

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
March 19, 2009 meeting

SUBJECT: One Class 1 Variance and three Class II Variances to non-garage front yard setback standard for four (4) lots in Parker Crest.

ATTENDEES: Staff: Chris Kerr (Planning)
Mike Robinson (applicant's representative)
James and Karen Erne (homeowner/applicant)
Matt McIntosh (DR Horton/applicant)
Corrine Celko (applicant's rep)
Neighborhood: None in attendance

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

The applicant proposes four variances for individual single-family homes on lots in the Parker Crest development. One of the homes (Lot 1) is occupied and the others are under construction. The structures are subject to the setback requirements of CDC 12.070 of the CDC. Each of the structures encroach into the minimum front yard setbacks. The exact amount of each encroachment has been identified. Three of the four qualify as Type II variances and the other is a Type I.

Discussion

Staff summarized the problems and broadly outlined the process. All parties recognized the importance of keeping the Erne's involved in the process. The applicant requested that the City refer to the Arbor Cove variances that were previously approved by the City. Staff asked that the applicant's address in their application whether all opportunities to rectify the problem have been addressed (other than a variance submittal).

Process

The submittal requirements and approval criteria of Community Development Code Variance Chapter 75 must be addressed on a point-by-point basis for the variances.

Once the application has been submitted, the City has 30 days to determine if the application is complete or not. The applicant has 180 days to make it complete, although usually it is complete within three months of the original submittal. Once complete, the City has 120 days to exhaust all local review and appeals.

Staff prepares public notice and schedules the hearing. The first hearing is usually four weeks from the date the application is deemed complete. The Planning Commission holds a hearing and renders a final decision on the Type II requests and the Planning Director reviews the Type I. The applicant should be prepared for the possibility of conditions of approval being imposed. The decision may be appealed to the City Council. If appealed, the City Council hearing is 6-8 weeks from the Planning Commission hearing date. Subsequent appeals go to LUBA.

Once approved, the applicant has three years to satisfy conditions of approval before approval lapses and is void.

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. Please also note that these notes have a limited shelf life and as new codes are introduced the ability to develop per these provisions may no longer be possible.

Notes completed 3-23-09 by CK

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