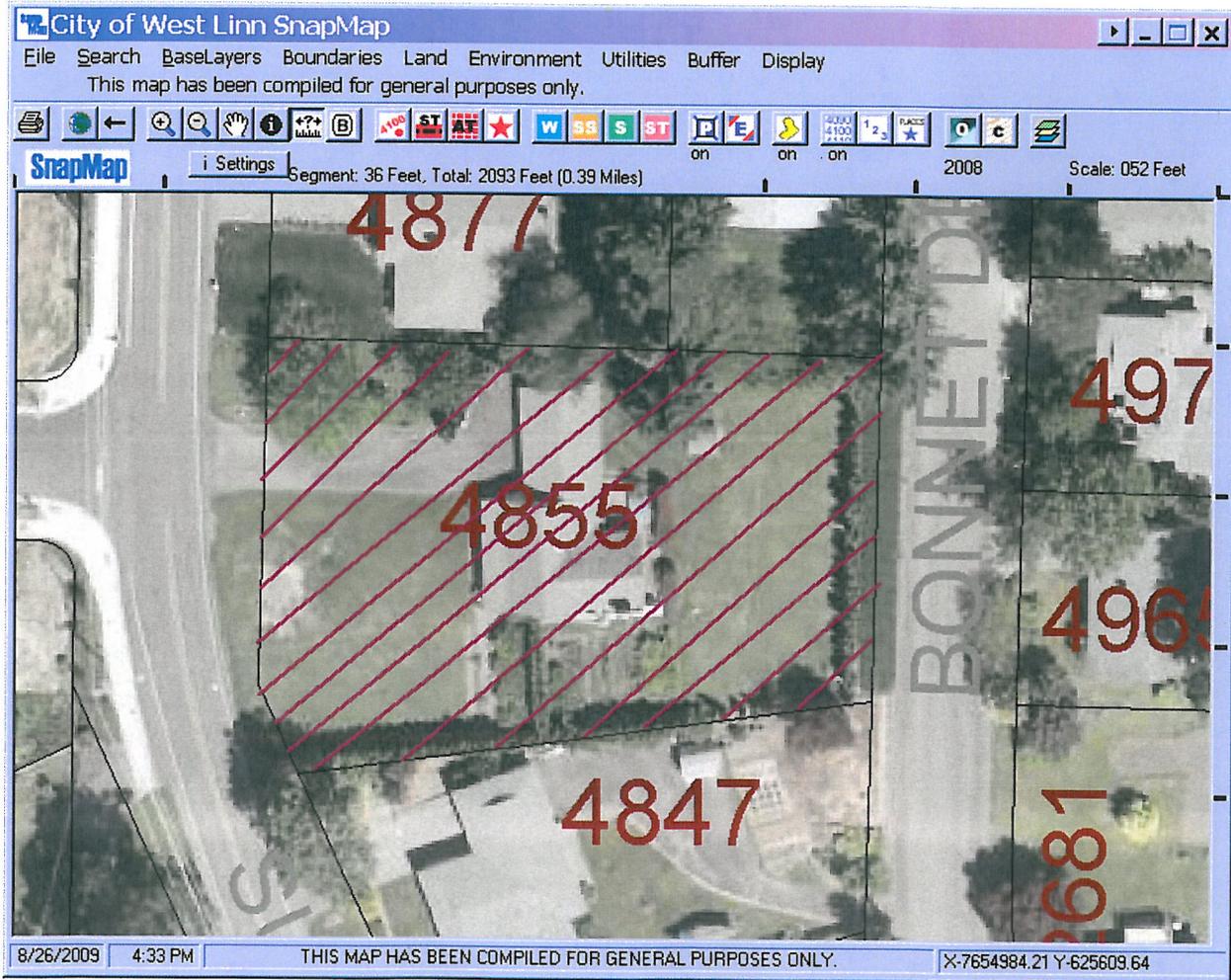




CITY OF  
**West  
Linn**

**CITY OF WEST LINN  
LAND USE PRE-APP CONFERENCE MEETINGS  
THURSDAY, AUGUST 20, 2009  
CITY HALL  
22500 SALAMO RD  
WILLAMETTE CONFERENCE ROOM**

**10:00 a.m. Minor Partition-Split into 3 lots of record  
4855 Summit  
Rob and Mitzi Kugler  
(Sunset Neighborhood Assoc.)  
PA-09-12 Planner: P. Spir**



**CITY OF WEST LINN  
PRE-APPLICATION CONFERENCE**

DATE OF CONFERENCE <u>8/20/09</u>	TIME OF CONFERENCE <u>10:00am</u>
FEE <u>\$1000.00</u>	PROJECT # <u>PA-09-12</u>
(This section to be filled in by staff)	
STAFF CONTACT <u>K Sappe</u> <u>P Spur</u>	

Pre-application conferences occur on the first and third Thursdays of each month. In order to be scheduled for a conference, this form, the pre-application fee, and accompanying materials must be submitted at least 14 days in advance of the conference date. Twenty-four-hour notice is required to reschedule.

APPLICANT'S NAME Rob and Mitzi Kugler PHONE NO. 503-723-5619  
ADDRESS (or map/tax lot) OF SUBJECT PROPERTY 4855 Summit  
APPLICANT'S MAILING ADDRESS 4855 Summit St. West Linn 97068  
BRIEF DESCRIPTION OF PROPOSAL: Division of property into 3 lots.

Please attach additional materials relating to your proposal. Of most importance is information regarding existing conditions on or adjacent to the property. Detailed project design is discouraged at this level--it is important to remain open as to future project design. The most useful submittal for staff in reviewing your proposal would be a site plan on paper up to 11 x 17 inches in size depicting the following items:

- North arrow
- Scale
- Property dimensions
- Streets abutting the property
- Conceptual design (non-engineered)
- Access to and from the site, if applicable
- General location of existing trees
- Location of creeks and/or wetlands
- Location of existing utilities (water, sewer, etc.)
- Easements (access, utility, all others)

While this material is not required, the more detail you can provide about existing conditions of your site, the better input you will receive from city staff at the pre-application conference. Submittal of this material must occur at least 14 days prior to the pre-application conference, or the conference will be re-scheduled.

By my signature below, I verify that all of the material submitted is true to the best of my knowledge, and I grant city staff right of entry onto the subject property in order to prepare for the pre-application conference.

Property owner's signature [Signature] Date 7/27/09

Mailing address (if different from above)

Rob and Mitzi Kugler  
4855 Summit St.  
West Linn 97068  
503-723-5619  
kugler@hevanet.com

**We seek a variance from the R10 zoning to divide our 29,122 sq ft (.66 acres) lot into three roughly equal lots (or two R10 lots and a third of 9,122 sq ft).**

Requested Pre-Application Conference Information

- (1) For N/S orientation of the land, scale, property dimensions, streets abutting the property, and conceptual design of proposed division, see attached 3-lot partition document prepared by Compass Engineering.
- (2) Access to the site is presently from Summit St.
- (3) There are five small fruit trees on the northwest corner of the lot, just in from Summit St.  
There is one large fir tree on the northern edge of the property just to the east of corner of the existing house.  
There are arbor vitae on the south and east edges of the property, and a short run of the same on the middle of the north edge of the property, with an extension at about a 45 degree angle of 15 ft into the property, very near to the middle of it.  
These are all marked on the attached document from Compass Engineering.
- (4) Existing utilities run from Summit St. to the existing house. To our knowledge, there are no existing utilities running to the property from Bonnet St.
- (5) Any easements affecting the property are the standard ones stemming from the property laws of the City of West Linn.

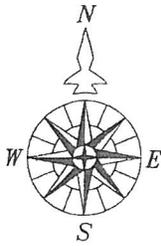
Our Reasons for Requesting a Variance

- (1) The average of 293 sq ft per lot shy of the 10K mark amounts to less than a 3% shortfall of the R10 requirement. We assume that such an amount would fall well within the range of an acceptable variance.
- (2) We have tried to purchase property from two of the three neighbors whose property adjoins ours, but to no avail. (The third neighbor's property would not yield a portion suitable for the purpose of achieving three R10 lots.)
- (3) To make the division possible we will remove the existing house after we have built a smaller home on the portion adjacent to Bonnet St.
- (4) Making the division and selling the two "new" lots will allow us to afford the construction of the new home on the portion adjacent to Bonnet St.

- (5) As a matter of interest at this point in the petition process, it is worth noting what sort of house we will build on the portion adjacent to Bonnet St. It will meet Passive House standards, reducing its energy requirements to no more than 20% of the energy required for a traditional home. For further information, see: <http://www.passivehouse.us>.

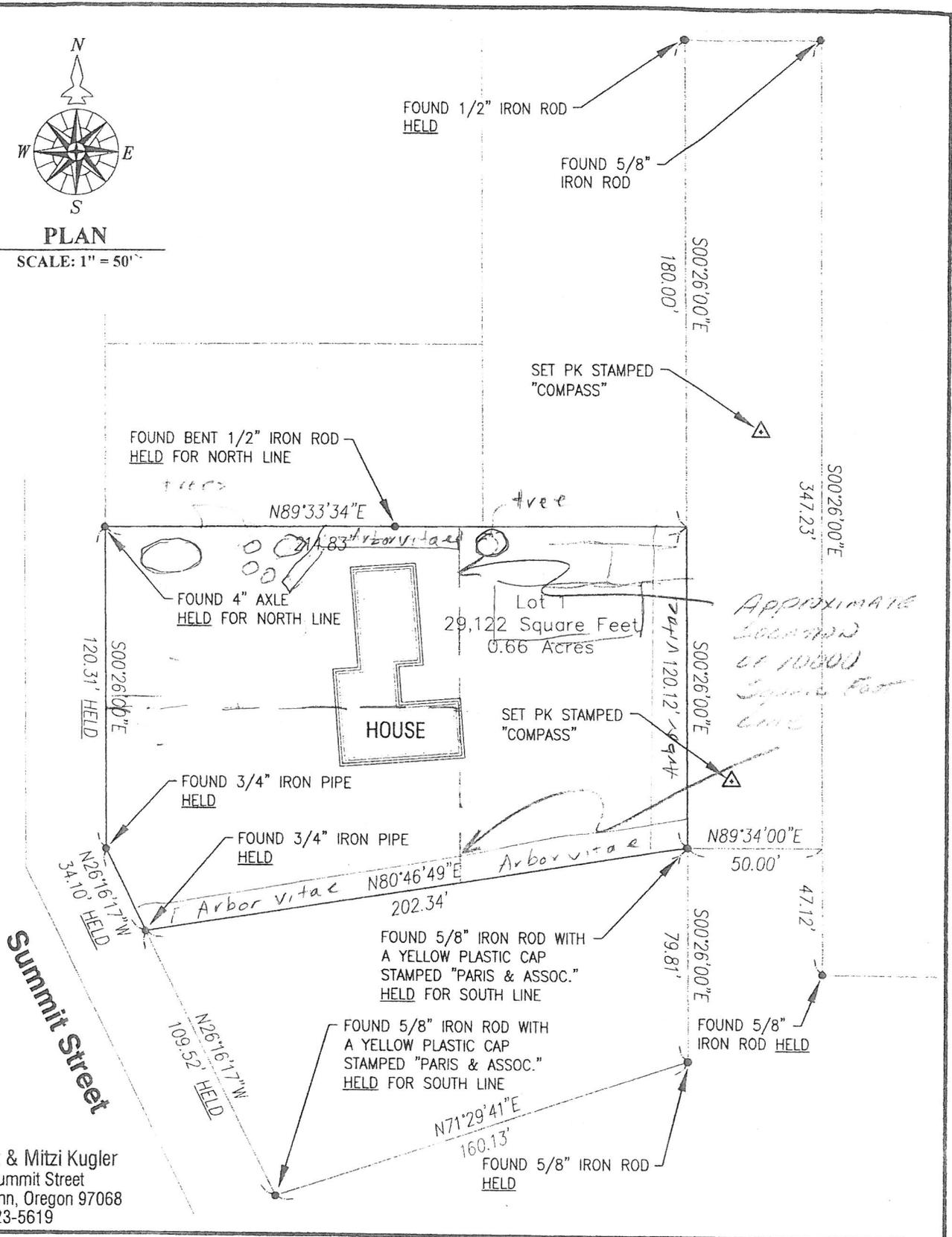
Advantages to the City of West Linn in Granting a Variance.

- (1) The City has three taxable properties in place of one.
- (2) The City realizes the income from permitting for the construction of three new homes.
- (3) City services will be established to another piece of property on Bonnet St.
- (4) The City will enjoy the benefits of the good publicity that will accompany the construction of a super-efficient Passive House, slated to be one of the first in Pacific Northwest.



**PLAN**

SCALE: 1" = 50'



*Approximate  
Location  
of 10000  
Square Foot  
line*

Robert & Mitzi Kugler  
4855 Summit Street  
West Linn, Oregon 97068  
(503)723-5619



**COMPASS ENGINEERING**

ENGINEERING \* SURVEYING \* PLANNING  
4105 SE INTERNATIONAL WAY, SUITE 501 (503) 653-9093 PHONE  
MILWAUKIE, OREGON 97222 (503) 653-9095 FAX  
compass@compass-engineering.com

**3-Lot Partition**  
4855 Summit Street  
West Linn, Oregon 97068

1  
1

Addendum to Kugler waiver request: An alternative to dividing the property in three

Since filing the request for the pre-application conference we have decided to make an additional request that would be fulfilled in lieu of our request to divide our lot into three portions. The alternative possibility is to divide the property in half, but to complete that process only after we have completed construction of a new home on the east half of the lot (that is, in what is presently our backyard). In the course of completing that home we would continue to live in the house presently occupying the middle of the lot. Upon completion of the new home (which will have a Bonnet St address), we will deconstruct the existing house, complete the lot division, and sell the front lot, which already has city services. The permission we will need from the city, we suspect, is to temporarily have structures – the existing house and the new one – in closer proximity to one another than code may allow. We need the period of overlap to avoid having to remove the existing house while we construct the new home. Needless to say, the savings to us in costs will be important as we complete our project.