

DEVELOPMENT REVIEW APPLICATION

For Office Use Only

STAFF CONTACT	PROJECT NO(S) MIP-21-01 VAR-21-03	PRE-APPLICATION NO. PA-20-14
NON-REFUNDABLE FEE(S) \$825	REFUNDABLE DEPOSIT(S) \$2,800	TOTAL \$3,625

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

Site Location/Address: 2185 Willamette Falls Dr. WEST LINN, OR 97068	Assessor's Map No.: 31E02AB
	Tax Lot(s): 31E02BA03600
	Total Land Area: 20,870'

Brief Description of Proposal: MINOR PARTITION FOR CREATION OF ONE ADDITIONAL TAXLOT WITH ACCOMPANYING ACCESS EASEMENT AT 2185 WILLAMETTE FALLS DR.


Applicant Name: RYAN HIXSON (please print) Phone: (503)435-7756
 Address: 2185 WILLAMETTE FALLS DR Email: rrrhix@aol.com
 City State Zip: WEST LINN, OR 97068

Owner Name (required): RYAN HIXSON (please print) Phone: (503)435-7756
 Address: 2185 WILLAMETTE FALLS DR Email: rrrhix@aol.com
 City State Zip: WEST LINN, OR 97068

Consultant Name: IRONMARK SURVEYING (please print) Phone: (503)765-8755
 Address: PO BOX 38 Email: ironmarkllc.com
 City State Zip: ST. PAUL, OR 97137

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 decision may be reversed on appeal. No permit will be in effect until the appeal period has expired.
4. **One complete hard-copy set of application materials must be submitted with this application.**
One complete digital set of application materials must also be submitted electronically in PDF format.
If large sets of plans are required in application please submit one set.

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.

	3/24/2021		3/24/2021
Applicant's signature	Date	Owner's signature (required)	Date

2185 WILLAMETTE FALLS DRIVE

Minor Partition

March 24th, 2021

APPLICATION SUMMARY

For approval of a one-lot minor partition to split the existing property at 2185 Willamette Falls drive into two legal lots.

GENERAL INFORMATION

Location

2185 Willamette Falls Dr. West Linn, OR 97068 (NE ¼ of Section 2, 2S, 1E) Lot 3600. Its location is shown in Figure 1.

Comprehensive Plan and Zoning Designations

The Comprehensive Plan designation is Low Density Residential.

Consistent with the Comprehensive Plan, the property is zoned Single Family Residential Detached (R-10).

Property Owner

Ryan and Brittany Hixson
2185 Willamette Falls Dr.
West Linn, OR 97068
Phone: 503.435.7756
E-mail: rrrhix@aol.com

Applicant's Surveyor

Joe Jewett, PLS
Ironmark Surveying
P.O. Box 38
Saint Paul, OR 97137
Phone: 503.765.8755
E-mail: joe@ironmarkllc.com

Figure 1: Vicinity Map

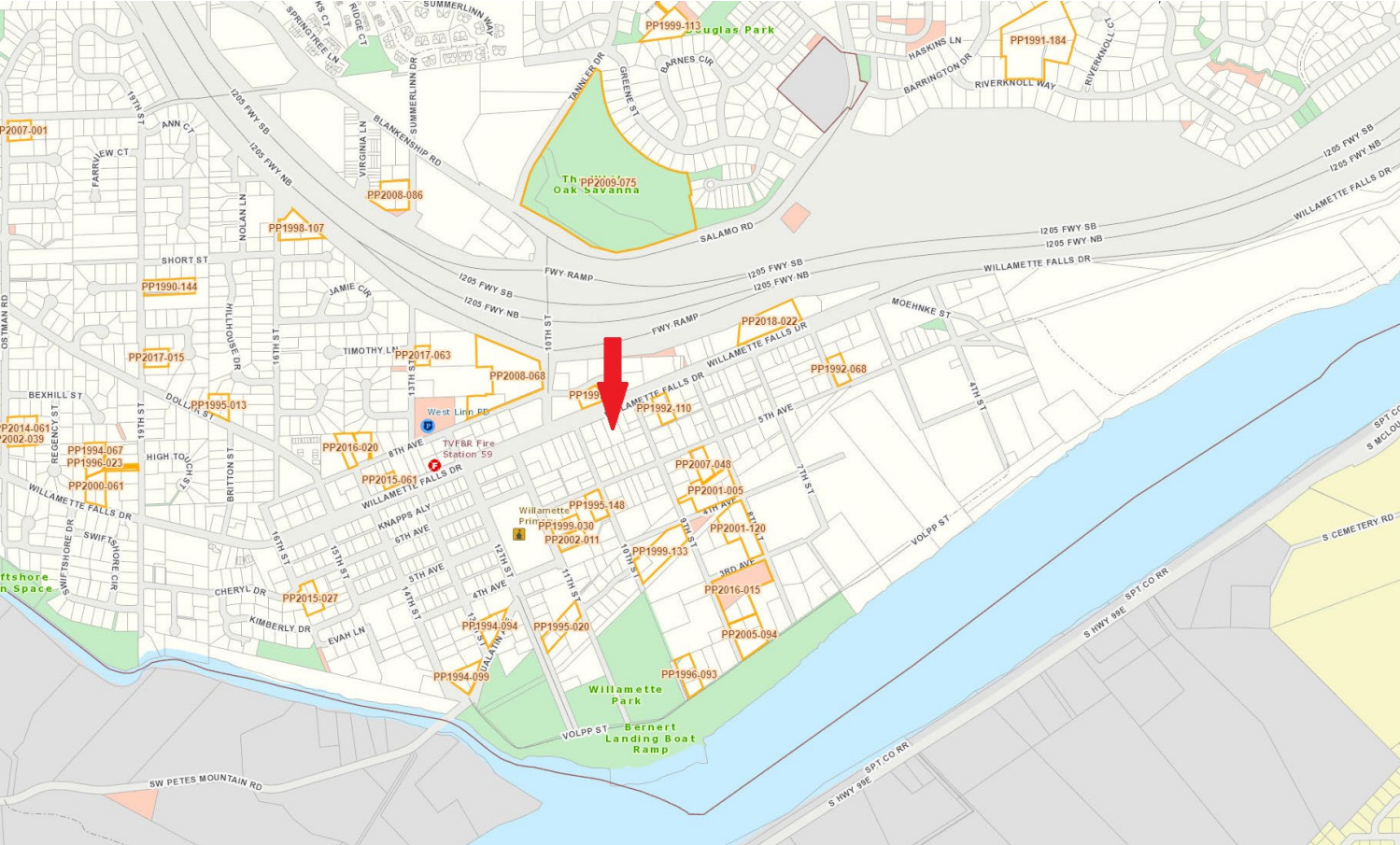
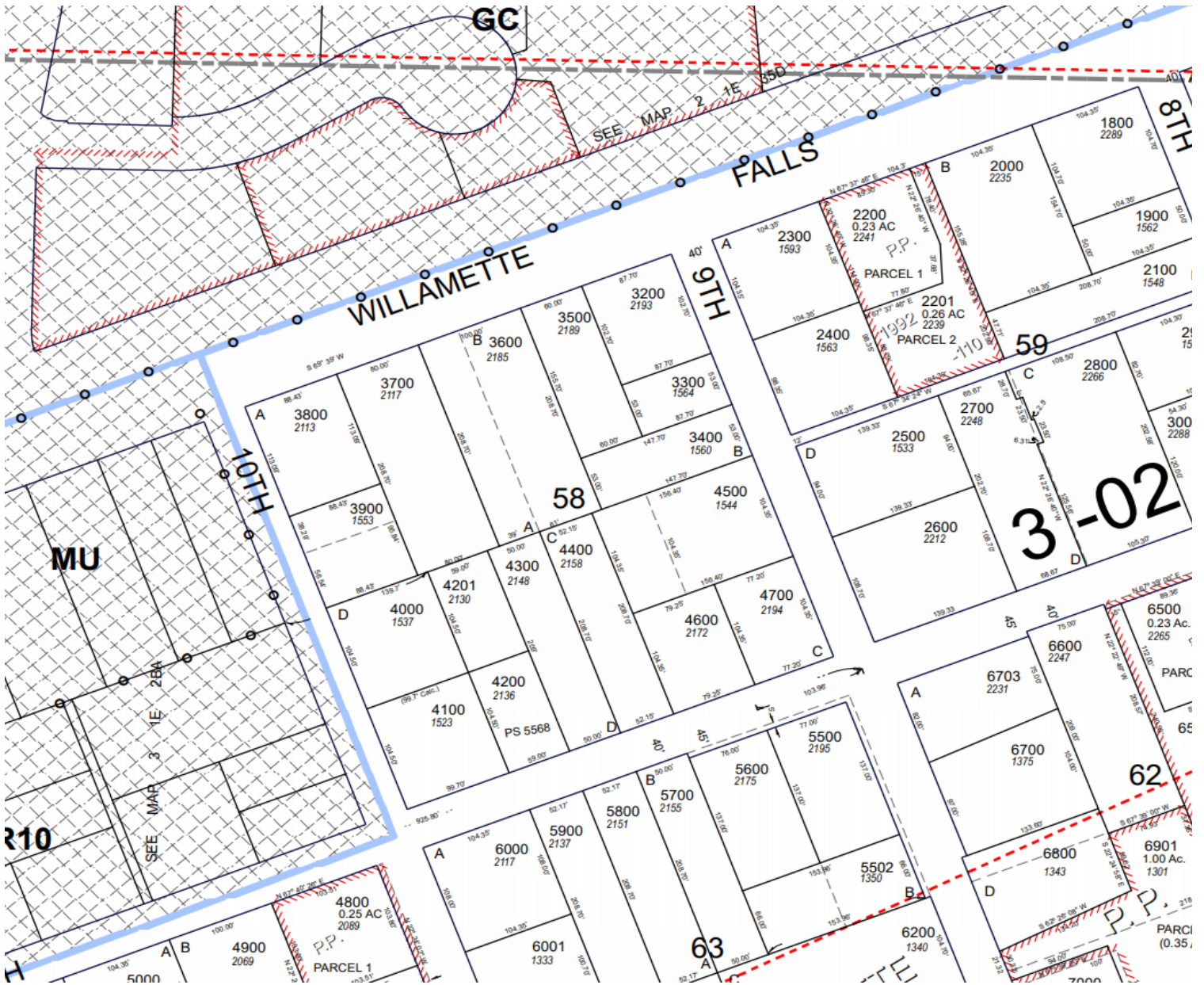


Figure 2: Property Map



BACKGROUND INFORMATION

Site Description

The site is developed with one single family residence, with the property measuring 20,870 square feet (.4791 acres). The property includes a 1,824 square-foot building, and driveway. As shown in Figure 2, it includes Lot 3600 (taxlot 31E02BA03600).

Vicinity Information

The zoning designations and current land use of the surrounding area are summarized in Table 1.

Table 1
Zoning and Land Use Summary

PARCELS	ZONE DESIGNATION	LAND USE
Subject Property	R-10	Single family residences

PROPOSED MINOR PARTITION & VARIANCE

This request to create a one-lot minor partition is viewed as technical step necessary to enable future development and to remove any potential issues related to easement. West Linn Community Development Code (CDC) Chapters 11, 48, 75, 85, 92 and 99 allow for an application, such as this minor partition. The criteria are addressed below. This one-lot partition will create additional development potential, and will not require the extension or improvement of streets, or prompt the need for supplemental utilities. The proposed partition plat is shown as Exhibit A.

Chapter 11

11.030

Property falls under permitted uses.

11.070

Property meets all categories with the exception of minimum lot size, which is addressed in variances (Chapter 75 of CDC code)

Chapter 48

48.025B, 3b

New property access will be provided through a shared driveway, which will mean the creation of an easement for both properties to access the public street (Willamette Falls Drive).

48.025B, 8 a-c

Both properties conform to standards set by this section, as they will both share the driveway that accesses the new (rear) property.

48.030B-C

Both properties conform to standards in these two sections, but will require a small variance in the 20' width required for the shared driveway and easement. The easement area totals 1399', and features a 40' encroach on the required horizontal width. This is a 2.8% variance on the proposed easement. The easement area does not count toward the area of either

proposed parcel.

Chapter 75

75.020A

The shared driveway will create an access easement, which will reduce the overall area of both lots. This requires a class 1 variance. This will provide more efficient use of the site, safe vehicular and pedestrian access, and will not adversely affect adjoining properties in terms of light, air circulation, noise levels, privacy or fire hazards.

75.030A

The class 1 variance due to the easement shall be decided by the planning director in the manner set forth in CDC 99.060A.

75.050A

Initiated by property owner

75.050C

- 1. There are variances in both the lot square footage, and the proposed easement. In both cases the proposed variances are within Class 1 variance constraints set forth in CDC code 75.020.A.1: *Required lot area may be modified by up to five percent*. Parcel one measures 9512', which is a 4.88% variance. Parcel two measures 9674', which is a 3.26% variance.
- 2. Shown in Exhibit A

75.060A&B

Plot plans conform to site plan and map rules set forth in this section and are shown in Exhibit A.

Chapter 85

85.020B

This plan will conform to the code provisions in ORS Chapter 92 upon approval and recording from the City of West Linn.

85.020C

No building permit is requested as part of this lot partition.

85.030A-C & 85.040

No sales, negotiations, or building permits are requested as part of this lot partition.

85.050

No alterations or improvements of any kind are taking place as part of this lot partition.

85.070A

Application will be filed by record owner of the property. Burden of proof available if requested.

85.070B

Application submission will follow plan provided.

85.140A-C

Completed on November 4th, 2020. File PA-20-09.

85.150

Application will include all required forms and pay all fees required.

85.160A

City-wide map shown in Figure 1 and vicinity map shown in Figure 2.

85.160B

Plan prepared by licensed land surveyor Joseph P. Jewett. (87788PLS)

85.160C-F

Plan shown in Exhibit A will follow rules set forth in these sub-sections of the CDC code.

85.170A.1-9

Narrative included within this application, as well as legal description of tract. No phasing is included as part of this lot partition. No hillsides are included. Lot calculations and map included in Exhibit A.

85.200B.7

Flag lot stem shown in Exhibit A, and has the minimum 15' street frontage.

- a. Setbacks will apply to the flag lot
- c. Both lot sizes are calculated exclusive of the accessway and are not counted toward either parcel.
- e. Accessway has a minimum of 12'.

85.200E

No grading proposed or needed as part of this lot partition.

Chapter 92

92.020 – 92.040

No improvements are needed for this lot partition; verified in pre-application conference.

Chapter 99

99.030A

Application will be initiated by the property owner, who will retain both parcels. No property transactions are taking place.

99.030B

Pre-application conference was completed on November 4th, 2020. File PA-20-09.

99.030C – 99.330

This application will be complete and submitted on forms provided by the CDC, with the required fees or deposits. Application determination and final plat decided by Planning Director Authority.

99.060

This section provides the Planning Director with the authority to review and approve minor partitions. This proposal is a minor partition, and therefore, this application to the Planning Director is appropriate.

99.110A

A decision shall be based upon proof provided by the applicant that the application is in full compliance with the CDC. The information and findings provided in this application satisfy this requirement.

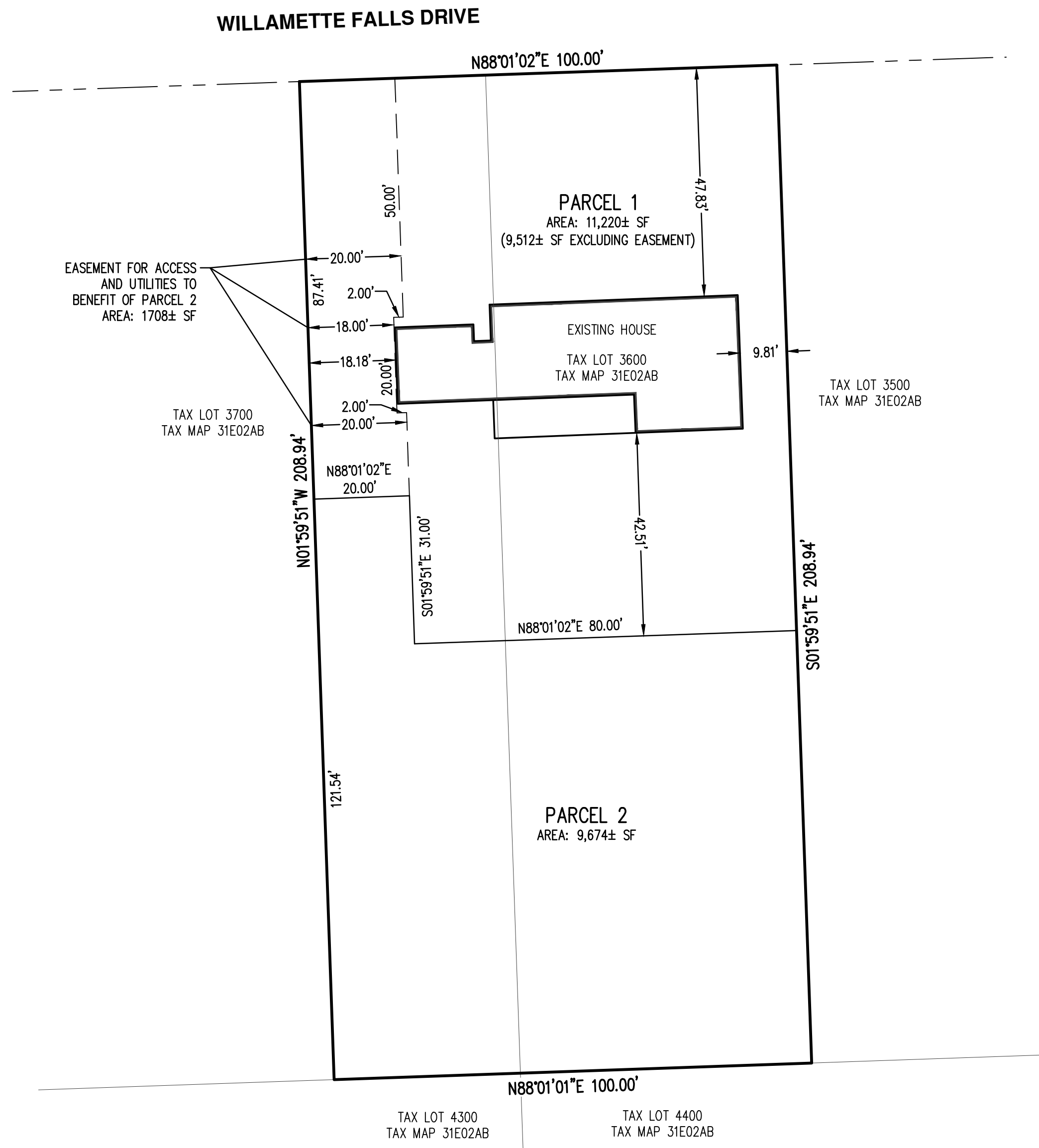
CONCLUSION

The proposed minor partition application with access easement satisfies the relevant criteria and should be approved.

EXHIBIT A
Minor Partition Plan

PRELIMINARY PARTITION PLAT

LOCATED IN THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 3 SOUTH,
RANGE 1 EAST, WILLAMETTE MERIDIAN,
CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON
DATE: _____



SCALE: 1" = 20 FEET

PREPARED FOR

RYAN HIXSON
2185 WILLAMETTE FALLS DRIVE
WEST LINN, OR 97068

REGISTERED
PROFESSIONAL
LAND SURVEYOR

PRELIMINARY

OREGON
JANUARY 9, 2018
JOSEPH P. JEWETT
87788PLS
RENEWS: 6/30/21

JOB NAME:	HIXSON
JOB NUMBER:	1078
DRAWN BY:	BDT
CHECKED BY:	JPJ
DRAWING NO.:	1078PLAT

IRONMARK
SURVEYING & ENGINEERING

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ironmarkllc.com