

DEVELOPMENT REVIEW APPLICATION

For Office Use Only

STAFF CONTACT Chris Myers	PROJECT NO(S). LLA-21-04	PRE-APPLICATION NO. PA-21-11
NON-REFUNDABLE FEE(S) \$1,000	REFUNDABLE DEPOSIT(S)	TOTAL \$1,000

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 checked="" 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 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: 5435 AND 5455 SUMMIT STREET	Assessor's Map No.: 2-1E-25BA
	Tax Lot(s): 13000
	Total Land Area: 40,330 sq. Ft.

Brief Description of Proposal: **THE PROPERTY LINE IS BEING ADJUSTED TO INCREASE THE SIZE OF THE PROPERTY AND 5455 SUMMIT STREET.**

Applicant Name: KEVIN SIMONS <small>(please print)</small>	Phone: 503-367-5071
Address: 5455 SUMMIT STREET	Email: KEVINLSIMONS@GMAIL.COM
City State Zip: WEST LINN, OR 97068	

Owner Name (required): KEVIN SIMONS <small>(please print)</small>	Phone: 503-367-5071
Address: 5455 SUMMIT STREET	Email: KEVINLSIMONS@GMAIL.COM
City State Zip: WEST LINN, OR 97068	

Consultant Name: CLINTON STUBBS W/ NORTHWEST SURVEYING, INC. <small>(please print)</small>	Phone: 503-848-2127
Address: 1815 NW 169TH PLACE, SUITE 2090	Email: CLINT@NWSRVY.COM
City State Zip: BEAVERTON, OR 97006	

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. The permit approval will not be effective until the appeal period has expired.
4. The City accepts electronic (.pdf) land use applications and project submissions from applicants. Applicants should submit this form and supporting documents through the [Submit a Land Use Application](https://westlinnoregon.gov/planning/submit-land-use-application) web page:
<https://westlinnoregon.gov/planning/submit-land-use-application>

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.

KEVIN SIMONS	7/1/2021	KEVIN SIMONS	7/1/2021
Applicant's signature	Date	Owner's signature (required)	Date



EXHIBIT MAP

FOR PROPOSED PROPERTY LINE ADJUSTMENT
 LOCATED IN THE NORTHWEST 1/4 OF SECTION 25,
 TOWNSHIP 2 SOUTH, RANGE 1 EAST, W.M.,
 CITY OF WEST LINN, CLAKAMAS COUNTY, OREGON
 DATE: JULY 6, 2021

PREPARED FOR
 KEVIN SIMONS
 5455 SUMMIT STREET
 WEST LINN, OR 97068

PARCEL 3
 PARTITION PLAT NO.
 1997-133

TAX LOT 7407
 MAP 2-1E-25AB

TAX LOT 13700
 MAP 2-1E-25BA
 LOT 1
 "SUMMIT VIEW"

TRACT 2
 ORIGINAL AREA = ±28,386 S.F.
 ADJUSTED AREA = ±26,916 S.F.

PARCEL 2
 PARTITION PLAT NO.
 1995-064

PARCEL 1
 PARTITION PLAT NO.
 1995-064

TAX LOT 7403
 MAP 2-1E-25AB

TAX LOT 13100
 MAP 2-1E-25BA

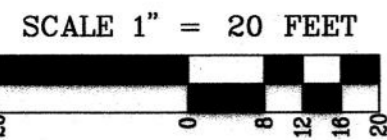
TAX LOT 13100
 MAP 2-1E-25BA

TAX LOT 13000
 MAP 2-1E-25BA
 LOT 4
 BLOCK 3
 "SERANGO NO. 2"
 10.00' SEWER EASEMENT
 PER "SERANGO NO. 2"

TRACT 1
 ORIGINAL AREA = ±11,944 S.F.
 ADJUSTED AREA = ±13,414 S.F.

**AREA OF
 ADJUSTMENT 1**
 ±1,992 S.F.

**AREA OF
 ADJUSTMENT 2**
 ±3,462 S.F.



LOT 3
 BLOCK 3

EXISTING HOUSE

SUMMIT STREET

RANDALL STREET

NOTES

- 1) THE FIELD SURVEY FOR THIS MAP WAS COMPLETED IN SEPTEMBER 27, 2019.
- 2) BOTH PROPERTIES ARE ZONED R-10, SINGLE FAMILY RESIDENTIAL DETACHED.
- 3) TRACT 1 IS LOT 4, BLOCK 3 OF "SEANGO NO. 2". IT IS A PORTION OF TAX LOT 13000 ON MAP 2-1E-25BA. THE ADDRESS IS 5435 SUMMIT STREET. IT HAS AN EXISTING HOUSE WITH WATER SERVICE ON SUMMIT STREET AND ACCESS TO THE PUBLIC SANITARY SEWER ALONG THE EAST PROPERTY LINE. IT HAS DIRECT VEHICULAR ACCESS TO SUMMIT STREET.
- 4) TRACT 2 IS LOT 1 OF "SUMMIT VIEW". IT IS TAX LOT 13700 ON MAP 2-1E-25BA. THE ADDRESS IS 5435 SUMMIT STREET. IT HAS NO EXISTING HOUSE. IT WILL REQUIRE PRIVATE SANITARY SEWER EASEMENTS, AS SHOWN. IT WILL HAVE VEHICULAR ACCESS AND ACCESS TO WATER FROM RANDALL STREET AND SUMMIT STREET.
- 5) BOTH PROPERTIES ARE LOCATED IN UNSHADED ZONE X ON PANEL NUMBER 410 05C0257D WITH AN EFFECTIVE DATE OF JUNE 17, 2008.

LEGEND

WATER METER	■
TELEPHONE/TELEVISION JUNCTION BOX	△
SANITARY SEWER MANHOLE	⊙
FOUND SURVEY MONUMENT	●
RIGHT-OF-WAY LINE	---
BOUNDARY LINE	—
PROPERTY LINE	—
CENTERLINE	—
CURB	—
EASEMENT	---
SANITARY SEWER LINE	--- SAN
WATER LINE	--- WAT

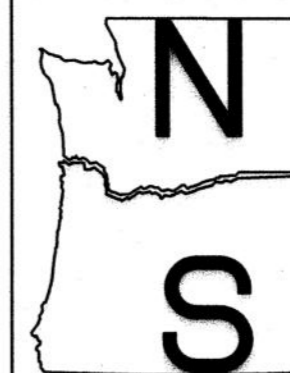
REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Clinton H. Stubbs Jr.

OREGON
 JANUARY 15, 2002
 CLINTON H. STUBBS JR.
 55469LS

RENEWS: 06/30/22

JOB NAME:	SIMONS
JOB NUMBER:	1999
DRAWN BY:	CHS
CHECKED BY:	CHS
DRAWING NO:	1999 PLA APP



BOUNDARY TOPOGRAPHIC CONSTRUCTION CADASTRAL

NORTHWEST
 1815 NW 169th PLACE, SUITE 2090
 BEAVERTON, OR 97006
 PHONE: 503-848-2127
 FAX: 503-848-2179
 EMAIL: nwsurveying@nwsrvy.com

Clackamas County Official Records 2019-080406
Sherry Hall, County Clerk 06/26/2019 09:51:01 AM
D-D Cnt=1 Stn=75 TIFFANY
\$10.00 516.00 \$10.00 562.00 \$98.00

RECORDING REQUESTED BY:

ffl TICOR TITLE
Company of Oregon

4800 SW Meadows Rd., Ste 300
Lake Oswego, OR 97035

GRANTOR'S NAME:

Kevin Simons and Michelle Simons

GRANTEE'S NAME:

Kevin Simons and Michelle Simons

AFTER RECORDING RETURN TO:

Kevin Simons and Michelle Simons
5455 Summit Street
West Linn, OR 97068

SEND TAX STATEMENTS TO:

Kevin Simons and Michelle Simons
5455 Summit Street
West Linn, OR 97068

APN: 00383132
5455 Summit Street, West Linn OR 97068

SPACE ABOVE THIS LINE FOR RECORDER'S USE

BARGAIN AND SALE DEED - STATUTORY FORM
(INDIVIDUAL or CORPORATION)

Kevin Simons and Michelle Simons, who acquired title as Michelle McClenathan, Grantor, conveys to Kevin Simons and Michelle Simons, as tenants by the entirety, Grantee, the following described real property, situated in the County of Clackamas, State of Oregon,

PARCEL I:

Lot 4, Block 3, SERANGO NO. 2, in the City of West Linn, County of Clackamas and State of Oregon.

PARCEL II:

Lot 1, SUMMIT VIEW, in the City of West Linn, in the County of Clackamas and State of Oregon.

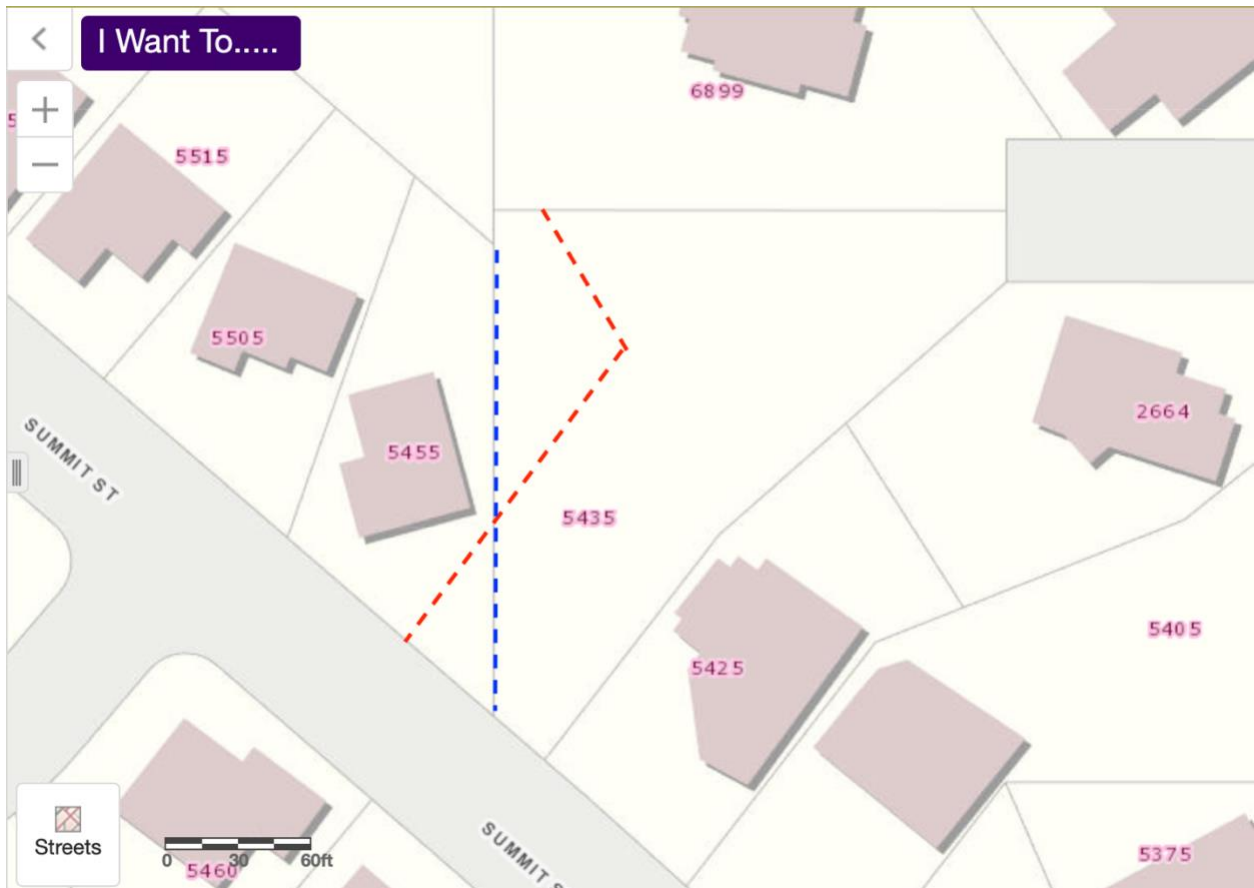
The true consideration for this conveyance No Dollars And No/100 Dollars (\$0.00). (See ORS 93.030).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

TICOR TITLE
TI ACC HOQ-7
Courtesy Only-Not Examined

A. The Director shall approve or deny a request for a property line adjustment based on the criteria stated below:

1. No new lots are being created
2. The lots will maintain R-10 zoning
3. Current and proposed lot lines
 - a. Current Lot Line - - - - -
 - b. Proposed Lot Line - - - - -



4. The property line adjustment does not create a lot or parcel that violates applicable site development regulations.
5. The proposed property line adjustment does not adversely affect existing easements or existing utilities.

PROJECT BACKGROUND The applicant proposes to adjust the shared property line between the existing lots of record located at 5455 Summit Street (Lot 4, Block 3, Serango No. 2 Plat) and 5435 Summit Street (Lot 1, Summit View Plat). Proposed Parcel 1 contains an existing single-family detached home and a public sanitary sewer line and public utility easement at approximately the location of the existing property line proposed to be adjusted. Proposed Parcel 1 will maintain access and water service from Summit Street and maintain sanitary sewer connection to the aforementioned line. Proposed Parcel 2 is vacant and seeks access from Summit St. Proposed Parcel 2 will get water from the existing line in Summit Street via recorded easement and sanitary sewer service from the aforementioned line via recorded easement. No additional lots are being created by the property line adjustment. The adjustment will move the common property line to allow for an exchange of 1,470 sq. ft. from one property to the other. Proposed Parcel 2 will be dividable in the future, while Proposed Parcel 1 will not be dividable under current zoning. The adjustment meets the standards of the land division chapter and the dimensional standards and other provisions of the underlying R-10 zone.

Before Adjustment / After Adjustment

5455 Summit St. (Proposed Parcel 1) 11,944 / 13,414

5435 Summit St. (Proposed Parcel 2) 28,386 / 26,916

11: Single-Family Residential Detached, R-10

11.070 Dimensional Requirements, Uses Permitted Outright and Uses Permitted Under Prescribed Conditions

Proposed Parcel 1 contains an existing, detached single-family home. Proposed Parcel 2 is vacant with the opportunity for one detached single-family home to be constructed. The criteria are met.

Proposed Parcel 1 will be adjusted to 13,414 sq. ft. and Proposed Parcel 2 will be adjusted to 26,916 sq. ft. The criteria are met

Proposed Parcel 1 will have a front lot line width along Summit Street of 58 feet. Proposed Parcel 2 will have a front lot line width along Summit Street of 85 feet as it was platted per Summit View Plat in 1988 (see Exhibit PD-4). The criteria are met.

Proposed Parcel 1 will have an average lot width greater than 143 feet. Proposed Parcel 2 will have an average lot width of approximately 80 feet. The criteria are met.

Proposed Parcel 1 contains an existing single-family home with current front yard setback of 24 feet, rear yard setback of 64 feet, side yard setback (west) of 10.1 feet, and side yard setback (east) of 13.4 feet that will be increased to 88.92 feet after the adjustment. Proposed Parcel 2 is currently vacant and setbacks will be checked for compliance during the building permit application process. The criteria are met

Proposed Parcel 1 contains an existing single-family home and after adjustment will have a lot coverage of 11 percent and a 0.104 floor-area-ratio. No changes are proposed to the current access, building height or sidewalls. Proposed Parcel 2 is currently vacant and building height, lot coverage,

floor-area-ratio, and sidewall provisions will be checked for compliance during the building permit application process. The criteria are met

Proposed Parcel 2 is zoned R-10, 26,916 square feet in size, and will be required to have a minimum 10 foot wide hard-surface paved driveway during building permit application process for a future single-family detached home. The criteria are met.

Proposed Parcel 2 is zoned R-10 and has a front lot line width of 85 feet at Summit Street. The average minimum lot width is approximately 85 feet. The criteria are met.

Proposed Parcel 2 is currently vacant and setbacks will be checked for compliance during the building permit application process. The criteria are met

No variances for Proposed Parcel 2 have been granted nor are any requested. The criteria are met

- 11.090 Other Applicable Development Standards

48: Access, Egress, and Circulation

No changes are proposed to the current access, building height or sidewalls. Proposed Parcel 2 is currently vacant and building height, lot coverage, floor-area-ratio, and sidewall provisions will be checked for compliance during the building permit application process. No changes are proposed to the existing 84 feet of property access along Summit St. The criteria are met

- 48.020 Applicability and General Provisions
 - 48.025 Access Control
 - 48.030 Minimum Vehicular Requirements for Residential Uses
 - 48.060 Width and Location of Curb Cuts and Access Separation Req
- o May need variance on this one

68: Non-Conforming Lots, Lots of Record

All lots are conforming and lots of record. Parcel 2 is vacant and no new development is proposed. The criteria are met

- 68.030 Determination of Status
- 68.040 Status

75: Variances and Special Waivers

No variances for Proposed Parcel 2 have been granted nor are any requested. The criteria are met

- 75.010 Purpose
- 75.020 Classification of Variances
- 75.030 Approval Process
- 75.050 Application
- 75.060 Site Plans and Map

85: General Provisions

Section 85 is not Applicable as no subdivision or partition is proposed. The Criteria is met.

- 85.010 Purpose
- 85.020 Scope – Conformity Required
- 85.090 Expiration or Extension of Approval
- 85.150 Application – Tentative Plan
- 85.160 Submittal Requirements for Tentative Plan
- 85.170 Supplemental Submittal Requirements for Tentative Subdivision or Partition Plan

Not Applicable as no subdivision or partition is proposed. The Criteria is met.

- 85.200 Approval Criteria
- 89: Subdivisions and Partition Plats

Not Applicable as no subdivision or partition is proposed. The Criteria is met.

- 89.010 – 89.090 All sub-chapters

Not Applicable as no subdivision or partition is proposed. The Criteria is met.

92: Required Improvements

- 92.010 Public Improvements for All Development

Proposed Parcel 2 is currently vacant and compliance with street improvement standards found in the West Linn Municipal Code will be checked during the building permit application process. The criteria are met.