

February 17, 2011

Dear Jennifer,

Thank you so much for your call earlier this week. I am enclosing the letter that my Dad, Donald Leethem, submitted to the Damascus City Council in November 2010. I am also enclosing the original approval from the county dated February 2003, and subsequent letter from Compass Engineering in 2007.

I spoke this morning to Mike Mc Callister as you recommended, and he is going to have Rick McIntire look into it. I appreciate your help in this matter, please let me know if you need anything else or have any questions. You can certainly call my Dad too, although he has asked me to try and deal with it.

Sincerely,



Greta Hein

(541) 386-3855 or cell (559) 250-4846
eelood@aol.com

or

Don Leethem
(503) 658-3470

TO: City of Damascus
City Council
19920 Highway 212
Damascus, OR 97089

Dear City Council Members:

My recently deceased wife and I purchased our 15+ acres at 25495 SE Hoffmeister Road in 1978. When we purchased these 15+ acres the zoning showed this property to be subdividable into 5-acre parcels.

In February 2003 we were alerted that our property would soon come under new zoning rules whereby we would no longer be able to divide the property into 5-acre parcels unless we took action to preserve our rights. We retained Compass Engineering (see attachments) to secure our 5-acre subdivision rights. Compass prepared the attached 12-page document which we understood had completed the process.

In 2007 we learned that Compass Engineering's efforts had not been properly registered with the Clackamas County recorder's office. (See attached Compass Engineering letter of February 13, 2007).

I am 82 years old and my 2 children will not be able to continue my nursery operation. When they inherit this property I would like them to be able to divide it into the three 5-acre parcels so one child could have the house on 5 acres and the other child can have the remaining 10 acres.

I ask the council to honor our obvious efforts to subdivide the 15 acres into three 5-acre plots.

Sincerely,


Don Leethem

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CITY OF DAMASCUS

NOTICE OF DECISION ON
PARTITION- APPROVAL

CLACKAMAS COUNTY DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
LAND USE AND ENVIRONMENTAL PLANNING DIVISION
9101 SE Sunnybrook Blvd., Clackamas, OR 97015
Phone: 353-4500/4501

TO: Applicant, Citizens Planning Organization, Agencies, and Property Owners within 500 feet of this application.

DATE: February 14, 2003

LAST DATE TO APPEAL: February 26, 2003

FILE NO.: Z0858-02-M

STAFF CONTACT: Dan Johnson

APPLICANT: Donald Leethem, 25495 SE Hoffmeister Rd, Boring OR 97009

OWNER OF PROPERTY: Same as applicant.

LEGAL DESCRIPTION: T2S, R3E, Section 02A, Tax Lot 1200, W.M.

SITE ADDRESS: 25495 SE Hoffmeister Rd.

TOTAL AREA INVOLVED: Approximately 15.56 Acres

PRESENT ZONING: Rural Residential Farm Forest District (RRFF-5), five (5) acre district.

CITIZENS PLANNING ORGANIZATION FOR AREA: Boring CPO, Les Otto, PO Box 931, Boring OR 97009

PROPOSAL: A flexible lot size Partition to divide the subject property into three (3) separate parcels.

FINDINGS: The Planning Division staff has reviewed an application for a Partition. This application is subject to the Clackamas County Zoning and Development Ordinance (ZDO), Section(s) 309, 1000, 1001, 1002, 1003, 1005, 1006, 1007, 1008, 1012, 1014, 1022 and 1106. The Planning Division has reviewed these sections of the ZDO in conjunction with this proposal and makes the following findings:

1. The applicant has provided a preliminary plan proposing the division of the subject property, tax lot 1200 of map 23E02A, into three (3) separate parcels. According to the applicant, the subject property is approximately 15.56 acres in size and is zoned Rural Residential Farm Forest, a zoning district with an average minimum lot size of five (5) acres. The applicant has proposed a flexible lot size development pursuant to Sec. 1014 of the ZDO. Acreage sizes for the proposed parcels ranges from 4.19 to 6.17 acres in size. Access to the site is proposed



COMPASS ENGINEERING

ENGINEERING - SURVEYING - PLANNING

4105 SE International Way, Suite 501
Milwaukie, Oregon 97222

503/653-9093
FAX 503/653-9095
bruceg@compass-engineering.com

February 13, 2007

Mr. Donald Leethem
25495 SE Hoffmister
Boring, Oregon 97009

RE: Partition Application Z0858-02-M

Dear Mr. Leethem:

We have reviewed our file and discussed the situation with Clackamas County Staff. It appears that the application that Compass Engineering prepared on your behalf was processed and approved by Clackamas County on or about February 14, of 2003. Unfortunately Compass did not receive any notification of the approval from either Clackamas County or you. As a result, because of lack of action the approval expired on February 14, 2005. The property is now in the City of Damascus and at this time there doesn't appear to be any for you to divide your property until the Damascus land use procedure is adopted. We have been advised by the County Staff that a measure 37 claim would be denied.

If you have any questions or require additional information, please contact our office.

Sincerely,

Bruce D. Goldson, P.E.

BDG/ta
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