



**WASHINGTON COUNTY**  
 Dept. of Land Use & Transportation  
 Land Development Services Division  
 155 N. 1<sup>st</sup> Avenue, #350-13  
 Hillsboro, OR 97124  
 Ph. (503) 846-8761 Fax (503) 846-2908  
 http://www.co.washington.or.us

**Measure 37  
 Notice of Public Hearing**

RURAL CPO: 12C

**RURAL/NATURAL RESOURCE PLAN ELEMENT  
 EXISTING LAND USE DISTRICT(S):**  
AF20 District (Agriculture Forestry)

**APPLICABLE LAND USE DIST. FOR CLAIM:**  
F-1

**ASSESSOR MAP: TAX LOT NUMBER(S):**  
1N3 35 C0 00400

**PROPOSED DEVELOPMENT ACTION/REQUEST:** Divide property into 28 lots, build 26 dwellings and extend public water to the site. .

**REGULATION TO BE REMOVED, MODIFIED OR NOT APPLIED:** CDC Sections 344 (Agriculture and Forest District), 424 (Creation of Parcels in the EFU, EFC and AF-20 Districts), 430-37.2 (Farm Dwellings), 430-85 (Nonfarm Dwellings) and Rural/Natural Resources Plan Policy 22.

**ESTIMATED VALUE OF CLAIM:** \$2,500,000

Notice is hereby given that the Board of County Commissioners will review the request for the above-stated Measure 37 claim action at a public hearing on:

**October 4th, 2005 at 10:00 a.m. or after**

In the Auditorium on the first floor of the Washington County Public Services Building, 155 North First Avenue, Hillsboro, Oregon, 97124.

**AREA MAP**  **SUBJECT PROPERTY** 

**Minimum content for an eligible claim:**

1. Date claimant acquired property.
2. The County land use regulation that restricts the use of the property.
3. Whether the land use regulation reduces the fair market value of the property.
4. Whether the County has enforced the land use regulation against the property or its owner.
5. The land use regulation is not exempt under terms of Measure 37.

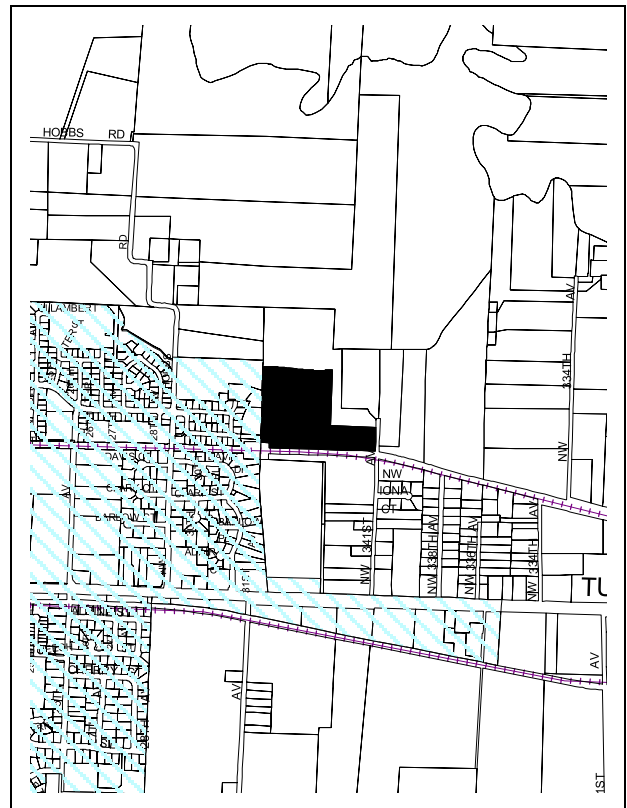
**CLAIM NO.:** 37CL0150

**CLAIMANT & OWNER:**  
Dennis And Elizabeth Fogarty  
C/O Tim Fogarty  
11007 SW Palatine Court  
Portland, OR 97219

**CLAIMANT'S REPRESENTATIVE:**  
None

**DATE PROPERTY ACQUIRED:** 04/02/1963

**PROPERTY DESCRIPTION:**  
**SITE SIZE:** 17.83 acres  
**SITE ADDRESS:** 625 NW 341st Avenue.  
**LOCATION:** On the west side of NW 341st Avenue approximately 1525 feet north of its intersection with SW Tualatin Valley Highway.



### **Board Hearing Procedure:**

- All interested persons may appear and provide written or oral testimony (written testimony may be submitted prior to the hearing but not after the conclusion of the hearing).
- Public testimony: Special rules regarding testimony & time limits may be established by the Board at the start of the hearing.

### **The Board shall have authority to decide whether:**

- The Director's determination that the claim meets the minimum content requirements, and is an eligible claim, is correct. This is a *de novo* determination;
  - To approve compensation and, if so, how much to pay;
  - To modify, not apply or remove one or more land use regulations to allow the owner to use the property for a use permitted at the time the owner acquired the property in lieu of compensation; or
  - To approve a combination of the remedies set forth above.
- The Board is not limited to those regulations listed in the claim. The Board may impose any conditions of approval that it deems reasonable and appropriate to protect the public interest. (Ordinance Number 636 15.16.080)

### **Staff Report:**

- A copy of the claim, all documents and evidence relied upon by the claimant and applicable criteria are available for inspection at no cost at the Department of Land Use and Transportation. A copy of this material will be provided at reasonable cost.
- A copy of the staff report will be available for inspection at no cost at the Department of Land Use and Transportation at least 7 (seven) days prior to the hearing. A copy of the Staff Report will be provided at reasonable cost.

For further information, please contact:

**Jim Tice OR Steve Conway OR Terry Lawler, Senior Planners**

at The Department of Land Use and Transportation. Phone 503-846-8761.

**PLEASE SEND ALL WRITTEN COMMENTS TO:**

**Measure 37 Claim – File #: 37CL0150**

**Washington County DLUT**

**155 N. 1<sup>st</sup> Avenue, #350-13**

**Hillsboro, OR 97124**

### **Assistive Listening Devices**

- Assistive Listening Devices are available for persons with impaired hearing and can be scheduled for this meeting by calling 503-846-8611 (voice) or 503-846-4598 (TDD – Telecommunications Devices for the Deaf) no later than 5:00 p.m., on the Monday preceding the meeting.

### **Sign Language and Interpreters**

- The County will also upon request endeavor to arrange for the following services to be provided:
  1. Qualified sign language interpreters for persons with speech or hearing impairments; and
  2. Qualified bilingual interpreters.
- Since these services must be scheduled with outside service providers, it is important to allow as much lead-time as possible. Please notify the County of your need by 5:00 p.m. on the Thursday preceding the meeting date (same phone numbers as listed above: 503-846-8611 or 503-846-4598).