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BEFORE THE LAND USE BOARD OF APPEALS
OF THE STATE OF OREGON

IRMA J. TROMMLITZ,)
)
Petitioner,)
)
vs.)
)
WASHINGTON COUNTY,)
)
Respondent,)
)
and)
)
THE ASPEN GROUP, INC.,)
)
Intervenor-Respondent.)

LUBA No. 97-231

FINAL OPINION
AND ORDER

(MEMORANDUM OPINION)
ORS 197.835(16)

Appeal from Washington county.

Irma J. Trommlitz, Portland, filed the petition for review and argued on her own behalf.

Alan A. Rappleyea, Senior Assistant County Counsel, Hillsboro, filed a response brief and argued on behalf of respondent.

Steven R. Schell, Portland, filed a response brief and argued on behalf of intervenor-respondent. With him on the brief was Black Helterline, LLP.

HANNA, Board Member; GUSTAFSON, Board Chair, participated in the decision.

AFFIRMED 03/26/98

You are entitled to judicial review of this Order. Judicial review is governed by the provisions of ORS 197.850.

1 Opinion by Hanna.

2 **NATURE OF DECISION**

3 Petitioner appeals the board of county commissioner's
4 (commissioner's) decision approving a two lot partition
5 preliminary plat, a 39-lot single family residential
6 subdivision, a planned development review for 33 attached
7 dwelling units and a drainage hazard alteration.

8 **MOTION TO INTERVENE**

9 The Aspen Group, Inc., the applicant below moves to
10 intervene on the side of the respondent. There is no
11 opposition to the motion, and it is allowed.

12 **DISCUSSION**

13 We understand petitioner to make the five following
14 assignments of error:¹ (1) the challenged decision does not
15 meet the requirements for Statewide Planning Goal 14
16 (Urbanization); (2) the decision violates the county's
17 Community Development Code (CDC) 605-3.3.H (4) and (5) because
18 it does not provide for a configuration of Leahy Road as
19 envisioned by petitioner; (3) the commissioners erred
20 procedurally in communicating with their staff; (4) petitioner
21 was not given 14 days notice of the staff position on the
22 application before that position was entered into the record;
23 and (5) the challenged decision does not meet the requirements

¹Our understanding of petitioner's arguments is far from clear. Much of her discussions concern deeply felt policy issues. Little of any discussion is related to or explains how the challenged decision is deficient in meeting any particular criterion.

1 for Statewide Planning Goal 12 (Transportation), in that it
2 does not enhance multi-model facilities as envisioned by
3 petitioner.²

4 We find that none of petitioner's assignments of error
5 establish a basis for remand or reversal of the county's
6 decision, and all are, therefore, denied.

7 The county's decision is affirmed.

²At oral argument, petitioner expanded her argument to allege a violation of CDC 408. Even if that allegation had been properly raised as an assignment of error, the arguments made are without merit.