

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

DATE: July 07, 2021

FILE NO.: 21-040 TEMP

APPLICANT: Mark and Mary Benson

OWNER: Sandy Automotive, LLC

LOCATION: 16555 Champion Way

LEGAL: T2S R4E Section 15A Tax lot 00209

DECISION: Approve Temporary Structure Permit

FINDINGS OF FACT

1. The applicant requests a Temporary Structure Permit to relocate one 320 square foot storage container measuring 40 feet by 8 feet by 9 feet (LWH) at 16555 Champion Way. The storage container is currently placed at 16355 Champion Way which is also owned by the applicant.
2. The applicant was first approved on June 22, 2018 (File No. 18-021 TEMP) to have the storage container placed at 16355 Champion Way for storage of construction materials. The original approval was permitted for one year. No construction has taken place on the site and the applicant is currently in negotiations to sell the property. The existing location of the temporary structure is highly visible and is restricting walkway access from Champion Way to the Tractor Supply Store.
3. The temporary storage container will be relocated to the back SW corner of 16555 Champion Way. The applicant provided a site plan showing the container placed on Pad 5 just NW of Industrial Way.
4. The applicant's storage container will be used as a storage facility for non-flammable equipment and supplies.
5. The applicant proposes to place the temporary storage container on a layer of gravel on Pad 5 (identified in the applicant's submitted site plan). The applicant also proposes to have the doors of the container facing their private driveway.
6. The proposed location (identified in the submitted site plan) is currently vacant and was approved with conditions for a proposed storage facility back in 2018 (File No. 18-047 DR/VAR/ADJ). The proposed location of the temporary storage container will remain undeveloped at this time, and the temporary storage container will be setback further from visibility of Hwy 26.

7. The property is zoned Industrial Park (I-1) and Section 17.48.30 identifies setback requirements associated with the I-1 zoning district. The submitted plan does not identify proposed setbacks; however, the size of the site is conducive to being able to meet the requirements.
8. There will be no change in location of utilities, easements, or streets.
9. 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 Mark and Mary Benson to relocate one temporary storage container from 16355 Champion Way to 16555 Champion Way starting on July 15, 2021, through July 15, 2022 is hereby **approved** as modified by the conditions listed below.

CONDITIONS OF APPROVAL

1. The applicant is permitted to relocate one temporary storage container at 16555 Champion Way per the submitted site plan starting on July 15, 2021, through July 15, 2022.
2. The temporary storage container **shall be removed by the applicant by Friday July 15, 2021**, unless an application extending this timeline has been applied for and approved prior to this date.
3. An extension of the temporary structure permit shall require a Type II process as specified by Section 17.74.60 (A) of the Sandy Development Code.
4. The applicant shall install reflective devices on the temporary storage container at locations capable of being struck by vehicles.
5. The applicant shall comply with the requirements of Chapter 15.32 for all signage. No signage shall be allowed without first obtaining a sign permit.
6. This Temporary Use Permit may be revoked by the City if conditions of approval are not met. Approval of this Temporary Use does not grant authority for the unrestricted use of the site.
7. 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.



Kelly O'Neill Jr.
Development Services Director

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.