

DEVELOPMENT REVIEW APPLICATION

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| For Office Use Only | | |
| STAFF CONTACT | PROJECT NO(S) <i>WRG+16-04/WA-16-08</i> | |
| NON-REFUNDABLE FEE(S) <i>2600</i> | REFUNDABLE DEPOSIT(S) <i>1700</i> | TOTAL <i>4300</i> |

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 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 checked="" type="checkbox"/> Water Resource Area Protection/Wetland (WAP) |
| <input type="checkbox"/> Final Plat or Plan (FP) | <input type="checkbox"/> Pre-Application Conference (PA) */** | <input checked="" 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.

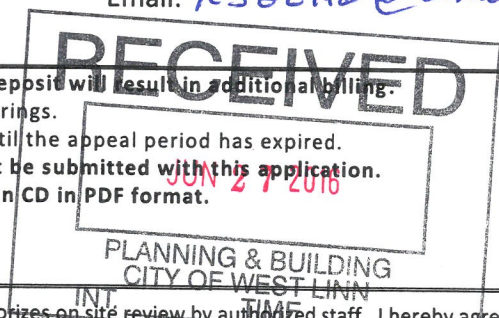
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|---|---------------------|
| Site Location/Address: <i>5685 Summit St. West Lynn. OR</i> | Assessor's Map No.: |
| | Tax Lot(s): |
| | Total Land Area: |

Brief Description of Proposal:
*Willamette and Tualatin River protection Area permit.
W.R.A. permit.*

| | |
|---|---------------------------------------|
| Applicant Name: <i>Pavel Legkun</i> <small>(please print)</small> | Phone: <i>360-852-5551</i> |
| Address: <i>17916 NE 50 AVE</i> | Email: <i>spectrahomes1@gmail.com</i> |
| City State Zip: <i>Vancouver WA 98686</i> | |

| | |
|--|--------|
| Owner Name (required): <small>(please print)</small> | Phone: |
| Address: <i>same</i> | Email: |
| City State Zip: | |

| | |
|---|----------------------------------|
| Consultant Name: <i>RSB ENGINEERING CO.</i> <small>(please print)</small> | Phone: <i>503-380-6179</i> |
| Address: <i>16802 NE 152ND AVE</i> | Email: <i>RSBENG@COMCAST.NET</i> |
| City State Zip: <i>DRUSA PRAIRIE WA 98606</i> | |



- 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 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.

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|-----------------------|-----------------|------------------------------|-----------------|
| <i>Pavel Legkun</i> | <i>06-27-16</i> | <i>Pavel Legkun</i> | <i>06-27-16</i> |
| Applicant's signature | Date | Owner's signature (required) | Date |

PAVEL RESIDENCE - 5685 SUMMIT ST- PA-16-09

NARRATIVE:

We are proposing to build a single family residential on lot 2 "SERANGO I SUBDIVISION". Because, the lot is entirely on WRA and HCA, so we are applying for "Hardship Provision"

32.110 HARDSHIP PROVISIONS

A. The right to obtain a hardship allowance is based on the existence of a lot of record recorded with the County Assessor's Office on, or before, January 1, 2006.

FINDINGS: the lot is part of "Serango no. 1 subdivision" recorded on 1-23-1979, so before 2006.

B. For lots described in subsection A of this section that are located completely or partially inside the WRA, development is permitted, consistent with this section. The maximum disturbed area (MDA) of the WRA shall be determined on a per lot basis. The MDA shall be the greater of:

1. Five thousand square feet of the WRA; or

FINDINGS: the total constructed area will be 2,730 sq. ft

2. Thirty percent of the total area of the WRA.

FINDINGS: the area of the lot is approx 10,300 sq. ft, the disturbance area will represent only 23%

C. The MDA shall be located as follows:

1. In areas where the development will result in the least square footage encroachment into the WRA.

FINDINGS: n/a because entire lot is on WRA

2. The applicant shall demonstrate, through site and building design, that the proposed development is the maximum practical distance from the water resource based on the functional needs of the proposed use.

FINDINGS: the house will be located on the far west of the lot, maximum away from the water resource.

3. The minimum distance from a water resource shall be 15 feet.

FINDINGS: the distance from east wall to the creek is about 45 feet.

4. Access driveways shall be the minimum permitted width; select an alignment that is least impactful upon the WRA; and shall share use of the driveway, where possible.

FINDINGS: the driveway will be only 10 feet wide. No possible share driveway, the neighborhood houses are already built.

D. The MDA shall include:

1. The footprints of all structures, including accessory structures, decks and paved water impermeable surfaces including sidewalks, driveways, parking pads, paths, patios and parking lots, etc. Only 75 percent of water permeable surfaces at grade shall be included in the MDA.

FINDINGS: on our plans we include the house and driveway. No permeable surfaces are proposed.

2. All graded, disturbed or modified areas that are not subsequently restored to their original grade and replanted with native ground cover per an approved plan.

FINDINGS: all the disturb area (around excavation for foundation) will be restored to the original grade and replace with native ground cover .

E. The MDA shall not include:

1. Temporarily disturbed areas (TDAs) adjacent to an approved structure or development area for the purpose of grading, material storage, construction activity, trenched or buried utilities and other temporary activities so long as these areas are subsequently restored to the original grades and soil permeability, and re-vegetated with native plants per CDC [32.100](#), such that they are at least equal in functional value to the area prior to the initiation of the permitted activity;

FINDINGS: will be restored.

2. Bay windows and similar cantilevered elements (including decks, etc.) of the principal or secondary structure so long as they do not extend more than five feet towards the WRA from the vertical plane of the house, and have no vertical supports from grade;

FINDINGS: the porch will be only 5 feet wide and no vertical supports (will be like a balcony)

3. PDAs that are not built upon as part of the development proposal will not count in the MDA (e.g., use of an existing access driveway). (Conversely, PDAs that are built upon as part of the development proposal will count in the MDA.);

FINDINGS: N/A because the lot is empty.

4. The installation of public streets and public utilities that are specifically required to meet either the transportation system plan or a utility master plan so long as all trenched public utilities are subsequently restored to the original grades and soil permeability, and revegetated with native plants per CDC [32.100](#), such that they are at least equal in functional value to the area prior to the initiation of the permitted activity. All areas displaced by streets shall be mitigated for.

FINDINGS: N/A because no public street or utilities are proposed.

F. Development allowed under subsection A of this section may use the following provisions:

1. Setbacks required by the underlying zoning district may be reduced up to 50 percent where necessary to avoid construction within the WRA, as long as the development would otherwise meet the standards of this chapter. However, front loading garages shall be set back a minimum of 18 feet, while side loading garages shall be set back a minimum of three feet.

FINDINGS: N/A because entire lot is on WRA

2. Landscaping and parking requirements may be reduced for hardship properties but only if all or part of the WRA is dedicated pursuant to CDC [32.060\(C\)](#) or if a restrictive deed covenant is established. These reductions shall be permitted outright and, to the extent that the practices are inconsistent with other provisions or standards of the West Linn CDC, this section is given precedence so that no variance is required. The allowable reductions include:

- a. Elimination of landscaping for the parking lot interior.
- b. Elimination of the overall landscape requirement (e.g., 20 percent for commercial uses).
- c. Elimination of landscaping between parking lots and perimeter non-residential properties.
- d. Landscaping between parking lots and the adjacent right-of-way may be reduced to eight feet. This eight-foot-wide landscaped strip may be used for vegetated storm water detention or treatment.
- e. A 25 percent reduction in total required parking is permitted to minimize or avoid intrusion into the WRA.
- f. Adjacent improved street frontage with curb and sidewalk may be counted towards the parking requirement at a rate of one parking space per 20 lineal feet of street frontage adjacent to the property, subject to City Engineer approval based on the street width and classification.

g. The current compact and full sized parking mix may be modified to allow up to 100 percent compact spaces and no full sized spaces. However, any required ADA compliant spaces shall be provided.

FINDINGS: N/A because entire lot is on WRA.

G. Where a property owner owns multiple platted lots of record where each lot could be built upon under the hardship provisions, the property owner may either use the MDA for each lot on an individual lot by lot basis or may transfer 100 percent of the cumulative MDA of all the lots to those lots that are further away from, or less impactful upon, the WRA. Lot line adjustments may also be used to facilitate the density transfer. See Figure 32-8.

FINDINGS: N/A because no multiple platted lots.

H. Mitigation and re-vegetation of disturbed WRAs shall be completed per CDC [32.090](#) and [32.100](#) respectively.

FINDINGS: On-site mitigation by restoring, WRAs

I. Any further modification of the standards of this chapter or the underlying zone shall require approval of a variance pursuant to Chapter [75](#) CDC. (Ord. 1623 § 1, 2014)

FINDINGS: no variance is proposed.

28.110 APPROVAL CRITERIA

4. Development may occur on legal lots and non-conforming lots of record located completely within the HCA areas or that have the majority of the lot in the HCA to the extent that the applicant has less than 5,000 square feet of non-HCA land.

FINDINGS: the total Constructed area will be 2,730 sq. ft

PAVEL RESIDENCE - 5685 SUMMIT ST, WEST LYNN OR

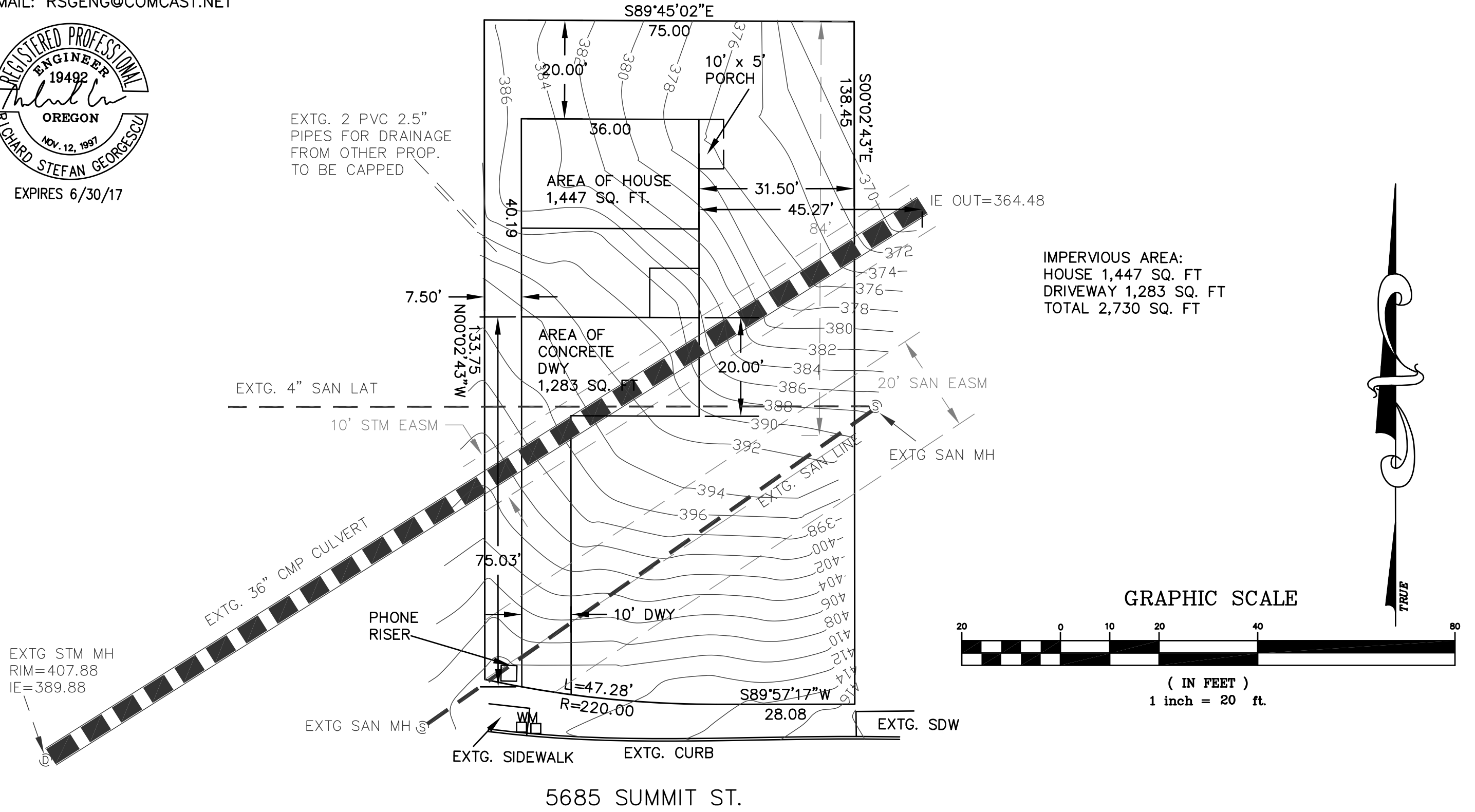
EXISTING SITE TOPOGRAPHY AND PROPOSED SITE PLAN

RSG ENGINEERING, co.

CIVIL ENGINEERING / CONSTRUCTION MANAGEMENT
 16802 NE 152ND AVE, BRUSH PRAIRIE, WA 98606
 PH (503) 380-6179, FAX (360) 891-7945
 E-MAIL: RSGENG@COMCAST.NET



EXPIRES 6/30/17



PROPOSED GRADING PLAN

NOTE:
 THE DISTURBING AREA WILL BE 3 FEET AROUND EXCAVATION.
 AND WILL BE RESTORED AFTER BACK FILLING.

