



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

Measure 37 Public Notice

RURAL CPO: 13
RURAL/NATURAL RESOURCE PLAN ELEMENT
EXISTING LAND USE DISTRICT(S):
 EFU District (Exclusive Farm Use)
APPLICABLE LAND USE DIST. FOR CLAIM:
 EFU District (Exclusive Farm Use)
ASSESSOR MAP: TAX LOT NUMBER(S):
 1N3 06 00 00101, 00300 & 00400

CLAIM NO.: 37CL0538

CLAIMANT & OWNER:
David F. & Evelyn M. Herinckx
41390 NW Wilkesboro Road
Banks, OR 97106

CLAIMANT'S REPRESENTATIVE:
None

DATE PROPERTY ACQUIRED:
Lots 101 & 400 = 6/22/1988. Lot 300 = 11/28/1988

PROPERTY DESCRIPTION:
SITE SIZE: 42.18 acres

SITE ADDRESS: Lots 101 & 300 = No Address Assigned. Lot 400 = 40970 NW Wilkesboro Road.

LOCATION: On the south side of NW Wilkesboro Road approximately 2700 feet east of its intersection with Highway 47.

The decision to remove, modify or not apply a regulation is based on the owner's description of possible future development. The description of the development is required only for the purposes of determining which regulations allegedly restrict the use of the property & reduce its fair market value.

REGULATION TO BE REMOVED, MODIFIED OR NOT APPLIED: 2005 CDC Sections 340 (Exclusive Farm Use), 430-37.2 (Farm Dwellings), and 610-1 (Property Line Adjustment), based on the claimant's desire to adjust the property lines between the subject parcels moving tax lot 300 and 101 on the northeast side of the railroad tracks and convert the existing relative farm related dwelling to a primary farm dwelling using the 1988 \$10,000 farm dwelling standards.

ESTIMATED VALUE OF CLAIM: \$250,000

***Note: Most approved claims will require subsequent land use review prior to development approval. If a subsequent application is submitted and accepted, notice will be provided to surrounding property owners according to CDC 204.**

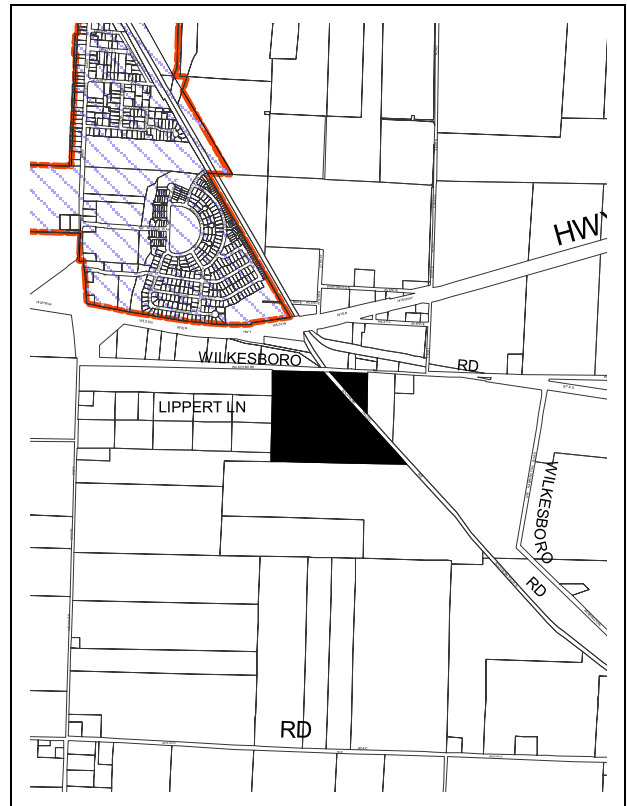
AREA MAP **SUBJECT PROPERTY** →

The claimant is seeking Administrative Approval of the above-stated Measure 37 Claim.

The Director reserves the right 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 for the alleged loss of value.

This is an opportunity for interested persons to submit written comments about this Measure 37 Claim before the Director makes a decision on the request. In reviewing this request, the Director will consider all written comments actually received by the Department within 14 calendar days from the date this Notice is mailed.

(over)



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.

The Notice of Decision for this Measure 37 Claim will be mailed to those persons entitled to receive a Notice of Decision pursuant to Ordinance Number 636. (Individuals who receive a copy of this Public Notice and other persons who submit written comments to the Department will receive a Notice of Decision.) The decision of the Director may be appealed to Washington County Circuit Court.

The complete application, code requirements and other information are available for review at the Department of Land Use and Transportation. A copy of this material will be provided at reasonable cost.

COMMENT PERIOD:

12/12/06

mailed date

to

12/26/06

closing date (5:00 p.m.)

For further information, please contact:

Tom Harry, Senior Planner

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

PLEASE SEND ALL WRITTEN COMMENTS TO:

Measure 37 Claim – File #: 37CL0538

Washington County DLUT

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