

**CITY OF WEST LINN
NOTICE OF CITY COUNCIL HEARING
FILE NO. AP-22-01**

The West Linn City Council will hold a virtual public hearing on **Monday, March 14, 2022 at 6:00 pm** to consider an appeal by Luan Ly of MISC-22-01, a Planning Director decision to deny a home occupation application to conduct swim lessons in an outdoor, above-ground swimming pool at 2245 Michael Drive.

The City Council will decide the appeal based on the applicable criteria in Community Development Code (CDC) Chapters 11, 37, and 99. The approval criteria from the CDC are available for review on the City website <http://www.westlinnoregon.gov/cdc>.

The appellant stated grounds for appeal is the denial lacks legal or factual merit. The applicant did not identify any specific non-discretionary approval criteria in CDC Chapter 37 as being misapplied.

The appeal is a de novo hearing and not limited to the stated grounds for the appeal. All relevant issues may be considered. All evidence presented to the lower approval authority shall be considered and given equal weight as evidence presented on appeal. The City Council may affirm, reverse, or modify the February 8, 2022 decision.

The appeal application and staff report will be posted 10 days before the hearing on the City's website, <https://westlinnoregon.gov/planning/2245-michael-drive-appeal-misc-22-01-director%E2%80%99s-decision-swimming-pool-home-occupation> Alternatively, the complete record and criteria are available for inspection at no cost, and copies at a reasonable cost at City Hall 10 days before the hearing.

The hearing will be conducted following the rules of CDC Section 99.170. **Anyone wishing to present written testimony for consideration shall submit all material before 12:00 pm on March 14, 2022.** Written comments may be submitted to dwyss@westlinnoregon.gov or mailed to City Hall.

To testify at the hearing, go to <https://westlinnoregon.gov/citycouncil/meeting-request-speak-signup> to **complete the speaker sign-up form before 4:00pm on the day of the meeting.** Instructions on how to access the virtual meeting will be emailed before the meeting. If you miss the deadline and would like to speak at the meeting, please fill out the form, and staff will send you a link as time allows. If you do not have email access, please call 503-742-6061 for assistance 48 hours before the meeting.

As the decision is not a limited land use decision under ORS 197.015, there is no right to appeal the decision to the Land Use Board of Appeals.

Contact Darren Wyss, Planning Manager, City Hall, 22500 Salamo Rd., West Linn, OR 97068, 503-742-6064 for additional information.