

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT <i>Darren Weiss</i>	PROJECT NO(S). <i>AP22-01</i>	PRE-APPLICATION NO.
NON-REFUNDABLE FEE(S)	REFUNDABLE DEPOSIT(S)	TOTAL <i>400</i>

Type of Review (Please check all that apply):

- | | | |
|--|---|--|
| <input type="checkbox"/> Annexation (ANX) | <input type="checkbox"/> Historic Review | <input type="checkbox"/> Subdivision (SUB) |
| <input checked="" 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 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: <i>2245 Michael Dr. West Linn, OR. 97068</i>	Assessor's Map No.:
	Tax Lot(s):
	Total Land Area:

Brief Description of Proposal: *MISC-22-01*
Appeal Planning's Decision in the denial of home occupation permit

Applicant Name: <i>Luan Ly</i> <small>(please print)</small> Address: <i>2245 Michael Dr.</i> City State Zip: <i>West Linn, OR. 97068</i>	Phone: <i>(206)7437425</i> Email: <i>Luanly@gmail.com</i>
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Owner Name (required): <i>Luan Ly</i> <small>(please print)</small> Address: <i>2245 Michael Dr.</i> City State Zip: <i>West Linn, OR. 97068</i>	Phone: <i>(206)7437425</i> Email: <i>Luanly@gmail.com</i>
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Consultant Name: <small>(please print)</small> Address: City State Zip:	Phone: Email:
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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.

<i>Luan Ly</i>	<i>2/17/2022</i>	<i>Luan Ly</i>	<i>2/17/2022</i>
Applicant's signature	Date	Owner's signature (required)	Date



2/17/2022

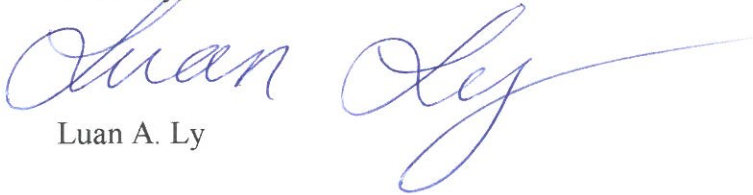
To Whom This May Concern,

I, Luan Ly, own and occupy the premises of 2245 Michael Dr. West Linn, OR. 97068. The property is titled jointly under my name and that of my husband, Donovan Lierman, as such I have legal standing to pursue this appeal.

I am appealing the decision to reject the home occupation permit file number: MISC-22-01. I do not believe the denial has legal or factual merit. I am personally aware of other similarly situated property owners who have obtained permits to carry on business on their property, and not within the confines of the dwelling itself. The appeal is based in part on my contention that this is a violation of the due process provisions of the United States Constitution, in short, because I am being singled out and treated differently without a rational basis for doing so. My appeal is further based on the fact that I was previously allowed to operate my business on the premises and my permit was wrongfully terminated without the opportunity for a hearing to contest the termination. I am aware that one neighbor has repeatedly expressed racial animosity towards me in the form of racial slurs and has contacted the West Linn Police regarding my business. I believe the city, acting on those complaints, has wrongfully terminated my prior valid permit and refused to grant my application for a new permit, based in part on those complaints. The city code has been interpreted erroneously by the planning director. The code, when read in its entirety, does not preclude businesses such as mine from being able to obtain a permit.

I will be submitting supplemental documentation for the appeal.

Sincerely,

A handwritten signature in blue ink that reads "Luan Ly". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Luan A. Ly