

WASCO COUNTY PLANNING AND DEVELOPMENT
Todd R. Cornett, Director
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The Dalles, Oregon 97058



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NOTICE OF INTENT TO APPEAL/ PETITION REQUEST FOR REVIEW

FILE #APL- PLACUP-10-08-0018 of ORIGINAL APPLICATION #(s) _____

Date Submitted: 8-6-2010 Date determined complete: 4-16-2011 Fee: _____

Appellant(s) Information:
Name Tom Delzell, Julia N Rouzie

Mailing Address PO Box 1806 McMinnville OR

Phone (H) 971-237-1373 (W) _____ Email delzellt@yahoo.com

APPEAL INFORMATION

1. Appeal Type

- Planning Director to the Planning Commission: Fee = \$250
 Planning Commission to the County Court: Fee = \$500

If appellant prevails at Planning Commission or a subsequent appeal, the \$250 fee for the initial appeal shall be refunded per ORS 215.416(11)(b). This is not applicable for any subsequent appeal costs.

2. Appeal Deadline: 9-12-2011

Date Submitted: 9-9-2011

All appeal documents filed with Wasco County must be delivered to the Wasco County Planning Department Office by postal service or in person. Documents faxed are not considered filed. An appeal will not be considered timely unless received no later than 4:00 p.m. on the deadline stated on the Notice of Decision or Resolution. AN APPEAL IS NOT CONSIDERED COMPLETE UNTIL BOTH THE SIGNED NOTICE OF APPEAL AND FILING FEE ARE RECEIVED.

3. Party Status: State how the petitioner(s) qualifies as a party to this matter:

Tom Delzell, Julia Rouzie petitioners - submitted
conditional use permit application File #

Party includes the following:

- The applicant and all owners or contract purchasers of record, as shown in the files of the Wasco County Assessor's Office, of the property which is the subject of the application.
- All property owners of record, as provided in (a) above, within the notification area, as described in section 2.080 A.2., of the property which is the subject of the application.
- A Citizen Advisory Group pursuant to the Citizen Involvement Program approved pursuant to O.R.S. 197.160.
- Any affected unit of local government or public district or state or federal agency.
- Any other person, or his representative, who is specifically, personally or adversely affected in the subject matter, as determined by the Approving Authority. (Revised 1/92)

4. Grounds for appeal: List the **specific** grounds relied upon in the petition request for review (e.g. ordinance criteria not met, procedural error, etc.) Additional pages may be attached.

*For Planning Board to hear appeal regarding
 Road easement, Water Supply plan for
 Fire protection, Record adjacent "neighbor" letters
 For animal retrieval, Building "cluster" issues, etc. . . .*

5. De Novo vs. On the record: All appeals to Planning Commission are DeNovo meaning new information can be entered into the record. All appeals to County Court are on the record unless a request is made as part of this request by party filing the petition. Any other party must make such a request no more than seven (7) calendar days after the deadline for filing a petition for review has expired.

The appeal is to the County Court?

NO YES

I request the hearing to be DeNovo or partial DeNovo?

NO YES

State the reasons you are requesting a DeNovo or partial DeNovo without addressing the merits of the land use action.

Indicate any persons known to be opposed to a request for a DeNovo hearing.

When practicable, the requesting party shall advise the other parties and attempt to gain their consent.

I have attempted to gain the consent of the other parties associated with this file?

NO YES

If you answered no indicate why this is not practicable. If you answered yes list the parties who have consented for this to be a DeNovo or partial DeNovo hearing.

The request for a de novo hearing for appeal of a quasi-judicial plan amendment shall be decided by the Court as a nonpublic hearing item, except that the Court may make such provision for notice to the parties and may take such testimony as it deems necessary to fully and fairly address significant procedural or substantive issues raised. The Court shall grant the request only upon findings that:

- A de novo hearing is necessary to fully and properly evaluate a significant issue relevant to the proposed development action;
- The substantial rights of the parties will not be significantly prejudiced; and
- The request is not necessitated by improper or unreasonable conduct of the requesting party or by a failure to present evidence that was available at the time of the previous review.

5. Outstanding Appeal Fees: Any person wishing to appeal any decision shall be required to pay all outstanding appeal fees prior to their appeal application being considered complete.

List prior appeals filed:

None

I have paid all outstanding fees associated with prior appeals:

NO YES

Signatures:

Dated this 9/8/2011 day of September, 2011.

Petitioner name: Tom Petzell

Petitioner signature: Tom Petzell

Address: PO Box 1806 McMinnville OR

Phone No(s): in 971-237-1373, wt 503-554-4323

Additional petitioner(s):

Name: Julia Rowe Name: _____

Address: 7 Condolea Dr. Lake Oswego 97035 Address: _____

Delzell, Tom

From: Julia N. Rouzie [jrouzie@gmail.com]
Sent: Wednesday, September 07, 2011 2:23 PM
To: Delzell, Tom
Subject: notice of appeal

To: Wasco County Planning Dept.

From: Julia N. Rouzie

Re: Notice of intent to appeal / petition request for review

I give my permission to Thomas G, Delzell to include my name on this appeal form.