

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
November 5, 2015

SUBJECT: Proposed lateral additions to a non-conforming structure at 4589 Cornwall Street

FILE: PA-15-42

ATTENDEES: Applicant: Scott Huskey, Daryl Sieker
Staff: Peter Spir, Associate Planner

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.

Site Information

Site Address: 4589 Cornwall Street
Site Area: 5,000 square feet
Neighborhood: Sunset
Comp. Plan: Medium density residential
Zoning: R-5 (5,000 square foot minimum lot size)
Environmental Overlays: None

Proposal

The applicant proposes to remodel an existing single story house (built 1956) that is a non-conforming structure. The non-conformity is the home's failure to meet the required rear yard setback of 20 feet. The rear setback, as reported by the applicant, is five feet. The applicant proposes to build a 270 square foot lateral addition northwards from the house to accommodate a bedroom plus a 520 square foot expansion southwards to accommodate a two car garage. These additions would have the same five foot rear yard setback as the house. To allow these lateral additions, an Alteration/Expansion of a Non-Conforming Structure permit is required per CDC Chapter 66.

Approval criteria 66.080(B) (2) states: *"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, ... is required subject to the following standards.*

- a. *The enlargement or alteration will not change the non-conformity;*

b. *All other applicable ordinance provisions will be met.*

What the criteria is looking for regarding (a) is whether it will increase the encroachment upon the rear lot line, loss of solar access or privacy, etc. And regarding (b), whether the other dimensional standards of the underlying R-5 zone will be met including the Floor Area Ratio and Lot Coverage requirements (see CDC 13.070). Front porch additions are discussed in CDC 38.060(F).

Process

For the Alteration/Expansion of a Non-Conforming Structure permit, provide a scaled site plan and elevations and respond to the approval criteria of 66.080(B)(2)(a-b). N/A is not an acceptable response to the approval criteria. The 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 Manager and must identify the specific grounds for that waiver.

The fee is \$1,000. The CDC is online at <http://westlinnoregon.gov/cdc>.

Once the application and fee are submitted, the City has 30 days to determine if the application is complete or not. If the application is not complete, the applicant has 180 days to make it complete or provide written notice to staff that no other information will be provided.

Once the submittal is deemed complete, the staff will schedule the Planning Manager's decision date and post notice (there is a 14 day public notice period). After the Planning Manager's decision, there is a 14-day window for persons with standing to appeal to City Council. If no appeal has been received by the close of the appeal period, the Planning Manager's decision becomes final and the applicant may move forward with the development of their proposal.

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 ***or provide any assurance of potential outcomes.*** Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. ***A new pre-application conference would have to be scheduled one that period lapses and these notes would no longer be valid. Any changes to the CDC standards may require a different design or submittal.***