

Yamhill County

DEPARTMENT OF PLANNING AND DEVELOPMENT

525 NE FOURTH STREET • McMinnville, Oregon 97128-4523

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July 19, 2019

Mike Bruer
5280 Kings Valley Highway
Dallas, OR 97338

Re: Docket FT-02-19, Tax Lot 3533-800

Dear Mr. Bruer:

This letter will serve as your official notification that your application to allow establishment of a "forest template" dwelling on **Tax Lot 3533-800** has been approved with the following conditions:

1. The dwelling shall be located within the building site identified in the application (Exhibit A). Another building site may be approved if an application is made and evidence is provided to indicate how an alternative location will comply with the standards in Section 403.09(A) of the *Yamhill County Zoning Ordinance*.
2. The applicant shall obtain an address from the county, and shall display that number in a location on the property that is clearly visible from the road used as the basis for numbering as well as locations along the private drive to distinguish the appropriate driveway from other driveways in the area, if necessary. The numbers shall not be less than three inches in height, shall be painted in a contrasting or visible color and shall comply with all other applicable standards for signs.
3. The dwelling shall have a fire-retardant roof. If the dwelling has a chimney or chimneys, each chimney shall be provided with a spark arrester.
4. The dwelling shall not be sited on a slope of greater than 40 percent.
5. The following requirements shall be shown on the site plan submitted at the time of application for building permits, and implemented upon construction or placement of the dwelling:
 - a. A primary fire break shall be constructed, no less than 30 feet wide. The primary firebreak could include a lawn, ornamental shrubbery or individual or groups of trees separated by a distance equal to the diameter of the crowns adjacent to each other, or 15 feet, whichever is greater. All trees shall be pruned to at least eight feet in height. Dead fuels shall be removed.

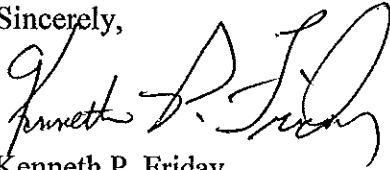
- b. A secondary firebreak of not less than 100 feet outside the primary firebreak shall also be constructed. Dead fuels shall be removed. The secondary fire break shall be increased if the dwelling or structure is located on a slope or other fire hazards exist. The fire break is only required to be constructed on land surrounding the dwelling that is owned or controlled by the owner.
 - c. No portion of a tree or any other vegetation shall extend to within 15 feet of the outlet of a stovepipe or chimney.
- 6. The access road and driveway to the dwelling shall be constructed to meet the road design standards contained in Section 403.11(E) of the *Yamhill County Zoning Ordinance*. Building permits shall not be issued until the road is completed and a statement is submitted from the chief of the McMinnville Fire District that the proposed residence has suitable access for fire protection equipment, or otherwise meets fire protection standards.
 - 7. The applicant shall provide evidence that the domestic water supply is from a source authorized in accordance with the Department of Water Resources Oregon Administrative Rules for the appropriation of ground water (OAR 690, Division 10) or surface water (OAR 690, Division 20) and not from a Class II stream as defined in the Forest Practices Rule (OAR 629-24-101(3)). If the water supply is unavailable from public sources or sources located entirely on the subject property, then the applicant shall provide evidence that a legal easement has been obtained permitting domestic water lines to cross the properties of affected owners.
 - 8. Prior to issuance of building or septic permits, the landowner shall sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.
 - 9. Prior to issuance of building or septic permits, the landowner shall submit a stocking survey report to the County Assessor who needs to confirm that the parcel meets the minimum stocking requirement.
 - 10. This approval is valid for four (4) years from the date of the final decision and will expire unless substantial construction has occurred prior to that date. An extension may be requested provided the request and the required fee are submitted prior to the expiration of the original.

This decision is based on findings and conclusions in the enclosed staff report. The *Yamhill County Zoning Ordinance* provides for appeal of any action or ruling of the Planning Director to the Board of Commissioners within fifteen (15) days of the decision on a proposed action. Anyone wishing to appeal the Director's decision must file an appeal form, together with a \$250.00 fee, with this Department no later than **5:00 p.m., August 5, 2019**. If no appeal is filed, the Director's decision will be final and this letter will serve as your official notice of approval of your application.

Please bear in mind that approval of this request does not guarantee building or septic tank approval. Applications for building and drainfield permits are available in the County Department of Planning and Development.

If you have any questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth P. Friday". The signature is fluid and cursive, with the first name "Kenneth" being more legible than the last name "Friday".

Kenneth P. Friday
Planning Director

Enclosure

KF:lw

cc: Board of Commissioners
Assessor
Public Works
McMinnville Fire District