

NOTICE OF PLANNING COMMISSION DECISION

APPLICATION FILE #: 541-19 and 542-19

REQUEST: To obtain approval to remove one evergreen tree in the front yard and one hemlock tree in the backyard.

OWNER/APPLICANT: Robert Fankhauser
8060 SW Peters Road
Durham, OR 97224

SITE LOCATION: 8060 SW Peters Road

AUTHORIZATION: The review and approval criteria for the proposal are provided in the Durham Development Code (DDC) under Chapter 5 Tree Protection; DDC Chapter 9 Procedures, DDC Section 9.6 Type 2 Process & Criteria; Tree Protection Ordinance 228-05 as amended by Ordinance 246-08; and the Durham Comprehensive Land Use Plan as revised 6.23.95.

PLANNING COMMISSION DECISION:

A public meeting was held after 7:30 p.m. on November 5, 2019 at Durham City Hall, 17160 SW Upper Boones Ferry Rd., Durham, OR. Based on the City Staff Report (10-15-19), the Durham Planning Commission developed findings and APPROVED the removal of the hemlock tree proposed in Tree Removal Application 541-19 and APPROVED the removal of the evergreen tree proposed in Tree Removal Application 542-19 subject to the following conditions:

1. Three trees will be mitigated. These trees will be evergreens from the list of approved mitigation trees and be of a size that complies with the requirements set forth in Chapter 5, Section 5.5.1 (i.e. 6' tall when measured from the top of the root ball, excluding the leader, for evergreens).
2. Mitigation trees must be planted within six months of the date of approval or a request submitted for an additional 60-day extension. Please inform City Hall when you have planted this tree.
3. Any mitigation planting that fails within two years of the date of planting requires that you notify City Hall and that the failing tree be replaced.
4. Within 60 days of the second anniversary of planting you are to request a final inspection of the mitigation planting. The permit will not be finalized until all of the conditions are complied with and the final inspection requested.

NOTE: THE DECISION OF THE PLANNING COMMISSION SHALL BE FINAL UNLESS A PETITION OF APPEAL IS FILED AT CITY HALL WITHIN TWELVE (12) DAYS FOLLOWING THE DATE THAT THE DECISION WAS MAILED. THE APPEAL PETITION MUST PROVIDE THE INFORMATION AND FILING FEE AS SPECIFIED IN SECTION 9.9 OF THE DURHAM DEVELOPMENT CODE. THE APPEAL PETITION SHALL BE REVIEWED BY THE CITY COUNCIL IN ACCORDANCE WITH ITS OWN ADOPTED RULES OF PROCEDURE.

DATE OF PLANNING COMMISSION DECISION: November 5, 2019
Date of notice: November 6, 2019