

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
Notes
March 20, 2014

SUBJECT: Enlargement of a non-conforming single-family residence 5781
Terrace Drive

ATTENDEES: Applicants: Bryan Melle, Patrick Schmitt
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 house is located on the southeast corner of Webb Street and Terrace Drive, facing the latter. In the R-10 zone the minimum side yard setback from a right of way is 15 feet per 11.070(5)(c). However this is a non-conformingly small lot (approx. 8,000 square feet in a zone that requires 10,000) so per 68.040(A)(3)(f) it is allowed a 13-foot setback from a side street. The applicant has a setback that is a few feet less than this and wants to replace the deck and expand the living area below the deck into this non-conforming setback area. This would expand the non-conforming structure within the non-conforming area without worsening the non-conformity. The applicant also plans to replace the deck on the south end of the rear. Non-conforming lots in this zone have a minimum three-foot setback, which the south deck already meets, so replacing this deck does not have to be addressed by this permit.

Process

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

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.