

WEST LINN HISTORIC REVIEW BOARD

FINAL DECISION AND ORDER

DR-17-06

IN THE MATTER OF A CLASS II HISTORIC DESIGN REVIEW AT 1744 4TH AVENUE; TO REMODEL AND ADD AN ADDITION TO THE REAR AND ADD A NEW FRONT PORCH TO AN EXISTING SINGLE STORY HOME

I. Overview

At its meeting on June 20, 2017, the Historic Review Board (“The Board”) held a public hearing to consider the request by Ann Scheuerell, applicant, to approve a proposal to remodel and add an addition to the rear and a new front porch an existing single story home at 1744 4th Ave. The approval criteria for Historic Design Review are found in Community Development Code (CDC) Chapter 25, Overlay Zones - Historic District. The hearing was conducted pursuant to the provisions of Chapter 99.

The hearing commenced with a staff report presented by Jennifer Arnold, Associate Planner. Ann Scheuerell presented as the applicant. The hearing was closed and after deliberation a motion made by Board Member Jerry Offer and seconded by Board Member Tom Watton to approve the application with the staff recommended condition of approval. The motion passed with a 5-0 vote.

II. The Record

The record was finalized at the June 20, 2017, hearing. The record includes the entire file from DR-17-06.

III. Burden of Proof

The applicant bears the burden of proof to demonstrate that an application complies with applicable approval standards, and a local government is not required to approve a noncomplying development proposal. *Jurgenson v. County Court for Union County*, 42 Ore. App. 505, 510 (1979). The historic design review application requires decisions on land use applications that necessitate compliance with customary land use procedures. Therefore, the applicant is required to carry the burden of meeting each and every criterion for approval.

IV. Incorporation of Staff Report

The Staff Report for June 20, 2017, is incorporated into this Final Decision and Order, and all the facts, findings and determinations in those Staff Reports are adopted except where the findings

