

WEST LINN PLANNING COMMISSION

FINAL DECISION AND ORDER

VAR-22-01

IN THE MATTER OF A PROPOSAL FOR APPROVAL OF A CLASS II VARIANCE TO ALLOW A DRIVEWAY TO EXCEED THE MAXIMUM 15% GRADIENT.

I. Overview

At its meeting on April 6, 2022 the West Linn Planning Commission (“Commission”) held a public hearing to consider the request by Marius Rosca (Developer) to approve a Class II Variance to allow a driveway to exceed the 15% maximum gradient. The approval criteria for a Class II Variance are found in Chapter 75 of the Community Development Code (CDC). The hearing was conducted pursuant to the provisions of CDC Chapter 99.

The public hearing commenced with a staff report presented by Chris Myers, Associate Planner. Bruce Goldson presented on behalf of the developer and Christopher Jeffords, the homeowner.

The applicant’s representative provided rebuttal and answered follow-up questions.

The hearing was closed and the Planning Commission deliberated. Primary topics of discussion:

- Concerns regarding cold weather and slippery conditions on a steep driveway;
- Whether the owner is backing out of driveway onto Rosemont Road;
- Concerns over potential water runoff from the driveway;

A motion was made by Commissioner Mathews and seconded by Commissioner Carr to approve the application. The motion passed with six votes in favor (Commissioners Boggess, Erwin, Metlen, Carr, Mathews, and Walvatne). Commissioner Pellet was not in attendance.

II. The Record

The record was finalized at the April 6, 2022, hearing. The record includes the entire file from VAR-22-01.

III. Findings of Fact

- 1) The Overview set forth above is true and correct.
- 2) The applicant is Marius Rosca.
- 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; and the evidence in the whole record.

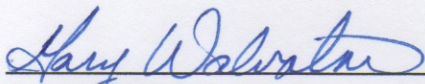
IV. Findings

The Commission adopts the Staff Report for April 6, 2022, 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:

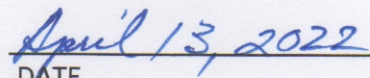
1. **Site Plans.** With the exception of modifications required by these conditions, the project shall substantially conform to all Tentative Plan Sheets in Exhibit PC-1.

V. Order

The Commission concludes that VAR-22-01 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 13 day of April, 2022.

Therefore, this decision becomes effective at 5 p.m., April 27, 2022.