



**STAFF REPORT
PLANNING MANAGER DECISION**

DATE: June 16, 2015

FILE NO.: MIS-15-04

REQUEST: To build an addition to a single family home that is a non-conforming structure due to an inadequate front yard setback of 11.75 feet.

PLANNER: Peter Spir, Associate Planner

Planning Manager AB

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GENERAL INFORMATION

OWNER:	Grant and Chrissy Dunham, 5095 Territorial Street, West Linn
APPLICANT/ CONSULTANT:	Andy Stember, 1419 Washington Street, Oregon City
SITE LOCATION:	5095 Territorial Drive
SITE SIZE:	6,667 square feet
LEGAL DESCRIPTION:	Assessor's Map 2-2E-30DC Tax Lot 1100
COMP PLAN DESIGNATION:	Medium-Density Residential
ZONING:	R-5, Single-Family Residential Attached and Detached (5,000 square foot minimum lot size)
APPROVAL CRITERIA:	Community Development Code (CDC) Chapter 66, CDC Chapter 66: Non-Conforming Structures; Chapter 13: R-5
120-DAY RULE:	The application became complete on April 21, 2015. The 120-day period therefore ends on August 19, 2015.
PUBLIC NOTICE:	Notice was mailed to property owners within 300 feet of the subject property and the Bolton neighborhood association on May 22, 2015. A sign was placed on the property on May 22, 2015. The notice was also posted on the City's website. Therefore, public notice requirements of CDC Chapter 99 have been met.

EXECUTIVE SUMMARY

The application is for an alteration or enlargement of a non-conforming structure. The non-conformity is that the house has a front yard setback of 11.75 feet when the underlying R-5 zone requires a 20 foot setback. The proposed second floor addition will not come any closer to the front property line than the existing first floor footprint. By using the existing footprint, the applicant minimizes disturbance of the steep slopes. All other dimensional standards, setbacks, lot coverage and other provisions of the underlying R-5 zone are met.

Public comments:

Comments have been received from Karen Park and Alan Smith, Bolton Neighborhood Association President, and are part of this record.

DECISION

The Planning Manager (designee) approves this application (MIS-15-04), based on: 1) the findings submitted by the applicant, which are incorporated by this reference, and 2) supplementary staff findings included in the Addendum below. With these findings, the applicable approval criteria are met. The following condition of approval shall apply:

- 1.) The applicant shall build the addition pursuant to plans in exhibit PD-4 "applicant's submittal" with an FAR of 1,834 square feet.

The provisions of the Community Development Code Chapter 99 have been met.

Peter Spir

PETER SPIR, Associate Planner

June 16, 2015

DATE

Appeals to this decision must be filed with the West Linn Planning Department within 14 days of the mailing date listed below. The cost of an appeal is \$400. The appeal must be filed by an individual who has established standing by submitting comments prior to the date identified in the public notice. Appeals will be heard by City Council.

Mailed this 17th day of June, 2015.

Therefore, the 14-day appeal period ends at 5 p.m., on July 1, 2015.

ADDENDUM: STAFF FINDINGS IN RESPONSE TO APPROVAL CRITERIA

66.080 ENLARGEMENT OF OR ALTERATION TO A NON-CONFORMING STRUCTURE: PROCESS AND APPROVAL STANDARDS

A. An enlargement of or alteration to a non-conforming structure containing a non-conforming use may be permitted subject to review and approval by the Planning Commission under the provisions of CDC 99.060(B) and CDC 65.120 through 65.140.

FINDING NO. 1: This criterion does not apply since this house is not a “non-conforming use”. Single family homes are permitted uses in the R-5 zone.

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.

FINDING NO. 2: The enlargement does not meet the 20 foot front setback requirements of the R-5 zone. The second floor addition will have a front yard setback of 11.75 feet. In these circumstances, the criterion of 66.080 (B) (2), below, applies. Design review is not applicable to detached single family homes per CDC 55.025 (A).

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

FINDING NO.3: The enlargement and alteration will not change or increase the non-conformity in that it will have the same 11.75 foot front setback as the existing first floor.

b. All other applicable ordinance provisions will be met.

(Staff note: the following provisions of CDC 13.070 are the applicable dimensional standards of the R-5 zone which must be met.)

A. The minimum lot size shall be:

1. For a single-family detached unit, 5,000 square feet.

- B. The minimum front lot line length, or the minimum lot width at the front lot line, shall be 35 feet.
- C. The average minimum lot width shall be 50 feet.
 - 1. For the front yard, 20 feet, except for steeply sloped lots where the provisions of CDC 41.010 shall apply.
 - 2. For an interior side yard, five feet.
 - 4. For a rear yard, 20 feet.
- F. The maximum building height shall be 35 feet, except for steeply sloped lots in which case the provisions of Chapter 41 CDC shall apply.

FINDING NO. 4: The lot size of 6,667 square feet exceeds the minimum R-5 lot size of 5,000 square feet. The lot width of 54.5 feet exceeds the minimum lot width of 50 feet. The front setback of 11.75 feet is being addressed by this application. The required R-5 side setback is five feet and this application will provide 5.5 and 8.3 feet. The required R-5 rear setback is 20 feet and this application will provide 58 feet. The allowed R-5 building height of 35 feet is met with a building height of 33 feet.

- G. The maximum lot coverage shall be 40 percent.

FINDING NO.5: The allowed R-5 lot coverage is 40 percent and the proposed lot coverage is 26 percent. Therefore, the criterion is met.

- I. The floor area ratio shall be 0.45. Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of 0.30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a non-conforming structures permit under Chapter 66 CDC.

FINDING NO.6: The FAR is defined in CDC Chapter 2: Definitions:

“Floor area ratio (FAR). The FAR is that percentage of the total lot size that can be built as habitable space. A FAR of 0.45 means that the square footage of the lot is multiplied by 0.45 to yield the total habitable square footage of the house including accessory dwelling units. For example, on a 10,000-square-foot lot, an FAR of 0.45 will allow a 4,500-square-foot house (10,000 X 0.45 = 4,500). The FAR does not include or apply to attached garages. The FAR does not apply to detached garages, accessory

dwelling units and accessory structures except that these detached structures may not individually exceed the height or square footage of the principal dwelling. The FAR does not include basement areas that average less than 50 percent of the basement perimeter exposed above grade. Uninhabitable space such as crawlspaces, attics, and spaces designed under the Flood Management Area Permit program to allow the passage of floodwaters are also exempt.”

The required R-5 FAR is 0.45 of the lot size excluding Type I and II lands. This site is dominated by Type I and II lands which include slopes over 25%. As explained in the definition above, the applicant has the option of using the 0.45 provision or “*a minimum floor area ratio of 0.30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands.*” The applicant is using the 0.30 FAR. The lot is 6,667 square feet in size. Staff finds that $6,667 \times 0.3 = 2,000$ for an allowable FAR of 2,000 square feet.

In determining how many square feet the house and remodel comprises, staff did not use the measurement technique used by the applicant. Instead, staff took a more conservative approach consistent with the CDC definition for “habitable floor”. As a result, staff measured everything within the interior walls of the main and top floor, excluding the garage which is exempt and the basement since only 43 percent of the basement perimeter is exposed above grade. The main floor square footage is 1,036 square feet. The top floor square footage is 798. Again, that figure counts everything within the interior walls. Those main and top floors total 1,834 square feet.

Staff finds that the total square footage of 1,834 is less than the maximum allowed FAR of 2,000 square feet. Therefore, the criterion is met.

J. The sidewall provisions of Chapter 43 CDC shall apply.

FINDING NO.7: The sidewall standards are met with a height from grade to eaves of 18 feet on the right side and a gable end roof on the left side.

PD-1 AFFADAVIT OF NOTICE

AFFIDAVIT OF NOTICE

We, the undersigned do hereby certify that, in the interest of the party (parties) initiating a proposed land use, the following took place on the dates indicated below:

GENERAL

File No. MISC-15-04 Applicant's Name Andy Stember
Development Name _____
Scheduled Meeting/Decision Date 6-5-15

NOTICE: Notices were sent at least 20 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. (check below)

TYPE A _____

- A. The applicant (date) _____ (signed) _____
- B. Affected property owners (date) _____ (signed) _____
- C. School District/ Board (date) _____ (signed) _____
- D. Other affected gov't. agencies (date) _____ (signed) _____
- E. Affected neighborhood assns. (date) _____ (signed) _____
- F. All parties to an appeal or review (date) _____ (signed) _____

At least 10 days prior to the scheduled hearing or meeting, notice was published/posted:

Tidings (published date) _____ (signed) _____
City's website (posted date) _____ (signed) _____

SIGN

At least 10 days prior to the scheduled hearing, meeting or decision date, a sign was posted on the property per Section 99.080 of the Community Development Code.

(date) May 22 2015 (signed) [Signature]

NOTICE: Notices were sent at least 14 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. (check below)

TYPE B

- A. The applicant (date) 5-22-15 (signed) S. Shroyer
- B. Affected property owners (date) 5-22-15 (signed) S. Shroyer
- C. School District/ Board (date) _____ (signed) _____
- D. Other affected gov't. agencies (date) 5-22-15 (signed) S. Shroyer
- E. Affected neighborhood assns. (date) 5-22-15 (signed) S. Shroyer
(Bolton)

Notice was posted on the City's website at least 10 days prior to the scheduled hearing or meeting.
Date: 5-22-15 (signed) S. Shroyer

STAFF REPORT mailed to applicant, City Council/Planning Commission and any other applicable parties 10 days prior to the scheduled hearing.

(date) _____ (signed) _____

FINAL DECISION notice mailed to applicant, all other parties with standing, and, if zone change, the County surveyor's office.

(date) 6-17-15 (signed) S. Shroyer

PD-2 NOTICE

**CITY OF WEST LINN
NOTICE OF UPCOMING
PLANNING MANAGER DECISION
FILE NO. MIS-15-04**

The West Linn Planning Manager is considering a request for an enlargement to a non-conforming structure at 5095 Territorial Drive.

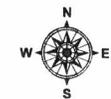
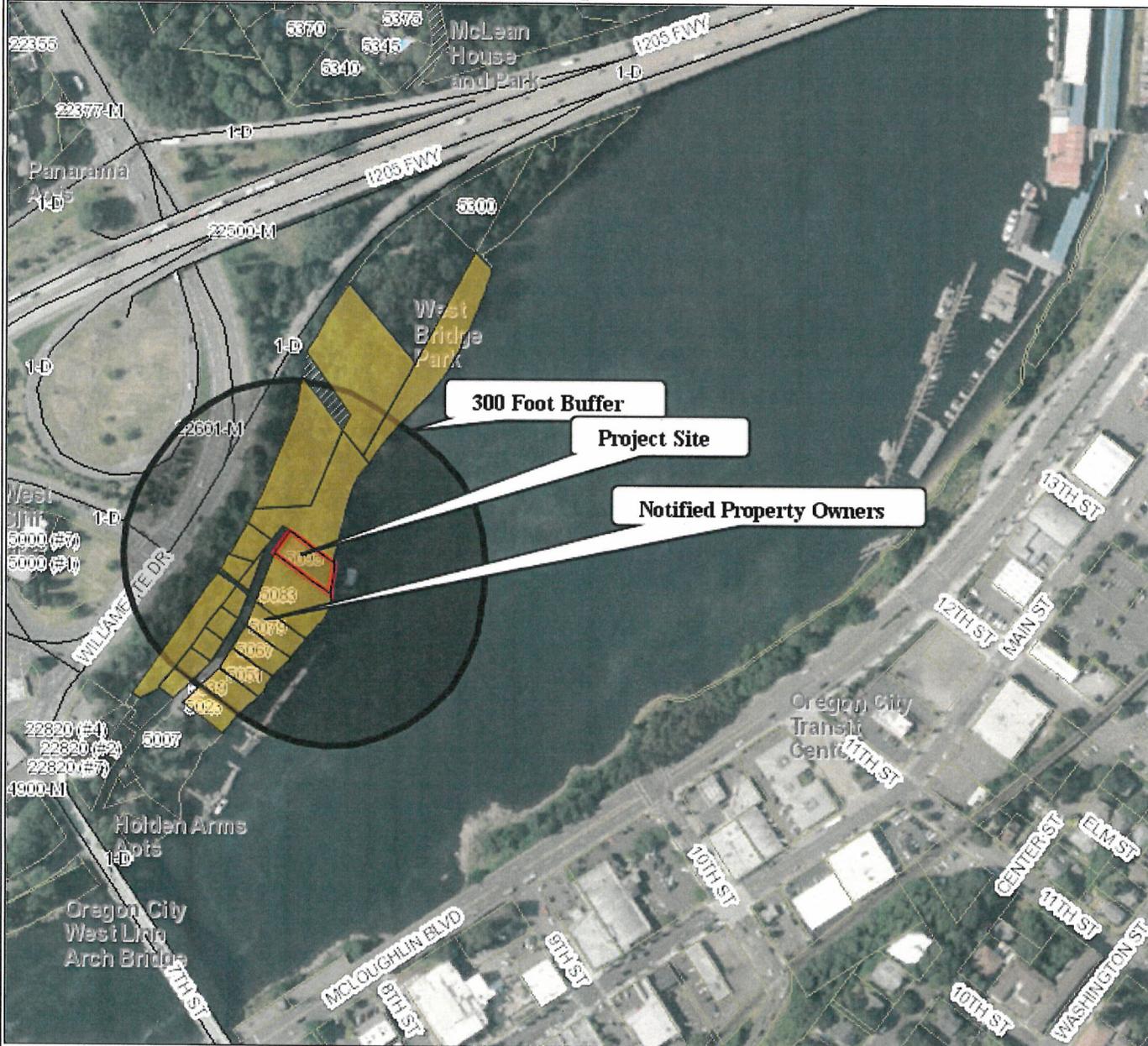
The decision will be based on the approval criteria in chapters 66 of the Community Development Code (CDC). The approval criteria from the CDC are available for review at City Hall, at the City Library, and at <http://www.westlinnoregon.gov/cdc>.

You have received this notice because County records indicate that you own property within 300 feet of this property (Tax Lot 1100 of Clackamas County Assessor's Map 22E 30DC) or as otherwise required by Chapter 99 of the CDC.

All relevant materials in the above noted file are available for inspection at no cost at City Hall, and on the city web site <http://westlinnoregon.gov/planning/5095-territorial-drive-enlargementalteration-non-conforming-single-family-residence> or copies may be obtained for a minimal charge per page. A public hearing will not be held on this decision. **Anyone wishing to present written testimony for consideration on this matter shall submit all material before 4:00 p.m. on June 5, 2015. Persons interested in party status should submit their letter along with any concerns related to the proposal by the comment deadline.** For further information, please contact Peter Spir, Associate Planner, City Hall, 22500 Salamo Rd., West Linn, OR 97068, (503) 723-2539, pspir@westlinnoregon.gov.

Any appeals to this decision must be filed within 14 days of the final decision date with the Planning Department. **It is important to submit all testimony in response to this notice. City Council will not accept additional evidence if there is an appeal of this proposal.** Failure to raise an issue in person or by letter, or failure to provide sufficient specificity to afford the decision-maker an opportunity to respond to the issue, precludes the raising of the issue at a subsequent time on appeal or before the Land Use Board of Appeals.

5095 Territorial Drive Notification Map



Scale 1:3,600 - 1 in = 300 ft
Scale is based on 8-1/2 x 11 paper size



Map created by: SSHROYER
Date Created: 20-May-15 12:52 PM

WEST LINN GIS

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. Source: West Linn GIS (Geographic Information System) MapOptix.



CITY OF
West Linn

PLANNING MANAGER DECISION 2015-06-05

**PROJECT # MIS-15-04
NOTICE DATE: MAIL 5/22/15**

CITIZEN CONTACT INFORMATION

To lessen the bulk of agenda packets, land use application notice, and to address the worries of some City residents about testimony contact information and online application packets containing their names and addresses as a reflection of the mailing notice area, this sheet substitutes for the photocopy of the testimony forms and/or mailing labels. A copy is available upon request.

PD- 3 COMPLETENESS LETTER

Sent



CITY OF
West Linn

May 18, 2015

Andy Stember
JAS Engineering
1419 Washington Street
Oregon City, OR. 97045

SENT VIA EMAIL

SUBJECT: MIS-15-04 (Non-Conforming Structure-Alteration)

Dear Mr. Stember:

Your application received on April 21, 2015, is **complete**. The City has 120 days to exhaust all local review. That period lapses on August 19, 2015.

Staff will now prepare the staff report and public notice of the Planning Manager's decision. There will be a 14 day public notice period followed by the Planning Manager's decision. The notice should give you a better indication of expected decision date.

Please contact me at 503-723-2539, or by email at pspir@westlinnoregon.gov if you have any questions or comments, or if you wish to meet with me.

Sincerely,

Peter Spir

Peter Spir
Associate Planner

PD-4 APPLICANT'S SUBMITTAL

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT <i>PETER SPIR</i>	PROJECT NO(S). <i>MI-1504</i>	
NON-REFUNDABLE FEE(S) <i>1000-</i>	REFUNDABLE DEPOSIT(S) <i>0</i>	TOTAL <i>1000-</i>

Type of Review (Please check all that apply):

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

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: <i>5095 TERRITORIAL DR WEST LINN, OR 97068</i>	Assessor's Map No.: <hr/> Tax Lot(s): <hr/> Total Land Area: <hr/>
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Brief Description of Proposal: *THE PROJECT INVOLVES ADDING A NEW 880SF UPPER LEVEL ABOVE THE GARAGE AND KITCHEN AT THIS EXISTING RESIDENCE. THE BUILDING IS NON CONFORMING BY A VIRTUE OF AN 11.5' SET BACK WHEN THE MINIMUM SETBACK IS 20' IN AN R-5 ZONE. SO THIS IS AN EXPANSION/ALTERATION OF A NON CONFORMING STRUCTURE. THE PROJECT WILL NOT CHANGE THE NON CONFORMITY. ALL OTHER PROVISIONS WILL BE MET.*

Applicant Name: (please print) <i>ANDY STEMBER</i> Address: <i>JAS ENGINEERING 1419 WASHINGTON ST OREGON CITY, OR 97045</i>	Phone: <i>(503) 657-9800</i> Email: <i>andy@jasenginc.com</i>
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Owner Name (required): (please print) <i>GRANT & CHRISSY DUNHAM</i> Address: <i>5095 TERRITORIAL DR WEST LINN, OR 97068</i>	Phone: <i>(509) 939-9787</i> Email: <i>christinadunham@mac.com</i>
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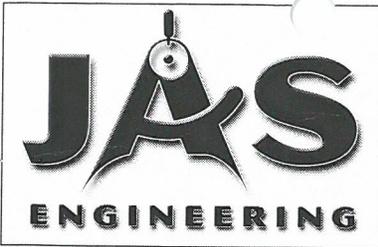
Consultant Name: (please print) <i>ANDY STEMBER</i> Address: <i>JAS ENGINEERING 1419 WASHINGTON ST OREGON CITY, OR 97045</i>	Phone: <i>(503) 657-9800</i> Email: <i>andy@jasenginc.com</i>
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1. All application fees are non-refundable (excluding deposit). **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.

<i>Andy Stember</i>	<i>4-21-15</i>	<i>Grant Dunham</i>	<i>4-21-15</i>
Applicant's signature	Date	Owner's signature (required)	Date



JAS Engineering Inc.
1419 Washington St
Oregon City, OR 97045
O: 503.657.9800
C: 503.449.3080

Variance Request

Project File#: 15-019

Project Name: Dunham Residence 2nd Level Addition

Project Contractor/Manager: Chris Anderson

Client: Grant & Chrissy Dunham

Address of Project: 5095 Territorial Dr. West Linn, Or 97068

To: City of West Linn
Attention: Peter Spir

Dear Peter:

As we discussed during our meeting on Monday, April 13, 2015, the Dunham family have purchased the residence at 5095 Territorial Dr. in West Linn. They propose to add a new 880 sf second story addition over the existing garage and kitchen as shown in the submitted drawings. The building is non-conforming by virtue of an existing 11.5' setback when the minimum setback is 20' in an R-5 Zone. That makes this project an expansion/alteration of a non-conforming structure. The proposed addition will not change the non-conformity. All other standards of the R-5 Zone are being met.

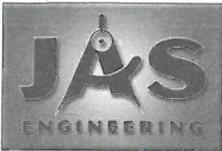
The project consists of: the Main Floor plan is 1616 sf with the included garage being 461 sf of that area, so the habitable space is 1155 sf at this level. The proposed upper floor addition is 880 sf total of which the closets and M Bath are 250 sf, so the habitable space is 630 sf at this level. The total area of habitable space is 1,785 sf which is less than the 2310 sf allowable based on the floor area ratio (FAR). We have included the calculations showing the existing daylight basement area has 57% of the building perimeter within 1' 10" of grade so it is not included in the FAR.

We appreciate your assistance on this project.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Andy Stember', is written over the typed name.

Andy Stember, President
JAS Engineering, Inc.



1419 Washington Street, Suite 100
 Oregon City, OR 97045
 Work: 503-657-9800 Fax: 503-656-0186

Client CHRISSEY DU HAM Sheet 2 of
 Project UPPER LEVEL ADDITION Design by JAS
 Date 4-21-15
 Checked by
 Project No. 15-019 Date

MAIN FLOOR

TOTAL $44 \overset{968}{\times 22} + 18 \overset{648}{\times 36} = 1616 \text{ SF}$
 GARAGE $18 \overset{396}{\times 22} + 13 \overset{65}{\times 5} = 461 \text{ SF}$

$1616 \text{ SF} - 461 \text{ SF} = \underline{1155 \text{ SF}}$ HABITABLE SPACE

UPPER FLOOR

TOTAL $40 \times 22 = 880 \text{ SF}$
 W/CLOSET + BATH $9 \overset{108}{\times 12} + 13.5 \overset{67.5}{\times 5} = 175.5$
 CLOSETS IN BR 2 $5 \overset{45}{\times 9} + 2.5 \overset{30}{\times 12} = 75$

$880 - 175.5 - 75 = \underline{629.5 \text{ SF}}$ HABITABLE SPACE

TOTAL

$1155 + 629.5 = \underline{1784.5 \text{ SF}} < 2310 \text{ SF}$

THE DAYLIGHT BASEMENT AREA HAS 57% OF BUILDING PERIMETER W/I 1'10" OF GRADE SO IS NOT INCLUDED IN THE FLOOR AREA RATIO (FAR). SEE ATTACHED SHEET

GRADE FLOOR OPENING. A window or other opening located such that the sill height of the opening is not more than 44 inches (1118 mm) above or below the finished ground level adjacent to the opening.

GRADE (LUMBER). The classification of lumber in regard to strength and utility in accordance with American Softwood Lumber Standard DOC PS 20 and the grading rules of an *approved* lumber rules-writing agency.

GRADE PLANE. A reference plane representing the average of finished ground level adjoining the building at *exterior walls*. Where the finished ground level slopes away from the *exterior walls*, the reference plane shall be established by the lowest points within the area between the building and the *lot line* or, where the *lot line* is more than 6 feet (1829 mm) from the building, between the building and a point 6 feet (1829 mm) from the building.

GRADE PLANE, STORY ABOVE. See "Story above grade plane."

GRANDSTAND. Tiered seating supported on a dedicated structural system and two or more rows high and is not a building element (see "*Bleachers*").

GROSS LEASABLE AREA. The total floor area designed for tenant occupancy and exclusive use. The area of tenant occupancy is measured from the centerlines of joint partitions to the outside of the tenant walls. All tenant areas, including areas used for storage, shall be included in calculating gross leasable area.

GROUP HOME. A facility for social rehabilitation, substance abuse or mental health problems that contains a group housing arrangement that provides *custodial care* but does not provide acute care.

GUARD. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

GYPSON BOARD. Gypsum wallboard, gypsum sheathing, gypsum base for gypsum *veneer* plaster, exterior gypsum soffit board, predecorated gypsum board or water-resistant gypsum backing board complying with the standards listed in Tables 2506.2, 2507.2 and Chapter 35.

GYPSON PLASTER. A mixture of calcined gypsum or calcined gypsum and lime and aggregate and other *approved* materials as specified in this code.

GYPSON VENEER PLASTER. *Gypsum plaster* applied to an *approved* base in one or more coats normally not exceeding $\frac{1}{4}$ inch (6.4 mm) in total thickness.

HABITABLE SPACE. A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

[F] HALOGENATED EXTINGUISHING SYSTEM. A fire-extinguishing system using one or more atoms of an element from the halogen chemical series: fluorine, chlorine, bromine and iodine.

[F] HANDLING. The deliberate transport by any means to a point of storage or *use*.

HANDRAIL. A horizontal or sloping rail intended for grasping by the hand for guidance or support.

HARDBOARD. A fibrous-felted, homogeneous panel made from lignocellulosic fibers consolidated under heat and pressure in a hot press to a density not less than 31 pcf (497 kg/m³).

HAZARDOUS FACILITY. See Section 1803.2 and ORS 455.447.

[F] HAZARDOUS MATERIALS. Those chemicals or substances that are *physical hazards* or *health hazards* as classified in Section 307 and the *Fire Code*, whether the materials are in usable or waste condition.

[F] HAZARDOUS PRODUCTION MATERIAL (HPM). A *solid*, *liquid* or gas associated with semiconductor manufacturing that has a degree-of-hazard rating in health, flammability or instability of Class 3 or 4 as ranked by NFPA 704 and which is *used* directly in research, laboratory or production processes which have as their end product materials that are not hazardous.

HEAD JOINT. Vertical *mortar joint* placed between *masonry units* within the *wythe* at the time the *masonry units* are laid.

[F] HEALTH HAZARD. A classification of a chemical for which there is statistically significant evidence that acute or chronic health effects are capable of occurring in exposed persons. The term "health hazard" includes chemicals that are *toxic* or *highly toxic*, and *corrosive*.

HEAT DETECTOR. See "Detector, heat."

HEIGHT, BUILDING. The vertical distance from *grade plane* to the average height of the highest roof surface.

HELICAL PILE. Manufactured steel deep foundation element consisting of a central shaft and one or more helical bearing plates. A helical pile is installed by rotating it into the ground. Each helical bearing plate is formed into a screw thread with a uniform defined pitch.

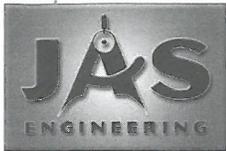
HELIPAD. A structural surface that is used for the landing, taking off, taxiing and parking of helicopters.

HELIPORT. An area of land or water or a structural surface that is used, or intended for the use, for the landing and taking off of helicopters, and any appurtenant areas that are used, or intended for use, for heliport buildings or other heliport facilities.

HELISTOP. The same as "heliport," except that no fueling, defueling, maintenance, repairs or storage of helicopters is permitted.

HIGH-PRESSURE DECORATIVE EXTERIOR-GRADE COMPACT LAMINATE (HPL). Panels consisting of layers of cellulose fibrous material impregnated with thermosetting resins and bonded together by a high-pressure process to form a homogeneous nonporous core suitable for exterior use.

HIGH-PRESSURE DECORATIVE EXTERIOR-GRADE COMPACT LAMINATE (HPL) SYSTEM. An *exterior wall covering* fabricated using HPL in a specific assembly including *joints*, seams, attachments, substrate, framing and other details as appropriate to a particular design.



1419 Washington Street, Suite 100
 Oregon City, OR 97045
 Work: 503-657-9800 Fax: 503-656-0186

Client CHRISSEY DUNHAM Sheet 4 of
 Project DUNHAM RESIDENCE Design by JAS
ADDITION Date 12-14-14
 Project No. 15-019 Checked by
 Date

CHECK PERCENTAGE OF BUILDING PERIMETER AT GRADE

RIGHT WALL 29' WITHIN 1'10" OF GRADE
 45' TOTAL WALL LENGTH

FRONT WALL 40' GRADE AT FLOOR LEVEL
 40' TOTAL WALL LENGTH

LEFT WALL 28' WITHIN 2'6" OF GRADE
 45' TOTAL WALL LENGTH

REAR WALL GRADE AT BASEMENT LEVEL
 40'0" TOTAL LENGTH OF WALL

WALL LENGTH AT GRADE $29' + 40' + 28' = 97'$

TOTAL WALL PERIMETER LENGTH $45' + 40' + 45' + 40' = 170'$

$\frac{97'}{170'} = 0.57$

SO 57% OF GRADE IS AT MAIN LEVEL > 50% REQUIRED
SO LOWER LEVEL IS BASEMENT

EXISTING MAIN LEVEL 1222 SF
 PROPOSED UPPER LEVEL 880.0 SF
2102 SF

2102 SF < 2310 SF

This map was prepared for assessment purpose only.

S.W.1/4 S.E.1/4 SEC. 30 T.2S. R.2E. W.M.
CLACKAMAS COUNTY

D. L. C.
HUGH BURNS NO. 51

2 2E 30DC
WEST LINN

1"=100'

SEE MAP 2 2E 30DB

PLAT OF TRS. 1 TO 34 INC.
UNIT 'D' OF WEST OREGON CITY

HOLLOWELL ST.

5100

5300

5500

22300

CANCELLED TAX LOTS
1800
2000
300
3000
3100
3200

SEE MAP 2 2E 30CD

3-02
800
0.81AC.



WEST OREGON CITY

PROJECT LOCATION WILLAMETTE RIVER
5095 TERRITORY DR
WEST LINN, OR 97068

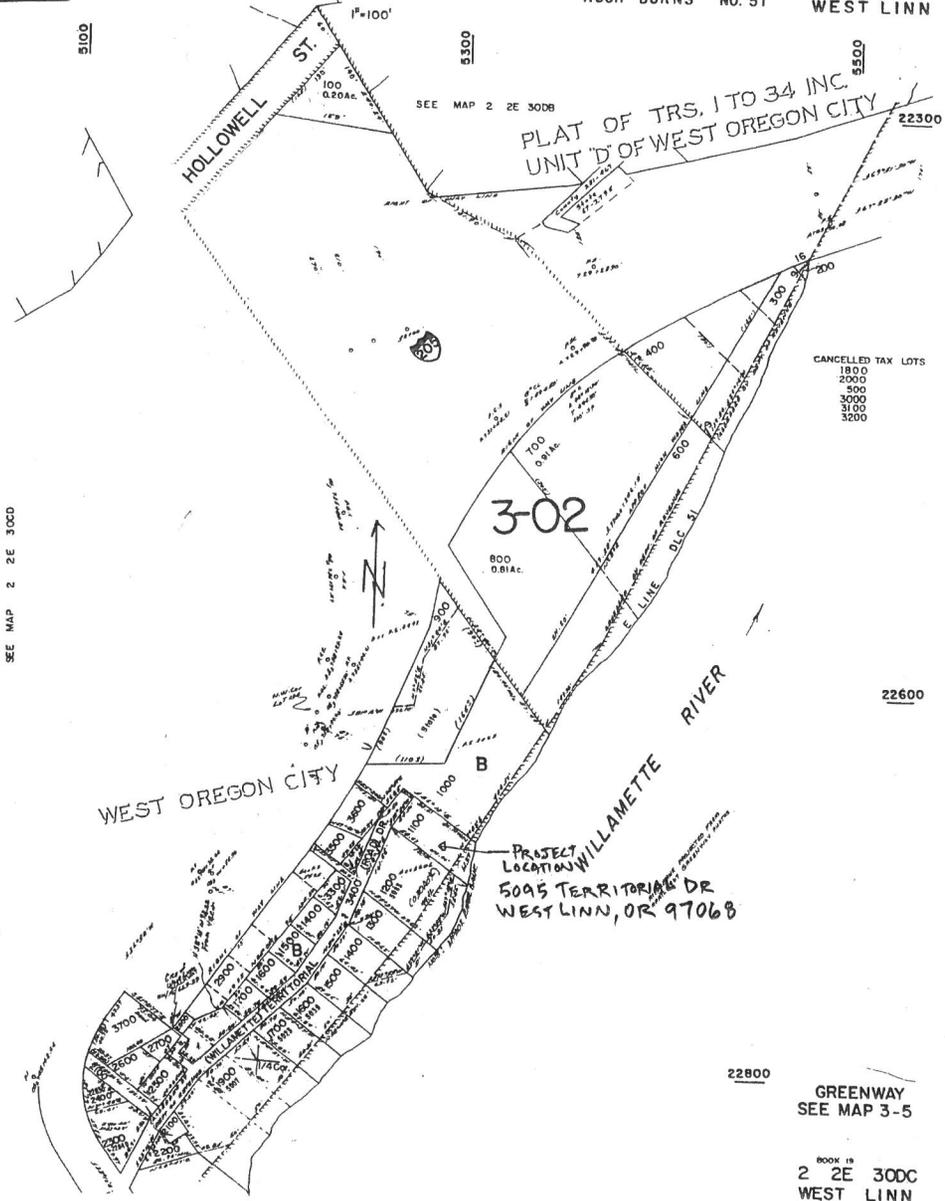
22600

SEE MAP 2 2E 31BA

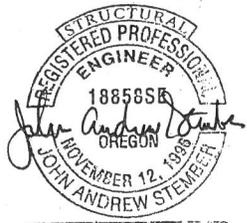
22800

GREENWAY
SEE MAP 3-5

BOOK 19
2 2E 30DC
WEST LINN



1. Contractor to Field verify all dimensions, roof pitch, roof overhangs and barge rafter extensions.
2. Contractor to match existing siding type for all new addition areas on the residence.
3. Contractor to coordinate exact new door and window sizes with framed rough openings prior to ordering and installing new units.
4. Provide house wrap under any new siding areas.
5. Roof to be architectural grade asphalt shingles over 15 # felt.



EXPIRES: 6-30-2016
11-17-14

REAR ELEVATION
3/16" = 1'0"

SCALES NOTED ON DRAWINGS ARE FOR 11"x17" SHEET. SCALE ACCORDINGLY FOR DIFFERENT SIZE SHEET.

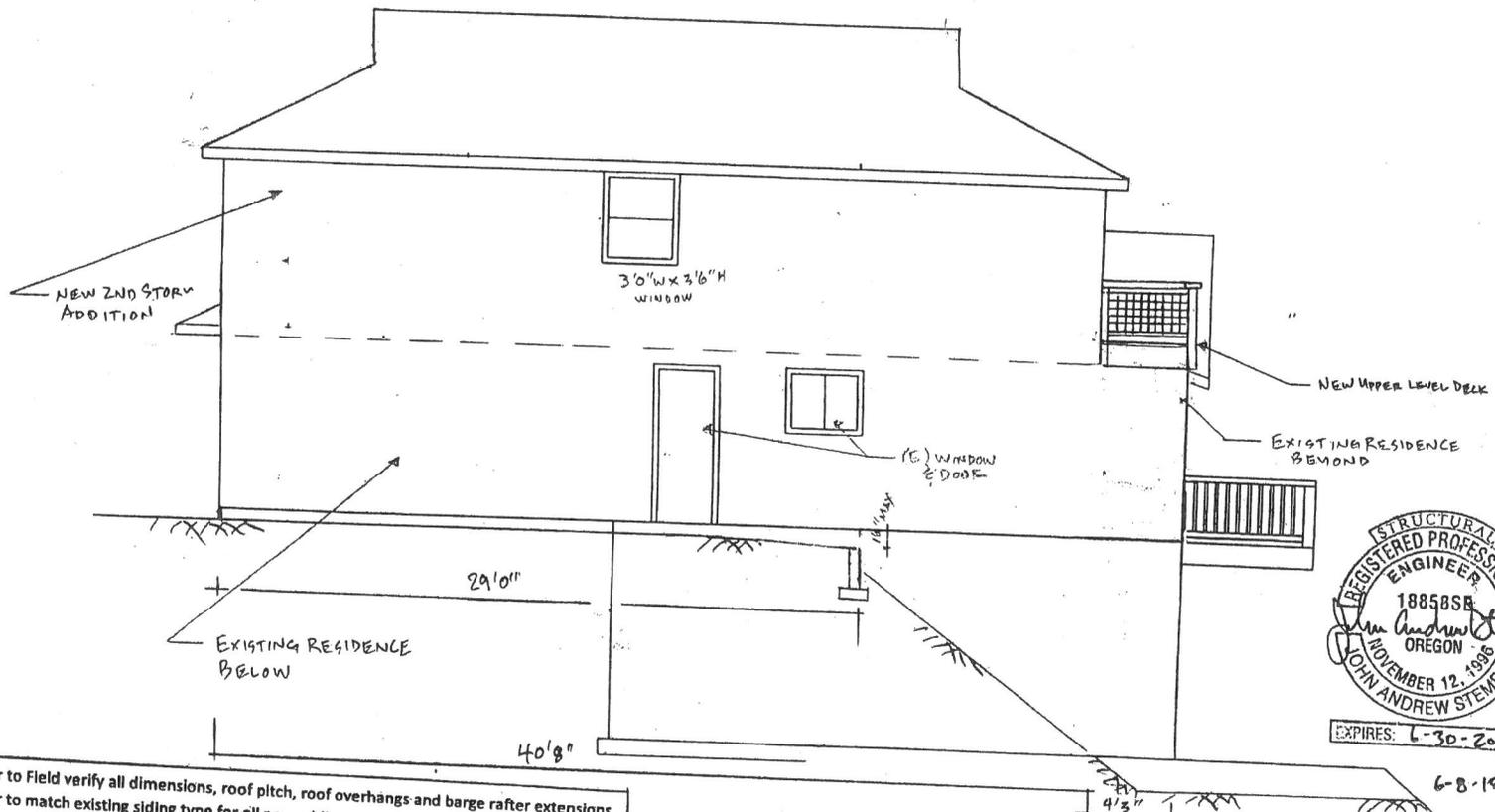
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Cell: 503-449-3080
Andy@jaseginc.com

CHRISSE DUNHAM
UPPER LEVEL ADDITION
5095 TERRITORIAL DR.
WEST LINN, OR 97068

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DESIGN BY:	JAS	DAS	14-O-46
DRAWN BY:	JAS	DAS	14-O-46
JAS PROJ. NO.:	JAS	DAS	14-O-46
ISSUE DATE:	JAS	DAS	11/00/2014

SHEET TITLE:
REAR
ELEVATION

SHEET NO.
A-1.1



1. Contractor to Field verify all dimensions, roof pitch, roof overhangs and barge rafter extensions.
2. Contractor to match existing siding type for all new addition areas on the residence.
3. Contractor to coordinate exact new door and window sizes with framed rough openings prior to ordering and installing new units.
4. Provide house wrap under any new siding areas.
5. Roof to be architectural grade asphalt shingles over 15-# felt.



RIGHT SIDE ELEVATION
3/16" = 1'0"

Revised side elevation / 6-9-15

SCALES NOTED ON DRAWINGS ARE FOR 11"X17" SHEET. SCALE ACCORDINGLY FOR DIFFERENT SIZE SHEET.

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andy@jasenginc.com



CHRYSSY DUNHAM
UPPER LEVEL ADDITION
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SHEET TITLE
RIGHT SIDE
ELEVATION

SHEET NO.
A-1.2

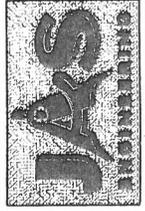
1. Contractor to Field verify all dimensions, roof pitch, roof overhangs and barge rafter extensions.
2. Contractor to match existing siding type for all new addition areas on the residence.
3. Contractor to coordinate exact new door and window sizes with framed rough openings prior to ordering and installing new units.
4. Provide house wrap under any new siding areas.
5. Roof to be architectural grade asphalt shingles over 15 # felt.



FRONT ELEVATION
 $\frac{3}{16}'' = 1'0''$

SCALES NOTED ON DRAWINGS ARE FOR 11"x17" SHEET. SCALE ACCORDINGLY FOR DIFFERENT SIZE SHEET.

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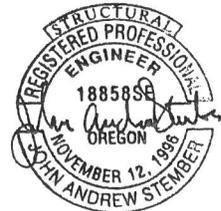
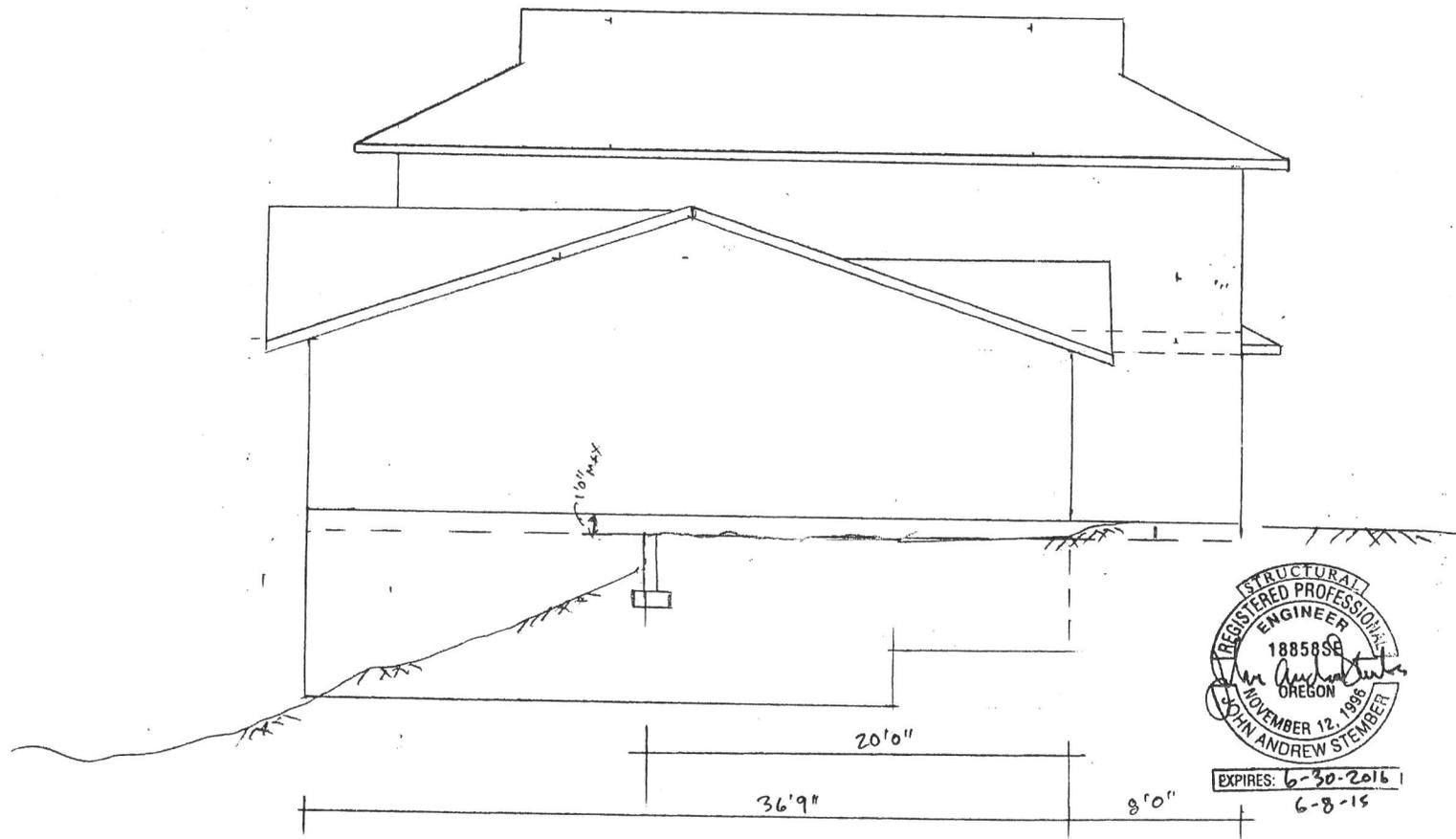


CHRISSEY DUNHAM
 UPPER LEVEL ADDITION
 5095 TERRITORIAL DR.
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ISSUE DATE:	02/20/14

SHEET TITLE:
 FRONT
 ELEVATION

SHEET NO:
 A-1.3



EXPIRES: 6-30-2016
6-8-15

LEFT WALL ELEVATION *revised*
 $\frac{3}{16}'' = 1'0''$ *6-9-15*

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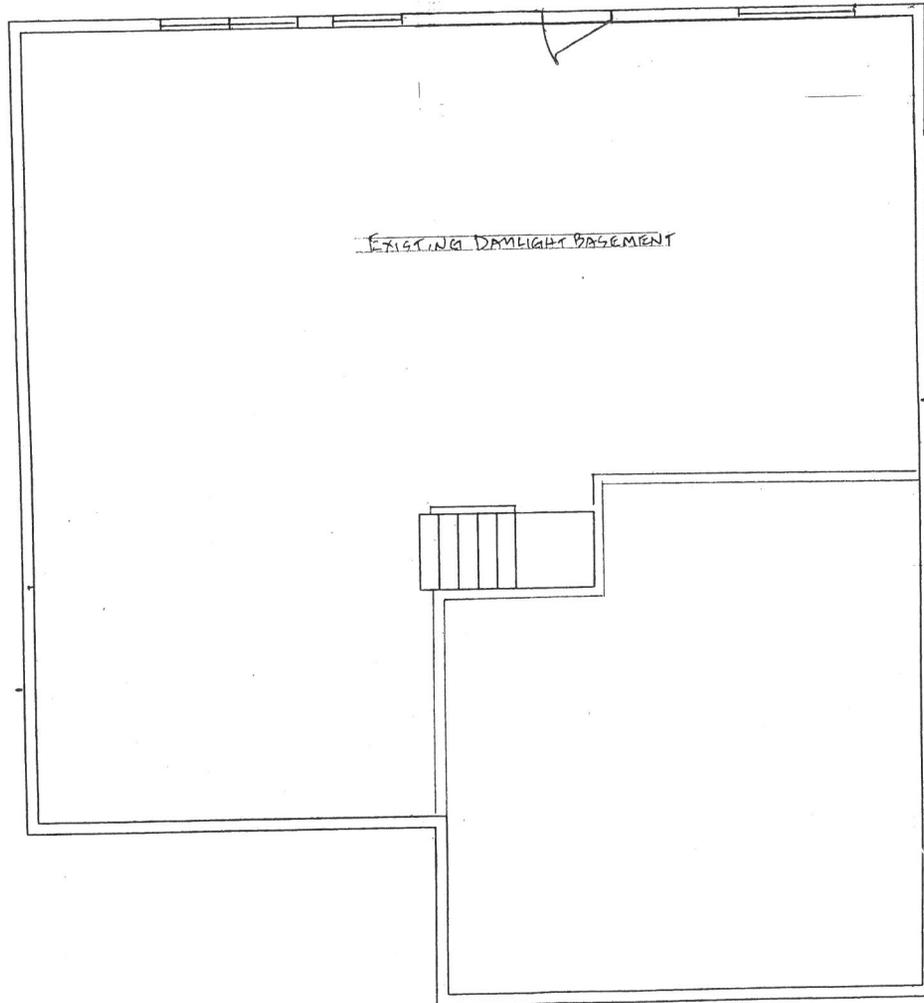


CHRISSEY DUNHAM
UPPER LEVEL ADDITION
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JAS PROJ. NO.:	I-4-045				
ISSUE DATE:	1/08/2014				

SHEET TITLE:
LEFT SIDE
ELEVATION

SHEET NO.:
A-1.4



EXISTING DAYLIGHT BASEMENT



LOWER LEVEL FLOOR PLAN
 $3/16" = 1'0"$

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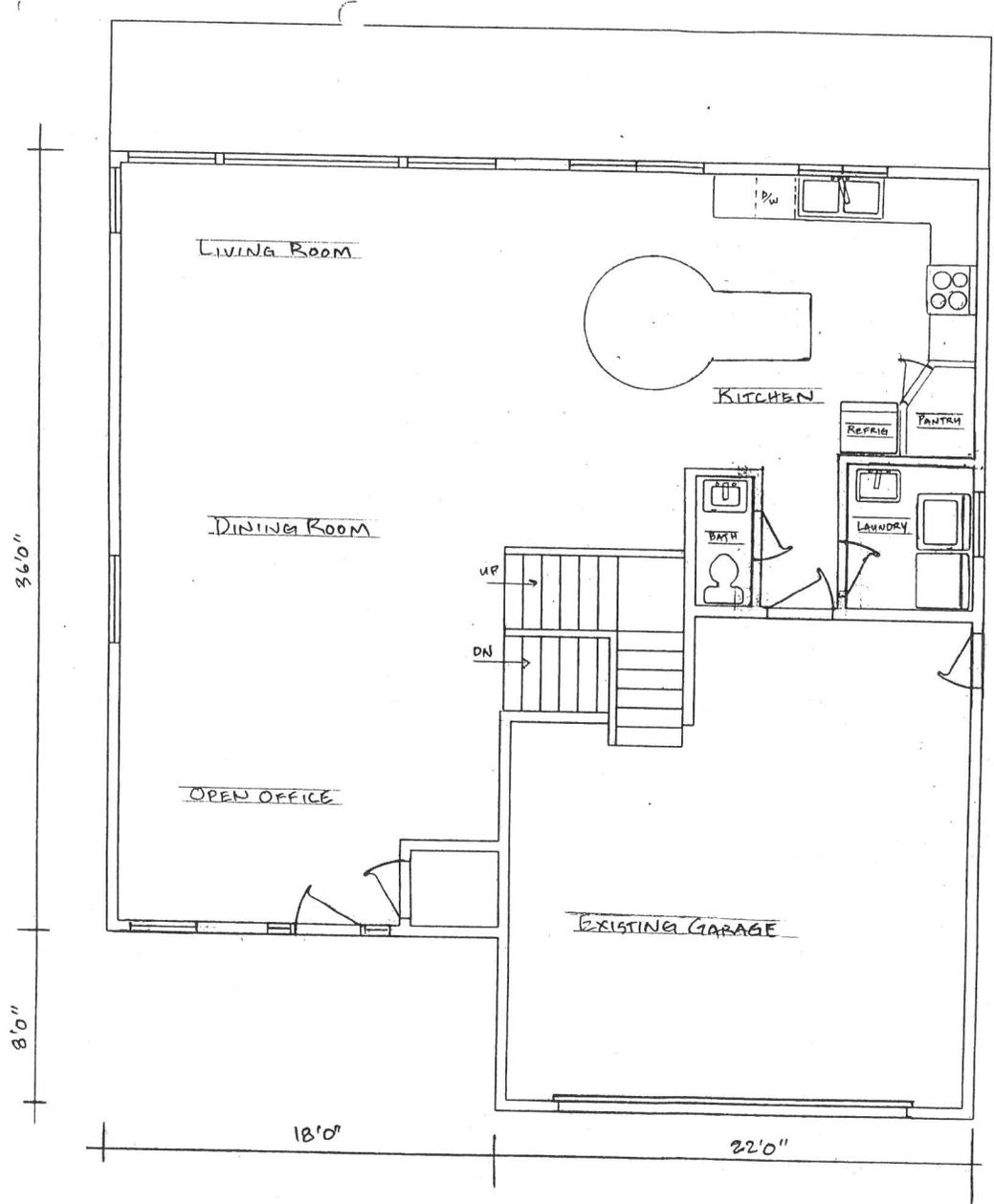
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CHRISSY DUNHAM
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 LOWER LEVEL FLOOR PLAN

SHEET NO:
 A-2.1

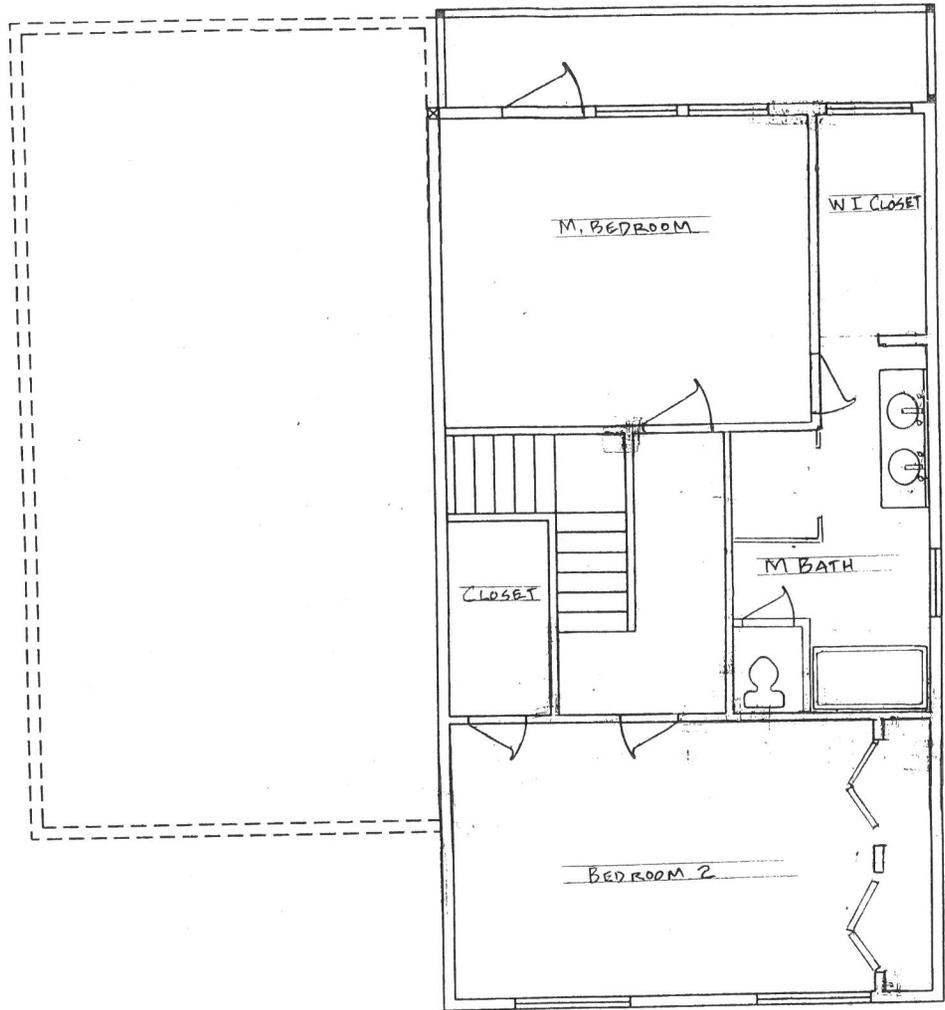


MAIN LEVEL FLOOR PLAN
 $\frac{3}{16}'' = 1'0''$ 1155 SF LIVING 2035 SF TOTAL
 461 SF GARAGE

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CHRISSEY DUNHAM
 UPPER LEVEL ADDITION
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		JAS PROJ. NO: 115-019	
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SHEET NO.:			



4'0"

46'0"

22'0"

UPPER LEVEL FLOOR PLAN
 $\frac{3}{16}'' = 1'0''$
 880SF LIVING
 880SF DECK

SCALES NOTED ON DRAWINGS ARE FOR
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 FOR DIFFERENT SIZE SHEET.

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 UPPER LEVEL ADDITION
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ISSUE DATE:	04/16/2015

SHEET TITLE:
SHEET NO.:

PD-5 PUBLIC COMMENTS

FAX COVER SHEET

From: Alan Smith, PBNA 503-655-4585 (H)
To: John Boyd, Planning Director 503-650-9041 (F)
cc: West Linn City Council 503-650-9041 (F)
Peter Spir, Associate Planner 503-650-9041 (F)

3 of 3 pages
including this fax cover

Note: hard copies will arrive via USPS.

TIME CRITICAL

6-3-15

Bolton Neighborhood Association | 1
Request to Deny Application

June 2, 2015

via USPS

John Boyd
West Linn Planning Manager/Director
City Hall
22500 Salamo Road
West Linn, OR 97068

RE: 5095 Territorial Drive, West Linn, OR 97068
PA-15-02
MIS-15-04

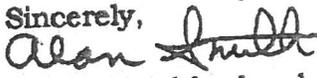
Dear Mr. Boyd:

Bolton Neighborhood Association (hereafter referred to as BNA) submits this letter of comments regarding project number MIS-15-04, PA-15-02, 5095 Territorial Drive, West Linn, OR 97068.

1. The applicant, at page 2 of the application for variance appears to understate the total applicable floor area of the structure as defined by CDC § 02.010. Page 2 of the application for variance states that the total applicable floor area of the main floor is 1,155 sf; however, the pre-application conference application and page 4 of the application for variance states the floor area of the main floor is 1,222 sf excluding the 461 sf garage and the basement.
2. The applicant improperly excludes the square footage of bathrooms and/or closets from the total applicable floor area and floor area ratio (FAR) as defined by CDC § 02.010.
3. The applicant adopts an inapplicable and improper definition of "habitable space" in the calculation of the applicable floor area and FAR as defined by CDC § 02.010, in violation of CDC § 02.010 D.
4. The applicants' proposed addition would exceed the allowable FAR (2,000 sf) for the property and the applicant has not applied for a variance in compliance with CDC § 75.020(B)(1), 75.050 and 75.060.

The BNA respectfully requests that the application be denied.

Bolton Neighborhood Association | 2
Request to Deny Application

Sincerely,

Bolton Neighborhood Association
By: Alan Smith
President Bolton Neighborhood Association

cc:
West Linn City Council

Peter Spir
West Linn Associate Planner

Spir, Peter

From: kparklaw@aol.com
Sent: Tuesday, May 26, 2015 10:37 AM
To: Spir, Peter
Subject: File No. MIS-15-04

Peter,

Can you tell me how the applicant calculated an FAR of 2,310 sq ft for File No. MIS-15-04, 5095 Territorial Drive? Your summary notes state that the maximum FAR is 2,000 sq ft.

Also, do you have any summary notes from your meeting with the applicant on 04/13/15? If so, can I get a copy? Thanks.

Karen J. Park

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