

**WEST LINN PLANNING COMMISSION
FINAL DECISION AND ORDER
VAR-21-04**

**IN THE MATTER OF A PROPOSAL FOR CLASS II VARIANCE TO ALLOW A
SWIMMING POOL WITHIN THE REAR AND SIDE-YARD SETBACKS OF 2182
TANNER DRIVE.**

I. Overview

At its meeting on June 16, 2021, the West Linn Planning Commission (“Commission”) held a public hearing to consider the request by Ritchie Cameron (Classic Pool Spa & Hearth) and Katie and William Spurlock to approve a Class II variance to allow a swimming pool within the rear and side-yard setbacks of 2182 Tanner Drive. The approval criteria for this temporary use permit application are found in Chapters 12, 34, 75 and 99 of the Community Development Code (CDC). The hearing was conducted pursuant to the provisions of CDC Chapter 99.

The hearing commenced with a staff report presented by John Floyd, Associate Planner. Katie Spurlock and Ritchie Cameron presented on behalf of the applicant. Oral testimony in favor of the proposal was submitted by Aubrey Moody, Derek and Michelle Johnson, Kevin and Kamelia White, and Rajkumar Ilanchelian. One written letter regarding access within this subdivision was included as a Memo item to the Planning Commission.

The public hearing was closed and a motion was made by Commissioner Carr and seconded by Commissioner Mathews to approve the application with one condition of approval set forth by the Planning Department of West Linn in the June 16, 2021 Staff Report. The motion was passed unanimously 6-0.
(Commissioners Erwin, Pellet, King, Carr, Mathews, and Walvatne).

II. The Record

The record was finalized at the June 16, 2021, hearing. The record includes the entire file from VAR-21-04.

III. Findings of Fact

- 1) The Overview set forth above is true and correct.
- 2) The applicant is Ritchie Cameron (Classic Pool Spa & Hearth) and Katie and William Spurlock.
- 3) The Commission finds that it has received all information necessary to make a decision based on the Staff Report and attached findings; public comment, if any; and the evidence in the whole record, including any exhibits received at the hearing.

IV. Findings

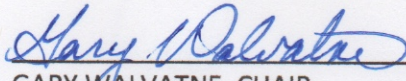
The Commission adopts the Staff Report for June 16, 2021, with attachments, as its findings, which are incorporated by this reference.

The Commission concludes that all of the required approval criteria are met subject to the following conditions of approval:

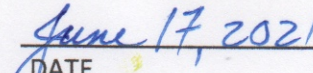
1. **Site Plans.** With the exception of modifications required by these conditions, the project shall substantially conform to all Tentative Plan Sheets as seen on PC-1.

V. Order

The Commission concludes that VAR-21-04 is approved based on the Record, Findings of Fact, and Findings above.



GARY WALVATNE, CHAIR
WEST LINN PLANNING COMMISSION



DATE

This decision may be appealed to the City Council pursuant to the provisions of Chapter 99 of the Community Development Code and any other applicable rules and statutes. This decision will become effective 14 days from the date of mailing of this final decision as identified below.

Mailed this 23 day of June, 2021.

Therefore, this decision becomes effective at 5 p.m., July 7, 2021.