



Josephine County, Oregon

Board of Commissioners: Dave Toler • Dwight F Ellis • Jim Raffenburg

PLANNING OFFICE

Michael Snider, Director

510 NW 4th Street / Grants Pass, OR 97526

(541) 474-5421 / FAX (541) 474-5422

E-MAIL - planning@co.josephine.or.us

September 10, 2008

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 may 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 seven days before the hearing. Copies of the staff report may also be purchased.

APPEAL & HEARING INFORMATION

- OWNER:** James R and Kirsten M Hendershot
- REQUEST:** Construct a cantilevered deck, patio, and landscape plan within the 50' riparian setback area.
- APPELLANT:** James R and Kirsten M Hendershot
- APPEAL:** To the Board of County Commissioners of the Planning Director's decision dated July 10, 2008, denying a request to construct a cantilevered deck, patio, and landscape plan within the 50' riparian setback area.
- LOCATION:** 3810 Almar Road
- LEGAL:** 36-05-23-B0, TL 1000 **ZONING:** Rural Residential - 1 (RR-1)
- CRITERIA:** The criteria (*listed by citation and caption only*) applicable to the request are: **Rural Land Development Code** - Section 72.040.B - Riparian Corridor Setback Area.
- PLACE:** Anne Basker Auditorium, 604 NW 6th Street, Grants Pass, Oregon
- DATE & TIME:** **WEDNESDAY, OCTOBER 1, 2008 - 9:00 AM**

* OFFICE HOURS 8-12 & 1-3 (Mon & Fri) 8-12 (Tues & Thurs) Closed Wed *

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

CONTACT:

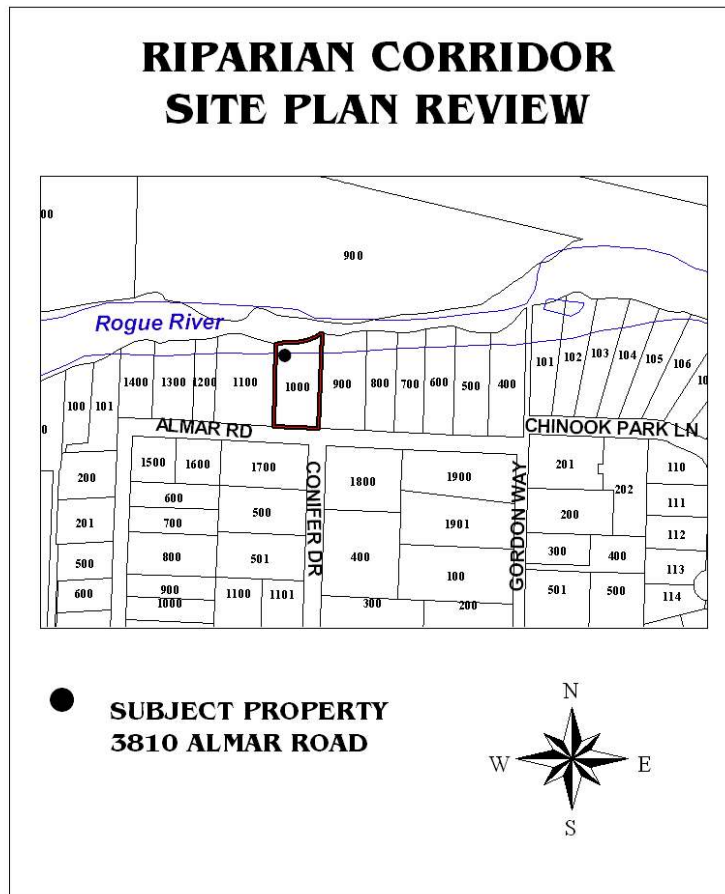
The planner handling the file is Valerie Montague, (541) 474-5421 ext 5427.

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 this notice to the purchaser of the property.



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