

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
Notes
February 6, 2014

SUBJECT: Enlargement of a non-conforming single-family residence at 2319
 Willamette Falls Drive

ATTENDEES: Applicants: Ted Reynolds, Jon McLoughlin
 Staff: Tom Soppe (Planning Department)

The following is a summary of the meeting discussion provided to you from staff meeting notes. Additional information may be provided to address any “follow-up” items identified during the meeting. These comments are PRELIMINARY in nature. Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note disclaimer statement below.

Project Details

This one-story house is located on the southeast corner of 8th Street and Willamette Falls Drive, facing the latter. Per Chapter 2 Definitions, a house on a corner lot can have its rear yard facing what would normally be the interior side yard rather than the opposite of the front, if that is functionally the rear of the house. The house has an attached carport to the south with a driveway off of 8th Street. The door out of the main house goes onto this carport, and the pedestrian gate off of the carport accesses to the east, opposite 8th Avenue. There are no rear doors off the carport to the south, as this is a blank wall. Therefore the functional rear of the structure is the east side, and the south side functions as more of a side. Therefore it fits this exception from Chapter 2 for houses on corner lots, where the rear setback is measured from what would normally be considered the interior side yard (opposite the cross street), and the side opposite the front is considered an interior side yard, with the accompanying setback requirements.

This is in the R-10 zone, but is a 5,000 square foot lot. As a non-conforming legal lot the setbacks are provided in 68.040(A)(3). The required east (rear in this case) setback is 15 feet, and the required south setback (interior side in this case) is 3 feet. The required west setback is 13 (corner street side yard) and the front required setback is 13 to the porch and 18 to the house proper. The rear setback to the east is non-conforming as the house is 10.5 feet from this property line instead of 15. The applicant would like to demolish the existing carport which has the same existing east setback as the rest of the house, and replace this with a two story addition that would extend south as well, up to

7.5 feet of the south property line (this setback would be fine since this is considered the side of this corner lot, and he could extend to three feet from the line). To expand vertically and horizontally along this non-conforming existing 10.5-foot setback where the required rear setback is 15 feet, a permit to Enlarge/Alter a Non-Conforming Structure is required. The only criterion is that the proposal shall not worsen the non-conformity (i.e. that it not get closer to the east property line than 10.5 feet).

Process

A permit to Enlarge/Alter a Non-Conforming Structure is required.

A neighborhood meeting is NOT REQUIRED for this application, but neighborhood meetings are always encouraged. Contact Julia Simpson, Willamette NA President, at 503-655-9819, 503-819-2370 or WillametteNA@westlinnoregon.gov. Follow the provisions of 99.038 precisely. The applicant is required to provide the NA with conceptual plans and other material at least 10 days prior to the meeting, if the applicant decides to have a meeting.

The criteria of 66.070(B)(2) shall be responded to individually in a narrative.

The fee for this request is \$1,000. Prepare the application and submit to the Planning Department with the fee and signed application form. A site plan showing the existing and proposed setbacks should accompany the narrative and the application form. Submittal requirements may be waived. To allow this to possibly happen, the applicant must first identify the specific submittal requirement and request, in letter form, that it be waived by the Planning Director, identifying the specific grounds for that waiver. The waiver may or may not be granted by the Planning Director.

Once the submittal is deemed complete, the staff will schedule a Planning Director decision date and send out a notice to the applicant, neighbors, and other stakeholders at least 14 days in advance. The Planning Director's decision may be appealed by the applicant or anyone with standing to City Council, requiring at least one City Council hearing. Pre-application notes are void after 18 months. After 18 months with no application approved or in process, a new pre-application conference is required.

Typical land use applications can take 6-10 months from beginning to end.

DISCLAIMER: This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application. Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. Thus, there is no "shelf life" for pre-apps.