

## DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT <b>PETER SPIR</b>	PROJECT NO(S). <b>MF-12-17</b>	
NON-REFUNDABLE FEE(S)	REFUNDABLE DEPOSIT(S) <b>800-</b>	TOTAL <b>800-</b>

**Type of Review (Please check all that apply):**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Annexation (ANX)                      | <input type="checkbox"/> Historic Review                                   | <input type="checkbox"/> Subdivision (SUB)                               |
| <input type="checkbox"/> Appeal and Review (AP) *              | <input type="checkbox"/> Legislative Plan or Change                        | <input type="checkbox"/> Temporary Uses *                                |
| <input type="checkbox"/> Conditional Use (CUP)                 | <input type="checkbox"/> Lot Line Adjustment (LLA) */**                    | <input type="checkbox"/> Time Extension *                                |
| <input type="checkbox"/> Design Review (DR)                    | <input type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan)  | <input type="checkbox"/> Variance (VAR)                                  |
| <input type="checkbox"/> Easement Vacation                     | <input checked="" type="checkbox"/> Non-Conforming Lots, Uses & Structures | <input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP) |
| <input type="checkbox"/> Extraterritorial Ext. of Utilities    | <input type="checkbox"/> Planned Unit Development (PUD)                    | <input type="checkbox"/> Water Resource Area Protection/Wetland (WAP)    |
| <input type="checkbox"/> Final Plat or Plan (FP)               | <input type="checkbox"/> Pre-Application Conference (PA) */**              | <input type="checkbox"/> Willamette & Tualatin River Greenway (WRG)      |
| <input type="checkbox"/> Flood Management Area                 | <input type="checkbox"/> Street Vacation                                   | <input type="checkbox"/> Zone Change                                     |
| <input type="checkbox"/> Hillside Protection & Erosion Control |  |  |

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

**Site Location/Address:**
**2337 TAYLOR DRIVE**

 Assessor's Map No.: **21E 35 BD**

 Tax Lot(s): **4700**

 Total Land Area: **8160  $\neq$** 
**Brief Description of Proposal:**
**REPAIR EXISTING DECK**
**Applicant Name:** **RICHARD HUNTER**
(please print)

 Phone: **435-901-0540**
**Address:** **2337 TAYLOR DR.**

 Email: ~~XXXXXXXXXXXXXXXXXXXX~~
**City State Zip:** **WEST LINN, OR. 97068**
**RJHUNTER2@AOL.COM**
**Owner Name (required):**

Phone:

(please print)
**Address:** **11**

Email:

**City State Zip:**
**Consultant Name:**
(please print)

Phone:

**Address:**

Email:

**City State Zip:**

1. All application fees are non-refundable (excluding deposit). **Any overruns to deposit will result in additional billing.**
2. The owner/applicant or their representative should be present at all public hearings.
3. A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
4. **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 hard-copy set 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. 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.

Applicant's signature

Date

  
 Owner's signature (required)

Date

**11-15-12**

## **APPLICATION FOR ENLARGEMENT OF OR ALTERATION TO A NON-CONFORMING STRUCTURE (EXISTING DECK) AT 2337 TAYLOR DRIVE**

- B. An enlargement or alteration to a non-conforming structure containing a conforming use may be permitted subject to the following:
1. If the enlargement, in and of itself, meets all provisions of this code, the enlargement will be permitted. This exception does not preclude design review or other applicable provisions of this code.

**Response: (B) (1) cannot be used since the proposed enlargement/alteration will still not meet the rear 20 foot setback. Therefore the criterion of (B)(2) applies.**

2. If the enlargement, in and of itself, does not meet all provisions of the code, review and approval by the Planning Director for single-family structures, and by the Planning Commission for non-single-family structures under the provisions of CDC 99.060 (B) is required subject to the following standards.
  - a. The enlargement or alteration will not change the non-conformity; and
  - b. All other applicable ordinance provisions will be met. (Ord. 1192, 1987)

**Response: This is not an enlargement of the deck. Instead, it is a “replacement in kind” project which will replace dry rotted decking and replace poorly engineered deck supports. There will be no increase or further expansion of the deck into the rear yard setback. Consequently, the non-conformity will not change.**

Regarding the requirement that “all other applicable provisions are met” the applicant finds that all applicable provisions of the underlying R-10 zone are satisfied with the exception of the rear setback which is being addressed through this application. The deck has been in this location for 14 years at no apparent detriment to the adjoining properties or neighborhood. The nearest housing west of the deck is 150 feet away in the Madison Heights Condominiums which are also 75 feet in elevation below the applicant’s property and separated by a year round buffer of mature coniferous trees. The residential lots to the north and south are unoccupied.

CDC section 38.060(A) allows an open deck to extend into an existing utility easement, provided a minimum vertical clearance of 12 feet is maintained between the lowest point of the deck and the ground, and that no posts are installed within the easement. The applicant has submitted plans showing the angled columns tying back into the house at over 12 feet above grade thus meeting the standards of 38.060(A).

# MANION

GENERAL CONTRACTORS, LLC

"Quality Craftsmanship, Guaranteed"

ARLO MANION  
 Owner - CCB# 179545  
 WEST LINN, OREGON

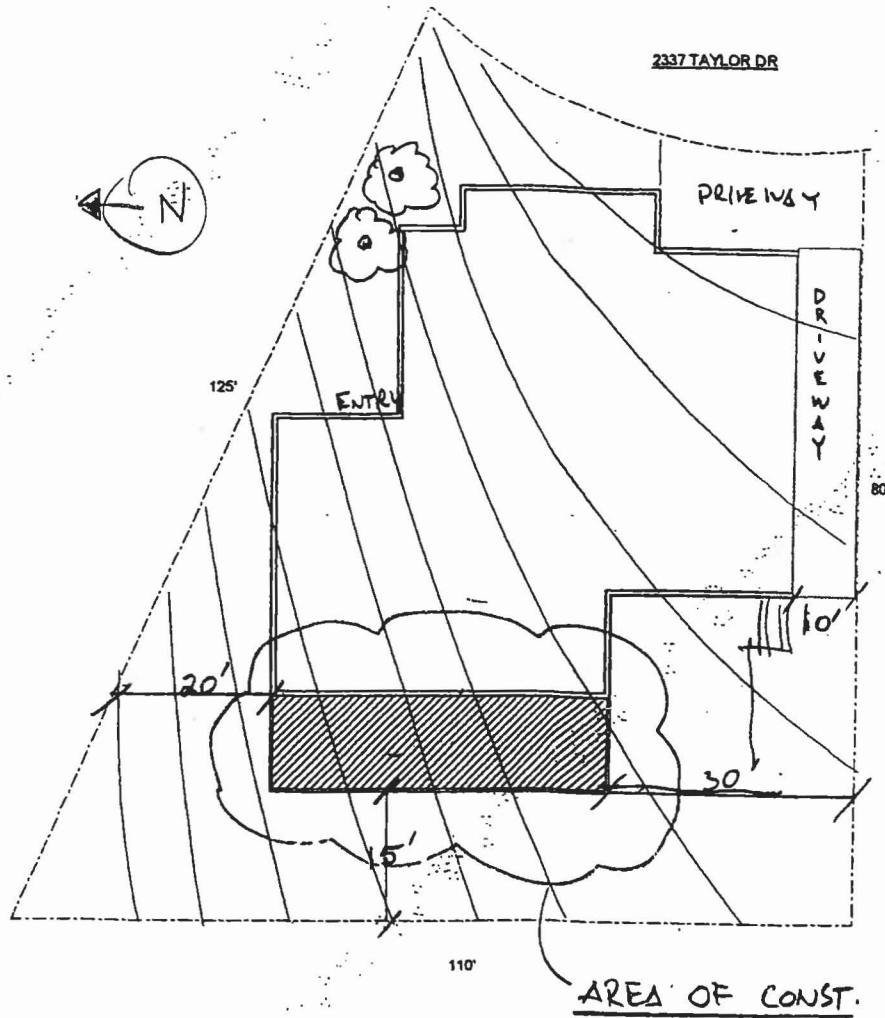
503-841-3381  
 arlo@ManionGeneral.com  
 www.ManionGeneral.com

RECEIVED

PLANNING & BUILDING  
 CITY OF WEST LINN, OREGON  
 MAY 29 2012

Manion.arlo@gmail

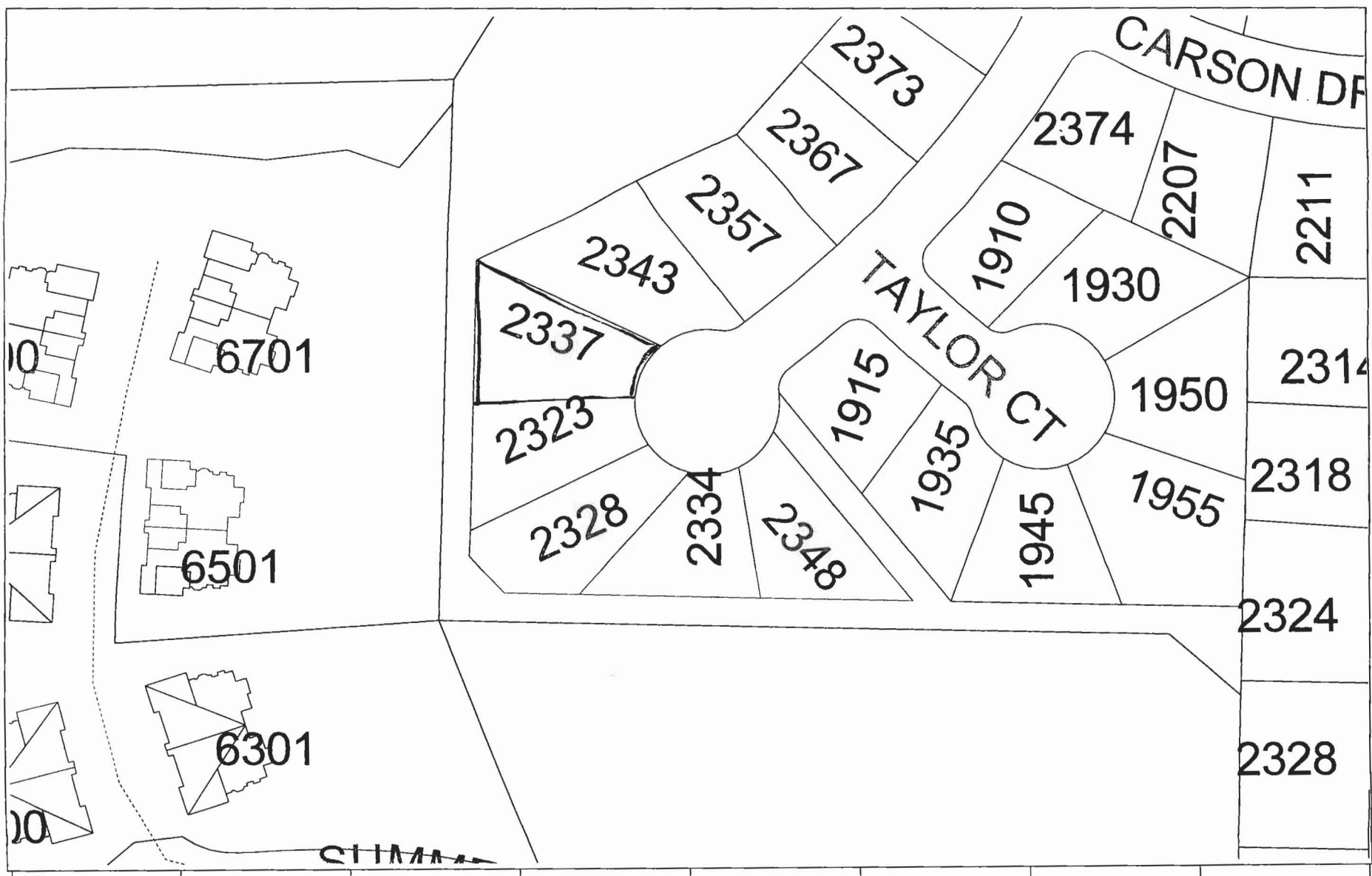
**MANION GENERAL CONTRACTORS, LLC**  
 SCALE: 1/2" = 10'-0"  
 DATE: 5/20/12  
 PROJECT LOCATION: 2337 TAYLOR DR. WEST LINN, OR 9717068  
 PROJECT NAME: HUNTER DECK  
 DRAWING NUMBER: 10F4  
 CCB# 179545



SCALE: 1/2" = 10'-0"

This Plan has been Reviewed & Complies w/

By	Date
Building: <u>DWD</u>	<u>5-24-12</u>
Planning: <u>TS</u>	<u>5-24-12</u>
Engineering: <u>KL</u>	<u>5-24-12</u>
Parks: <u>MP</u>	<u>6-24-12</u>



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