

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY**

In the Matter of Review of the Hearings Officer)
Decision which denied Conditional Use approval of)
a non-resource related dwelling in the MUF district)

FINAL ORDER 93-162
Denying CU 22-92
(Kaptur)

On January 4, 1993 the Multnomah County Hearings Officer conducted a public hearing to consider a request for Conditional Use approval for a non-resource related single family residence on property in the Multiple Use Forest district (CU 22-92). On January 14, 1993 the Hearings Officer issued a decision denying the request.

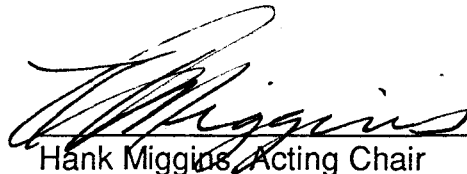
On January 25, 1993 an appeal of the Hearings Officer Decision was filed. The Board of County Commissioners (Board) scheduled a hearing to review the Hearings Officer Decision, the scope of review to be on the record with additional testimony allowed concerning the issue of compatibility of the proposed dwellings with resource activities in the area.

The Board conducted the review hearing on April 27, 1993. After considering evidence and arguments from the appellant's representative and an opponent, the Board, in a 4-1 vote, hereby affirms the Hearings Officer decision denying CU 22-92. In addition, the Board adopts the Findings and Conclusions of the Hearings Officer as set forth in his Decision dated January 14, 1993, with one amendment. Finding #4 of section V. B., Compliance with the Comprehensive Plan, shall be amended to read:

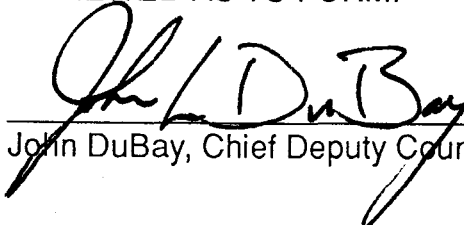
4. The proposal complies with Policy 38 (Facilities) because there is evidence in the record that the applicable school district and the applicable law enforcement agency had an opportunity to review and comment on the proposal. The proposal complies with the policy regarding fire protection and fire district review, based on the written comment from the RFPD chief.



DATED this 13th day of May, 1993.


Hank Miggins, Acting Chair

REVIEWED AS TO FORM:


John DuBay, Chief Deputy County Counsel