

**Nomie, John**

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**From:** Ryan, Corinne F. (Perkins Coie) [CRyan@perkinscoie.com] on behalf of Robinson, Michael C. (Perkins Coie) [MRobinson@perkinscoie.com]  
**Sent:** Friday, March 05, 2010 1:22 PM  
**To:** Nomie, John  
**Cc:** ginabundy@comcast.net; Robinson, Michael C. (Perkins Coie)  
**Subject:** Appeal by Gina and Troy Bundy of Director's Decision in WAP-09-03

Dear Mr. Nomie:

Please find attached a completed and executed copy of a Development Review Application form signed by me on behalf of my clients. An additional copy of the completed and executed form will also be sent to you via facsimile. You have received earlier today a letter addressing the requirements in CDC Chapter 99 for an appeal of the Director's decision and a check made payable to the City in the amount of \$400.00 as the applicable appeal fee.

Thanks for your assistance.

Mike

<<DR app.PDF>>

**Michael C. Robinson | Perkins Coie LLP**

1120 N.W. Couch Street

Tenth Floor

Portland, OR 97209-4128

PHONE: 503.727.2264

MOBILE: 503.407.2578

FAx: 503.346.2264

E-MAIL: mrobinson@perkinscoie.com

**sent by Corinne F. Ryan | Perkins Coie LLP**

LEGAL SECRETARY TO:

**Michael C. Robinson | Seth J. King**

1120 N.W. Couch Street

Tenth Floor

Portland, OR 97209-4128

PHONE: 503.727.2137

FAx: 503.727.2222

E-MAIL: cryan@perkinscoie.com

3/5/2010

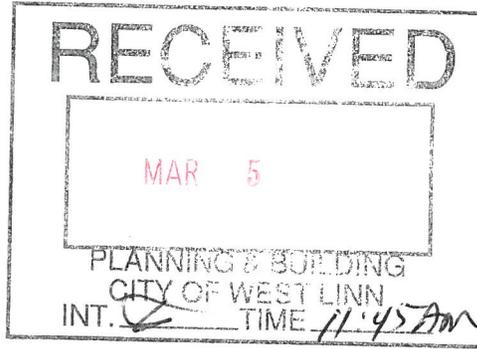
\* \* \* \* \*

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\* \* \* \* \*

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

Michael C. Robinson  
PHONE: (503) 727-2264  
FAX: (503) 346-2264  
EMAIL: MRobinson@perkinscoie.com



Perkins  
Coie

1120 N.W. Couch Street, Tenth Floor  
Portland, OR 97209-4128  
PHONE: 503.727.2000  
FAX: 503.727.2222  
www.perkinscoie.com

March 5, 2010

**VIA MESSENGER**

Mr. John Sonnen  
Planning Director  
City of West Linn  
22500 Salamo Road, #100  
West Linn, OR 97068

**Re: Appeal of City of West Linn File No. WAP-09-03**

Dear Mr. Sonnen:

This office represents Troy and Gina Bundy. Mr. and Mrs. Bundy applied for the above-referenced application which has been denied by the Director. This letter constitutes an appeal by the Bundys of the Director's decision pursuant to the requirements of West Linn Community Development Code ("CDC") 99.250. The remainder of this letter addresses the requirements of this CDC provision.

**1. CDC 99.250.A.**

**Response:** This letter of appeal contains a reference to the original application sought to be appealed (described above). The petitioners qualify as parties pursuant to CDC 99.140 because they are the applicant and because they commented in writing on the application (by submitting the application) to the Director.

**2. CDC 99.250.B.**

**Response:** This letter of appeal is accompanied by the required fee of \$400. The \$400 appeal fee amount is stated on page 16 of the Director's decision.

**3. CDC 99.250.C.**

**Response:** This section provides that the hearing on appeal is *de novo*.

73108-0001/LEGAL17822185.1

ANCHORAGE · BEIJING · BELLEVUE · BOISE · CHICAGO · DENVER · LOS ANGELES · MADISON  
MENLO PARK · PHOENIX · PORTLAND · SAN FRANCISCO · SEATTLE · SHANGHAI · WASHINGTON, D.C.

Perkins Coie LLP and Affiliates

Mr. John Sonnen  
March 5, 2010  
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**4. CDC 99.250.D.**

**Response:** This section provides that the appeal *may* state the grounds for appeal or review. The petitioners are aggrieved and adversely affected by the Director's denial of the application. The petitioners will provide additional argument and evidence prior to the *de novo* Planning Commission hearing.

I am the applicants' representative. Would you please send me all notices of public hearings, requests for additional evidence or argument, staff reports and correspondence to or from the City, including emails, regarding this appeal?

Thank you in advance for your courtesy and assistance.

Very truly yours,



Michael C. Robinson

MCR:sv

Enclosure

cc: Mr. and Mrs. Troy Bundy (w/o encl.)

RECEIVED



# DEVELOPMENT REVIEW APPLICATION

MAR 5

PLANNING & BUILDING  
CITY OF WEST LINN  
PERMITS, USES & STRUCTURES

TYPE OF REVIEW (Please check all boxes that apply):

- |                                     |  |                          |  |
|-------------------------------------|--|--------------------------|--|
| <input type="checkbox"/>            | Annexation                                 | <input type="checkbox"/> | Non-Conforming Lots                    |
| <input checked="" type="checkbox"/> | Appeal and Review *                        | <input type="checkbox"/> | One-Year Extension*                    |
| <input type="checkbox"/>            | Conditional Use                            | <input type="checkbox"/> | Planned Unit Development               |
| <input type="checkbox"/>            | Design Review                              | <input type="checkbox"/> | Pre-Application Meeting *              |
| <input type="checkbox"/>            | Easement Vacation                          | <input type="checkbox"/> | Quasi-Judicial Plan or Zone Change     |
| <input type="checkbox"/>            | Extraterritorial Ext. of Utilities         | <input type="checkbox"/> | Street Vacation                        |
| <input type="checkbox"/>            | Final Plat or Plan                         | <input type="checkbox"/> | Subdivision                            |
| <input type="checkbox"/>            | Flood Plain Construction                   | <input type="checkbox"/> | Temporary Uses *                       |
| <input type="checkbox"/>            | Hillside Protection and Erosion Control    | <input type="checkbox"/> | Tualatin River Greenway                |
| <input type="checkbox"/>            | Historic District Review                   | <input type="checkbox"/> | Variance                               |
| <input type="checkbox"/>            | Legislative Plan or Change                 | <input type="checkbox"/> | Water Resource Area Protection/Wetland |
| <input type="checkbox"/>            | Lot Line Adjustment * /**                  | <input type="checkbox"/> | Willamette River Greenway              |
| <input type="checkbox"/>            | Minor Partition (Preliminary Plat or Plan) | <input type="checkbox"/> | Other/Misc                             |

Home Occupation / Pre-Application / Sidewalk Use Application \* / Permanent Sign Review \* / Temporary Sign Application require individual application forms available in the forms and application section of the City Website or at City Hall.

TOTAL FEES/DEPOSIT \$400.00 \* No CD required / \*\* Only one copy needed

**Troy and Gina Bundy**      **1215 9th Street**      **West Linn**      **97068**      **503-723-0855**

OWNER'S                                      ADDRESS                                      CITY                                      ZIP                                      PHONE(res.& bus.)

**SAME**

APPLICANT'S                                      ADDRESS                                      CITY                                      ZIP                                      PHONE(res.& bus.)

**Michael C. Robinson** **1120 NW Couch St., 10th Flr., Portland** **97209-4128** **503-727-2264**

CONSULTANT                                      ADDRESS                                      CITY                                      ZIP                                      PHONE

SITE LOCATION 1215 9th Street

Assessor's Map No.: 31E02AB Tax Lot(s): 8201 Total Land Area: 21,539 SF

- All application fees are non-refundable (excluding deposit).
- The owner/applicant or their representative should be present at all public hearings.
- A denial or grant may be reversed on appeal. No permit will be in effect until the appeal period has expired.

4. **Four (4) complete hard-copy sets (single sided) of application materials must be submitted with this application. One (1) complete set of digital application materials must also be submitted on CD in PDF format.**

The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application.

SIGNATURE OF PROPERTY OWNER(S)

X Michael C. Robinson Date March 5, 2010

SIGNATURE OF APPLICANT(S)

X of Attorneys for Owners Date \_\_\_\_\_

BY SIGNING THIS APPLICATION, THE CITY IS AUTHORIZED REASONABLE ACCESS TO THE PROPERTY. ACCEPTANCE OF THIS APPLICATION DOES NOT INFER A COMPLETE SUBMITTAL. COMPLETENESS WILL BE DETERMINED WITHIN 30 DAYS OF SUBMITTAL.

**PLANNING AND BUILDING; 22500 SALAMO RD #1000; WEST LINN, OR 97068;**  
**PHONE: 656-4211 FAX: 656-4106**



**FACSIMILE COVER SHEET**

**CONFIDENTIAL AND PRIVILEGED**

If there are any problems with this transmission, please call 503.727.2000

1120 N.W. Couch Street, Tenth Floor  
Portland, OR 97209-4128  
PHONE: 503-727-2000  
FAX: 503-727-2222  
www.perkinscoie.com

DATE: March 5, 2010

COVER SHEET & 1 PAGES

CLIENT NUMBER: 73108-0001

RETURN TO: (NAME) Corinne F. Ryan (EXT.) 2137 (ROOM NO.) 9063

SENDER:	TELEPHONE:	FACSIMILE:
Michael C. Robinson	(503) 727-2264	(503) 346-2264

RECIPIENT:	COMPANY:	TELEPHONE:	FACSIMILE:
John Nomie	City of West Linn	503-656-4211	503-656-4106

**Re: Appeal by Gina and Troy Bundy of Director's Decision in WAP-09-03**

**Dear Mr. Nomie:**

**Attached is a copy of the Development Review Application for the above-referenced.**

**As previously mentioned, please fax to my attention a date and time stamped acknowledgement of receipt of the letter and check delivered to the City earlier today and the completed and executed Development Review Application form.**

**Michael C. Robinson**

This Fax contains confidential, privileged information intended only for the intended addressee. Do not read, copy or disseminate it unless you are the intended addressee. If you have received this Fax in error, please email it back to the sender at perkinscoie.com and delete it from your system or call us (collect) immediately at 503.727.2000, and mail the original Fax to Perkins Coie LLP, 1120 N.W. Couch Street, Tenth Floor, Portland, OR 97209-4128.

CITY OF WEST LINN  
22500 Salamo Rd.  
West Linn, OR. 97068  
(503) 656-4211

PLANNING RECEIPT  
Receipt: # 935479  
Date : 03/05/2010  
Project: #AP-10-01  
BY: SR

\*\*\*\*\*

NAME : TROY AND GINA BUNDY

ADDRESS : 1215 9TH ST

CITY/STATE/ZIP: WEST LINN OR 97068

PHONE # : 503-723-0855

SITE ADD. : 1215 9TH ST

\*\*\*\*\*

TYPE I HOME OCCUPATIONS HO \$

PRE-APPLICATIONS Level I ( ), Level II ( ) DR \$

HISTORIC REVIEW Residential Major ( ), Minor ( ), New ( ) DR \$

Commercial Major ( ), Minor ( ), New ( )

SIGN PERMIT Face ( ), Temporary ( ), Permanent ( ) DR \$

SIDEWALK USE PERMIT DR \$

APPEALS Plan. Dir. Dec. (X), Subdivsion ( ), DR \$ 400.00

Plan Comm./City Coun. ( ), Nbhd ( )

LOT LINE ADJUSTMENT LA \$

CITY/METRO BUSINESS LICENSE BL \$

\*\*\*\*\*

The following items are paid by billing against the up-front deposit estimate.  
If the amount of time billed to your project exceeds the amount covered by the  
deposit, additional payment may be required.

DESIGN REVIEW Class I ( ), Class II ( ) RD \$

VARIANCE Class I ( ), Class II ( ) RD \$

SUBDIVISION Standard ( ), Expedited ( ) RD \$

ANNEXATION "Does Not Include Election Cost" RD \$

CONDITIONAL USE RD \$

ZONE CHANGE RD \$

MINOR PARTITION RD \$

MISCELLANEOUS PLANNING RD \$

Boundry Adjustments ( )

Modification to approval ( ) Water Resource

Code Amendments ( ) Area Protection ( )

Comp. Plan Amendments ( ) Street Vacations ( )

Temporary Permit Admin. ( ) Easement Vacations ( )

Temporary Permit Council ( ) Will. River Greenway ( )

Flood Management ( ) Tualatin River Grwy. ( )

Inter-Gov. Agreements N/C ( ) Street Name Change ( )

Alter Non-Conforming Res. ( ) Code Interpretations ( )

Alter Non-Conforming Comm. ( ) Type II Home Occ. ( )

Measure 37 Claims ( ) Planned Unit Dev. PUD ( )

TOTAL REFUNDABLE DEPOSIT RD \$ 0.00

GENERAL MISCELLANEOUS Type: PM \$

\*\*\*\*\*

TOTAL Check # 5018 Credit Card ( ) Cash ( ) \$ 400.00