

DEVELOPMENT REVIEW APPLICATION

| For Office Use Only | | |
|--------------------------------------|--------------------------------|----------------------|
| STAFF CONTACT <i>Darren Wyss</i> | PROJECT NO(S) <i>VAR-19-01</i> | |
| NON-REFUNDABLE FEE(S) <i>\$ 2900</i> | REFUNDABLE DEPOSIT(S) <i>—</i> | TOTAL <i>\$ 2900</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 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 checked="" 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 |
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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: 1875 CARRIAGE WAY | Assessor's Map No.: 21E 23CA |
| | Tax Lot(s): 2101 |
| | Total Land Area: 35,147 0.81 ac |

Brief Description of Proposal: We purpose a driveway at 20% grade coming from carriage way so our neighbor and our driveway will meet on top of hill. Also will reduce retaining wall heights.

| | | |
|---|--|--|
| Applicant Name: IVAN CAM <small>(please print)</small> Address: P.O. BOX 231 City State Zip: WOODBURN OR, 97071 | <div style="border: 2px solid black; padding: 10px; font-size: 2em; font-weight: bold; color: gray;">RECEIVED</div> <div style="border: 1px solid black; padding: 5px; color: red; font-weight: bold; margin: 5px 0;">APR 23 2019</div> <div style="border: 1px solid black; padding: 5px; font-size: 0.8em; color: gray;">PLANNING & BUILDING CITY OF WEST LINN INT. TIME</div> | Phone: 5036808711 Email: icam26@yahoo.com |
| Owner Name (required): CAM INC <small>(please print)</small> Address: P.O. BOX 231 City State Zip: WOODBURN OR 97071 | | Phone: 5036808711 Email: icam26@yahoo.com |
| Consultant Name: Pacific NorthWest Engineering, Inc <small>(please print)</small> Address: 4242 SILVER FALLS DR. NE City State Zip: SILVERTON, OR 97381 | | Phone: (503) 873-3184 Email: MSE@PACNWENG.COM |

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 | 3/28/19 LW/TTT Date | Owner's signature (required) | 3/29/19 TT/TTT Date |
|---------------------------|---------------------------|----------------------------------|---------------------------|



PACIFIC NORTHWEST ENGINEERING, INC.

March 18, 2019

City of West Linn
Planning Department
22500 Salamo Rd.
West Linn, OR 97068

Attn.: Darren Wyss

Re.: Ivan Cam
City Variance
1875 Carriage Way
West Linn, OR

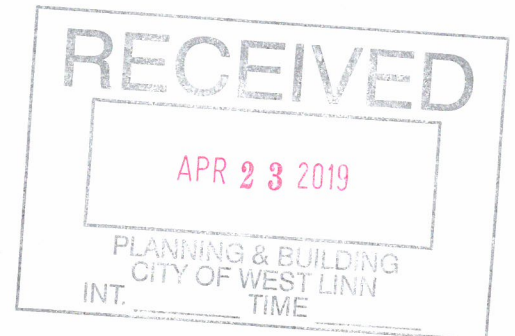
Dear Darren,

We have done a review of the City Variance requirements and the following is our formal application for and in behalf of Ivan Cam:

11.030 PERMITTED USES

The following are uses permitted outright in this zoning district

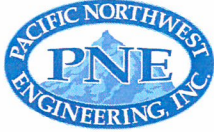
1. Single-family detached residential unit.
In keeping with this Zone we purposed to build 2 story single family house with 3 car garage.
2. Community recreation.
3. Family day care.
4. Residential home.
5. Utilities, minor.
6. Transportation facilities (Type I).
7. Manufactured home. (Ord. 1226, 1988; Ord. 1500, 2003; Ord. 1584, 2008; Ord. 1635 § 8, 2014)



Chapter 75 of the CDC

B. Class II Variance. Class II variances may be utilized when strict application of code requirements would be inconsistent with the general purpose of the CDC and would create a

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ph # (503) 873-3184 fax # (503) 873-3907
P.E. # 13,676



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burden upon a property owner with no corresponding public benefit. A Class II variance will involve a significant change from the code requirements and may create adverse impacts on adjacent property or occupants. It includes any variance that is not classified as a Class I variance or special waiver.

1. Class II Variance Approval Criteria. The approval authority may impose appropriate conditions to ensure compliance with the criteria. The appropriate approval authority shall approve a variance request if all the following criteria are met and corresponding findings of fact prepared.

a. The variance is the minimum variance necessary to make reasonable use of the property. To make this determination, the following factors may be considered, together with any other relevant facts or circumstances:

1) Whether the development is similar in size, intensity and type to developments on other properties in the City that have the same zoning designation.

The code allows all "Single Family" dwellings in this zoned area. It also provides for steep drives, exceeding the 15% overall, with provisions for fire access. This type of exception is common throughout the City, so long as they try to meet the limitations as we have. This fire department has reviewed the application and attached is a copy of the letter stating their approval. It should be noted that the last eighteen (18) feet of driveway shall not exceed 12% grade (as measured at the centerline of the driveway). We have meet all the design criteria from CDC48.030.C. and that portion of section 48.030.B. with exception to "3" which is the purpose of this variance request.

2) Physical characteristics of the property such as lot size or shape, topography, or the existence of natural resources.

The length of the "Right Away" and steepness of the topography requires an overall grade of 20%. The site is large enough and flat enough that the grade rate is not an issue thereafter. We were able to plan and design the drive approach so that we did not exceed the 20% at any one point.

3) The potential for economic development of the subject property.

If the drive approach were to be limited to 15% grade then this lot would not have access and thereby have no value for "single family" residence.

b. The variance will not result in violation(s) of any other code standard, and the variance will meet the purposes of the regulation being modified.

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No other codes will be affected by this variance. We propose to follow all other requirements.

c. The need for the variance was not created by the applicant and/or owner requesting the variance.

This lot has existed, with the drive approach "Right Away" from at least the 1970's, and the adjacent lots have been previously developed. One with a drive approach exceeding 28% grade. This topography was not created by any action on our part.

d. If more than one variance is requested, the cumulative effect of the variances results in a project that is consistent with the overall purpose of the zone.

We are only request one variance. No special waivers, other than as stated, are purposed.

Chapter 48.030(B&C) of the CDC

"B"

- 1.) We have provided 10' of horizontal clear drive from the roadway (Carriage way) to the proposed building site
- 2.) This proposed project is for only a single family dwelling, therefore this condition does not apply.
- 3.) We have shown that the existing grades require a variation in the code to the alternate allowable of 20% and have supplied a detailed drawing showing the same. We have applied for a "variance" on this section. The last 18 feet of the drive shall be less than 12% grade (in fact we purpose to make the last 18 feet at less than 10% grade.
- 4.) With the existing conditions the garage door is greater than 100' from the back side of the sidewalk. We therefore meet the criteria of the point.

"C"

- 1.) We propose to supply a "turn around" between the end of the drive (as shown on the supplied drawing) and the garage. This will be shown on the final construction drawings of the home. However, the letter from the Fire Marshal states that with fire Sprinklers the "turn around" will not be required. We are proposing to supply fire sprinklers in the home.
- 2.) At all points along the drive and up to the garage shall have a minimum vertical clearance of 13' 6".
- 3.) We are proposing a minimum turning radius of 76', meeting this requirement.
- 4.) The plans show our intent as to meeting this requirement. If any trees and or branches of the same are encountered they will be removed.

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We have explored three other options and found that they will not meet the criteria of the CDC and the existing conditions of this site. They are as follows:

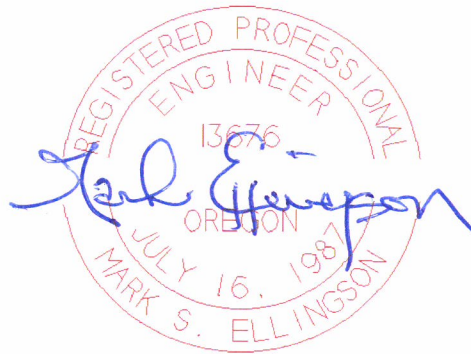
- 1.) Our first option was to obtain permission and a easement from the neighboring properties. We did request this and were told an emphatic "NO".
- 2.) We tried to meet the 15% grade requirement but found that due to existing conditions it would need a 9' tall retaining wall. This wall would be in direct conflict with CDC chapter 3.250(2). These conditions were beyond our control and were created at the initial subdivision of the property, back in the 1970's.
- 3.) We tried to meet the third option of vacating the existing easement and obtaining one from an adjacent property, this was the same answer as in the first option, everyone told us "NO".

If you have any questions, please feel free in calling me.

Thank You

A handwritten signature in blue ink that reads "Mark Ellingson". The signature is fluid and cursive.

Mark Ellingson, P.E.
President



EXP. 12-31-19

CA\WORK\BILLINGS\I-CAM24.DO

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Mark Ellingson

From: "Ivan Cam" <icam26@yahoo.com>
Date: Tuesday, April 23, 2019 10:12 AM
To: "Mark Ellingson" <mse@pacnweng.com>
Attach: CCF12072017.pdf
Subject: FW: 1875 Carriage Way West Linn

[Sent from Yahoo Mail on Android](#)

----- Forwarded Message -----

From: "Darby, Ty M." <Ty.Darby@tvfr.com>
To: "Ivan Cam" <icam26@yahoo.com>
Cc: "Spir, Peter" <pspir@westlinnoregon.gov>
Sent: Fri, Dec 8, 2017 at 8:21 AM
Subject: FW: 1875 Carriage Way West Linn

Hi Ivan,

The Fire District will not require a fire apparatus turn-a-round for this project. Any additional construction features (i.e. Fire Sprinklers) due to the excessive grade would need to be worked out with the Building Department.

The State of Oregon does allow the use of alternative construction standards for lack of meeting fire department requirements, however, the authority to enforce these standards rests with the Building Department.

Let me know if you have any more questions.

Ty Darby | Deputy Fire Marshal

Tualatin Valley Fire & Rescue

Direct: 503-259-1409

www.tvfr.com

From: Ivan Cam [mailto:icam26@yahoo.com]
Sent: Thursday, December 07, 2017 11:51 AM
To: Darby, Ty M. <Ty.Darby@tvfr.com>
Subject: 1875 Carriage Way West Linn

Ty, see attachment. We are putting a sprinkler system in house. For vertical we are removing trees and limbs needed. If you can respond to the questions needed it would help. Call if any questions
Thanks for your time.

Ivan Cam

Cell 503-680-8711

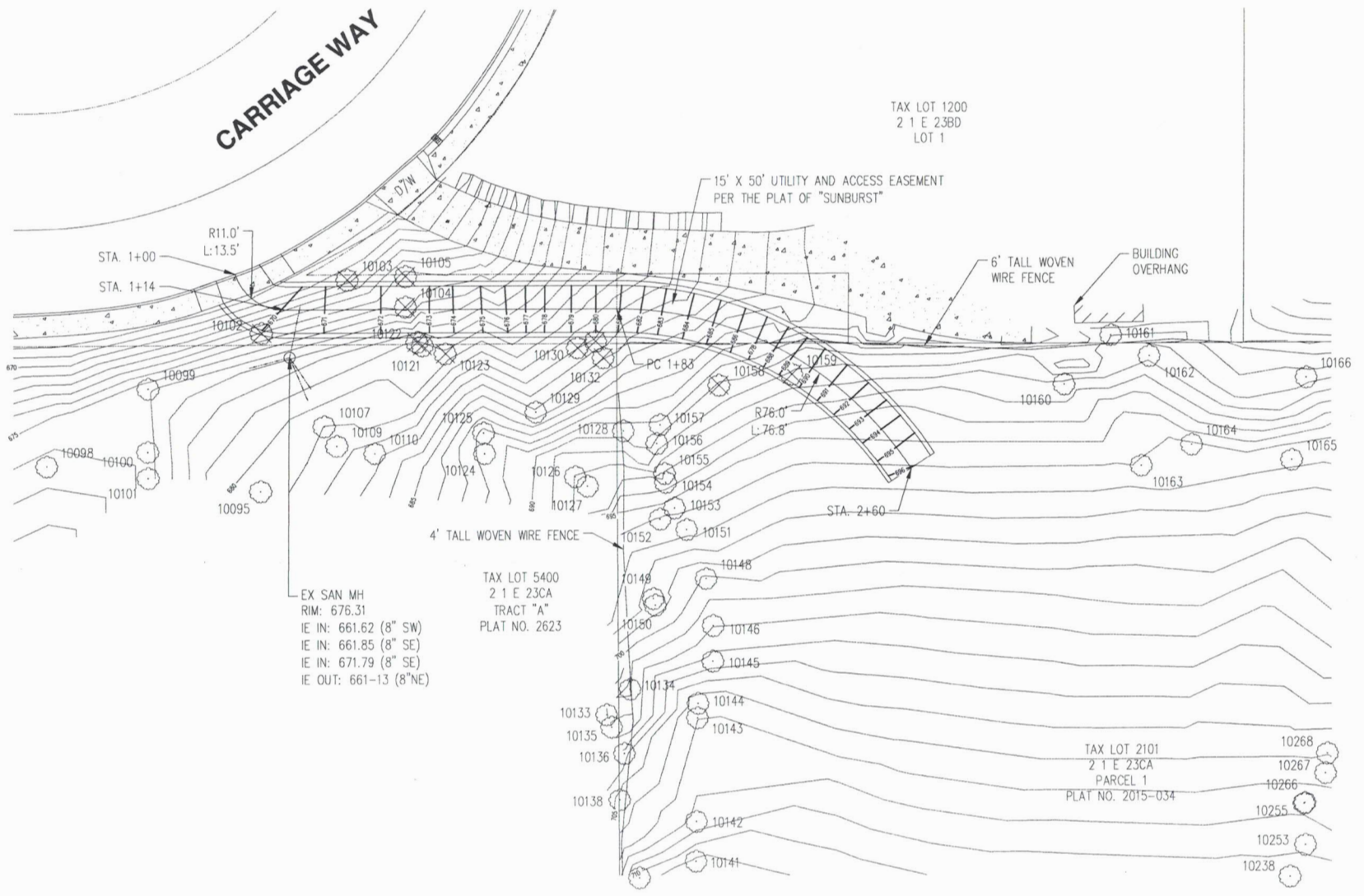


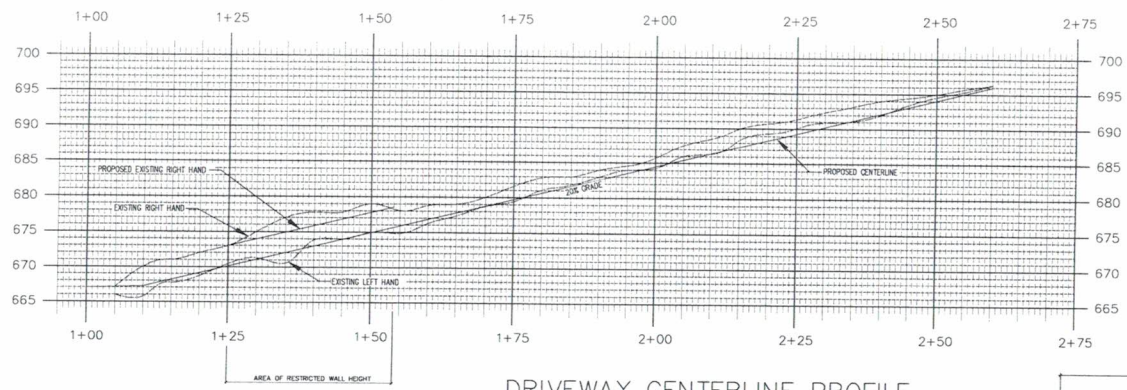
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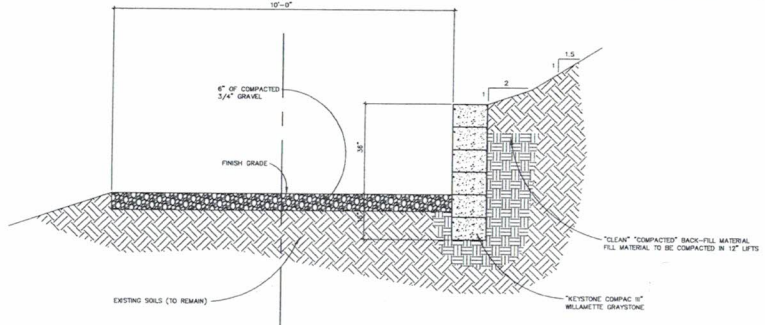
Cam inc. (Ivan Cam)
 1875 Carriage Way
 West Linn, OR

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| DATE: | 09-29-2018 |
| SCALE: | Varies |
| DRAWN: | MSE |
| CHECKED: | MSE |
| JOB: | 18-547 |
| SHEET: | |

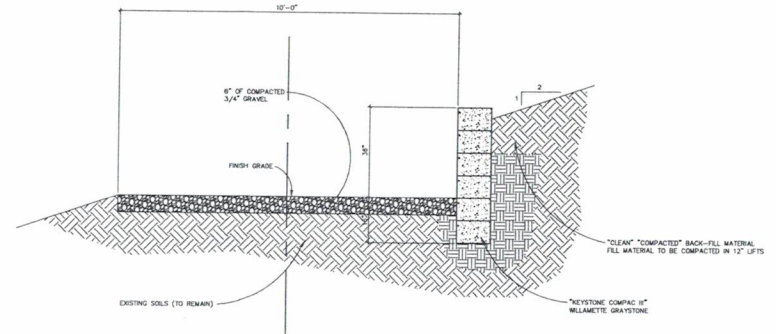




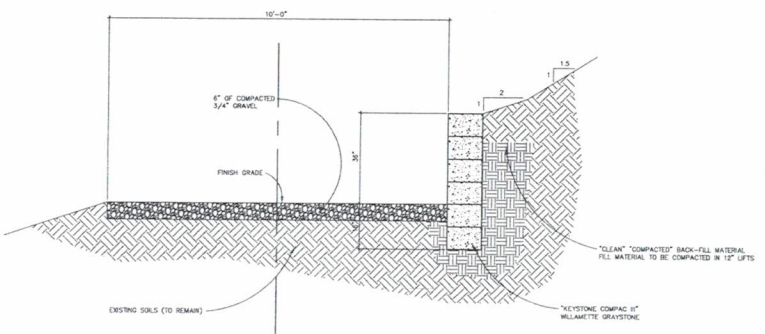
DRIVEWAY CENTERLINE PROFILE



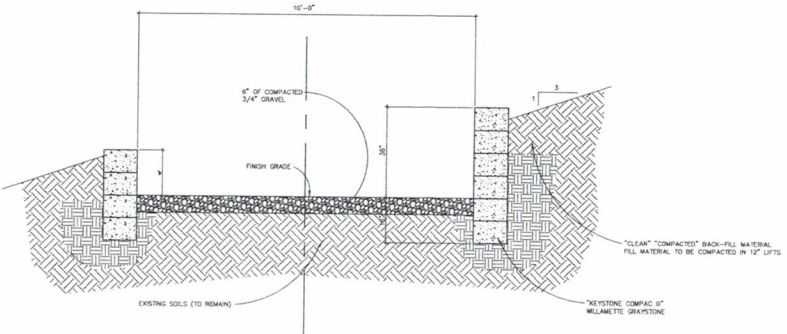
SECTION @ STA. 1+31



SECTION @ STA. 1+75



SECTION @ STA. 1+54



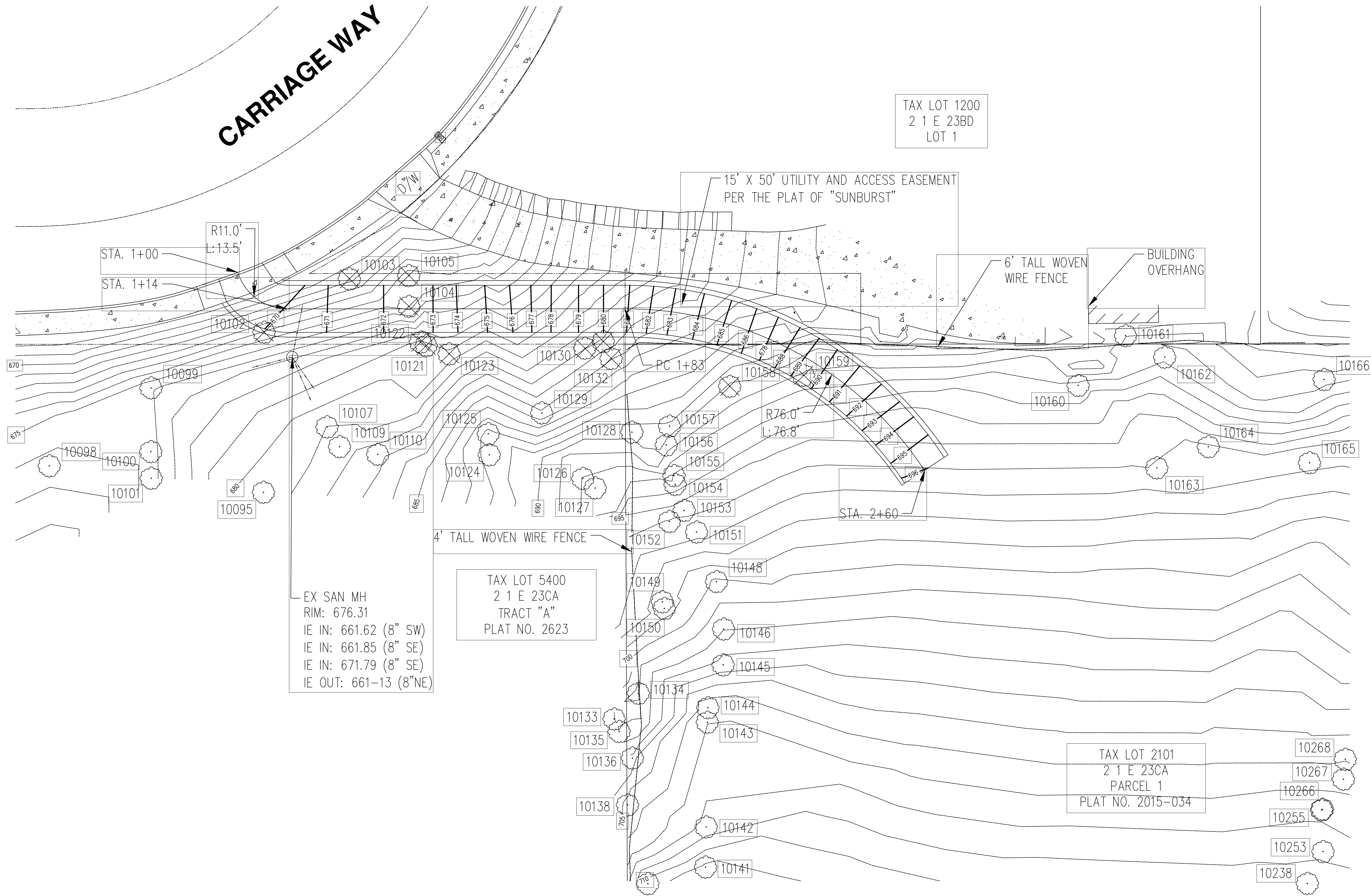
SECTION @ STA. 2+17

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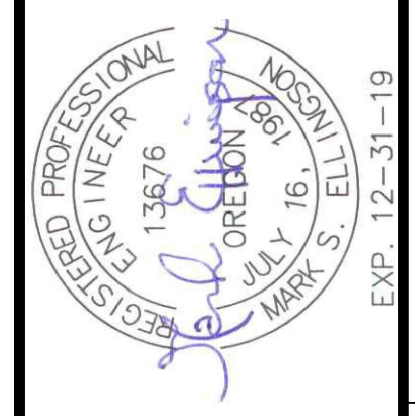


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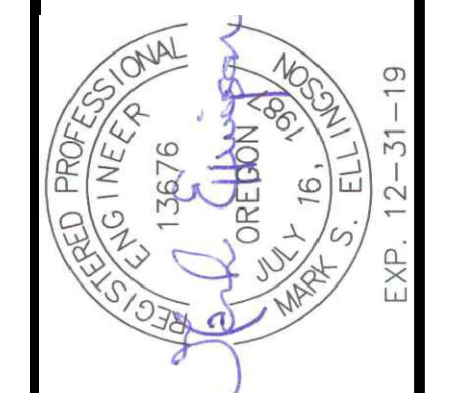


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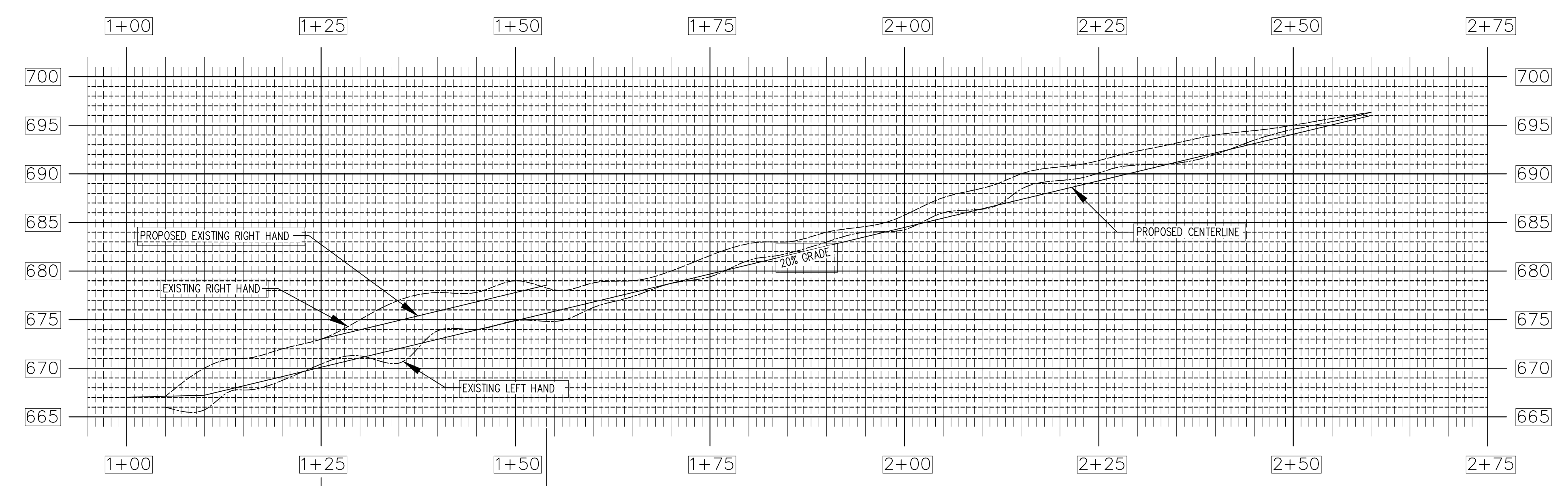


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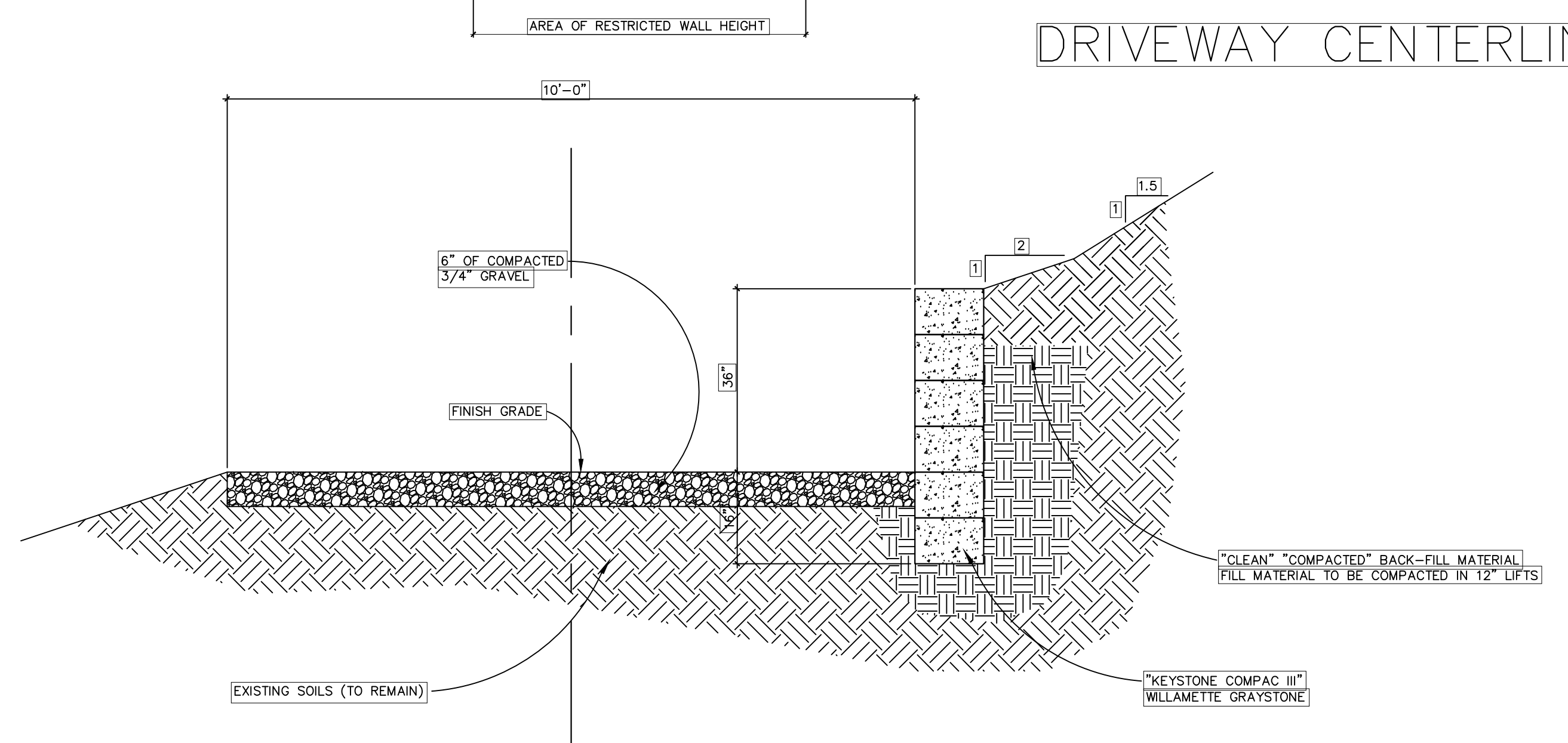


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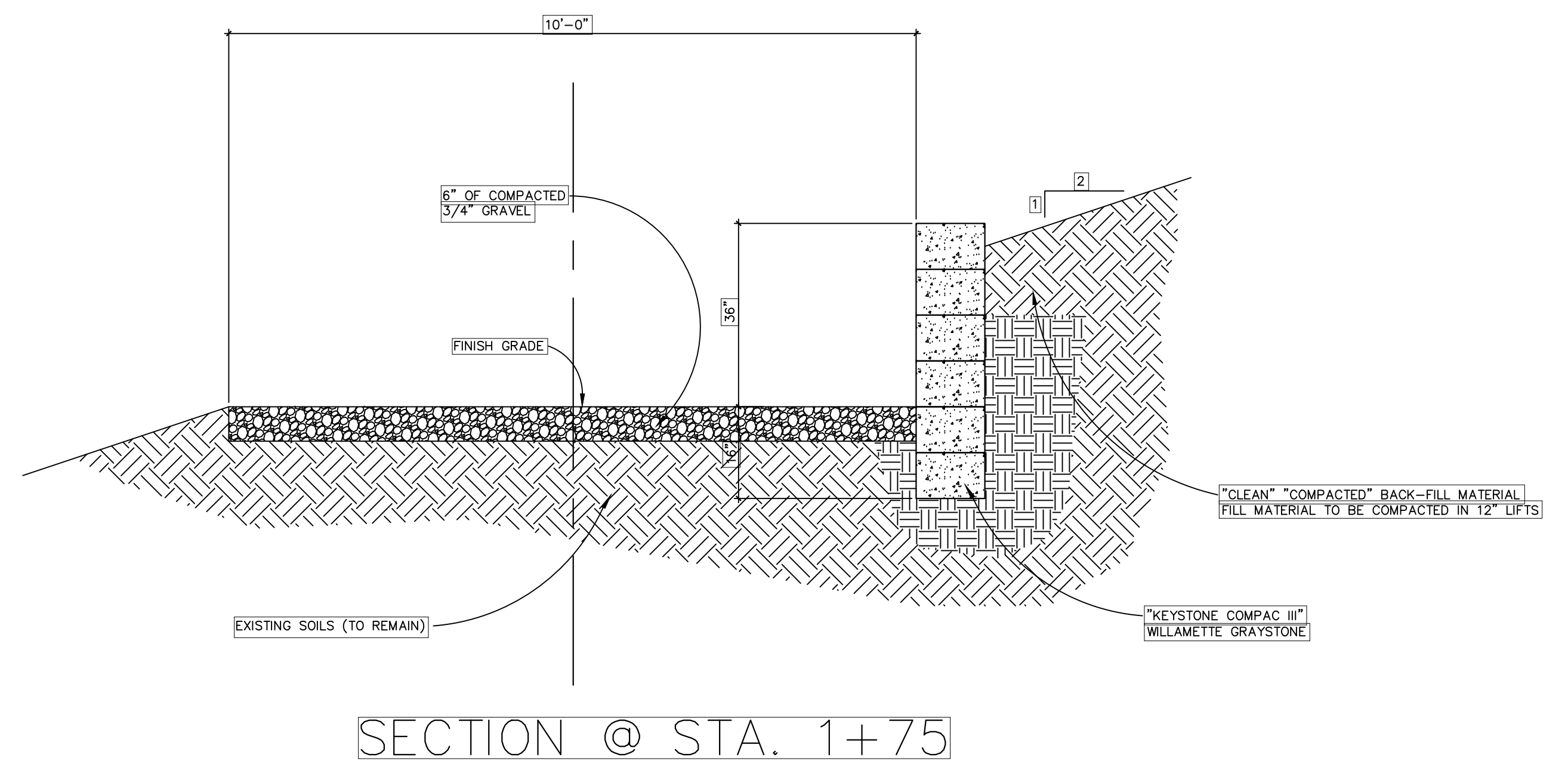
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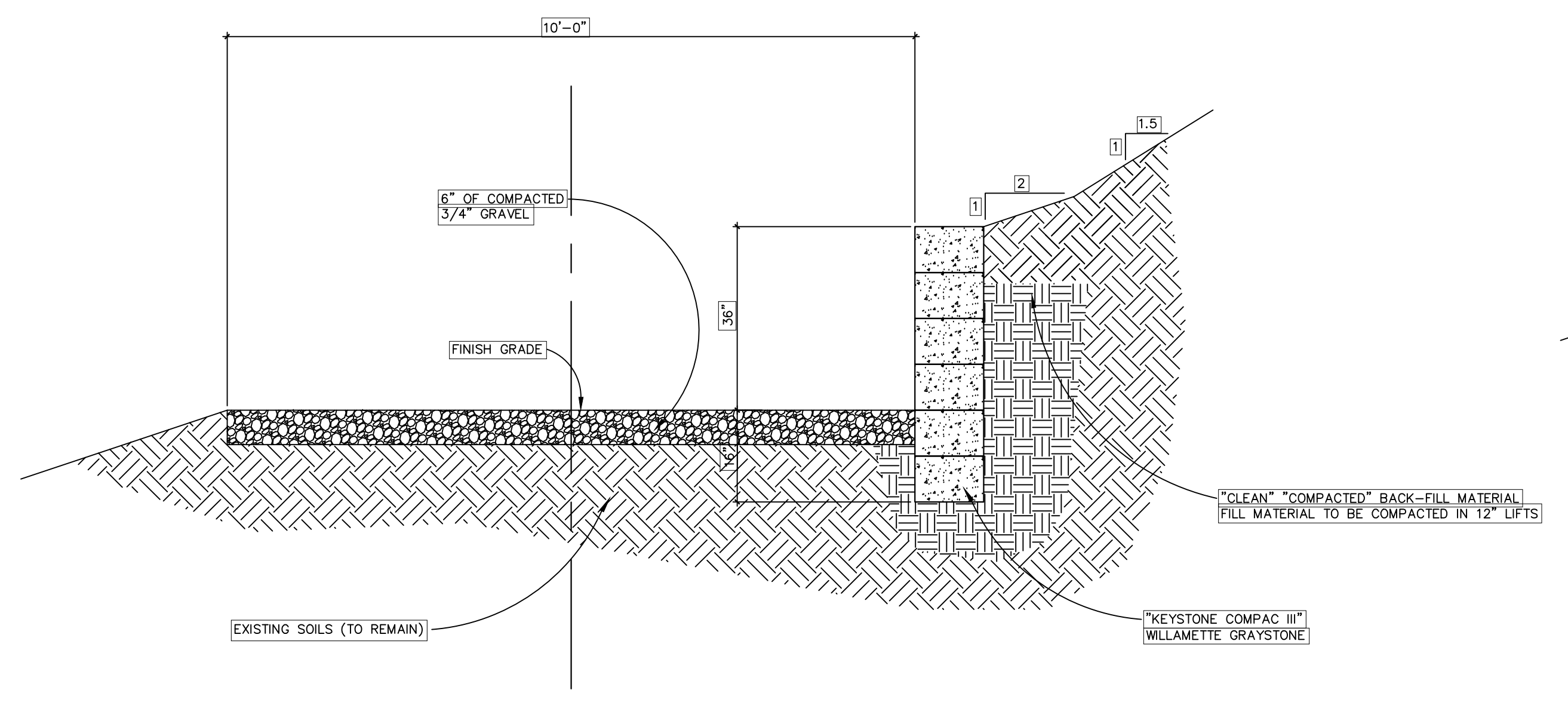
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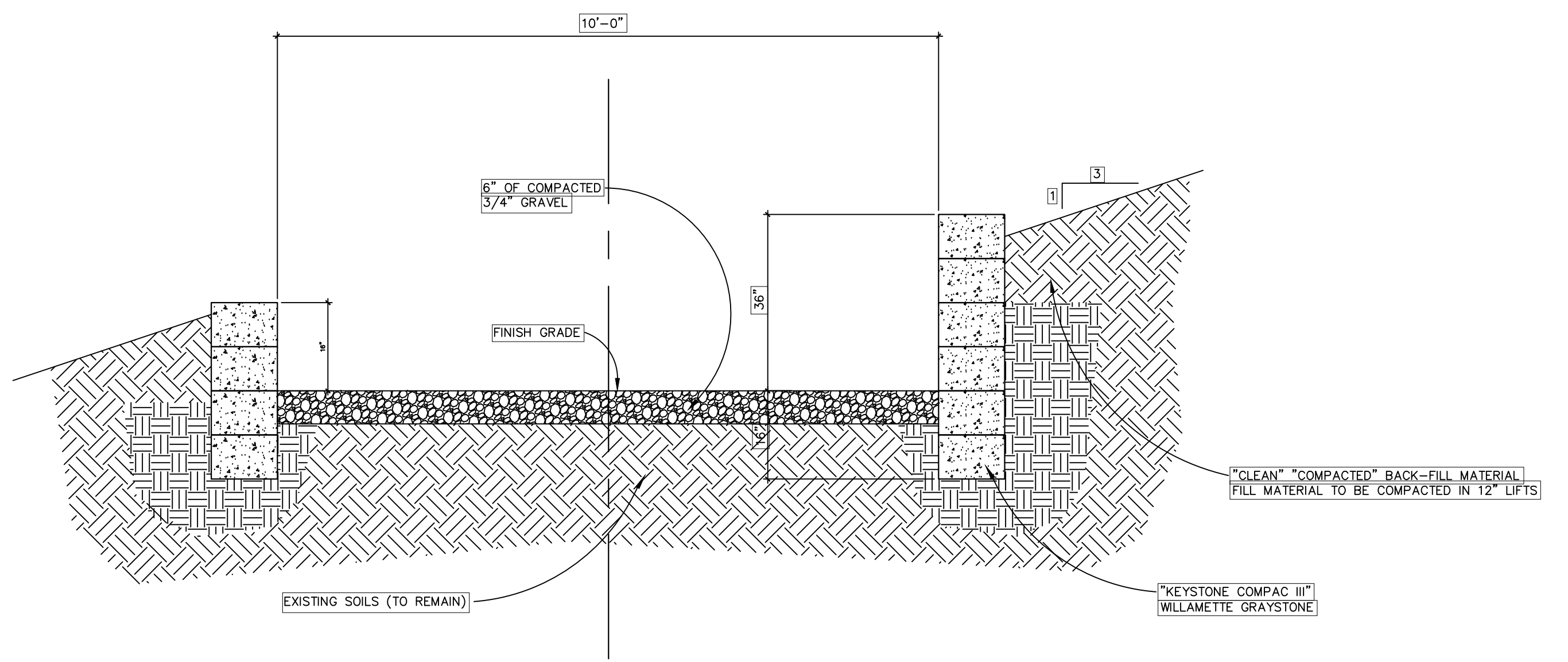
SECTION @ STA. 1+31



SECTION @ STA. 1+75



SECTION @ STA. 1+54



SECTION @ STA. 2+17