

**FINDINGS OF FACT and FINAL ORDER
TYPE II TEMPORARY STRUCTURE PERMIT**

DATE: June 18, 2020

FILE NO.: 20-022 TEMP/EXT

APPLICANT: Kyle Ruthardt

OWNER: Ruthardt Properties

LOCATION: 36409 Industrial Way

LEGAL: T2S R4E Section 14A Tax lot 1120 (Lot 7, Block 1, Sandy Industrial Park)

DECISION: Time extension of Approved Temporary Structure Permit

FINDINGS OF FACT

1. Ruthardt Properties, LLC is proposing to construct a 12,000 sq. ft building between Industrial Way and Hwy 26. The applicant requests an extension period for an approved temporary structure permit (File No. 19-011 TEMP) of a portable construction office trailer for an additional period of one year.
2. This proposal is to continue to use the temporary structure at 36409 Industrial Way (Lot 7, Block 1, Sandy Industrial Park) from May 4, 2020 through May 4, 2021 (one year as projected by the applicant). The original removal date for the temporary structure was May 3, 2020
3. The portable office trailer will temporarily remain in place at 36409 Industrial Way for approximately one additional year.
4. The applicant proposes to use a temporary onsite portable restroom facility for their employees and contractors working onsite.
5. The portable office trailer is 350 sq. ft and 32 feet in length by 11 feet in width.
6. The temporary portable office trailer houses two employees with contractors coming and going throughout the workday. Planning staff had encouraged the applicant to locate the temporary office trailer in such a way as to preserve the maximum number of parking spaces. When the temporary structure was originally installed, the property owner sited the structure on the west side of the property to preserve parking to its greatest extent.
7. With their original application (19-011 TEMP), the applicant did not specify the use of generators or air compressors. **The temporary portable office trailer shall comply with Section 8.20 of the Municipal Code regarding noise.**

8. Signage shall not be allowed without first obtaining a sign permit. **The applicant is responsible for complying with Chapter 15.32 for all signage.**

SUMMARY

For the reasons described above, the request by Kyle Ruthardt to continue to locate one portable office trailer at 36409 Industrial Way (Lot 7, Block 1, Sandy Industrial Park) from May 4, 2020 through May 4, 2021 is hereby **approved** as modified by the conditions listed below.

CONDITIONS OF APPROVAL

1. The applicant is permitted to locate one portable office trailer per the submitted site plan at 36409 Industrial Way (Lot 7, Block 1, Sandy Industrial Park) from May 4, 2020 through May 4, 2021.
2. The portable office **trailer shall be removed by the applicant by Wednesday May 5, 2021** unless an application extending this timeline has been applied for and approved prior to this date. An additional extension could require approval by the Planning Commission.
3. The temporary trailer shall comply with Section 8.20 of the Municipal Code regarding noise.
4. Comply with the requirements of Chapter 15.32 for all signage. No signage shall be allowed without first obtaining a sign permit.
5. Any other conditions or regulations required by Clackamas County, Fire District No. 72, Oregon Department of Transportation, or County, State or Federal agencies are hereby made a part of this permit and any violation of the conditions of this approval will result in the review of this permit and/or revocation.

Marisol Martinez
Permit Technician I
(on behalf of Kelly O'Neill Jr.)

RIGHT OF APPEAL

A decision on a land use proposal or permit may be appealed to the Planning Commission by an affected party by filing an appeal with the Director within 12 days of notice of the decision. The notice of appeal shall indicate the nature of the interpretation that is being appealed and the matter at issue will be a determination of the appropriateness of the interpretation of the requirements of the Code.

An application for an appeal shall contain:

1. An identification of the decision sought to be reviewed, including the date of the decision;
2. A statement of the interest of the person seeking review and that he/she was a party to the initial proceedings;

3. The specific grounds relied upon for review;
4. If de novo review or review by additional testimony and other evidence is requested, a statement relating the request to the factors listed in Chapter 17.28.50; and,
5. Payment of required filing fees.