

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of the Request by)
Randy Elder for a Modification) ORDER NO.35-2004
from the Columbia County Road)
Design Standards for Justin's Way)
Public Road)

WHEREAS, on April 30, 2004, Randy Elder requested a modification from the Columbia County Road Design Standards for Justin's Way Public Road to allow a 15% grade for a distance of 75 feet; and

WHEREAS, a copy of Randy Elder's request is attached hereto, as Exhibit "A" and is incorporated herein by this reference; and

WHEREAS, the Columbia County Road Standards limits the maximum grade on public roads to 12%; and

WHEREAS, the County Public Works Director, Dave Hill, has reviewed the request, inspected the road and made a recommendation that the County approve the modification request, a copy of which is attached hereto as Exhibit "B" and is incorporated herein by this reference;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

The request by Randy Elder for a modification from the Columbia County Road Design Standard which requires 12% grade for new public roads is Approved, subject to the following conditions:

1. The road grade on Justin's Way shall be limited to 15%.
2. The Applicant shall otherwise comply with all County Road Standards for Public Roads.

DATED this 2nd day of June, 2004.

Approved as to form

By: [Signature]
Office of County Counsel

BOARD OF COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON
By: [Signature]
Chair
By: [Signature]
Commissioner
By: not present
Commissioner

EXHIBIT A

ROAD STANDARDS MODIFICATION APPLICATION

Note: This application, with the appropriate fee, must be completed and submitted to the Columbia County Department of Public Works. Incomplete applications will not be accepted.

General Information

Name of Applicant: RANDY ELDER

Address of Applicant: 1164 South 8th St.
St. Helens, OR 97051

Daytime Phone: 503-396-1520

Name of Road subject to modification: JUSTINS WAY

Is the Road known by other names? If so, please list: _____

What is the location of the road? Hiway 30 on
CLATSKANIE Hill

Is the road a: Private Easement Dedicated Public Road County Road

Has the road been maintained? _____ By Whom? _____

What modifications to the road standards are requested?
TO allow a 15% Grade

Names and Addresses of property owners adjacent to the road (Attach additional sheets, if necessary)*:

JOHN FREEMAN
Box 1674
ATWATER OR
97048

DANNIS & KARIN
DAVIS
75805 JUSTINS
WAY, CLATSKANIE, OR

*ATTACH AN ASSESSMENT MAP SHOWING THE ROAD AND PROPERTY OWNERSHIPS.

Land Use Information

This information may be obtained from the County Land Development Services Department.
What is the zoning of the property adjacent to that portion of the road to be modified?

RR 5

Is this application for a road standards modification in conjunction with a land development application (subdivision/partition, conditional use, etc.)? If so, please identify the application.

Were the parcels which access the road legally created prior to June 4, 1991? YES

Road History Information

Was this road the subject of an earlier road modification application? If so, please give the date of the application, and information regarding the Board's decision on the application:

NO ?

Surveyor Information

Please have the County Surveyor initial the appropriate space below:

Is this a: Dedicated County road OR Public Road? Date:
If this is a dedicated county road, is it Deeded Petitioned Unknown

Fire Protection Information

Are the properties located on this road, and the road located within a Rural Fire District?
If so, which one? CLATSKANIC FIRE 503-728-2025

Signature and Certification

I certify that the information contained in this application is true and complete to the best of my knowledge.

Rady Ed
Signature

4-30-04
Date

(For staff use only.)

LDS Rec'd: _____ Pub. Wks. Rec'd: _____ Counsel Rec'd: _____

LDS Comment: _____

Pub. Works Comment: _____

Counsel Comment: _____

Date for BOC Review: _____

EXHIBIT B



Columbia County Road Department

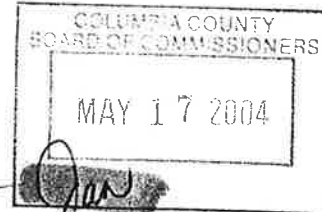
1054 Oregon Street, St. Helens, OR 97051

Dave Hill, Public Works Director

Ph: (503) 366-3964 Fax: 397-7215

e-mail: hilld@co.columbia.or.us

to: Board of County Commissioners
cc: Sarah Tyson, County Counsel
Glen Higgins, Land Development Services
from: Dave Hill, Public Works Director
date: May 17, 2004



subject: Road Modification Application, Randy Elder for Justin's Way

request: Discussion at Work Session on May 25

Attached is a road modification application from Randy Elder for Justin's Way which is located west of the Alston area off of Highway 30 (see attached maps).

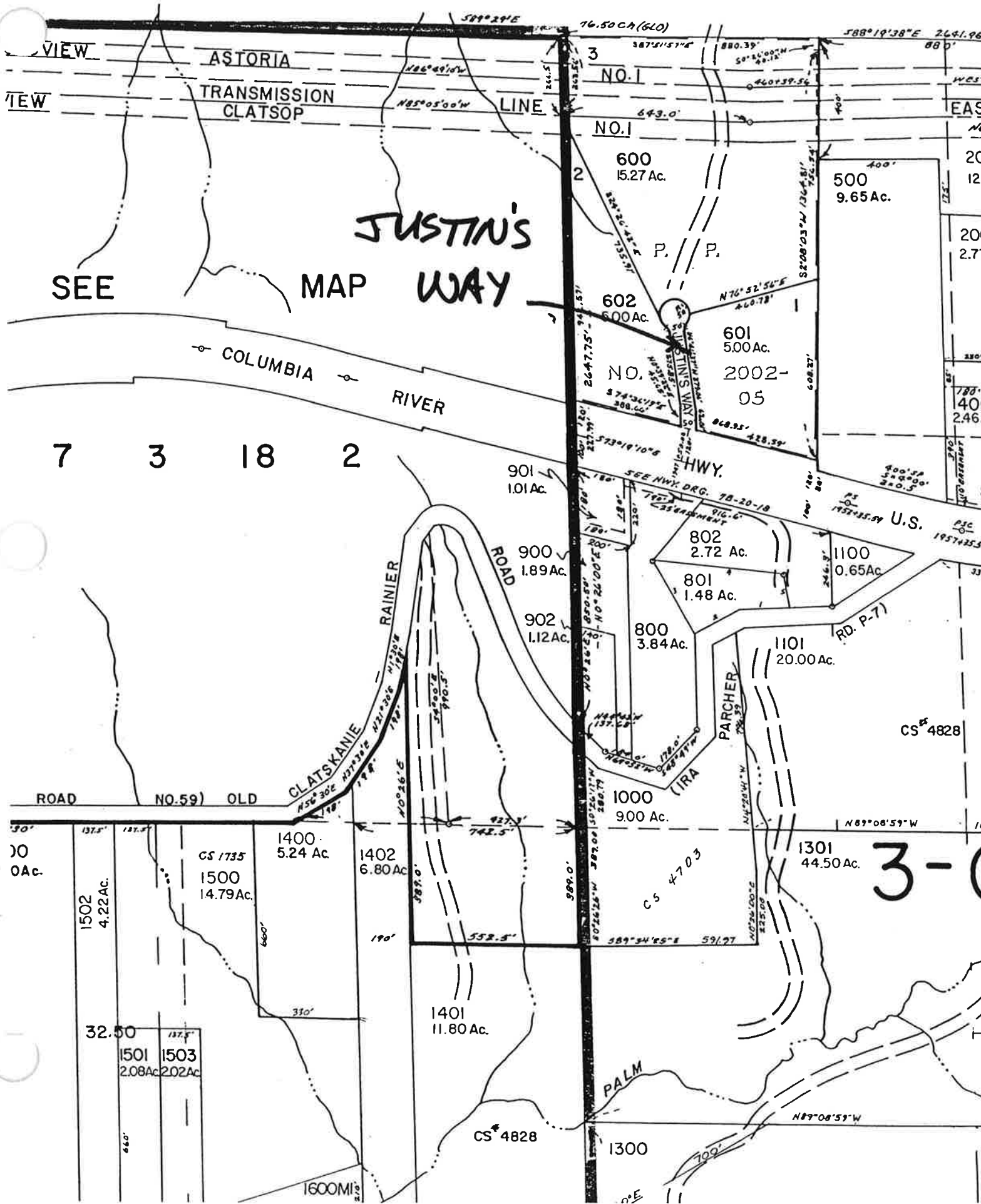
The application is a request to allow a grade of 15% as opposed to the standard of 12%.

This road was created over an existing driveway as part of a partition (MP 02-02) by Bob Webster (final order attached). The partition created 3 parcels out of a 25.5 acre parcel and I believe the one 15.27 acre parcel is intended to be partitioned again to make the roadway serve as access to 5 parcels.

The existing conditions are such that it is not practical to construct the roadway to a lesser grade than what exists, which is about 15% for a distance of about 75 feet. The rest of the road is relatively flat. The reason the first part of the roadway is 15% is because there is an existing driveway to the first parcel on the right (#601) and this existing driveway has a grade of about 19% and lowering Justin's way to make it less steep would only make the first driveway to the right much steeper, and Justin's Way cannot be constructed farther away from the first driveway because it is limited to the right-of-way for Justin's Way. Justin's Way is rocked and ready to be paved but the developer (now Randy Elder) wants to be certain that the grade is acceptable before paving.

Therefore, it is my recommendation that the road modification application be approved as submitted. Roger Kadell of this office will be available on Tuesday the 25 to discuss this with you.

Thank You.



JUSTIN'S WAY

7 3 18 2

3-

VIEW

ASTORIA

TRANSMISSION CLATSOP LINE

TEW

LINE

EAS

SEE

MAP

COLUMBIA RIVER

901 1.01 Ac.

900 1.89 Ac.

902 1.12 Ac.

1000 9.00 Ac.

800 3.84 Ac.

801 1.48 Ac.

802 2.72 Ac.

1100 0.65 Ac.

1101 20.00 Ac.

ROAD NO. 59 OLD

CLATSKANIE RAINIER ROAD

RAINIER ROAD

PARCHER ROAD

RD. P-7

CS 4828

1000 0 Ac.

1502 4.22 Ac.

CS 1735 1500 14.79 Ac.

1400 5.24 Ac.

1402 6.80 Ac.

1401 11.80 Ac.

CS 4703

1301 44.50 Ac.

32.50

1501 2.08 Ac.

1503 2.02 Ac.

CS 4828

PALM

1300

1600 MI