



NOTICE OF APPEAL
TYPES III & IV

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MAY 23 2022

City of Sherwood
Planning Dept.

Sherwood Zoning and Community Code (SZCDC) 16.76 Appeals

16.76.010.A Issues on Appeal

The only issues which may be raised on appeal are those issues which were raised on the record before the Hearing Authority with sufficient specificity so as to have provided the City, the applicant, or other persons with a reasonable opportunity to respond before the Hearing Authority.

16.76.020 Appeal Deadline

Land use actions taken pursuant to SZCDC16.76 shall be final unless a petition for review is filed with the Planning Director not more than fourteen (14) calendar days after the date on which the Hearing Authority took final action on the land use application, and written notice of the action has been mailed to the address provided by the person in the record. If the person did not provide a mailing address, then the appeal must be filed within fourteen (14) calendar days after the notice has been mailed to persons who did provide a mailing address.

Tax Lot: 2S129DC00900

Map No: _____

Land Use Case File No: LU 2022-004 MM Sentinel Storage II Major Modification

To Appeal Authority: Sherwood City Council

Appeal By: Jim Claus/Susan Claus
(Appellant's Name)

The undersigned in the above-entitled matter does hereby appeal from that certain decision of the Sherwood Planning Commission rendered on 11 day of May, 2022 upon the following grounds: (Please provide on a separate sheet the reasons why you think the Appeal Authority should render a different decision than that rendered by the Hearing Authority).

Jim Claus

Appellant's Signature

May 23, 2022

Date Signed

Address: 22211 SW Pacific Hwy. Sherwood 97140 Phone Number: (503) 734-0556

To be filled out by City Staff

Received by: [Signature]

Date: 5/23/22

*Fee: 1,500.56

Receipt No.: 312020

*See City of Sherwood current Fee Schedule, located at www.sherwoodoregon.gov.

REASONS FOR APPEAL – LU 2022-004 MM SENTINEL STORAGE II MAJOR MODIFICATION

1. The Planning Commission misinterpreted ORS 92.040 as it applies to the application and the factual history of the subject property. ORS 92.040 does not allow the applicant to ignore the provisions of the Sherwood Zoning and Development Code to site a use that is expressly prohibited by the code on the subject property.
2. The Planning Commission erred by refusing to keep the record open at the continuance hearing, as demanded by appellants pursuant to ORS 197.797(6)(b). The applicant and staff offered new evidence which appellants were not given the opportunity to rebut.