

City of West Linn  
**PRE-APPLICATION CONFERENCE MEETING**  
**FINAL REVISED Notes**  
February 17, 2011

SUBJECT: A Class I Variance (possibly), two Class II Variances, Water Resources Area (WRA) Permit, and Permit to Enlarge/Alter a Non-Conforming Structure for garage at 2013 Marylhurst Drive

ATTENDEES: Applicants: Mary and Bruce Wood  
Staff: Tom Soppe (Planning Department) (notes co-drafted by Peter Spir)

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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.***

**Proposal**

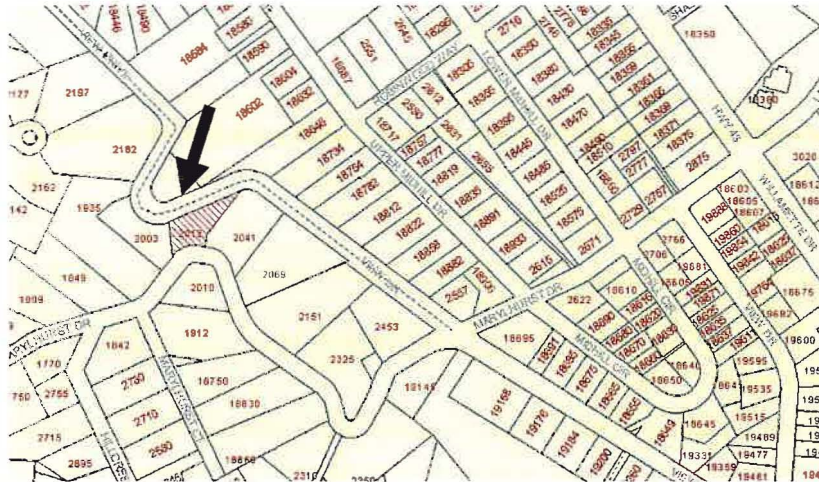
The applicants live at 2013 Marylhurst Drive. This is a single-family residential property in the Marylhurst neighborhood on the north side of Marylhurst Drive. The property backs up to an undeveloped View Drive right-of-way that forms the border of the Robinwood neighborhood.

The applicants propose to remove an existing carport on the west or uphill side of the house and construct a larger two-car garage in its place. The existing concrete foundation/pad would also be replaced.

In the original plan submitted for this pre-application conference, the new garage is proposed to be one foot from the side property line and one foot from the front property line. It would also expand 12 feet towards Robinwood Creek at the rear of the property.

In another plan submitted by the applicant at the pre-application conference, the garage would be three feet from the west property line and three feet from the front property line, and would extend north just 4-5 feet beyond where the carport currently exists.

In the remainder of these notes, the former plan will be referred to as Plan 1 and the latter Plan 2.



### Site Location

The footprint of the house clings to a narrow shelf of land at an elevation of 455 feet. Immediately behind the house is a small narrow terraced garden. There is a small accessory structure on the east side of the house. The existing two car carport is attached to the west side of the house. These developed structures including graded and/or improved land comprise 3,595 square feet of disturbed/developed area on site.

From the back or rear of the house the hillside plunges 100 feet, in the 25-45% slope range, down to Robinwood Creek. Robinwood Creek draws a very robust flow from most of the stormwater discharges from the central and southern parts of the Marylhurst neighborhood. The steep forested ravine also provides a very healthy riparian/habitat area. The WRA transition and setback covers all of the applicant's property as does the designated Riparian Corridor, per the provisions of measurement in CDC 32.050(E). Although the proposed garage would be 190-198 feet away from Robinwood Creek, a WRA permit is required to allow the garage to expand its footprint closer to the creek since the whole lot including the garage/carport area is in the transition area.

There is also another open channel identified by the Surface Water Management Plan on the west or uphill side of the property. It originates 580 feet west on Hillcrest Drive. The swale collects water runoff from the surface of Marylhurst Drive and portions of seven properties abutting the street.

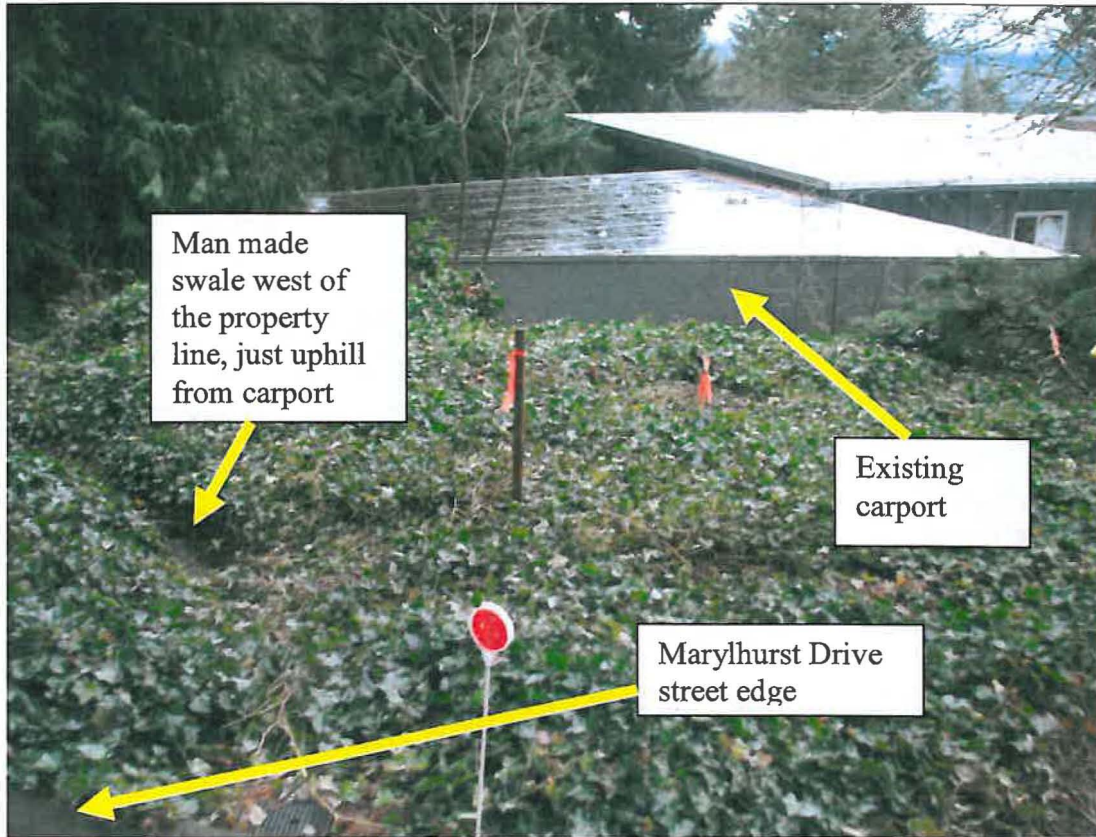


The water travels in a shallow man-made swale and pipes on the north side of Marylhust Drive before turning 90 degrees through another man-made swale (about four inches deep) along the west edge of the Wood property and eventually emptying into Robinwood Creek below. The amount of water in the swale is very slight. Staff visited the property one day after a three-inch accumulation of rain in the previous 48 hours, and the swale was just damp with no running water.

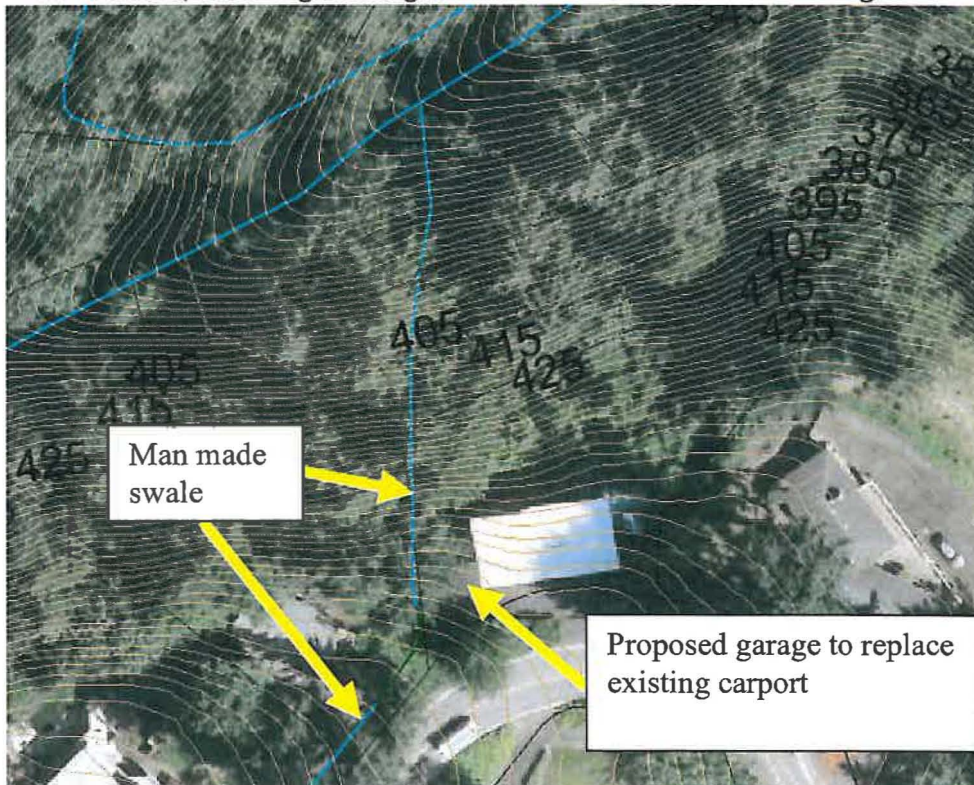
Apart from its shallow depth, another indication of the extremely limited flow of water in the swale on the west property line is the fact that if this channel carried any significant water flow one would expect that the water's erosive qualities to scour down to the underlying soil and rock. That is not the case here.

Based on staff's visits, staff finds that this channel meets the definition of a roadside drainage swale for that portion that is clearly man made adjacent to the west property line. The usual transitions and setbacks associated with a WRA do not apply per CDC 32.020(C):

***"The provisions shall also not apply to small manmade open roadside drainage swales in residential areas, even if such roadside swales are identified as open channels by the most recently adopted West Linn Surface Water Management Plan."***



(Please note that an alternate interpretation could be made: that the swale diverges from the road, meaning this segment is not "roadside" and not eligible for exemption.)

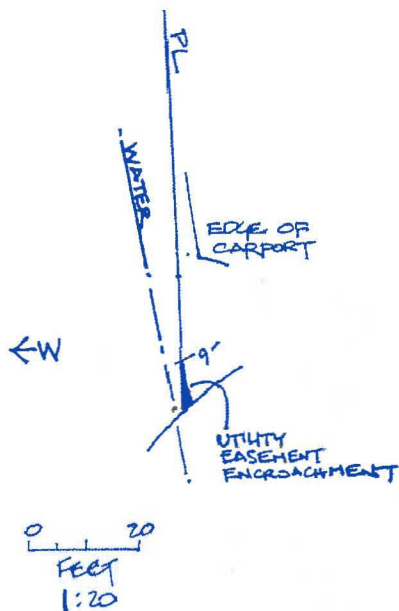


The zoning is R-15 (single family residential, 15,000 square foot minimum lot size). The applicant's lot size is 14,447 square feet. Because it is just shy of the 15,000 square foot minimum, it is a legal non-conforming lot of record. The existing carport extends up to the front property line, perhaps even slightly into the right-of-way at its southeast corner, although most if not all of it is out of the right-of-way. The required front setback for carports or garages on slopes over 25% is three feet. The existing carport is also 2.8 feet from the side lot line, whereas the required side yard setback is 7.5 feet. Also, the house is approximately 13 feet from the front property line. The required front setback is 20 feet. Therefore the house and carport constitute a non-conforming structure. Any modification of the house or carport requires an "Enlargement/Alteration of a Non-Conforming Structure" permit, unless the alteration in of itself meets all provisions of the code per 66.080(B)(1).

There is a six-foot wide utility easement that per the easement's legal description lies to the west of the west side lot line. The easement has a City six-inch water line buried in it. Engineering staff conducted a water line "locate" (2-14-11) and marked the line in the field with blue paint.



At the edge of the ROW, the water line is one foot west of the property line. From that point north it gradually diverges from the property line to a distance five feet west of the property line, 25 feet north of the ROW near the south edge of the carport. Since the easement is usually centered on the water line, the easement is definitely fully on the property to the west at the point where development is proposed under either Plan 1 or Plan 2, even if the easement is centered on the water line and does not match Engineering's interpretation of the legal description. The only area where the easement might be on the applicant's property (if it matches the centering on the line and not Engineering's interpretation of the legal description) is at the front 9 feet of the property where the easement might zero to two feet onto the applicant's property, lessening the further north you go in the first nine feet from the ROW. This scenario is shown in the drawing below. Even if the below scenario exists, instead of the scenario where the easement is completely on the neighboring property, the easement and the water line do not interfere with either garage proposal.



In addition to this consideration, Engineering recommends that utility locates be conducted for the private utilities such as gas prior to initiation of work at this site.

### Permits Required

The following permits are required for Plan 1:

- Water Resources Area (WRA) permit
- Class II Variance to allow reduced rear WRA transition area setback.
- Class II Variance to allow reduced side yard setbacks
- Class I Variance to allow reduce front yard setback
- Enlargement of or Alteration to a Non-Conforming Structure permit

The following permits are required for Plan 2:

- Water Resources Area (WRA) permit
- Class II Variance to allow reduced rear WRA transition area setback.
- Class II Variance to allow reduced side yard setbacks
- Enlargement of or Alteration to a Non-Conforming Structure permit

The applicant also discussed the possibility of modifying Plan 2 so that the garage would not encroach further to the rear than the existing carport footprint. This could be called Plan 3. **Please note that in the “original final” notes, staff wrote that under Plan 3, the WRA permit and the variance to the WRA permit’s restrictions would not be required as all development would be on the other side of the house and existing carport from the creek, citing that development here is exempt from the WRA permit and Chapter 32 regulations per CDC 32.020(D)(8)(a)(2). However a closer reading of 32.020(D)(8)(a)(2) and the remainder of 32.020(D)(8) suggests otherwise.**

32.020(D)(8)(a)(2) states that “An addition to the existing structure on the side opposite of the existing water resource area shall be allowed” without a WRA permit or associated variance. The applicant in Plan 3 proposes replacement of the carport with a garage on a footprint that only extends further to the south and not the north.

Therefore while new footprint area in Plan 3 would only extend to the south, as a replacement structure and not an addition it is not exempt per 32.020(D)(8)(a)(2).

32.020(D)(8)(b) states, “Rehabilitation or replacement of an existing structure, including decks, shall not increase the existing structural footprint within the water resource area.” **Therefore Plan 3 would require the same permits as Plan 2** but may be an easier case to make since the structure would not extend north towards the creek beyond the current carport footprint.

The side yard setback in the R-15 zone is 7.5 feet. The applicant proposes a one foot setback from the side property line in Plan 1 and a 3 foot setback from the side in Plan 2. These all would require a Class II Variance.

The front setback for garages is 20 feet in the R-15 zone, but garages are allowed a three foot minimum setback on lots of this steepness, per Chapter 41.

CDC Chapter 41 allows, outright, the front setback for carports/garages to be as little as three feet in cases where the existing house is on a slope in excess of 25%. CDC 41.010 states:

**41.010 FRONT YARD SETBACK EXCEPTION**

*If the average slope of a building site is 25 percent or greater, as measured along the planes of the proposed structure, the minimum front yard setback for the garage shall be three feet. All structures other than the garage shall meet the setback requirement of the underlying zone, or as otherwise specified in this code.*

*When a garage is situated less than 20 feet from the front property line or less than 15 feet from a side property line facing a street, the following siting conditions shall apply:*

*A. Where lot width allows, the garage shall be set parallel to the street (i.e., the garage doors shall be perpendicularly oriented to the street), and at least two off-street parking spaces shall be provided as specified in Chapter 46 CDC (i.e., paved).*

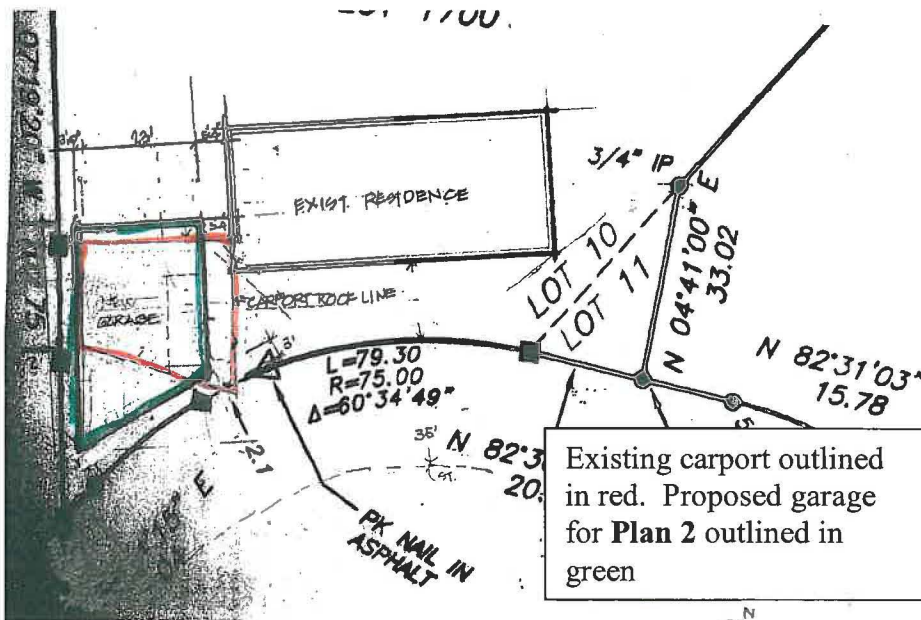
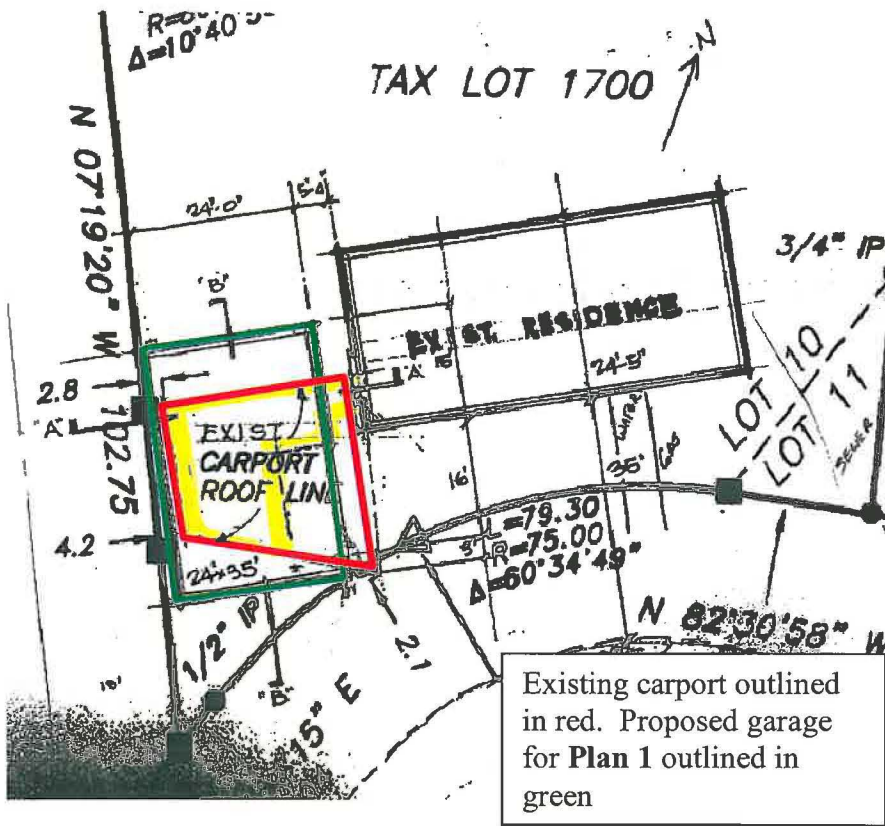
*B. If the lot width prohibits the parallel siting required above, the garage may be sited perpendicular to the street (i.e., the garage door or doors facing directly onto the street), provided, in addition to the sheltered parking spaces, two off-street parking spaces are provided on site. (Ord. 1226, 1988; Ord. 1276, 1990)*

The garage will be oriented parallel to Marylhurst Drive consistent with (A) above and will provide two additional off street spaces in the concrete or asphalt approach driveway.

The applicant proposes a one foot setback from the front property line for the garage in Plan 1. This requires a Class I Variance for the front setback. Plan 2 shows a 3 foot setback for the garage, so this does not require a front setback variance (and therefore neither does Plan 3).

Currently the existing carport comes as close at 2.8 feet from the west property line. Also, while much of the existing carport is further from the front property line than the garage proposed to replace it, the carport either comes very close to or extends slightly beyond the property line at the carport's southeast corner. The house, connected by a breezeway to the carport, is approximately 13 feet from the right-of-way at its closest point, less than the 20 required in the R-15 zone. Therefore the existing structure of the house-breezeway-carport is a non-conforming structure when it comes to west side setbacks and front setbacks. Therefore the permit to Enlarge/Alter a Non-Conforming Structure is also needed for either plan. This is provided for by CDC Chapter 66. (The exact existing location of the southeast corner of the carport in relation to the front property line should be determined before the submittal of the application.)





The applicant also proposes to build the garage to extend 11 feet north or closer to the creek than the carport's current footprint in Plan 1 and 4-5 feet further north in Plan 2.

Since the entire lot is in the WRA and associated transition areas and setbacks a third Class II Variance would be needed to allow that (and in Plan 3 even with extension only to the front with a new structure).

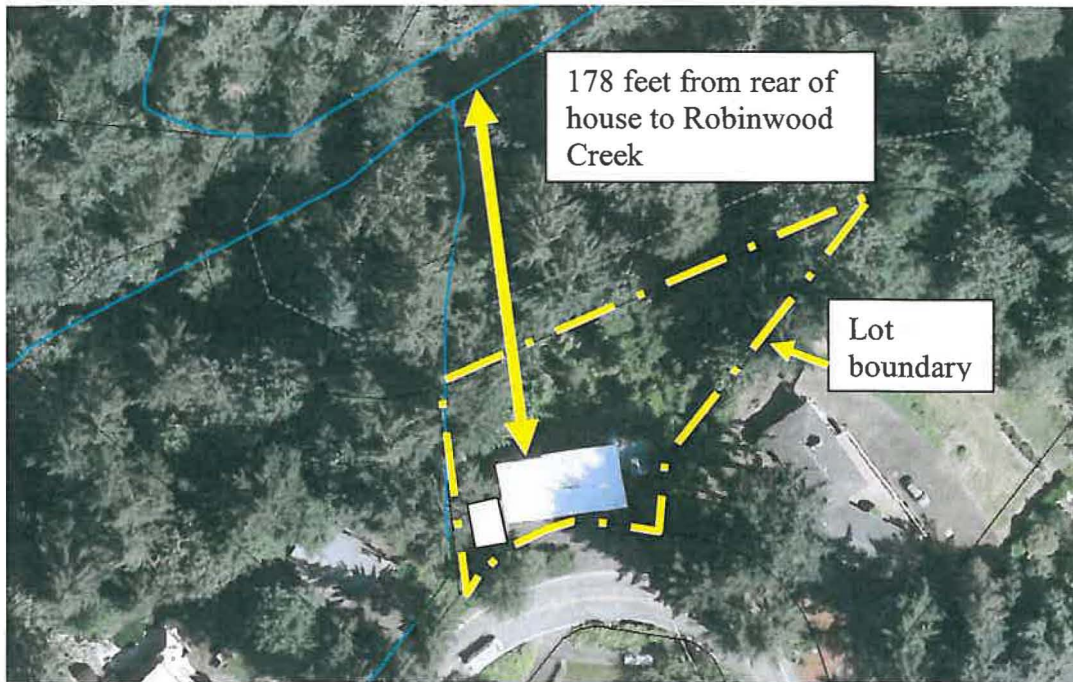
Also, because the entire lot is in the WRA any new structure on the site requires a Water Resource Area (WRA) permit. CDC section 32.020 (WRA) explains:

*B. The provisions of this chapter apply to all zones and uses within the City limits. No person, unless excepted by subsection C or D of this section, may clear, fill, build in, or alter existing water resource areas without having obtained a permit from the decision-making authority.*

CDC section 32.050(C) "Approval Criteria" states:

*Development shall be conducted in a manner that will minimize adverse impact on water resource areas. Alternatives which avoid all adverse environmental impacts associated with the proposed action shall be considered first. For unavoidable adverse environmental impacts, alternatives that reduce or minimize these impacts shall be selected. If any portion of the water quality resource area is proposed to be permanently disturbed, the applicant shall prepare a mitigation plan as specified in CDC [32.070](#) designed to restore disturbed areas, either existing prior to development or disturbed as a result of the development project, to a healthy natural state*

At first reading, the applicant's decision to encroach closer to the creek looks like it violates this criterion. However, the creek would still be 190-198 feet away from the new garage while the existing house is already another 12-20 feet closer to the creek (178 feet away). Given that the existing disturbed area (3,595 square feet comprising the house, driveways, carport, accessory shed, gardens) will not be increased with the garage's rearward extension it would seem that a significant part of the approval criteria is met in that no adverse impact on the water resource and no adverse environmental impacts is expected.



Those same findings would have applicability in answering the Variance approval criteria.

Another provision of the WRA chapter is the hardship provisions which allow properties, like this one, that are completely in the WRA, to develop up to 5,000 square feet.

### **32.090 REDUCTION IN STANDARDS FOR HARDSHIP**

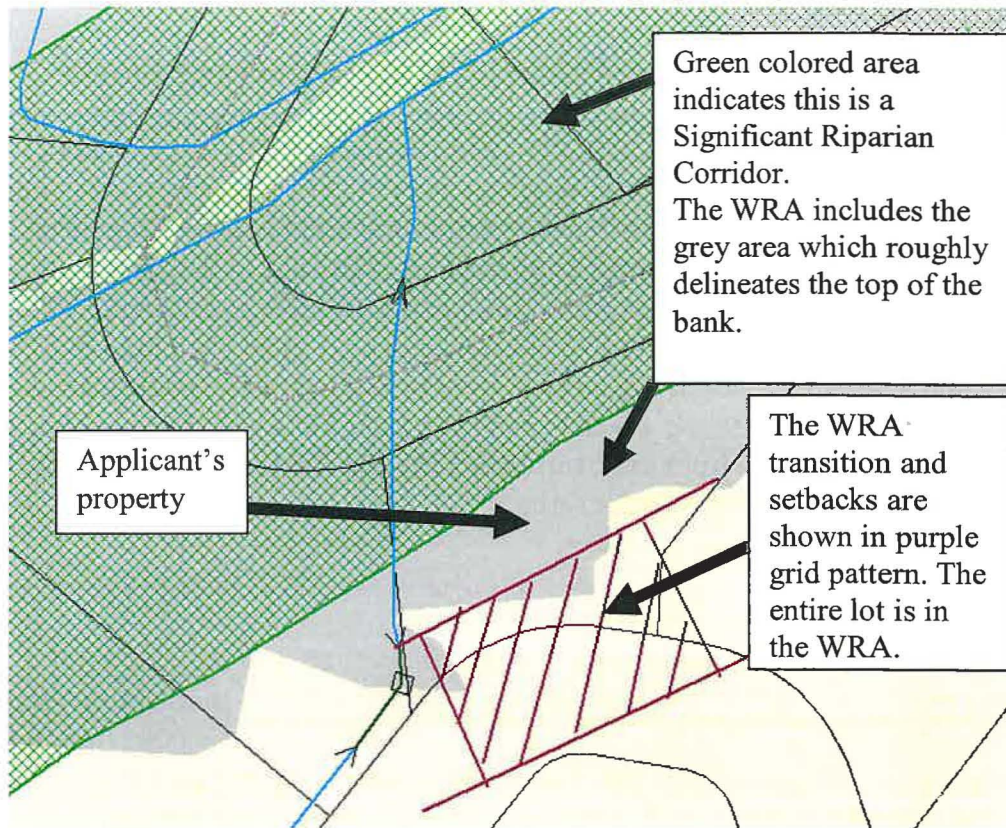
*The purpose of this section is to ensure that compliance with this chapter does not cause unreasonable hardship. To avoid such instances, the requirements of this chapter may be reduced. Reductions are also allowed when strict application of this chapter would deprive an owner of all economically viable use of land. The decision-making authority may impose such conditions as are deemed necessary to limit any adverse impacts that may result from granting relief.*

*A. Lots located completely inside the water resource area. Development may occur on lots located completely within the water resource area that are recorded with the County Assessor's Office on or before the effective date of the ordinance codified in this chapter. Development shall disturb the minimum necessary area to allow the proposed use or activity, and in any situation no more than 5,000 square feet of the water resource area, including access roads and driveways, subject to the erosion and sediment control standards in Chapter [31](#) CDC, and subject to a finding that the proposed development does not increase danger to life and property due to flooding and erosion.*

As was stated earlier, the applicant's disturbed area is currently 3,595 square feet. The addition will increase the disturbed area by only 120 square feet under Plan 1 and by

approximately 400 square feet under plans 2 and 3 (towards the front property line in all plans) which will keep the total disturbed area to at maximum approximately 4,000 square feet which is well under the allowable 5,000 square feet. *(In calculating disturbed areas, staff counted the garden at the rear of the house so any encroachment by the garage into that area had already been counted and was redundant.)*





### Preliminary Staff Assessment

The extraordinarily narrow confines of this residential site, created by the steep drainageway, encourage the chances of the Class II Variances. The direction of the CDC Chapter 32 has always been to push development away from the WRA resource and this proposal does that in large measure by crowding the front and side lot lines. Building the garage to extend rearward compared to the current carport would ordinarily be discouraged; however, the garage will not extend further than current structures towards Robinwood Creek as the rear building line of the existing house is closer to the creek than the garage is proposed to be. The garage will not increase the disturbed area at the rear since that area was already "disturbed" when it was terraced for a small garden.

Staff also notes that the WRA's hardship provisions allowing up to 5,000 square feet of developed area could be used to allow the garage and still be well under the 5,000 square foot limit. Expansion to the front is in itself exempt from Chapter 32 as this expansion is on the opposite side of existing footprints from Robinwood Creek (unless the swale is considered not exempt along the part that runs besides the property since it is not "roadside" at that point). However any expansion in front into non-disturbed areas would still count towards the 5,000 square foot maximum disturbed area.

One of the few criteria for the Permit to Enlarge/Alter a Non-Conforming Structure involves whether the proposed enlargement or alteration worsens the non-conformity (see 66.080[B][2][a]). This proposal would worsen the non-conformity as the garage would be closer to the west side property lines than all of the existing carport wall under Plan 1 and parts of this wall under plans 2 and 3. Also some of the footprint would be closer to the front property line than the existing carport under any of the plans. However the variances cover the setbacks that would be worsened, so an additional variance regarding this criterion itself should not be needed. It should be noted that even plans 2 and 3 with their lack of a need for a front setback variance would increase the non-conformity in front in that it would expand the garage in a way that breeches the 7.5 foot side setback in the front area, continuing the non-conforming 3 foot side setback all the way to the front three foot setback.

### **Process**

Provide the submittal materials required by CDC chapters 75, 66, and 32. 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. 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.

Since all the lot is in the WRA, the applicant has the option of pursuing relief under the hardship provisions of CDC section 32.090. The applicant is also required to satisfy the requirements of CDC Chapter 31: Erosion Control.

Respond to the approval criteria of CDC 75.060, the standard Variance approval criteria, for each variance applied for. Respond to the standard Water Resources Area approval criteria in 32.050. Also respond to the hardship provision criteria in 32.090. Respond to the criteria in 66.080 for the Permit to Enlarge/Alter a Non-Conforming Structure.

No response to CDC Chapter 65: Non-Conforming Lot of Record is required by code since that chapter's purpose is simply to instruct readers in the specific setbacks and dimensional standards of these lots.

A neighborhood meeting is not required for Variance or Water Resource Area permit, but they are always encouraged. Contact Jeff Treece, President of the Marylhurst Neighborhood Association, at (503) 636-1218 or [treece@gsp.org](mailto:treece@gsp.org). If the applicant decides to present at a meeting, the applicant is required to provide the neighborhood association with conceptual plans and other material at least 10 days prior to the meeting.

Deposit fees are as follows:

**Plan 1:**

WRA permit	\$1,850.
Class I Variance (front)	\$825.
Class II Variance (side)	\$1,800.
Class II Variance (rear further encroachment into WRA)	\$900.
Permit to Enlarge/Alter a Non-Conforming Structure	<u>\$800.</u>

Total Plan 1 deposit amount \$6,175.

**Plan 2 or 3:**

WRA permit	\$1,850.
Class II Variance (side)	\$1,800.
Class II Variance (rear further encroachment into WRA)	\$900.
Permit to Enlarge/Alter a Non-Conforming Structure	<u>\$800.</u>

Total Plan 2/3 deposit amount \$5,325.

Staff bills hours against these deposits. Any cost overruns to the application deposits will result in additional billings.

Once the submittal is deemed complete, the staff will schedule a hearing with the Planning Commission and will send out public notice of the hearing at least 20 days before it occurs. The Planning Commission's decision may be appealed to City Council by the applicant or anyone with standing. Permits are good for three years only.

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.







## LAND USE PRE-APPLICATION CONFERENCE

Thursday, February 17, 2011

City Hall  
22500 Salamo Road

Willamette Conference Room

8:00 am

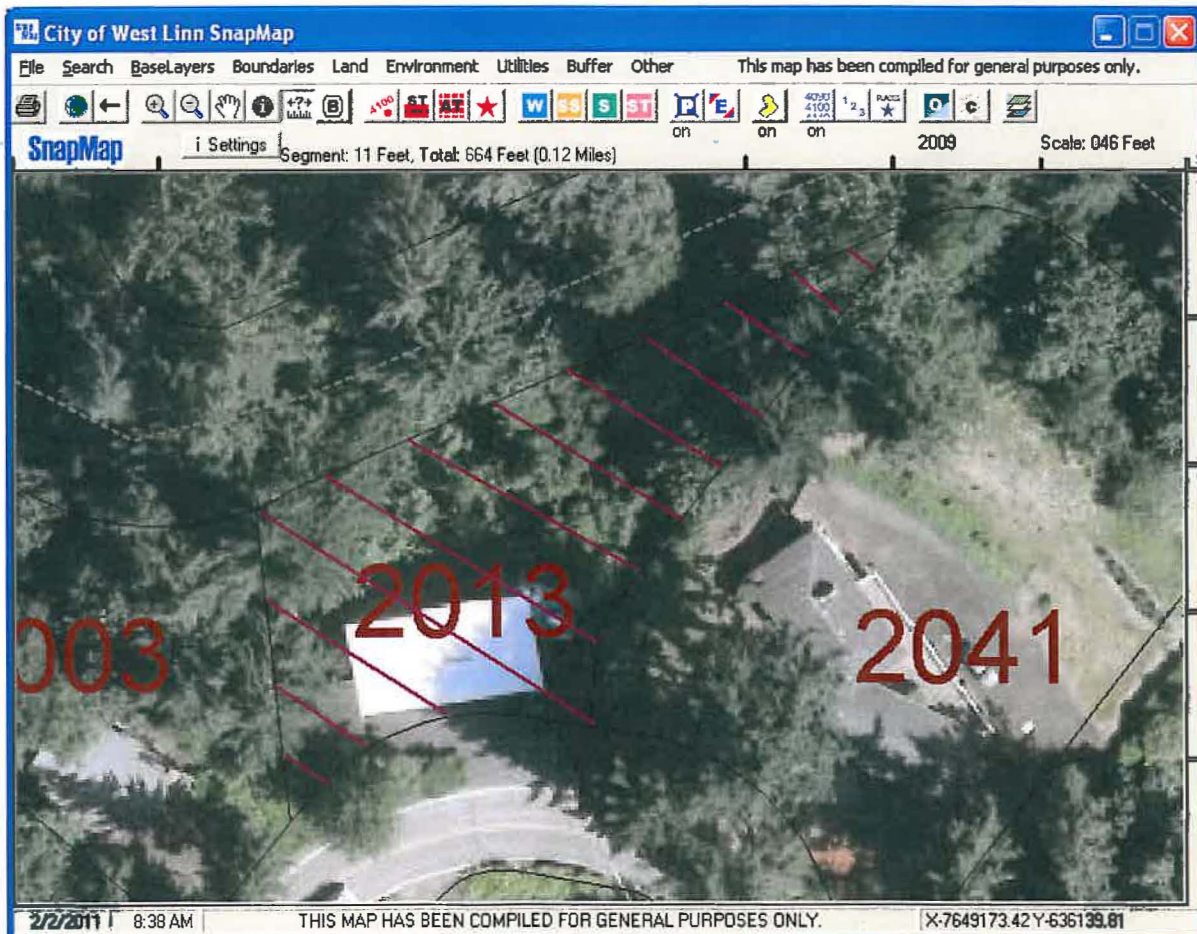
Applicant: Bruce and Mary Wood

Subject Property Address: 2013 Marylhurst Dr.

Neighborhood Assn: *Marylhurst and Robinwood*

Planner: Peter Spir

Project #: PA-11-03





### PRE-APPLICATION CONFERENCE

THIS SECTION FOR STAFF COMPLETION		
CONFERENCE DATE: <u>2-17-11</u>	TIME: <u>8AM</u>	PROJECT #: <u>PA-11-03</u>
STAFF CONTACT: <u>PETER SPIR</u>	FEE: <u>350-</u>	

Pre-application conferences occur on the first and third Thursdays of each month. In order to be scheduled for a conference, this form including property owner's signature, 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.

Address of Subject Property (or map/tax lot): 2013 MARYLHURST DRIVE, WEST LINN, TAX LOT 1700

Brief Description of Proposal: REPLACE A POOR CONDITION CARPORT WITH A NEW GARAGE THAT WILL FIT ON THE STEEP SLOPE LOT BY HAVING A 1' FOOT SET BACK FROM THE FRONT PROPERTY LINE AT THE SE CORNER OF THE GARAGE & A 1' SET BACK FROM THE NW CORNER OF THE GARAGE TO THE WEST PROPERTY LINE - SEE ATTACHED

Applicant's Name: BRUCE and MARY WOOD

Mailing Address: 2013 MARYLHURST DRIVE, WEST LINN, OR 97068

Phone No: (503) 744-0482 Email Address: brucewood59@comcast.net  
OR 760-621-0920

Please attach additional materials relating to your proposal including 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 layout, design and/or building elevations
- > 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)

Please list any questions or issues that you may have for city staff regarding your proposal:

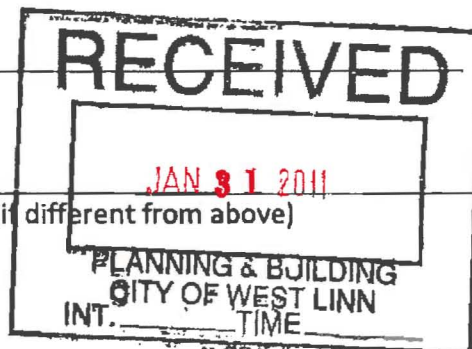
WE WILL NEED A VARIANCE TO SET BACK ON OUR SOUTH & WEST PROPERTY LINE TO BUILD THIS GARAGE.

By my signature below, I grant city staff right of entry onto the subject property in order to prepare for the pre-application conference.

B Wood  
Property owner's signature

1/30/11  
Date

SAME AS ABOVE  
Property owner's mailing address (if different from above)



## PRE-APPLICATION CONFERENCE – ADDITIONAL DESCRIPTION

As our property has no other usable area to put a garage – the slope is the main force behind this limitation – we have designed our new garage to replace the existing carport in the same location. The current – built by others – carport is two (2) feet from the curving ROW / property line at the SE corner of the carport – the ROW / property line then swings further south as the ROW turns SW. The plan that will allow us a two (2) car garage will require a garage built with a zero (“0”) foot setback at the SE corner of the garage, then the distance from ROW / property line to the garage moving west increases - garage from property line - as the ROW swings South Westerly and a one (1) foot setback along the westerly property line.

+/- fifteen (15’) feet west from the westerly property line is a dirt swale water drain for the rainy season. This dirt swale becomes clogged with debris and causes the water to flood across the existing carport. Note that when we call West Linn they immediately come and clean the swale.

We are designing the new garage to just fit our automobiles and some storage space for tools to maintain our property. We have designed the roof of the new garage to slope – from nine (9) feet high on the eastern entrance to eight (8) feet high at the west end of the garage. This will allow the rain water to drain from east to west where we will put in a drainage system sloping to the north where the property slopes to. This will also maintain our neighbor to the west view as does the current carport. From Maryhurst Drive the garage will be below the street level as the current carport does now.

The way the carport floor / slab was designed allowed the soil under it to erode making it necessary for us to demo the old floor and place materials used for base materials to build our new cement garage floor. We are planning on building the new garage as a separate structure from our residence.

Attached are:

- Survey – December 23<sup>rd</sup> 2010
- Plot of the existing carport and future garage as shown on the survey
- North – South elevation of future garage
- East – West elevation of future garage
- Letters from neighbors concerning future garage

# PROPERTY SURVEY

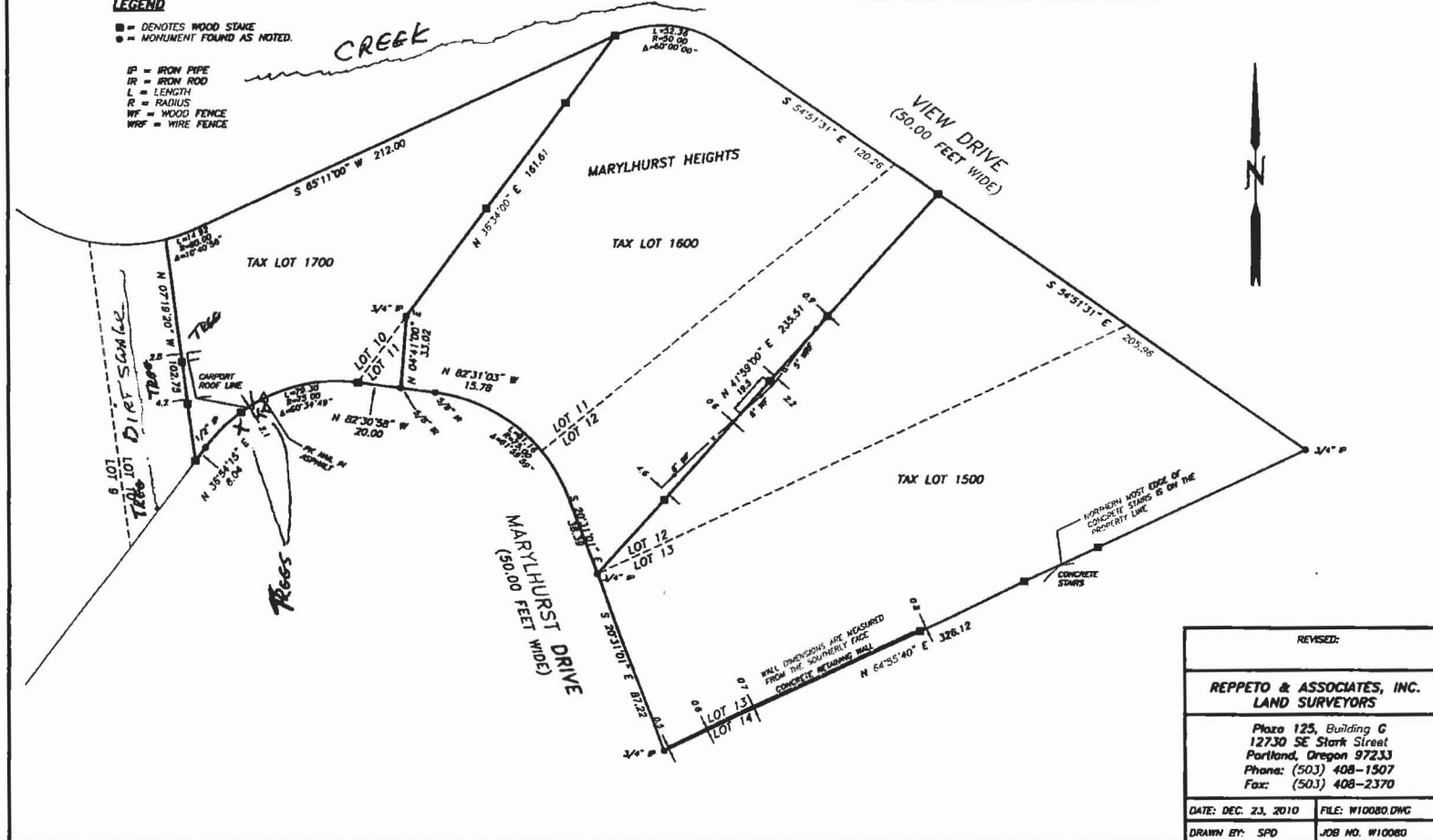
TAX LOTS 1500, 1600 AND 1700, LOTS 11, 12, 13 AND PART OF LOT 10,  
 BLOCK 9, MARYLHURST HEIGHTS, SITUATED IN THE SOUTHWEST QUARTER  
 OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 1 EAST, WILLAMETTE  
 MERIDIAN, CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON

DATE: DECEMBER 23, 2010 SCALE: 1"=30'  
 FOR: MARY WOOD AND WENDY ELLIOTT

## LEGEND

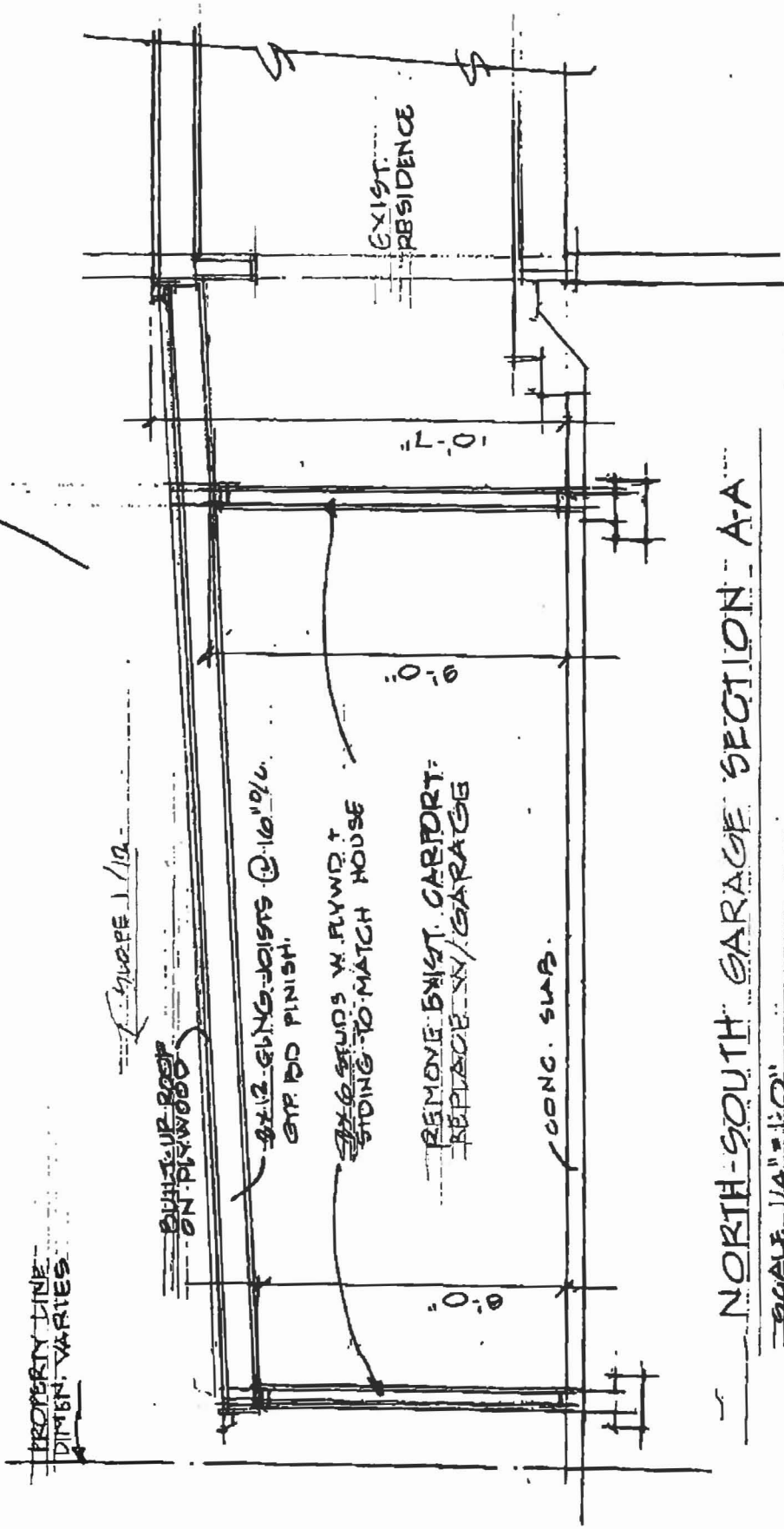
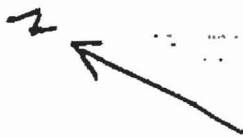
- = DENOTES WOOD STAKE
- = MONUMENT FOUND AS NOTED.

- IP = IRON PIPE
- IR = IRON ROD
- L = LENGTH
- R = RADIUS
- WF = WOOD FENCE
- WRF = WIRE FENCE



REVISED:	
REPPETO & ASSOCIATES, INC. LAND SURVEYORS	
Plaza 125, Building C 12730 SE Stark Street Portland, Oregon 97233 Phone: (503) 408-1507 Fax: (503) 408-2370	
DATE: DEC. 23, 2010	FILE: W10080.DWG
DRAWN BY: SPD	JOB NO. W10080





NORTH-SOUTH GARAGE SECTION - A-A

SCALE 1/4" = 1'-0"

PROPERTY  
LINE - WIDTH  
VARIES

35'-0"

HINGE 10%

EXIST. WALL

EXIST. GARAGE  
WALL TO BE  
REMOVED

EXIST. BRAN

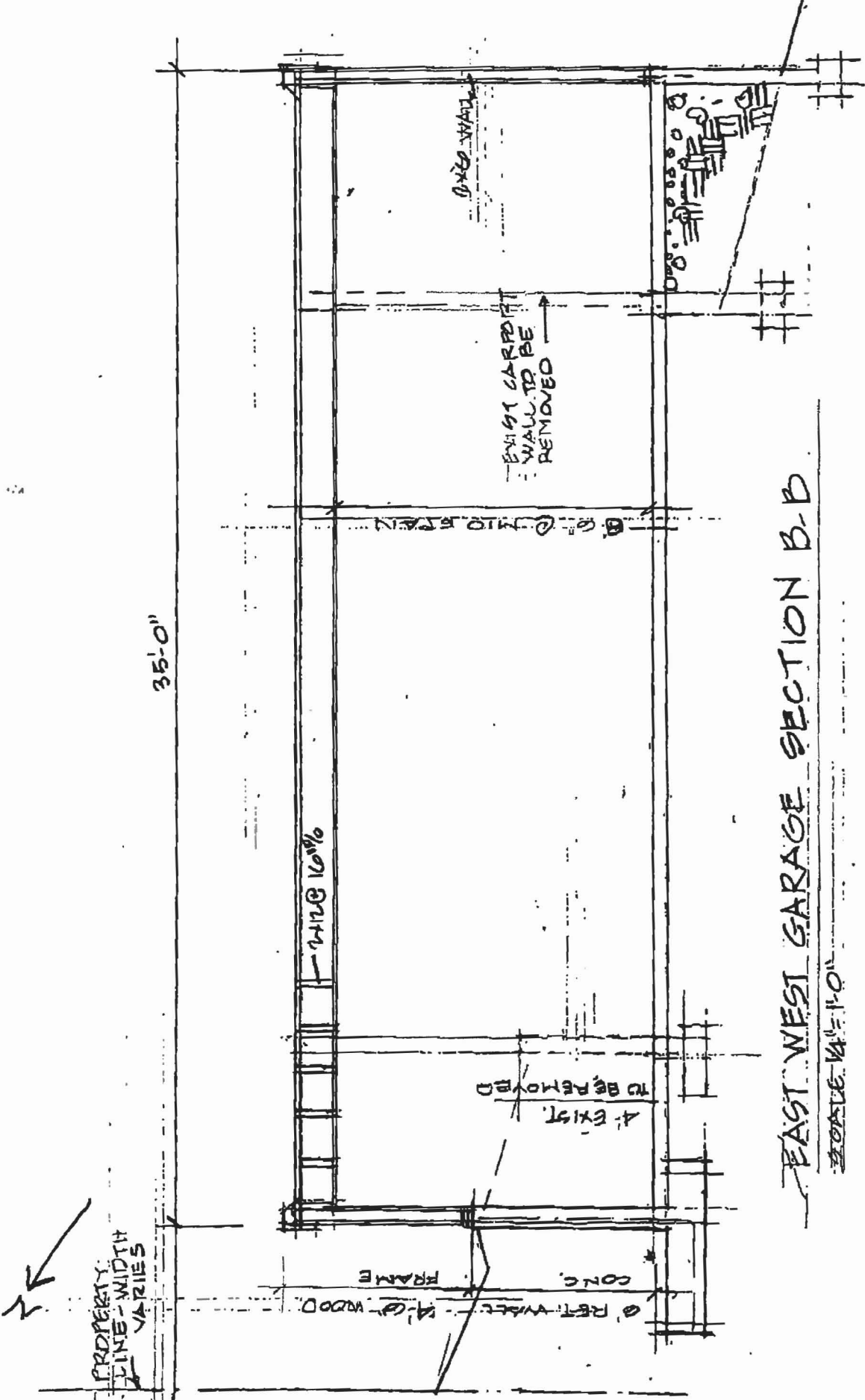
4" EXIST.  
TO BE REMOVED

CONC.  
FRAME

4" EXIST. WOOD

EAST WEST GARAGE SECTION B-B

SCALE: 1/4" = 1'-0"



The Planning Commission  
City of West Linn  
22500 Salamo Road  
West Linn, OR 97068

January 30, 2011

Re: Mr. & Mrs. Wood, neighbor immediately to the east of my residence and property – application to build a garage to replace a carport.

Dear Commissioners:

Since the inception of the Wood's plans to replace their carport with a garage the Wood's have kept me informed of their plans. To my delight and satisfaction they are going to build a garage at the same height as their existing carport. This height will not interfere with my views to the East (trees, hills and Mt. Hood).

I know that the Wood's have had problems with the carport and water from the drainage swale immediately west of the carport and future garage. When this swale does not get a regular cleaning the debris causes the rain water to divert and run through their carport. I understand that the planned garage will have a drainage system at the base of the outside walls to collect and remove any water that might head their way from this swale.

The Wood's garage plans will have no effect upon me or my property other than having a improved building and higher property value.

Please call on me for any questions you may have in regard to my views on the Wood's proposed garage.

Thank you,



Mike Bell  
2003 Marylhurst Drive  
West Linn, OR 97068 / (503) 891-7760



Planning Commission  
City of West Linn  
22500 Salamo Road  
West Linn, OR 97068

February 1, 2011

Dear Sirs,

My name is Marilyn Burns and I am Bruce and Mary Wood's neighbor across the street. They have told me about the plans that they have to replace their carport with a garage and I have no objections to them doing so. The structure as I understand it will be in the same location and the same height as it is now and that will not impact me whatsoever.

If I can of further assistance please contact me.

Thank you,

A handwritten signature in cursive script that reads "Marilyn Burns".

Marilyn Burns  
2010 Marylhurst Drive  
West Linn, OR 97068

January 30, 2011

Planning Commission  
City of West Linn  
22500 Salamo Road  
West Linn, OR 97068


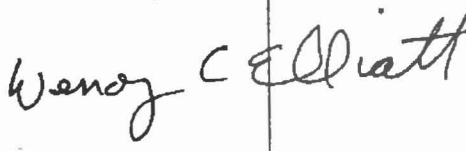
Commissioners:

This letter is in reference to Bruce and Mary Wood's proposed conversion of their carport to a garage located at 2013 Marylhurst Drive.

The Wood's home is two houses west of our home at 2069 Marylhurst Dr. The Wood's have discussed their plans for the garage and we have no objections. The proposed garage will be the same height as the existing structure and will no way detract from the neighborhood. As a matter of fact the conversion of their carport to the proposed garage will serve to enhance the neighborhood. As previous owners of 2013 Marylhurst Drive we are aware of the drainage issues they face from the run-off from the adjacent swale and the drainage they plan around the new garage will eliminate that issue.

We will be happy to speak with the commission if called upon

Sincerely,

Joel and Wendy Elliott  
2069 Marylhurst Drive  
West Linn, OR 97068  
(503) 635-5924

**Planning Commission  
City of West Linn  
22500 Salamo Road  
West Linn, OR 97068**

**January 30, 2011**

**Dear Planning Commission**

**I reside at 2041 Marylhurst Drive which is next door to Bruce and Mary Wood. They have told me of their proposed plan to convert their existing carport to a two car garage. The construction of the garage will have no impact on me, my home or view and I have no objections.**

**Please feel free to contact me with any questions.**

**Thank you,**

**Todd Elliott  
2041 Marylhurst Drive  
West Linn, OR 97068**

*See Attached*

**Bruce Wood**

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**From:** Todd Elliott [tse@ellihay.com]  
**Sent:** Monday, January 31, 2011 9:15 AM  
**To:** 'Bruce Wood'  
**Subject:** RE: Todd's letter

Hi Bruce,



No problem signing - return next week Monday and can sign then.  
Cheers,  
Todd

**From:** Bruce Wood [mailto:brucewood59@comcast.net]  
**Sent:** Sunday, January 30, 2011 3:20 PM  
**To:** Todd Elliott  
**Subject:** Todd's letter

Todd – How is Germany? Your folks told us you were there. We are asking our neighbors to sign a letter regarding our application to get a variance to build a garage to replace our carport. It will be the same height so as not to infringe any ones view. The roof will be lower than the street surface. We have suggested a letter – attached – and would appreciate your consideration for signing it and sending it back to us. Your folks signed the same letter.  
Thanks,

**Bruce Wood**  
**brucewood59@comcast.net**  
**Tel: 503-744-0482 / Cell: 760-521-0920**

**From:** Mary Wood [mailto:alohapopoki@comcast.net]  
**Sent:** Sunday, January 30, 2011 3:12 PM  
**To:** Bruce Wood  
**Subject:** Todd's letter



Mary Wood a  
Homebased Business  
LLC  
Mary Wood  
Owner  
  
503-744-0482  
Cell 760-521-0920  
P.O. Box 328 3000  
mwood@comcast.net  
http://www.mwoodllc.com

*Mary Wood*

**Joe Vanlom**

---

**To:** brucewood59@comcast.net  
**Cc:** fax 503 697 1843  
**Subject:** garage

Bruce and Mary:

I am enclosing the revised layout for the garage.

The southeast corner of the garage is 3' from the street ROW line.

The southwest corner is 6' from the street ROW line. This is what the planner suggested so that you would not have to go for a variance for the front yard setback because of your lot slope.

The southwest corner of the garage is also 3' from the west property line and that same line follows thru to the northwest garage corner. That entire side of the garage is parallel with the property line but 3' away.

The garage roof extends 3' over the dog run. If the garage slab goes over this area we have added 3' to the north of the carport slab. That would add 69 sq. ft. in the direction of the creek below.

I have held the garage 5'-4" from the patio door as you asked.

The dotted line shows where the existing carport is located.

The west garage wall looks to be about 40' long. The east garage line f will be about 27' long. You should have about 770 sq. of garage area with this scheme. Your carport was actually about 640 sq.

The advantage of this new layout is that the carport, which has extended over the street ROW no longer does this and the garage is a minimum of 3' from that same property line now.

You now only have a side yard setback to appeal and that adjacent property is a drainage ditch which has a 30' property with that cannot be infringed upon.

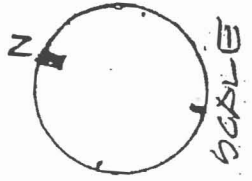
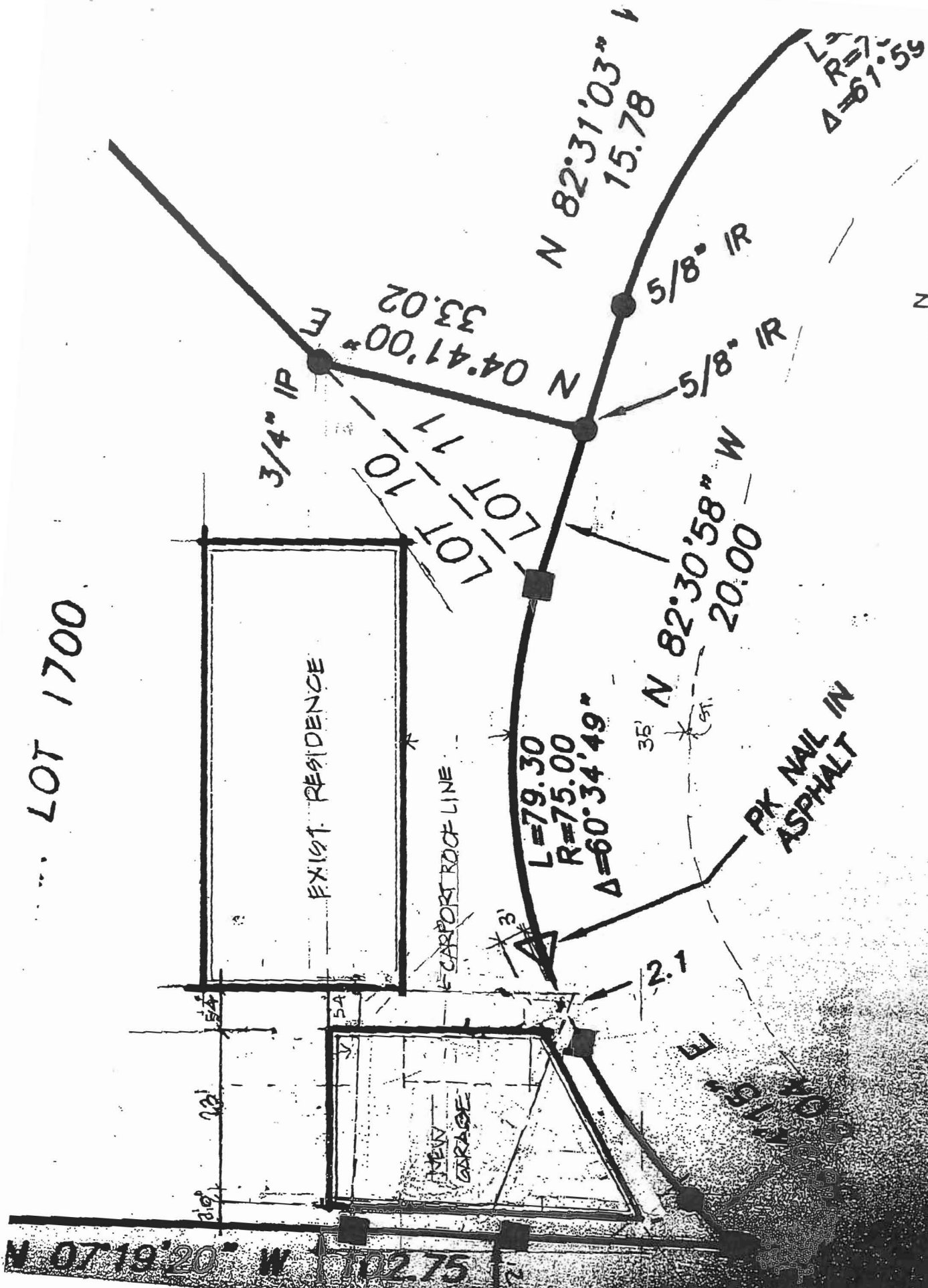
The change from carport to garage has become a necessity because of the vandalism which has occurred in the neighborhood.

Let me know if you need anything more for your submittal.

Joe Van Lom

6 sheets total

LOT 1700

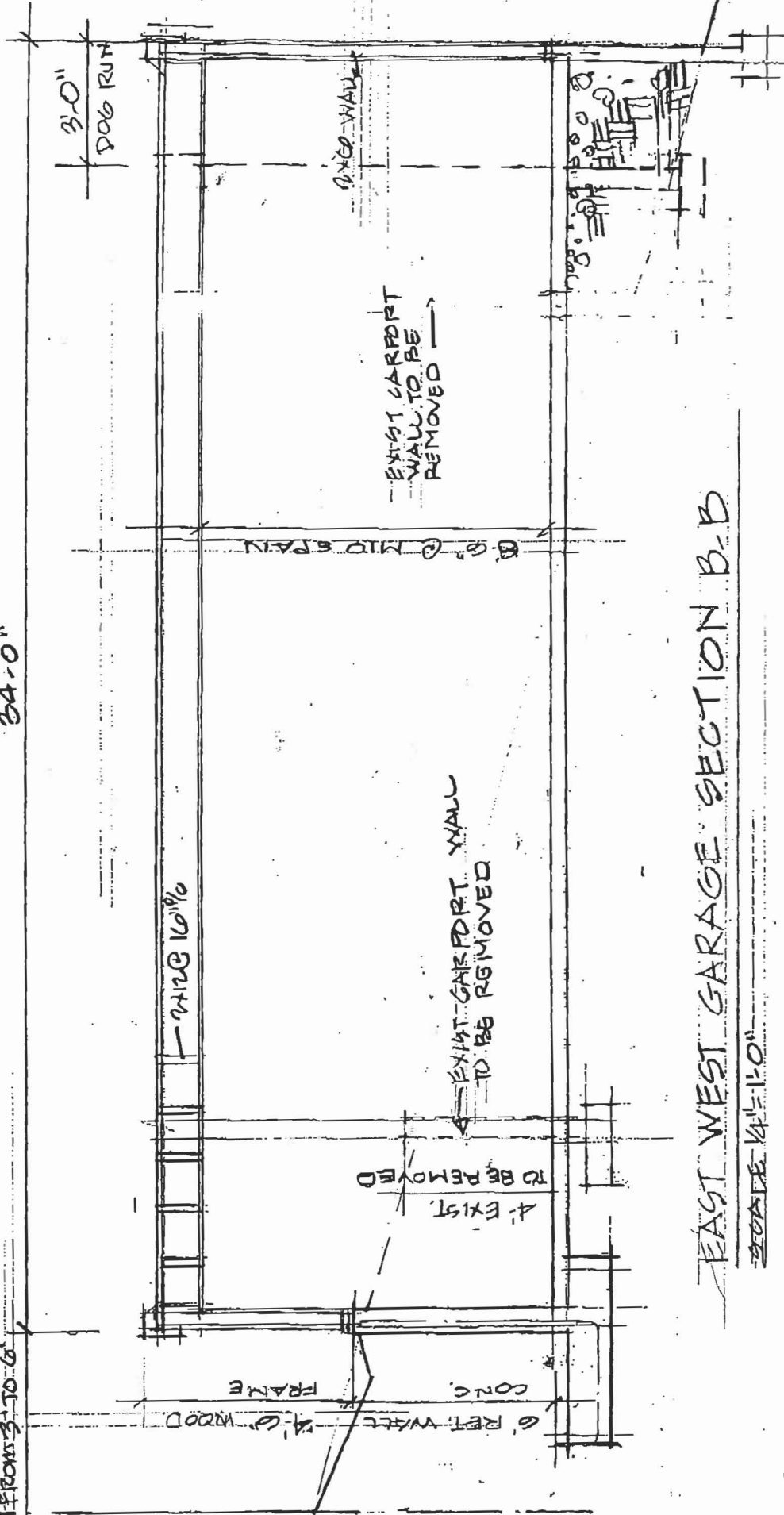




PROPERTY ROW.  
LINE WIDTH  
VARIES  
FROM 3'-0" TO 6'-0"

34'-0"

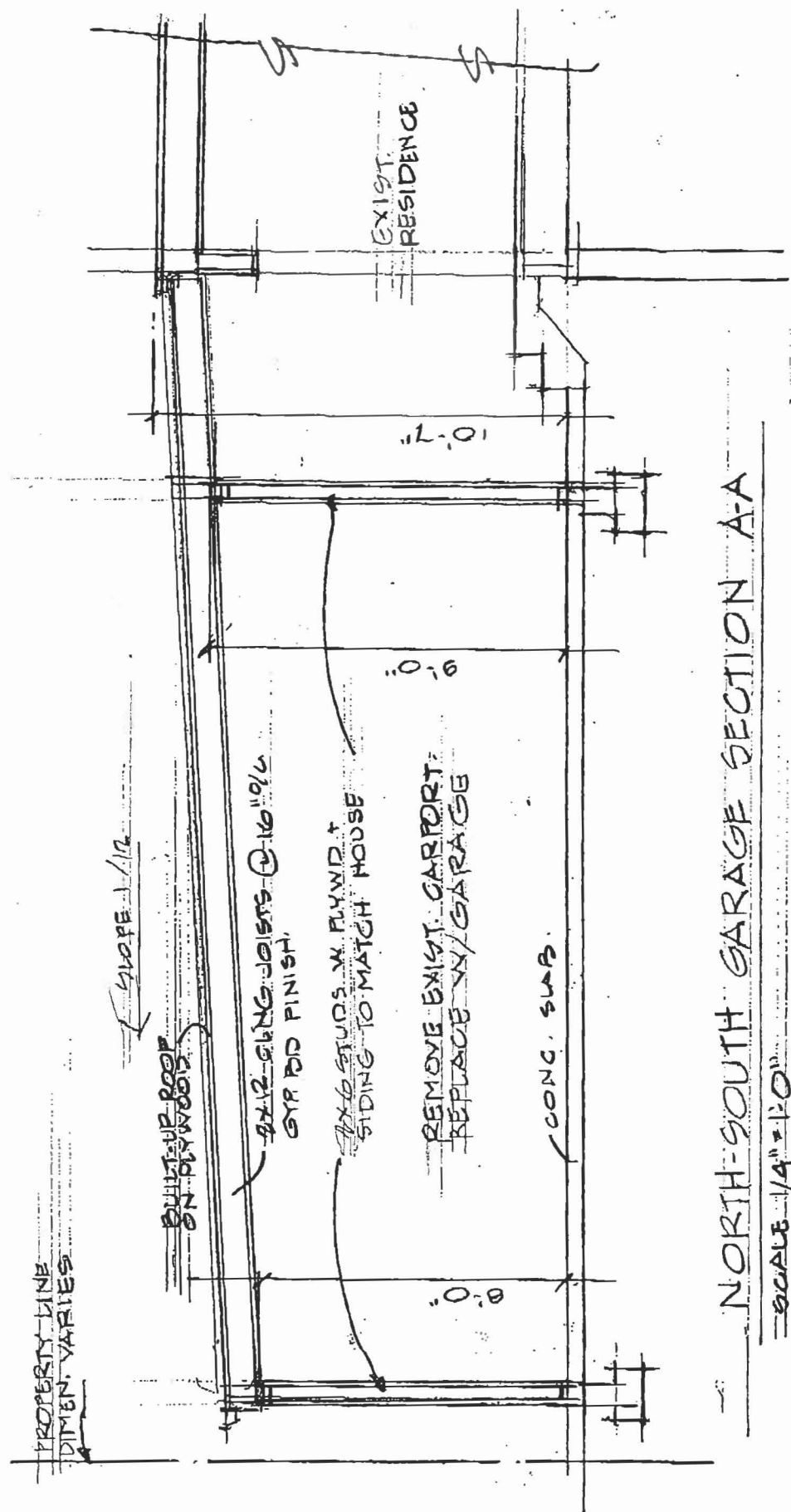
3'-0" DOG RUN



EAST WEST GARAGE SECTION B-B

SCALE 1/4" = 1'-0"





PROPERTY LINE  
DIMEN. VARIES

SLOPE 1/12

BUILD UP ROOF  
ON PLYWOOD

2x12 SING. JOISTS @ 16" O/C  
GYR DD FINISH

2x6 STUDS W PLYWD +  
SIDING TO MATCH HOUSE

REMOVE EXIST. GARPORT.  
REPLACE W/ GARAGE

CONC. SUB.

EXIST.  
RESIDENCE

10'-7"

0'-0"

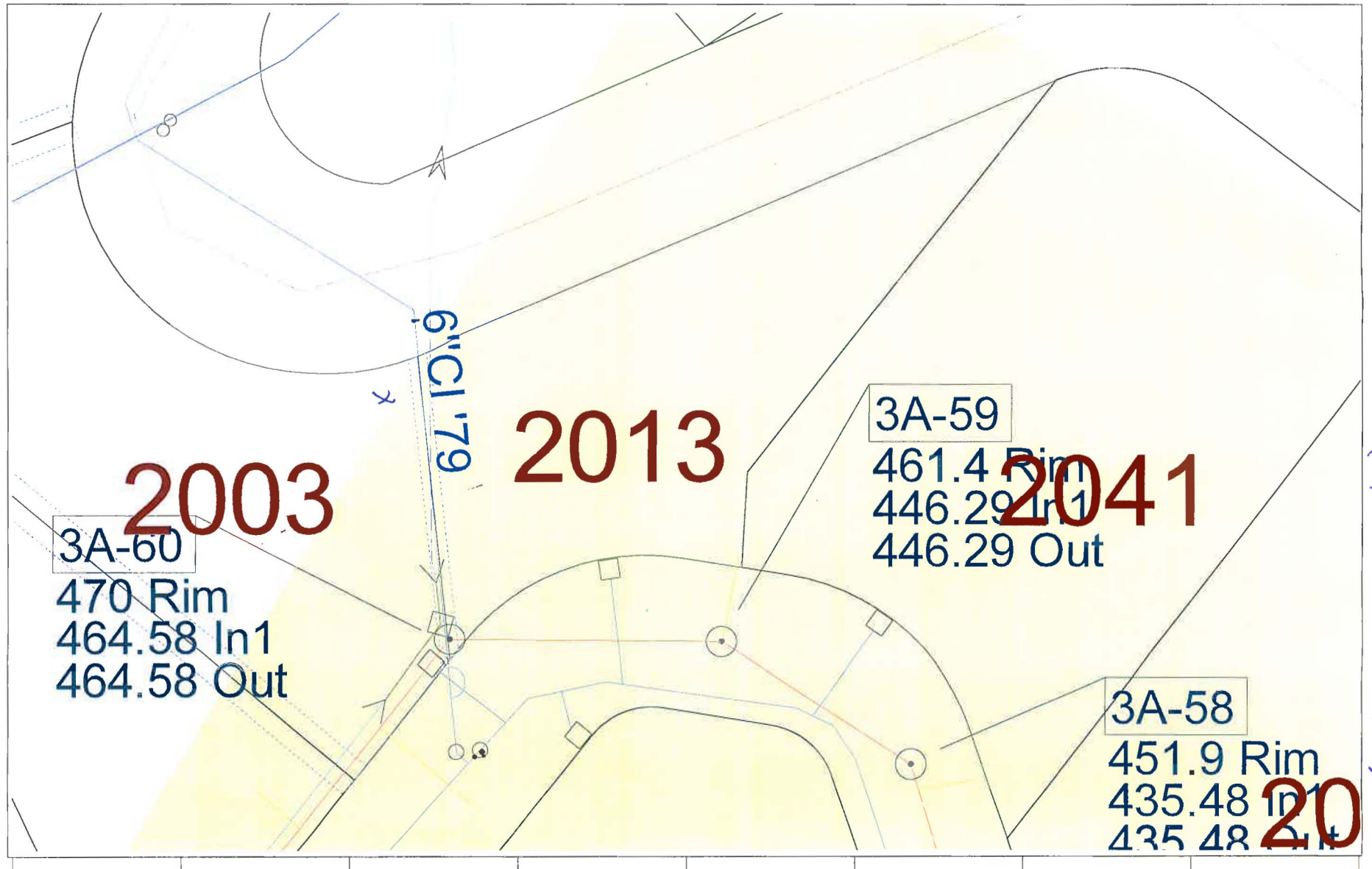
0'-0"

NORTH-SOUTH GARAGE SECTION A-A

SCALE 1/4" = 1'-0"



96-16813



2003

2013

2041

20

3A-60  
 470 Rim  
 464.58 In1  
 464.58 Out

3A-59  
 461.4 Rim  
 446.29 In1  
 446.29 Out

3A-58  
 451.9 Rim  
 435.48 In1  
 435.48 Out

water line is easement?

City of West Linn GIS (Geographic Information System), SnapMap Date: 2/8/2011

MAP DISCLAIMER:  
 This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

"Westerly of"

6 feet going W. of current lot line  
 "in Lot 10 means original lot 10"  
 No easement on property

Eng-15

Scale: 0.55 Feet

NAME	ADDRESS	E-MAIL	AFFILIATION
Mary & Bruce Wood	2013 Marylhurst Dr.	brucewood59@comcast.net	homeowner