



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: July 24, 2025

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

HEARING DATE: August 14, 2025

HEARING TIME: This hearing will not begin before 1:00 p.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

File Number: Z0137-25

Appellant: Lori Ryland

Property Owner: Jennifer Kapnek (Applicant)

Proposal: The applicant is seeking a Non-Conforming Use (NCU) verification of a 1930 dwelling that does not conform with the front setback standards for the RRFF-5 Zoning District, as stated in ZDO Table 316-2. Additionally, the applicant is seeking an alteration of an NCU for a roof replacement and structural upgrades and improvements to the existing dwelling.

Planning Director's Initial Decision: Approval, with conditions

Applicable Zoning and Development Ordinance and Comprehensive Plan Criteria: Section 202, Section 316, Section 1206, and Section 1307. Please note a portion of the property is zoned TBR and subject to the Section 406, but the subject structure is not within this Zoning District. These criteria may be viewed online at <http://www.clackamas.us/planning/zdo.html>

Site Address and/or Location: 40220 SE Cedar Creek Ln, Sandy, OR 97055

Assessor's Map: T2S, R5E, Section 18BB, Tax Lot 01300, W.M.

Property Size: Approximately 0.36 acres

Zoning: RRFF-5 and TBR

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

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://aca-prod.accela.com/CLACKAMAS>. 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. **CPO:** Firwood CPO, **Contact:** Marge Stewart, (503) 668-8797 MESDES2003@YAHOO.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
- 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 DRenhard@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?