

**City of West Linn**  
**PRE-APPLICATION CONFERENCE MEETING**  
**Notes**  
**June 3, 2010**

SUBJECT: Request for a variance to allow a new residential driveway to be located within the required 35 foot separation from an intersection located at 1694 Killarney Drive

ATTENDEES: Applicants: Bill Lorenz, Pallisade Homes  
Staff: Chris Kerr (Planning Department), Khoi Le (Engineering Department, Mike Perkins (Parks Dept.)

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*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 is a vacant lot which was created as part of the Green Hills Estates IV Plat approved in 1978; as such it is subject to all of the provisions of the Community Development Code (CDC). The lot is located southwest corner of the intersection of Killkenny Court and Killarney Drive. The applicant is proposing a single-family home with a single driveway to connect to Killarney Drive. The site includes four particular mature trees (identified on the ‘Existing Conditions’ Map completed by Centerline Concepts), two of which are proposed to be removed in conjunction with the construction of the home.

Based on conversations with the applicant, it is the desire of the property owner to utilize a driveway access onto Killarney Drive which is constrained by two obstacles: (1) the need to provide a 35 foot separation from the intersection of the two right-of-ways (CDC 46.060), and (2) the need, based on a review by the City Arborist to preserve the southernmost tree. The applicant is proposing locate the driveway to the north, which will allow for the preservation of the tree, but would encroach into the required 35 foot separation requirement to the north.

It is always Staff’s desire to have all of the CDC requirements met for every site, without the need for a variance. Staff would point out the fact that the minimum required driveway width for a single-family home on this lot is ten feet. Additionally, if the driveway was located on the north side of the site, the tree could be preserved and the driveway spacing requirements could be met. If a variance is requested, the applicant will provide the hardship justification as to why the driveway could not be constructed on

the north side of the property, where it would appear that it could meet all CDC and tree protection requirements.

### **Process**

A public hearing and approval from the City's Planning Commission is required for a Class II Variance. The CDC is online at <http://westlinnoregon.gov/planning/community-development-code-cdc>.

The variance criteria are specific - follow all submittal requirements in Chapter 75 including narrative responses to all of the criteria listed under 75.060. "N/A" is not an acceptable response to the approval criteria. Prepare the application and submit to the Planning Department with deposit fees and signed application form.

The deposit for Class II Variance requires an \$1,800 deposit. Any cost overruns will result in additional billings. Submittal requirements may be waived but the applicant must first identify the specific submittal requirement and request, in letter form, that it be waived by the Planning Director and must identify 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 City will provide public notice of the Planning Commission hearing. It is common for more than one Planning Commission hearing to be held prior to a decision being made and the process may take 3-5 months. The Commission's final decision is appealable by the applicant, anyone individual with standing, a neighborhood association, or two members of the City Council, to City Council, and would require requiring at least one City Council hearing.

A neighborhood meeting is not required for this permit, but they are always encouraged. Contact Beth Kieres, President Willamette Neighborhood Association, at (503) 722-1531 or [willametteneighborhood@gmail.com](mailto:willametteneighborhood@gmail.com).

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.

**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.