

COLUMBIA COUNTY

Board of Commissioners Office

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ST. HELENS, OR 97051

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NOTICE OF PUBLIC HEARING Wednesday, November 13, 2024 (Remote Access Available)

File # V 25-01

Applicant: John Arambul & Bryan Kerr, Kerr Contractors

Property Owner(s): Willow Creek Land LLC

Map/Tax lot: 6212-00-01100

Zone: Surface Mining (SM)

Size: Approx. 32.47 Acres

NOTICE IS HEREBY GIVEN that Kerr Contractors c/o John Arambul and Bryan Kerr, on behalf of property owner Willow Creek Land LLC, has appealed the Planning Commission's denial of their application for a Major Variance (File # V 25-01). The applicant proposes a variance to the standard surface mining operation hours to allow the operation of a temporary asphalt paving plant between the hours of 6:00 PM to 7:00 AM, not to exceed a period of 60 days. The subject property associated with Map and Tax lot 6212-00-01100 is approximately 32.47 acres and is zoned Surface Mining (SM).

SAID PUBLIC HEARING will be held before the Columbia County Board of Commissioners on **Wednesday, November 27, 2024**, at or after 10:00 a.m. This meeting will be hybrid in nature. You may attend virtually by logging into <https://global.gotomeeting.com/join/357054141>, (Toll Free) 1-866-899-4679, meeting access code is 357-057-141, or attend in person at the Columbia County Courthouse, 230 Strand St, Room 310, St. Helens, OR. 97051.

The applicable criteria to be used in evaluating this request include: Columbia County Zoning Ordinance- Section 1040 Surface Mining, Section 1044 Operating Standards, Section 1045 Modification of Standards, Section 1504 Variances, Section 1700 Appeals. The specific criteria applicable to this request will be listed and evaluated in the staff report.

A copy of the application, all documents and evidence relied upon by the applicant, and the staff report will be available for inspection at no cost (and will be provided at reasonable cost) at the Land Development Services office located at 445 Port Ave, St Helens, OR and online at <https://www.columbiacountyor.gov/departments/LandDevelopment/planning-commission> at least 7 days prior to the hearing. Written comments on the issue can be submitted via email to jacyn.normine@columbiacountyor.gov or you can send comments via U.S. Mail to Columbia County Board of Commissioners, Jacyn Normine, 230 Strand Street, St. Helens, OR 97051.

The hearing will be held according to the procedures established in the Zoning Ordinance. Interested parties may appear and be heard. The applicant has the burden of presenting

substantial evidence showing that the application meets all the applicable criteria. Following presentation of the staff report, the applicant, and other persons in favor of the application will be allowed to address the Board, explaining how the evidence submitted meets the applicable criteria. Following the applicant's presentation, any person in opposition to the application may present evidence and testimony against the application. Then those who are neither in favor nor opposed the application will have an opportunity to present evidence and testimony. The applicant will then have the opportunity to rebut any of the evidence or testimony presented. After the presentation of evidence and arguments, the Board will close the hearing to additional evidence and testimony and deliberate toward a decision.

The Commissioners will then make a tentative decision to be followed by approval of a written order and a statement of findings and conclusions supporting the decision, which will be mailed to those entitled to notice at a later date. The Commissioners may continue the hearing to a time and date certain in the future.

Failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

Additional information about this application may be obtained from the Planning Division of the Land Development Services Department, at (503) 397-7217. If you have any questions or concerns regarding access to the meeting or need accommodation, please call Jack Niedermeyer, Assistant Planner, at (503) 397-7217.

Date this 7th day of November 2024

For the

Board of County Commissioners
for Columbia County, Oregon
Jacyn Normine, Administrator
Board of Commissioners Office