from the property within 30 days of Mary Bode no longer living in the temporary dwelling or if the property owners fail to renew the Temporary Health Hardship Permit. Removal of the utility connections and septic connection is required at the same time as removal of the dwelling. [MCC 39.8700(G)]
4. The temporary Health Hardship Permit is not transferable to another party. This Health Hardship Permit is for Mary Bode solely. If another relative needs daily care, a new health hardship permit will need to be applied for and approved to maintain the dwelling. [MCC 39.8700(F)]
5. The temporary dwelling shall be connected to the same utilities (on-site sewage disposal, power main, well/water meter) as the single-family dwelling. [MCC 39.8700(B)(4)(c)]
6. Only wheelchair ramps may be attached to the temporary dwelling. The wheelchair ramps must comply with the County's Yard Dimensions. [MCC 39.8700(B)(4)(d)]
7. **Prior to occupancy of the temporary dwelling,** the property owners shall obtain all necessary permits to place the mobile home on the site and the connections for the utilities. Mary Bode shall not commence living in the mobile home until the permits as final and occupancy is granted by the building department. [MCC 39.8700(C)(1)].

**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.

# SITE PLAN

## ATTACHMENT 9



PREPARED BY DAVE SELDEN

*DAVE SELDEN*

SEPTEMBER 2, 2021

## **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 applicants request a Health Hardship Permit in order to bring in a temporary dwelling to care for Sarah Selden’s mother, Mary Bode. The temporary dwelling will be placed within 100 feet of the existing dwelling and will be served by the same water service and septic system as the existing dwelling. In addition, they request a Lot of Record Verification for the property identified as 1N4E33C-00800 (subject property).

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 & History:**

**Staff:** The subject property is located in unincorporated east Multnomah County in the area known as East of Sandy River. The property is zoned Exclusive Farm Use and is located outside of Metro’s Urban Growth Boundary (UGB). The subject property is occupied by single-family dwelling with attached garage built in 1972 and a small garden shed.

### **3.0 Public Comment:**

**Staff:** Staff mailed a notice of application and invitation to comment on the proposed application to the required parties per MCC 39.1105 as Exhibited in C.2. Staff did not receive any public comments during the 14-day comment period.

### **4.0 Code Compliance and Applications Criteria:**

#### **§ 39.1515 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 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:**

- (1) It results in the property coming into full compliance with all applicable provisions of the Multnomah County Zoning Code. This includes sequencing of permits or other approvals as part of a voluntary compliance agreement; or**
- (2) It is necessary to protect public safety; or**
- (3) It is for work related to and within a valid easement over, on or under an affected property.**

**(B) For the purposes of this section, Public Safety means the actions authorized by the permit would cause abatement of conditions found to exist on the property that endanger the life, health, personal property, or safety of the residents or public. Examples of that situation include but are not limited to issuance of permits to replace faulty electrical wiring; repair or install furnace equipment; roof repairs; replace or repair compromised utility infrastructure for water, sewer, fuel, or power; and actions necessary to stop earth slope failures.**

**Staff:** This standard provides that the County shall not make a land use decision approving development for a property that is not in full compliance with County Code or previously issued County approvals, except in the following instances: approval will result in the property coming into full compliance, approval is necessary to protect public safety, or the approval is for work related to or within a valid easement.

This standard was originally codified in the Zoning Code chapter related to land use application procedures and, by its terms, expressly applies to the application review process. Although now codified in the enforcement Part of the Zoning Code as a result of the more recent code consolidation project, the language and intent was not changed during that project and remains applicable to the application review process and not to the post-permit-approval enforcement process.

Importantly, a finding of satisfaction of this standard does not mean that a property is in full compliance with the Zoning Code and all prior permit approvals (and, accordingly, does not preclude future enforcement actions relating to uses and structures existing at the time the finding is made). Instead, a finding of satisfaction of this standard simply means that there is not substantial evidence in the record affirmatively establishing one or more specific instances of noncompliance. As such, an applicant has no initial burden to establish that all elements of the subject property are in full compliance with the Zoning Code and all previously approved permits; instead, in the event of evidence indicating or establishing one or more specific instances of noncompliance on the subject property, the applicant bears the burden to either rebut that evidence or demonstrate satisfaction of one of the exceptions in MCC 39.1515.

The site plan identifies a small garden shed as being on the property. A condition of approval has been included requiring the shed be legalized through zoning review before the health hardship can be approved for building plan check. *As conditioned, the site will be brought into compliance.*

## **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.**

**(a) “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.**

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

**1. By a subdivision plat under the applicable subdivision requirements in effect at the time; or**

**2. 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**

**3. 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**

**4. By partitioning land under the applicable land partitioning requirements in effect on or after October 19, 1978; and**

**5. “Satisfied all applicable land division laws” shall also mean that any subsequent boundary reconfiguration completed on or after December 28, 1993 was approved under the property line adjustment provisions of the land division code. (See Date of Creation and Existence for the effect of property line adjustments on qualifying a Lot of Record for the siting of a dwelling in the EFU and CFU districts.)**

**(c) Separate Lots of Record shall be recognized and may be partitioned congruent with an “acknowledged unincorporated community” boundary which intersects a Lot of Record.**

**1. Partitioning of the Lot of Record along the boundary shall require review and approval under the provisions of the land division part of this Chapter, but not be subject to the minimum area and access requirements of this district.**

**2. An “acknowledged unincorporated community boundary” is one that has been established pursuant to OAR Chapter 660, Division 22.**

**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 Exclusive Farm Use (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 Sections 5.2 of this decision. The findings below analyze whether the Lot of Record provisions in section (B) have been met.

The applicant provided one deed (Exhibit A.3) and the Assessment and Taxation Parcel Record Card (Exhibit A.4.a) to support the Lot of Record request. The earliest deed provided was recorded in 1970 and contains a legal description matching the current configuration of the subject property (Exhibit B.2). In 1970, the subject property was zoned F-2 per historical County zoning maps (Exhibit A.5).

The F-2 zone had a minimum lot size of 2 acre. There was no requirement for road frontage or minimum front lot line length or lot width.

The subject property is 10.37 acres, abuts Bell Road (a public road), has a front lot line length of approximately 930 feet (Exhibit A.4).

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

In 1970, 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 1970 deed (Exhibit A.3), the applicable land division laws were satisfied.

*Based upon the above, the subject property satisfied all applicable zoning and land division laws when it was created or reconfigured in 1970.*

## **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**

**(3) A parcel or lot lawfully created by a partition or a subdivision plat after February 20, 1990.**

**(4) Exception to the standards of (A)(2) above:**

**(a) Where approval for a “Lot of Exception” or a parcel smaller than 19 acres under the “Lot size for Conditional Uses” provisions has been given by the Hearing Authority and the parcel was subsequently lawfully created, then the parcel shall be a Lot of Record that remains separately transferable, even if the parcel was contiguous to another parcel held in the same ownership on February 20, 1990.**

**Staff:** Planning staff reviewed its records to see if any adjacent units of land were held in the same ownership on February 20, 1990. Only two parcels are adjacent to the subject property that are less than 19 acres in size. Neither of these two parcels were held under the same ownership on that date. As such, the subject property is not aggregated with any adjacent parcel.

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

- (1) July 10, 1958, F-2 zone applied;**
- (2) December 9, 1975, RL-C zone applied, F-2 minimum lot size increased, Ord. 115 & 116;**
- (3) October 6, 1977, MUA-20 and EFU-38 zones applied, Ord. 148 & 149;**
- (4) August 14, 1980, zone change from MUA-20 to EFU-38 for some properties, zone change from EFU-38 to EFU-76 for some properties. Ord. 236 & 238;**
- (5) February 20, 1990, lot of record definition amended, Ord. 643;**
- (6) April 5, 1997, EFU zone repealed and replaced with language in compliance with 1993 Oregon Revised Statutes and 1994 Statewide Planning Goal 3 Oregon Administrative Rules for farmland, Ord. 876;**
- (7) May 16, 2002, Lot of Record section amended, Ord. 982, reenacted by Ord. 997;**

**(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:** Section (B) is for information purposes. The subject property has less than the 80 acre minimum lot size for new parcels or lots in the EFU zone. It exceeds the minimum front lot line length by 870 feet and fronts onto a public road. The subject property 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. *Criteria 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 or created by court decree. *Criteria met.*

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

**6.0 Exclusive Farm Use Criteria:**

**6.1 MCC 39.4225 REVIEW USES.**

**(Q) A temporary dwelling for health hardship pursuant to MCC 39.8700 and 39.4245.**

**Staff:** The applicants have applied for a temporary dwelling for health hardship purposes. The applicable standards of MCC 39.8700 and MCC 39.4245 have been met. See additional findings below. *Criterion met.*

**6.2 MCC 39.4245 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS.**

\* \* \*

**(C) Minimum Yard Dimensions – Feet**

Front	Side	Street Side	Rear
30	10	30	30

**Maximum Structure Height – 35 feet**

**(D) The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The county Road Official shall determine the necessary right-of-way widths based upon the county “Design and Construction Manual” and the Planning Director shall determine any additional yard requirements in consultation with the Road Official.**

**Staff:** The location of the proposed temporary dwelling is over 250 ft. from the front property line, 80 ft. from the western side property line, over 700 feet from the eastern property line and 30 ft. from the rear property line (Exhibit A.2 & A.11). No additional right-of-way is required for Bell Road, so the location of the temporary dwelling complies with the yard requirements. The applicant has indicated that the proposed mobile home is a single-story unit and as such can meet the maximum height requirements. Verification of height will occur at time of zoning review approval. *As conditioned, criterion met.*

\* \* \*

**6.3 (F) On-site sewage disposal, storm water/drainage control, water systems unless these services are provided by public or community source, shall be provided on the Lot of Record.**

- (1) Sewage and stormwater disposal systems for existing development may be off-site in easement areas reserved for that purpose.**
- (2) Stormwater/drainage control systems are required for new impervious surfaces. The system shall be adequate to ensure that the rate of runoff from the lot for the 10 year 24-hour storm event is no greater than that before the development.**

**Staff:** The County Sanitarian reviewed the proposal and found it acceptable for the existing septic system. The temporary dwelling will be connected to the same septic system as the permanent dwelling (Exhibit A.14). Corbett Water provides service to the permanent dwelling and the temporary dwelling will take its water from the main line on the property (Exhibit A.2 & A.17). A stormwater infiltration trench will be constructed adjacent to the temporary dwelling to handle the stormwater from the unit (Exhibit A.16)

\* \* \*

**6.4 (H) All exterior lighting shall comply with MCC 39.6850.**

**Staff:** The applicant has indicated that the exterior lighting on the mobile home will comply with the County’s Dark Sky Lighting Standards. A condition of approval has been included regarding provision of lighting details as part of the zoning review approval. As condition, criterion met.

**7.0 Health Hardship Criteria:**

**7.1 MCC 39.8700- TEMPORARY DWELLING FOR A HEALTH HARDSHIP PERMIT.**

**(A) The purpose of the Temporary Dwelling for a Health Hardship Permit authorized in this Section is to allow the convenient provision of supervision and/or assistance with daily care to a person or persons with a demonstrated health hardship by allowing the placement of one temporary dwelling on a lot with a single-family dwelling on a renewable term. This use is temporary in nature and shall not increase the residential density in the rural plan area.**

**(B) The Planning Director may grant a Temporary Dwelling for a Health Hardship Permit to allow occupancy of a temporary dwelling on a lot in conjunction with an existing single-family dwelling allowed in the zone subject to the following:**

**7.2 (1) The person with the health hardship is either one of the property owners or is a relative of one of the property owners.**

**(a) If the person with the health hardship is one of the property owners, then the care provider in the other residence is not required to be a relative.**

**(b) If the person with the health hardship is a relative of one of the property owners, then the care provider must be a relative.**

**(c) For the purposes of this section, a relative is defined as child, parent, stepparent, grandchild, grandparent, stepgrandparent, sibling, stepsibling, niece, nephew or first cousin of either.**

**Staff:** The property owners, David & Sarah Selden will be the caregivers (Exhibit A.10). The person who is in need of the health hardship is the applicant’s mother Mary Bode (Exhibit A.2 & A9). *Criteria met.*

**7.3 (2) For each person with a health hardship, a written statement by a licensed physician dated within 90 days of submittal of the initial application, verifying the following information:**

**(a) The person identified in the application has a health hardship as defined in MCC 39.2000;**

**(b) The person needs supervision and/or assistance with daily care as that term is defined in MCC 39.2000; and**

**(c) The proposed care provider is capable of providing the supervision and/or assistance with daily care needed by the person with the health hardship.**

**Staff:** The applicant has provided the necessary documentation in Exhibit A.9. Mary Bode is the person with the health hardship. Her doctor indicates she needs daily care. He has indicated that the property owners, David & Sarah Selden are capable of providing the daily care needed. The doctor signed the health hardship verification paperwork on January 15, 2022. The formal application was submitted on January 25, 2022. *Criteria met.*

**7.4 (3) Each proposed care provider shall provide a written statement dated within 90 days of submittal of the initial application that the provider understands the physician's determination of the extent of daily care required and is capable of providing and will provide the necessary supervision and/or assistance during implementation of the Temporary Health Hardship Permit.**

**Staff:** The property owners have provided a written statement that they understand the requirements for the daily care of the health hardship recipient (Exhibit A.10). *Criterion met.*

**7.5 (4) The following criteria are satisfied:**

**(a) The temporary dwelling shall be either a mobile home, park-model recreational vehicle or travel trailer.**

**Staff:** The property owners will be placing a single-wide mobile home on the property (Exhibit A.2 and A.13). *Criterion met.*

**(b) The temporary dwelling shall be located within 100 feet of the single-family dwelling on the subject lot, unless an adjustment or variance pursuant to MCC 39.8200 through 39.8215 is approved. This distance shall be measured from the closest portion of each building.**

**Staff:** The temporary dwelling will be placed approximately 50 feet from the permanent dwelling (Exhibit A.2 & A.11). *Criterion met.*

**(c) The temporary dwelling shall be connected to the same utilities (on-site sewage disposal, power main, well/water meter) as the single-family dwelling. In addition, the temporary dwelling shall be accessed by the same driveway entrance as the single-family dwelling, although the driveway may be extended.**

**(d) The temporary dwelling will not require any attached or detached accessory structures other than wheelchair ramps.**

**Staff:** The applicant has stated and agreed to connect the temporary dwelling to the existing utilities serving the primary dwelling (Exhibit A.2 & A.11). No extension of the driveway is proposed (Exhibit A.11). No accessory structures are proposed to serve the temporary dwelling. *Criteria met.*

**7.6 (C) Prior to installation of the temporary dwelling on the site, the property owner shall:**

**(1) Obtain the necessary permits to place the temporary dwelling on the site and connect utilities,**

**(2) The property owner shall record a covenant that states that the dwelling is temporary and must be removed as set forth in (G) below and that the Temporary Health Hardship Permit is not transferable to another party.**

**(3) In the EFU and CFU zones, the property owner shall record a statement that the owner and the successors in interest acknowledge the rights of owners of nearby property to conduct forest operations consistent with the Forest Practices Act and Rules and to conduct accepted farming practices.**

**Staff:** The applicants has stated that all necessary permits will be obtained. The property owners agree to record the temporary dwelling covenant and the right to conduct farm and forest practices covenant (Exhibit A.2). Conditions of approval will ensure the property owners complete these requirements in a timely fashion. *Criterion will be met.*

**7.7 (D) Expiration of the Temporary Dwelling for a Health Hardship Permit. The Temporary Dwelling for a Health Hardship Permit expires automatically two years after the date of final approval of the permit unless an extension is approved as set forth in (E) below.**

**(E) Extension of the Temporary Dwelling for a Health Hardship Permit. The expiration date of a Temporary Dwelling for a Health Hardship Permit may be extended upon satisfaction of the requirements in (B)(1) through (4) above. More than one extension may be granted, but each extension is limited to a period of two years from the date the permit would have otherwise expired. To obtain an extension, the property owner shall use the forms provided by the Planning Director and shall submit the application at least 30 days prior to expiration of the permit. Upon approval of an extension, the Planning Director shall mail notification to the property owners that are contiguous to the subject lot.**

**Staff:** The property owners understand that the Health Hardship permit must be renewed very two years, as necessary, to maintain the dwelling (Exhibit A.2). A condition of approval will be included to remind them of these requirements. *Criterion will be met.*

**7.8 (F) Occupancy of the Temporary Dwelling. Occupancy of the temporary dwelling may occur only while the person for which the Temporary Health Hardship Permit was granted lives on the property.**

**Staff:** The applicants state that only the property owner's mother (Exhibit A.2) will occupy the temporary dwelling. A condition of approval has been included restricting the maintenance of the temporary dwelling on the site for Mary Bode. *Criterion will be met.*

**7.9 (G) Removal of Temporary Dwelling. The temporary dwelling shall be removed and utility and septic connections shall be terminated within 30 days of expiration of the Temporary Health Hardship Permit, end of the health hardship or the provision of supervision or assistance with daily care.**

**Staff:** The property owners acknowledged this requirement (Exhibit A.2). A condition of approval will remind them of this requirement. *Criterion will be met.*

## **7.0 Exhibits**

- 'A' Applicant's Exhibits
- 'B' Staff Exhibits
- 'C' Procedural Exhibits

All exhibits are available for review by contacting the case planner, Lisa Estrin via email at [lisa.m.estrin@multco.us](mailto:lisa.m.estrin@multco.us).

Exhibit #	# of Pages	Description of Exhibit	Date Received / Submitted
A.1	1	General Application Form	1/25/2022
A.2	11	Narrative	1/25/2022
A.3	3	Deed Recorded December 10, 1970	1/25/2022
A.4	2	Tax Map Corresponding with Legal Description a. Parcel Record Card	1/25/2022
A.5	1	Historic Zoning Map	1/25/2022
A.6	1	Historic Zoning Code Excerpt Applicable in 1970	1/25/2022
A.7	1	Photos Demonstrating Compliance with MCC 35.0005	1/25/2022
A.8	1	Building Permit Record, Issued 1970	1/25/2022
A.9	2	Signed Health Hardship Medical Verification Form	1/25/2022
A.10	1	Signed Statement from Caregivers	1/25/2022
A.11	2	Proposed Site Plan a. Site Location Aerial Photo	1/25/2022
A.12	2	Floor Plans for Existing Dwelling	1/25/2022
A.13	1	Floor Plans for Hardship Dwelling	1/25/2022
A.14	8	Septic Review Certification	1/25/2022
A.15	4	Fire District Authorization Form	1/25/2022
A.16	27	Storm Water Certificate & Documents	1/25/2022
A.17	1	Water Service Certificate	1/25/2022
<b>'B'</b>	<b>#</b>	<b>Staff Exhibits</b>	<b>Date</b>
B.1	2	Assessment and Taxation: Property Information for 1N4E33C-00800 (R944330830 / R322570)	2/16/2022
B.2	2	Bargain & Sale Deed recorded March 10, 2021 Instrument 2021-039798	2/16/2022
B.3	4	Temporary Health Hardship Covenant	4/5/2022
B.4	2	EFU Farm/Forest Covenant	4/5/2022
<b>'C'</b>	<b>#</b>	<b>Administration &amp; Procedures</b>	<b>Date</b>
C.1	2	Complete letter (Day 1) a. email verifying letter being sent	2/16/2022
C.2	3	Opportunity to Comment and mailing list	2/18/2022
C.3	13	Administrative Decision and mailing list	4/11/2022