



Josephine County, Oregon

Board of Commissioners: Jim Riddle, Dwight F. Ellis & Jim Raffenburg

PLANNING OFFICE

Michael Snider, Director

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December 27, 2005

NOTICE OF DE NOVO EVIDENTIARY APPEAL HEARING **Before the Josephine County Board of Commissioners**

The Josephine County Board of Commissioners will conduct a de novo (*means completely new*) appeal hearing to review a decision made by the planning director without a hearing. This hearing will be fully open to the public and anyone interested in testifying or submitting other kinds of evidence may do so. The hearing procedures are governed by Article 31, Public Hearings, of the Rural Land Development Code (RLDC). Anyone interested in participating in the hearing should examine or purchase a copy of Article 31 at the planning office (*the basic hearing format is described below*). A copy of the application, all documents and evidence relied upon by the applicant, and the applicable criteria can be inspected at the planning office during business hours without cost. Copies may be purchased. If a staff report is published, it will be available for inspection without cost at least 7 days before the hearing. Copies of the staff report may also be purchased.

APPEAL & HEARING INFORMATION

OWNER: Darrel & Marilyn Miller

REQUEST: For approval of a variance to the thirty foot side yard setback standard in the Exclusive Farm zone for the construction of an RV storage and shop. The RV storage/shop will be located approximately ten feet from the west side property line.

APPELLANT: Holger Sommer

APPEAL: Petitioner, Holger Sommer, appeals to the Board of County Commissioners the Planning Director's approval, with conditions, of the above request by Darrel & Marilyn Miller.

LOCATION: 3446 Lower River Road **LEGAL:** 36-06-14-C0, Tax Lot 600

CRITERIA: The criteria (*listed by citation and caption only*) applicable to the request are: Rural Land Development Code - Article 44.030 - Variance Review Criteria

PLACE: Anne Basker Auditorium, 604 NW 6th Street, Grants Pass

DATE & TIME: **Wednesday, January 18, 2006, 9:00 a.m.**

HEARING: The hearing will be conducted according to Article 31, Public Hearings, of the RLDC. The hearing will use the following general format: [1] the Board Chair will explain hearing procedures; [2] a planner will summarize the request, identify the applicable criteria and explain the issues; [3] the original applicant will make a presentation; [4] others in favor may speak; [5] the appellant and other opponents may speak; [6] the applicant may offer rebuttal; [7] if requested by the Board, the planner will summarize the request, criteria and evidence; [8] the Board may question participants and/or county staff (*participants may question*

OFFICE HOURS 8-12 & 1-3 (Mon, Tue, Thur & Fri) **8-12 (Wed Only)**

staff with Board's permission); [9] the Board will close the hearing for deliberation and decision.

CONTACT: The planner handling the file is Javonna Marroquin (541) 474-5421, Extension 5275.

ISSUES: Failure to raise an issue at the hearing, in person or in writing, or failure to provide statements or evidence sufficient to afford the Board to respond to the issue, precludes appeal to the Land Use Board of Appeals (LUBA) on that issue. This makes it important to clearly and accurately state your issue when you testify at the hearing.

NOTICE: If you are a mortgagee, lienholder, vendor or seller, state law (ORS 215.513) requires that you promptly forward your notice to the purchaser of the property.

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