

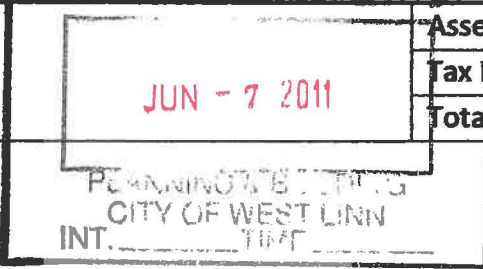
DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
PROJECT NO. <i>WR-11-01 / MI-11-05</i>	STAFF CONTACT <i>TOM SAPE</i>	
NON-REFUNDABLE FEE(S) 2750	REFUNDABLE DEPOSIT(S) <i>2750</i>	TOTAL <i>2750</i>

Type of Review (Please check all that apply):

- | | | |
|--|---|---|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Historic Review | <input type="checkbox"/> Quasi-Judicial Plan or Zone Change |
| <input type="checkbox"/> Appeal and Review * | <input type="checkbox"/> Legislative Plan or Change | <input type="checkbox"/> Street Vacation |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Lot Line Adjustment * / ** | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Design Review | <input type="checkbox"/> Minor Partition (Preliminary Plat or Plan) | <input type="checkbox"/> Temporary Uses * |
| <input type="checkbox"/> Easement Vacation | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures | <input type="checkbox"/> Tualatin River Greenway |
| <input type="checkbox"/> Extraterritorial Ext. of Utilities | <input type="checkbox"/> One-Year Extension * | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Final Plat or Plan | <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Water Resource Area Protection/Wetland |
| <input checked="" type="checkbox"/> Flood Plain Construction <i>1090</i> | <input type="checkbox"/> Pre-Application Conference * | <input checked="" type="checkbox"/> Willamette River Greenway <i>1700</i> |
| <input type="checkbox"/> Hillside Protection and Erosion Control | | |

Home Occupation, Pre-Application, Sidewalk Use Application, Sign Review, Permit Application*, and Temporary Sign Permit Application require different or additional application forms available on the City Website or at City Hall.

Site Location/Address <i>4993 and 5005 Mapleton Dr. West Linn</i>		Assessor's Map No. <i>02s01e24ac</i>
		Tax Lot(s) <i>600 + 700</i>
		Total Land Area <i>~1 acre</i>
Brief Description of Proposal <i>dock, anchor-secured</i>		

Applicant Name: *Mark Mutschler (owner also)* Phone: *503 655 0519*
 (please print)
 Address: *4993 Mapleton Dr.* Email: *drs.mutschler@gmail.com*
 City State Zip: *West Linn OR 97068*

Owner Name: *Mitch Nippert* Phone: *360 578 1271*
 (please print)
 Address: *2524 Peters Dr.* Email: *nippert@q.com*
 City State Zip: *Longview WA 98632*

Consultant Name: Phone:
 (please print)
 Address: Email:
 City State Zip:

- All application fees are non-refundable (excluding deposit). Any overruns to deposit will result in additional billing.
- The owner/applicant or their representative should be present at all public hearings.
- A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
- Three (3) 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. If large sets of plans are required in application please submit only two sets.

* No CD required / ** Only one copy needed

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. Acceptance of this application does not infer a complete submittal. The applicant waives the right to the provisions of ORS 94.020. All amendments to the Community Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.

Mark Mutschler 5-28-2011 *[Signature]* 5/25/11
 Applicant's signature Date Owner's signature Date

Application submittal requests

We request that the Planning Director waive submittal of:

1. A grading plan because no grading changes are proposed.
2. A landscape plan because no changes in landscape are proposed.

Narrative addressing the Section 28.110 Approval Criteria for a Willamette River Greenway Permit for the continued use of a dock located between 4993 and 5005 Mapleton Drive:

- A.
 1. Development consists of a tethered dock, no building is proposed.
 2. CDC 28.110(f) provides for private access to the river for docks in a HCA.
 3. This dock is a water-dependent use, thus exempt from this provision.
 4. Erosion control is provided by native vegetation.
- B. This does not apply to docks.
- C. This does not apply to docks.
- D. This does not apply to docks.
- E. This is a water-related structure so this does not apply to docks.
- F.
 1. Private lands within the protection area should be respected for this dock.
 2. Legal public access is permitted nearby.
 3. There is no existing public access in the proposed location because private property extends to the ordinary low water line.
 4. This dock is within a Department of State Lands authorized area.
 5. There is no room for a dry trail in this area; any trail would be under water most of the year.
- G. This is a single family residential zoned area.
- H. No partitions or subdivisions are proposed.
- I.
 1. The dock is centered between the two property owners, thus is in the middle of the preference rights area. No dredging is proposed.
 2. This joint use dock extends only as far as necessary to keep the dock in water during its lowest point.
 3. The ramp extends less than 100 feet from the OLW.
 4. Dock is not more than 30 % of the distance between the shores and does not impede existing public usage or block navigation of the channel.
 5. No rail launch facility is proposed.
 6. The deck is less than 12 feet wide.
 7. No pilings are proposed.
 8. This dock is less than 400 square feet in deck area.
 9. No boat house is proposed.
- J.
 1. Dock is jointly owned by two adjacent properties and used by three adjacent property owners.
 2. Co-owners do not have any other docks.
 3. A joint use agreement, filed with the County Recorder, is included.
 4. This dock serves the same lots that are requesting this permit.
 5. This dock is right next to the common property line.
- K. This dock should be allowed to remain in place.
- L. No roads, driveways or other facilities are proposed.
- M. Surface of dock is tan colored and the metal is not polished.
- N. No parking lots, driveways or other hardscapes are proposed.
- O. No signs are proposed.
- P. No lights are proposed.
- Q. No parking is proposed.
- R. Will not significantly affect view.
- S. No extraction or dredging is proposed.
- T. No grading or landscape changes are proposed.
- U. No changes in vegetation is proposed.

Application submittal requests

We request that the Planning Director waive submittal of:

1. Elevation of the site because the elevation will not be changed.
2. Flood Management Area map because the whole residential tax lot is within that area.
3. Elevations in relation to mean sea level because the dock moves up and down with the tides.

Narrative addressing the Section 27.060 and 27.070 Approval Criteria for a Flood Plain Construction Permit for the continued use of a dock located between 4993 and 5005 Mapleton Drive:

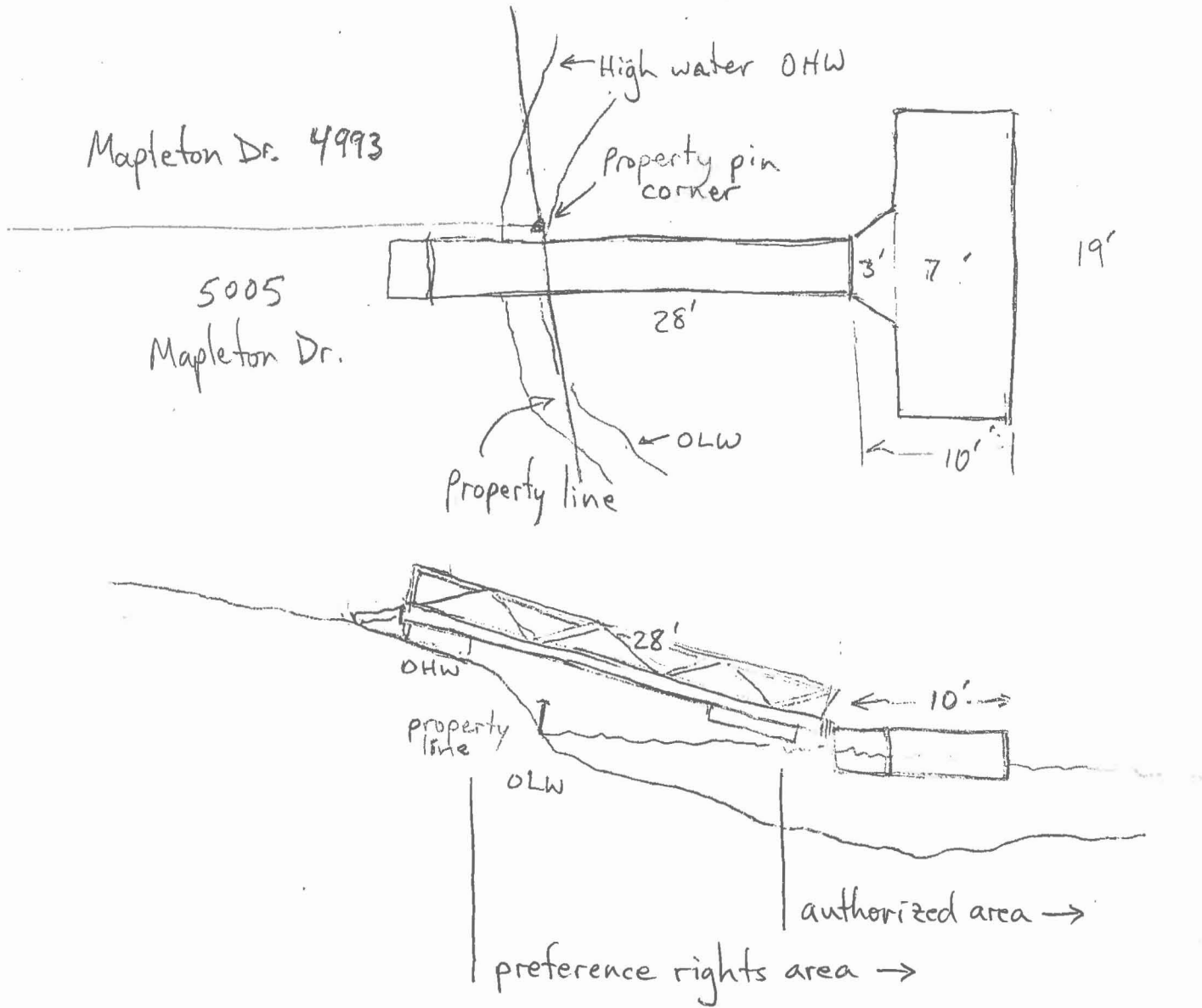
CDC 27.060

- A. Placement of a dock does not affect river storage or conveyance capacity.
- B. No changes in the floodplain or any excavation are proposed.
- C. No excavation is proposed.
- D. This does not apply to a dock.
- E. No fills proposed.
- F. This does not apply to a dock.
- G. This does not apply to a dock.
- H. This does not apply to a dock.
- I. This does not apply to a dock.
- J. State permit applied for but requires City permit first.

CDC 27.070

- A. Dock will be made of flood-resistant materials.
- B. This does not apply to this dock.
- C. This does not apply to this dock.
- D. This does not apply to this dock.
- E. This does not apply to this dock.
- F. This dock is anchored to sustain floatation and encourage lateral movement of the structure, and prevent collapse.

1" = 15'



Joint Dock Use Agreement

This agreement between Mitch Nippert, owner of 5005 Mapleton Drive and Mark Mutschler, owner of 4993 Mapleton Drive, both located in West Linn Oregon, lays out the arrangement for use of the jointly purchased and maintained dock located near the property line of the two properties.

The dock presently located between the two properties replaces the one Roy Nippert, Mitch's father, first placed in 1974. This latest dock was jointly purchased by Roy and Mark and has been maintained by them equally.

The undersigned agree to equally share in the enjoyment, cost, care of, and responsibility for the current dock and all future docks placed in the same location, unless changed in writing and recorded with Clackamas County. Responsibility for the actual maintenance duties and arrangement for payment of costs are flexible based on convenience and does not change the equality of the ownership.

This agreement is transferable to any subsequent owners as part of the sells agreement during the purchase of either 5005 or 4993 Mapleton Drive, West Linn, Oregon 97068.

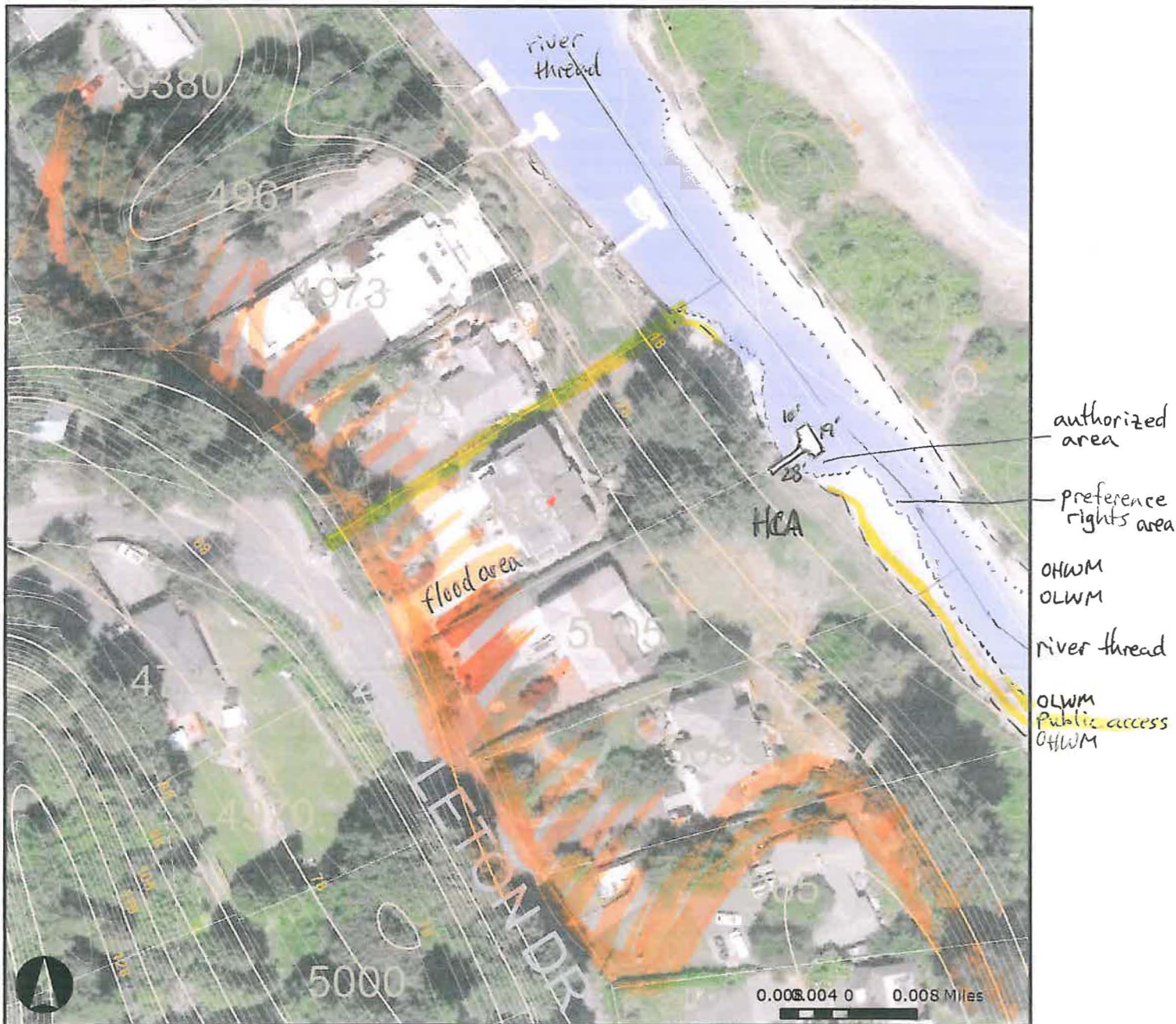
Signed and dated:

Mark Mutschler 5-15-2011

Mark Mutschler

Mitch Nippert 5/11/11
Mitch Nippert

Map



Addresses MAF

10 Foot Interval Contours



Taxlot Lines

2 Foot Interval Contours

4993 Mapleton (1)

Addresses MAF (1)

Shape	Unique ID	Site Address	Building Name	Tax Lot No
Point	10504	4993 MAPLETON DR	null	21E24AC00700

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