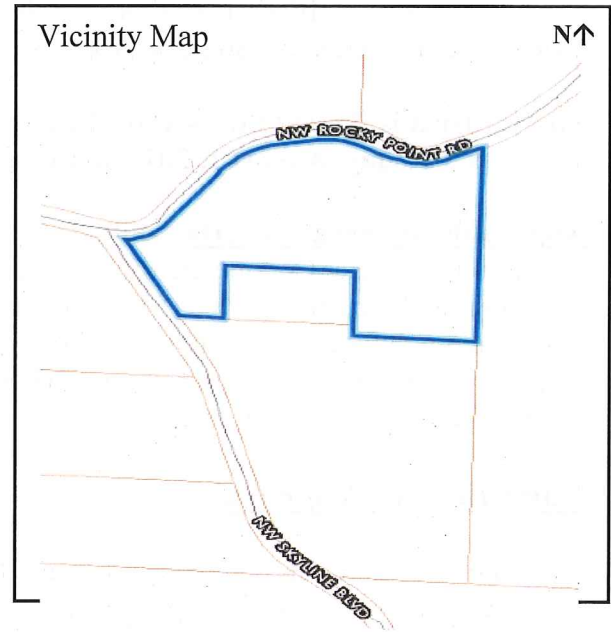


1600 SE 190<sup>th</sup> Ave, Portland OR 97233-5910 • PH. (503) 988-3043 • Fax (503) 988-3389

## NOTICE OF DECISION

This notice concerns a Planning Director Decision on the land use case(s) cited and described below.

**Case File:** T2-2017-7603  
**Permit:** Significant Environmental Concern  
**Location:** 23808 NW Skyline Blvd, North Plains  
OR 97133  
Tax Lot 600, Section 34,  
Township 3 North, Range 2 West  
Tax Account #R982340250  
**Applicant:** Earl Horning  
**Owners:** Earl Horning  
**Base Zone:** Commercial Forest Use – 2 (CFU-2)  
**Overlays:** Significant Environmental Concern  
for Scenic Views (SEC-v) and  
Wildlife Habitat (SEC-h)



**Summary:** The applicant is seeking a Significant Environmental Concern for Scenic Views and Wildlife Habitat Permit for a remodel of an existing home consisting of replacing four windows on the southeast side of the house with slightly larger ones for fire egress, adding a small porch on the west side of the house, and replacing a second story deck on the east side of the existing dwelling in the Commercial Forest Use – 2 (CFU-2) zoning district.

**Decision:** Approved with Conditions

Unless appealed, this decision is effective Tuesday, August 1, 2017 at 4:00 PM.

Issued by:



Katie Skakel, Senior Planner

For: Michael Cerbone, AICP  
Planning Director

Date: Tuesday, July 18, 2017

**Opportunity to Review the Record:** A copy of the Planning Director Decision and all evidence submitted associated with this application is available for inspection, at no cost, at the Land Use Planning office during normal business hours. Copies of all documents may be purchased at the rate of 30-cents per page. The Planning Director Decision contains the findings and conclusions upon which the decision is based, along with any conditions of approval. For further information on this case, contact Katie Skakel, Staff Planner at 503-988-0213 or [katie.skakel@multco.us](mailto:katie.skakel@multco.us).

**Opportunity to Appeal:** This decision may be appealed within 14 days of the date it was rendered, pursuant to the provisions of MCC 37.0640. An appeal requires a \$250.00 fee and must state the specific legal grounds on which it is based. To obtain appeal forms or information on the procedure, contact the Land Use Planning offices at 1600 SE 190th Avenue (Phone: 503-988-3043). This decision cannot be appealed to the Land Use Board of Appeals until all local appeals are exhausted.

**This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Tuesday, August 1, 2017 at 4:00 pm.**

**Applicable Approval Criteria:** Multnomah County Code (MCC): 37.0560 Code Compliance, 33.0005 Definitions, 33.2220 Commercial Forest Use – 2: Allowed Uses, 33.2261 Development Standards for Dwellings and Structures, MCC 33.2256 The Forest Practice Setbacks, MCC 33.2256 (D) Fire Safety Zones on the Subject Tract; MCC 33.4570(A) Significant Environmental Concern for Wildlife Habitat; 33.2273 Access, 33.2275 Lot of Record, 33.4565(C) Criteria for Approval of SEC-v permit – Significant Scenic Views.

## **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.

1. The following nuisance plants shall not be planted on the subject property and shall be removed and kept removed from cleared areas of the subject property. [MCC 33.4570(B)(7)]

Scientific Name	Common Name
<i>Chelidonium majus</i>	Lesser celandine
<i>Cirsium arvense</i>	Canada Thistle
<i>Cirsium vulgare</i>	Common Thistle
<i>Clematis ligusticifolia</i>	Western Clematis
<i>Clematis vitalba</i>	Traveler's Joy
<i>Conium maculatum</i>	Poison hemlock
<i>Convolvulus arvensis</i>	Field Morning-glory
<i>Convolvulus nyctagineus</i>	Night-blooming Morning-glory
<i>Convolvulus sepium</i>	Lady's nightcap
<i>Cortaderia selloana</i>	Pampas grass

Scientific Name	Common Name
<i>Crataegus sp. except C. douglasii</i>	hawthorn, except native species
<i>Cytisus scoparius</i>	Scotch broom
<i>Daucus carota</i>	Queen Ann's Lace
<i>Elodea densa</i>	South American Water-weed
<i>Equisetum arvense</i>	Common Horsetail
<i>Equisetum telmateia</i>	Giant Horsetail
<i>Erodium cicutarium</i>	Crane's Bill
<i>Geranium robertianum</i>	Robert Geranium
<i>Hedera helix</i>	English Ivy

Scientific Name	Common Name
<i>Hypericum perforatum</i>	St. John's Wort
<i>Ilex aquafolium</i>	English Holly
<i>Laburnum watereri</i>	Golden Chain Tree
<i>Lemna minor</i>	Duckweed, Water Lentil
<i>Loentodon autumnalis</i>	Fall Dandelion
<i>Lythrum salicaria</i>	Purple Loosestrife
<i>Myriophyllum spicatum</i>	Eurasian Watermilfoil
<i>Phalaris arundinacea</i>	Reed Canary grass
<i>Poa annua</i>	Annual Bluegrass

Scientific Name	Common Name
<i>Polygonum coccineum</i>	Swamp Smartweed
<i>Polygonum convolvulus</i>	Climbing Binaweed
<i>Polygonum sachalinense</i>	Giant Knotweed
<i>Prunus laurocerasus</i>	English, Portugese Laurel
<i>Rhus diversiloba</i>	Poison Oak
<i>Rubus discolor</i>	Himalayan Blackberry

Scientific Name	Common Name
<i>Rubus laciniatus</i>	Evergreen Blackberry
<i>Senecio jacobaea</i>	Tansy Ragwort
<i>Solanum dulcamara</i>	Blue Bindweed
<i>Solanum nigrum</i>	Garden Nightshade
<i>Solanum sarrachoides</i>	Hairy Nightshade
<i>Taraxacum officinale</i>	Common Dandelion

Scientific Name	Common Name
<i>Utricularia vulgaris</i>	Common Bladderwort
<i>Urtica dioica</i>	Stinging Nettle
<i>Vinca major</i>	Periwinkle (large leaf)
<i>Vinca minor</i>	Periwinkle (small leaf)
<i>Xanthium spinosum</i>	Spiny Cocklebur
<i>various genera</i>	Bamboo sp.

2. The property owners shall ensure that a building permit is obtained for the deck and that it complies with the standards of the applicable building code.
3. Primary Fire Safety Zone shall be maintained to a minimum of 105 feet or out to the property line to the north and northeast whichever is less. A primary fire safety zone is a fire break extending a minimum of 30 feet in all directions around a dwelling or structure. Trees within this safety zone shall be spaced with greater than 15 feet between the crowns. The trees shall also be pruned to remove low branches with-in 8 feet of the ground as the maturity of the tree and accepted silviculture practices may allow. All other vegetation should be kept less than 2 feet in height. [MCC 33.2256 (D)]
4. Approval of this land use permit is based on the submitted written narrative(s) and plan(s). No other exterior work shall occur on the dwelling under this permit other than that which is specified within these documents. It shall be the responsibility of the property owner(s) to comply with these documents and the limitations of approval described herein.
5. This land use permit expires four years from the date the decision is final pursuant to MCC 37.0690(C):
  - (1) When construction has not commenced within four years of the date of the final decision. Commencement of construction shall mean actual construction of the foundation or frame of the approved structure. For utilities and developments without a frame or foundation, commencement of construction shall mean actual construction of support structures for an approved above ground utility or development or actual excavation of trenches for an approved underground utility or development. For roads, commencement of construction shall mean actual grading of the roadway.
  - (2) When the structure has not been completed within four years of the date of commencement of construction. Completion of the structure shall mean completion of the exterior surface(s) of the structure and compliance with all conditions of approval in the land use approval.

The property owner may request to extend the timeframe within which this permit is valid, as provided under MCC 37.0695, as applicable. The request for a permit extension must be submitted prior to the expiration of the approval period.
6. The property owners shall maintain vegetation or replant if vegetation does not survive on the north and northeast side of the single family dwelling.

7. Prior to Land Use Approval on Building Permit, applicant must provide a sample of the natural dark earth color (See Exhibit B.2 rows A through C– Dark Earth Tones.) for approval by Land Use Planning. The house, porch, and deck color will need to be approved by Land Use Planning prior to Building Permit sign off. House will need to be painted by October of 2017, and an inspection will occur by end November 2017.

**Note:** Once this decision is final, application for building permits may be made with the City of Portland. When ready to have building permits signed off, the applicant shall call the Staff Planner, Katie Skakel, at (503) 988-0123, for an appointment for review and approval of the conditions and to sign the building permit plans. Please note, Multnomah County must review and sign off the building permits before the applicant submits building plans to the City of Portland. Five (5) sets each of the site plan and building plans are needed for building permit sign off. At the time of building permit review, a fee will be collected. In addition, an erosion control inspection fee may be required.

**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*.

### **1.00 Project Description:**

**Staff:** The applicant is seeking a Significant Environmental Concern for Scenic Views and Wildlife Habitat Permit for a remodel of an existing home consisting of replacing four windows on the southeast side of the house with slightly larger ones for fire egress, adding a small porch on the west side of the house, and replacing a second story deck on the east side of the Commercial Forest Use – 2 (CFU-2) zoning district. The review for the Significant Environmental Concern for Scenic Views Permit for a remodel of an existing home consists of nine windows being replaced and reframed to conform with current Oregon fire codes (OFC) for egress and review of second story deck (7’ x 42’). The proposed changes to the dwelling consist of 1) adding a windows on the rear (south) side of the home, 2) adding a porch of 12’ x 14’ at the front entrance of the house; and 3) replacing the deck on the rear of the home (second story 7’ x 42’ deck).

A Voluntary Compliance Agreement (VCA) has been created and signed to address the existing accessory building. Building Permits have not been submitted for accessory buildings and County staff has not been able to locate Building Permits for deck, horse barn, and workshop. We will need to determine if these buildings were built prior to the SEC-h and then determine how they were permitted, if they were done legally, and if not how to bring them into compliance.

### **3. COMMERCIAL FOREST USE – 2 ZONE**

#### **3.1. Forest Practices Setbacks and Fire Safety Zones**

**3.1.1. MCC 33.2256 The Forest Practice Setbacks and applicability of the Fire Safety Zones is based upon existing conditions, deviations are allowed through the exception process and the nature and location of the proposed use. The following requirements apply to all structures as specified:**

<b>Use</b>	<b>Forest Practice Setbacks</b>			<b>Fire Safety Zones</b>
<b>Description of use and location</b>	<b>Nonconforming Set-backs</b>	<b>Front Property Line Adjacent to County Maintained Road (feet)</b>	<b>All Other Setbacks (feet)</b>	<b>Fire Safety Zone Requirements (FSZ)</b>
Replaced or restored dwelling in same location & greater than 400 sq. ft. additional ground cover-age; Alteration and maintenance of dwelling	May maintain current nonconforming setback(s) if less than 30 ft. to property line	30	30	Primary is required to the extent possible within the existing setbacks

**Staff:** The proposed deck addition meets the 30 foot minimum setback from all property lines. The closest setback is to the southern property line at 116 feet. *This standard is met.*

\* \* \*

#### **3.1.2. MCC 33.2256 (D) Fire Safety Zones on the Subject Tract**

**(1) Primary Fire Safety Zone**

- (a) A primary fire safety zone is a fire break extending a minimum of 30 feet in all directions around a dwelling or structure. Trees within this safety zone shall be spaced with greater than 15 feet between the crowns. The trees shall also be pruned to remove low branches with-in 8 feet of the ground as the maturity of the tree and accepted silviculture practices may allow. All other vegetation should be kept less than 2 feet in height.**
- (b) On lands with 10 percent or greater slope the primary fire safety zone shall be extended down the slope from a dwelling or structure as follows”**

Percent Slope	Distance In Feet
Less than 10	No additional required
Less than 20	50 additional
Less than 25	75 additional
Less than 40	100 additional

**Staff:** Because the proposed development is a deck addition to a dwelling the Primary Fire Safety Zone is “required to the extent possible within the existing setbacks.” The proposed addition is located so that the Primary Fire Safety Zone of 30 feet extending up slope can be met. To the south and southeast the slope drops at about close to 25 percent, thus the Primary Fire Safety Zone will extend out a maximum 105 feet or out to the property line to the south and southeast. A condition can required the expansion of the primary farm safety zone of 105 feet or to the property line to the north and to the northeast of the deck addition. *This standard is met through a condition.*

**3.2. Development Standards for Dwellings and Structures**

**All dwellings and structures shall comply with the approval criteria in (B) through (D) below except as provided in (A). All exterior lighting shall comply with MCC 33.0570:**

**3.2.1. MCC33.2261(A) For the uses listed in this subsection, the applicable development standards are limited as follows:**

**(1) Expansion of existing dwelling.**

- (a) Expansion of 400 square feet or less additional ground coverage to an existing dwelling: Not subject to development standards of MCC 33.2261;**
- (b) Expansion of more than 400 square feet additional ground coverage to an existing dwelling: Shall meet the development standards of MCC 33.2261(C);**

**Staff:** The deck addition will need to meet development standards of MCC 33.2261(C). *Standard is met through a condition.*

**3.2.2. MCC33.2261(C) The dwelling or structure shall:**

**(1) Comply with the standards of the applicable building code**

**\* \* \***

- (3) Have a fire retardant roof; and**
- (4) Have a spark arrester on each chimney.**

**Staff:** A condition can require the addition to meet these standards. *Standards are met through a condition.*

#### **4. Significant Environmental Concern for Wildlife Habitat**

- 4.1. MCC 33.4570(A):** In addition to the information required by MCC 33.4520 (A), an application for development in an area designated SECh shall include an area map showing all properties which are adjacent to or entirely or partially within 200 feet of the proposed development, with the following information, when such information can be gathered without trespass:

- (1) Location of all existing forested areas (including areas cleared pursuant to an approved forest management plan) and non-forested "cleared" areas;  
For the purposes of this section, a *forested area* is defined as an area that has at least 75 percent crown closure, or 80 square feet of basal area per acre, of trees 11 inches DBH and larger, or an area which is being reforested pursuant to Forest Practice Rules of the Department of Forestry. A *non-forested "cleared"* area is defined as an area which does not meet the description of a forested area and which is not being reforested pursuant to a forest management plan.
- (2) Location of existing and proposed structures;
- (3) Location and width of existing and proposed public roads, private access roads, driveways, and service corridors on the subject parcel and within 200 feet of the subject parcel's boundaries on all adjacent parcels;
- (4) Existing and proposed type and location of all fencing on the subject property and on adjacent properties and on properties entirely or partially within 200 feet of the subject property.

**Staff:** The applicants have provided sufficient information to review the proposed development included as Exhibit A.1 through A.14.

#### **4.2. SEC-h Development standards**

- 4.2.1. MCC 33.4570(B)(1):** Where a parcel contains any nonforested "cleared" areas, development shall only occur in these areas, except as necessary to provide access and to meet minimum clearance standards for fire safety.

**Staff:** The proposed development is located in a nonforested "cleared" area (Exhibit A.4). *This standard is met.*

- 4.2.2. MCC 33.4570(B)(2):** Development shall occur within 200 feet of a public road capable of providing reasonable practical access to the developable portion of the site.

**Staff:** The proposed development is located more than 300 feet from the nearest public road, NW Skyline Blvd. *This standard is not met.*

- 4.2.3. MCC 33.4570(B)(3):** The access road/driveway and service corridor serving the development shall not exceed 500 feet in length.

**Staff:** The property is accessed from NW Skyline Blvd. The driveway serving the development does not exceed 500 feet in length. *This standard is met.*

- 4.2.4. MCC 33.4570(B)(4):** For the purpose of clustering access road/driveway approaches near one another, one of the following two standards shall be met:

- (a) The access road/driveway approach onto a public road shall be located within 100 feet of a side property line if adjacent property on the same side of the road has an existing access road or driveway approach within 200 feet of that side property

line; or

(b) The access road/driveway approach onto a public road shall be located within 50 feet of either side of an existing access road/driveway on the opposite side of the road.

(c) Diagram showing the standards in (a) and (b) above.

For illustrative purposes only.

(d) The standards in this subsection (4) may be modified upon a determination by the County Road Official that the new access road/driveway approach would result in an unsafe traffic situation using the standards in the Multnomah County "Design and Construction Manual," adopted June 20, 2000, (or all updated versions of the manual). Standards to be used by the Road Official from the County manual include Table 2.3.2, Table 2.4.1, and additional referenced sight distance and minimum access spacing standards in the publication A Policy on Geometric Design of Highways and Streets by the American Association of State Highway and Transportation Officials (AASHTO) and the Traffic Engineering Handbook by the Institute of Transportation Engineers (ITE).

1. The modification shall be the minimum necessary to allow safe access onto the public road.
2. The County Road Official shall provide written findings supporting the modification.

**Staff:** The accessway is located within 300 feet of northwestern property line. *This standard cannot be met.*

**4.2.5. MCC 33.4570(B)(5):** The development shall be within 300 feet of a side property line if adjacent property has structures and developed areas within 200 feet of that common side property line.

**Staff:** The development will be within 300 feet of side property lines. *This standard is met.*

**4.2.6. MCC 33.4570(B)(6):** Fencing within a required setback from a public road shall meet the following criteria:

- (a) Fences shall have a maximum height of 42 inches and a minimum 17 inch gap between the ground and the bottom of the fence.
- (b) Wood and wire fences are permitted. The bottom strand of a wire fence shall be barbless. Fences may be electrified, except as prohibited by County Code.
- (c) Cyclone, woven wire, and chain link fences are prohibited.
- (d) Fences with a ratio of solids to voids greater than 2:1 are prohibited.
- (e) Fencing standards do not apply in an area on the property bounded by a line along the public road serving the development, two lines each drawn perpendicular to the principal structure from a point 100 feet from the end of the structure on a line perpendicular to and meeting with the public road serving the development, and the front yard setback line parallel to the public road serving the development.

**Staff:** No fence is proposed. *This standard is met.*

**4.2.7. MCC 33.4570(B)(7)** The following nuisance plants (listed earlier in Condition #5 shall not be planted on the subject property and shall be removed and kept removed from cleared areas of the subject property:

**Staff:** A condition of approval prohibits the listed nuisance plants from being planted on the subject property and requires removal and maintenance of cleared areas of the subject property.



*A condition of approval will require this standard be met.*

#### **4.3. Wildlife Conservation Plan**

**4.3.1 MCC 33.4570(C): Wildlife Conservation Plan.** An applicant shall propose a wildlife conservation plan if one of two situations exist.

- (1) The applicant cannot meet the development standards of Section (B) because of physical characteristics unique to the property. The applicant must show that the wildlife conservation plan results in the minimum departure from the standards required in order to allow the use; or**
- (2) The applicant can meet the development standards of Section (B), but demonstrates that the alternative conservation measures exceed the standards of Section (B) and will result in the proposed development having a less detrimental impact on forested wildlife habitat than the standards in Section (B).**

**Staff:** The standards of Section (B) are not met. The applicant cannot meet the development standards because of the location of the existing dwelling and the location of the road. The dwelling is sited in an area that results in the minimum departure from the standards because it is close to the northwest property corner clustering the dwelling with other dwelling on adjacent properties.

**4.3.2. (3) Unless the wildlife conservation plan demonstrates satisfaction of the criteria in subsection (C)(5), the wildlife conservation plan must demonstrate the following:**

- (a) That measures are included in order to reduce impacts to forested areas to the minimum necessary to serve the proposed development by restricting the amount of clearance and length/width of cleared areas and disturbing the least amount of forest canopy cover.**

**Staff:** There is no additional clearing for the addition. *This standard is met.*

- (b) That any newly cleared area associated with the development is not greater than one acre, excluding from this total the area of the minimum necessary accessway required for fire safety purposes.**

**Staff:** There is no new cleared area. *This standard is met.*

- (c) That no fencing will be built and existing fencing will be removed outside of areas cleared for the site development except for existing cleared areas used for agricultural purposes.**

**Staff:** No fencing is proposed. *This standard is met.*

- (d) That revegetation of existing cleared areas on the property at a 2:1 ratio with newly cleared areas occurs if such cleared areas exist on the property.**

**Staff:** There is no new cleared area. *This standard is met.*

- (e) That revegetation and enhancement of disturbed stream riparian areas occurs along drainages and streams located on the property.**

**Staff:** There are no stream riparian areas on the property. *This standard is not*

*applicable.*

**4.00 Significant Environmental Concern for Scenic Views Criteria:**

**4.01 § 33.4565 CRITERIA FOR APPROVAL OF SEC-V PERMIT -SIGNIFICANT SCENIC VIEWS**

**(C) Any portion of a proposed development (including access roads, cleared areas and structures) that will be visible from an identified viewing area shall be visually subordinate. Guidelines which may be used to attain visual subordination, and which shall be considered in making the determination of visual subordination include:**

**(1) Siting on portions of the property where topography and existing vegetation will screen the development from the view of identified viewing areas.**

**Staff:** The location of the dwelling is topographically visible from potentially Multnomah Channel and Sauvie Island Roads. The proposed changes to the dwelling consist of 1) enlarging 4 windows on the south side of the home, 2) adding a porch of 12' x 14' at the front of the house which faces east ; and 3) building a the deck on the west side of the home (second story deck). The window replacement in the bedrooms, on south side of structure, has to do with fire egress. The second story deck on the east side of structure is to be increased in size by 126 sq ft and rebuilt. Existing trees on the north of the property and topography will screen the changes from many of the indentified viewing area. A condition of approval has been included requiring vegetation to remain to screen the dwelling and that dwelling will be painted dark earth colors. *Through conditions, this criteria will be met.*

**4.02 (2) Use of nonreflective or low reflective building materials and dark natural or earthtone colors.**

**Staff:** The applicant provided information from the window manufacturer that the reflectivity rating of the windows is less than 11% (Exhibit A.2). The applicant provided paint colors that did not qualify as dark earthtone colors. A condition of approval has been included requiring new color samples be submitted prior to Land Use sign off on Building Permit. The applicant must choose dark natural earth colors similar to the Color Pallet in (Exhibit B.2) for approval. *Through conditions of approval, the criterion can be met.*

**4.03 (3) No exterior lighting, or lighting that is directed downward and sited, hooded and shielded so that it is not highly visible from identified viewing areas. Shielding and hooding materials should be composed of nonreflective, opaque materials.**

**Staff:** No exterior lighting is proposed. *Criterion met.*

**4.04 (4) Use of screening vegetation or earth berms to block and/or disrupt views of the development. Priority should be given to retaining existing vegetation over other screening methods. Trees planted for screening purposes should be coniferous to provide winter screening. The applicant is responsible for the proper maintenance and survival of any vegetation used for screening.**

**Staff:** Existing vegetation exists on the north property line that will help to screen the dwelling from the identified viewing areas. The applicant has submitted photographs showing the vegetation (Exhibit A.7). A condition of approval has been included requiring the maintenance of the vegetation on the north side and east side of the Single Family Dwelling to remain.

- 4.05** (5) Proposed developments or land use shall be aligned, designed and sited to fit the natural topography and to take advantage of vegetation and land form screening, and to minimize visible grading or other modifications of landforms, vegetation cover, and natural characteristics.

**Staff:** The addition of the porch and the second story deck to the dwelling is site specific as the dwelling already exists. There will be no grading except for hand-dug footings for the deck footings and no grading change for the window replacements. *Criterion met.*

- 4.06** (6) Limiting structure height to remain below the surrounding forest canopy level.

**Staff:** The structure exists and will remain below canopy height. *Criterion met.*

- 4.07** (7) Siting and/or design so that the silhouette of buildings and other structures remains below the skyline of bluffs or ridges as seen from identified viewing areas. This may require modifying the building or structure height and design as well as location on the property, except:

**Staff:** The dwelling will remain below the skyline as seen from identified viewing areas. Based in the elevation and contour information to it appears as if the structure will remain below skyline. *Criterion met.*

- 4.08** (E) The approval authority may impose conditions of approval on an SEC-v permit in accordance with MCC 33.4550, in order to make the development visually subordinate. The extent and type of conditions shall be proportionate to the potential adverse visual impact of the development as seen from identified viewing areas, taking into consideration the size of the development area that will be visible, the distance from the development to identified viewing areas, the number of identified viewing areas that could see the development, and the linear distance the development could be seen along identified viewing corridors.

**Staff:** Conditions of approval included with this decision are to ensure that the proposed porch and deck addition will be visually subordinate from the identified viewing areas. The deck and porch in addition to the house will need to be stained dark earth color in order to meet criteria.

*With condition, criterion met.*

## **6.00 Conclusion**

Based on the findings and other information provided above, the applicant has carried the burden necessary for the Significant Environmental Concern for Scenic Views and Wildlife Habitat in the Commercial Forest Use (CFU-2) zone. The accessory buildings will be brought into compliance through the Voluntary Compliance Agreement and as a separate application. This approval is subject to the conditions of approval established in this report.

## 7.00 Exhibits

‘A’ Applicant’s Exhibits

‘B’ Staff Exhibits

‘C’ Procedural Exhibits

Exhibits with a “\*” after the exhibit # have been included as part of the mailed decision. All other exhibits are available for review in Case File T2-2017-7603 at the Land Use Planning office.

Exhibit #	# of Pages	Description of Exhibit	Date Received/ Submitted
A.1	1	General Application Form	4/25/2017
A.2	6	Narrative and Significant Environmental Concern for scenic	5/10/2017
A.3	1	Site Plan	5/10/2017
A.4	3	Site Plan and elevation plan	5/10/2017
A.5	3	House photos and reflectivity rating	5/10//2017
A.6	6	Deeds/permit file card	6/20/2017
A.7	2	Vegetation photographs	6/30/2017
‘B’	#	Staff Exhibits	Date
B.1	2	A&T Property Information for Section34 3N 2W TL 600	5/10/2017
B.2	2	Color Pallet	6/27/2017
‘C’	#	Administration & Procedures	Date
C.1	1	Application Incomplete	6/16/2017
C.2	1	Opportunity to Comment	6/6/2017
C.3	7	Administrative Decision	6/27/2017