

**BEFORE THE COLUMBIA COUNTY
COLUMBIA COUNTY PLANNING COMMISSION
ST.HELENS, OREGON**

In the matter of an application by Zack Watson)
for a Type 1 Home Occupation Conditional Use)
Permit to authorize the operation of an)
automotive repair and maintenance business)
from a shop on the applicant's property in the)
RR-5 Zone.

FINAL ORDER CU 23-06

This matter came before the Columbia County Planning Commission on the application of Zack Watson for a Type 1 Home Occupation Conditional Use Permit to authorize the operation of an automotive repair and maintenance business from a shop on the applicant's property in the RR-5 Zone. The subject property is approximately 5.0 acres and is further described per the County Assessor's records as Tax Map Identification Number 5226-D0-01700 and Tax Account Number 16258.

Notification of this request was sent to affected agencies, St. Helens – Columbia City CPAC and surrounding property owners. A public hearing was held on February 6, 2023 where the Planning Commission heard testimony from the applicant and interested parties and considered written materials including the Staff Report.

The Columbia County Planning Commission hereby adopts the findings, conclusions, and conditions as stated in the Staff Report and incorporates them herein by this reference and **DENIES** the request for a Type 1 Home Occupation permit.

COLUMBIA COUNTY PLANNING COMMISSION



DAN MAGNIA, CHAIR



DATE

CC: Brad and Josephine Brooke, 60936 Luttrell Lane, St. Helens
Ted and Lauren Daehnke, 32741 Berry Hill Drive, St. Helens
Charles and Becky Werings, 60975 Gensman Road, St. Helens
Mark and Laurie Beisley, 61016 Landreth Lane, St. Helens
Perry Beisley, 61001 Gensman Road, St. Helens
Gina and Cameron Claiborne, 60981 Gensman Road, St. Helens
Victoria and Ryan Huckaby, 32698 Berry Hill Lane, St. Helens
Ron Summers. 60890 Luttrell Lane, St. Helens
Shirley Simonian, 32698 Berry Hill Lane, St. Helens
Sarah Berry, 32503 Pittsburg Road, St. Helens
Russell Bartlett & Pamela Reynolds, 61125 Landreth Lane, St. Helens
Eric and Carli Bergey, ebergey@gmail.com

COLUMBIA COUNTY LAND DEVELOPMENT SERVICES

Staff Report

January 27, 2023

Conditional Use Permit - Type 1 Home Occupation

FILE NUMBER: CU 23-06

APPLICANT: Zack Watson
32707 Berry Hill Dr
St. Helens, OR 97051

Owner: Judith Watson & Janice Godfrey
1344 SW Rimrock Way
Redmond, OR 97756

SITE LOCATION: 32707 Berry Hill Drive

TAX MAP ID No: 5226-D0-01700 (Tax #16258)

ZONING: Rural Residential (RR-5)

SITE SIZE: ~5 acres

REQUEST: Conditional Use Permit for a Type 1 Home Occupation to authorize the operation of an automotive repair and maintenance shop from a shop on the applicant's residence.

APPLICATION COMPLETE: 11/10/2022

150 DAY DEADLINE: 04/09/2022

REVIEW CRITERIA:

Columbia County Zoning Ordinance

Section 600 Rural Residential (RR-5)

Section 1503 Conditional Uses

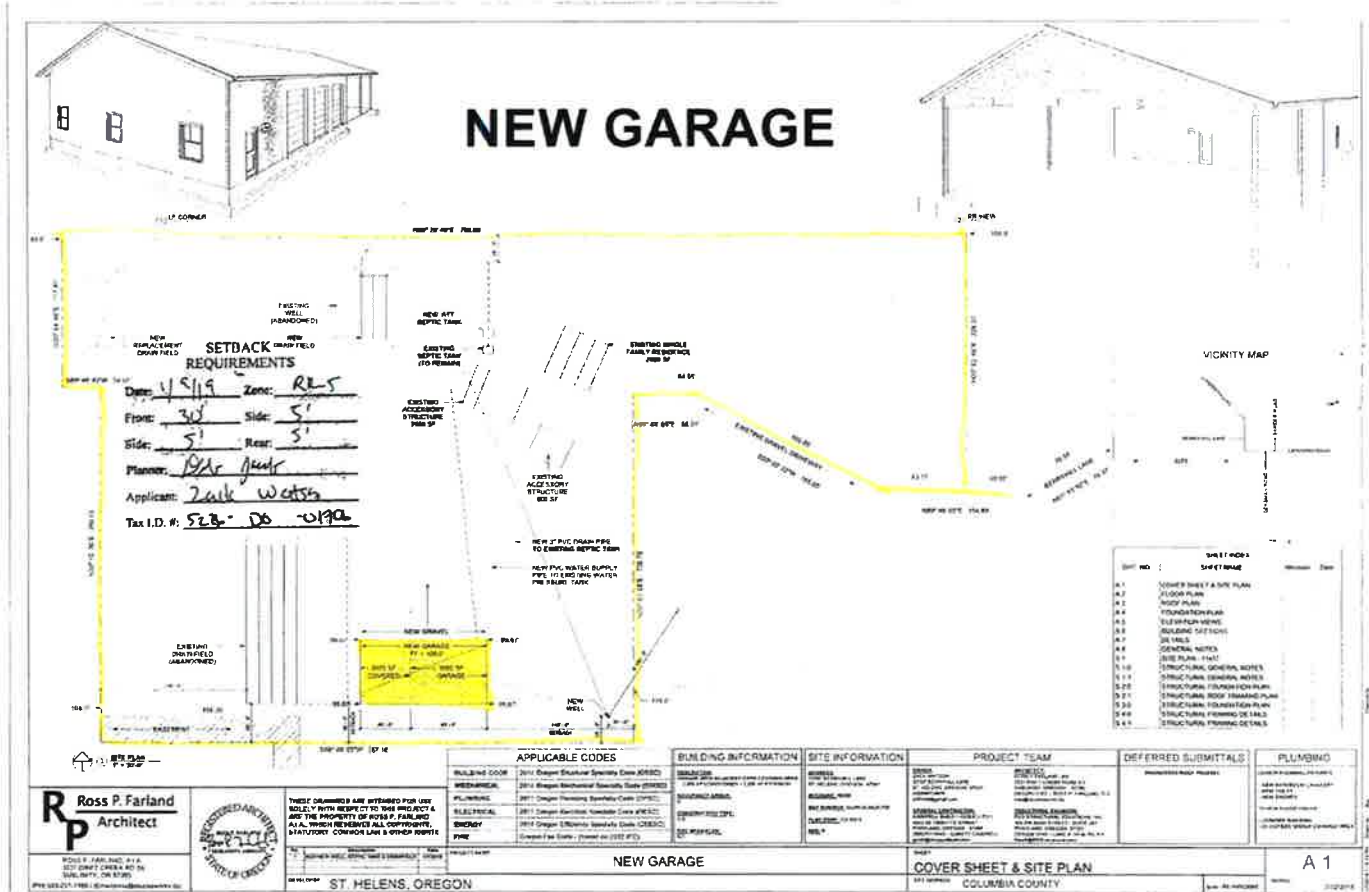
Section 1507 Home Occupations

BACKGROUND:

The applicant, Zack Watson, has applied for a Conditional Use Permit to establish a Type I Home Occupation at his residence at 32707 Berry Hill Drive. The subject property is served by a private well and septic system and is zoned for Rural Residential (RR-5) uses. Access is obtained via direct connection to Berry Hill Drive, which is a private road connected to Landreth Lane which then connects to Gensman Road. This Conditional Use request was initiated by a neighbor complaint about an existing operating business which opened a compliance investigation (File No. 192-22-00304-NVST). The proposal requested for CU 23-06, if approved, will authorize the applicant to establish and run an automotive repair and maintenance shop from an existing garage on the subject property. The submitted application states that the shop will provide "...basic automotive repair services such as tire repairs, engine repairs, and

general maintenance for cars and light duty trucks...” The application states that Zack Watson will be the sole owner and employee at the business, titled Watson Motorsports, and that he is the son of the property owners. Business operations will primarily occur within the preexisting detached shop located at the south end of the property.

Submitted Site Plan



The existing structures on the subject property consist of the applicant’s dwelling and accessory structures, including the garage/shop proposed to contain this home occupation. The application does not indicate that any further development of the subject property will occur as a result of this home occupation. No signage for the business is proposed in the application. According to submitted application materials, there will only be two customer vehicles in and out per day. Hours of operation will be 9:00 AM to 6:00 PM. Delivery vehicles will consist of twice daily delivery of automotive parts via small pick-ups or vans.

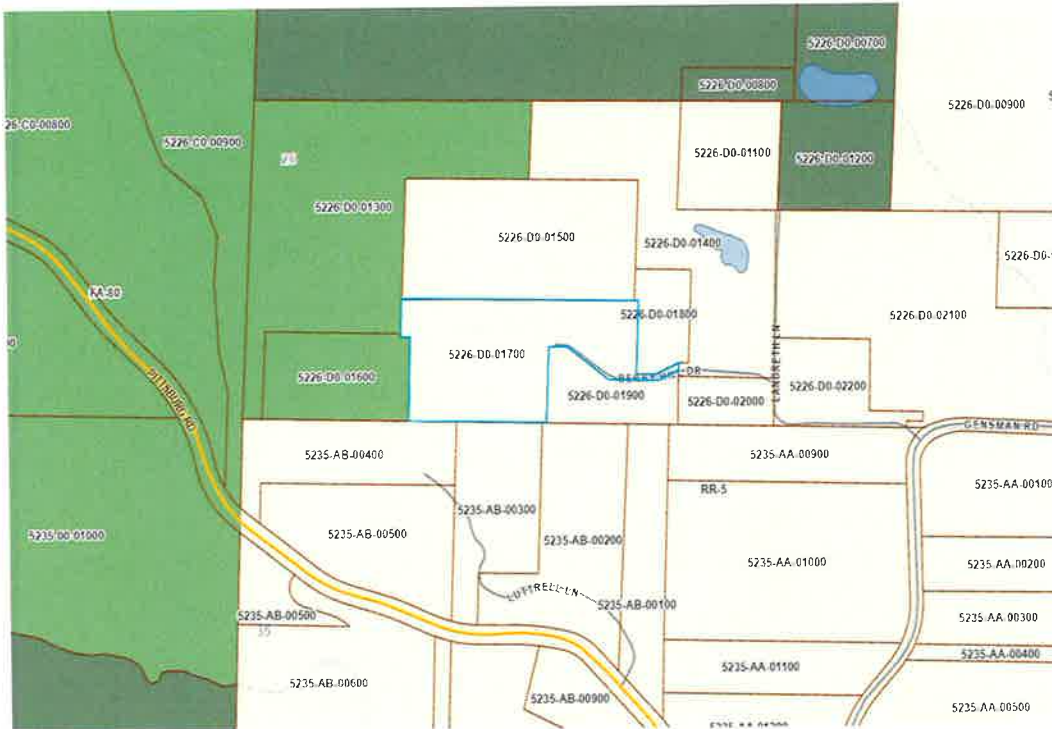
Four sets of comments (see attached) regarding this application were received. One comment in opposition from an individual neighboring property owner was received on 11/22/2022. On the same day, a community letter signed by 15 residents of the surrounding neighborhood was submitted detailing numerous concerns and stating opposition. These residents include property owners of 8 nearby properties. On 12/16/2022, the applicant submitted a response to the community letter as well as two letters in support of the proposal from owners of two nearby properties. The relevant portions of all submitted comments will be addressed in the appropriate sections of this report.

The subject property is located northwest of St. Helens in an area consisting of rural residential and resource uses. Natural characteristics of the site are as follows. According to FEMA Flood Insurance Rate Map (FIRM) No. 41009C0325D and the Oregon Department of State Lands Wetlands Inventory Map, there are no identified flood hazard areas or wetlands on the subject property. Likewise, there are no streams or other waterways on the subject property according to ODFW Statewide Streams Map. The St. Helens-Columbia City CPAC Beak Maps indicate that the site is located within an area designated as Peripheral Big Game Habitat Area. Therefore, the criteria of Section 1190 Big Game Habitat Overlay will be addressed in this report. Staff conducted a site visit on December 21st, 2022 and confirmed the information on the county maps were accurate with the documentation submitted for CU 23-06. Emergency Services are provided by the Columbia County Sheriff as well as Columbia River Fire & Rescue.

Due to the large number of comments received by LDS and the rebuttal submitted by the applicant, the Planning Manager referred this matter to the Planning Commission per the provisions of Section 1601.3 of the Columbia County Zoning Ordinance.

The remainder of this report will evaluate to what extent the applicant's proposal conforms to the applicable criteria listed in the Columbia County Zoning Ordinance.

Zoning and Aerial Maps of Property



Site Visit Photos

View of Shop Building



REVIEW CRITERIA, FACTS, ANALYSIS & FINDINGS:

Beginning with Columbia County Zoning Ordinance Section 600:

Section 600 RURAL RESIDENTIAL - 5 RR-5

[Amended by Ordinance 99-2, eff. 1/11/00; Amd. Ordinance 2015-4, eff. 11-25-15].

601 Purpose: This district is designed for rural areas where parcels at the time of initial zoning designation are committed to non-resource uses consistent with County acknowledged exception areas. Uses in this zoning district are anticipated to be predominantly residential with a rural level of public services; i.e., domestic water from private wells, sewage disposal using on-site systems, adequate fire and emergency service by fire districts, and road access consistent with the County Transportation Plan and County Road Standards. Other uses shall be those customary to such areas, including farm and forest uses, churches, and home occupations of a rural character.

603 Conditional Uses:

- .3 Home occupations consistent with ORS 215.448, as provided in Section 1507.

Finding 1: Per the provisions in Section 603.3 of the Columbia County Zoning Ordinance, home occupations are conditionally permitted in the RR-5 Zone subject to prescriptive standards in Section 1507 of the Zoning Ordinance. The proposed Type I Home Occupation will be permitted through an administrative review of a Conditional Use Permit for consistency with the provisions in Section 1503. The proposed home occupation will utilize an existing shop building on the property for automotive repair and maintenance. Notice of this proposal was sent to surrounding property owners and affected County agencies on 11/17/2022. The County Building Official submitted comment on 11/17/2022 that any changes that have taken place to the shop building since it was permitted may require building permits. The Columbia River PUD and the District 18 Watermaster submitted comments on 11/17/2022 and 11/28/2022 that they have reviewed the proposal and have no objections to its approval. The County Public Works Department submitted comment on 11/23/2022 that the subject property already has a Road Access Permit with final approval. If this proposal is approved, a condition of approval will state that the applicant must obtain all necessary building permits for the existing shop structure. The County Sanitarian has not submitted any comments or concerns for this proposal as of the date of this staff report. The subject property accesses off Berry Hill Drive, a private road connected to Landreth Lane, another private road which then connects directly to Gensman Road. Gensman Road is a County-maintained public road with a 40' right of way.

With the preceding evidence and condition of approval, Staff finds that CU 23-06 as presented complies with these provisions for conditional uses in the RR-5 Zone.

Continuing with Columbia County Zoning Ordinance:

Section 1503 CONDITIONAL USES

- .1 Status: Approval of a conditional use shall not constitute a change of zoning classification and shall be granted only for the specific use requested; subject to such reasonable modifications, conditions, and restrictions as may be deemed appropriate by the Commission, or as specifically provided herein.

- .2 Conditions: The Commission may attach conditions and restrictions to any conditional use approved. The setbacks and limitations of the underlying district shall be applied to the conditional use. Conditions and restrictions may include a specific limitation of uses, landscaping requirements, off-street parking, performance standards, performance bonds, and other reasonable conditions, restrictions, or safeguards that would uphold the intent of the Comprehensive Plan and mitigate any adverse effect upon the adjoining properties which may result by reason of the conditional use being allowed.
- .3 Conditional Use Permit: A Conditional Use Permit shall be obtained for each conditional use before development of the use. The permit shall stipulate any modifications, conditions, and restrictions imposed by the Commission, in addition to those specifically set forth in this ordinance. On its own motion, or pursuant to a formal written complaint filed with the Planning Department, upon proper notice and hearing as provided by Sections 1603 and 1608 of this ordinance, the Commission, (or Board on appeal) may, but is not required to, amend, add to or delete some or all of the conditions applied to Conditional Use Permits issued by the Planning Commission or Board of Commissioners. The power granted by this subsection may only be exercised upon a finding such amendment, addition or deletion is reasonably necessary to satisfy the criteria established by Section 1503.5 below.

Finding 2: As stated above, the Planning Commission may attach conditions and restrictions to this proposal that are deemed reasonable. This includes conditions which mitigate adverse impacts on adjacent properties.

- .4 Suspension or Revocation of a Permit: A Conditional Use Permit may be suspended or revoked by the Commission when any conditions or restrictions imposed are not satisfied.
 - A. Conditional Use Permit shall be suspended only after a hearing before the Commission. Written notice of the hearing shall be given to the property owner at least 10 days prior to the hearing.
 - B. A suspended permit may be reinstated, if in the judgment of the Commission, the conditions or restrictions imposed in the approval have been satisfied.
 - C. A revoked permit may not be reinstated. A new application must be made to the Commission.

Finding 3: As identified in Section 1503.4, compliance with all conditions and applicable standards addressed in this report will be required to ensure that the Home Occupation remains in compliance with all attached conditions of approval for the lifetime of this use.

- .5 Granting a Permit: The Commission may grant a Conditional Use Permit after conducting a public hearing, provided the applicant provides evidence substantiating that all the requirements of this ordinance relative to the proposed use are satisfied and demonstrates the proposed use also satisfies the following criteria:
 - A. The use is listed as a Conditional Use in the zone which is currently applied to the site;
 - B. The use meets the specific criteria established in the underlying zone;

Finding 4 As covered in Finding 1, Home Occupations are listed as an authorized Conditional Use in the RR-5 Zone per the definition in Section 603.3. Staff finds that the criteria in Section 1503.5(A & B) are met.

- C. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements, and natural features;
- D. The site and proposed development is timely, considering the adequacy of transportation systems, public facilities, and services existing or planned for the area affected by the use;

Finding 5: The characteristics of the site (i.e. existing dwelling, driveway, location and existence of utilities and infrastructure, etc.) potentially make it suitable for the proposed home occupation to occur inside the existing shop. The applicant states that the size of the parcel provides ample parking for vehicles, and states that “there will be no infringement on the use of Berry Hill Lane...”. The applicant also notes that garbage and delivery trucks currently utilize this road. The applicant submitted documentation of his property’s access easements to use Berry Hill Drive and Landreth Lane along with the associated Road Maintenance Agreement. This Road Maintenance Agreement puts the responsibilities of maintenance on private road users. The County Public Works Department submitted additional comment on 1/27/2023 stating that “The Public Works Department does not maintain private roads. The maintenance responsibility for private roads fall on the individual land owners who access off of the road”.

Beginning of Landreth Lane



Beginning of Berry Hill Drive



Comment submitted by some neighboring property owners contest that the proposal is not timely, and that existing infrastructure in the neighborhood is not compatible with this proposed home occupation. Comment received on 11/22/2022 by one neighbor states that the existing activity of this automotive business has already created excessive traffic and noise in the neighborhood. The comment expresses concerns that the rural residential character and infrastructure of the neighborhood cannot support the proposed use without being damaged or altered. The community letter received by LDS on 11/22/2022 states similar concerns. The letter argues that there is not an adequate existing transportation system for the usage of Berry Hill Drive and Landreth Lane generated by this proposal. Further, it states that the business is currently operating with approximately 20-60 vehicle rotations to the property daily from customers, auto repair deliveries, test drives, etc. In contrast, the submitted application states only two customer vehicles will come and go from the shop each day.

On 12/16/2022, Staff received comment from adjacent property owners in support of the proposal. The comment states that they never see 20-60 vehicle rotations per day and expresses a desire for Berry Hill Drive to be widened into a two-lane road.

The applicant was notified of the comments in opposition on 11/23/2022 and again on 11/28/2022. On 12/16/2022, the applicant submitted a response to the concerns raised in the community letter. Regarding traffic and the condition of the road, he states that there is no proper system in place to count vehicle rotations. He states that the business has had no more than 70 customers in the last 2 months, which would equate to an average of ~2 customers per day. He also states that “60 percent if not more of traffic coming up and down said graveled road are of personal cars not related to the business”.

Between the submitted comments and the proposal, there is great disagreement about the condition of transportation infrastructure in the neighborhood, as well as the traffic generated by this business. The Staff site visit on 12/21/2022 observed that access to the subject property is through two graveled single-lane private roads (Berry Hill Drive and Landreth lane) off Gensman Road. The subject property is at the very end of these private roads. As can be seen in the following images taken from during the site visit, both private roads appear to be in a state of disrepair with numerous potholes throughout.

Potholes on Berry Hill Drive



Potholes on Landreth Lane



Given the observed state of disrepair and the narrowness of these private roads, the existing transportation facilities appear to be insufficient to support a commercial level of traffic. Further, the location of the subject property at the end of these roads increases the amount of each road that is affected by any generated traffic.

Staff cannot find that existing transportation infrastructure on Berry Hill Drive and Landreth Lane is sufficient to support a commercial automotive business in these conditions. Staff finds the criteria are not met.

- E. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district;

Finding 6: The submitted application states that the impact of the proposed business should be minimal given only two cars will come in and out of the shop per day. It further states that delivery of car parts is expected to be minimal, and noise generated by the business will be contained within the enclosed walls of the shop structure.

Columbia County notified surrounding property owners of the subject proposal on November 17th, 2022 and as previously stated multiple sets of comments have been received from residents of the neighborhood. Comments in opposition state concerns about the incompatibility of the proposal with the rural residential uses and character associated with RR-5 zoning. As seen on page 4, the subject property is part of a

neighborhood zoned RR-5. These comments state that the traffic and noise generated by this business has already impaired residential use of the neighborhood, and express concerns that this will continue if this proposal is approved. They also state that the levels of traffic generated by this business has impaired neighbors' ability to access their own homes. Given the observed narrowness and state of disrepair of the private roads, Staff finds it plausible that the traffic generated by this proposal may impair the transportation facilities used by the entire neighborhood for residential uses.

The submitted community letter states that the subject property has a large electric gate at the access point to Berry Hill Drive, which further causes traffic backup and turnaround issues for delivery vehicles on the road. This gate was observed and was open during Staff's site visit on 12/21/2022 at approximately 9:00 AM. The applicant states that the gate is open during business hours and has a reserve power supply in case of an outage. As can be seen in the image below, the Fire Department also has access to open this gate in case of emergency.

Electric Gate at Property



Concerns due to industrial-level noise are also detailed in submitted comments. Sources contributing to a high noise level are listed as: vehicles honking, engine revving, power tools, loud music, yelling between employees, and mufflers from modified vehicles. The letter from the surrounding community states that “Watsons Motorsports auto repair shop is already substantially altering the character of the surrounding area.”

Comments from neighbors in support of the proposal state that there is only occasional noise associated with the business. Specifically, one comment states “The noise from Mr. Watson’s shop is no more than or

worse than normal, rural sound levels.” Additional information submitted by the applicant claims that the business is not in violation of the Columbia County Noise Control Ordinance. The applicant also states that business hours are between 8:00 AM to 9:00 PM and that noise outside of these hours is unrelated to the business. Excessive noise related to the business was not heard by Staff at the site visit on 12/21/2022.

Staff recognizes that there are conflicting statements in the submitted comments regarding whether the business impairs residential uses in the neighborhood. However, the lack of impairment of a specific property in the neighborhood does not mean others won't be impacted or impaired. Therefore, Staff cannot make a positive finding in this regard, as the above criteria apply to the entire surrounding area. Staff finds that the concerns raised by surrounding properties regarding traffic and noise are valid considering the state of the private roads and the nature of the business dealing with automobiles. Therefore, the proposal to permit this business via a Home Occupation may indeed alter the residential character of the surrounding area and/or impair the use of nearby properties zoned RR-5. Staff finds the criteria are not met.

Continuing with Columbia County Zoning Ordinance- Section 1503.5:

- F. The proposal satisfies the goals and policies of the Comprehensive Plan which apply to the proposed use;

Finding 7: Part X - Economy of the County's Comprehensive Plan applies to CU 23-06 and its Goal "To strengthen and diversify the economy of Columbia County and insure stable economic growth." This proposed home occupation is consistent with the Comprehensive Plan in that it will generate income for the resident, which will likely be spent locally. The subject proposal satisfies the goals and policies of the Comprehensive Plan which apply to home occupations in the RR-5 Zone. Staff finds that this criterion has been met.

Continuing with Columbia County Zoning Ordinance- Section 1503.5:

- G. The proposal will not create any hazardous conditions.

Finding 8: As far as hazardous conditions, the submitted application states that the only possible hazardous condition is in relation to the business owner being injured by equipment. Hazardous materials being used by the business are listed as engine oil, lubricants, antifreeze, and auto paint. The applicant states that these materials will be disposed at the Metro Recycling Center in accordance with all requirements.

Comments submitted by one neighbor state that the traffic generated by this proposal constitutes a hazardous condition by making residential traffic such as pedestrians unsafe. The letter submitted by the surrounding community expresses concern about the proper disposal of flammable and hazardous materials associated with the auto repair shop. They also state that the additional traffic generated by the business is causing divots and potholes to appear on the privately maintained roads. The neighbors further state that the lack of a turnaround before entering the property and the presence of the electric gate forces customers and delivery drivers to utilize neighboring properties to turn around.

Additional information submitted by the applicant on 12/16/2022 reaffirms his statement that all hazardous and flammable materials are disposed of properly. Regarding the electric gate, he says that Columbia River Fire and Rescue (CRF&R) has access to the lockbox. The Staff site visit, shown on page 11 confirmed a

Fire Department box is located on the outside of this gate. The CRF&R Official's signature on the submitted application confirms that they have consulted with the applicant regarding the proposal. Comment submitted by a nearby property owner in support of the proposal states that they have never seen improper dumping of hazardous chemicals such as gas, oil, or coolant.

The Staff Site visit did not indicate that any hazardous materials are being stored or disposed of improperly. Staff observed that there is no turnaround area outside of the electric gate without using an adjacent private property owner's driveway or reversing down a relatively steep hill. As stated previously, during this site visit it appeared that both private roads leading to the subject property were in a state of disrepair. Numerous potholes were observed throughout Landreth Lane and Berry Hill Drive.

More Potholes on Berry Hill Drive



Staff notes that the existence of these potholes does not mean that the existing business is the cause. However, the apparent state of disrepair of these roads, the narrow single-lane width and lack of a turnaround outside the electric gate mean that Staff cannot make a positive finding that hazardous traffic conditions will not result from approving this proposal. The location of the subject property at the very end of both private roads means that customers and deliveries must traverse most of Landreth Lane and all of Berry Hill Drive to reach the business. With the previously stated road conditions, Staff finds hazardous road conditions may result from authorizing a Home Occupation at the subject property. This criterion is not met.

.6 Design Review: The Commission may require the Conditional Use be subject to a site design review by the Design Review Board or Planning Commission.

Finding 9: The Planning Commission may require the proposal be subject to a Site Design Review.

Continuing with County Zoning Ordinance- Section 1507 Home Occupations

Section 1507 Home Occupations

.1 **Type 1:** A Type 1 home occupation is reviewed administratively by Land Development Services and presents no indication of a business to the neighboring property owners. In addition to the general criteria in Subsection 1507.3, the following criteria shall apply to a Type 1 home occupation:

- A. It shall be operated by a resident of the property on which the business is located.
- B. No non-residents shall be employed on the property.
- C. The business generates not more than 20 customer vehicle trips to the property per week.
- D. Signs are not permitted.

Finding 10: Per the submitted application, the applicant will be the only employee associated with this home occupation, and no nonresidents will be employed on the property. Similarly, the applicant states customer trips will be only two cars in and out per day, Monday through Friday. This would constitute a total of up to 20 trips per week. Comment submitted by the surrounding community contest that the business appears to have 3 to 4 employees currently, which come and go daily from 8 A.M. to 10 P.M. Further, the letter states that they have observed 20-60 vehicles come and go from the business daily, including customers, employees, and deliveries.

The applicant submitted additional information on 12/16/2022 and states that the business has had only approximately 2 customers per day over the last two months. In this letter, the applicant again states that Watson Motorsports employs nobody other than the owner. Comment submitted by a neighboring property owner in support of the proposal states that they have never seen the 20-60 vehicles daily that most other neighbors reported in the community letter.

No signs are proposed for this Home Occupation, and none were observed on the site visit. Regarding non-resident employees and customer trip numbers, there is significant disagreement between the proposal and how the business is currently being run according to comment submitted by many neighbors. If the proposal is approved, a condition of approval will state that the above criteria related to the daily operation of the proposal presented for CU 23-06 shall apply to the site for the lifetime of its duration and will be grounds of termination if they are not adhered to. With this condition of approval, Staff finds the above criteria can be met.

.3 The following criteria shall apply to all home occupations:

- A. A home occupation shall be operated substantially in:
 - 1. The dwelling; or
 - 2. Other buildings normally associated with uses permitted in the zone in which the property is located.

- B. A home occupation shall not unreasonably interfere with other uses permitted in the zone in which the property is located.

Finding 11: The operations for the proposed home occupation (mainly car repair and maintenance) will take place inside an existing garage located in the south of the subject property. According to comment submitted by the Building Official, any changes to this shop since originally permitted may require electrical, mechanical, structural, or other building permits. If the proposal is approved, a condition of approval will require all necessary building permits to be obtained. The submitted application materials state that there is “ample parking at the shop” to store vehicles. Comment submitted by surrounding community states that the business is currently storing many vehicles on the property, ranging from 10 to 40 at a time.

View of Parking Areas Outside Shop



Although storage of vehicles does appear to be taking place outside of the shop, there is no indication from Staff's site visit or any submitted comments that actual business operations such as repairs, or mechanical work are taking place outside of this shop in a substantial way. The submitted application likewise states that operations will occur primarily in this shop. Therefore, the proposal meets the criteria of 1507.3(A).

With regards to 1507.3(B), the applicant states that the traffic impact to the surrounding neighborhood will be limited due to only two vehicles coming in and out per day. As previously stated however, comment submitted by neighbors contests this stated traffic level. Neighbors state in the community letter that the traffic and noise levels being generated by the business is already impairing residential use of property in

this RR-5 zoned neighborhood. Specifically, they state the business has made “ingress and egress more difficult for property owners to get to their own homes” due to the increased traffic generated by this business. Additionally, the letter states that noise from the operating business is “interfering with the enjoyment of our homes and properties” In contrast, two comments in support of the proposal from neighbors state that “only occasional noise is heard” and that the noise levels are no worse than “normal, rural sound levels”.

Staff finds relevant to note that the criteria in 1507.3(B) applies to the entire nearby area that is zoned RR-5. This zone encompasses property owners that have submitted comments describing vastly different accounts of noise and traffic levels. The impacts and level of interference from the business can vary between different properties based on numerous factors such as distance, sensitivity, and opinion. Comments submitted in support of the proposal by some property owners does not mean that other properties are not being impaired. Given the number of nearby RR-5 zoned properties (8) represented in the community letter sharing ongoing concerns that traffic and noise and impairing the use of their properties, Staff cannot make a positive finding for the above criteria. Staff finds this proposal may unreasonably interfere with permitted uses on adjacent RR-5 zoned properties. The criterion in 1507.3(B) is not met.

COMMENTS RECEIVED:

District 18 Watermaster: Have reviewed the proposal and have no objection to its approval as submitted.

County Building Official: Changes to building could require building, plumbing, electrical, and mechanical permits. Owner shall obtain permits as needed.

Public Works Department: Applicant already has a final approved access permit associated with the property.

Columbia River PUD: Have reviewed the proposal and have no objection to its approval as submitted.

Ted Daehnke: See attached

Surrounding Community of 32707 Berry Hill Lane: See attached

Sarah Berry: See attached

Russell Bartlett & Pamela Reynolds: See attached

No further comments from agencies, citizens or otherwise have been received regarding this proposal as of the date of this staff report, January 27, 2023.

CONCLUSION, DECISION & CONDITIONS:

Based on the comments, facts, and Findings 5, 6, 8, and 11 of this report, **Staff cannot recommend approval** of this application for a **Type 1 Home Occupation Conditional Use Permit** to the Planning Commission.

CC: Brad and Josephine Brooke, 60936 Luttrell Lane, St. Helens
Ted and Lauren Daehnke, 32741 Berry Hill Drive, St. Helens
Charles and Becky Werings, 60975 Gensman Road, St. Helens
Mark and Laurie Beisley, 61016 Landreth Lane, St. Helens
Perry Beisley, 61001 Gensman Road, St. Helens
Gina and Cameron Claiborne, 60981 Gensman Road, St. Helens
Victoria and Ryan Huckaby, 32698 Berry Hill Lane, St. Helens
Ron Summers, 60890 Luttrell Lane, St. Helens
Shirley Simonian, 32698 Berry Hill Lane, St. Helens
Sarah Berry, 32503 Pittsburg Road, St. Helens
Russell Bartlett & Pamela Reynolds, 61125 Landreth Lane, St. Helens

ATTACHMENTS:

Submitted CU 23-06 Application & Site Plans
Zoning, Aerial, Address, and Vicinity Maps
11/22/2022 Comment Submitted by Ted Daehnke
11/22/2022 Comments submitted by Surrounding Community
12/16/2022 Comment Submitted by Russell Bartlett & Pamela Reynolds
12/16/2022 Comment Submitted by Sarah Berry
12/16/2022 Additional Information Submitted by Applicant
1/27/2023 Additional Comment Submitted by Public Works

250-

192-22-000313-Plng-01

RECEIVED
FEB 13 2023
not complete
Land Development Services

COLUMBIA COUNTY
LAND DEVELOPMENT SERVICES

Planning Division
COURTHOUSE
230 STRAND
ST. HELENS, OREGON 97051
PHONE: (503) 397-1501 FAX: (503) 366-3902

APPEAL / REFERRAL

NOTE: If this is an appeal, please read the back of this form to determine if you have "Standing"
CIRCLE ONE OF THE FOLLOWING

APPEAL or REFERRAL

YOUR NAME: Zack Watson Phone: 503-867-0609

Address: 32707 Berryhill HW City: St. Helens Zip: 97051

Email: WatsonMotorsports37@gmail.com

ORIGINAL APPLICATION: Name: Watson Motor

File #: CU2306 Request: _____

APPEAL Fee required
File in the County Clerk's Office

Please check one of the following:

I wish to **appeal** the decision made by the Land Development Services Department. This appeal is to the Columbia County Planning Commission. (CCZO Section 1702); or

I wish to **appeal** the decision made by the Columbia County Planning Commission. This appeal is to the Columbia County Board of Commissioners. (CCZO Section 1703)

Original request was: Approved or Denied; Decision Date: 2-13-23
Appeal Deadline: 2-21-23

Reason for appeal (attach additional pages if necessary): _____

REFERRAL Fee required
File in the Land Development Services Office

_____ The application is reviewed Administratively without a public hearing, and I wish to **refer** this application to the Columbia County Planning Commission for a public hearing.

Reason for referral (attach additional pages if necessary): _____

The foregoing statements are in all respects true and correct to the best of my knowledge and belief:

Date: 2/13/23 Signed: [Signature]

FOR CLERK'S OFFICE USE ONLY
Received: 2/17/23 Received by: KV Receipt # 400617 Check#
Please route copies of this form to: Board of Commissioners (2 copies), Land Development Services (1 copy) and County Counsel (1 copy). Thank you.

STANDING

An appeal may be made only if you have “standing” to appeal. Please see Section 1700 of the Columbia County Zoning Ordinance or Section 197.763 of Oregon Revised Statutes, and consult your attorney to be sure you have standing to appeal this decision.

If you wish, you may appeal now and check later to see if you have standing; however, your appeal fee might not be refunded if it is later determined that you did not have standing and your appeal is denied on those grounds.

Kay Clay

From: Kay Clay
Sent: Wednesday, February 15, 2023 8:35 AM
To: watsonmotorsports37@gmail.com; e30kidd@gmail.com
Subject: appeal

I just wanted to remind you that we still need the payment for the appeal and on the form we need you to put why you are appealing. Without these two things the appeal is not complete. This has to be completed before the appeal period is up.

Kay Clay
Permit Technician - Planning Secretary
Columbia County, Oregon
503-397-1501 ext 8483
Kay.clay@columbiacountyor.gov

Please note:

Land Development Services has moved to a temporary location at 445 Port Avenue, St. Helens.

We're available to assist you in person, by phone 503-397-1501 and email:

building@columbiacountyor.gov or planning@columbiacountyor.gov.



NOTICE OF PUBLIC HEARING (Remote Access Available)

Date: February 6, 2023
File # CU 23-06
Owner/Applicant: Zack Watson – Judy Watson – Jan Godfrey
Map/Taxlot: 5226-D0-01700
Site Address: 32707 Berry Hill Lane
Zone: Rural Residential (RR-5)
Size: 5 acres

NOTICE IS HEREBY GIVEN that **Zack Watson**, has submitted an application, to have a home business. The proposed uses will be automotive repair services, such as tire repairs engine repairs and general maintenance for cars and light duty trucks. The property is zoned Rural Residential (RR-5), identified as tax map number 5226-D0-01700 and located at 32707 Berry Hill Ln. **This application is being referred to a Public Hearing before the Planning Commission via the provisioners of the Columbia County Zoning Ordinance Section 1601.3**

SAID PUBLIC HEARING will be held before the Columbia County Planning Commission on **Monday, February 6, 2023** starting at **6:30 p.m.**

The Columbia County Planning Commission will be hosting their public hearing via online webinar. Please use the links below if you wish to participate in the public meeting.

February 6, 2023 Planning Commission Meeting
Mon, Feb 6, 2023 6:30 PM - 9:30 PM (PST)

Please join my meeting from your computer, tablet or smartphone.
<https://meet.goto.com/295783757>

You can also dial in using your phone.
United States (Toll Free): [1 866 899 4679](tel:18668994679)
United States: [+1 \(571\) 317-3116](tel:+15713173116)

Access Code: 295-783-757

Get the app now and be ready when your first meeting starts: <https://meet.goto.com/install>

If you have any questions or concerns regarding access to the meeting or need accommodation, please call the Land Development Services office at (503) 397-1501.

The criteria to be used in deciding the request will be found in the following, but not limited to these documents and laws as revised from time to time: ORS 197.763; Columbia County Zoning Ordinance Sections 1550 and 1603. The specific criteria applicable to this request are listed and evaluated in the staff report.

A copy of the application, all documents and evidence provided by the applicant, and the staff report are available for inspection at no cost and will be provided at reasonable cost at least seven days prior to the Planning Commission hearing from Land Development Services, County Courthouse Annex, St. Helens, OR 97051.

You received this notice because you own property located near the property that is the subject of this notice. Columbia County is required to notify you of the appeal of the above-cited decision so that you have the opportunity to comment and/or participate in the De Novo public hearing for the appeal. Columbia County is required only to notify the applicant, owner, owners of record of property of adjacent properties per the most recent property tax assessment roll, and other persons identified. You may want to share this notice with others in your neighborhood as some may not be aware of the proposal.

Notice to mortgagee, lien holder, vendor or seller: ORS Chapter 215 requires that if you receive this notice, it must be promptly forwarded to the purchaser.

Failure to raise an issue in a hearing, in person or by writing, or failure to provide statements or evidence sufficient to afford the Approval Authority an opportunity to respond to the issue precludes raising the issue in an appeal to the Land Use Board of Appeals.

The application, all documents and evidence relied upon by the applicant, and the applicable criteria are available for inspection at no cost at the Land Development Service Department. A copy of the staff report will be available for inspection at no cost at least one week prior to the public hearing. Copies of these materials will be provided at a reasonable cost upon request.

The representative of the Columbia County Land Development Services Planning Division to contact regarding this application and hearing is Jake Renney and the telephone number where more information can be obtained is (503)397-7217.

Written materials may be submitted prior to, or during the public hearing. Please submit written materials to Jack Renney or by email at Jake.Renneu@Columbiacountyor.gov

You can also send written materials via US Mail to:

Columbia County
Land Development Services
Attn: Jake Renney
230 Strand Street
St. Helens, OR 97051



NOTICE OF PUBLIC HEARING (Remote Access Available)

Date: February 6, 2023
File # CU 23-06
Owner/Applicant: Zack Watson – Judy Watson – Jan Godfrey
Map/Taxlot: 5226-D0-01700
Site Address: 32707 Berry Hill Lane
Zone: Rural Residential (RR-5)
Size: 5 acres

NOTICE IS HEREBY GIVEN that **Zack Watson**, has submitted an application, to have a home business. The proposed uses will be automotive repair services, such as tire repairs engine repairs and general maintenance for cars and light duty trucks. The property is zoned Rural Residential (RR-5), identified as tax map number 5226-D0-01700 and located at 32707 Berry Hill Ln. **This application is being referred to a Public Hearing before the Planning Commission via the provisioners of the Columbia County Zoning Ordinance Section 1601.3**

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The representative of the Columbia County Land Development Services Planning Division to contact regarding this application and hearing is [Jake Renney](#) and the telephone number where more information can be obtained is [\(503\)397-7217](tel:5033977217).

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Columbia County
Land Development Services
Attn: [Jake Renney](#)
230 Strand Street
St. Helens, OR 97051



NOTICE OF PUBLIC HEARING (Remote Access Available)

Date: February 6, 2023
File # CU 23-06
Owner/Applicant: Zack Watson – Judy Watson – Jan Godfrey
Map/Taxlot: 5226-D0-01700
Site Address: 32707 Berry Hill Lane
Zone: Rural Residential (RR-5)
Size: 5.0 Acres

NOTICE IS HEREBY GIVEN that Zack Watson, has submitted an application, to have a home business. The proposed uses will be automotive repair services, such as tire repairs engine repairs and general maintenance for cars and light duty trucks. The property is zoned Rural Residential (RR-5), identified as tax map number 5226-D0-01700 and located at 32707 Berry Hill Ln. **This application is being referred to a Public Hearing before the Planning Commission via the provisioners of the Columbia County Zoning Ordinance Section 1601.3**

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You can also send written materials via US Mail to:

Columbia County
Land Development Services
Attn: Jake Renney
230 Strand Street
St. Helens, OR 97051

SUMMERS RONALD E JR & CYNTHIA 60890 LUTTRELL LN ST HELENS, OR 97051	SIGLER TEREZIA 61001 LUTTRELL LN ST HELENS, OR 97051	
WATSON JUDITH A & GODFREY JANICE A 32707 BERRY HILL LN ST HELENS, OR 97051	SIMPSON GORDON L & MARY JO 32503 PITTSBURG RD ST HELENS, OR 97051	
CRAM ROBERT M & DAWN 60997 LUTTRELL LN SAINT HELENS, OR 97051-9126	BARTLETT RUSSELL P AND REYNOLDS PAMELA R 61125 LANDRETH LN ST HELENS, OR 97051	
SIMPSON MARY JO REVOCABLE TRUST 32501 PITTSBURG RD ST HELENS, OR 97051	BERGEY ERIC R & CARLI M 32698 BERRY HILL DR ST HELENS, OR 97051	
SUMMERS RONALD E JR & CYNTHIA A 60890 LUTTRELL LN ST HELENS, OR 97051	<i>Zeck Watson</i>	
DAEHNKE THEODORE I & LAUREN L 32741 BERRYHILL DR ST HELENS, OR 97051		
BROOKE BRAD A & JOSEPHINE M 60936 LUTTRELL LN ST HELENS, OR 97051		
CLAIBORNE CAMERON 60981 GENSMAN RD ST HELENS, OR 97051		
WOLIN CHAIM M & TERA H 61021 LANDRETH ST HELENS, OR 97051		
HAND DICK CARL 32525 PITTSBURG RD ST HELENS, OR 97051		

Ryan Huckaby
32698 Berry Hill LN
St Helens OR 97051

Charles Werings
60975 Gensman Rd
St Helens OR 97051

Mark Beisley
61016 Landreth Ln
St Helens OR 97051

Perry Beisley
61001 Gensman Rd
St Helens OR 97051

Shirley Simonian
32698 Berry Hill Rd
St Helens OR 97051

Sarah Berry
32503 Pittsburg Rd
St Helens OR 97051

November 17, 2022

REFERRAL AND ACKNOWLEDGMENT

Responding Agency:

NOTICE IS HEREBY GIVEN that **Zack Watson**, has submitted an application to have a home business. The proposed uses will be automotive repair services, such as tire repairs engine repairs and general maintenance for cars and light duty trucks. The property is zoned Rural Residential (RR-5), identified as tax map number 5226-D0-01700 and located at 32707 Berry Hill Ln. CU 23-06

THIS APPLICATION IS FOR: (X) Administrative Review; () Planning Commission, Hearing Date:

PLEASE RETURN BY: **November 28, 2022**

Planner: **Jake Renney**

The enclosed application is being referred to you for your information and comment. Your recommendation and suggestions will be used by the County Planning Department and/or the Columbia County Planning Commission in arriving at a decision. Your prompt reply will help us to process this application and will ensure the inclusion of your recommendations in the staff report. Please comment below.

1. _____ We have reviewed the enclosed application and have no objection to its approval as submitted.
2. _____ Please see attached letter or notes below for our comments.
3. _____ We are considering the proposal further and will have comments to you by _____.
4. _____ Our board must meet to consider this; we will return their comments to you by _____.
5. _____ Please contact our office so we may discuss this.
6. _____ We recommend denial of the application, for the reasons below:

COMMENTS: _____

Signed: _____ Printed Name: _____

Title: _____ Date: _____



November 10, 2022

Zack Watson
32707 Berry Hill Ln
St Helens, OR 97051

Judy Watson & Jan Godfrey
1344 SW Rimrock Way
Redmond OR 97756

RE: Application for a Home Occupation

Map/Taxlot: 5226-D0-01700
Tax Account: 16258
Site Address: 32707 Berry Hill Dr
Zone: RR-5
File No.: CU 23-06

To whom it may concern:

This department has conducted a preliminary review of your land use application as described above, and has determined the following:

Your application is deemed **COMPLETE** as of the date of this letter. It will be processed administratively by staff with notice sent to neighboring property owners and applicable affected agencies. You will be mailed the decision and a copy of the staff report for the application once review is complete.

If you have any questions or concerns regarding your application, please contact your project planner, Jake Renney, at (503) 397-7217.

Land Development Services

A handwritten signature in black ink, appearing to read "Hayden Richardson".

Hayden Richardson
Planning Manager

cc: File

COLUMBIA COUNTY
LAND DEVELOPMENT SERVICES

Planning Division
COURTHOUSE
ST. HELENS, OREGON 97051
(503) 397-1501

November 17, 2022

ADMINISTRATIVE NOTICE
Home Occupation/ CU 23-06
Tax Account Number: 5226-D0-01700

NOTICE IS HEREBY GIVEN that **Zack Watson**, has submitted an application to have a home business. The proposed uses will be automotive repair services, such as tire repairs engine repairs and general maintenance for cars and light duty trucks. The property is zoned Rural Residential (RR-5), identified as tax map number 5226-D0-01700 and located at 32707 Berry Hill Ln.

Section 1507 of the Columbia County Zoning Ordinance (CCZO) permits the Planning Director to approve the above Temporary Use Permit according to the procedures and requirements of Section 1601 of the CCZO.

Those notified have 10 calendar days in which to either submit comments and objections to the Columbia County Planning Department or to request a public hearing on the matter before the Planning Commission. A fee of \$250.00 is required to refer this item to the Planning Commission.

If no one requests a review within 10 days, by the Planning Commission and submits the applicable fee, the Director will determine if the application meets the necessary criteria in the Columbia County Zoning Ordinance, and if so may approve the request.

If you have any concerns or questions please contact the project planner.

Project planner: Jake Renney
Telephone: 503.397.7217
Email: Jake.Renney@columbiacountyor.gov

cc: Judy Watson / Jan Godfrey

SUMMERS RONALD E JR & CYNTHIA 60890 LUTTRELL LN ST HELENS, OR 97051	SIGLER TEREZIA 61001 LUTTRELL LN ST HELENS, OR 97051	
WATSON JUDITH A & GODFREY JANICE A 32707 BERRY HILL LN ST HELENS, OR 97051	SIMPSON GORDON L & MARY JO 32503 PITTSBURG RD ST HELENS, OR 97051	
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WOLIN CHAIM M & TERA H 61021 LANDRETH ST HELENS, OR 97051		
HAND DICK CARL 32525 PITTSBURG RD ST HELENS, OR 97051		

Applicant Name: Zach Watson.

REFERRAL CONTACT LIST

File No.: CU 23-06

s	Cities	s	Fire Districts
	Clatskanie		Clatskanie (Alston, Mayger, Woodson)
	Columbia City		Mist-Birkenfeld (Natal)
	Prescott	X	Columbia River Fire & Rescue (St.Helens/Rainier)
	Rainier		Scappoose (Chapman)
	Scappoose		Vernonia (Pittsburg, Keasey)
	St. Helens		State Fire Marshall (outside RFPDs)
	Vernonia	s	State & Federal Agencies
s	School Districts		DEQ – Division ()
	Clatskanie (Quincy, Mayger)		DLCD - Land Conservation & Development
	Rainier (Prescott, Goble)		DSL - Department of State Lands
	St. Helens (Columbia City, Deer Island)		DOGAMI - Geology & Mineral Industries
	Scappoose		FEMA Region X
	Vernonia (Mist, Birkenfeld)		NRCS - Natural Resources Conservation Service
s	Water Districts		ODF - Oregon Department of Forestry
	McNulty Water PUD		ODFW - [East] [West] of Highway 47
	Warren Water District		OMD - Oregon Military Department
	Quincy Water District		OPR – Oregon Parks & Recreation
	Other:		ODOT- [Aeronautics] [Highways] [Rail]
s	Special Districts	Y	OWRD - Watermaster District [18] [1]
X	CPAC (St. Helens - Col. City)		SHPO – State Historic Preservation Office
	Port of Columbia County		USACE - U.S. Army Corps of Engineers
	Drainage District ()		USFW - U.S. Fish & Wildlife
	Clatskanie PUD	s	County Departments
X	Columbia River PUD	X	Building Official
	West Oregon Electric	X	Public Works – Roads (Transportation Planner)
	Soil & Water Conservation District	X	Sanitarian
	OSU Agricultural Extension Office		Surveyor
s	Water Shed Councils	X	Assessor
	Scappoose Bay		Animal Control Officer
	Lower Columbia	Y	LDS Compliance Specialist
	Upper Nehalem		County Counsel
s	Misc. / Other		Public Health / Environmental Health (CCPH)
	1000 Friends of Oregon		C COM - Columbia 911 (Road Naming)
			CC Economic Team

Kay Clay

From: Kay Clay
Sent: Monday, October 31, 2022 8:57 AM
To: 'e30kidd@gmail.com'; 'judypdx@msn.com'; 'jangodfrey49@yahoo.com'
Subject: incomplete letter
Attachments: watson_20221031085007.pdf

Attached is a copy of your incomplete letter regarding you submitted application CU 23-06

Kay Clay
Permit Technician - Planning Secretary
Columbia County, Oregon
503-397-1501 ext 8483
Kay.clay@columbiacountyor.gov

Please note:

Land Development Services has moved to a temporary location at 445 Port Avenue, St. Helens.

We're available to assist you in person, by phone 503-397-1501 and email:

building@columbiacountyor.gov or planning@columbiacountyor.gov.



November 1, 2022

Zack Watson
32707 Berry Hill Ln
St Helens, OR 97051

Judy Watson & Jan Godfrey
1344 SW Rimrock Way
Redmond OR 97756

RE: Application for a Home Occupation

Map/Taxlot: 5226-D0-01700
Tax Account: 16258
Site Address: 32707 Berry Hill Dr.
Zone: RR-5
File No.: CU 23-06

Mr. Watson:

This Department has conducted a preliminary review of your land use application in accordance with ORS 215.427(2) and has determined the application to be **INCOMPLETE** and missing the following information:

1. Please submit any copies of recorded access easements that allow access from Gensman Road. This includes, but may not be limited to, Deed Book 160 Page 164, Book 214 Page 915, Book 216 Page 501, Columbia County Clerk's Recording Number 01-12749, and 02-04323. Do these easements specify the type of use allowed?
2. Please submit the Road Maintenance Agreements as recorded in Columbia County Clerk's Recording Numbers 88-5076 and 02-04324.
3. Please submit a site plan showing the entirety of the access from Gensman Road to the accessory structure that the business will be operated in.
4. Please submit a copy of the recorded well log for the proposed commercial use.
5. Please provide more detail regarding the types and amount of delivery trucks that will be used in the business.
6. Please describe the hours of operation associated with the proposed business.
7. Will there be a sign used in conjunction with the proposed business?

Please communicate with this office and decide if you will:

- A. Provide all of the missing information; or
- B. Provide some of the missing information; or
- C. Provide none of the missing information.

Please note, pursuant to ORS 215.427(4), on the 181st day after being submitted, the application is void if the applicant has not submitted a response to this letter.

If you have any questions concerning this letter or the status of your application, feel free to contact me directly at (503) 397-7216.

Land Development Services



Hayden Richardson
Planning Manager

cc: File
Melissa Adams, Land Use Compliance Specialist ✓

COLUMBIA COUNTY
LAND DEVELOPMENT SERVICES

COURTHOUSE
230 STRAND
ST. HELENS, OREGON 97051
(503)397-1501

**APPEAL INFORMATION for
FINAL ORDER CU 23-06**

Applicant: Zack Watson

Notice Date: February 13 2023

Appeal Body:

- Planning Commission**, for appeal of an administrative decision; file this appeal in the Land Development Services office, ground floor, Courthouse Annex, St. Helens, OR 97051. The appeal must be filed within 12 calendar days of the above Notice Date, the date this notice was mailed to the applicant and to other persons entitled to notice. The appeal must be accompanied by the appropriate appeal fee.
- Board of County Commissioners**, for appeal of this Planning Commission decision; file this appeal in the Office of the County Clerk, second floor, Courthouse Annex, St. Helens, OR 97051. The appeal must be filed within 7 calendar days of the above Notice Date, the date this notice was mailed to the applicant and to other persons entitled to notice. The appeal must be accompanied by the appropriate appeal fee.
- Land Use Board of Appeals (LUBA)**, for appeal of this Planning Commission or Board of Commissioner decision. File a Notice of Appeal with the Land Use Board of Appeals; PUC Building, 550 Capitol Street NE, Salem, OR 97310. The appeal must be filed with the Land Use Board of Appeals within 21 calendar days of the above Notice Date, the date this notice was mailed to the applicant and to other persons entitled to notice.

Attached is the FINAL ORDER on the application listed above. This decision, or any part of it, or any condition attached to it, may be appealed to the **Appeal Body** noted above.

If a local appeal is filed, and after notice is given to those persons entitled to notice, a public hearing will be held by the Appeal Body at its earliest available regular meeting. At the hearing, all interested parties will have an opportunity to appear and be heard.

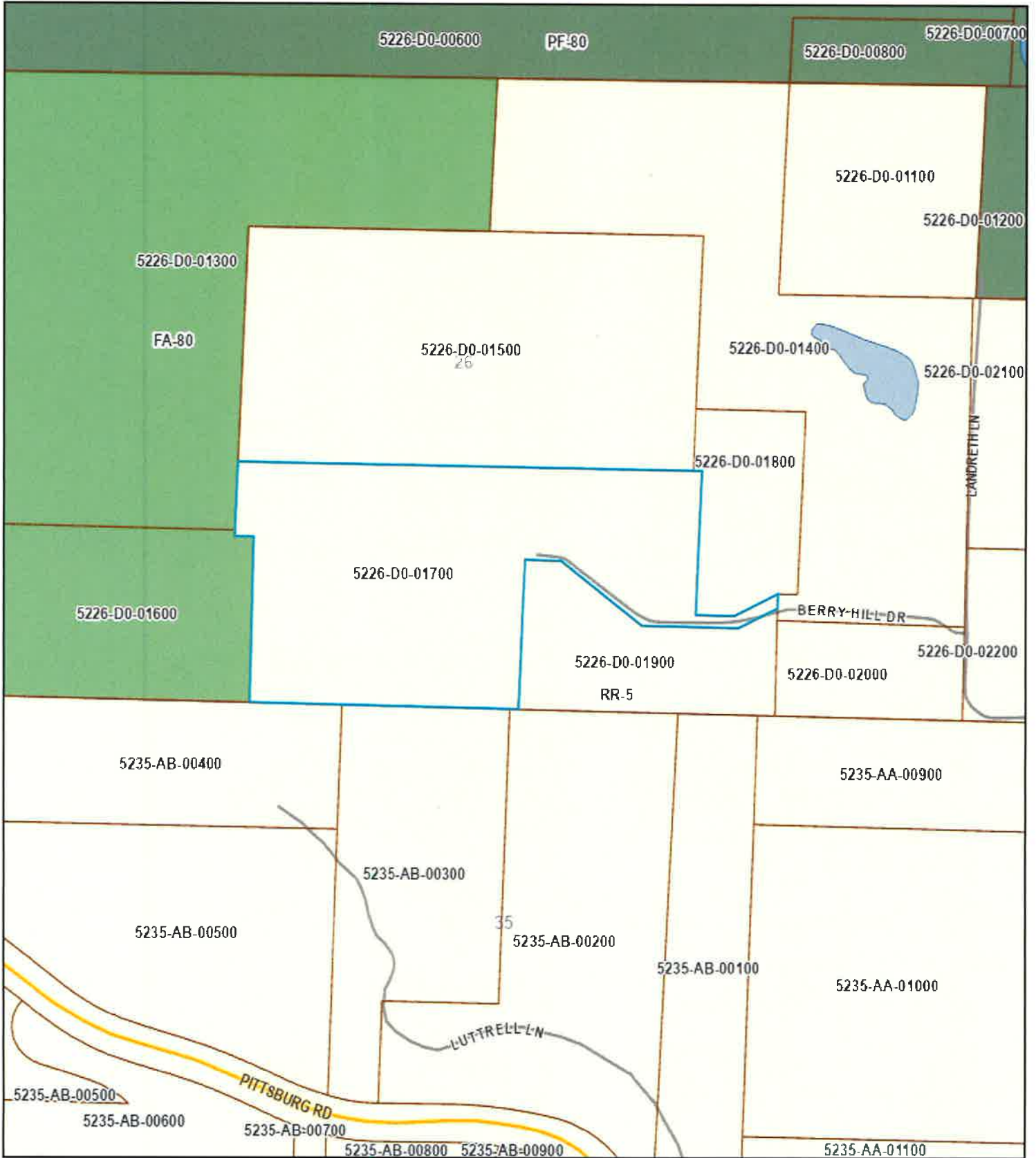
The applicant and other interested persons should contact the Planning Department after the applicable appeal period has run to determine whether an Appeal has been filed. Applicants are cautioned against beginning development if an Appeal has been filed.

PLEASE NOTE: An appeal may be filed only by persons who appeared in person or in writing before the Planning Department, the Planning Commission or the Board of County Commissioners. You have "appeared" if you supplied information or argument in favor of or opposed to the application listed above.

If any of the above is not clear, or you have questions or require additional information, please contact Jake Renney at (503) 397-7217.



CU 23-06 Zoning Map



12/9/2022 8:55 AM

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Disclaimer: This map was produced using Columbia County GIS data. The GIS data is maintained by the County to support its governmental activities and is subject to change without notice. This map should not be used for survey or engineering purposes. Columbia County assumes no responsibility with regard to the selection, performance or use of information on this map



CJ 23-06 Aerial Map



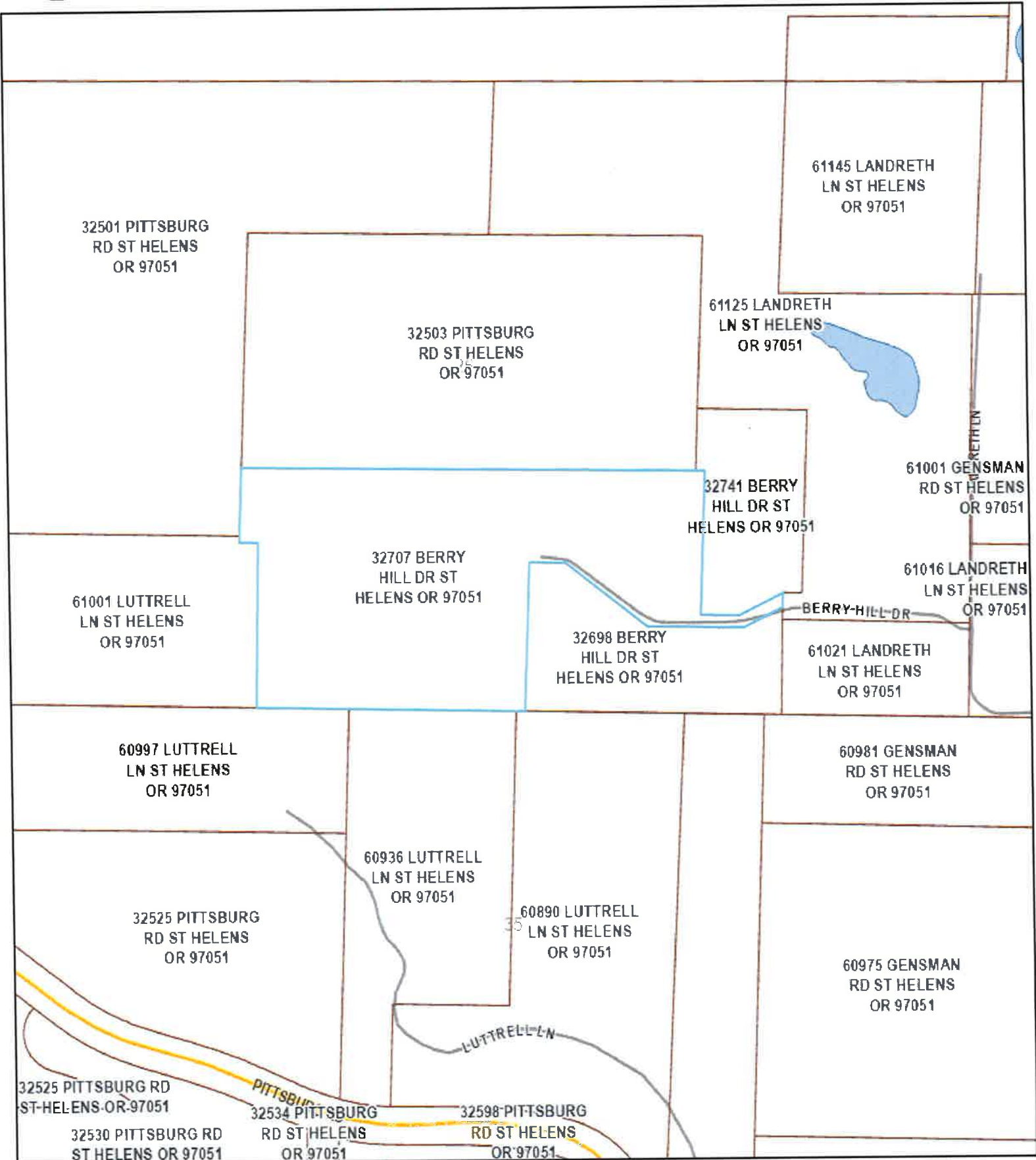
12/9/2022 8:57 AM

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CU 23-06 Address Map



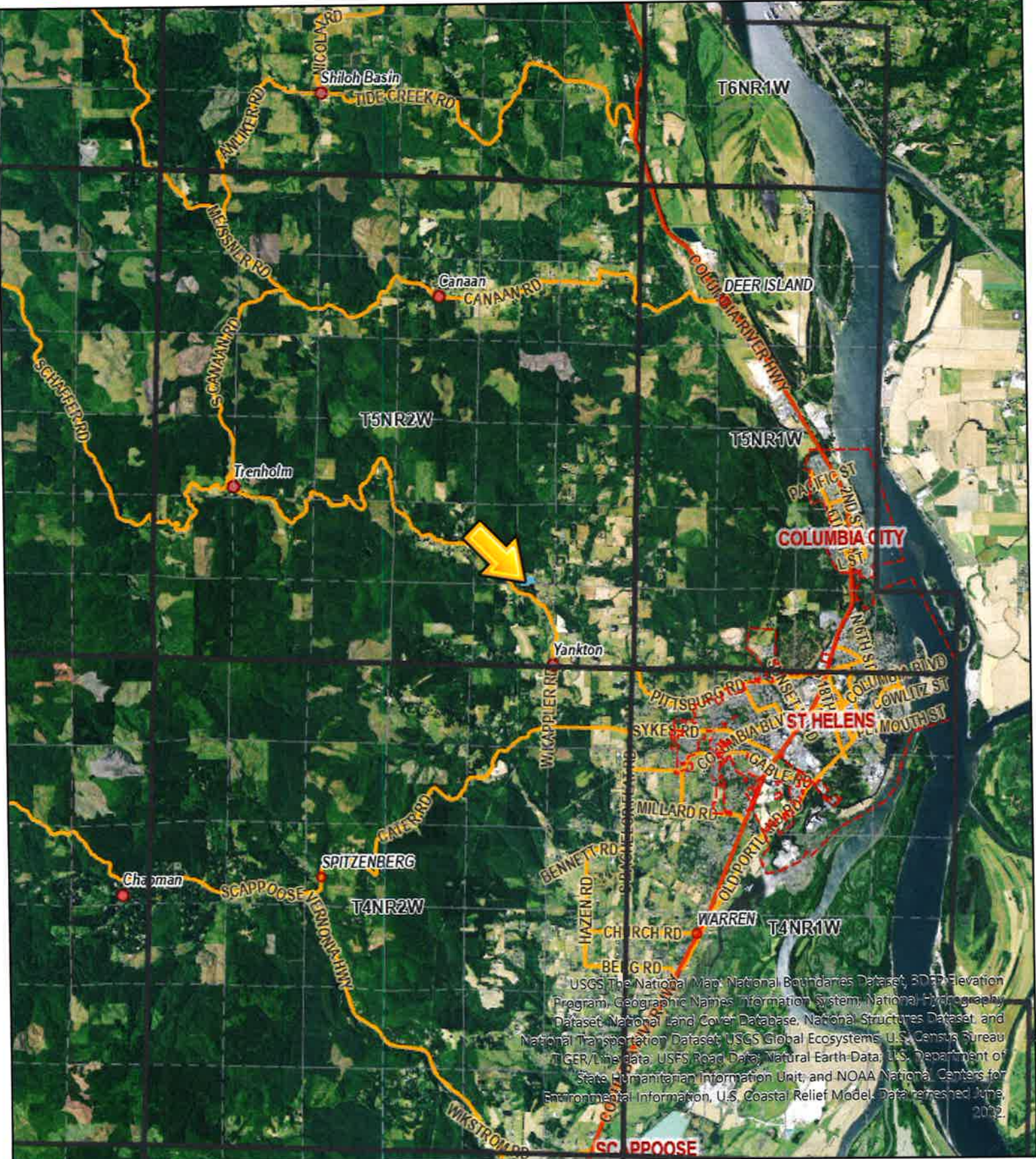
12/9/2022 8:58 AM

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CL 23-06 Vicinity Map



USGS The National Map, National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed June 2022.



12/9/2022 9:01 AM
10 mi

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COLUMBIA COUNTY
LAND DEVELOPMENT SERVICES
Planning Division
COURTHOUSE
ST. HELENS, OREGON 97051
Phone: (503) 397-1501 Fax: (503) 366-3902

November 17, 2022

REFERRAL AND ACKNOWLEDGMENT

Responding Agency:

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THIS APPLICATION IS FOR: (X) Administrative Review; () Planning Commission, Hearing Date:

PLEASE RETURN BY: **November 28, 2022**

Planner: **Jake Renney**

The enclosed application is being referred to you for your information and comment. Your recommendation and suggestions will be used by the County Planning Department and/or the Columbia County Planning Commission in arriving at a decision. Your prompt reply will help us to process this application and will ensure the inclusion of your recommendations in the staff report. Please comment below.

1. We have reviewed the enclosed application and have no objection to its approval as submitted.
2. _____ Please see attached letter or notes below for our comments.
3. _____ We are considering the proposal further and will have comments to you by _____.
4. _____ Our board must meet to consider this; we will return their comments to you by _____.
5. _____ Please contact our office so we may discuss this.
6. _____ We recommend denial of the application. for the reasons below:

Exempt Uses of Ground Water include:

1. Stock watering.
2. Non-commercial irrigation of not more than one-half acre in area.
3. Single or group domestic purposes for no more than 15,000 gallons per day.
4. Single industrial or commercial purposes: not exceeding 5,000 gallons per day.
5. Down-hole heat exchange uses.

The above exempt uses do **NOT** allow for commercial irrigation.

COMMENTS: _____

Signed: _____

Jake Constans

Printed Name: _____

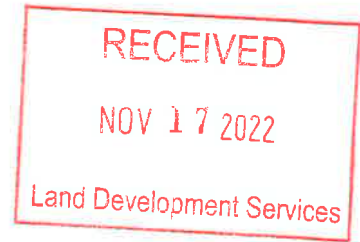
Jake Constans

Title: _____

Watermaster, District 18

Date: _____

11/28/22



November 17, 2022

REFERRAL AND ACKNOWLEDGMENT

Responding Agency:

NOTICE IS HEREBY GIVEN that **Zack Watson**, has submitted an application to have a home business. The proposed uses will be automotive repair services, such as tire repairs engine repairs and general maintenance for cars and light duty trucks. The property is zoned Rural Residential (RR-5), identified as tax map number 5226-D0-01700 and located at 32707 Berry Hill Ln. CU 23-06

THIS APPLICATION IS FOR: (X) Administrative Review; () Planning Commission, Hearing Date:

PLEASE RETURN BY: **November 28, 2022**

Planner: **Jake Renney**

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- We recommend denial of the application, for the reasons below:

COMMENTS: Charges TO Building could require Building, Plumbing, Electrical and mechanical Permits Owner shall obtain permits as needed

Signed: Printed Name: Don VanDomeled
Title: Building official Date: 11-17-2022

CONDITIONAL USE PERMIT APPLICATION
Home Occupation

TYPE: Type I _____ Type I

APPLICANT: Name: Zack Watson
Mailing address: 32707 Berry Hill ^{Wise} St. Helens OR 97051
Phone No.: Office 503.867.0609 Home _____ State _____ Zip Code _____
Email: e30kidd@gmail.com
Are you the No property owner? _____ owner's agent?

PROPERTY OWNER: _____ same as above, OR:
Name: Judy Watson / Jan Godfrey
Mailing address: 1344 SW Rimrock Way Redmond, OR 97456
Phone No.: Office _____ Home 503.867.1017 or 971.219.4292 State _____ Zip Code _____
Email: judyplx@msn.com, jangodfrey49@yahoo.com

PROPERTY ADDRESS: see address above under Applicant
City _____ State _____ Zip Code _____

TAX ACCOUNT NO.: 5226-DP-01700 Acres: 5 Zoning: RR-5
16258 Acres: _____ Zoning: _____
Acres: _____ Zoning: _____

PRESENT USES: (farm pasture, forest, residential, etc.)
Use: Residential Approx. Acres: 5

Total acres (must agree with above): 5

COLUMBIA COUNTY
LAND DEVELOPMENT SERVICES
Planning Division
COURTHOUSE
ST. HELENS, OREGON 97051
Phone: (503) 397-1501 Fax: (503) 366-3902



November 17, 2022

REFERRAL AND ACKNOWLEDGMENT

Responding Agency: Columbia County Public Works

NOTICE IS HEREBY GIVEN that **Zack Watson**, has submitted an application to have a home business. The proposed uses will be automotive repair services, such as tire repairs engine repairs and general maintenance for cars and light duty trucks. The property is zoned Rural Residential (RR-5), identified as tax map number 5226-D0-01700 and located at 32707 Berry Hill Ln. CU 23-06

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- Please see attached letter or notes below for our comments.
- We are considering the proposal further and will have comments to you by _____.
- Our board must meet to consider this; we will return their comments to you by _____.
- Please contact our office so we may discuss this.
- We recommend denial of the application, for the reasons below:

COMMENTS: Applicant already has a final approved access permit associated with the property.

Signed: Scott Toenjes Printed Name: Scott Toenjes
Title: Engineering Technician I Date: 11/23/2022

Exhibit A
ACCESS APPROACH ROAD CONSTRUCTION APPLICATION AND PERMIT



COLUMBIA COUNTY ROAD DEPARTMENT
1054 OREGON STREET, ST. HELENS, OR 97051
PHONE: (503)397-5090 FAX: (503)397-7215

RAP
2016-00100

A. APPLICATION

Permit Fee: \$50.00

Receipt #: 066136

PERMIT NUMBER: 2016-00100

Permit Expires: 06-10-2018

Applicant Name (please print) MARYANN O'FLAHERTY

declares that he/she is the owner or sanctioned by owner of the real property adjoining the public road, private road or driveway at the location described herein and has the lawful authority to apply for this Permit. When approved, a Permit is subject to the terms and provisions of Columbia County Ordinance No. 2006-4, and Exhibit B Specifications.

NOTE: Access permit must be issued prior to obtaining a building permit. Access construction must be completed to specified standards within the time period allowed before a building inspector can approve the final inspection for occupancy or issue a Certificate of Occupancy. If access construction cannot be completed and the applicant is otherwise eligible for a final inspection and/or Certificate of Occupancy, a deposit of \$2,000 may be made as security for future construction. The deposit will be forfeited if the access is not completed within the required time. Applicant must notify County Road Department of any change in address to insure return of deposit.

Access Required is: Permanent Temporary Low Usage

Road Name: Berry Hill Ln 12-digit Property Tax Account No. 5226-000-01302
Township, Range, Section, Parcel Was

Side of Road: North South East West Now 5226-00-01700 S.T.

Between/Near Landmarks (attach map or sketch): Landmark Ln / Gensmen Rd

Property Owner's Signature: Maryann O'Flaherty Birdsell Date: 6-10-16

Mailing Address: 32707 Berry Hill Ln

City: St. Helens State: OR Zip: 97051 Phone: 503-396-2570

B. PERMIT: Location must be approved prior to beginning construction.

THIS SECTION TO BE COMPLETED BY COLUMBIA COUNTY ROAD DEPARTMENT

Insurance required? Yes No

Sight distance adequate? Yes No If no, explain: _____

Culvert required? Yes No Size: _____ Length: _____ Distance from edge of road: _____

Dimensions of access apron if different than standard (Section IV & E): _____

Paving to a distance of 20' from edge of public/private road or driveway required? Yes No

Water diversion required on access apron? Yes No

Special comments: MAKE IMPROVEMENTS TO LANDMARK LANE AS

ACCESS LOCATION APPROVED BY: LOREY WELTER Date: 6-15-16 Title: DIRECTOR

Copy mailed to applicant on 6/16/16 Faxed to LDS on 6/16/16 Faxed to District Supervisor on _____

CONSTRUCTION APPROVED BY: Don R. Weller Date: 8/28/17 Title: Transportation Planner

Copy mailed to applicant on 8/30/17 Faxed to LDS on 8/30/17 Faxed to Finance Dept (if necessary) on _____

Improvements were made to access onto Gensman Rd (additional Paving) DRW

Final Inspection authorized with \$2,000 deposit on (Date): _____ by (Signature of Road Dept. Official): _____

Faxed to LDS on _____ Faxed to Finance on _____

Extension of time granted to (Date): _____ on (Date): _____ by (Signature of Road Dept. Official): _____

Faxed to LDS on _____

COLUMBIA COUNTY
LAND DEVELOPMENT SERVICES
Planning Division
COURTHOUSE
ST. HELENS, OREGON 97051
Phone: (503) 397-1501 Fax: (503) 366-3902



November 17, 2022

REFERRAL AND ACKNOWLEDGMENT

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PLEASE RETURN BY: **November 28, 2022**

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COMMENTS: _____

Signed:  Printed Name: Brandon Stachelsky
Title: Engineering Manager Date: 11/17/22

Jake Renney

From: Scott Toenjes
Sent: Friday, January 27, 2023 10:00 AM
To: Planning Department.UserGroup
Subject: 32707 Berry Hill Drive, Zack Watson, CU 23-06 (Updated)
Attachments: 2526_001.pdf; 2527_001.pdf

The Columbia County Public Works Department does not have any comments or concerns about this CU Application. The applicant already has a final approved access permit associated with this property.

Landreth Lane and Berry hill Drive are private roads. The Public Works department does not maintain private roads. The maintenance responsibility for private roads fall on the individual land owners who access off of the road.

Thank you.

Scott Toenjes | Engineering Technician | Columbia County Public Works
1054 Oregon Street, St Helens, OR 97051
503-366-3963 | F 503-397-7215 | scott.toenjes@columbiacountyor.gov

Service ~ Engagement ~ Connection ~ Innovation



To: Columbia County
Land Development Services
Planning Division



This letter is in response to the application of Zack Watson to have a home business at 32707 Berry Hill Ln., tax map number 5226-DO-01700.

Zoning provides stability and creates expectations within land use planning. Agricultural zones preserve farmland and prevent encroachment by residential or industrial interests. This ensures that the county retains an adequate inventory of farm land to support timber and food production. Industrial zones provide space to create jobs and products within the county while limiting the impact of these activities on agriculture and residential environments. Grouping industrial activities also facilitates providing the infrastructure these activities require. RR5 zoning supports a specific residential atmosphere, single family homes separated by fields and forests. I recognize the need for some flexibility in the enforcement of zoning restrictions when a proposed exception does not dramatically impact the nature of the location involved. The proposal under consideration does not meet this description. The proposed activity would create significant safety concerns and aesthetic damage for the neighborhood.

601 The proposed use of this property does not constitute a home occupation of rural character. The current activity of the business carried on in violation of zoning creates excessive traffic and noise and the release of industrial waste into the ground water. The proposed expansion of the business would drastically change the nature of the neighborhood.

602.4 The structure to be used for this business is forward of the main building on the property.

604.5 The property has no frontage on a public road. The proposed business is at the end of a ¼ mile private road subject to a maintenance agreement involving seven households. In addition to road maintenance concerns, four homes are located on this road between the public road and the business and two more homes have property lines bordering this stretch of road. These six homes would be subject to the safety concerns and disturbance of drastically increased traffic.

1503.5E The increased traffic and industrial noise will change the nature of this rural/residential neighborhood. The increased traffic will also impair resident's ability to enter and exit their property.

1503.5G Increased traffic will create hazardous conditions for residential traffic and pedestrians, particularly children and pets.

When we purchased this home 23 years ago our house was the last house on the road. There were two lots beyond our driveway and we knew they would eventually be built on. Based on the RR5 zoning we had no reason to fear the construction of an auto repair garage. I believe my neighbors had the same expectations when purchasing their homes. Based on the history of the applicant, including starting the business in violation of zoning, it is unlikely the applicant will follow the rules if the permit is granted. The county should anticipate complaints, requests for investigations and possibly litigation if this business is allowed to go forward.

Ted Daehnke

32741 Berry Hill Ln

A handwritten signature in black ink, appearing to read "Ted Daehnke".

To: Columbia County
Land Development Services
Planning Division



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Ted Daehnke

32741 Berry Hill Ln



To Columbia County Land Development Services
Planning Division

In Response to Zack Watson's Application
Home Occupation/ CU 23-06
Tax Account Number: 5226-D0-01700

Comments and Objections From:
Surrounding Community Of
32707 Berry Hill Lane
Saint Helens, OR 97051

November 22, 2022

Columbia County
Land Development Services
Planning Division
230 Strand Street
St Helens, OR 97051-2040

Re: Home Business Application submitted by Zach Watson of Watson Motorsports
Home Occupation / CU 23-06
Tax Account Number: 5226-D0-01700
Located at 32707 Berry Hill Lane

Dear Columbia County Planning Division:

This letter is in response to Columbia County's Administrative Notice dated November 17, 2022, regarding the above-referenced matter. This letter has been signed by property owners who are located on surrounding properties and on the properties that are on easements being used for access to Mr. Watson's property and business.

As property owners in the surrounding areas of Mr. Watson's property, there are several reasons why we feel Mr. Watson's application should be denied by the Planning Division. We have reviewed the Columbia County Zoning Ordinances and strongly feel they support our request for denial.

This letter includes:

- A list clearly explaining our 14 reasons why we feel the Planning Division should deny Mr. Watson's application for a permit for Watson Motorsports .
- Use of Citations of specific Columbia County Oregon Zoning Ordinances, using Articles IV and VII, which supports a decision to deny Mr. Watson's application. (Sections and pages are also noted.)
- The concerns of the property owners in this area, most importantly that there would be a substantial loss of monetary value of nearby properties and present difficulties in selling these properties due to a commercial business operating in our rural residential area.

Reasons in support of denial of the application:

1. The property is located in a rural area (zoned as RR), designed for residential use.
2. The loss of market value of our homes and properties in the surrounding area.
3. There are currently 20 to 60 vehicle rotations traveling to and from this business daily which include customers, employees, auto repair deliveries, trailers, tow trucks, motorhomes, test driving of vehicles, etc.
4. Road access to support this business requires the use of two easements. Mr. Watson's property is located at the end of the two easements. These two easements are privately maintained by the residents.
5. The property owners who use the two easements will especially have a more difficult time selling their property due to the high volume of Mr. Watson's business, in addition to losing market value of their homes and properties.
6. The two easements are privately maintained roads. The on-going traffic Watson Motorsports causes is an unreasonable financial burden on all residents who are responsible for the upkeep of the roadway. The wear and tear of the additional traffic is causing multiple divots and deep pot holes creating an uneven surface.
7. Both easements are on graveled one-lane roads making ingress and egress more difficult for property owners to get to their own homes due to the amount of additional traffic to the business.
8. There is serious concern for the disposal of flammable and hazardous substances inherent in operating an auto repair business near residential water wells. It is unclear if Mr. Watson and his employees are disposing hazardous wastes in the proper manner.
9. The inherent fire hazards of an auto repair shop, including the back of the shop, which is located near tall trees and power lines. Also, in order to enter Mr. Watson's property it requires the opening of a large electric gate that he must open in order to enter. If a fire emergency occurred, it would present difficulty in accessing a fire at the shop in a reasonable time.
10. There is no public parking available until entering Mr. Watson's property. Delivery drivers honk their horns over and over until the gate gets open. Also, customers keep their vehicles running waiting for the electric gate to open which in some cases can take up to 5 minutes or more. This increases the amounts of noise and emissions pollution for the surrounding area.
11. There is not enough area in front of Mr. Watson's property to allow customers to turn around before entering his property. Customers and delivery drivers are forced to use part of a neighbor's private property and driveway in order to turn around when Mr. Watson does not open his gate.

12. The high noise level due to the nature of an auto repair business. Examples; horns honking, revving, power tools, loud music echoing from shop, loud yelling between employees, loud mufflers sound from vehicles that have upgraded stock parts. This noise level goes on 7 days a week, 12 hours per day.
13. The volume of vehicles entering and exiting the property daily; including customers, employees, people picking up customers, tow trucks, deliveries of auto parts, employees test driving repaired vehicles, etc. And to reiterate, all being done on a one-lane graveled road.
14. The actual location of the shop and the area where the vehicles are parked on the property are visible from most of the homes. Mr. Watson is storing many vehicles on the property, making it look like a junkyard. Vehicles that have been parked there include not only cars and trucks, but motor homes and trailers as well. There have been many vehicles parked on the property, ranging from 10 to 40.

Under Article IV – RURAL DEVELOPMENT DISTRICTS – SECTION 600
RURAL RESIDENTIAL – 5

Section 601: Purpose

Page 99

This states: "Purpose: This district is designed for rural areas where parcels at the time of initial zoning designation are committed to non-resource uses consistent with County acknowledged exception areas. Uses in this zoning district are anticipated to be predominantly residential with a rural level of public services: i.e., domestic water from private wells, sewage disposal using on-site systems, adequate fire and emergency service by fire districts, and road access consistent with the County Transportation Plan and County Road Standards. Other uses shall be those customary to such areas, including farm and forest uses, churches, and home occupations of a rural character."

The property is located in a rural area, designed for residential use.

Section 604: Standards (5)(B) (Re: County Road Standards)

Pages 100-101

This section partially states: "However, in the sole discretion of the Board, in lieu of the improvements or cash or surety bond to secure such improvements, the Board may require the owner or developer of the lot or parcel to put up cash in an amount equivalent to the cost of such improvements dedicated toward the improvement of the entire road rather than just the portion adjacent to the lot or parcel."

Mr. Watson's property is located as the last home on the two easements. The one-way gravel road was not intended to serve a commercial business. The road is being excessively used causing an uneven surface. Every other homeowner that uses this road is subject to wear and tear and noise from vehicles that use it for ingress and egress. And again, there is no turnaround area available without entering Mr. Watson's property.

Section 651: Purpose

Page 107

This section states: "Purpose: The Rural Community zone is intended to sustain existing unincorporated rural communities in the County without changing their essential rural character, by permitting, under certain circumstances, residential development at greater densities than on Rural Residential zoned lands surrounding the communities, plus small low-impact commercial uses intended to serve the community or surrounding areas, small low-impact industrial uses dependent on local resources, and institutional, utility and recreation facilities."

We believe that this business is not a small, low-impact commercial use. The level of traffic, the hours of operating the business, up to 7 days a week, 12 hours per day.

Section 653: Conditional Uses

(6)

Page 107

This section partially states: “The following small-scale, low-impact commercial and industrial uses may be approved if the proposed use has been determined to be necessary for the continuation of the Rural Community and its surrounding environs, and if approved by the Planning Commission according to Section 1550, Design Review Standards.”

(6) (D)

This section states: Automotive service stations and repair shops.

Page 108

The business does not meet the small-scale, low-impact commercial use of this section. There are already several auto repair businesses operating within the Columbia County area (10 listed through Google Chrome search). This business is not necessary for “the continuation of the rural community.”

Section 654: Standards

(8)

Page 109

This section states: “For the purposes of Section 653.6, a small-scale, low-impact commercial use is defined as one that does not exceed 4,000 sq. ft. of floor space.

The auto repair shop that Mr. Watson is running Watson Motorsports out of appears to be approximately 5,000 square feet, not including the square feet for the parking of the vehicles. This obviously far exceeds the 4,000 sq. ft. of this sections standards. Because of this, we question whether Mr. Watson’s permit for this structure has been approved through Columbia County.

Article VII – DISCRETIONARY PERMITS – SECTION 1500

GENERAL PROVISIONS - Section 1501

Page 285

This section partially states: “All applications for zone changes, conditional uses, temporary permits, variances, and restoration, replacement or alteration of nonconforming uses shall be evaluated under the specific criteria listed within this ordinance.”

GENERAL PROVISIONS – Section 1501 (1)

Page 285

This section states: “The granting of a discretionary permit may be subject to such conditions as are reasonably necessary to protect the public health, safety, or general welfare from potentially deleterious effects resultant from approval of the permit, or to fulfill the public need for public service demands created by approval of the request.”

In this section, the term “deleterious” means causing harm or damage, this is in direct reference to supporting our reasons for denial listed on pages 2 and 3. Again, “to fulfill the public need for public service” should not apply as there are already many auto repair shops servicing the community.

ZONE CHANGES - Sections 1502 (1) (A)(3) or (2)(B)

Pages 285-286

This section states: "The property and affected area are presently provided with adequate facilities, services, and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property."

There is concern for what "adequate facilities" are being used for disposal of hazardous substances when a business is using motor oils, gas and other chemicals. We question if Mr. Watson has the proper system in order to properly dispose of these hazardous materials.

The "transportation network" should not be two easements used as an ingress and egress to a business. There are up to 20 to 60 vehicles rotations on average using the easements daily, what appears to be 3 to 4 or more employees, auto part deliveries, tow trucks, trailers delivering vehicles, vehicles picking up customers, commercial size service trucks, customers, and test driving of vehicles once repaired.

Also, the County should be aware of the location of the shop on Mr. Watson's property in relation to how the noise of the business affects the properties within the surrounding residential area. Mr. Watson's shop, as well as the parking of vehicles in a "junkyard" like parking lot near the shop, are located at a higher level than most other surrounding properties. This means the shop, as well as all the vehicles that need repair, are seen when parked on the property. In addition, all the noise from vehicles inherent in this type of business goes directly out to the surrounding area. We are also very concerned of fire danger due to the power lines and the high trees located close to the back of the shop.

CONDITIONAL USES – Section 1503 (2) Conditions

Page 287

A portion of this section states: “Conditions and restrictions may include a specific limitation of uses, landscaping requirements, off-street parking, performance standards, performance bonds, and other reasonable conditions, restrictions, or safeguards that would uphold the intent of the Comprehensive Plan and mitigate any adverse effect upon the adjoining properties which may result by reason of the conditional use being allowed.”

This business has had a seriously adverse effect on several properties for reasons already explained.

CONDITIONAL USES – Section 1503 (3) Conditional Use Permit

Page 287

A portion of this section states: “A Conditional Use Permit shall be obtained for each conditional use before development of the use.”

This business is already in operation and has been for approximately a year. Watson Motorsports is listed on the following platforms: Google, Facebook, and Yelp. The posts and reviews show dates that go back approximately to the time frame of a year.

CONDITIONAL USES – Section 1503 (5)(C) Granting a Permit

Page 287

This section states: “The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements, and natural features.”

Again, the business is located higher than other properties causing an eyesore and a high level of noise interfering with the enjoyment of our homes and properties.

CONDITIONAL USES – Section 1503 (5)(D) Granting a Permit

Page 288

This section states: “The site and proposed development is timely, considering the adequacy of transportation systems, public facilities, and services existing or planned for the area affected by the use.”

Again, there is not an adequate transportation system for ingress and egress. All customers and delivery drivers that cannot get access into Mr. Watson’s property, use a neighbors private driveway to turn around.

CONDITIONAL USES – Section 1503 (5)(E) Granting a Permit

Page 288

This section states: “The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district.”

Watsons Motorsports auto repair shop is already substantially altering the character of the surrounding area. It is affecting the rural peaceful setting, the use of a one-way gravel road, the wear and tear on this private road, and the financial burden to the residents.

CONDITIONAL USES – Section 1503 (5)(G) Granting a Permit

Page 288

This section states: “The proposal will not create any hazardous conditions.”

There is oil, fuel, battery fluids, other hazardous substances and vehicle lifts used for this business.

CONDITIONAL USES – Section 1503 (6) Design Review

Page 288

This section states: “Design Review: The Commission may require the Conditional Use be subject to a site design review by the Design review Board or Planning Commission.”

If the Commission decides Mr. Watson’s permit might still be approved after reading this letter, we are respectfully asking the County request a Design Review of the property.

VARIANCES – Section 1504 (1) (A)(1) Major Variances

Page 289

This section states: “The granting of the variance will not be detrimental to the public safety, health, or welfare, or injurious to other property”

See reasons previously explained on page 2 and 3.

TEMPORARY PERMITS – Section 1505 (C) Use Not Allowed in District

Page 293

This section states: “The temporary use does not involve the erection of a substantial structure or require any other permanent commitment of the land.”

We propose there is a permanent commitment of the land where vehicles are being parked for service, and this storage is outside the shop area. This many vehicles creates the atmosphere of a junkyard and is visible from most all surrounding properties.

TEMPORARY PERMITS – Section 1505 (D) Use Not Allowed in District **Page 293**
This section states: “The temporary use will not be detrimental to the area or to adjacent properties.”

As previously stated, Watson Motorsports has been in operation for approximately a year without a permit. There are several parked vehicles on the property that are constantly changing all the time. Also what appears to be 3 to 4 or more employees coming and going daily from 8 a.m. until 10 p.m. up to 7 days a week.

NON-CONFORMING USES – Section 1506 (5) (C) **Page 295**
Rebuilding, Change, Moving or Use Expansion
This section states: “That such modifications will not significantly interfere with the use and enjoyment of other land in the vicinity, nor detract from the property value thereof”

This is the singularly most important concern for the community of property owners near Mr. Watson’s property. We believe this business will significantly interfere with our property values. It’s virtually a guarantee, as who wants to buy property next to an auto shop/junkyard that operates up to 7 days a week, 12 hours per day. This interferes with the enjoyment of why people own property in rural residential areas.

NON-CONFORMING USES – Section 1506 (5)(D) **Page 295**
Rebuilding, Change, Moving or Use Expansion
This section states: “That such modifications will not endanger the public health, safety, and general welfare.”

See reasons previously explained on pages 2 and 3.

HOME OCCUPATIONS – Section 1507 (1), (2) and (3)(B) **Page 297**
#1 Type 1
This section partially states: “and presents no indication of a business to the neighboring property owners.”
#2 Type 2
This section partially states: “may be visible to the neighborhood in which it is located.”
#3B
A home occupation shall not unreasonably interfere with other uses permitted in the zone in which the property is located.

We do not know which type of Home Occupation status Mr. Watson has. We therefore are listing both as a reference now that the Planning Division is aware of what is actually occurring on Mr. Watson’s property.

In closing, we hope the Planning Division agrees that the contents of this letter shows that Mr. Watson of Watson Motorsports should not be able to operate this business in our rural residential community. His current and continuing business activities does not constitute a small-scale business. This scale of business activities are definitely at a commercial level. We believe Mr. Watson's business would thrive in a store front setting or a property that is specifically zoned for commercial use. However, the activities occurring at the current site are hazardous, unsafe, and against Columbia County Zone Ordinances and Codes. Thank you for your time and consideration in this matter.

Respectfully yours,

✓ Brad Brooke Brad Brooke
Printed Name Signature
60936 Luttrell Ln. St Helens OR 97051
Address

✓ Josephine Brooke J Brooke
Printed Name Signature
60936 Luttrell Lane St Helens, OR 97051
Address

32741 Berry Hill Ln
Printed Name
Ted Denehke
Address Signature

✓ Charles Weirings Charles Weirings
Printed Name Signature
60975 GENSMA RD St. Helens OR 97051
Address

Becky Weirings Becky Weirings
Printed Name Signature
60975 Gensman Rd. St. Helens, OR 97051
Address

✓ Mark Beisley Mark Beisley
Printed Name Signature
61016 Landreth Lane St. Helens, OR 97051
Address

✓ Laurie Beisley Laurie Beisley
Printed Name Signature
61016 Landreth Lane St. Helens, OR 97051
Address

Perry Beisley Perry Beisley
Printed Name Signature
61001 Gensman Rd St. Helens, OR 97051
Address

✓ Gina Claiborne
Printed Name
60981 Gensman Rd St Helens OR 97051
Address
Gina Claiborne
Signature

✓ Cameron (Duffy) Claiborne
Printed Name
60981 Gensman Rd St Helens, OR 97051
Address
Cameron Claiborne
Signature

✓ Victoria Huckaby
Printed Name
32698 Berry Hill Lane Saint Helens, OR 97051
Address
Victoria Huckaby
Signature

✓ Ryan Huckaby
Printed Name
32698 Berry Hill Ln Saint Helens OR 97051
Address
Ryan Huckaby
Signature

✓ Ron Summers
Printed Name
60890 Luttrell Lane, St. Helens, OR 97051
Address
Ron Summers
Signature

✓ Lauren Daehnke
Printed Name
32741 Berry Hill Ln. St. Helens, OR 97051
Address
Lauren Daehnke
Signature

Shirley SIMONIAN
Printed Name
32698 Berry Hill Lane Saint Helens, Ore 97051
Address
Shirley Simonian
Signature

Printed Name
Signature

Address

Printed Name
Signature

Address

Printed Name
Signature

Address

To Columbia County Land Development Services
Planning Division

Response to Zack Watson's Application Home Occupation/
CU 23-06 Tax Account Number: 5226-D0-01700

Comments and Support From: a close proximity neighbor
of 32707 Berry Hilt Lane Saint Helens, OR 97051



Columbia County Land Development Services
Planning Division
230 Strand Street
St Helens, OR 97051-2040

Re: Home Business Application submitted by Zach Watson of Watson
Motorsports Home Occupation I CU 23-OG Tax Account Number: 5225-DO-
01700

Located at 32707 Berry Hill Lane

Dear Columbia County Planning Division:

This letter is in response to Columbia County's Administrative Notice dated November 17, 2022, regarding the above-referenced matter. This letter is from 2 property owners who were excluded from the community letter. We are located on surrounding properties and on the properties that are on easements being used for access to Mr. Watson's property and business.

There are several reasons why we feel Mr. Watson's application should be accepted and supported by the Planning Division. We have reviewed the Columbia County Zoning Ordinances and strongly feel they support our request for acceptance.

I, Russell Bartlett, my wife, Pamela Reynolds, live at 61125 Landreth Lane, St. Helens, Oregon. Our lot #1301 of easement of 273 feet. We have lived at this location for over 43 years. When we purchased our 6.5 acres, in 1979, a number of our neighbors petitioned the Columbia County Land Development Services Planning Commission to deny us permits to build on our land. Two of the people that signed a petition against us are also on the petition to deny Zach Watson. They are Perry and Carla Beisley and all of the rest are gone now. Obviously their objections didn't work and we were granted our permits because we met all of the requirements for the RR-5 at the time. Our point here is that some people just resist change and like to complain.

Considering that 273 feet of our land is part of the easement that is presented here, several times, you would think we would have been asked to be

involved in this "community " petition. Interesting that no one ever contacted us.

When the original owner of the home that Mr. Watson is now living in and the neighbor to the SE of him were built, they were required to widen the driveway (road) to accommodate 2-way traffic. I believe the easement is for 40 feet. The previous owners made a very weak attempt at widening the drive by scraping some sod along our 273 feet of the easement, leaving the sod pushed up against our fence line, and that was the extent of it. No further work was done. In our opinion, the County should have followed through on the requirement of the landowners' order to widen the road. A considerable amount of the signees' complaints have to do with the one-way easement driveway. In our opinion, the driveway (road) should be widened now and Mr. Watson and his neighbor to the SE should shoulder the cost of said widening the road. They inherit what the original owners and the county requirements should have done.

1. The property is located in a rural area (zoned as RR), designed for residential use

No argument

2. The loss of market value of our homes and properties in the surrounding area

It is a very real possibility, that if the driveway was improved to a 2 way wide driveway, the value of homes and property could increase!

3. There are currently 20 to 50 vehicle rotations traveling to and from this business daily which include customers, employees, auto repair deliveries, trailers, tow trucks, motorhomes, test driving of vehicles, etc. This is a real exaggeration! We can see the driveway from our house and have NEVER seen that many vehicles per day and if it was a 2-way driveway, it would be a non-issue.

4. Road access to support this business requires the use of two easements. Mr. Watson's property is located at the end of the two easements. These two easements are privately maintained by the residents.

All residents who use these two easements signed an agreement to share in the cost of maintenance of Landreth Lane and Berry Hill Rd.

5. The property owners who use the two easements will especially have a more difficult time selling their property due to the high volume of Mr. Watson's business, in addition to losing market value of their homes and properties.

This is speculation! With the driveway improvements, property values could increase.

6. The two easements are privately maintained roads. The on-going traffic Watson Motorsports causes is an unreasonable financial burden on all residents who are responsible for the upkeep of the roadway. The wear and tear of the additional traffic is causing multiple divots and deep pot holes creating an uneven surface.

This could be worked out. Mr. Watson, at one point, offered to pave the driveway, at his cost, but was denied by one of the residents. This would have benefitted everyone and increased the value of our homes.

7. Both easements are on graveled one-lane roads making ingress and egress more difficult for property owners to get to their own homes due to the amount of additional traffic to the business.

Widen the driveway like it should have been and the problem is solved!

8. There is serious concern for the disposal of flammable and hazardous substances inherent in operating an auto repair business near residential water wells. It is unclear if Mr. Watson and his employees are disposing hazardous wastes in the proper manner.

I, Russell Bartlett, was at Mr. Watson's shop on 12/14/22. I saw absolutely no sign of illegal dumping of any gas, oil, or coolant. That's a serious concern, but without any proof of wrongdoing. This line of questioning should be rejected as out of hand. We have agencies, such as the DEQ to handle these issues, if there even was an issue.

9. The inherent fire hazards of an auto repair shop, including the back of the shop, which is located near tall trees and power lines. Also, in order

to enter Mr. Watson's property it requires the opening of a large electric gate that he must open in order to enter. If a fire emergency occurred, it would present difficulty in accessing a fire at the shop in a reasonable time.

I didn't see any fire problems when I was in his shop. The floor was clean and uncluttered. There were fire extinguishers on the walls. If the complainants have proof of a violation, they could call the Fire Marshal.

10. There is no public parking available until entering Mr. Watson's property. Delivery drivers honk their horns over and over until the gate gets open. Also, customers keep their vehicles running waiting for the electric gate to open which in some cases can take up to 5 minutes or more. This increases the amounts of noise and emissions pollution for the surrounding area.

I believe Mr. Watson should install a call button accessible from vehicles at said gate, to either call or open the gate, automatically. Mr. Watson is a reasonable person and I believe he would address these concerns if they were brought to his attention. Have any of the complainants tried to communicate this issue with him?

11. There is not enough area in front of Mr. Watson's property to allow customers to turn around before entering his property. Customers and delivery drivers are forced to use part of a neighbor's private property and driveway in order to turn around when Mr. Watson does not open his gate.

There is a turnaround space on Mr. Watson's property. You just have to back up a short way and back into a graveled area, near the border of Mr. and Mrs. Daehnke's property.

12. The high noise level due to the nature of an auto repair business. Examples; horns honking, revving, power tools, loud music echoing from shop, loud yelling between employees, loud mufflers sound from vehicles that have upgraded stock parts. This noise level goes on 7 days a week, 12 hours per day.

Again, this is a real exaggeration. We live close to Mr. Watson's home and shop. We can see it and hear it from our property. We have lived here for 43 years.

The noise from Mr. Watson's shop is no more than or worse than normal, rural sound levels. We live in the country and all hear tractors, lawn mowers, weed whackers, brush hogs, motorcycles, go carts, Quads, mini-bikes, cars, trucks, and regular gun fire from people shooting. These are all normal rural noises when you live in the country. In our opinion, none of the noises from Mr. Watson's shop are any different or worse than the above mentioned noises.

13. The volume of vehicles entering and exiting the property daily; including customers, employees, people picking up customers, tow trucks, deliveries of auto parts, employees test driving repaired vehicles, etc. And to reiterate, all being done on a one-lane graveled road.

This should already be a two-lane road. If this is taken care of and the change is made, it will be a non-issue.

14. The actual location of the shop and the area where the vehicles are parked on the property are visible from most of the homes. Mr. Watson is storing many vehicles on the property, making it look like a junkyard. Vehicles that have been parked there include not only cars and trucks, but motor homes and trailers as well. There have been many vehicles parked on the property, ranging from 10 to 40.

Again, what an exaggeration! I am appalled at the characterization of the property looking like a junkyard. It looks nothing like a junkyard, but rather an orderly, well-planned parking lot, for vehicles waiting to be worked on or for picking up. It is clean and organized. Have any of the complainants been in the shop or on the property?

In summary, we believe that most of the signees' concerns about Mr. Watson's business can be addressed by following through on the original requirement to widen the road to two-way traffic. Other issues can be addressed by communication with Mr. Watson. If there are any real concerns that are supported by proof or evidence, agencies are in place such as the DEQ and fire Department/Fire Marshal, to address these issues.

Our country is based on free enterprise and the thousands, if not millions of small businesses that make up the economy of this country. Mr. Watson deserves a chance to make a go of his business and not have his livelihood

denied. It is evident, by looking at the property through Google Earth, that it is well planned, orderly and organized.

Regards,

Pamela Reynolds 503-396-6191

Pamela Reynolds

Russell Bartlett 503-396-6154

R Bartlett

Dec. 16, 2022

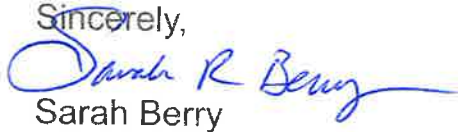
To whom it may concern,

We are neighbors of Zack Watson of Watson Motorsports. We moved onto the property at 32503 Pittsburg Rd, Saint Helens Oregon, in March of this year. Our property is adjacent to Mr. Watson's.

We know that Mr. Watson works out of a garage at his home and have used his services. He is always polite and has always been a respectful neighbor.

We only hear occasional noise from his shop, usually only during regular business hours. We have no complaints or issues with him doing business out of this location.

Sincerely,



Sarah Berry

RECEIVED

DEC 16 2022

Land Development Services



To: Columbia County Land Development Services
Planning Division

Response to Surrounding Community Objections:
Home Occupation: CU 23-06

December 15 2022

Columbia County Land Development Services

Planning Division

230 Strand Street

St Helens, OR 97051-2040

Re: Home Business Application submitted by Zack Watson of Watson Motorsports

Home Occupation I CU 23-OG

Tax Account Number: 5225-D0-01700

Located at 32707 Berry Hill Lane

Dear Columbia County Planning Division:

This letter is in response to comments and objections dated November 22 2022, regarding the above-referenced matter. This letter has been signed by the property owner Zack Watson.

1. The property is located in a rural area (zoned as RR), designed for residential use.

- As stated UNDER ARTICLE IV – RURAL DEVELOPMENT DISTRICTS 600: "Uses in this zoning district are anticipated to be predominantly (mainly; for the most part) residential".
- See Sections 654.8 and 654.9 for area limitations of commercial and industrial uses permitted in the RC (The Rural Community zone). A. Professional services, including

financial, medical and dental, social services, real estate, legal, artistic, and similar uses. B. General retail trades, including groceries, bakeries, hardware stores, seed and feed stores, and similar uses. C. Personal and business services, including private day care centers, preschools, kindergartens, self-service laundries, barber and hair styling shops, and similar uses. D. **Automotive service stations and repair shops.** E. **Small equipment repair and service** F. Restaurants, taverns, lounges, and similar uses. G. Institutional uses, as permitted in Section 1000 H. Public utility uses, as permitted in Section 1010 I. Recreational facilities and parks, as permitted in Section 1020. J. Industrial uses are necessary for the primary processing or manufacture of locally available natural resources, such as timber, minerals and agricultural produce, as per OAR 660-04-022(3)(a).

2. The loss of market value of our homes and properties in the surrounding area.

- Many people don't understand what home value is, or how to calculate it. There are a variety of factors that determine the value of your home, including **The location:** The value will be higher if your home is located in a desirable neighborhood with a fair amount of curb appeal and a low crime rate. Access to nearby highways, shopping centers, and restaurants can also raise its value. **The size and condition:** The size and layout of your home will also affect its market value. And if you've recently had the house painted or bought updated appliances, these things can raise the value as well. **School district:** Living in a good school district can significantly increase the value of your home. A study done by the National Association of realtors found that 25% of home buyers consider the quality of nearby schools before purchasing a home. **Comparable homes:** Home buyers may look at houses similar to yours to see what they sold for in the last several months. Without a proper home appraisal from a real estate appraiser to determine the fair market value of these houses and properties these concerns are hearsay. For example the house next to 32707 Berry Hill Ln Sold on 06/17/22 for 640,000 and the value of said house has risen consistently over the past 10 years to its current value of 667,500.

3. There are currently 20 to 50 vehicle rotations traveling to and from this business daily which include customers, employees, auto repair deliveries, trailers, tow trucks, motorhomes, test driving of vehicles, etc.

- Without a proper system to count said vehicles coming up and down the road there is no accurate way to count. Along with constant trucks coming in and out of landreth Ln for the construction of a building, logging/gravel trucks we can not record an accurate count of cars. If need be we can provide our invoices to show that we haven't had more than

70 customers in the last 2 months which would be no more than 1.7 customers per day.

- 60 percent if not more of traffic coming up and down said graveled road are of personal cars not related to the business. Said one lane gravel road is also owned and maintained by Mr. Watson with material he purchased himself. We can not speak on the large amount of Semi trucks coming from Landreth Ln as they do not associate with Mr. Watson's business. Seems to not be a problem with the community even though they cause unreasonable financial burden on all residents on Berry Hill Ln and Gensman Rd. These vehicles drop large amounts of rocks on the road and will cause broken windshields, broken headlights, or damaged suspension along with worsening the road conditions on the one-lane gravel road and the two lane road known as Gensman Rd.

4. Road access to support this business requires the use of two easements. Mr. Watson's property is located at the end of the two easements. These two easements are privately maintained by the residents.

- 4 years ago Mr. Watson approached the residents living on Berry Hill Ln when he got his driveway paved and offered to pave the whole easement for 42,000 out of pocket. The same issue arised, they responded with wishes for it not to be paved. As of today Mr. Watson continues road maintenance with little to no support from the surrounding neighbors.

5. The property owners who use the two easements will especially have a more difficult time selling their property due to the high volume of Mr. Watson's business, in addition to losing market value of their homes and properties.

- As stated in the above objection (2. The loss of market value of our homes and properties in the surrounding area) There is no evidence that any of the property values have gone down but quite the opposite. Along with the issue of high traffic, you can refer to my response on objection 3.

6. The two easements are privately maintained roads. The on-going traffic Watson Motorsports causes is an unreasonable financial burden on all residents who are responsible for the upkeep of the roadway. The wear and tear of the additional traffic is causing multiple divots and deep potholes creating an uneven surface.

- As stated above, Mr. Watson has previously offered to pave the driveway with said easements. Mr. Watson has been the one to buy gravel for multiple years without reimbursement from any residents which as quoted above "Are responsible for the upkeep of the road way". If need be, he can provide receipts for times he has purchased said gravel.

7. Both easements are on graveled one-lane roads making ingress and egress more difficult for property owners to get to their own homes due to the amount of additional traffic to the business.

- Mr. Watson has not been approached by any of the residents stating that they have had any inconvenience gaining access to their homes. With the volume Watson motorsports produces it is highly improvable to deny residents access to their homes.

8. There is serious concern for the disposal of flammable and hazardous substances inherent in operating an auto repair business near residential water wells. It is unclear if Mr. Watson and his employees are disposing hazardous wastes in the proper manner.

- As a business and land owner, Watson motorsports properly disposes of all flammable and hazardous materials for the safety of his family and the environment in accordance with the law Title 40: Protection of Environment Part 279—standards for the management of use oils. ORS 459A.552 Recycling and recovery of used oil. Watson Motorsports does not employ anyone at this current time.

9. The inherent fire hazards of an auto repair shop, including the back of the shop, which is located near tall trees and power lines. Also, in order to enter Mr. Watson's property requires the opening of a large electric gate that he must open in order to enter. If a fire emergency occurred, it would present difficulty in accessing a fire at the shop in a reasonable time

- The Fire Marshal of Columbia River Fire and Rescue has come out to Watson Motorsports, approved the shop's location and has verified it meets all requirements. There is a lock box on the outside of the gate that the fire department has access to and the electric gate stays open during business hours. There is no difficulty accessing the property in case of a fire. The gate has reserve power in case of power outage.

10. There is no public parking available until entering Mr. Watson's property. Delivery drivers honk their horns over and over until the gate gets open. Also, customers keep their vehicles running waiting for the electric gate to open which in some cases can take up to 5 minutes or more. This increases the amount of noise and emissions pollution for the surrounding area.

- As most businesses operate, there is no parking until you enter the property owned by said business. Stated in objection 9, the gate is open during business hours. There are no delivery drivers, nor customers waiting at the gate honking their horns. There is also no increased amount of noise or emission pollution for the surrounding area as the gate remains open during business hours.

11. There is not enough area in front of Mr. Watson's property to allow customers to turn around before entering his property. Customers and delivery drivers are forced to use part of a neighbor's private property and driveway in order to turn around when Mr. Watson does not open his gate.

- Stated in ORS 164.255 and ORS 453.855 (Purpose) to 453.912 (Governmental immunity from liability). Private property must be shown by some type of signage. Once someone in a motor vehicle or on foot crosses past that sign, a person commits the crime of criminal trespass in the first degree. The neighboring property signage is about 20-30 feet back from the road and on a metal fence. There is no way a delivery driver or customer can be trespassing on said property without going through the neighbor's closed metal fence.

12. The high noise level due to the nature of an auto repair business. Examples; horns honking, rewing, power tools, loud music echoing from shop, loud yelling between employees, loud mufflers sound from vehicles that have upgraded stock parts. This noise level goes on 7 days a week, 12 hours per day.

- As stated in ordinance NO. 91-8

SECTION 6. EXCEPTIONS:

Sounds caused by motor vehicles operated on public roads regulated by ORS 815.025. Residential Tools. Sounds created by lawn or garden tools, snowblowers, mechanically powered drills, saws, sanders and grinders or similar devices used in residential areas between the hours of 7:00 a.m. and 10:00 p.m.

- section 4. NOISE MEASUREMENTS.

A trained Personnel must be used for any noise measured for the purposes of this ordinance, the person performing the measuring shall have successfully completed training approved by the Sheriff in the use of the noise level meter and shall follow the measurement procedures consistent with that training.

EXCESSIVE NOISE is defined as 50 dBA any time between the following day; or 10:00 p.m. one evening and 7:00 a.m. the b" 60 dBA any time between 7:00 a.m" and 10:00 p.m. the same day. The business hours are from 9:00 a.m. to 6:00 p.m. Monday-Friday and closed Saturday-Sunday. Watson Motorsports does not operate more than 10 hours a day and no more than 5 days a week. Any noise that comes from 6:00 p.m to 10:00 p:m Monday-Friday and 8:00 a.m. to 9:00 p.m. Saturday-Sunday is of private concerns and not related to this business nor related to the topic of this business.

13. The volume of vehicles entering and exiting the property daily; including customers, employees, people picking up customers, tow trucks, deliveries of auto parts, employees test driving repaired vehicles, etc. And to reiterate, all being done on a one-lane graveled road.

- Mr. Watson owns Berry Hill Ln and the residents that reside on Berry Hill Ln have an easement for ingress and egress. Mr. Watson has to prove them with at least 10 feet of space to travel up and down his road.

14. The actual location of the shop and the area where the vehicles are parked on the property are visible from most of the homes. Mr. Watson is storing many vehicles on the property, making it look like a junkyard. Vehicles that have been parked there include not only cars and trucks, but motorhomes and trailers as well. There have been many vehicles parked on the property, ranging from 10 to 40.

- Where the cars are located you can not see any of the customer cars, only the motorhome and 4 cars owned by Mr. Watson. These vehicles will remain there whether or not the business stands. Mr. Watson has obtained several pictures from Gensman Rd, Landreth Ln and Berry Hill Ln and none of these vehicles are visible from any spot on Gensman Rd or Landreth Ln. The white motorhome is visible once you get to 32741 Berry Hill Ln or Mr. Daehnke's property but said motorhome is not business related and will remain at its location for the foreseeable future. No customer cars are visible from any of the houses on these roads. Mr. Watson's shop is barely visible from Landreth Ln and you can not see more than 30 percent of the upper half, you are not able to see inside Watson Motorsports shop or any cars parked directly in front of his shop.

In conclusion

Mr. Watson has been a car enthusiast for over 20 years. He personally owns 25 cars, 1 motorhome, 3 trailers, and multiple atv/utvs. With this many cars it is hard for residents to differentiate between Mr. Watson's personal cars and customer cars. Not to include the multiple associates that Mr. Watson has that come up 1-2 times a day. Watson Motorsports has had a partnership with Columbia County Mental Health helping the low income and citizens with disabilities get free or low cost repairs on their vehicles. Along with our partnership, Watson Motorsports has had a positive impact with the community and has become a staple for European car repair. We believe that some of the signatures should be disregarded such as Mr. Brad Brooke, and Ms. Nosephine Brooke, Mr. Ron Summers, Mr. Cameron Clarborne, Ms. Gina Clarborne, Mr. Perry Beisley, Ms. Laurie Beisley, Mr. Bealy Werings, and Ms. Chasles Werings do not live on the roads described in the objections. The list of above neighbors are not able to accurately describe these complaints to the fullest extent as they dont have first hand experience with said issues and may be persuaded by their neighbors and can not accurately speak on how many cars or the condition of said road. It is Mr. Watson's belief that most, if not all of these objections are not legitimate reasons as to why Mr. Watson should not be able to move forward.

LuAnn Conant:

Watson Automotive has gone above and beyond to take good care of my 2 Subaru and 1 VW TDI wagons. I live out in the middle of nowhere, often driving at night, and can't afford to have any of my old station wagons fail me. I trust Watson Automotive to fix the little and big concerns. Trustworthy and reasonably priced.

Shala Shibley

Just moved to the area and was looking for a good place to get my car worked on. Watson Automotive (Zack) had a great price better than most, and was very fast getting it done, and gave me a great deal on an oil change. Very grateful for the work. Very kind young man I would highly recommend going there. I will definitely be back when I need more work done. Thank you very much for your kindness.

James Janisch

Love to support local businesses. Decided to to check out this mechanic shop for my tdi oil change. Good prices n can work on European to American made cars n trucks. Check him out. Will be taking my car there for future business

Jeffrey Pulliam

My 21-year-old daughter found Watsons when she wrecked her car they treated her well and did a terrific job repair in her car. As a father are you worry but he is a very fair and kept his promise. I would recommend him highly

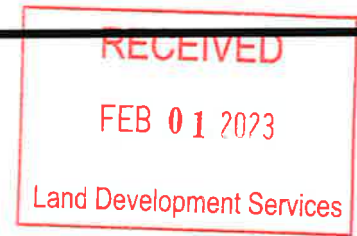
Zack Watson



32707 Berry Hill Ln

Jake Renney

From: Ted Daehnke <tdaehnke@gmail.com>
Sent: Tuesday, January 31, 2023 6:44 PM
To: Jake Renney
Subject: Zack Watson Home Business Application



You don't often get email from tdaehnke@gmail.com. [Learn why this is important](#)

To Jake Renney

In regards to Zack Watson's application to have a home business.

There have been four houses on Berry Hill Ln for about 20 years. At least 9 households have occupied those homes in that time. Until recently, I've heard no one express a desire to see the road widened or paved. It well served the needs of four households and in my view. fit the nature of the neighborhood. A number of us have expressed the view that these changes would increase the incidence of speeding. Our neighbors can be encouraged to exercise caution, but we have little control over delivery vehicles, customers, and other visitors. Posted speed limits might help somewhat, but observations on public roads these days aren't encouraging.

Improvements to Berry Hill Lane would leave Landreth Lane between Berry Hill and the public road. This is also a one lane road with the exit onto Gensman blind until the last 20 feet. This can be dangerous for drivers not familiar with the road.

Concerning maintenance of the road, this has been handled informally over the years. The two homes at the top of the hill have graveled the hill at least once. Others have filled potholes as needed and those with tractors have graded it from time to time. In the last two years I have only once seen somebody from the Watson property work on the road and that was within the last three weeks. In that same time period, the Wolins spent 3.000 dollars installing a catch basin and drain pipe on the corner of Berry Hill and Landreth Lane to resolve a longstanding pothole situation. In that same time period Ryan Huckaby has worked on the road with his tractor and the Wolins and I have filled potholes.

The impact of traffic and noise vary greatly with your position within the neighborhood. The six households who experience the traffic passing their residence all oppose the business. Of the letters in support of the business, the residence of one is 300 yards from the work site and is buffered by 50 yards of mature forest. The other is not located on any road impacted by the business and their residence is 200 yards from the work site and is buffered by the Watson home and a cedar grove. Neither party experiences traffic from the business passing their residence.

I'm concerned about the risk of toxic industrial waste from this business entering the watershed. The Huckaby residence has a well directly below the worksite. The ground water and surface runoff from the Watson property all run through my property. Any industrial waste, dumped, spilled or leaked on this site will eventually impacted our property. Following the first rains this fall there was an obvious petroleum slick coming from the Watson property and down the road. We don't have access to the property to monitor how these materials are being handled. DEQ doesn't have the resources to constantly monitor the site. Most likely action would be taken only after we detect contamination of our property and demonstrate the source. Even then we could seek to be compensated for damages, but it is unlikely the property could be returned to present condition.

The application states that no one but the owner will be employed in the business. Pictures advertising the business on Concerned Citizens of Columbia County show two people working on a car, they can't both be Zack. The application also states that the business will average no more than two costumers a day and operate five days a week within normal working hours. The applicant has claimed that any people, traffic or noise in excess of what is allowed by the permit is personal and not related to the business. This makes it almost impossible to enforce the terms of the application.

From Ted Daehnke
32741 Berry Hill Ln

There have been 4 houses on Berry Hill Ln for about 20 years. At least 9 households have occupied those homes. Until recently, I've heard no one express an interest in widening or paving the road. It has served our needs and fit the nature of the neighborhood. We have worried that these changes would lead to increased speeding. Maintenance of the road has been handled informally. Those with tractors have graded the road as needed and the rest of us have filled potholes from time to time. In the last couple of years I've only once seen someone from the Watson property work on the road and that was within the last 3 weeks. In that same two year period the Wolins spent 3000 dollars installing a catch basin and drain pipe across Berry Hill at the junction with Landreth Ln. Ryan Huckaby has graded the road with his tractor and the Wolins and I have both filled potholes. I'm concerned that the conditions within Mr. Watsons Home Business Application will be difficult to monitor and enforce. He has already stated that any vehicles in excess of the 2 per day allowed are private and not customers. Excess people on site are friends and not customers or employees. And any excess noise outside of business hours is private activity and not related to the business.

Columbia County Land Development Services
Attn: Jake Renney
230 Strand Street
St. Helens, OR 97051

Re: Notice of Public Hearing, File # CU 23-06

Dear Mr. Renney,

Our family owned the house neighboring Mr. Watson from July 2017 through July 2022. We were the closest neighbors of Mr. Watson for a total of 5 years. As such, we believe we have sufficient background and knowledge to provide some information on his current business enterprises.

To start, it's important to realize the concerns of the neighbors are not merely speculation or fear of change. Mr. Watson has operated a business on the premise in the past and the concerns being raised were reality during that enterprise and continued when he started Watson Automotive. Traffic from business related activities were inordinately high, as were speeds and reckless driving behavior. Employees of Mr. Watson came and went seemingly constantly, at all hours of the day and night, making it impossible to determine what was "personal" use of the road vs. business. Noise was loud in the form of business-related activities as well as music and interactions between employees. The road deteriorated extremely fast due to increased traffic and improperly designed drainage from Mr. Watson's driveway he had paved for his business. Through all this Mr. Watson displayed no consideration for his neighbors and refused to address issues that were raised. He has shown a clear record of not obeying laws, County ordinances, or common decency to those around him. That record has carried over to the start of this new enterprise by not gaining the proper permits to operate the business in question.

It's nearly impossible to run an automotive repair business in the confines of an existing building. Performing test drives of vehicles during and after repair is a necessity. In our time living as a neighbor, we witnessed Mr. Watson performing many test drives of vehicles on his property. Often driving repeatedly up and down a small, paved section immediately adjacent to the property boundary fence. This would cause excessive noise immediately adjacent to our house and bedroom windows. Often noxious car emissions and occasionally paint fumes would drift into our open windows as well, forcing us to close windows due to safety concerns for us and our children. If test drives were not performed on the premise, Mr. Watson would utilize the private roads to perform them. Taking this into account I believe the stated business use of the road (20 trips per week) is drastically underestimated.

Furthermore, in the submitted written comments there is reference that Berry Hill Dr. should be modified to accommodate 2-way vehicle traffic and possibly be paved. Berry Hill Dr. officially ends at the driveway to the residence of house address 32741. Past that point, the "road" only serves 2 houses. Per Columbia County Road Guidelines such a "road" is classified as a driveway and must adhere to the driveway specifications. Driveways are required to maintain a 12' wide driving surface and has no minimum right-of-way width. The current plat maps note a 20-foot road easement for the driveway portion of Berry Hill Dr., which would be 10' from centerline in each direction. Also, per Columbia County Road Standards, a private road must have a 20' driving surface with a 40' right-of-way width. The existing right-of-way is not sufficient to install a 2-way 20' driving surface without extending the easement on the neighboring parcels along the driveway, further encumbering those parcels.

The current neighbors also raise valid concerns on the lack of parking, vehicle turnaround space and property devaluation. Starting in the spring of 2022 we noticed a marked increase in the amount of vehicle traffic accessing Berry Hill Dr. Mr. Watson's gate was nearly always closed and vehicles would often drive behind our house to our shop thinking it was Watson Automotive. Numerous customers of Mr. Watson also parked in front of our garage and approached us asking if our residence was Watson Automotive. These actions lead the current owners of 32698 to install a gate and perimeter fencing. Additionally, vehicles would often park and idle in-front of Mr. Watson's gate and honk repeatedly for the gate to open. Communication between Mr. Watson and his customers seemed very poor as often Mr. Watson would not be home and the vehicles would utilize our driveway to turn around, only to return at a later time.

We can also speak directly to property devaluation. We listed our house for sale in March 2023 at a time when similar properties were going under contract in a matter of days and many over asking price. Initial interest in our property was high; however, our house was on the market for nearly two months before we were under contract. Our realtor mentioned multiple prospective buyers were concerned about the appearance and activities taking place on Mr. Watson's property as reasons we were not getting offers. Furthermore, we had to drop the price from our initial listing in order to sell. The real estate market and pricing structure is complicated to say the least. However, we can speak from firsthand experience and confirm an automotive repair business does impact house value in a rural residential setting.

The current neighbors have submitted plenty of evidence demonstrating how the proposed business conflicts with the Columbia County Zoning Ordinance for rural residential properties and we concur with every issue presented. Given Mr. Watson's history and the evidence provided, we believe it is clear Mr. Watson's residence is not suitable for the proposed business under rural residential county zoning.

Respectfully,

Eric and Carli Bergey

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Respectfully,

Eric and Carli Bergey



RECEIVED

Mark and Laurie Beisley <mebeisley@gmail.com>

FEB 3 2023

Land Development Services

Zack Watson Proposal and hearing

2 messages

Fri, Feb 3, 2023 at 3:33 PM

Mark and Laurie Beisley <mebeisley@gmail.com>

To: jake.renny@columbiacountyor.gov

I am a neighbor of Zack Watson on Landreth Lane. I would like to present some concerns about Zack Watson having a business at his home.

First of all, Landreth Lane is a single lane gravel driveway that those of us on the lane use to get to and from our homes. The neighbors have an unenforced agreement that we will maintain the lane. Several of us neighbors have throughout the years filled potholes, used a pick axe to knock down the uneven areas and have paid for dump truck loads of gravel for the lane. We have not until the application of this business seen any contribution toward the maintenance of the lane by Zack. Recently we have noticed that he filled some potholes and that is appreciated. Zack's businesses have added quite a bit of traffic to the road and so there needs to be some kind of effort and stipulation of maintenance of the lane for me to be comfortable with the idea of additional business traffic.

Zack did make a proposal of paving the lane but there was never a standard to which it would be paved presented, nor was there a study of how that might affect the water runoff. The costs of maintaining a paved surface versus a gravel surface were not presented either. Therefore I am not yet comfortable with that plan.

Some of the affects of the increased traffic are:

- increased speed of travel by non-residents - increasing danger to pets, grandchildren, farm animals, and neighbors walking to check their mailboxes
- increased dust from the roadway onto my property and home
- my driveway to my shop was used as a turn-around for Zack's previous business delivery trucks and caused ruts and damage to the point I had to place a chain across the entrance to that driveway.
- people are pulling off the lane into my grass and making ruts (my side of the lane is the easement)

Zack states that he will be the only person working from his property. I hope that is true because that has not been the case in the past. I have had conversations in the past with people who identified themselves as employees of his.

All that said, I am not an unreasonable person. I think we can work together and find a solution that works for everyone, If he is willing to do that.

Perhaps some additional gravelled pullouts for people to pull off the lane would be helpful.

I would like to see a 5 mph speed limit posted in several locations along the lane. Perhaps Zack would be willing to promote this in his business to his customers and delivery trucks. I'm not sure if there is a way to slow people down (like speed bumps) on a gravel driveway but if there is, I would like to see that happen.

If we can come up with a plan to address neighborhood concerns and if Zack will stick to the code and be the only person working from his property and will work with the rest of the residents to maintain the road and help police the speed of his guests and customers like most of the long time residents have done throughout the years, and would put in some additional pull outs, I would be willing to be an amicable neighbor and accept his business proposal.

Thank you,
Mark Beisley
61016 Landreth Lane
St Helens, OR 97051

Mail Delivery Subsystem <mailer-daemon@googlemail.com>

To: mebeisley@gmail.com

Fri, Feb 3, 2023 at 3:33 PM

Jake Renney

From: Mark and Laurie Beisley <mebeisley@gmail.com>
Sent: Friday, February 3, 2023 3:47 PM
To: Jake Renney
Subject: Fwd: Zack Watson Proposal and hearing

You don't often get email from mebeisley@gmail.com. [Learn why this is important](#)



----- Forwarded message -----

From: Mark and Laurie Beisley <mebeisley@gmail.com>
Date: Fri, Feb 3, 2023 at 3:33 PM
Subject: Zack Watson Proposal and hearing
To: <jake.renny@columbiacountyor.gov>

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Mark Beisley
61016 Landreth Lane
St Helens, OR 97051

File No. CU
Fee:

CU 23-06
\$1057.74

192-22-000313-PLNG

CONDITIONAL USE PERMIT APPLICATION
Home Occupation

TYPE: Type I Type II

APPLICANT: Name: Zack Watson

Mailing address: 32707 Berry Hill Lane, St. Helens OR 97051
City State Zip Code

Phone No.: Office 503.867.0609 Home _____

Email: e30kidd@gmail.com

Are you the No property owner? _____ owner's agent?

PROPERTY OWNER: _____ same as above, OR:

Name: Judy Watson / Jan Godfrey

Mailing address: 1344 SW Rimrock Way Redmond, OR 97756
City State Zip Code

Phone No.: Office _____ Home 503.867.1017 or 971.219.4292

Email: judyplx@msn.com, jangodfrey49@yahoo.com

PROPERTY ADDRESS: see address above under Applicant
City State Zip Code

TAX ACCOUNT NO.: 5226-DP-01700 Acres: 5 Zoning: RR-5

16258 Acres: _____ Zoning: _____

Acres: _____ Zoning: _____

PRESENT USES: (farm pasture, forest, residential, etc.)

Use: Residential Approx. Acres: 5

Total acres (must agree with above): 5

WATER SUPPLY: Private well. Is the well installed? Yes _____ No _____
_____ Community system. Name _____

METHOD OF SEWAGE DISPOSAL: _____ Community Sewer Name _____
_____ Not applicable
 Septic System

If Septic, does the subject property already have a system? Yes _____ No _____
If no, is the property approved for a Septic System? _____ Yes _____ No _____

EMPLOYEES: For any business, how many expected full or part-time employees will you have, including yourself and family members: 1 (self)

CONTIGUOUS PROPERTY: List all other properties you own which have boundary lines touching this property:

<u>Tax Account No.</u>	<u>Acres</u>	<u>Co-owners (if any)</u>
<u>0</u>		

ACCESS CONSULTATION: The applicant has consulted with the local Rural Fire Protection District regarding emergency apparatus access.

Fire Official's Signature: _____ Date: 10/26/2022

CERTIFICATION:

I hereby certify that all of the above statements, and all other documents submitted, are accurate and true to the best of my belief and knowledge.

Date: _____ Signature: _____

+++++
Planning Department Use Only

Date Rec'd. 10/21/22 Hearing Date: _____
or Administrative _____
Receipt No. _____
Zoning: RR-5 Staff Member: Jak Remy
Previous Land Use Actions: _____

We have spoken to Erin O. @ the Columbia Co. Sanitation Dept. She doesn't see any issues with this Type I Home Occupation Permit.

File No. CU: 23-06
Fee: _____

WATER SUPPLY: Private well. Is the well installed? Yes _____ No
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<u>0</u>	_____	_____
_____	_____	_____

ACCESS CONSULTATION: The applicant has consulted with the local Rural Fire Protection District regarding emergency apparatus access.
Fire Official's Signature: _____ Date: 10/21/2022

CERTIFICATION: I hereby certify that all of the above statements, and all other documents submitted, are accurate and true to the best of my belief and knowledge.
Date: 10/25/22 Signature: [Signature] [Signature] (Jan Godfrey)

Planning Department Use Only
Date Rec'd. 10/26/22 Hearing Date: _____
or Administrative _____
Receipt No. _____
Zoning: RR-5 Staff Member: [Signature]
Previous Land Use Actions: _____

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CONDITIONAL USE PERMIT FACT SHEET

**see attached*

Please attach extra pages if necessary.

1. **New Uses:** What new uses will occur on the property if this Conditional Use Permit is approved? Describe your project.

2. **Suitability:** Why is the property suitable for this use (considering lot size, shape and location, access and roads, natural features and topography, existing improvements, etc.)?

3. **Compatibility:** How will the use be compatible with surrounding uses?

4. Impact: What impact will the proposed use have on existing public facilities, or on your neighbors' use of their land? Why?

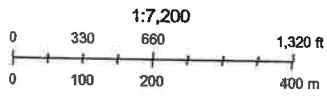
5. Hazards: Does the proposed use create any hazardous conditions or use any poisonous materials? Please describe them.

+++++

Columbia Court Web Map

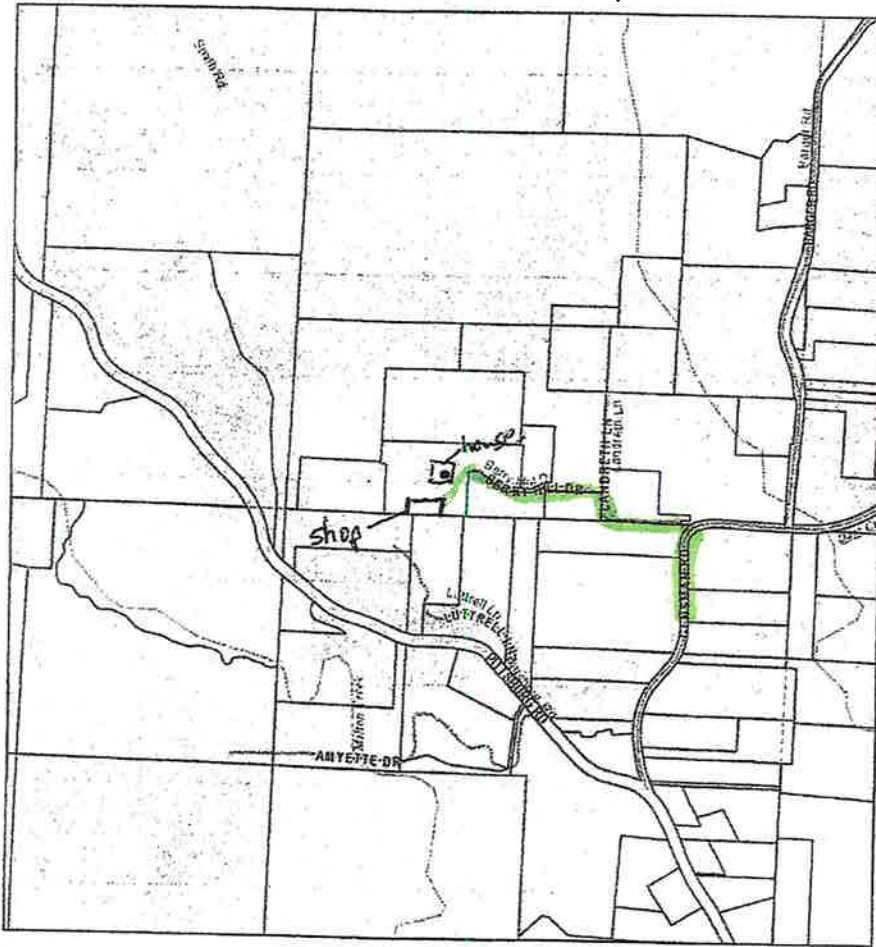


July 16, 2022



National Geographic, Esri, Garmin, HERE, UNEP-WCMC, USGS, NASA, ESA, METI, NRCAN, GEBCO, NOAA, InCREMENT P Corp.

Access From Gensman Rd.



July 16, 2022



National Geographic, Esri, Garmin, HERE, UNEP-WCMC, USGS, NASA, ESA, METI, NRCAN, GEBCO, NOAA, Increment P Corp

1. New Uses:What new uses will occur on the property if this Conditional Use Permit is approved?

Watson Motorsports is a new business in Columbia County, registered with the State of Oregon. As background information, Zack Watson, sole proprietor at Watson Motorsports, is the son of the property owners at said address. He has an Automotive Technician Certificate from Mt. Hood Community College.

Watson Motorsports hopes to provide basic automotive repair services such as tire repairs, engine repairs, and general maintenance for cars and light duty trucks.

Zack Watson hopes to improve the convenience of St. Helens' residents by providing quality, timely, affordable auto repair services. As evidenced by the closure of some automotive repair businesses in the area and the demand for services, this should be a welcome addition to the St. Helens area.

2. Suitability: Why is the property suitable for this use (considering lot size, shape and location, access and roads, natural features and topography, existing improvements, etc)?

The property is a five acre parcel at the dead end of Berry Hill Lane. The land is situated on a hill with the majority of the property located to the south and west of the home. There is ample parking at the shop for cars to be parked to await repairs or to be delivered to owners.

Since the property was purchased in July, 2016 many improvements have been made including upgrades to the septic system and well, painting of the interior and exterior of the house, a covered deck at the rear of the house, and the addition of a shop at the upper southern edge of the property. It is this shop that can be used for storing vehicles as well as for repairs. Operations will primarily occur in a detached shop which is away from the home and the adjoining property.

3. Compatibility: How will the use be compatible with surrounding uses?

This is an area of the county that has homes and farms with acreage. Due to the fact that the shop is located far from existing homes and is sited on 5 acres, its visibility is minimal. There are several businesses, light industry, and schools within a 4 mile range of the property, thus the proposed use would not be an outlier. (See attached map).

4. Impact: What impact will the proposed use have on existing public facilities, or on your neighbors' use of their land? Why?

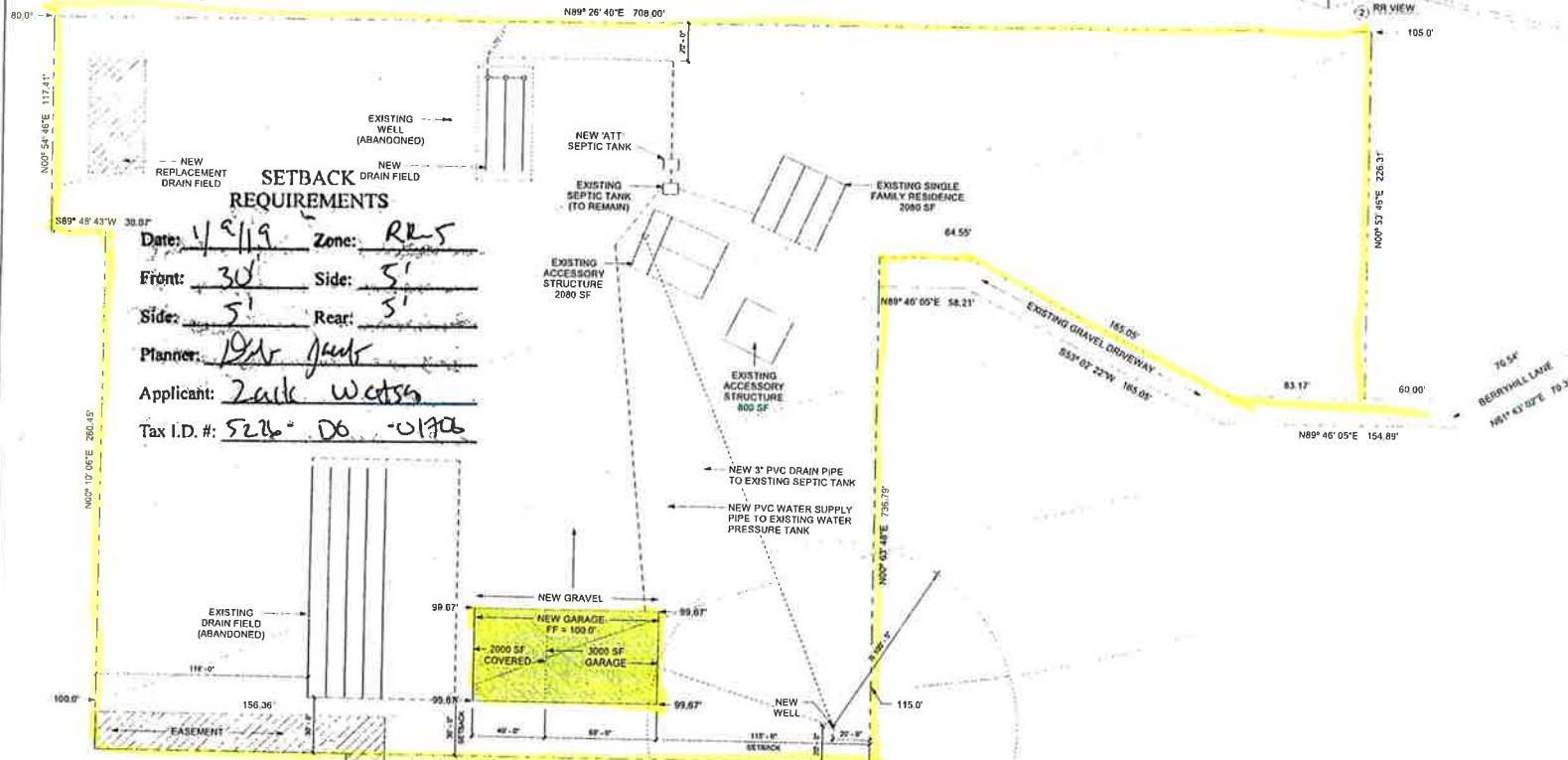
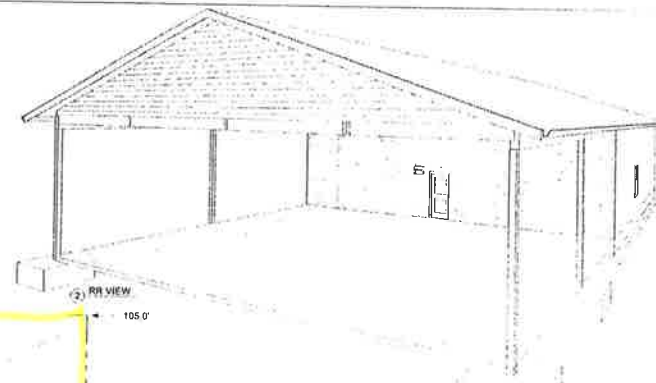
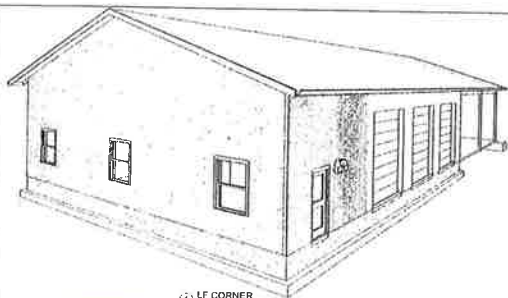
The impact should be minimal given that there will only be 2 cars in and out per day. Since this is an owner-operated business, there is a limited amount of work that can be accomplished per day. There will be some deliveries of parts but again, that should be minimal; garbage and delivery trucks currently use this road. There will be no infringement on the use of Berry Hill Lane, the road servicing 3 other properties. Because the shop is fully enclosed, noise will be contained within the shop. There is also a possibility that access to the shop could be via Luttrell Lane although this needs further investigation.

5. Hazards: Does the proposed use create any hazardous condition or use any poisonous materials? Please describe them.

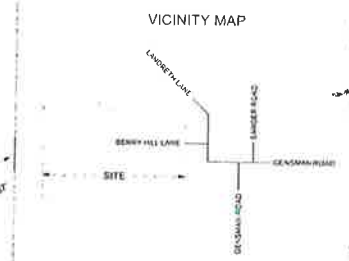
The only hazardous condition involves the owner/operator being injured, in which case, applicant will have health insurance and a separate liability policy covering the shop, its contents, and the vehicles being repaired.

Hazardous materials include engine oil, lubricants, antifreeze, and auto paint. These materials will be disposed at Metro Recycling Center in the manner dictated by the County. Safety Plan and Protocols will be developed. Hand washing facilities are located in the detached garage next to the house.

NEW GARAGE



SETBACK REQUIREMENTS
 Date: 1/9/19 Zone: RLS
 Front: 30' Side: 5'
 Side: 5' Rear: 5'
 Planner: [Signature]
 Applicant: Zack Watson
 Tax I.D. #: 5226-06-01906



SHT NO.	SHEET INDEX	Revision	Date
A 1	COVER SHEET & SITE PLAN		
A 2	FLOOR PLAN		
A 3	ROOF PLAN		
A 4	FOUNDATION PLAN		
A 5	ELEVATION VIEWS		
A 6	BUILDING SECTIONS		
A 7	DETAILS		
A 8	GENERAL NOTES		
S 1	SITE PLAN - 11x17		
S 1.0	STRUCTURAL GENERAL NOTES		
S 1.1	STRUCTURAL GENERAL NOTES		
S 2.0	STRUCTURAL FOUNDATION PLAN		
S 2.1	STRUCTURAL ROOF FRAMING PLAN		
S 3.0	STRUCTURAL FOUNDATION PLAN		
S 4.0	STRUCTURAL FRAMING DETAILS		
S 4.1	STRUCTURAL FRAMING DETAILS		

APPLICABLE CODES	BUILDING INFORMATION	SITE INFORMATION	PROJECT TEAM	DEFERRED SUBMITTALS	PLUMBING
BUILDING CODE: 2014 Oregon Structural Specialty Code (OSSC) MECHANICAL: 2014 Oregon Mechanical Specialty Code (OMSC) PLUMBING: 2011 Oregon Plumbing Specialty Code (OPSC) ELECTRICAL: 2015 Oregon Electrical Specialty Code (OESC) ENERGY: 2014 Oregon Efficiency Specialty Code (OEECC) FIRE: Oregon Fire Code - (based on 2012 IFC)	DESCRIPTION: GARAGE WITH ADJACENT OPEN COVERED AREA 3,000 SF COVERED - 2,000 SF EXTERIOR OCCUPANCY GROUP: U CONSTRUCTION TYPE: V-B FIRE RISK: 10	ADDRESS: 3372 BERRYHILL LANE ST. HELENS, OREGON 97181 ACCOUNT: 16158 MAP NUMBER: P42129-00-01100 PLAN ZONE: CO RRS-6 REG. R	OWNER: JACK WATSON 3372 BERRYHILL LANE ST. HELENS, OREGON 97181 (503)827-4909 jwatson@sthele.com GENERAL CONTRACTOR: CHAPPELL BROS - LLC # 317774 161 30V MAIN STREET - SUITE 388 PORTLAND, OREGON 97204 (503)734-8449 - GARETT CHAPPELL gchappell@chappellbros.com ARCHITECT: ROSS P. FARLAND, AIA 3531 DRIFT CREEK ROAD S.E. SUBULMITY, OREGON 97138 (503)291-7180 - ROSS P. FARLAND, AIA rfarland@rosspfarland.com STRUCTURAL ENGINEER: PCS STRUCTURAL SOLUTIONS, INC. 161 30V MAIN STREET - SUITE 388 PORTLAND, OREGON 97204 (503)232-2748 - LIANE A. HEAL, P.E. lha@pcs-structural.com	ENGINEERED ROOF TRUSSES	(1) NEW PLUMBING FIXTURES (1) NEW BATHROOM LAVATORY (1) NEW TOILET (1) NEW FLOOR DRAINS (1) INSIDE BUILDING (1) OUTSIDE UNDER COVERED AREA

Ross P. Farland Architect
 REGISTERED ARCHITECT
 STATE OF OREGON
 ROSS P. FARLAND, AIA
 3531 DRIFT CREEK RD SE
 SUBULMITY, OR 97138
 (PH) 503-291-7180 / (Email) ross@rosspfarland.com



THESE DRAWINGS ARE INTENDED FOR USE SOLELY WITH RESPECT TO THIS PROJECT & ARE THE PROPERTY OF ROSS P. FARLAND, AIA, WHICH RESERVES ALL COPYRIGHTS, STATUTORY, COMMON LAW & OTHER RIGHTS

NO. T. ADD NEW WELL, SEPTIC TANK & DRAINFIELD
 SHEET 1 OF 2 (2/2019)
 DEVELOPER: ST. HELENS, OREGON

PROJECT NAME: NEW GARAGE
 SHEET: COVER SHEET & SITE PLAN
 SITE ADDRESS: COLUMBIA COUNTY

Scale: As Indicated
 Date: 7/12/2018
A 1

RECEIVED

NOV 07 2022

Land Development Services

November 3, 2022

Hayden Richardson
Planning Manager
Land Development Services
Columbia County
230 Strand St.
St. Helens, OR 97051

Dear Hayden:

Thank you for your letter dated November 1 which detailed the missing information from the Application for a Home Occupation that we submitted. Please find below responses to all seven items:

1. All relevant documents were emailed to you today by Debbie Klug at the County Clerk's office.
2. Same as #1 above.
3. Site plan attached.
4. Well log attached.
5. Delivery vehicles will consist of twice per day delivery of parts from vendors such as Napa and O'Reilly's. These vendors typically drive small cars or small pick-ups or vans.
6. Hours of operation will be 9am to 6pm, Monday through Friday. No customers will arrive after 6pm.
7. There will be no signage regarding the business.

Please let us know if there is anything else that is required to complete your review of this matter.

Thank you,

Judy Watson
Jan Godfrey
Zack Watson

ROAD MAINTENANCE AGREEMENT

DESCRIPTION:

This agreement applies to the joint maintenance of existing road easements that lead to Landreth Ln. Legal descriptions of said easements are on 'Exhibit A', which is made a part hereof by this reference.

PROPERTIES PARTICIPATING IN AGREEMENT:

Property tax lot 5226-000-1302, also known as "Adjusted tract A, PLA 00-43 and PLA 00-44, Columbia County", no property address yet, vacant lot, herein called tract A. Current owners are Jeff and Maryanne Birdzell.

Property tax lot 5226-000-1304, also known as "Adjusted tract B, PLA 00-43 and PLA 00-44, Columbia County", property address 61023 Landreth Ln., herein called tract B. Current owners are Theodore and Lauren Daehnke.

Property tax lot 5226-000-1305, also known as "Adjusted tract C, PLA 00-43 and PLA 00-44, Columbia County", no property address yet, vacant lot, herein called tract C. Current owner is Donald L. Larson.

This agreement shall run with the land, and any portion thereof, and shall be binding on all assigns, heirs, estates, personal representatives, and any other successors in interest of all parties.

TERMS:

1. **USE:** These easements shall be used for ingress, egress and underground utilities. The roadway shall not be blocked or obstructed by any party to this agreement in any fashion to impede the free and unrestricted access of all traffic including fire trucks. There shall be no parking on the roadway. There shall be no gates installed on the roadway.
2. **REPAIR & MAINTENANCE:** Any party to this agreement may determine that the road is in need of repair and shall so inform the other parties. If the parties agree, then the road will be repaired. If there is disagreement among the parties about the need for repair, then the road will be examined by the County Roadmaster, at the expense of the initiating party. A letter from him to the parties stating that the road needs repair shall be sufficient proof and the repair will be done, and the inspection fee will become part of the cost of repairs.
3. **PAYMENTS:** The cost of the repairs to the road will be paid as follows; a) Cost for maintenance of the entire easement marked 'easement 1' and that portion of easement marked 'easement 2' that lies directly south of tax lot 5226-000-1304 (tract B) shall be shared equally by all three properties (tracts 'A', 'B', and 'C'). b) Cost for maintenance of the remaining portion of the easement marked 'easement 2' shall be shared equally between tax lots 5226-000-1302 and 5226-000-1305 (tracts 'A' and 'C').

Payments shall be made not later than 30 days after the bill is received for the repairs. Failure to pay within the 30 days shall be a breach of this agreement and may become a lien against the property.

After recording return to:
Theodore Daehnke
61023 Landreth Ln.
St. Helens, OR 97051

PAGE 1 ROAD MAINTENANCE AGREEMENT

67-32465



Exhibit A

EASEMENT 1

A 20 foot road easement being 10 feet on either side of the following described centerline:

Beginning at a point on the South line of the Theodore I. Daehnke et ux tract as described in deed recorded July 25, 2000 in Instrument Number 00-07256, Records of Columbia County, Oregon which is South 89°46'05" West 30.16 feet from the Southeast corner of said Daehnke tract; thence South 1°00'55" West a distance of 10.00 feet; thence North 89°46'05" East a distance of 274.80 feet to the Westerly right of way line of a 40 foot road easement and the end of said 20 foot easement.

EASEMENT 2

A 20.00 foot wide non-exclusive easement for ingress, egress and utilities in the Southeast quarter of Section 26, Township 5 North, Range 2 West, Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

Beginning at the Southeast corner of the Elgin M. Grasser and Dolores A. Grasser tract as described in Book 257, Pg. 528, Deed Records of Columbia County, Oregon, said point being on the South line of said Section 26 at a point which is North 89°46'05" East 1213.18 feet (deed calls 1212.58 feet) from the South quarter corner, thence South 89°46'05" West a distance of 267.16 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence North 00°53'48" East a distance of 235.79 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC." and the true point of beginning of the following described easement; thence North 89°46'05" East a distance of 58.21 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence South 53°02'22" East a distance of 165.05 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence North 89°46'05" East a distance of 154.89 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence North 61°43'02" East a distance of 70.37 feet to a point on the East line of the Elgin M. Grasser tract as described in Book 222, Pg. 589, Deed Records of Columbia County, Oregon; thence North 00°52'51" East, along said East line of the Grasser tract as described in Book 222, Pg. 589, a distance of 22.90 feet to the Northeast corner thereof; thence South 61°43'02" West a distance of 76.54 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence South 89°46'05" West a distance of 143.17; thence North 53°02'22" West a distance of 165.05 feet; thence South 89°46'05" West a distance of 64.55 feet; thence South 00°53'48" West a distance of 20.00 feet to the true point of beginning.

Sharing of maintenance costs by the vacant lots (tracts 'A' and 'C') will begin upon issuance of a building permit, or placement of any building or dwelling upon the property. Costs of road development or improvement that are required as a condition for building permit or dwelling placement will not be considered part of maintenance costs to be shared by parties.

In the event of creation of additional lots that will use the roadway, each parcel shall be covered by this agreement, and each parcel will equally share in the maintenance of the roadway based on the length of the portion of the roadway that serves the parcel.

4. LEVEL OF IMPROVEMENTS: The road surface is presently graveled. The road surface shall be maintained as a 12-foot wide gravel surface, or to other level if required by county. In the event that any party desires to pave the roadway, paving shall be at that party's expense, unless all parties agree to pave the road. Maintenance thereafter shall be done in accordance with this agreement.
5. ATTORNEYS FEES: A reasonable attorney fee shall be awarded to the prevailing party in any action filed, tried or appealed to enforce all or any part of this agreement.

[Signature] @ *[Signature]* Lauren Daehnke
 STATE OF OREGON, County of Columbia) ss.
 This instrument was acknowledged before me on March 22, 2004
 by Theodore Daehnke + Lauren Daehnke



[Signature]
 Notary Public for Oregon
 My commission expires 8/22/2004

[Signature] @ *[Signature]* Marganna Biedzell
 STATE OF OREGON, County of Columbia) ss.
 This instrument was acknowledged before me on March 22, 2002
 by Jeff C. Biedzell and Marganna Biedzell



[Signature]
 Notary Public for Oregon
 My commission expires 8/22/2004

[Signature]
 STATE OF OREGON, County of Columbia) ss.
 This instrument was acknowledged before me on November 8, 2001
 by Donald L. Larsen



[Signature]
 Notary Public for Oregon
 My commission expires 8/22/2004

PAGE 2 ROAD MAINTENANCE AGREEMENT

I hereby certify that the within instrument was received for record and recorded in the County of Columbia, State of Oregon.

4324 '02 MAR 26 P 3:13



ELIZABETH JINGER, County Clerk
 By: *[Signature]* Deputy
 Receipt # 33455 of Puges 3
 FEES \$ 36.00

NS

EASEMENT

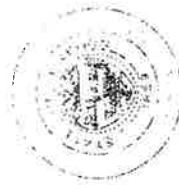
Between Stephen R. Nowak Jr. and Joseph Hauge

And Theodore Daehnke and Lauren Daehnke

After recording, return to (Name, Address, Zip): Theodore and Lauren Daehnke 61023 Landreth Ln. St. Helens, OR 97051

I hereby certify that the within instrument was received for record and recorded in the County of Columbia, State of Oregon.

04323 02 NOV 26 P3:43



ELIZABETH MASER, County Clerk By: [Signature] Deputy Receipt # 33450 of Pages 3 FEES \$26.00

ss. ant lay . at in ge ru --- nty ---

By _____, Deputy.

THIS AGREEMENT made and entered into this 9th day of November, 2001, by and between Stephen R. Nowak Jr and Joseph Hauge hereinafter called the first party, and Theodore Daehnke and Lauren Daehnke hereinafter called the second party, WITNESSETH:

WHEREAS: The first party is the record owner of the following described real property in Columbia County, State of Oregon, to-wit:

SEE EXHIBIT A, WHICH IS MADE A PART HEREOF BY THIS REFERENCE KNOWN AS PROPERTY TAX ACCOUNT NUMBER 522600001302

and has the unrestricted right to grant the easement hereinafter described relative to the real estate. NOW, THEREFORE, in view of the premises and in consideration of \$ 0 by the second party to the first party paid, the receipt of which is acknowledged by the first party, it is agreed: The first party hereby grants, assigns and sets over to the second party an easement, to-wit:

A 20.00 foot wide non-exclusive easement for ingress, egress and utilities in the Southeast quarter of Section 26, Township 5 North, Range 2 West, Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

Beginning at the Southeast corner of the Elgin M. Grasser and Dolores A. Grasser tract as described in Book 257, Pg. 528, Deed Records of Columbia County, Oregon, said point being on the South line of said Section 26 at a point which is North 89°46'05" East 1213.18 feet (deed calls 1212.58 feet) from the South quarter corner, thence South 89°46'05" West a distance of 267.16 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence North 00°53'48" East a distance of 235.79 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence North 89°46'05" East a distance of 58.21 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence South 53°02'22" East a distance of 165.05 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence North 89°46'05" East a distance of 89.50 and the true point of beginning of the following described easement; thence continuing North 89°46'05" East a distance of 65.39 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence North 61°43'02" East a distance of 70.37 feet to a point on the East line of the Elgin M. Grasser tract as described in Book 222, Pg. 589, Deed Records of Columbia County, Oregon; thence North 00°52'51" East, along said East line of the Grasser tract as described in Book 222, Pg. 589, a distance of 22.90 feet to the Northeast corner thereof, thence South 61°43'02" West a distance of 76.54 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence South 89°46'05" West a distance of 60.00; thence South 00°53'46" West a distance of 20.00 feet to the true point of beginning.

(Insert a full description of the nature and type of easement granted by the first party to the second party.) (OVER)

07-32465



The second party shall have all rights of ingress and egress to and from the real estate (including the right from time to time, except as hereinafter provided, to cut, trim and remove trees, brush, overhanging branches and other obstructions) necessary for the second party's use, enjoyment, operation and maintenance of the easement hereby granted and all rights and privileges incident thereto.

Except as to the rights herein granted, the first party shall have the full use and control of the above described real estate.

The second party agrees to save and hold the first party harmless from any and all claims of third parties arising from the second party's use of the rights herein granted.

The period of this easement shall be perpetual, always subject, however, to the following specific conditions, restrictions and considerations:

THIS EASEMENT IS FOR THE BENEFIT OF REAL PROPERTY KNOWN AS PROPERTY TAX ACCOUNT NUMBER 522600001304, AND SHALL RUN WITH THE LAND.

SUBJECT TO THE TERMS AND CONDITIONS OF ROAD MAINTENANCE AGREEMENT RECORDED IN THE RECORDS OF COLUMBIA COUNTY, OREGON.

~~to this easement to take effect only if the owner of the real estate described in the instrument is described as follows:~~

~~that the second party shall be responsible for the maintenance and repair of the easement if damaged by act or omission of the second party, and the cost of repair of the easement if damaged by act or omission of the second party shall be the responsibility of the second party, and the cost of repair of the easement if damaged by act or omission of the first party shall be the responsibility of the first party, and the cost of repair of the easement if damaged by act or omission of both parties shall be the responsibility of both parties, with the percentages allocated to each party as follows:~~

During the existence of this easement, holders of an interest in the easement who are responsible for damage to the easement because of negligence or abnormal use shall repair the damage at their sole expense.

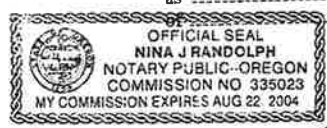
This agreement shall bind and inure to the benefit of, as the circumstances may require, not only the parties hereto but also their respective heirs, executors, administrators, assigns, and successors in interest.

In construing this agreement, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this agreement shall apply equally to individuals and to corporations. If the undersigned is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by its board of directors.

IN WITNESS WHEREOF, the parties have hereunto set their hands in duplicate on the day and year first written above.

Joseph T. Hauge
Stephen R. Nowak Jr.
FIRST PARTY

STATE OF OREGON, County of Columbia,) ss.
This instrument was acknowledged before me on November 9, 2001
by Joseph T. Hauge & Stephen R. Nowak Jr.
This instrument was acknowledged before me on _____, 19____
by _____
as _____



Nina J. Randolph
Notary Public for Oregon
My commission expires 8/22/2004

Lauren Daehnke
SECOND PARTY

STATE OF OREGON, County of Columbia,) ss.
This instrument was acknowledged before me on November 9, 2001
by Messrs. Daehnke & Lauren Daehnke
This instrument was acknowledged before me on _____, 19____
by _____
as _____
of _____



Nina J. Randolph
Notary Public for Oregon
My commission expires 8/22/2004



**REYNOLDS
LAND
SURVEYING,
INC.**

3,990 Dime Road
Wenatchee, WA 98803
(509) 397-1510
Fax (509) 397-1518

Exhibit A

Legal Description
Tract "A"

A tract of land in the Southeast quarter of Section 26, Township 5 North, Range 2 West, Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

Beginning at the Southeast corner of the Elgin M. Grasser and Dolores A. Grasser tract as described in Book 257, Pg. 528, Deed Records of Columbia County, Oregon, said point being on the South line of said Section 26 at a point which is North 89°46'05" East 1213.18 feet (deed calls 1212.58 feet) from the South quarter corner, thence South 89°46'05" West a distance of 267.16 feet to the true point of beginning of the following described tract; thence continuing South 89°46'05" West a distance of 405.50 feet to the Southwest corner of said Grasser tract; thence along the boundaries of said Grasser tract the following 4 courses: North 00°10'08" West a distance of 260.45 feet; thence South 89°48'43" West a distance of 30.07 feet; thence North 00°54'46" East a distance of 117.41 feet; thence North 89°25'14" East a distance of 707.64 feet to the Northeast corner of said Grasser tract; thence continuing North 89°25'14" East a distance of 14.00 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence South 00°53'46" West a distance of 226.31 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence North 89°46'05" East a distance of 60.00 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence North 61°43'02" East a distance of 76.54 feet to the Northeast corner of the Elgin M. Grasser tract as described in Book 222, Pg. 589, Deed Records of Columbia County, Oregon; thence South 00°52'51" West, along the East line of said Elgin M. Grasser tract, a distance of 22.90 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence South 61°43'02" West a distance of 70.37 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence South 89°46'05" West a distance of 154.89 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence North 53°02'22" West a distance of 165.05 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence South 89°46'05" West a distance of 58.21 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC."; thence South 00°53'48" West a distance of 235.79 feet to the true point of beginning.

The above described tract of land is part of a property line adjustment between tracts of land described in Book 222, Pg. 589, Book 222, Pg. 587 and Book 257, Pg. 528, Deed Records of Columbia County, Oregon. No new parcels are being created as a result of this property line adjustment.

Grantor, William G. Simpson, a single man, grants to Richard Simpson and Mary Ann Simpson, husband and wife, an easement for road purposes over the following described real property situated in Columbia County, State of Oregon, to-wit:

Beginning at a point on the South line of Section 26, Township 5 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, which is North 89°29' East 540.2 feet from the South quarter corner of said Section 26; thence North 89°29' East on said line a distance of 156.36 feet; thence North 0°31' West a distance of 20.00 feet; thence South 89°29' West a distance of 156.36 feet; thence South 0°31' East a distance of 20.00 feet to the point of beginning.

Dated this 28th day of September, 1965.

William G. Simpson
Grantor

STATE OF OREGON)
County of Columbia) ss.

Personally appeared the above-named William G. Simpson, and acknowledged the foregoing instrument to be his voluntary act.

Subscribed and sworn before me this 28th day of September, 1965.

Terence W. Lippie
Notary Public for Oregon

My Commission Expires: EXPIRES FEBRUARY 19, 1969 MY COMMISSION



5875

STATE OF OREGON
COLUMBIA COUNTY
RECORDED OR FILED

NOV 15 2 43 PM '65
BOOK 160 PAGE 164
ROY & NELSON CO CLK
BY [Signature] DEP.

E A S E M E N T

NANETTE R. MALLORY, hereinafter called Grantor, conveys to ROBERT G. SIMPSON a non-exclusive easement and right of way.

WHEREAS, Robert G. Simpson is the owner of the property described in deed recorded March 11, 1977 in Deed Book 210, page 530, Deed Records, Columbia County, Oregon.

The Grantor does hereby grant a 20 foot easement and right of way as a means of ingress and egress and the right to contract utility easements over and across the following described tract:

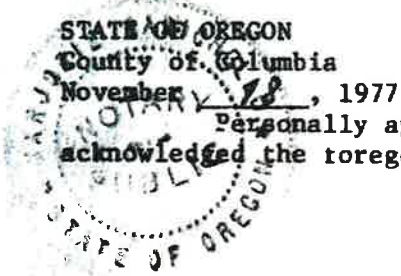
Beginning at an iron rod at the Southwest corner of the property of Nanette R. Mallory as described in deed recorded March 11, 1977 in Deed Book 210, page 522, Deed Records, Columbia County, Oregon, which is on the South line of Section 26, North 89°46'05" East 540.20 feet from the South Quarter corner of Section 26, Township 5 North, Range 2 West, Willamette Meridian, Columbia County, Oregon; thence North 0°13'55" West on West line of Mallory Tract 260.83 feet to an iron rod; thence South 89°46'05" West 30.13 feet to the most Westerly Southwest corner of Mallory Tract; thence North 0°57'15" East 117.42 feet to the northwest corner of the Mallory Tract; thence North 89°26'40" East on North line of Mallory Tract 20 feet; thence South 0°57'15" West 87.42 feet; thence North 89°46'05" East 30.13 feet; thence South 0°13'55" East 290.83 feet to a point on South line of Mallory Tract; thence South 89°46'05" West 20 feet to the true point of beginning.

The above area not to be fenced.

This easement to be used jointly by grantor and grantee and be maintained by parties in proportion to their use.

Dated this 18th day of November, 1977.

Nanette R. Mallory



Personally appeared the above named Nanette R. Mallory and acknowledged the foregoing instrument to be her voluntary act. Before me:

Maryou Barichello
Notary Public for Oregon
My commission expires: 12-8-77

BOOK 214 PAGE 916 934

STATE OF OREGON)
Columbia County) ss.

I certify that the within instrument of
writing was received for record on the
18 day of November, 1977
at 3:05 o'clock P. M.; recorded
in Book 214 on page 915
Records of Deeds
of said County.

Witness my hand and seal of County
affixed.

Roy A. Nelson

County Clerk.

John H. Smiley Deputy

A G R E E M E N T

BOOK 216 PAGE 501

THIS AGREEMENT made and entered into this 1st day of September

1976, by and between RICHARD SIMPSON and MARY ANN SIMPSON, husband and wife, first parties; and RAYMOND E. STEWARD, TERRANCE E. WAYMIRE and JANICE L. WAYMIRE, husband and wife, and WILLIAM FRED LUTTRELL and JUNE A. LUTTRELL, husband and wife, second parties; and JAMES LEE BUNDY and SANDRA LEE BUNDY, husband and wife, third parties;

W I T N E S S E T H:

WHEREAS, there is an easement owned by first parties set out in detail in instrument dated September 24, 1965, recorded November 15, 1965, in Book 160, page 165, Columbia County, Oregon; and

WHEREAS, the second parties are the property owners of the land over which the above easement is located; and

WHEREAS, James Lee Bundy and Sandra Lee Bundy, third parties, are purchasing the North 190 feet of the West one-half of the Northwest one-quarter of Northeast one-quarter of Section 35, Township 5 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon; and

IT IS AGREED AS FOLLOWS:

1. That the second parties and third parties may use said road easement for ingress and egress and utilities in common with each other and the first parties.
2. That all parties agree that the road shall be widened up to 20 feet by second and third parties. After construction and widening, the road shall be maintained by all parties equally and each family unit shall pay their proportionate share and if other parties use said road, all parties shall pay their proportionate share.
3. In the event utility easements are buried in said right of way,

they shall not in any way hinder the use of vehicles using said right of way.

4. All parties agree not to park on the right of way, nor block the right of way in any manner.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals, the day and year first hereinabove written.

Richard M. Simpson (SEAL)

Mary Ann Simpson (SEAL)
First Parties

Raymond E. Steward (SEAL) SR

Janice L. Waymire (SEAL)

Terrance E. Waymire (SEAL)

William Fred Luttrell (SEAL)

June A. Luttrell (SEAL)
Second Parties

James L. Bundy (SEAL)

Sandra L. Bundy (SEAL)
Third Parties

STATE OF OREGON

County of Columbia

Sept 1 1976. Personally appeared the above named Richard Simpson and Mary Ann Simpson, husband and wife; Raymond E. Steward, Terrance E. Waymire and Janice L. Waymire, husband and wife; William Fred Luttrell and June A. Luttrell, husband and wife, and James Lee Bundy and Sandra Lee Bundy, husband and wife, and acknowledged the foregoing instrument to be their voluntary act. Before me:

1502

STATE OF OREGON
COLUMBIA COUNTY
RECORDED OR FILED

Margaret Barichello
Notary Public for Oregon

My Commission Expires: Dec. 8, 1977

FEB 28 4 05 PM '78

BOOK 216 PAGE 502
ROY A. NELSON CO CLK
BY C. B. ... DEP.

ROAD MAINTENANCE AGREEMENT

Sept 15, 1988

PARTIES:

** Richard M. Simpson and Mary Jo Simpson, husband and wife, Warranty Deed Book 88 Page 3652, Map #673 Sec. 26-5-2 #35, herein called Simpson.

Elgin M. Grasser, Warranty Deed, Book 222 Page 587, Map #673 Sec 26-5-2 #31, herein called Grasser.

Gaylord C. Landreth and Diane E. Landreth, husband and wife, Warranty Deed, Book 248 Page 728, Map #673 Sec 26-5-2 #36; Book 223 Page 406, Map #673 Sec 26-5-2 #33; Book 248 Page 726, Map #673 Sec 26-5-2 #10, herein called Landreth.

Russell P. Bartlett and Pamela Reynolds, husband and wife, Warranty Deed, Book 236 Page 198, Map #673 Sec 26-5-2 #26, herein called Bartlett.

** Perry Beisley and Carla Beisley, husband and wife, Warranty Deed, Book 197 Page 705 Map #673 Sec 26-5-2 #12, herein called Beisley.

Charles Weringe and Opal E. Weringe, husband and wife, Warranty Deed, Book 72 Page 298, Map #673 Sec 26-5-2, herein called Weringe.

James F. Niece and Linda E. Niece, husband and wife, Warranty Deed, Book 240 Page 693, Map #673 Sec 26-5-2 #14, herein called Niece

TERMS: LANDRETH LANE MAINTENANCE

1. USE: The roadway shall not be blocked or obstructed by any party to this agreement in any fashion to impede the free and unrestricted access of all traffic including fire trucks. There shall be no gates installed on the roadway.

2. REPAIR & MAINTENANCE: There could be 7 parties using the road. Parties named above as follows; Simpson, Grasser, Landreth, Bartlett, Beisley, Weringe, and Niece. Any party to this agreement may determine that the road is in need of repair and shall so inform the other parties. If the parties agree then the road will be repaired. If it is obvious that the road is in need of repair and they do not agree, the road will be examined by the County Roadmaster and a letter from him to the parties that the road needs repairing will be sufficient proof and the repairs will be done.

3. PAYMENTS: The cost of the repairs to the road will be paid equally according to each parties use and their properties location on the road.

Payments shall be made not later than 30 days after the bill is received for the repairs. Failure to pay within the 30 days shall be a breach of this agreement.

In the event any of the parties builds more living units which will use the road or sells any tract for which a house may be built, this agreement shall be amended and the existing parties and parties owning and

developing the new units shall pay their share of the cost of maintaining the roadway based on the cost of repairs and the length of the road serving them.

4. IMPROVEMENTS: The roadway is presently gravelled. In the event any party desires to pave the roadway, the paving shall be at owners expense, unless all parties equally agree to pave the road. However, maintenance thereafter shall be done in accordance with this agreement.

5. BINDING ON SUCCESSORS: This agreement is binding on the successors, assigns, estates, heirs and personal representatives of all parties.

6. ATTORNEYS FEES: A reasonable attorney fee shall be awarded the prevailing party in any legal action filed, tried or appealed to enforce all or a part of this agreement.

Dated this 29th day of September, 1988.

Richard M. Simpson
Richard M. Simpson

Mary Jo Simpson
Mary Jo Simpson

The foregoing instrument was acknowledged before me this 29th day of September 1988.



Debra A. Nichols
Notary Public for Oregon
My Commission expires 11-13-88

Elgin M. Grasser
Elgin M. Grasser

The foregoing instrument was acknowledged before me this 29th day of September 1988.



Joyce M. Lusk
Notary Public for Oregon
My Commission expires 2-11-92

Gaylord C. Landreth
Gaylord C. Landreth

Diane E. Landreth
Diane E. Landreth

The foregoing instrument was acknowledged before me this 27 day of SEPTEMBER 1988.



JOHNETA JOHNSON
Notary Public for Oregon
My Commission expires 6/5/89

Russell P. Bartlett
Russell P. Bartlett

Pamela R. Reynolds
Pamela Reynolds

The foregoing instrument was acknowledged before me this 16 day of September 1988.

Carla Beisley
Notary Public for Oregon
My Commission expires 10/18/1988

Perry Beisley

Carla Beisley

The foregoing instrument was acknowledged before me this ___ day of _____ 198_.

Notary Public for Oregon
My Commission expires _____

Charles Wering
Charles Wering

Opal E. Wering
Opal E. Wering

The foregoing instrument was acknowledged before me this 27 day of September 1988.



Betty Lou Warner
Notary Public for Oregon
My Commission expires 8-19-89

James F. Niece
James F. Niece

Linda E. Niece
Linda E. Niece

The foregoing instrument was acknowledged before me this 29 day of Sept. 1988.

Evelyn Mason
EVELYN MASON
NOTARY PUBLIC OREGON
My Commission Expires 9-24-89

Notary Public for Oregon
My Commission expires _____

** NOTE: At the time this agreement was drawn and recorded, parties Simpson and Beisley were not using Landreth Lane as access to their land.

I hereby certify that the within instrument was received for record and recorded in the County of Columbia, State of Oregon.

5076 88 SEP 29 P 4:47

Instrument # 88-5076
Pages 4



RETTA C. KERRY, County Clerk
By: Evelyn Mason Deputy

Receipt # 8828 Fees \$ 20.00

Return
Niece
0287 2nd
to Simpsons
at Helens, Or.

COLUMBIA County Assessor's Summa Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2022

October 26, 2022 11:59:41 am

Account # 16258
 Map # 5N2W26-D0-01700
 Code - Tax # 0208-16258

Tax Status ASSESSABLE
 Acct Status ACTIVE
 Subtype NORMAL

Legal Descr See Record

Mailing Name Agent WATSON JUDITH A & GODFREY JANICE A

Deed Reference # 2020-4829
 Sales Date/Price 05-27-2020 / \$0.00
 Appraiser MELINDA GARTMAN

In Care Of
 Mailing Address 1344 SW RIMROCK WAY
 REDMOND, OR 97756

Prop Class 401 MA SA NH Unit
 RMV Class 401 06 62 000 9821-1

Situs Address(s)		Situs City
ID# 1	32707 BERRY HILL DR	ST HELENS

Code Area	RMV	MAV	Value Summary AV	RMV Exception	CPR %
0208 Land	276,400	145,980	145,980	Land	0
Impr.	561,780	273,410	273,410	Impr.	0
Code Area Total	838,180	419,390	419,390		0
Grand Total	838,180	419,390	419,390		0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC	Trended RMV
0208	2	<input checked="" type="checkbox"/>		CO:RR-5	Market	112	A	4.00	2H3	003	165,760
0208					OSD - SINGLE FAMILY	100					
0208	1	<input checked="" type="checkbox"/>		CO:RR-5	Rural Site	112	A	1.00		003	41,440
Grand Total								5.00			276,400

Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex% MS Acct #	Trended RMV
0208	2	2019	325	GP BUILDING	118	5,000		163,680
0208	1	2002	143	Two story	118	2,080		398,100
Grand Total							7,080	561,780

Comments:

2021: NC - Property gated. GPB appears to be 100% complete for 2021. Dimension and components added from plans, exterior measurements verified using google earth. If in the future finished office space or living space is discovered, this will constitute and exception event. Exception for 2021 is net from base % complete only. MG

2020: NC - Gate locked during field visit. Estimating GPB to be 56% complete for 2020 and added using information obtained from plans. During inspection for 2021, structure will need to be measured and loft area verified if it is finished or not. MG

2013 RA: Front deck with roof extension new for cycle. Also, wood stove added since last inspection. Minor exception. AJ

1/22/2019

ORIGINAL LOG #

(1) LAND OWNER

Owner Well I.D. Last Name **WATSON**

First Name **ZACH**
Company
Address **1344 SW RIMROCK WAY**
City **REDMOND** State **OR** Zip **97756**

(2) TYPE OF WORK

New Well Deepening Conversion
 Alteration (complete 2a & 10) Abandonment (complete 5a)

(2a) PRE-ALTERATION

Diag + From To Gauge Sit Plstc Wld Thrd
Casing: Material From To Amt sacks/lbs
Seal: Material From To Amt sacks/lbs

(3) DRILL METHOD

Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other

(4) PROPOSED USE

Domestic Irrigation Community
 Industrial/Commercial Livestock Dewatering
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION

Depth of Completed Well **200.00** ft. Special Standard (Attach copy)

BORE HOLE			SEAL		
Diag	From	To	Material	From	To
10	0	60	Horizontal Clips	0	60
6	60	200			
			Calculated		17

How was seal placed: Method A B C D E
 Other **POUR**

Backfill placed from _____ ft to _____ ft. Material _____

Filter pack from _____ ft to _____ ft. Material _____ Size _____

Explosives used: Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount _____ Actual Amount _____

(6) CASING/LINER

Casing/Liner	Diag	From	To	Gauge	Sit	Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	6	1	60	250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	4	3	200	40	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Shoe Inside Outside Other Location of shoe(s) **60**

Temp casing Yes Dia _____ From + _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method **saw cut**

Perf/Screen	Casing/Screen	Diag	From	To	Screen/Slot width	Slot length	# of slots	Total pipe size
Perf	Liner	4	160	200	.25	6	60	

(8) WELL TESTS: Minimum testing time is 1 hour

Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
80		200	1

Temperature **43** °F Lab analysis Yes By _____

Water quality concerns? Yes (describe below) TDS amount **78** ppm

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County **COLUMBIA** Twp **5.00** N N/S Range **2.00** W E/W WM
Sec **25** SE 1/4 of the SW 1/4 Tax Lot **1700**

Tax Map Number _____ Lot _____

Lat _____ or **45.88085200** DMS or DD

Long _____ or **-122.88085200** DMS or DD

Street address of well Nearest address

32707 BERRY HILL LANDINST. HELENS, OREGON 97051

(10) STATIC WATER LEVEL

Existing Well / Pre-Alteration	Date	SWL (psi)	+ SWL (ft)
Completed Well	12/4/2018		44

Flowing Artesian? Dry Hole?

WATER BEARING ZONES Depth water was first found **160.00**

SWL Date	From	To	Est Flow	SWL (psi)	+ SWL (ft)
12/6/2018	160	200	80		44

(11) WELL LOG

Material	Ground Elevation	
	From	To
red clay	0	30
brn clay	30	50
gray basalt	50	95
white soap stoner	95	100
gray basalt	100	110
yellow sandstone	110	135
blue gray sandstone	135	160
green sandstone	160	180
gray basalt	180	200

Date Started **12/4/2018** Completed **12/6/2018**

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number **1975** Date **1/22/2019**

Signed **AARON MORLEY (E-filed)**

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number **1480** Date **1/22/2019**

Signed **ARTHUR MCMULLEN (E-filed)**

Contact Info (optional) **503 397 2356**

WELL REPORT - Map with location
attached and shall include an approximate
arrow

55419

1/22/2019

r Hole

**STATE OF OREGON
WELL LOCATION MAP**

Oregon Water Resources Department
725 Summer St NE, Salem OR 97301
(503)866-0900



This map is supplemental to the WATER SUPPLY WELL REPORT

LOCATION OF WELL

Latitude: 45.880852 Datum: WGS84

Longitude: -122.880852

Township/Range/Section/Quarter-Quarter Section:

WM 5N 2W 25 SESW

Address of Well:

32707 BERRY HILL LANE
ST. HELENS, OREGON 97051

Well Label: 132779

Printed: January 22, 2019

DISCLAIMER: This map is intended to represent the
approximate location of the well. It is not intended to
be construed as survey accurate in any manner.

Provided by well constructor

