

## RDF 22-04 for the record

Dawn Titus <chewy15150@yahoo.com>

Wed 1/25/2023 4:58 PM

To: Jacyn Normine <Jacyn.Normine@columbiacountyor.gov>

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you are expecting this email and/or know the content is safe.

The clarification that needs made is that the "Homeaway Rd/St" that is being referred to on tax lot 1900 is actually a thin, minimally paved path or trail that someone took the liberty to "name" as Homeaway ending with Rd or Street.

Furthermore every path/trail within tax lot 1900 are labeled with other various names as well. Absolutely not a single one of any of these paths/trails on tax lot 1900 or their "given names" are not of lawful creation or in any form of lawful existence. Not a single one is dedicated from a public right-of-way, and there is no dedications of such roads or streets as reflected on any approved subdivision or plot maps nor are they granted/reserved as per tax lot 1900s deed. Columbia county staff repeatedly blab about some in house address map. It is unclear as to when that map was scribbled on, or when someone "penciled in" a name of "Homeaway" that ends in Road on the area of 1959 easement area over tax lots 1700,1701,1800,2500,2501. This address map is the very first discovery and mention of a "Homeaway Rd" Furthermore, if this map was scribbled on after August of 1982, they clearly missed the memo to scribble the above described tax lots -easement area- "Homeaway Park" name that ends in "road". It would be safe to assume that that action of scribbling on a piece of paper coincides with sometime after the county decided to adhere to Columbia County Ordinance 81-6 -Rural Addressing System, Procedures and Uniform Road Naming. That map, staff keeps referring to, only identifies that Columbia County was negligent in following Ordinances 81-6 and assigned a slough of addresses and roads within tax lot 1900. As identified on the address map the county lets us see, Deer Point Meadows has their own little subdivision located on tax lot 1900, with no Columbia County don't want to show that map, and wants to hold the neighborhood accountable for fixing their mistakes.

On 9/12/1978 an application to DEQ was made for an septic inspection/septic approval. The applicants name was Lois Hallaran (the owner of tax lot 1900) and the property owners name as Charles Holden. On 9/18/78 an Certificate of Favorable Site Evaluation For Individual Subsurface Sewage Disposal System approved an septic that could support a 3 bedroom home. Absolutely no where on the application and its associated plot maps identifies a road to exist. The directions on the application itself, to the site identify: "5 miles West of Rainier on Hi-Way 30 turn left on Price RD. Go straight South- thru Homeaway Mobilehome Park to the upper parking area". The Map attached in conjunction to the application identifies that the path way from Price Rd in 1978 started on the 1959 easement area to tax lot 2500 and then veered into tax lot 1900. On another plot map within it identifies a path direction to Price Rd. The proposed driveway on tax lot 2500 is labeled as a driveway to that section of tax lot 2500.

On 10/19/1978 Mr. Holden, the owner of tax lot 2500, and Lois Hallaran, the owner of tax lot 1900, made a trip to Columbia County and recorded an illegally crated parcel of land sale/transfer via a Warranty deed identified as Deed Book 220 page 527, absent any Columbia County approval for such land creation.

On 3/28/79 Lois Hallaran, again, applies for an application of septic approval for her newly acquired illegally created parcel, tax lot 2501. The directions to site on application: "Price Rd- ¾- 1 mile up, property is on left side. On the associated plot map again identifies a path direction to Price Rd

On 3/28/79 Lois Hallaran also applies for an Mobile Home Accessory Building Permit Application. On that application has a section labeled Private Property Information. Within that section of the application Hallaran herself identifies the Legal Access Road: Price Road. This is in her own handwriting.

On 5/7/79 Lois Hallaran applies for a building permit for tax 2501 a permit for a 14 x 70 mobile home.

Every application don't offer an a physical address and couldn't because everyone in that time era had a rural route and box number

As one can see, as identified on the land use Action Data Sheet dated 07-12-1982 (the application) tax lot 1901 was a "minor partition". A "Minor partition" does NOT approve any roads or Streets (Right of Ways): ORSs 92.010 to 92.192.

On the application for the minor partition of tax lot 1901 there are a list of questions.

Specifically:

**Q #5: The site (has) (does not have) frontage on a dedicated county or public road. What road?**

The applicant strike a line thru (does not have) and then writes "Homeaway Park Rd. + Price Rd."

**Q #6: This road (is) (is not) constructed.**

The applicant strikes a line thru (is not).

**Q #7: The site (has) (does not have) frontage on a private road.**

The applicant does a squiggle of lines thru both (has) and (does not have) and then hand writes "DOES NOT Have" directly above the (does not have) option.

**Q #8: This road (has) (has not) been constructed as approved by the Planning Commission.**

The applicant hands writes "N/A" directly on top of the word constructed.

On the findings of facts adopted by the Board of County Commissioners dated August 4<sup>th</sup> 1982

**#2 The applicant proposes to create a new parcel, with an existing house, separated from the mobile home park.**

**#8 The property is located near to public roads and utilities.**

**#3 The new parcel will have frontage on "Price Rd" and " Homeaway Park Road."**

-

We all know that the "minor partition" does and did not create a road or a street. The minor partition application of tax lot 1901 clearly documents that not only did "Homeaway Park Road" did not exist, or any road in that manner, but that the minor partition requested "DOES Not HAVE" frontage to a private road, and that it identified this road "has not been constructed" or "approved" by the Planning Commission. In addition to the above, the deed recorded for the "minor partition" of tax lot 1901 on August 24<sup>th</sup> 1982 also included a reservation of an in-gross easement reserved to a "Lois Hallaran" (Deed book 244 pg 12 &13), that reservation was not reserved for any successors, heirs, or assigners, and serves as another other admission that NO road was authorized or existed. One would in fact not of had to reserve any easement if a private road or street was already approved by properly authorized subdivisions/plats of land prior the minor partition of tax lot 1901.

On 11/30/84 Lois Hallaran, in a hurry to dump, what she knew was a severely flawed illegally/unlawfully created landlocked Mobile Home RV Park, enters in to a sale , and reserved a fancy drawn up easement she reserved to tax lot 2501. That reads:

And reserving unto Grantor and unto grantors heirs, sucessors and assigns, a non-exclusive easement for road purposes for access to and from Grantors adjoining property (Tax lot 2501, 1984 Columbia County Aseessor's Map) over and across the existing road know as Homeaway Road, or any modifications or changes of Homeaway Road, which provides access to Grantor's present home on tax lot 2501. This easement is intended for ingress and egress to Grantor's adjoining property for domestic purposes and not for commercial, business purposes. All road maintenance expenses shall be shared by users thereof on a prorata basis, with the exception of the present Grantor. Prorata means maintenance expenses shall be shared by dividing the number of mobile home/travel spaces in the park plus one for the Grantor's lot onto the maintenance cost and then requiring Grantor's successors or assigns to pay that amount for their one share.

Mrs Hallaran figured out how to write an easement, but unfortunately it does not get her that road- to an right of way. But with the help of the county that's no problem, she just gets her own private subdivision.

There is clearly some form of severe confusion as to who has the right to use who's land. The only tax lot that has legal easement rights to use tax lot 1901 is tax lot 1800. There are no valid easements that exist for tax lot 1900, 1902, or 2501 to use tax lot 1901. Tax lot 1901 will not grant nor be forced to grant tax lots 1700,1701,2500, 2501, 1900 or 2400 any form of easements. Tax lot 1800 will not grant easements to 1900, 1902, 2400, or 2501. Easements are given, and not taken. Furthermore, any attempt to "take" for the sole benefits of a NON-Conforming Commercial Use, Careltons' approval of a homesite, or for anyone else in an inappropriate manner, will be met with strong, forceful, opposition from the multiple parties that would be negatively adversely affected. Attempting to "guise" a potential "road requirement" for RDF 22-04s approval will not fly. Don't think, for one minute, that the neighborhood is not well aware of our rights as property owners.

Board order 38-96 attached is the tailer park. Tax lot 2501 didnt have an situs address until around the time of board order 38-96 when they figured out it never got one, and cant have one being an illegal parcel

Please enter into record

Thanks

Dawn

## COLUMBIA COUNTY ASSESSOR

2501

NO

NUMBER

SPEC INT

ACCOUNT NUMBER

FORMERLY PART OF T.L. NO: 2500

[illegible]



## WARRANTY DEED (INDIVIDUAL)

BOOK 220 PAGE 527

CHARLES R. HOLDEN

LOIS J. HALLARAN

, hereinafter called grantor, convey(s) to

of COLUMBIA, State of Oregon, described as:

The West 330 feet of the South 330 feet of the South half of the Southeast quarter of the Northwest quarter of Section 15, Township 7 North, Range 3 West, Willamette Meridian, Columbia County, Oregon

and covenant(s) that grantor is the owner of the above described property free of all encumbrances ~~EXCEPT~~

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$ 5,500.00

UNTIL A CHANGE IS REQUESTED.  
SEND TAX STATEMENT

Lois J. Hallaran  
Rt. 1, Box 424B  
Rainier, Oregon 97048

Dated this 19 day of October, 1978.

*Charles R. Holden*  
Charles R. Holden

STATE OF OREGON, County of COLUMBIA ) ss.

Charles R. Holden 19 October, 1978 personally appeared the above named  
instrument to be his voluntary act and deed. and acknowledged the foregoing

Before me:

*Patricia J. McKee*  
Notary Public for Oregon  
My commission expires: 2/21/81

- \* The dollar amount should include cash plus all encumbrances existing against the property to which the property remains subject or which the purchaser agrees to pay or assume.
- \*\* If consideration includes other property or value, add the following: "However, the actual consideration consists of or includes other property or value given or promised which is part of the/the whole consideration." (Indicate which)

## WARRANTY DEED (INDIVIDUAL)

Charles R. Holden

TO

Lois J. Hallaran

After Recording Return to:

Lois J. Hallaran  
Rt. 1, Box 424B  
Rainier, Oregon 97048

STATE OF OREGON, )

County of Columbia ) ss. 8048

I certify that this within instrument was received for record  
on the 20 day of October, 1978  
at 3:30 o'clock P.M. and recorded in book 220  
on page 527 Records of Deeds of said County.

Witness my hand and seal of County affixed.

*Raya Nelson*

*Click*

Title

By

*Click*

Deputy

STATE OF OREGON  
DEPARTMENT OF ENVIRONMENTAL QUALITY

FOR DEQ USE ONLY

Date Rec'd 3/28/79 Amt. Rec'd \$ 25<sup>00</sup>  
Receipt No. 11334 Permit No. 05-1386  
Date Appl. Completed 3/28/79  
Site Inspection Date N/A  
Approved AKW Disapproved \_\_\_\_\_  
Pre-Cover Inspection Date \_\_\_\_\_

APPLICATION FOR SUBSURFACE SEWAGE DISPOSAL SYSTEM

(NON-REFUNDABLE FEES MUST ACCOMPANY THIS APPLICATION)

1. ☐ Site Evaluation Report for New System (\$75.00)
2. ☒ Permit to Construct New System (\$25.00) (Site Evaluation (No. 1) Required)
3. ☐ Permit to Repair Malfunctioning System (\$25.00)
4. ☐ Permit to Connect New or Altered Structure to Existing System (\$25.00)
5. ☐ Permit to Connect Mobile/Modular Home to Existing System (\$25.00)
6. ☐ Permit Renewal (\$25.00)
7. ☐ Existing System Evaluation
8. ☐ Other (Specify) \_\_\_\_\_

REFERENCE INFORMATION (Please Print)

Lois J. Hallaran  
NAME OF APPLICANT

SAME  
NAME OF PROPERTY OWNER

Price Rd. 97048  
ADDRESS CITY ZIP CODE

ADDRESS CITY ZIP CODE

PHONE

PHONE

PROPERTY DESCRIPTION

7N 3W 15  
Township Range Section  
Price Rd.  
Subdivision/Area Tract

7315-020-02501 combined  
2500 and 1900 lot  
Tax Lot/Account Number County  
2.50 + 11.37  
Block Lot Lot Size

PROPOSAL DESCRIPTION

PLANNED USE: House \_\_\_\_\_ Mobile/Modular Home ☒ Commercial \_\_\_\_\_ Industrial \_\_\_\_\_ Other \_\_\_\_\_  
No. of Bedrooms 3 Water Supply Community well or private well.  
(Describe)

APPLICANT MUST PROVIDE

1. Test Holes (For 1, \_\_\_\_\_). Date Ready N/A
2. Zoning Approval (Except 1, 3, 6 and 7) you may attach a copy of your Zoning Permit or obtain the signature of the appropriate County, City or Indian Planning Commission.  
Signature and Name of Zoning Agency Jarvis M. Conrad 28 Mar 79
3. Plot Plan.
4. Other \_\_\_\_\_

DIRECTIONS TO SITE: (A Map Would Help)

Price Road - 3/4 - 1 mile up, property is on left side.

SIGNATURE Lois J. Hallaran

DATE 3/28/79

05-1386



# PROPOSED SUBSURFACE SEWAGE DISPOSAL SYSTEM

Owner Lois J. Hallaran Installer Rodney Thompson  
 T 7 N, R 3 W, Sec. 15, A.N. 2500 + 1900 ea combined lot -

Upon completion of construction, notify DEQ for inspection of the uncovered system.

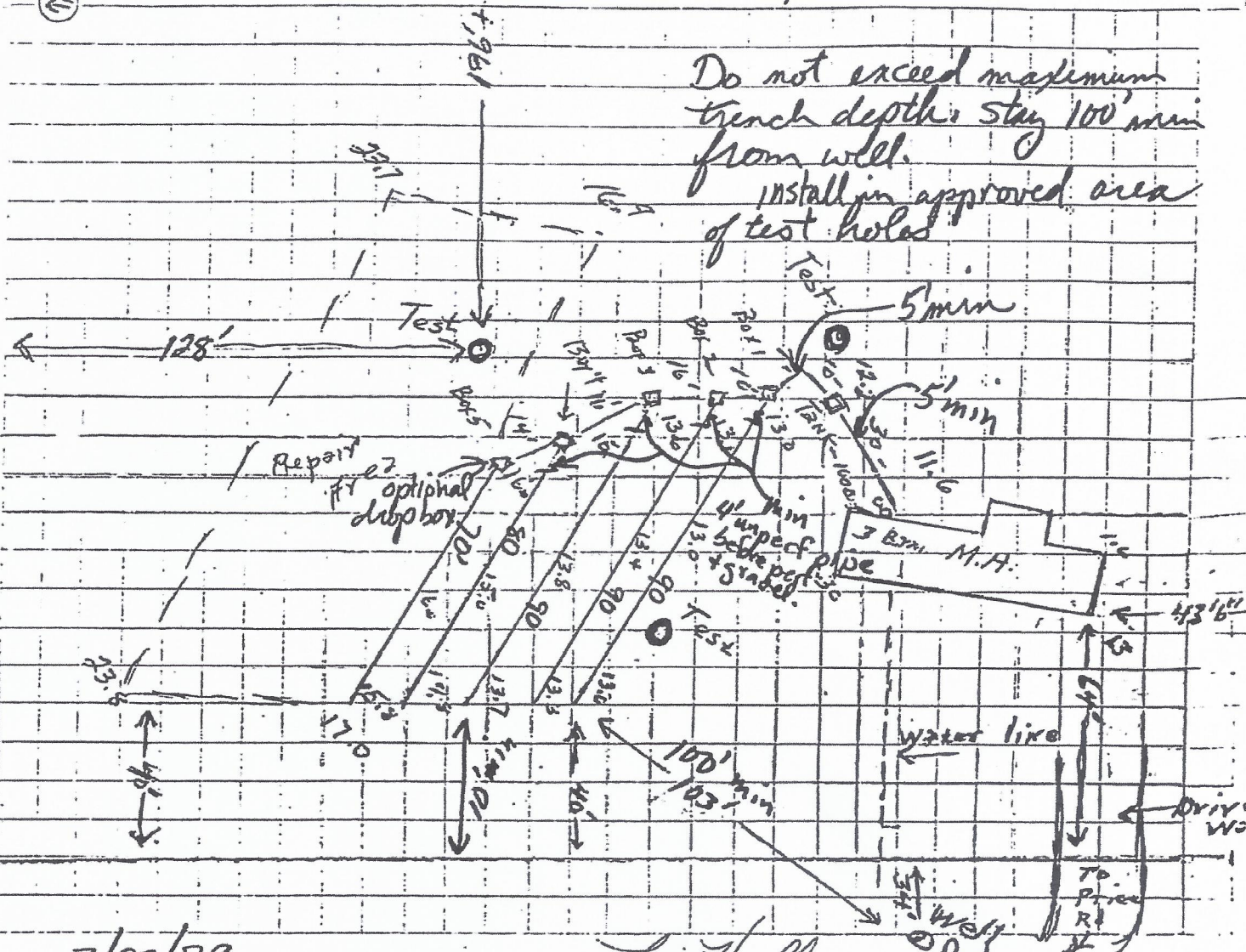
A certificate of satisfactory completion must be issued prior to use of the system (ORS 454.665).



Indicate North in Circle

Indicate Scale: 1" = 40'

Do not exceed maximum trench depth, stay 100' min from well.  
 install in approved area of test holes



Date 3/28/79 Applicant's Signature Lois Hallaran Park well

DEQ USE ONLY: Application is: Approved ☒ Disapproved ☐

Bedrooms 3 Septic Tank 1000 gal. Distribution Type serial w/ dropboxes

Drainlines as shown Total Lineal Ft. 375 Trench Width 2'

Min. Trench Depth 24"; Max. Trench Depth 30"; Spacing Between Lines 10'

REMARKS: Install as per plot plan. No changes unless authorized in writing by this Dept. Maintain 10' setback from property lines, foundation line, 100' from well.

Date 3/28/79 Sanitarian Anne Wilty Permit No 05-1386

STATE OF OREGON  
DEPARTMENT OF ENVIRONMENTAL QUALITY

Property Owner Lois Hallaran 2501  
T. 7N R. 3W Sec. 15 Tax Lot/Acct. No. 2501 + 1900  
Loc./Road Price Rd.

Permit Number 05-1386  
Expiration Date 3/28/80  
Issued By Andrew G. Kelly

3 Bedroom

# PERMIT

[NOT TRANSFERABLE]

New Construction of ☒

Repair of ☐

Connection of ☐

Alteration of ☐

## A SUBSURFACE SEWAGE SYSTEM

All work to conform to Oregon Administrative Rules Chapter 340 71-030. Work shall be done by property owner or by Licensed Sewage Disposal Service.

[MAKE NO CHANGES IN LOCATION OR SPECIFICATIONS WITHOUT WRITTEN APPROVAL]

### SPECIFICATIONS

Tank size 1000 gallons. Disposal trenches 750 Square ft. 375 Lineal ft.  
Maximum trench depth 30" Minimum trench depth 24"  
☐ Loop ☐ Equal ☒ Serial Distance between lines on center 10'  
Total rock depth 12" Below pipe 6" Above pipe 2" ☐ Rake sidewalls  
Special Conditions. [Follow Attached Plot Plan] See plot plan guide.

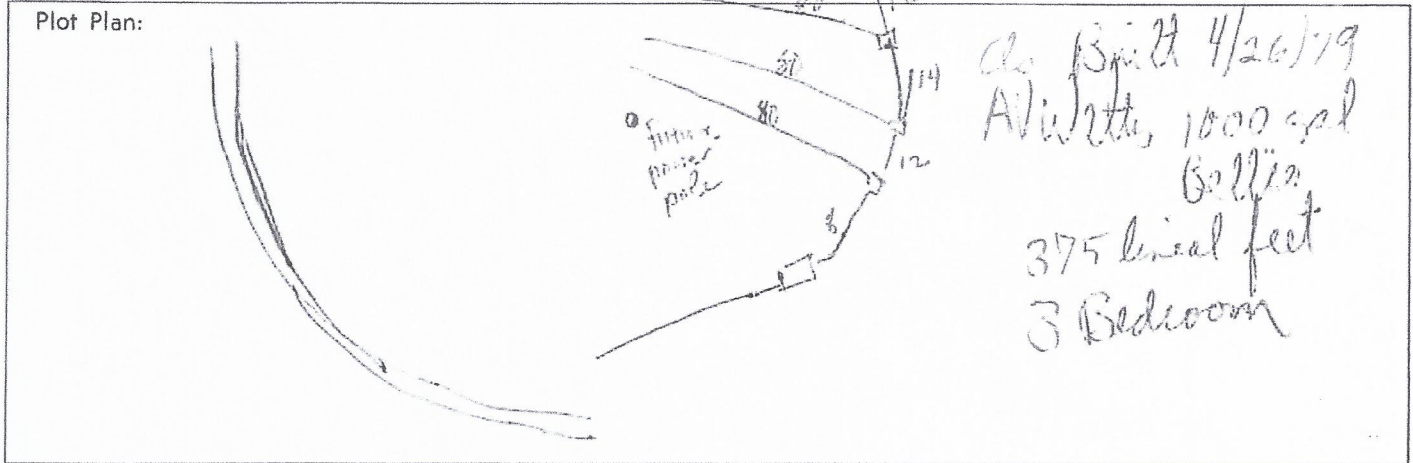
PRE-COVER INSPECTION REQUIRED - CONTACT:

# POST ON SITE



STATE OF OREGON  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
SUBSURFACE SEWAGE SYSTEM  
CERTIFICATE OF SATISFACTORY COMPLETION

Property Owner Lois Hallaran Permit Number 05-1386  
T. 7 R. 3 Sec. 15 Tax Lot/Acct. No. 2501 Date of Final Insp. 4/26/79  
Loc./Road Price Rd. Approved By Al Wilt  
Installer Rod Thompson Title Asst. Regional Eng.  
Disposal Trenches: 750 Square Ft. 375 Lineal Ft. 30 3 Bedroom  
Tank Size: 1000 Gallons. System Designed to Serve



DEQ/WQ-402 1/78

STATE OF OREGON  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
SUBSURFACE SEWAGE SYSTEM INSTALLATION  
**CORRECTION NOTICE**

The Inspection of this Subsurface Sewage System has Produced the Following Violations:

1. Check plastic boxes with water to see that they are sealed tight
2. Did not allow power or other utility workers drainfield or repair

OK to cover

Under the provisions of the OREGON ADMINISTRATIVE RULES, all violations listed above must be corrected and a **CERTIFICATE OF SATISFACTORY COMPLETION** must be issued prior to use of this system. When corrections have been completed, call for inspection.

PERMIT NO. 05-1386

\* All corrections must be made within (15) days  
CONTACT:

INSPECTION:

TIME \_\_\_\_\_

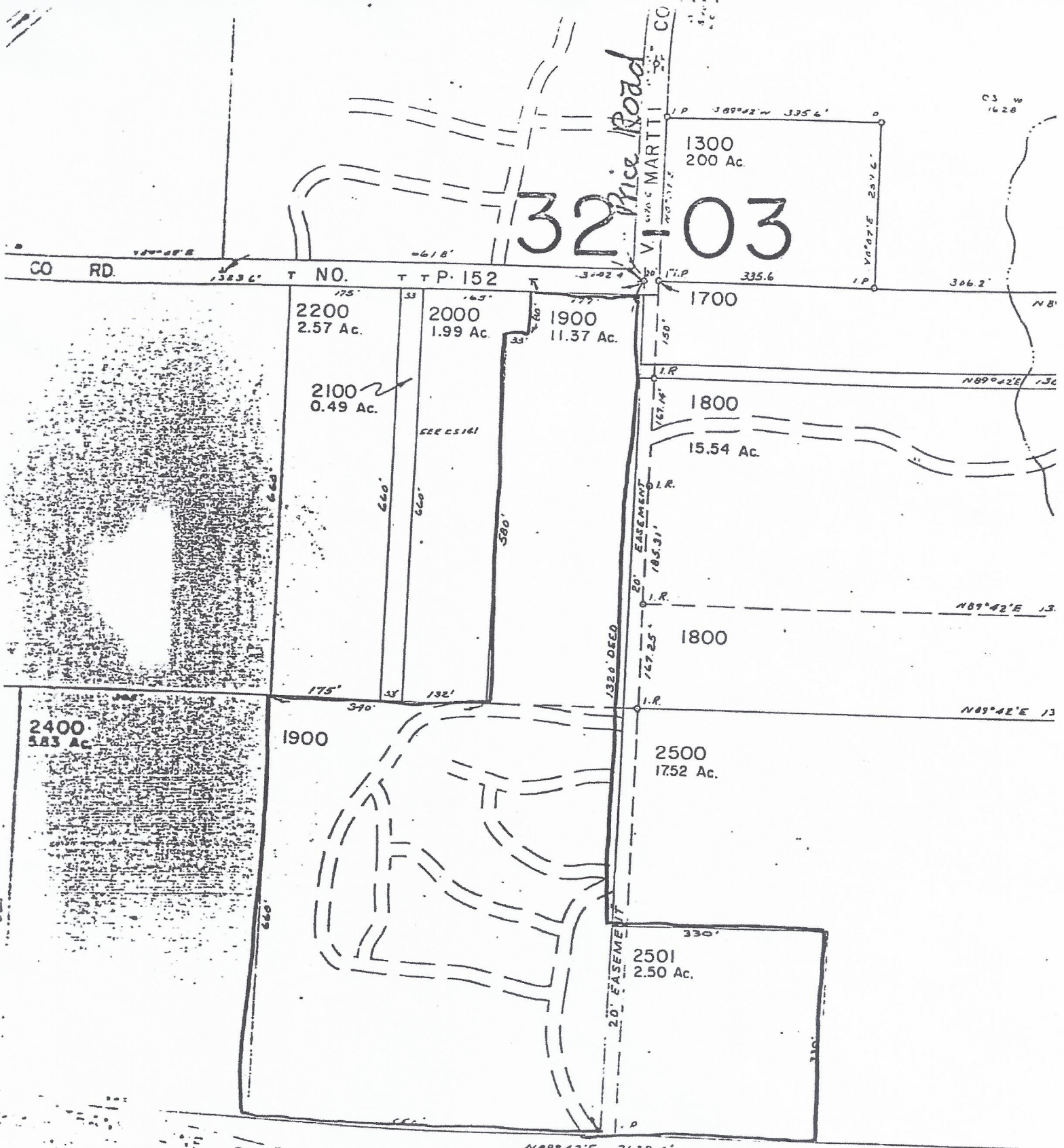
DATE 4/26/79

BY Al Wilt  
(SIGNATURE)

Plastic Inc



**DO NOT REMOVE THIS NOTICE FROM SITE**



SEE MAP 7 3 15

05-1386



Valley 4/27/79

# PLANNING/BUILDING PERMIT APPLICATION

COLUMBIA COUNTY PLANNING/BUILDING DEPARTMENT, COURTHOUSE, ST. HELENS, OREGON 97051-397-1501

THIS APPLICATION AND PERMIT VOID WITHOUT ATTACHED APPROVED PLOT PLAN

LOCATION OF STRUCTURE TO BE FILLED IN HERE RAINIER - PRICE ROAD				LOT SIZE (THIS SITE) 13.37 Acres			
LEGAL DESC.	TAX ACCT. NO. 7315-020-0250	SECTION	SUBDIVISION	BLOCK	LOT	TRACT	SEE ATTACHED SHEET <input type="checkbox"/>
OWNER LOIS HALLARAN		MAIL ADDRESS		ZIP Oregon 97048		PHONE	
CONTRACTOR RAINVIEW M.H. SALES		MAIL ADDRESS RAINIER, OREGON		PHONE		LIC. NO.	
SUBCONTRACTOR (SPECIFY SPECIALTY)		MAIL ADDRESS		PHONE		LIC. NO.	
SUBCONTRACTOR		MAIL ADDRESS		PHONE		LIC. NO.	
PLUMBING CONTRACTOR		MAIL ADDRESS		PHONE		LIC. NO.	
LENDER		MAIL ADDRESS		PHONE		LIC. NO.	
PERMITTED USE SINGLE WIDE MOBILE HOME						NO. OF BDRMS. 3	
CLASS OF WORK <input checked="" type="checkbox"/> NEW <input type="checkbox"/> ADDITION <input type="checkbox"/> ALTERATION <input type="checkbox"/> REPAIR <input type="checkbox"/> MOVE <input type="checkbox"/> REMOVE <input type="checkbox"/> DEMOLISH <input type="checkbox"/> CHANGE OF USE							
Type of Const.	Size of Bldg. 14x70	Total Sq. Ft.	Fire Zone	Occupancy Group	Valuation of Work \$		

OWNER  
HALLARAN, LOIS  
JOB ADDRESS  
RAINIER - PRICE ROAD

SPECIAL CONDITIONS AND REMARKS: SEPTIC PERMIT #05-1386

Zoning District UNZONNED	Planning Approval <i>Jewell M. Conrad</i> Date 29 March 79	D.E.Q. Approval <i>AVH/klb</i> Date 4/27/79	Building Approval <i>O. Halleran</i> Date 3/29/79
-----------------------------	--	---	---

DEPARTMENT	Date Sent	Returned	Hold	Den.	Appr
Planning			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. E. Q.			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Building Dept.			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for Hold					
Reason for Denial					
Date Permit Issued	5-7-79				
INSPECTION					
M. H. Site	<i>OK</i>	<i>OK</i>	7/19 M. H. Final <i>OK</i> 8/27/79		
Ftg. Forms	Framing				
Fdn. Forms	Drywall				
Fireplace	Final				
Plumbing	Other				

PERMIT FEES	
Type of Fixture or Item	Fee
nd Use	\$
nd Use Sign	
n Checking	
struction	
ter and Septic	
mbing Fixtures	
hanical	
ile Home Space	42.50
cellaneous	
harge	

TOTAL FEE \$ 42.50

Signature of Contractor or Authorized Agent (Date)  
*Lois J. Hallaran* 5/7/79  
Signature of Owner (if Owner Builder) (Date)

RECEIPT NO. 5505

PERMIT NO. 2871

29

MOBILE HOME AND ACCESSORY BUILDING  
PERMIT APPLICATION  
COLUMBIA COUNTY, OREGON

DATE

3/28/79

APPLICANT

Lois Halloran

ADDRESS

[REDACTED]

CITY

Rainier

STATE

OR

ZIP CODE

97048

PHONE NO.

FEE SCHEDULE

Single Wide

Double Wide

Land Use

\$ 2.50

Land Use

\$ 2.50

Permit Fee

25.00

Permit Fee

40.00

Elec. & Plumb.

15.00

Elec. & Plumb.

15.00

\$42.50

+ 5.00

\$47.50

\$57.50

Mobile Home Accessory Buildings:

\$5.00 per structure model

MOBILE HOME INFORMATION

Size 14 X 70

No. of Bedrooms 3

Single Wide X

Double Wide

Add'l

INSTALLATION DATE

Rainier M.H. Sales

Rainier, Oregon

Name of Installer

Mailing Address

Lic#

Phone #

MOBILE HOME PARK LOCATION INFORMATION

Name of Park

Address

Space No

PRIVATE PROPERTY LOCATION INFORMATION (Complete Attached Plot Plan)

Septic Permit No. 05-1386

Road Access Permit NO.

Legal Access Road Price Road

Lot Size This Site 2.50 + 11.37

Township 7 N, Range 3 W, Section 15

Tax Account Number 7315-020-02501

Subdivision

Lot

Block

Tract

ACCESSORY BUILDINGS

Type of Structure

small metal

Size of structure

9 x 10

Valuation

99.00

Miscellaneous Comments

Signature of Owner, Contractor or Agent



EXHIBIT "A"

PARCEL 1:

The South half of the Southeast quarter of the Northwest quarter of Section 15, Township 7 North, Range 3 West, Willamette Meridian, Columbia County, Oregon;

EXCEPT the West 330 feet of the South 330 feet of the South half of the Southeast quarter of the Northwest quarter of Section 15, Township 7 North, Range 3 West, Willamette Meridian, Columbia County, Oregon.

PARCEL 2:

An easement for a 20 foot right of way over and across the West 20 feet of the North half of the Southeast quarter of the Northwest quarter of Section 15, Township 7 North, Range 3 West, of the Willamette Meridian, Columbia County, Oregon.

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

97-11080

97 11 10 0005

ELIZABETH HUSKER County Clerk

By *E. Husker* Deputy

Receipt # 3447, of Pages 3

FEES \$ 45.00

STATE OF OREGON  
DEPARTMENT OF ENVIRONMENTAL QUALITY

FOR DEQ USE ONLY

Date Rec'd 9-12-78 Amt. Rec'd \$ 75.00  
Receipt No. 8766 Permit No. \_\_\_\_\_  
Date Appl. Completed \_\_\_\_\_  
Site Inspection Date 9/18/78  
Approved AWW 9/21/78 Disapproved \_\_\_\_\_  
Pre-Cover Inspection Date \_\_\_\_\_

APPLICATION FOR SUBSURFACE SEWAGE DISPOSAL SYSTEM

(NON-REFUNDABLE FEES MUST ACCOMPANY THIS APPLICATION)

1. ☒ Site Evaluation Report for New System (\$75.00)
2. ☐ Permit to Construct New System (\$25.00) (Site Evaluation (No. 1) Required)
3. ☐ Permit to Repair Malfunctioning System (\$25.00)
4. ☐ Permit to Connect New or Altered Structure to Existing System (\$25.00)
5. ☐ Permit to Connect Mobile/Modular Home to Existing System (\$25.00)
6. ☐ Permit Renewal (\$25.00)
7. ☐ Existing System Evaluation
8. ☐ Other (Specify) \_\_\_\_\_

REFERENCE INFORMATION (Please Print)

NAME OF APPLICANT Lois J. Hallaran  
ADDRESS \_\_\_\_\_  
CITY Rainier ZIP CODE 97048  
PHONE \_\_\_\_\_

NAME OF PROPERTY OWNER Charles A. Holden  
ADDRESS \_\_\_\_\_  
CITY Portland ZIP CODE \_\_\_\_\_  
PHONE \_\_\_\_\_

PROPERTY DESCRIPTION

Township Tw 7N Range R 3 Section Sec 15 Tax Lot/Account Number 2500 County Columbia  
Subdivision/Area \_\_\_\_\_ Tract \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_ Lot Size 2 1/2 acres

PROPOSAL DESCRIPTION

PLANNED USE: House \_\_\_\_\_ Mobile/Modular Home ☒ Commercial \_\_\_\_\_ Industrial \_\_\_\_\_ Other \_\_\_\_\_  
No. of Bedrooms 3 Water Supply Homeaway M.H. Park well. (Describe)

APPLICANT MUST PROVIDE

1. Test Holes (For 1, 3). Date Ready 9-14-78 Will call Thurs. A.M.
2. Zoning Approval (Except 1, 3, 6 and 7) you may attach a copy of your Zoning Permit or obtain the signature of the appropriate County, City or Indian Planning Commission.  
Signature and Name of Zoning Agency Lawrence McComad for lot evaluation only 12 Sep 78
3. Plot Plan. \_\_\_\_\_
4. Other Has not been Partitioned

DIRECTIONS TO SITE: (A Map Would Help)

5 Miles West of Rainier on Hi-way 30 turn left on Price Rd. Go straight South - thru Homeaway Mobilehome Park to the upper Parking area.

SIGNATURE Lois J. Hallaran  
(Contract Purchaser/Owner/Installer)

DATE Sept. 12, 1978





DEQ - St. Helens Branch Office  
E EVALUATION REPORT/FIELD NOTE.

Applicant's Name Hallagan Lois  
T 7 N, R 3 W, Sec. 15 A.N. 2500

Inspection Date 9/10/78

Reinspection date

Depth	Soil Description	Test Hole #	Depth	Soil Description	Test Hole #
0-8	silt topsoil		0-7	silt topsoil	2
8-35	silt		7-32	silt	
35	mottled silt		32-42	mottled silt	
43	Restr.		42	Restriction	
62	Water		64"	Water	

Depth	Soil Description	Test Hole #	Depth	Soil Description	Test Hole #
0-12	silt topsoil	3			
12-20	silt				
30-50	mottled silt				
50-64	Restriction				
64	Water				

Depth	Soil Description	Test Hole #	Depth	Soil Description	Test Hole #

COMMENTS: Keep drainfield & repair well up on  
proper. 100' setback from well 24-30  
Serial

SOIL RATING 250 Sq. Ft./150 gals.; Sanitarian Anne Welch

☒ SEE REVERSE SIDE FOR TEST SITE LOCATION, PLOT & SLOPE PLANS  
Applicant Sketch

Permit No.



State of Oregon  
DEPARTMENT OF ENVIRONMENTAL QUALITY

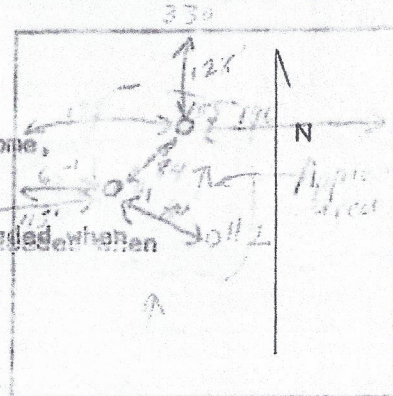
CERTIFICATE  
OF FAVORABLE SITE EVALUATION FOR  
INDIVIDUAL SUBSURFACE SEWAGE DISPOSAL SYSTEM  
(Not a permit for construction)

This is to certify that the following described property  
T7N, R3W, Section 18, Tax Lot # 2500  
Columbia County - Price Rd. - 2 1/2 Acres

has been evaluated on 9/18/78 and found to be approvable for the installation of one subsurface sewage disposal system in accordance with ORS 454.605 through 454.755 and administrative rules of the Environmental Quality Commission promulgated thereunder.

This approval is given on the basis that the lot or parcel described above will not be further partitioned or subdivided and that conditions on subject or adjacent properties have not been altered in any manner which would prohibit issuance of a permit under the statutes and rules noted above. Any such subdivision, partitioning or alteration voids this certificate.

The subsurface sewage disposal system is to be located on the above-described property as follows:  
Keep drainfield and repair areas upslope as much as possible. Maintain 100' setback from existing well(s)  
Serial distribution with drop boxes. 125 lineal feet of drainline per bedroom. Trench depths: 24 - 30.  
OK for 3 bedroom home depending on size and location of home, location of existing and future wells.  
Inspection of staked out drainfield recommended before permit issued. Property should be partitioned and dedicated when permit is applied for.



A system to be located anywhere on the lot or parcel other than as described above will require an additional site evaluation along with an additional fee.

This certification is valid until a subsurface sewage disposal system is installed pursuant to a permit obtained from the Department of Environmental Quality (DEQ) or until earlier cancellation, pursuant to Commission rules, with written notice thereof by the Department of Environmental Quality to the then owners according to Department records or the county tax records, whichever are more current. Subject to the foregoing, this certification runs with the land and will automatically benefit subsequent owners of the land.

Issued: 9/28/78

Date

To: Charles A. Holden c/o Lois J. Hallaran

Landowner

[Redacted Address]

Address

Rainier Oregon 97048

City

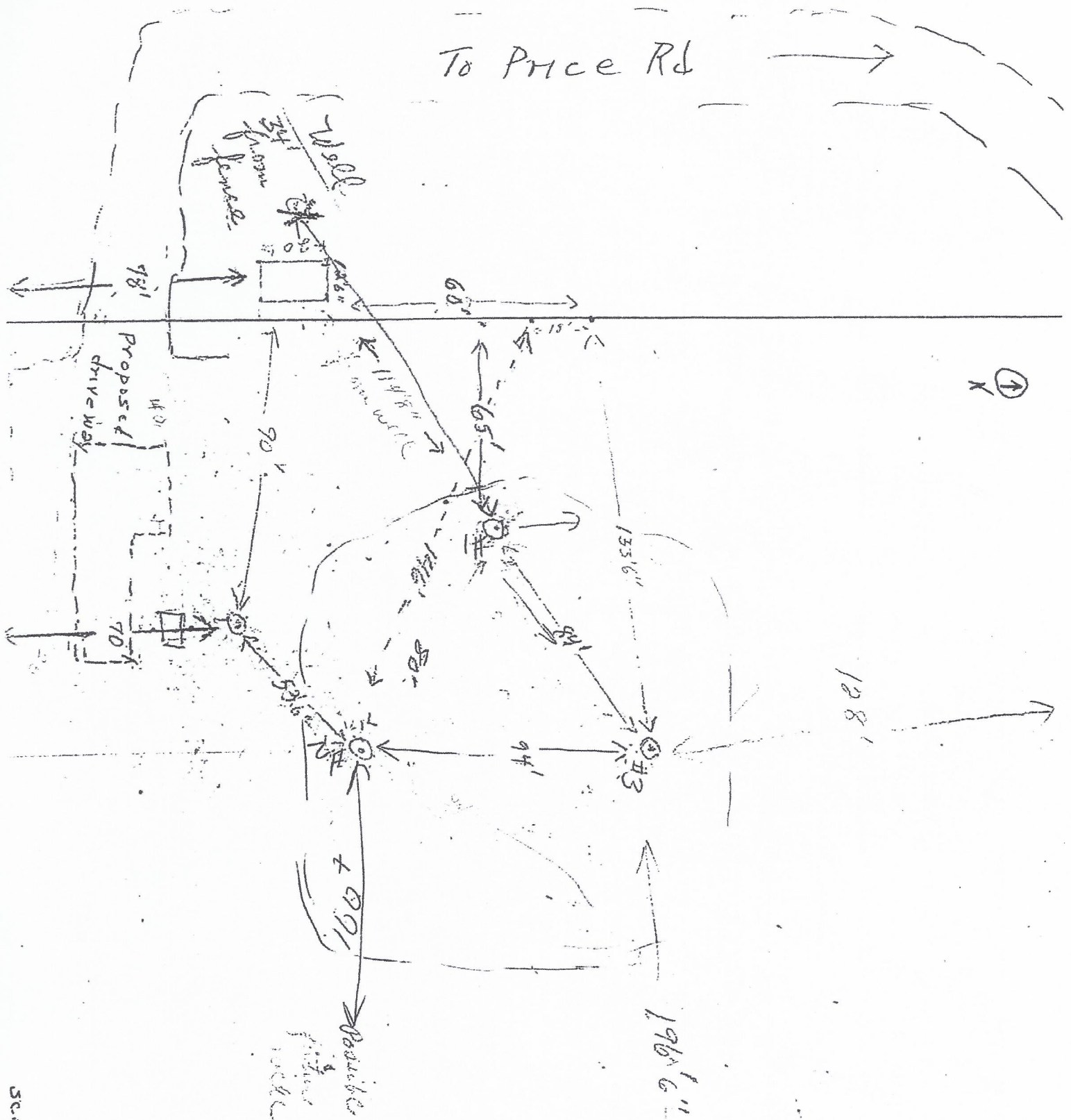
State

Zip

By [Signature]  
DEQ or Contract Agent



To Price Rd



Scale 1" = 40'

## WARRANTY DEED (INDIVIDUAL)

BOOK 220 PAGE 527

CHARLES R. HOLDEN

LOIS J. HALLARAN

, hereinafter called grantor, convey(s) to

of COLUMBIA, State of Oregon, described as:

The West 330 feet of the South 330 feet of the South half of the Southeast quarter of the Northwest quarter of Section 15, Township 7 North, Range 3 West, Willamette Meridian, Columbia County, Oregon

and covenant(s) that grantor is the owner of the above described property free of all encumbrances ~~except~~

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$ 5,500.00 .

UNTIL A CHANGE IS REQUESTED.  
SEND TAX STATEMENT

Lois J. Hallaran  
Rt. 1, Box 424B  
Rainier, Oregon 97048

Dated this 19 day of October, 19 78.

*Charles R. Holden*  
Charles R. Holden

STATE OF OREGON, County of COLUMBIA ) ss.

Charles R. Holden 19 October, 19 78 personally appeared the above named instrument to be his voluntary act and deed. and acknowledged the foregoing

Before me:

*Patricia J. McKee*  
Notary Public for Oregon

My commission expires: 2/21/81

- \* The dollar amount should include cash plus all encumbrances existing against the property to which the property remains subject or which the purchaser agrees to pay or assume.
- \*\* If consideration includes other property or value, add the following: "However, the actual consideration consists of or includes other property or value given or promised which is part of the/the whole consideration." (Indicate which)

## WARRANTY DEED (INDIVIDUAL)

Charles R. Holden

TO

Lois J. Hallaran

After Recording Return to:

Lois J. Hallaran  
Rt. 1, Box 424B  
Rainier, Oregon 97048

STATE OF OREGON, )

County of Columbia ) ss. 8048

I certify that the within instrument was received for record on the 20 day of October, 19 78, at 3:30 o'clock P.M. and recorded in book 220 on page 527 Records of Deeds of said County.

Witness my hand and seal of County affixed.

*Raya Nelson*

*Click*

Title

By

*Click*

Deputy



COLUMBIA COUNTY ASSESSOR

Name and Tax Lot Information

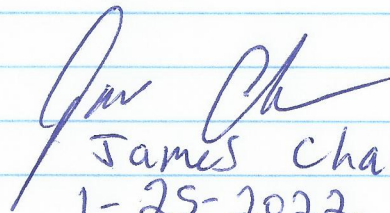
FORMERLY PART OF

memo cont.



PDF 22-04

We The Residents of 75740 Price Rd.  
Will not allow anymore land For Carelton  
and will no grant any land for a road  
To ~~the~~ Columbia County, or The Trailer park

  
James Chamblee  
1-25-2022

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

An Ordinance Establishing a Countywide Addressing System, Providing Procedures to Implement this Address System, and Establishing a Uniform Road Naming System

No. 81-6

ORDINANCE

THE BOARD OF COUNTY COMMISSIONERS FOR COLUMBIA COUNTY, OREGON ORDAINS  
AS FOLLOWS:

Section I - Title: Columbia County Rural Addressing System.

Section II - Authority: ORS Chapter 215 empowers the Columbia County Board of Commissioners, hereinafter, the Board, to define through an ordinance the purposes and requirements relating to the addressing of dwellings in the unincorporated areas of Columbia County; and to provide a uniform road naming system for Columbia County.

Section III - Purpose: The establishment of a permanent countywide addressing system that will allow for systematic numbering of new and existing structures in the county and will provide all emergency vehicles, as well as interested individuals and businesses, with the necessary information to locate dwellings by site address. The countywide addressing system will also establish permanent mail delivery numbers and eliminate the problems associated with a continually changing route and box system.

Section IV - Exception: This ordinance does not pertain to the following areas within Columbia County:

4.01 the area within any municipality within the county;

4.02 the Board may choose to exempt the Sauvie Island portion of the county, and any other portion which is unfeasible to enact this ordinance;



- 4.03 The county may choose to not exercise the implementation of this ordinance within an established Urban Growth Boundary of any municipality in the county if the city and the county reach a mutual agreement to address the lands within the Urban Growth Boundary in accordance with an established city numbering system. This exemption is intended to insure there is a minimum of confusion in these Urban Growth Boundaries in accordance with all the other applicable provisions of this ordinance.

Section V - Definitions: County Grid System.

- 5.01 County Grid System. A coordinate system which is established by this ordinance and which covers all lands within Columbia County. The numbers in the grid system shall increase as they traverse north and east from their initial line, at the rate of 1000 numbers per section.
- 5.02 Initial South Line. The initial south line is the south line of Sections 22, 23, and 24, Township 3 North, Range 2 West, W.M. This line is defined as the number 50,000 for the purposes of this County Grid System. The south to north numbers shall increase at the rate of 1000 numbers per section until they reach 84,000 at the north boundary of the county. This line will run the entire width of the county, west to east.
- 5.03 Initial West Line. The initial west line is the line between Township 4 North, Range 5 West and Township 4 North, Range 6 West. The line runs the entire length of the county, south to north. This line is defined as number 10,000 for the purposes of the County Grid System. The west to east number shall increase at a rate of 1000 numbers per section until they reach 39,000 on the eastern boundary of the county.
- 5.04 Grid Lines. Grid lines run west to east and north to south for the entire length and width of the county. These lines will be used to assign the numerical portion of an address to a residence or other structure in the unincorporated county.
- 5.05 Address. An address shall be a "5" digit number and a road name. This address shall be measured at the location where the driveway intersects a county road, public way, or private road. Addresses shall end in an even number on the south and east sides of a road and shall end in an odd number on the north and west sides of a road.
- 5.06 North-South Road. A road which runs predominately north-south. The addresses shall be numbered in accordance with the south to north grid which begins with 50,000 and runs consecutively to 84,000 at the rate of 1000 numbers per section.
- 5.07 East-West Road. A road which runs predominately west to east. The addresses on this road shall be numbered in accordance with the west to east grid which begins with 10,000 and runs consecutively to 39,000 at the rate of 1000 numbers per section.
- 5.08 County Road. A road which has a public right-of-way and is part of the county road maintenance system.



- 5.09 Private Road. A right-of-way created by easement, often at the approval of the Planning Commission under provisions of ORS 92.014, and not dedicated to the county or the public. This road is not part of the county road maintenance system.
- 5.10 Postal Delivery Area. The area in which mail is delivered from a single post office.
- 5.11 Public Way. A road dedicated to the county or the public but has not been accepted into the county road maintenance system.
- 5.12 Building Department. The Columbia County Building Department.
- 5.13 Planning Department. The Columbia County Planning Department.
- 5.14 Board. The Columbia County Board of Commissioners.

Section VI - Rural Address System.

- 6.01 The Columbia County Grid System is established by this ordinance as the official address system for the unincorporated portions of Columbia County. All areas of the county shall be renumbered in such a manner the address of a residence, business, or other structure requiring an address, is a "5" digit number taken from the County Grid System and road name.
- 6.02 This ordinance shall provide the framework for the process for establishing and maintaining the Columbia County Rural Address System. Existing homes and structures shall be numbered on a postal delivery area basis. When all numbers have been mapped and roads named in accordance with the provisions of this ordinance, the Board shall adopt an amendment to this ordinance, establishing the road names and implementing the rural address system in that particular postal delivery area.
- 6.03 Notification of a Change. The county in cooperation with the postal service will notify the occupants of each postal delivery area of the proposed change in the address of the residence or structure at least six (6) weeks prior to the effective date.
- 6.04 The Planning Department shall coordinate the development of the maps for the Columbia County Grid System and shall work with the Building Department to keep these maps current.
- 6.05 Road Name. All roads in the county shall be named or renamed in accordance with the provision of Section VII of this ordinance.
- 6.06 Numbering of New Homes by the Building Department. Whenever a building permit is issued for a new residence, commercial, or industrial structure in an area of Columbia County, in which the rural address system has been placed in effect by amendment to this ordinance, the Building Department shall assign the new structure an address, in accordance with its location on the maps of the Columbia County Grid System. The Building Department shall notify the Post Office, Fire District, Central Dispatch, and any other appropriate agency of the new address.



Section VII - Road Names.

- 7.01 County Roads. The legal name of all county roads are hereby changed to match the road names established on the Road Index Map of Columbia County, Oregon prepared by the Oregon Department of Transportation in November 1977. Any roads accepted into the county road system since this map was prepared shall be named with the name in which it was accepted. The Road Index Map is a part of this ordinance and is adopted by reference.

If there is a conflict between a county road name on the Road Index Map and the commonly used road name or a road name previously established by the Board, the common name or the previously established name shall be used as the legal name of the county road. These names shall be part of any site specific amendments to this ordinance.

- 7.02 Conflicting Road Names. No two (2) roads in Columbia County may have the same name. The only exception to this requirement are county road names established by Section 7.01 of this ordinance.

- 7.03 Naming of Public Ways. Public ways shall be named with their dedicated name or the name in common usage by the residents of the area, whenever possible. A public way shall only be named when it is actually being used as a road. Public ways not constructed shall not be named until such time as the construction of a road is within the existing right-of-way and is approved by the Board. At that time, the Board shall establish a name for the public way as an amendment to this ordinance.

- 7.04 Naming of Private Roads. All private roads with three (3) or more houses shall be named in accordance with the provisions of this ordinance. The Columbia County Planning Commission shall recommend road names to the Board as part of the approval of any new roads created under the provisions of ORS 92.014. At that time the Board shall establish a name for the public way as an amendment to this ordinance.

- 7.05 Citizen Request for Road Name. The majority of the citizens living on a county road, public way or private road may petition the Board to name or rename the road on which they live. The Board shall hold a public hearing for an amendment to this ordinance for the purpose of renaming a road and may change the road name, so long as the amendment does not conflict with any appropriate provisions of this ordinance.

- 7.06 Names of Roads.

County roads may be designated as roads or highways.

Public ways may be designated as streets, drives or avenues, or as boulevards.

Private roads may be designated as loops, terraces, lanes, places, ways, or courts.

7.07 Name of U. S. Highway #30.

U. S. Highway #30 shall be named as follows:

- (a) Columbia River Highway from south county line to east city limits of Rainier;
- (b) U. S. Highway #30 from west city limits of Rainier to the west Columbia County line.

Section VIII - Severability.

If any provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions thereof.

Section IX - Repeal of Conflicting Ordinances and/or Resolutions.

All previously adopted ordinances, resolutions or parts thereof in conflict with this ordinance, to the extent of such conflict and no further, are hereby repealed.

Section X - Effective Date.

This ordinance shall be in full force and effect on the 90th day following the enactment hereof.

REGULARLY PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS FOR COLUMBIA COUNTY, OREGON, THIS 9th DAY OF September, 1981.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

Robert M. Hunt  
Chairman

Marion Sahagian  
Commissioner

Cliff Ahlborn  
Commissioner

Robert Stubbs  
Recording Secretary

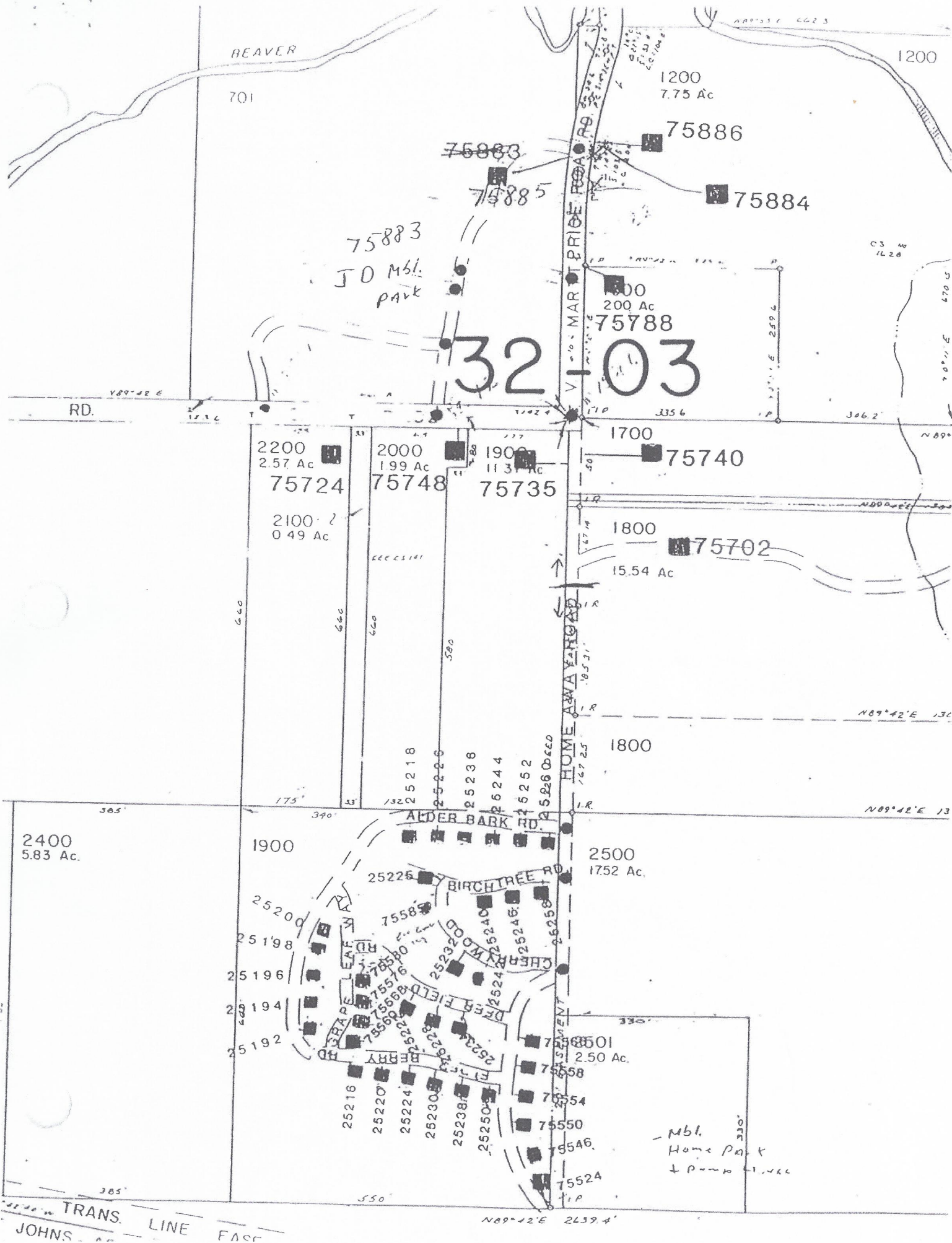
Read in Full: August 26, 1981

Read - Title Only: September 9, 1981

VOTE:	Commissioner Hunt	<u>X</u> aye	___ nay
	Commissioner Sahagian	<u>X</u> aye	___ nay
	Commissioner Ahlborn	<u>X</u> aye	___ nay

Stamp: OCT 1 9 23 AM '81  
Handwritten: 982  
Signature: [Illegible]





BEAVER  
701

AR 33 E 62.3

1200

1200  
7.75 Ac

75886

75884

75883

75885

75883

JO Mbl.  
PARK

200  
200 Ac

75788

32-03

RD.

V 89° 42' E

2200  
2.57 Ac

75724

2100  
0.49 Ac

2000  
1.99 Ac

75748

1900  
11.31 Ac

75735

1700

75740

1800

75702

15.54 Ac

1800

N 89° 42' E 136

N 89° 42' E 13

2400  
5.83 Ac.

1900

2500  
17.52 Ac.

ALDER BARK RD.

BIRCHTREE RD.

25200

25225

75583

25198

25196

25194

25192

25216

25220

25224

25230

25238

25250

25252

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25



Drake  
Pond  
75883  
J.M. Mbl.  
Park

75885

75884

CS A  
1628

1300  
2.05 Ac  
75788

32-03

ICE RD 123.6 T T 2102.4 P 335.6 P 306.2

5696

2200  
2.57 Ac  
75724

2000  
1.00 Ac  
75748

1900  
1.31 Ac  
75735

1700  
75740

1800  
15.54 Ac  
75702

1900  
10.26 ac

2100  
1.48  
75728

25231

25218

25236

25244

25252

25260

1800

2400  
5.83 Ac

1900

2500  
17.52 Ac

see  
correct  
clarified  
address  
map of  
Deer  
Pond  
heads  
in  
LD's  
Bulking  
files  
2014/19

no longer valid  
as areas



TRANS. LINE EASE.  
ST. JOHNS - ASTORIA  
LONGVIEW - ASTORIA

MAP 7 3 15

300



Major Partition  
Minor Partition X  
Building Permit  
Septic Construction

LAND USE ACTION DATA SHEET

Date 07-12-82  
Receipt # 2848

Applicant Lois J. Halloran  
Address Rt 1 Box 424-B  
City Rainier State Ore  
Zip 97048 Phone 556-9207

Owner Lois J. Halloran  
Address Rt 1 Box 424-B  
City Rainier State Ore  
Zip 97048 Phone 556-9207

Tax Account Number(s) of Location 7315-020-01900

Land Use Action Requested Minor Partition

- 1) The site is within an Urban Growth Boundary as defined in Appendix A of Ordinance 80-8.  
Yes \_\_\_\_\_ No X (If yes, answer questions 1-15, 22 and 23.)  
(If no, answer all appropriate questions.)  
City of \_\_\_\_\_

*Soil Conservation Service Staff Helena Blvd 16-77*

The site is located in Soil Association Number \_\_\_\_\_, the \_\_\_\_\_ Soil Association, and the site contains Forest Site Class \_\_\_\_\_ land. (If the area is predominantly forest or designated forest, answer questions 1-14, 16, 22 and 23. If NOT, answer questions 1-23 as applicable.) See SGS comments.

- 3) The site is in an area which is parcelized into lots averaging:  
\_\_\_\_\_ 1 acre or less. X 20 acres or less.  
X 5 acres or less. \_\_\_\_\_ 40 acres or less.  
\_\_\_\_\_ 10 acres or less. \_\_\_\_\_ more than 40 acres.
- 4) The site (has) ~~(does not have)~~ an approved septic evaluation.
- 5) The site (has) ~~(does not have)~~ frontage on a dedicated county or public road.  
What road? Homeaway Park Rd. & Price Rd.
- 6) This road (is) ~~(is not)~~ constructed.
- 7) The site ~~(does not have)~~ does not have frontage on a private road.
- 8) This road (has) ~~(has not)~~ been N/A constructed as approved by the Planning Commission.
- 9) The site totals 11.37 acres.
- 10) The site has 30+ structures on it. includes mobile home park
- 11) The site (has) (does not have) flood hazard areas in it.
- 12) The water resource for the site is: Private well Common of H<sub>2</sub>O  
Public water \_\_\_\_\_  
Unknown \_\_\_\_\_

13) The existing use of the site is:

Mobile home Park & Residence

14) The surrounding land uses are:

Residential, Commercial, Agricultural

15) Is the parcel located inside an acknowledge Urban Growth Boundary or inside the temporary boundaries shown in Ordinance 80-8 Exhibit A? yes \_\_\_\_\_ no \_\_\_\_\_ If yes, go to question 22. (If this action is on Class I-IV soils and is outside an Urban Growth Boundary, the burden of proof is more substantial. Questions 16 thru 23 must be addressed as applicable.) Continue.

X 16) Farm or forest.

See SCS comments.

A) Is the parcel situated on land that is composed of predominantly class I-IV soils. Parcels located on soil associations 1 thru 7 and 9 are shown on the SCS General Soils Map are presumed to be predominantly class I-IV soils until more detailed credible evidence is presented.

Yes \_\_\_\_\_ No \_\_\_\_\_

(EXAMPLES of more credible evidence -- Soil Conservation Service field notes on which the map was based; SCS Aerial survey of soil associations in those areas where the survey has been completed; Soil survey of the parcel by an expert.)

B) Is the parcel situated on land that is predominantly forest land and

1) is outside the area described in 16 (a); or

2) is inside the area described in 16 (a) but the Board of County Commissioners has designated the land as predominantly forest land? Yes \_\_\_\_\_ No \_\_\_\_\_  
If no go to question 17; If yes continue to 16 (c).

C) If the site is primarily a forestry site, will the proposed action create or maintain a lot which will support continued forest use in the area? Yes \_\_\_\_\_ No \_\_\_\_\_  
Explain.



- D) Is the proposed use in a forest area compatible with forest practices? Yes \_\_\_\_\_ No \_\_\_\_\_  
Explain and then continue with question 22.

- 17) Will the proposed use create or maintain a buffer between existing rural residential uses and farm or forestry use? Yes \_\_\_\_\_  
No \_\_\_\_\_. Explain.

- X 18) Is the parcel committed to nonfarm use, based on the criteria below? If so, further protection under Goal 3 is not required. To be committed, the parcel must be: see SCS comments.

A) too small for commercial agricultural production; AND

- 1) criterion #1 - soil types and pattern in the area;

(Example of evidence - SCS publication "General Soil Map with Soil Interpretations for Land Use Planning: Columbia County Oregon, September, 1972; SCS field notes; SCS aerial survey of soil associations in areas where completed; expert testimony.)

- 2) criterion #2 - type of crops grown in the area and typical yields;

(evidence - information provided by the Agricultural extension agent.)

- 3) criterion #3 - average size of parcels required to produce commercial quantities of typical crops grown in the area.

(evidence - same as #2)

- 4) criterion #4 - other relevant information included in the agricultural element of the County's Comprehensive Plan, when adopted.

(evidence - the Plan, when adopted.)

- 5) criterion #5 - potential markets.

(Evidence - Information provided by the Agricultural Extension agent, or other qualified expert.)

- 6) criterion #6 - use of accepted farming practices as defined in ORS 215.203(2)(c).

(Evidence - information provided by the Agricultural Extension agent, or other qualified expert.)

- B) AND not adjacent to or near or parcels which could in combination support a commercial agricultural operation, and is either:

(Evidence - information provided by the Agricultural Extension agent or other qualified expert.)

- C) AND surrounded by or situated among parcels used for nonfarm or non-forest uses such that it is not available for farm or forestry use; or

(Evidence - same as (b) plus forestry experts)

- D) OR in a water district where community water is presently available at the parcel.

(Evidence - maps and/or testimony of water district personnel)

If the land is committed, go to question 22; if not continue.

- 19) Locating dwellings on agricultural land

- A) Farm dwellings.

- 1) Is the parcel large enough to support commercial agricultural production? Yes \_\_\_\_\_ No X

(Evidence - see 18 (a))



2) Is the applicant proposing to use the parcel as a farm?

Yes \_\_\_\_\_ No X

B) Non-farm dwellings

1) A single-family residential dwelling other than a farm dwelling under 19(a) must meet the following criteria:

- a) is compatible with farm uses defined in ORS 215.203(2) and is consistent with the intent and purposes set forth in ORS 215.243; and
- b) does not interfere seriously with accepted farming practices defined in ORS 215.203(c) on adjacent lands devoted to farm use; and

(Evidence-testimony and other evidence)

- c) does not materially alter the stability of the overall land use pattern of the area; and

(Evidence - same as "adjacent lands" above, as well as planners)

- d) is situated upon generally unsuitable land for the production of farm crops and livestock, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of tract.

(Evidence - farm experts including farmers; topographical maps; photos of flooding, etc.; maps showing size of tract and surrounding parcels; SCS General Soil Map with Soil Interpretations for Land Use Planning: Columbia County, Oregon.)

20) Divisions of land.

- A) Does the division of land comply with the intent of the Agricultural Land Use Policy in ORS 215.243? Yes \_\_\_\_\_ No \_\_\_\_\_ Explain.

(Criteria and evidence under ORS 215.243 are addressed in question 19(b)(1).)

B) Farm or non-farm uses

- 1) Are the parcels created of sufficient size to support commercial agricultural production as described in question 18(a)? Yes \_\_\_\_\_ No X Explain

- 2) Is the intended use a non-farm use permitted under ORS 215.213? If so, the criteria of question 19(b)(1) must be met.

21) Any other land use action must be a use allowed under ORS 215.203 to ORS 215.213.

22) Zoning UNZONED

If the land is or is not farm land but is otherwise located in a zoned area, the zoning regulations shall also apply.

23) Comprehensive Plan.

- A) Before the Comprehensive Plan is adopted, the proposal must meet all applicable statewide planning goals;
- B) After the Plan is adopted and before the plan is acknowledged by the LCDC as being in compliance with the statewide goals, the proposal must meet both the statewide goals and the Plan as well.
- C) After the Comprehensive Plan is acknowledged by the LCDC, the proposal must meet the Comprehensive Plan.
- D) The Planning Goals must be addressed, although each goal does not apply in every case.

The goals are as follows:

- 1) Goal 1 - Citizen involvement: this has been met by following the procedures outlined in Ordinance 80-8.
- 2) Goal 2 - Land Use Planning: this has been met by following the procedures outlined in Ordinance 80-8.
- 3) Goal 3 - To Preserve and Maintain Agricultural Lands:

Is there Class I-IV soil at this site? Yes \_\_\_\_\_ No X

Mapped from general map \_\_\_\_\_

or specific map X

Is the proposed action consistent with ORS 215.203 to 215.213 and 215.243?

Why?

If no, then:

1. What is the need for these uses on this land?

2. Are there alternative locations for these uses?



3. What are the long term effects of allowing this use on the land?

4. Is this proposed use compatible with the adjoining uses?

4) Goal 4 - To Conserve Forest Lands for Forest Uses:  
Is this land cubic foot site Class 1, 2, 3, 4 or 5?  
Yes   X   No       

Is the action compatible with the long term forest management. Why?

If no, then.

1. What is the need for these uses on this land?

2. Are there alternative locations for these uses?

3. What are the long term effects of allowing these uses on this land?

4. Is this proposed use compatible with the adjoining uses?

5) Goal 5 - To Conserve Open Space and Protect Natural and Scenic Resources: Does this area contain land needed for open space, environmentally sensitive areas, such as marshland and fish spawning areas, significant cultural or historical sites, mineral resources, or fish and wildlife areas? Yes        No   X  

Does this action infringe on any of the previously listed resources?

If yes:

1. What is the need for these uses on this land?

2. Are there alternative locations for these uses?

3. What are the long term effects of allowing these uses on this land?

4. Is this proposed use compatible with the adjoining uses?

6. Goal 6 - To Maintain and Improve the Quality of the Air, Water and Land Resources of the State: Has the applicant made adequate provision to provide water to the proposed use? Yes ☒ No ☐

How? *Commonly H<sub>2</sub>O*

Has the DEQ been contacted regarding sewage disposal?

Yes ☒ No ☐

Will the proposed project have a significant effect on the air quality of the area (large increases in auto traffic can affect the air quality?) How?

Yes ☐ No ☒

Are there any other types of pollution which might be caused by this new use? If yes, what type.

Yes ☐ No ☒

7. Goal 7 - To protect life and property from natural disasters and hazards: Is there any evidence of slides or weak soils in this area?

Yes ☐ No ☒

Is the proposed use in a flood plain? How will this be dealt with?

Yes ☐ No ☒



Are there any other hazards which would effect the use of this property? How will this be dealt with?

Yes \_\_\_\_\_ No X

8. Goal 8 - To satisfy the recreational needs of the citizens of the state and visitors: Has the site of the proposed use been an important recreation site?

Yes \_\_\_\_\_ No X

What?

Does the site have significant potential as a recreational site?

Yes \_\_\_\_\_ No X

What?

Does the proposed use help meet the recreational needs of the state?

Yes \_\_\_\_\_ No X

How?

9. Goal 9 - To diversify and improve the economy of the state: Does the proposed use help diversify or improve the economy?

Yes \_\_\_\_\_ No N/A

How?

If so, is the proposed use located so as to take advantage of existing public facilities?

Yes \_\_\_\_\_ No \_\_\_\_\_

How?

Is the proposed use so located so as to take advantage of the existing labor pool and transportation system?

Yes X No \_\_\_\_\_

Are there any other available sites?

Yes \_\_\_\_\_ No \_\_\_\_\_

10. Goal 10 - To provide for the housing needs of the citizens of the state: Does the proposed use provide housing for the citizens of the state?

Yes \_\_\_\_\_ No N/A

How?

If yes, does this project help provide housing for a wide range of income levels and housing needs?

Yes \_\_\_\_\_ No \_\_\_\_\_

Is the project situated in an urban area so as to take advantage of an orderly expansion of public facilities?

Yes \_\_\_\_\_ No X

If the project is located in a rural area, has it been designed and located so as to minimize its impact on the adjoining lands?

Yes X No \_\_\_\_\_

How?

11. Goal 11 - To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development: Does the proposed use require any public facilities?

Yes \_\_\_\_\_ No X

If yes, what type (road, fire protection, police, schools, etc.)?

Will the proposed use require the building of new public facilities?

Yes \_\_\_\_\_ No X

If yes, what type?

Have these facilities been planned for a part of an existing city or county plan?

Yes \_\_\_\_\_ No \_\_\_\_\_



12. Goal 12 - To provide and encourage a safe, convenient and economic transportation system: Does the proposed use make efficient use of the existing transportation system (i.e. is there an alternate site which would use the transportation better)?

Yes ☒ No ☐

How?

Does the proposed use utilize the existing transportation system and its rights-of-way?

Yes ☒ No ☐

How?

13. Goal 13 - To conserve energy: Does the proposed use help to conserve energy?

Yes ☒ No ☐

If yes, how? (by keeping to a minimum the amount of auto related transportation needed to serve the use?)

Yes ☐ No ☐

Other - How?

14. Goal 14 - To provide for an orderly and efficient transition from rural to urban land use: Is the proposed use inside an Urban Growth Boundary (proposed or adopted)?

Yes ☐ No ☒

If yes, is the proposed use compatible with the plan for this area?

Yes ☐ No ☐

How?

Does this proposed use help make the orderly transition from from rural land use to urban land use?

Yes ☒ No ☐

15. Goal 15 - Willamette Greenway: Is the proposed use within the Willamette Greenway?

Yes \_\_\_\_\_ No X

If yes, how has the proposed use been designed so as to minimize its impact on the river?

CS COMMENTS: The SCS detailed soils maps indicate the soils to be Goble Silt loam, Class ~~III~~ II, woodland suit. group 2, 2.0 acres is too small for commercial farming or forestry, the property is located near public roads and utilities, the land use will not have an adverse environmental impact.

7/12/82

*Raymond J. Wilbur*

SCS

STAFF RECOMMENDATION:



BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In re: Application of LOIS J. HALLORAN  
for Minor Partition  
Tax Lot No. 7315-020-01900

FINDINGS OF FACT

The Board of County Commissioners hereby adopts the following findings of fact this 4th day of August, 1982, and has determined and concluded that the action requested (~~is~~) (is not) in violation of Ordinance 80-8 which provides Criteria for Review of Land Use Actions on Agricultural Land Under Statewide Goal 3, and is in Compliance with the Statewide Planning Goals and Procedures:

1. The site contains 11.37 acres and supports a mobile home park.
2. The applicant proposes to create a new parcel, with an existing house, separated from the mobile home park.
3. The new parcel will have frontage on Price Road and Homeway Park Road.
4. The site has water from a community water system.
5. The site is not predominantly Class I-IV soil.
6. The site contains Forest Site Class 2 land.
7. Comments from the SCS are the new parcel is too small for commercial farm or forest use.
8. The property is located near to public roads and utilities.
9. There are other small parcels in the area.
10. The area is tentatively shown as being built and committed.
11. Ten adjoining property owners were notified of this request.

Commissioner Sahagian moved and Commissioner Ahlborn seconded the request for a minor partition is found not to be in violation of Ordinance 80-8 and is hereby approved. Motion carried.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

Robert McIntire  
Chairman

Marion Sahagian  
Commissioner

Of Ahlborn  
Commissioner

COLUMBIA COUNTY  
PLANNING & BUILDING DEPARTMENT  
COURTHOUSE  
ST. HELENS, OREGON 97051  
PHONE 357-1501

July 27, 1982

TO: Board of Commissioners

FROM: Planning Department

LOIS J. HALLORAN requests approval to minor partition property described as T7N, R3W, Section 15, Tax Lot #020-01900. The site contains 11.37 acres and supports a mobile home park. The applicant proposes to create a new parcel, with an existing house, separated from the mobile home park. The new parcel will have frontage on Price Road and Homeway Park Road.

The site has water from a community water system. The site is not predominately Class I-IV soil. The site contains Forest Site Class 2 land. Comments from the Soil Conservation Service are the new parcel is too small for commercial farm or forest use. The property is located near to public roads and utilities. There are other small parcels in the area. The area is tentatively shown as being built and committed.

Ten adjoining property owners were notified of this request.

The applicant or her agent must attend the hearing to avoid having the request tabled.

OK

cc: Lois J. Halloran  
2:00 p.m., August 4, 1982  
Extension Service Meeting Room  
Courthouse, St. Helens, Or.



Lois J. Hallaran  
Route 1 Box 424-B  
Rainier, Or. 97048

John Drake  
Route 1 Box 244  
Rainier, Or. 97048

Ralph & Inda Moore  
Route 1 Box 425  
Rainier, Or. 97048

Judith Trisdale  
Route 1 Box 422-A  
Rainier, Or. 97048

Charles & Joyce Wolske  
Route 1 Box 422  
Rainier, Or. 97048

Charles R. Holden  
2800 S.W. Jade  
Portland, Or. 97225

B.V. & Harriett Childers  
Route 1 Box 420  
Rainier, Or. 97048

Roger & Darliss Fox  
2995 S.W. 178  
Aloha, Or. 97006

John & Marie Kerins  
1420 Barrington Way #9  
Glendale, Ca. 91206

Walter & Roberta Krause  
Route 1 Box 418  
Rainier, Or. 97048

Glenn & Dawn Keith  
P.O. Box 453  
Rainier, Or. 97048

Crown Zellerbach Corp.  
1500 S.W. First Ave.  
Portland, Or. 97201

Vera Anderson  
Route 1 Box 78  
Scappoose, Or. 97056

Louis & Cletia Johnson  
Route 1 Box 360-A  
Clatskanie, Or. 97016

Robert & Myrtle Carman  
Route 1 Box 360  
Clatskanie, Or. 97016

Ernest & Niece Carman  
Route 1 Box 360-A  
Clatskanie, Or. 97016

Donald & Dorothy Morris  
Route 1 Box 369A  
Clatskanie, Or. 97016

Jesse & Verna Morris  
Route 1 Box 1889  
Clatskanie, Or. 97016

LF & CV & FR Johnson  
Route 1 Box 1897  
Clatskanie, Or. 97016

George & Susan Vukovic  
Route 2, Box 209-B  
Scappoose, Or. 97056

Fred & Barbara Heller  
P.O. Box 976  
Scappoose, Or. 97056

Theodore & Linda Redmann  
P.O. Box 687  
Scappoose, Or. 97056

Leona E. Ellis  
7459 N. Newell Ave.  
Portland, Or. 97203

James & Carol Dorry  
P.O. Box 48  
Scappoose, Or. 97056

Albert & Sharon Feikin  
Route 1 Box 490  
Portland, Or. 97231

Janet & Louise Brown  
Route 2 Box 209  
Scappoose, Or. 97056



# 8-25-82



PIONEER NATIONAL TITLE INSURANCE  
ANACON COMPANY

STATUTORY WARRANTY DEED

BOOK 244 PAGE 12

Lois J. Hallaran

conveys and warrants to William Lannan and Marvella Lannan, husband and wife Grantor.

Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Columbia County, Oregon, to wit:

1901  
Beginning at the Northeast corner of the Southwest quarter of Northwest quarter of Section 15, Township 7 North, Range 3 West, Willamette Meridian, Columbia County, Oregon; thence South, along the East line of said Southwest quarter of the Northwest quarter, a distance of 260 feet to a point; thence West, parallel with the South line of said Southwest quarter of the Northwest quarter, 210 feet to the West line of Olga Thompson tract as described in deed recorded February 17, 1955 in Book 125, page 75, Deed Records of Columbia County, Oregon; thence North, along the West line of said Thompson tract, a distance of 180 feet to the Southwest corner of the Mildred A. Conant tract as described in deed recorded March 2, 1955 in Book 125, page 125, Deed Records of Columbia County, Oregon; thence East along the South line of said Conant tract 33 feet to the Southeast corner of said Conant tract; thence North along the West line of said Conant tract, 80 feet to the North line of said Southwest quarter of the Northwest quarter; thence East along the North line of said Southwest quarter of the Northwest quarter, a distance of 177 feet to the point of beginning. Excepting that portion lying within the county Road. RESERVING UNTO GRANTOR the following described easement:

\*  
Beginning at the Northeast corner of the Southwest quarter of the Northwest quarter of Section 15, Township 7 North, Range 3 West of the Willamette Meridian, Columbia County, Oregon; thence South along the East line of said Southwest quarter of the Northwest quarter a distance of 260 feet to a point; thence West parallel with the South line of said Southwest quarter of the Northwest quarter, a distance of 20 feet to a point; thence North parallel with the East line of said Southwest quarter of the Northwest quarter a distance of 260 feet to the North line of said Southwest quarter of the Northwest quarter; thence East along the North line of said Southwest quarter of the Northwest quarter to the point of beginning. Except that portion lying within the County road.

ST. HELENS







In the Matter of an Appeal )  
of an Application by Dave )  
Caulpetzer for a determination ) ORDER NO. 38-96  
of a non-conforming use and )  
approving an expansion )

Page 1



the application on January 31, 1996 and continued the hearing to February 14, 1996; and

WHEREAS, Anne Corcoran Briggs read the statement required by ORS 197.763(5) at the commencement of the hearing; and

WHEREAS, Glen Higgins of the Planning Department read the Department's staff report into the record which lists the criteria to be considered and contains the Department's proposed findings, conclusions and recommendations; and

WHEREAS, a copy of Planning Department's Staff Report dated January 12, 1996 is attached hereto, labeled Attachment "A", and incorporated herein by this reference; and

WHEREAS, Don Caulpetzer and Dave Caulpetzer testified in favor of the application and Mike Holman, Commonwealth Realty; L. Burton and Beverly Zurcher; and Jeanyse Snow, attorney for the Zurchers submitted written testimony in favor of the application; and

WHEREAS, Tom Barnes, Marvella Lannan, William Lannan, Robert Ramey, Robert Weeks, and Mark Edington testified or submitted information opposing the application; and

WHEREAS, a list of exhibits is attached hereto, labeled Attachment "B", and is incorporated herein into the record by this reference; and

WHEREAS, on February 14, 1996, the Board then closed the public hearing, deliberated on the matter and made a tentative decision to deny the appeal of Don Caulpetzer, and affirm the decision of the Planning Commission to grant an expansion of the mobile home park from the originally permitted 33 units to 46 units.

NOW THEREFORE, IT IS HEREBY ORDERED as follows:

1. The Board of County Commissioners adopts Findings No. 1 through 5 in the Planning Department's January 12, 1996 Staff Report (Attachment "A"), with the following modifications:

- a. The application is to consider the expansion of mobile home spaces on Tax Lot 1900 only. There is only one dwelling permitted on Tax Lot 2501; all other mobile homes or RVs on Tax Lot 2501 must be removed.
- b. The Board of County Commissioners finds that 33 spaces comprise the extent of the non-conforming use on Tax Lot 1900. The applicant submitted information which showed that there have been up to 43 units located on the Tax Lot 1900, however, the lawful existence of these additional units has not been proven.

One of the requirements to establish a non-conforming use is a showing that the use lawfully existed at the time the land use code which made the use non-conforming is applied. Tykla v. Clackamas County, 28 Or LUBA 417, 429 (1994). Staff research indicates that 33 units were approved for septic connections. At the time the park was established, the only local regulation regarding the siting of mobile home parks was that the spaces be approved to be connected to a septic system. There is no information in the files that additional connections were permitted after the County was delegated the authority by the state to regulate mobile home parks in 1980.

The applicant/appellant supplied sales documents and photographs documenting the additional units. The existence of those units on the property over a period of time do not make their placement legal. Indeed, the sales documents themselves differentiate between the 33 permitted and the additional units located on the property. [See, Exhibit 1, Item i, October 1984 Listing for property; and August 1990 Listing for property.]

- c. The Board of County Commissioners determines the amount of allowable expansion on Tax Lot 1900 to be 46 spaces (33 units x 40% = 46 units) based on the criteria articulated in CCZO 1506.9

2. The Board reaches the following ultimate conclusion:



The applicant is allowed a one time expansion of the 33 space mobile home park to 46 spaces. The expansion of spaces shall occur on Tax Lot 1900 only. This determination of non-conforming use and expansion complies with Oregon Revised Statutes, Oregon Administrative Rules, and the Columbia County Comprehensive Plan and Zoning Ordinance.

3. The appeal of Dave Caulpetzer is denied. The Board of County Commissioners affirms the decision of the Planning Commission, subject to conditions 1 through 8 of the Planning Department Staff Report as modified below:

a. The applicant must remove all excess RVs and mobile homes on both Tax Lots 1900 and 2501 within 180 days of the adoption of this order. Only 46 units are allowed on Tax Lot 1900; only 1 dwelling is approved for Tax Lot 2501.

b. The applicant must repair any failing septic systems on the property within 90 days of the adoption of this order. The systems must be certified operational by letters from the Oregon Department of Environmental Quality (DEQ). The applicant has the opportunity to request that the Board extend the deadline if the Department of Environmental Quality is not able to process the application and approve the repair or replacement within the 90 day period.

DATED THIS 21st DAY OF February, 1996.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: William B. Anderson  
Chairman

By: Carol M. Smith  
Commissioner

Approved as to form

By: Ann Corcoran Briggs  
Office of County Counsel

By: Joel A. Yarbrough  
Commissioner

ACB:S:\LDS\APPEALS\CAULPETZ.ORD

Columbia County Board of County Commissioners

JAN 22

**Staff Report**Expansion of a Non-conforming Use - RR-5 Zone

FILE NUMBER: NCU 3-94

APPLICANT/OWNER: Don Caulpetzer  
75556 Home Away Road  
Rainier, OR 97048

PROPERTY LOCATION: Same

REQUEST: To expand a non-conforming mobile home park by 40% in an RR-5 zone.

TAX ACCT. NUMBERS: 7315-020-01900 (10.26 acres) and 02501 (2.50 acres)

ZONING: Rural Residential RR-5

**BACKGROUND:**

The applicant requests approval to expand the Homeaway Mobile Home Park from the present 28 mobile home spaces and 23 recreational vehicle spaces, in a Rural Residential RR-5 zone. The application proposes to add about 75 new spaces initially and another 75 spaces later. The mobile home park is a non-conforming use in the RR-5 zone.

The number of units on tax lot 1900 as of November 2, 1995 (drive-through count) appears to be 45 (27 mobile homes and 18 RVs). Tax lot 2501 has one mobile home and 5 RVs, for a total on both parcels of 51 units.

A history of County septic system records prepared by Roy Eastwood, County Sanitarian (letter, 8-4-93) shows a total of 33 spaces and a washroom authorized on tax lot 1900 (the mobile home park), and one 3-bedroom mobile home authorized on tax lot 2501, separate from the park.

A list of "Licensed Mobile Home Parks" supplied to the County by the State and dated March, 1980 includes "Hallaran's Homeaway Mobile Home Park...32 Units"; this list was prepared when the licensing of parks was transferred to the County by the State.

A 40% expansion of the Non-conforming Use (Zoning Ordinance Section 1506.9) would increase the number of legal spaces from 33 to a total of 46 mobile home/trailer/RV spaces (140% of 33 = 46.2), all on Tax lot 1900 in the MH Park. Tax lot 2501 contains one legal mobile home (septic



permit issued March, 1979), and 5 illegal trailer/RV pads. A total of 35 addresses have been assigned to tax lot 1900; no addresses are shown on tax lot 2501.

The access road from Price Road to the park ("Home Away Road") is a 20' wide easement (or two 20' wide easements, according to applicant) of unknown character and legal status.

Water is provided by wells. Sewage is treated by 3 subsurface septic systems and a DEQ permit is pending for the repair of one of these systems. The property is within the Clatskanie Rural Fire Protection District, but is not within an Urban Growth Boundary.

This application would normally be decided administratively by the Planning Director under Section 1506.5 of the Zoning Ordinance. However, any notified party may request a public hearing by the Planning Commission under Zoning Ordinance Section 1601.2. A request was received from a neighboring property owner within the required period, a hearing was held by the Planning Commission on December 4, 1995, and the request was approved with conditions.

An appeal of the Planning Commission's decision was received in the County Clerk's office on December 20, 1995, with the required fee and within the appeal period.

## FINDINGS:

Section 1506.9 of the Columbia County Zoning Ordinance provides as follows:

"9. Expansion: A Non-conforming Use may be expanded 1 time only. This expansion shall not exceed 40% of the square footage on the ground level of the existing structure, pursuant to Section 1506.5."

Finding 1: It will have to be assumed that the average size of any new mobile homes will be about the same as the existing ones, so that "40% of the square footage on the ground level" can be translated as 40% of the living units (mobile homes, trailers or RVs) in the existing park.

According to a letter dated August 4, 1993 from Roy Eastwood, County Sanitarian to Don Caulpetzer, "The park was designed for a total of 33 mobile home connections plus the laundry room." Jim McIntyre, Chief Planner, reiterated this in a letter dated December 29, 1993 to Mr. Caulpetzer, adding that a 40% expansion would add 13 spaces for a total of 46 mobile homes. The present number of units in the park appears to be 45 (27 mobile home spaces and 18 RV spaces), plus the legal mobile home and 5 illegal RVs on tax lot 2501, for a total of 51 units.

The total number of mobile homes and RVs on tax lot 1900 may not exceed 46: the 33 original authorized spaces plus the 40% expansion. The septic systems, which were designed for only 33 units, will need to be upgraded to current standards for 46 units.

Tax lot 2501 has a single septic system which was approved for one 3-bedroom mobile home. There does not appear to be an established pre-existing non-conforming use for more than one mobile home on Tax Lot 2501; all five illegal RVs on this parcel must be removed.

Section 1506.5 of the Zoning Ordinance provides as follows:

"5. Rebuilding, Change, Moving, or Use Expansion: A Non-Conforming building or use may be rebuilt, moved, or changed in use to a use of the same restrictive classification or expanded, subject to the provisions outlined herein, if upon review in accordance with Section 1601 the Director finds all the following to exist:

A. That such modifications are necessary because of practical difficulties or public need;"

Finding 2: The practical difficulties in this case are that Caulpetzers purchased the mobile home park in the belief that there were at least 40 spaces (sale from Hallaran to Zurchers in 1984: 25 M.H., 15 R.V.) and maybe as many as 43 (sale from Zurchers to Caulpetzers in 1990: 27 M.H., 16 R.V.). The price paid by Caulpetzers for the park was apparently based on these figures.

Continuing with Section 1506.5 of the Zoning Ordinance:

"B. That such modifications are not greater than are necessary to overcome the practical difficulties or meet the public need;"

Finding 3: Permitting an expansion of the permitted units in the park to a maximum of 46 will more than overcome the difference between the 33 authorized spaces and the 43 spaces the Caulpetzers thought they were legally acquiring in 1990.

Continuing with Section 1506.5 of the Zoning Ordinance:

"C. 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; and"

Finding 4: The mobile home park has existed since 1965. The only problems to arise so far are due to the failure of septic system drainfields. The septic systems for the park were designed for 33 units and are now treating the effluent from at least 45 units (not counting the 6 units on tax lot 2501 which are using a septic system designed for 1 mobile home). The number of units in the park does not appear to be a problem; the failure of the septic systems is a serious, ongoing problem. Neighboring residents have also complained of the volume of traffic to and from the park; improving the access road should cure this problem.



Continuing with Section 1506.5 of the Zoning Ordinance:

- "D. That such modifications will not endanger the public health, safety, and general welfare."

**Finding 5:** There is no doubt that the failing septic systems in the park endanger the public health, safety and general welfare (drainfield effluent is apparently flowing over the ground surface onto neighboring properties). This is a direct result of there being more than the authorized 33 units in the mobile home park. Hence, increasing the number of authorized units in the park must be contingent on upgrading the septic systems to current standards for the entire park (46 units) and removing the 5 illegal units from Tax Lot 2501, and on applicants not permitting more than the authorized number of units to connect to the systems.

The access road is narrow and carries considerable traffic. It should be improved to an acceptable standard as determined by the County Roadmaster.

**COMMENTS:**

1. William and Marvella Lannan are concerned about the "...over 20 illegal trailers..." in the park and the failure of drainfield No.3 which abuts their property. Other concerns include the possible contamination of ground water in the area, and the inadequate road to the park.
2. Robert J. Ramey opposes the expansion of the park, citing the failing drainfield, the unmaintained road to the park, and the excessive number of existing mobile homes on the property.
3. Twila M. Lange is concerned about traffic safety on the inadequate road, additional wells impacting her well, and the possibility of contaminated ground water.
4. Donald D. Lange opposes the expansion, citing the narrow access road, the possible drawdown of the water table if additional wells are drilled, the failing septic system and the existing illegal mobile homes on the property.
5. Frank Childers mentions the contamination of wells in the area from the failing septic system drainfield, the ongoing violations of state laws, and the marshy condition of one of Childers' farm fields due to the failing drainfield.
6. Ralph Moore objects to the expansion, citing the ongoing violations, the failing septic system, the sewage draining onto adjacent properties, the inadequate access road, the insufficient water supply for the existing mobile homes, and the possible contamination of other wells in the area.

7. Louis and Ruth Elbert are opposed to the expansion, citing the possible pollution of their well, the inadequate road, the additional air pollution which would be caused by more traffic on the road, and the possibility of disease from the contaminated well on the property,
8. Walter Krause opposes the expansion because of the present drainage of water from the mobile home park onto his property.
9. Greg Beaman, District 1 Watermaster, notes that the park has no water rights. Domestic water use up to 15,000 gallons per day does not require a water right, but a park of 54 units would exceed this consumption and be required to apply to the Oregon Water Resources Department for a water right. He requests that this be a condition of approval.
10. Anne Cox, Oregon Department of Environmental Quality, recommends that "the septic system violation" on tax lot 2501 "be resolved prior to any expansion of the park." She notes that the Water Pollution Control Facility septic permit for the park (pending at DEQ) only authorizes the repair of the northernmost septic drainfield and does not include any expansion of the park. She notes that "Available area for disposal is limited and soils in the area are poorly drained" and recommends that Mr. Caulpetzer work with a consultant regarding sewage disposal for the existing park as well as any expansion.
11. Burt and Beverly Zurcher, former owners of the park, sent documentation of their assertion that there were 43 spaces in the park in 1984 and this is the base number which should be permitted to be grandfathered in by the Commission. Attached is a letter from Anne Cox, former County Sanitarian, that the septic systems were functioning satisfactorily in November, 1984.
12. "Homeaway Mobile Park Repair Supplemental Specifications & Parts List" from Smits & Associates, Inc. for repair of a septic system on the property to serve 13 spaces.
13. Pamela J. Beery, of Odonnell Ramis Crew Corrigan & Bachrach, Attorneys representing Don and Dave Caulpetzer, submitted a letter asserting that the number of units in the park in 1984 was 47 (43 on Tax Lot 1900, 4 on Tax Lot 2501), and this is the "...base from which this one-time expansion must be measured." Attached are a June, 1995 letter from County Commissioner McDonald to Bert Zurcher, a May, 1995 County Counsel opinion, and 3 documents related to the sale of the property in 1984 and 1990.
14. Dave Hill, County Public Works Director, testified at the December 4, 1995 Planning Commission hearing that the road to and through the park needs to be improved to 20' wide, that there are legal questions about the status of the easement, and that there needs to be provision for adequate drainage along the roads throughout the park.



15. Staff received a copy of a letter dated November 29, 1995 to Don Caulpetzer from Greg Beaman, Watermaster, Oregon Water Resources Department, requiring the installation of a totalizing water meter on the well, and daily readings to be taken.

No other comments were received from nearby or adjacent property owners or government agencies as of the date of this staff report (January 12, 1996).

#### CONCLUSION AND RECOMMENDATION:

Based on the above findings, the Planning Commission recommends APPROVAL of the one-time expansion of an existing non-conforming mobile home park on a 12.76 acre parcel in a Rural Residential RR-5 zone from 33 to 46 mobile home/trailer/RV units, with the following conditions:

1. The maximum number of units, including mobile homes, travel trailers and recreational vehicles, shall not exceed 46 at any time in the park on tax lot 1900. If there are more than 46 units now on tax lot 1900, the excess units must be removed within 3 months of the final date of approval of this application.
2. The five illegal RVs on Tax lot 2501 must be removed within 4 months of the final date of approval of this application.
3. Any failing septic systems on the property must be repaired and certified operational by letters from the Oregon Department of Environmental Quality (DEQ) (contact Anne Cox, Environmental Specialist) and the County Sanitarian. Any Water Pollution Control Facility required by the state must be installed and approved in writing by DEQ.
4. All existing wells in use on the property must be tested and the park water system certified in writing by the Oregon Health Department and/or the County Sanitarian that it is up to state standards.
5. No further expansion of the mobile home park may be approved under these sections of the Zoning Ordinance. In addition, no further development of either tax lot 1900 or 2501 (a total of 12.76 acres) may occur under the present zoning of the parcels.
6. The ownership, legal status and characteristics of the easement(s) being used for access to the property from Price Road must be provided to the Land Development Services department for evaluation by County Counsel. This Non-Conforming Use expansion shall be contingent on applicants having sufficient legal access as approved by County Counsel.

7. Applicant must provide a letter from the Watermaster, District 1, that either a water right is not required for the proposed 46 unit park or a water right has been issued by the Oregon Water Resources Department.
8. The access road to the mobile home park from Price Road shall be improved to the satisfaction of the County Public Works Director and approved in writing.



COLUMBIA COUNTY  
LAND DEVELOPMENT SERVICES

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

95 DEC 20 AM 10:21

BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
ELIZABETH HUSER, CO. CLK

APPEAL OF LAND USE DECISION Jordan DEP

NOTE: first read "STANDING" on the back of this sheet.

YOUR NAME: DAVE CAULPETER Phone: 556-0433

Address: 75546 HOMEAWAY RD RAINIER OR 97048

ORIGINAL APPLICATION:

Name: DON CAULPETER File No. NCU 3-94

Request: NCU MOBILE HOME - RV PARK FROM 33 SPACES TO 43  
PLUS EXPANSION

Original Request was: \_\_\_\_\_ Approved ☒ Denied

Appeal Deadline Date: DEC. 23, 19 95

APPEAL BODY:

\_\_\_\_\_ The decision being appealed was made by the planning staff, so this appeal is to the Planning Commission. File this appeal in the Office of Land Development Services, with the proper fee.

☒ The decision being appealed was made by the Planning Commission, so this appeal is to the County Commissioners. File this appeal in the County Clerk's office, with the proper fee.

REASONS FOR APPEAL: (attach additional pages if necessary)

THE MOBILE HOME PARK WAS PURCHASED AS A 43 SPACE PARK IN 1991.  
WE WOULD LIKE TO EXPAND THE PARK TO 51 SPACES USE THE 40%  
RULE. THE PLANNING COMMISSION IS ASKING FOR 5 RESIDENT TO  
MOVE FROM THE PARK, THIS IS QUITE A HARSHIP ON OUR  
TENANTS SINCE THERE ARE FEW OR NO MOBILE HOME SPACES  
AVAILABLE IN THE RAINIER AREA

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

Signed: [Signature] Date: DEC 20, 1995

+++++ Office Use Only +++++

Date Received: December 20, 1995 Fee: \$ 200.00 Receipt No. 72120

ELIZABETH E. HUSER, COUNTY CLERK

By: [Signature] Appeal No.: \_\_\_\_\_

+++++ +++++

COLUMBIA COUNTY  
LAND DEVELOPMENT SERVICES

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

FINAL ORDER and APPEAL INFORMATION

Applicant: Don Caulpetzer File Number: NCU 3-94  
Planner: Pete Watson Notice Date: December 13, 1995

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;  
[ X ] Board of County Commissioners, for appeal of a Planning Commission decision; file this appeal in the Office of the County Clerk, Second Floor, Courthouse Annex, St. Helens, OR 97051.

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. An appeal must be filed within 10 calendar days of the above Notice Date, the date this notice was mailed to the applicant and other persons entitled to notice.

If an appeal is filed, and after notice is given according to state and county laws, a de novo public hearing will be held by the Appeal Body at their earliest available regular meeting. All interested parties will have an opportunity to appear and be heard.

If an appeal is not filed, this decision will become final 10 days after the above Notice Date.

PLEASE NOTE: An appeal may be filed only by persons who have legal "standing." Please see Columbia County Zoning Ordinance Section 1700, ORS §197.763, and/or consult your attorney to be sure you have standing before appealing this decision. We regret we cannot give you a definition of "standing" since it is a legal matter which changes from time to time.

If you wish, you may file an appeal now and determine later 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.

Until the appeal period expires, the applicant may not take action on the application.

If any of the above is not clear, or you have questions or require additional information, please contact the Planner listed above at (503) 397-1501, or FAX to their attention at 503/397/7243.



BEFORE THE PLANNING COMMISSION  
COLUMBIA COUNTY, STATE OF OREGON

Non-conforming Use Expansion NCU 3-94

In the Matter of the Application of Don Caulpetzer)  
for an expansion of a Non-conforming Use )  
in the Rural Residential RR-5 Zone )

**Final Order NCU 3-94**

This matter came before the Columbia County Planning Commission on the application of Don Caulpetzer for an expansion of a Non-conforming Use to allow the placement of more mobile homes or travel trailers or recreational vehicles on a total of 12.76 acres in the Rural Residential RR-5 zone.

The subject property is located off Price Road and is described on the Assessor's records as Tax Account Numbers 7315-020-01900 (10.26 acres) and 7315-020-02501 (2.50 acres).

The hearing was held on December 4, 1995. The Planning Commission heard testimony from the applicant's attorney and all interested parties, and considered all written materials submitted and the Planning Commission staff report.

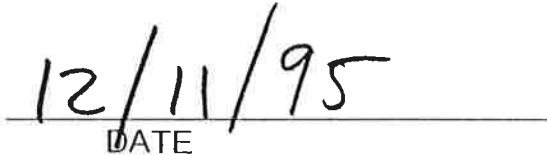
Planning Commission hereby orders this application for a Conditional Use Permit APPROVED with the following conditions:

1. The maximum number of units, including mobile homes, travel trailers and recreational vehicles, shall not exceed 46 at any time in the park on tax lot 1900. If there are more than 46 units now on tax lot 1900, the excess units must be removed within 3 months of the final date of approval of this application.
2. The five illegal RVs on Tax lot 2501 must be removed within 4 months of the final date of approval of this application.
3. Any failing septic systems on the property must be repaired and certified operational by letters from the Oregon Department of Environmental Quality (DEQ) (contact Anne Cox, Environmental Specialist) and the County Sanitarian. Any Water Pollution Control Facility required by the state must be installed and approved in writing by DEQ.
4. All existing wells in use on the property must be tested and the park water system certified in writing by the Oregon Health Department and/or the County Sanitarian that it is up to state standards.
5. No further expansion of the mobile home park may be approved under these sections of the Zoning Ordinance. In addition, no further development of either tax lot 1900 or 2501 (a total of 12.76 acres) may occur under the present zoning of the parcels.

6. The ownership, legal status and characteristics of the easement(s) being used for access to the property from Price Road must be provided to the Land Development Services department for evaluation by County Counsel. This Non-Conforming Use expansion shall be contingent on applicants having sufficient legal access as approved by County Counsel.
7. Applicant must provide a letter from the Watermaster, District 1, that either a water right is not required for the proposed 46 unit park or a water right has been issued by the Oregon Water Resources Department.
8. The access road to the mobile home park from Price Road shall be improved to the satisfaction of the County Public Works Director and approved in writing.

COLUMBIA COUNTY PLANNING COMMISSION

  
JEFFREY VANNATTA, CHAIRMAN

  
DATE

\$225

NCU 3-94

COLUMBIA COUNTY LAND DEVELOPMENT SERVICES  
Planning Division  
Courthouse, St. Helens, Oregon 97051

397-1501

- ☐ Zone Change  
☐ Conditional Use Permit  
☐ Planned Development  
☐ Willamette River Greenway Permit  
☐ Exception  
☐ Special Review Permit

- ☒ Non-Conforming Use  
☐ Variance  
☐ Temporary Use Permit  
☐

Name of applicant or agent: DON CAULPETTZER

Mailing Address: 75556 HOME AWAY RD Phone: Office 556.0433  
RAINIER, OR 97048  
Home

- Location or County Road PRICE RD. ALSTON CORNER Total Acreage 20.07  
Tax Account Number 7315-020-1900 Township 7 Range 3 Section 15  
7315-020-2501  
List other contiguous property under your ownership: TAA LOT 1900 -  
2400 - 2100 - 2501

1. Proposed use(s), sequence of construction, anticipated timetable for project, and specific reason for the request:

Proposed Use is a continuation of the mobile  
Home, RV Park. This project changes to the park  
will be to install a sewer system. I have  
at a rate of ten spaces at a time, install  
approximately 75 new<sup>MH</sup> spaces. Anticipated  
time schedule would be to start  
in 1995. If we should expand the RV  
spaces then the number could be 150.

2. Present use of the property: MOBILE HOME AND RV PARK.

3. Method of sewage disposal: Land Filter

4. Water Supply: Well X Community        Other       

5. Has Subsurface Sewage Department approved this request? Yes        No X  
Not Consulted       

6. Total employees and/or occupants: Present 2 Proposed 6

7. Present Zoning RR-5

I hereby certify the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge and belief.

11-1-93  
Date

[Signature]  
Applicant or Agent

For Office Use Only

Receipt No. 7068 Fee 225

Hearing Date       

Present Zoning RR-5

Date Received 4/20/94  
Staff Member [Signature]

NOTE: Attach accurate and detailed plot plan indicating such items as property lines, dimensions, and all existing and proposed facilities, etc.



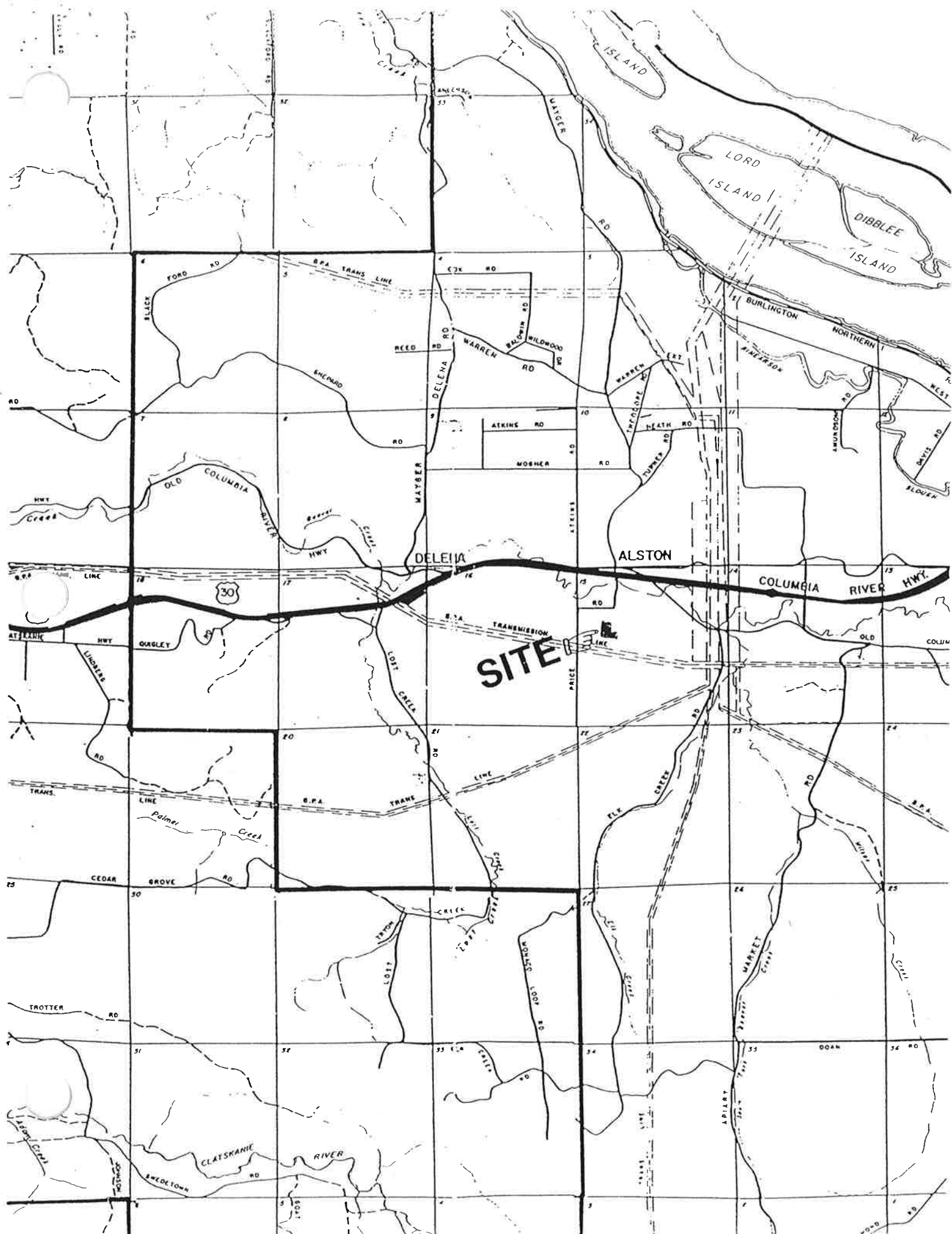
COLUMBIA COUNTY  
LAND DEVELOPMENT SERVICES  
Planning Commission  
Courthouse, St. Helens, OR 97051  
Phone: 397-1501

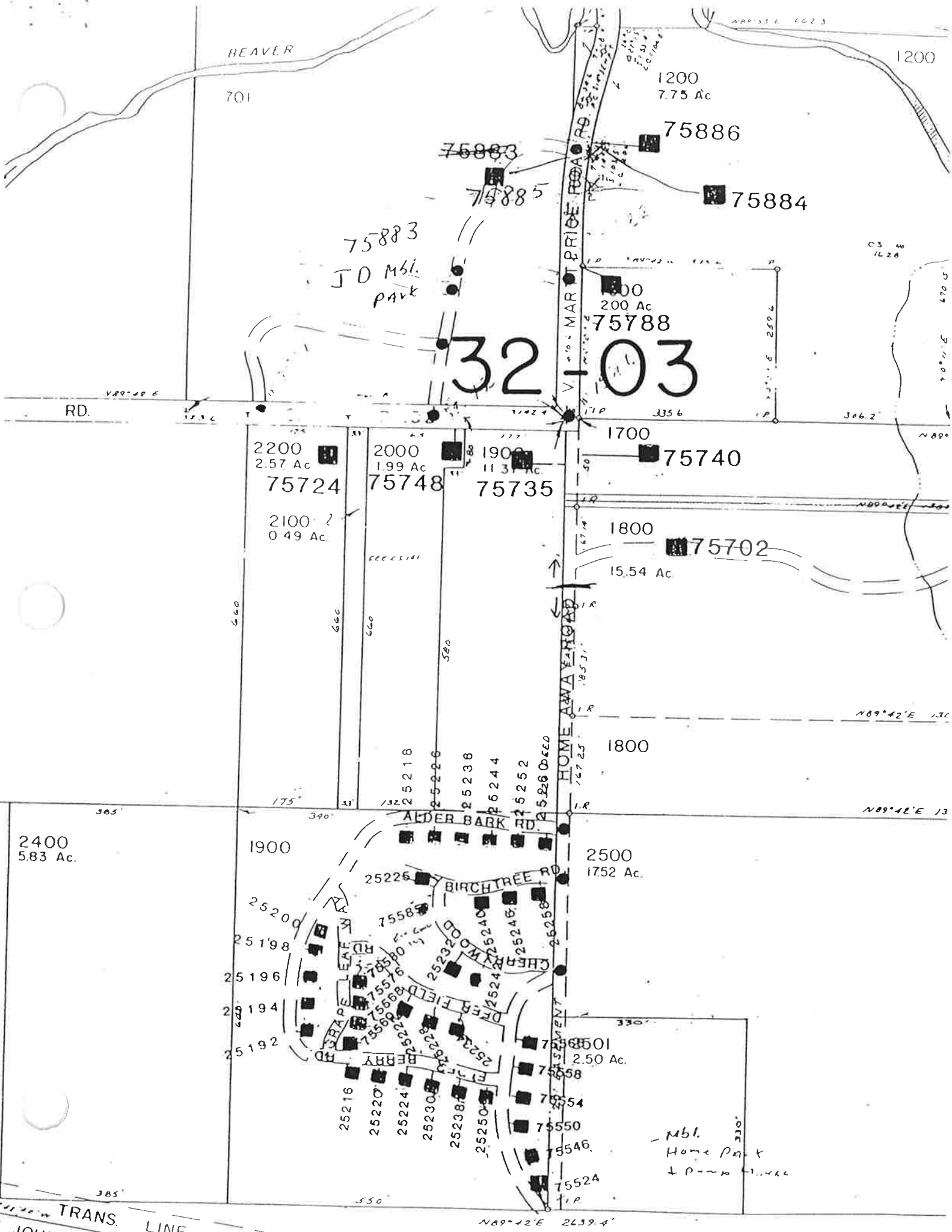
NON-CONFORMING USE FACT SHEET

Please complete the following:

- 1. What is the current use of the subject property and/or buildings? Mobile Home / RV Park
- 2. What is the size of the building(s)? 2 pump houses 4x8  
25x20 laundry - 10x30 Shed - 15x25 tank
- 3. Date this use was established: 1965
4. Total <sup>M.H. Spaces</sup> current employees: 28 Proposed employees:       
<sub>RV Spaces</sub> 22
5. Total square feet of existing building(s):      Total land area utilized:
6. Square feet of proposed building(s):      Square feet of additional land:
7. Detail the proposal: County records show 33 mobile spaces  
being approved, however when park was  
purchased it was a 43 spaces. We wish to  
bring the number in agreement with spaces in the Pa
8. State the practical difficulty or unnecessary hardship this proposal will alleviate:
9. If this is an expansion of an existing structure, how will it benefit the community?

1. Answers to the above questions.
2. An accurate and detailed plot plan indicating such items as property lines, dimensions, and all existing and proposed facilities, etc.
3. Vicinity map.
4. \$225.00 Application fee.





REAVER

701

1200  
7.75 Ac

1200

75886

75883

75885

75884

75883

JD Mbl.  
PARK

200  
200 Ac

75788

32-03

RD.

1700  
75740

2200  
2.57 Ac  
75724

2000  
1.99 Ac  
75748

1900  
11.31 Ac  
75735

2100  
0.49 Ac

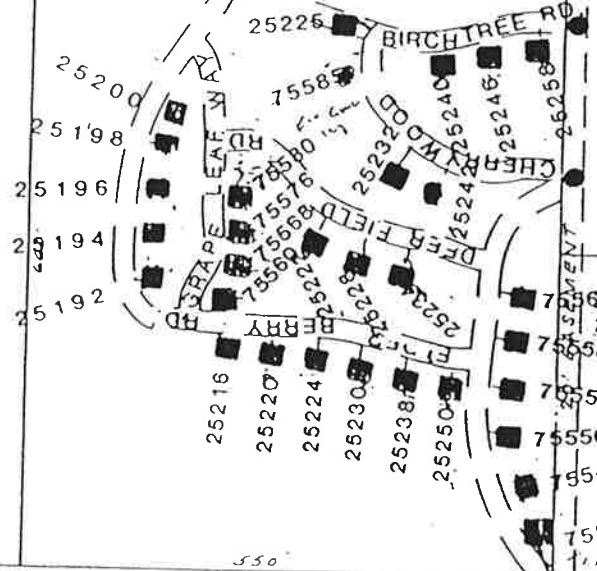
1800  
15.54 Ac  
75702

1800

2400  
5.83 Ac

1900

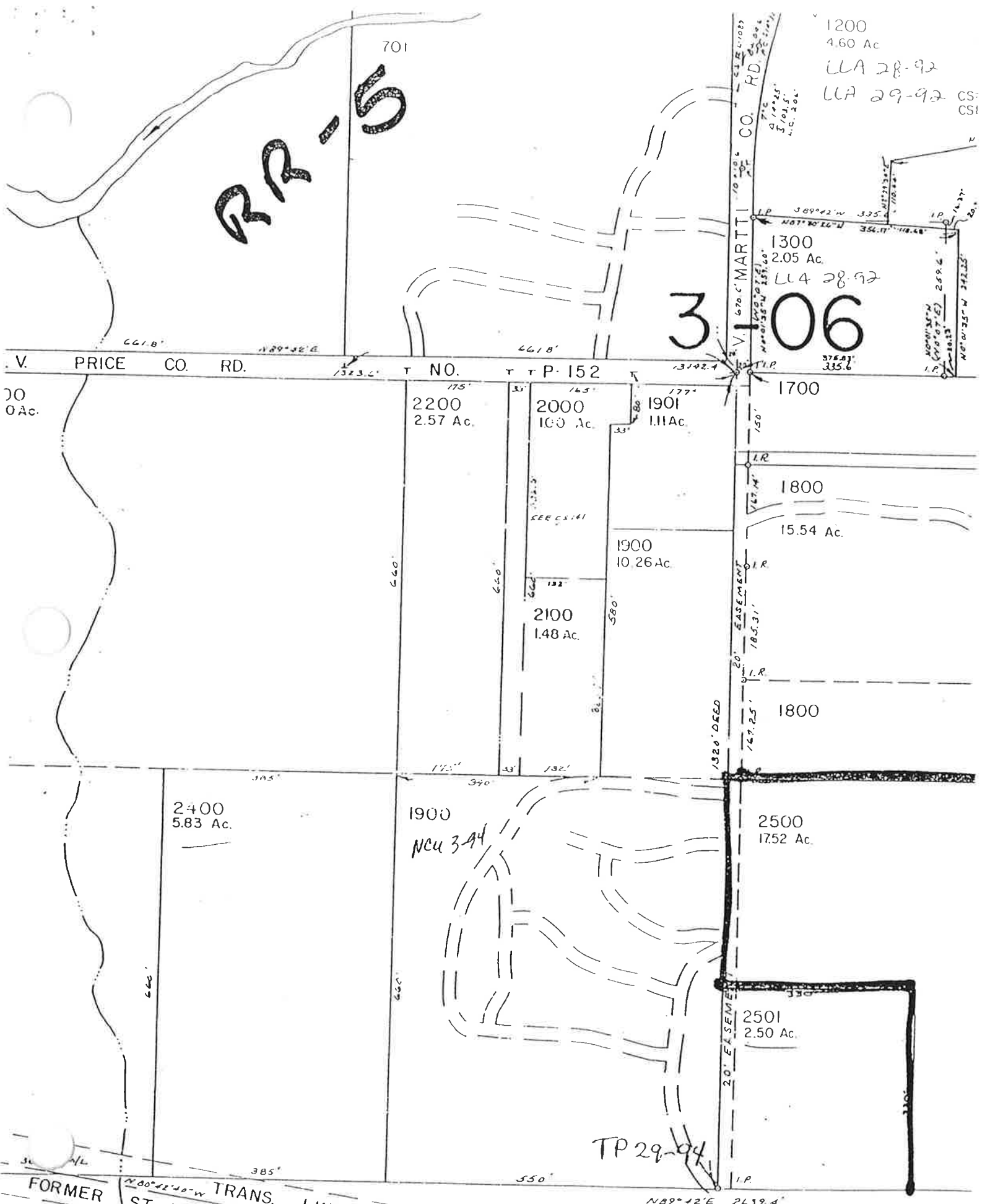
2500  
17.52 Ac



Mbl.  
Home Park  
+ Pump House

TRANS. LINE FENCE  
JOHNS





FORMER ST. JOHNS - ASTORIA  
LONGVIEW - ASTORIA  
NO

SEE MAP 7 3 15



**ATTACHMENT "B"**  
**Exhibits for Dave Caulpetzer Appeal**

These items were placed before the Columbia County Board of County Commissioners and were not rejected:

Exhibit 1.      Contents of County Counsel File

- a. Appeal of Land Use Decision by Dave Caulpetzer, with documentation of appeal fee paid
- b. Notice of public hearing--notice to neighbors and publication notice
- c. Final Order NCU 3-94, signed by Jeff VanNatta, Planning Commission Chair, dated December 11, 1995
- d. Columbia County Planning Commission staff report, dated November 7, 1995
- e. Application for expansion of non-conforming use, dated November 1, 1993
- f. Referral and Acknowledgment from Columbia County Road Department, dated November 13, 1995
- g. Letter from Beverly and Burt Zurcher, requesting that the Planning Commission approve expansion of the mobile home park, dated November 10, 1995
- h. Columbia County Board of Commissioners' staff report, dated January 12, 1996
- i. Letter and exhibit attachments (5) submitted by Pamela Beery, attorney for applicant, to Planning Commission, dated November 20, 1995
- j. Letter from the Oregon Department of Environmental Quality to Don Caulpetzer, regarding water pollution control facility (WPCF) requirements, dated January 27, 1995
- k. Letter from John L. Smits, Smits and Associates, to Anne Cox, Environmental Specialist, DEQ, regarding improvements needed for sewage disposal at the Homeaway Mobile Park, dated October 25, 1995
- l. Letter from Stephen Peterson, attorney, to Mr. and Mrs. Robert Ramey, regarding surface drainage problems on property adjacent to Homeaway Mobile Park, dated March 14, 1994
- m. Hand drawn map of Homeaway Mobile Home Park layout, date stamped "received" on November 20, 1995
- n. List of DEQ violations, handwritten, unsigned, date stamped "received" on November 20, 1995



- o. Written copy of oral presentation to the Planning Commission by Tom Barnes, son of adjacent property owners, regarding land use and sewage disposal problems occurring at Homeaway Mobile Home Park, date stamp "received" November 20, 1995
- p. Record of Survey for Don and Jo Caulpetzer, to monument the west line of a 20 foot easement, dated August 11, 1993
- q. Letter from Mike Holman, real estate broker regarding Homeaway Mobile Home Park, dated January 25, 1996
- r. Letter from Burt and Beverly Zurcher, former owners of Homeaway Mobile Home Park, dated January 22, 1996
- s. Minutes from November 20, 1995 Planning Commission regarding Caulpetzer application
- t. Letter from Jeanyse Snow, attorney for Mr. and Mrs. Zurcher, regarding lack of findings attached to Planning Commission order, dated January 29, 1996
- u. Memo from Dave Hill, Public Works Director, regarding road standards for Home Away Park, dated January 30, 1996

Exhibit 2. Written copy of oral presentation to the Planning Commission by Tom Barnes, son of adjacent property owners, regarding land use and sewage disposal problems occurring at Homeaway Mobile Home Park, received by Board of Commissioners January 31, 1996

Exhibit 3. Copy of warranty deed from Arthur Lewis and Mildred Lewis conveying property to Charles Holden and Mary Holden, Deed records 138, page 795, dated January 16, 1959

Exhibit 4. Color copy of an aerial photograph, showing Homeaway Mobile Home Park

Exhibit 5. Copy of cover letter from Mike Holman, Commonwealth Commercial Brokerage Company, to Don and Jo Caulpetzer, dated October 12, 1990

Exhibit 6. Copy of Complaint of Donald and Joretta Caulpetzer v. William and Marvella Lannan, for trespass damages, dated October 8, 1993

Exhibit 7. Microbiological Analyses completed by WFR Lab, Inc. testing a public water system located in the

laundry room of the Homeaway Mobile Home Park,  
dated May 11, 1995, March 16, 1995 and November 9,  
1995

Exhibit 8. Plot plan for proposed subsurface sewage disposal  
system, dated March 28, 1979

Exhibit 9. "Pro Forma of Income and Expenses, Homeaway Mobile  
Home Park, Rainier, Oregon," dated August 1990

Exhibit 10. Notice of Non-compliance from the Oregon  
Department of Environmental Quality to Don  
Caulpetzer, (1st page only), dated April 14, 1995

Exhibit 11. Plans for On-Site Sewage Disposal System, Homeaway  
Mobile Park Repair, dated September 28, 1995

Exhibit 12. Copy of warranty deed from Lois J. Hallaran to L.  
Burton Zurcher and Beverly L. Zurcher, Deed  
records 255, page 29, dated November 30, 1984