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2
3 BEFORE THE BOARD OF COUNTY COMMISSIONERS
4 FOR MULTNOMAH COUNTY, OREGON

5 In the Matter of Review of the September
6 3, 1991 Planning Commission Decision
7 denying a Conditional Use Request for
8 Development of Property with a Non-
9 Resource Related Single Family
Residence, for Property Located at 17050
NW Skyline Boulevard. CU 14-91

ORDER

91-145

10 WHEREAS, Applicant's request for approval of a non-resource
11 related dwelling on a 1.21 acre parcel in the MUF-19 zoning
12 district was denied by the Planning Commission on September 3,
1991; and

13 WHEREAS, Applicant appealed the decision to this Board which
14 set the matter for hearing on the record at 9:00 a.m. on October
8, 1991, at which time three members of the Board heard testimony
on behalf of the applicant; and

15 WHEREAS, at the conclusion of the presentation on behalf of
16 the Applicant, the Board failed to adopt a motion to reverse the
Planning Commission decision by a vote of two to one in favor of
the motion.

17 NOW, THEREFORE, THE BOARD ORDERS:

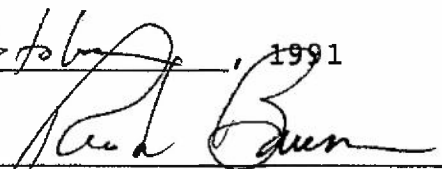
18 1. By virtue of the provisions of Section 3.40 of the
19 Multnomah County Charter, Board decisions require the affirmative
20 vote of three members of the Board. The failure of the motion
before the Board to obtain three affirmative votes results in no
action by the Board.

21 2. County Counsel advises the result of the vote is to
22 leave standing the Planning Commission's decision denying the
23 application because that decision could stand as an independent
24 decision absent Board action affecting it on appeal. Further,
the failure to receive the required affirmative votes means the
applicant did not satisfy the applicant's burden of proof to show

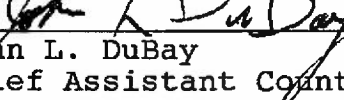
all criteria were met. As a result, the application is deemed denied.



ADOPTED this 9th day of October, 1991

By: 
Rick Bauman, Chair pro tem
Multnomah County, Oregon

REVIEWED BY:
LAURENCE KRESSEL, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By: 
John L. DuBay
Chief Assistant County Counsel

CLERK OF
COUNTY COMMISSIONERS
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MULTNOMAH COUNTY
OREGON

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