



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

June 5, 2008

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Wasco County Plan Amendment
DLCD File Number 001-08



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: June 25, 2008

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Doug White, DLCD Community Services Specialist
Amanda Punton, DLCD Natural Resource Specialist
Dawn Baird, Wasco County

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Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: **Wasco County**

Local file number: **CPA-08-102**

Date of Adoption: **6/4/2008**

Date Mailed: **6/4/2008**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date: 3/20/2008

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation

- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Amend the County Comprehensive Plan to remove the Slusher House, Field No. 51, from the Wasco County Historic Landmark Inventory List.

Does the Adoption differ from proposal? Please select one
No

Plan Map Changed from: _____ to: _____

Zone Map Changed from: _____ to: _____

Location: **1S 13E 34 100** Acres Involved: _____

Specify Density: Previous: _____ New: _____

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
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| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

- 45-days prior to first evidentiary hearing? Yes No
- If no, do the statewide planning goals apply? Yes No
- If no, did Emergency Circumstances require immediate adoption? Yes No

DLCD #001-08 (16789)

1 IN THE COUNTY COURT OF THE STATE OF OREGON

2 IN AND FOR THE COUNTY OF WASCO 2008 JUN -4 P 3: 51

3 KAREN LEBRETON COATS
COUNTY CLERK

IN THE MATTER OF THE WASCO COUNTY PLANNING)
COMMISSION RECOMMENDATION OF THE REQUEST BY SALLY)
CONOVAN FOR A COMPREHENSIVE PLAN AMENDMENT TO) ORDER
REMOVE THE WASCO COUNTY HISTORIC LANDMARK)
DESIGNATION FROM THE THOMAS SLUSHER HOUSE (FIELD)
NO. 51); FILE CPA-08-102, STS-08-102)

4
5 NOW ON THIS DAY, the above-entitled matter having come on regularly for
6 consideration, said day being one duly set in term for the transaction of public business and a
7 majority of the Court being present; and

8
9 IT APPEARING TO THE COURT: That on March 13, 2008, an application was received
10 from Sally Donovan for a Comprehensive Plan Amendment to remove the Wasco County
11 Historic Landmark Designation from the Thomas Slusher House (Field No. 51) for property
12 located at 83087 Dufur Valley Road, Dufur, Oregon; further described as Township 1 South,
13 Range 12 East W.M., Section 34, Tax Lot 100; and

14
15 IT FURTHER APPEARING TO THE COURT: That the application was reviewed by the
16 Wasco County Planning Office and determined to be complete on April 3, 2008; and

17
18 IT FURTHER APPEARING TO THE COURT: That a hearing was scheduled before the
19 Planning Commission for Tuesday, May 6, 2008; and

20
21 IT FURTHER APPEARING TO THE COURT: That on Tuesday, May 6, 2008, the
22 Planning Commission met to conduct a legally notified public hearing on the above matter. The

1 public hearing was opened, evidence and testimony was received. Following receipt of all
2 testimony, the Commission deliberated, and on a vote of 7 to 0, forwarded a recommendation
3 of approval to the Wasco County Court to approve the Comprehensive Plan Amendment and
4 Subject to Standards Review to remove the Wasco County Historic Landmark Designation
5 (Field No. 51) from the Thomas Slusher House; and

6
7 IT FURTHER APPEARING TO THE COURT: That the Wasco County Planning
8 Commission recommended approval for a Comprehensive Plan Amendment and Subject to
9 Standards Review to remove the Wasco County Historic Landmark Designation from the
10 Thomas Slusher House (Field No. 51), on property located at 83087 Dufur Valley Road, Dufur,
11 Oregon; further described as Township 1 South, Range 12 East W.M., Section 34, Tax Lot 100,
12 subject to findings and conclusions located in the Planning Commission Recommendation; and

13
14 IT FURTHER APPEARING TO THE COURT: That the Wasco County Court met at the
15 hour of 2 p.m. a.m. on Wednesday, June 4, 2008, in the Wasco County Courtroom, Room 202
16 of the Wasco County Courthouse, in The Dalles, Oregon, for a legally notified review of the
17 request by Sally Donovan for a Comprehensive Plan Amendment to remove the Wasco County
18 Historic Landmark Designation from the Thomas Slusher House (Field No. 51) on property
19 located at 83087 Dufur Valley Road, Dufur, Oregon; further described as Township 1 South,
20 Range 12 East W.M., Section 34, Tax Lot 100; and

21
22 IT FURTHER APPEARING TO THE COURT: That the Court reviewed the record,
23 heard the Planning Commission recommendation and all relevant comments from the parties.
24 The Court considered the matter, and based upon the testimony present, the Court, being fully
25 apprised in the premises, voted 3 to 0 to approve the request by Sally Donovan for a

1 Comprehensive Plan Amendment to remove the Wasco County Historic Landmark Designation
2 from the Thomas Slusher House (Field No. 51) on property located at 83087 Dufur Valley
3 Road, Dufur, Oregon; further described as Township 1 South, Range 12 East W.M., Section 34,
4 Tax Lot 100, subject to the following findings and conclusions:

5 **FINDINGS OF FACT**
6

- 7 **A.** Proper notice was given and the hearing was held in accordance with procedural rules for
8 quasi-judicial hearings and in conformity with said requirements as set forth in the Wasco
9 County Land Use & Development Ordinance.
- 10 **B.** Three members of the Wasco County Court were present and qualified to sit as decision-
11 makers after full disclosure was made and the matter of qualifications was discussed by the
12 Court.
- 13 **C.** In making its decision, the Court recognizes the procedural and legal requirements of
14 Oregon Revised Statutes, Wasco County Comprehensive Plan, and Wasco County Land
15 Use & Development Ordinance, and weighed fully each requirement in arriving at its
16 decision.
- 17 **D.** The Court adopted the Findings of Fact in the Planning Commission Report dated May 6,
18 2008.

19 **CONCLUSIONS OF LAW**

- 20 **A.** The request is for a Comprehensive Plan Amendment to remove the Wasco County Historic
21 Landmark Designation from the Thomas Slusher House (Field No.51).
22
- 23 **B.** The subject parcel is located in the A-1(160)/EPD-1, Exclusive Farm Use/Flood Hazard
24 Overlay zone in Wasco County.
25
- 26 **C.** With proposed **findings of fact** in the Planning Commission Report, the request is
27 consistent with State Law, the Wasco County Comprehensive Plan, and the Wasco County
28 Land Use & Development Ordinance.
29
30

31 **NOW, THEREFORE, IT IS HEREBY ORDERED:** That the request by Sally Donovan
32 for a Comprehensive Plan Amendment to remove the Wasco County Historic Landmark
33 Designation from the Thomas Slusher House (Field No. 51) on property located at 83087 Dufur
34 Valley Road, Dufur, Oregon; further described as Township 1 South, Range 12 East W.M.,
35 Section 34, Tax Lot 100, is approved.

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SIGNED THIS 4th day of June, 2008.

APPROVED AS TO FORM:



Eric J. Nisley
Wasco County District Attorney

WASCO COUNTY COURT



Dan Ericksen, Judge



Sherry Holliday, Commissioner



Bill Lennox, Commissioner

WASCO COUNTY PLANNING
AND DEVELOPMENT
Todd R. Cornett, Director
2705 East Second Street
The Dalles, Oregon 97058



Phone: (541) 506-2560
Fax: (541) 506-2561
Web Address: co.wasco.or.us

WASCO COUNTY COURT

NOTICE OF DECISION

File #: CPA-08-102, STS-08-102

Date: June 4, 2008

REQUESTS: Comprehensive Plan Amendment and Subject to Standards Review to remove the Wasco County Historic Landmark designation for the Thomas Slusher House.

DECISION: Approval

Applicant/Owner Information:

Applicant(s)	Sally Donovan Donovan & Associates 1615 Taylor Avenue Hood River, OR 97031	Property Owner(s)	John & Zipporah Dillon P.O. Box 294 Dufur, OR 97021
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Contact: Sally Donovan

Property Information:

Township	Range	Section	Tax Lot No.	Acres	Account #	Zoning
1S	13E	34	100	147.98	9927	A-1(160)/EPD-1/EPD-4

Address: 83087 Dufur Valley Road, Dufur, Oregon

Location: North of the intersection of Dufur Valley Road and Rail Hollow Road, approximately 1¼ mile southwest of Dufur, Oregon.

Attachments:

- A. Time Limits & Appeal Information
- B. Maps & Site Plans
- C. Staff Report

Staff Reviewer: Dawn Baird, Associate Planner

SIGNED THIS 4th day of June, 2008, at The Dalles, Oregon.

Dawn Baird, Associate Planner
Wasco County Planning & Development Office

State of Oregon
County of Wasco

Signed or attested before me on June 4, 2008, by Dawn Baird.

Notary Public – State of Oregon

ATTACHMENT A – APPEAL INFORMATION

No development shall occur until all zoning permits are obtained, all applicable zoning conditions are met, all building permits are issued and all appeal periods have expired.

APPEAL PROCESS:

The date of this decision is June 4, 2008. The decision of the Wasco County Court shall be final unless an appeal from an aggrieved party is received by the Oregon Department of Land Conservation & Development (DLCD) within twenty-one (21) days of the mailing date of this decision, **Wednesday, June 25, 2008, 4:00 p.m.**

The decision will not become final until the period for filing an appeal has expired.

A complete record of the matter is available for review upon request during regular business hours or copies can be ordered at a reasonable price at the Wasco County Planning and Development Office.

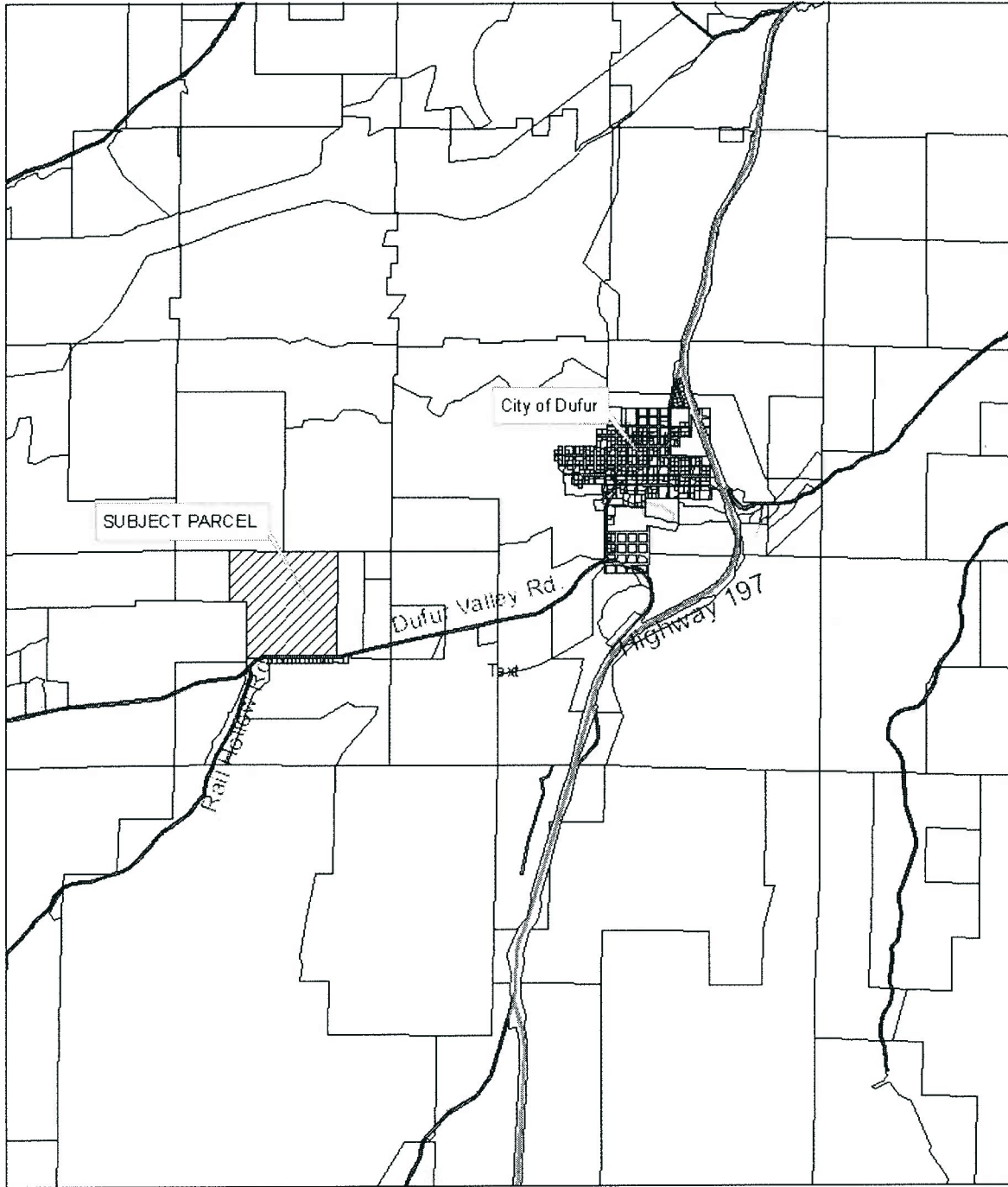
FINDINGS OF FACT:

Findings of fact approving this request may be reviewed at the Wasco County Planning & Development Office, 2705 East Second Street, The Dalles, Oregon, 97058, or are available for purchase at the cost of \$0.25 per page. These documents are also available online at: www.co.wasco.or.us/planning/planhome.html, click on Current Land Use Actions. There is a table for National Scenic Area applications and a table for regular County applications. Each table is sorted alphabetically by the name of the applicant. The information will be available until the end of the appeal period.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: Oregon Revised Statutes, Chapter 215, requires that if you receive this notice, it must promptly be forwarded to the purchaser

ATTACHMENT B – MAPS
Vicinity Map

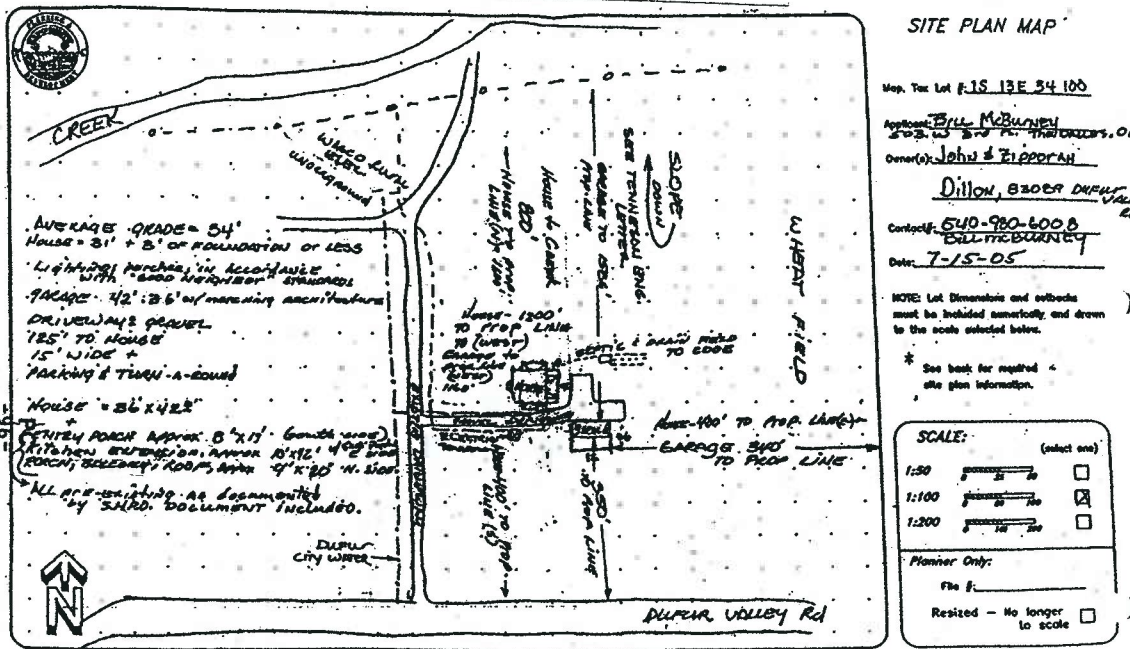
1S 13E 34, Tax Lot 100



ATTACHMENT B – MAPS

Site Plan

1S 13E 34, Tax Lot 100



ATTACHMENT C – COUNTY COURT REPORT

June 4, 2008

File Numbers: CPA-08-102, STS-08-102

Applicant: Sally Donovan, Donovan & Associates

Owners: John & Zipporah Dillon

Requests: Comprehensive Plan Amendment and Subject to Standards Review to remove the Wasco County Historic Landmark Designation from the Thomas Slusher House (Field #51)

County Court Decision: Approval

County Court Hearing Date: June 4, 2008

Prepared by: Dawn Baird, Associate Planner

Procedure Type: IV – County Court (Comprehensive Plan Amendment)

Location: North of the intersection of Dufur Valley Road/Rail Hollow Road, approximately 1¼ mile southwest of Dufur, Oregon.

<u>Existing</u>	<u>Previous</u>
1S 13E 34 100	1S 13E 34 500

Contiguous Ownership: None

Legal Parcel Determination: The subject parcel was created by Deed Volume 108, Page 75, recorded with the Wasco County Clerk on September 30, 1946. It is consistent with the definition of Legal Parcel in the NSA-LUDO.

Zoning District: A-1(160)/EPD-1/EPD-4, Exclusive Farm Use/Flood Hazard Overlay/Cultural, Historic & Archaeological Overlay zone. The dwelling is located outside of the EPD-1 zone.

Past Actions: STS-05-111, FFD-05-112, MIN-07-129, MIN-05-110-, MIN-06-169

Procedure Type: Quasi-Judicial Hearing

Prepared by: Dawn Baird, Associate Planner

I. APPLICABLE STANDARDS

A. Oregon Revised Statute (ORS), Chapter 197 — Comprehensive Land Use Planning Coordination, Section 197.772, Consent for designation as historic property.

B. Wasco County Comprehensive Plan
Section XI., Revisions Process

C. Wasco County Land Use & Development Ordinance (LUDO)

1. Chapter 2 – Development Approval Procedures

Section 2.060.B.1 (Recommendation to County Court on Quasi-Judicial Plan Amendment)

Section 2.080.A. (Notice Requirements – Type III – Quasi-Judicial Public Hearing)

Section 2.140 (Recordation of Conditions of Approval)

2. Chapter 3 – Basic Provisions

Section 3.770 – Division 4 – Cultural, Historic and Archaeological Overlay zone

Section 3.773 (Removal of Historic Landmark Designation)

Section 3.772 (Designation of Historic Landmarks or Districts)

II. AFFECTED AGENCIES

State Historic Preservation Office (historic resources)

III. **COMMENTS:** No comments were received prior to, or at the County Court hearing.

IV. FINDINGS

A. Oregon Revised Statute (ORS), Chapter 197 — Comprehensive Land Use Planning Coordination

1. **Section 197.772(3), Consent for designation as historic property, states:**
“A local government shall allow a property owner to remove from the property a historic property designation that was imposed on the property by the local government. [1995 c.693 §21; 2001 c.540 §19]”

COUNTY COURT FINDING: Wasco County has established a procedure for removal of a historic landmark from the Comprehensive Plan Inventory. This process requires compliance with criteria in the Comprehensive Plan, and LUDO Section 3.772.D.

- Comprehensive Plan criteria are addressed in B.

- LUDO criteria are addressed in C.

**B. Wasco County Comprehensive Plan
Section XI. Revisions Process, H., General Criteria**

The following criteria must be considered before approval of an amendment to the Comprehensive Plan is given.

- 1. Compliance with the statewide land use goals as provided by the Land Conservation and Development Commission, where applicable.**

APPLICANT FINDING: The plan amendment is in compliance with the Goal 5: Open Spaces, Scenic, and Historic Areas and Natural Resources process. In association with historic resources, Goal 5 stipulates that historic resources be identified, evaluated, and, if significant, monitored by a historic preservation ordinance. The Wasco County historic ordinance also provides for the "Removal of a Landmark Designation," taking into account changing conditions over time. The removal process is outlined *Section 3.772-Division 4: Cultural, Historic and Archaeological Overlay of Chapter 3 of the Environmental Protection Districts, Wasco County Land Use and Development Ordinance (WC LUDO)*. This removal of the Thomas Slusher House from the Wasco County Historic Landmark list is in compliance with the Goal 5 process.

COUNTY COURT FINDING: The Court concurs with the applicant's finding.

- 2. Substantial proof that such change shall not be detrimental to the spirit and intent of such goals.**

APPLICANT FINDING: The plan amendment is in compliance with the Goal 5: Open Spaces, Scenic, and Historic Areas and Natural Resources process. In association with historic resources, Goal 5 stipulates that historic resources be identified, evaluated, and, if significant, monitored by a historic preservation ordinance. The Wasco County historic ordinance also provides for the "Removal of a Landmark Designation," taking into account changing conditions over time. The removal process is outlined *Section 3.772-Division 4: Cultural, Historic and Archaeological Overlay of Chapter 3 of the Environmental Protection Districts, Wasco County Land Use and Development Ordinance (WC LUDO)*. This removal of the Thomas Slusher House from the Wasco County Historic Landmark list is in compliance with the Goal 5 process.

COUNTY COURT FINDING: Concur with the applicant's finding.

- 3. A mistake in the original comprehensive plan or change in the character of the neighborhood can be demonstrated.**

APPLICANT FINDING: The Thomas Slusher House was moved twice (1995 & 2005) since the house was designated a Wasco County Historic Landmark in 1994. Part of the original designation was based on the historic associations with the Slusher family and farmstead. Since the house was moved twice, the historic significance has been significantly compromised.

COUNTY COURT FINDING: The house was originally designated as a historic structure was Wasco County in 1983; concur with the remainder of the applicant's finding.

4. Factors which relate to the public need for healthful, safe and aesthetic surroundings and conditions.

APPLICANT FINDING: The deteriorated condition of the Slusher House after the house was moved to the Underhill-Dillon property in 2005 required replacement of a majority of the structural components, finishes, and materials from the roof to the foundation. Also of concern to the owners was the amount of lead base paint found on the siding; a potential health hazard

COUNTY COURT FINDING: Concur with the applicant's finding.

5. Proof of change in the inventories originally developed.

APPLICANT FINDING: See Exhibit 1 (page P-37). "Declaration of Condition of the Thomas Slusher House." This declaration outlines the deterioration of the Slusher House at the time the Dillons began rehabilitation of the house, and the need to replace almost 70% of the historic material used in the construction of the house. See Exhibit 2 (page P-42). List of deteriorated or missing elements of the Slusher House at the time rehabilitation began in 2005. This list was compiled as part of the "Removal of Historic Landmark Designation," process completed in March 2008 by Sally Donovan, Historic Preservation consultant.

COUNTY COURT FINDING: Concur with the applicant's finding.

6. Revisions shall be based on special studies or other information which will serve as the factual basis to support the change. The public need and justification for the particular change must be established.

APPLICANT FINDING: Sally Donovan, a Historic Preservation Consultant, conducted the original survey and evaluation of the Thomas Slusher House in 1994. Ms. Donovan made a site visit in February 2008 to the Slusher House at the request of the property owners' attorney, Jeff Wilkerson. After examining the house and the rehabilitation projects, Ms. Donovan determined that a majority of the historic fabric of the house had been removed and replaced/replicated because of deterioration and current building codes. This determination and the fact that the house had been moved from its original site is the basis for the request to remove the Slusher House from the Wasco County Historic Landmark list.

COUNTY COURT FINDING: Concur with the applicant's finding.

C. Wasco County Land Use & Development Ordinance (LUDO)

**1. Chapter 2 – Development Approval Procedures
Sections 2.080 (Notice) and 2.140 (Hearing Procedure - Recordation of
Conditions of Approval)**

These sections set forth the parameters for providing public notice of a decision, and imposing and requiring the recordation of conditions of approval on developments.

COUNTY COURT FINDING: Public notice was given to affected property owners and agencies, as specified by Section 2.080 of the WCLUDO, twenty days prior to the hearing. Upon issuance of a decision, notice will again be given, and a twelve day appeal period provided. In addition, a 45 day notice was provided to the Dept. of Land Conservation & Development advising them of the proposed Comprehensive Plan Amendment.

2. Chapter 3 – Basic Provisions, Section 3.770 – Division 4 – Cultural, Historic and Archaeological Overlay zone

a. Section 3.773.D., Removal of Historic Landmark Designation, Review Criteria.

- 1) The Landmarks Commission shall evaluate the request for removal of the landmark designation based upon findings that removal of the historic designation shall not adversely impact properties in the surrounding area or integrity of the historic district.**

APPLICANT FINDING: The request is consistent with Section 3.773.D.

- The subject parcel is not located within a historic district.
- The removal of the historic landmark designation does not impact the properties in the surrounding area. Moved twice (1996 and 2005), the Slusher House is not located on its original site; therefore, the removal of the designation has no impact on the original Slusher farmstead.

COUNTY COURT FINDING: Concur with the applicant's finding.

- 2) In order to approve an application it must be found that at least one of the following has occurred since the site was listed as a historic landmark:**

- a) Significance of the landmark or historic district has been substantially reduced or diminished according to the review criteria established in Section 3.772.D.**

APPLICANT FINDING: The historic significance has been substantially diminished due to moving the house from its original site associated with the Slusher family, and the physical changes to the house due to deterioration over time, needed repairs, and current building code requirements. (See the discussion below as it relates to Designation Review Criteria 3.772 D-1).

COUNTY COURT FINDING: Concur with the applicant's finding. Section 3.772.D. is addressed in b.

- b) Integrity of the landmark or historic district has been substantially reduced or diminished according to the review criteria established in Section 3.772 D.**

APPLICANT FINDING: The integrity of the Slusher House has been substantially reduced because of the accumulative effects of the replacement of the deteriorated structural members due to neglect over the last 40 years, building code requirements, moving the house, and replacing the siding that was in poor condition. The Slusher House no longer meets the integrity criteria set forth in the original landmark designation. (See the discussion below as it relates to Designation Review Criteria 3.772 D).

COUNTY COURT FINDING: Concur with the applicant's finding. Section 3.772.D. is addressed in b.

- b. Section 3.772, Designation of Historic Landmarks or Districts Section 3.772.D., Review Criteria, states that the Landmarks Commission shall review all applications for historic landmark or district designations and shall make its recommendation on the basis of the following criteria (at least one section or sub-section of the following criteria must apply to the proposed historic landmark).**

- 1) The proposed landmark or district has historic significance or contributes to the historical resources of the community. The resource is:**
 - a) Associated with past trends, events, or values that have made a significant contribution to the economic, cultural, social and/or political history of the city, county, state, region, or nation;**
 - b) Associated with the life or activities of a person, group, or organization, or institution that has made a significant contribution to the city, county, region, state, or nation;**

APPLICANT FINDING: According to the evaluation completed in 1994 by the Historic Landmarks Commission, the Slusher House is significant for its association with Thomas and Arabella Slusher who were early settlers of the Dufur area. Thomas Slusher contributed to the development of the regional agricultural community, served as county and US surveyor, and was a Civil War veteran.

Although the Slusher House itself still has historical ties to the Slusher family who homesteaded along Fifteen Mile Creek in the 1870s, the association has been diminished by the fact that the building was moved twice and is not located

on the original Slusher farmstead along Dufur Valley Road on Fifteen Mile Creek. The new site does not relate directly to the Slusher homestead or family.

COUNTY COURT FINDING: Concur with the applicant's finding.

- 2) **The proposed landmark or district has architectural significance because it:**
 - a) **Embodies distinguishing architectural characteristics of a period, style, method of construction, craftsmanship, or materials;**

APPLICANT FINDING: The original criteria designation evaluation sheet states that the Slusher House was a good example of an Italianate style that had integrity of materials. Although the house still reflects the basic elements of the Italianate style, some of the original details were lost when the porches collapsed and certain features deteriorated as a result of age and neglect. This portion of the criteria is still applicable; however, the house currently does not retain enough historic material or fabric to meet this criterion. Most of the original fabric of the house was removed or reconstructed as a result of deterioration and current building codes.

COUNTY COURT FINDING: Concur with the applicant's finding.

- b) **Represents the work of a designer, architect, or master builder who influenced the development and appearance of history of the county, region, state, or the nation;**

APPLICANT FINDING: Not applicable criterion used in the original designation.

COUNTY COURT FINDING: The builder who constructed the Slusher House, an Italianate style residence, is unknown. Therefore, it is not possible to know if the builder had any influence in the development of the county, region, state, or nation.

- c) **It is the only remaining, or one of few remaining, resources of a particular style, building type, design, material, or method of construction;**

APPLICANT FINDING: Not applicable criterion used in the original designation.

COUNTY COURT FINDING: Italianate architecture was very popular in Oregon, especially for public and commercial buildings, between about 1860 and 1890. Though the Slusher House is one of the few remaining Italianate style houses in rural Wasco County, according to information on the Internet, there are many Italianate style public buildings in Oregon, and many examples of this architectural style in residences in cities around Oregon, most notably Portland (<http://www.macmaster.com/history.htm>).

- d) **Is a prominent visual landmark with strong associations to the community;**

APPLICANT FINDING: The Slusher House was cited in the original designation as a prominent landmark associated with early settlers of Dufur Valley; the Slushers. Although the house is still a visual landmark in the valley, the historic associations with the Slusher family and to the original land claim has been lost due to the relocation of the building. The house is currently about 2.5 miles from its original site along Fifteen Mile Creek and Dufur Valley Road.

COUNTY COURT FINDING: Concur with the applicant's finding.

e) Has high quality of composition, detailing, and/or crafting.

APPLICANT FINDING: Not applicable criterion used in the original designation.

COUNTY COURT FINDING: Concur with the applicant's finding.

3) The site contains archaeological artifacts related to prehistory or to the early history of the community.

APPLICANT FINDING: Not applicable criterion used in the original designation; however, the Slusher House is not on the original site. Any historic archaeological artifacts associated with the original house location on the Slusher acreage are now disassociated with the Slusher House because the building was moved twice.

COUNTY COURT FINDING: The existing location of the Slusher House is not known to contain any archaeological artifacts related to prehistory or to the early history of the community.

4) The proposed landmark or district is listed on the National Register of Historic Places.

APPLICANT FINDING: Not applicable criterion used in the original designation. The Slusher House is not listed in the National Register of Historic Places.

COUNTY COURT FINDING: Concur with the applicant's finding.

5) In conjunction with other criteria listed above, the proposed landmark:

a) Is fifty years old or older unless the resource is of exemplary architectural or historical significance;

APPLICANT FINDING: Currently, the Slusher House, built in the 1870s, meets the 50-year old criterion although a majority of the original 138-year old building fabric has been removed due to deterioration and relocating the house.

COUNTY COURT FINDING: Concur with the applicant's finding.

b) Contributes to the continuity or historic character of the street, neighborhood, and/or community;

APPLICANT FINDING: The Slusher House still meets this criterion. The Slusher House is compatible with the rural landscape in Dufur Valley as many of the farmhouses in the agricultural community are over 50 years old. The current site for the house is similar in setting to the original site, although the original double bay window originally faced south; after the 2005 move, the house was sited west toward Mt. Hood.

COUNTY COURT FINDING: Concur with the applicant's finding, but notes that the original location of the home had a double row of trees leading up the driveway to the house. The existing setting is bare of trees with the exception of over a dozen large trees that have been planted within the past year, in two rows between Dufur Valley Road and the house.

c) Has sufficient original workmanship and materials remaining to show the construction technique and stylistic character of a given period;

APPLICANT FINDING: The Slusher House does not meet this criterion because there is not sufficient historic workmanship or materials remaining to show construction techniques that were common during the 1870s.

During the house move and building rehabilitation (not the additions), it became evident that the original structure and materials were in poor-severe condition, and needed to be replaced. The accumulative replacement of the original material has significantly impacted the architectural integrity of the house. The following is a discussion of the various components of the house that have been replaced, collapsed, or removed over the years due to neglect, vandalism, relocation, and/or rehabilitating the structure for modern use.

The majority of the items listed below are further explained in the "Declaration Page," dated March 12, 2008, and signed by Chad McDonald, one of the journeyman carpenters who worked on the Slusher House after the building was moved to the Dillon-Underhill property in 2005 (**Exhibit 4**, page P-44).

1. **Sill Deterioration:** The sill plate was replaced due to dry rot and deterioration after the house was moved in 2005. About 90% of the sill was rotted around the perimeter and had to be replaced.
2. **Balloon Framing:** The house was constructed of balloon framing. The studs extend from the bottom sill plate to the top of the second floor top plate-the full height of the two stories. The bottom two-to-four feet of the wall framing had to be replaced due to dry rot. New studs were attached to the new sill and original studs.
3. **Siding:** The original siding was replaced due to the poor condition. Severe weathering over the years (dry rot), lack of maintenance and exterior paint, patched siding where door and window openings were previously located, and the brittle nature of the wood (especially where the square nails were attached the siding to the studs) all contributed to the deterioration of the original siding. Eight samples of the exterior paint were taken from the siding. The test revealed high levels of lead base paint both on the exterior and interior of the shiplap siding. The amount of lead

base paint on the siding (full penetration of the lead through the bare wood into the interior surfaces) factored into the decision to replace all the siding on the house. The original siding was replaced with the same type of shiplap siding.

4. **Roof Structure:** The original roof structure was replaced due to the deterioration of the rafters and plates, spacing of the rafters, and roof construction (undersized). The roof did not meet current building codes.
5. **Interior Walls:** A majority of the plaster on the interior lath walls was missing due to vandalism, neglect, and water penetration. Some of the plaster had to be removed when the house was moved. The house was laterally braced on the interior walls before the house was moved to its current site. This bracing required the removal of some of the plaster to make a positive connection for the cross-bracing.
6. **Wood Floors:** The interior wood floors were replaced due to rot, broken components, warping, and missing boards.
7. **Stairs:** Interior stairs were replaced because they were unstable, missing elements, and showed deterioration.
8. **Porches and Stairs:** The original porches and exterior stairs had collapsed before or during the house move in 1996. Many of the original windows and doors are also missing.
9. **Brackets:** Some of the original scroll brackets around the cornice had to be replicated because they were missing or deteriorated.
10. **Foundation:** A new foundation was built under the house after the 2005 move. The building had been sitting on blocks after it was moved in 1995. A new water table was also built around the perimeter.

COUNTY COURT FINDING: Concur with the applicant's finding.

V. CONCLUSIONS

- A. The request is for a Comprehensive Plan Amendment and Subject to Standards Review to remove the Wasco County Historic Landmark Designation from the Thomas Slusher House (Field #51)
- B. The subject parcel is located in the A-1(160)/EPD-1/EPD-4, Exclusive Farm Use/Flood Hazard Overlay/Cultural, Historic & Archaeological Overlay zone in Wasco County.
- C. The request is consistent with ORS 197, the Wasco County Comprehensive Plan, and the Wasco County Land Use & Development Ordinance.