

DEVELOPMENT REVIEW APPLICATION

For Office Use Only

STAFF CONTACT Ben Gardner	PROJECT NO(S). AP--23-01	PRE-APPLICATION NO.
NON-REFUNDABLE FEE(S) \$400	REFUNDABLE DEPOSIT(S)	TOTAL \$400

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"/> Code Interpretation | <input type="checkbox"/> Lot Line Adjustment (LLA) | <input type="checkbox"/> Time Extension |
| <input type="checkbox"/> Conditional Use (CUP) | <input type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan) | <input type="checkbox"/> Variance (VAR) |
| <input type="checkbox"/> Design Review (DR) | <input type="checkbox"/> Modification of Approval | <input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP) |
| <input type="checkbox"/> Tree Easement Vacation | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures | <input type="checkbox"/> Water Resource Area Protection/Wetland (WAP) |
| <input type="checkbox"/> Final Plat or Plan (FP) | <input type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Willamette & Tualatin River Greenway (WRG) |
| <input type="checkbox"/> Flood Management Area | <input type="checkbox"/> Street Vacation | <input type="checkbox"/> Zone Change |

Pre-Application, Home Occupation, Sidewalk Use, Addressing, and Sign applications require different forms, available on the City website.

Site Location/Address:

19679 Wildwood Drive

Assessor's Map No.:

Tax Lot(s): 2S 1E 23AC tax lot 4600

Total Land Area: 0.67 acres

Brief Description of Proposal:

Appeal of WAP-22-02, water resource area permit at 19679 Wildwood Drive

Applicant Name: RUSSELL B. AXELROD
(please print)

Address: 19679 Wildwood Drive

City State Zip: West Linn OR 97068

Phone: (503) 312-8464

Email: rboxelrod@yahoo.com

Owner Name (required):
(please print)

Address:

City State Zip:

Phone:

Email:

Consultant Name:
(please print)

Address:

City State Zip:

Phone:

Email:

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. Submit this form and supporting documents through the Submit a 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.

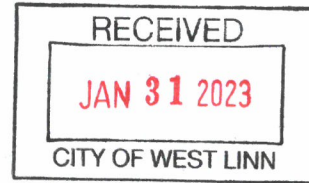

Applicant's signature

1/31/23
Date

Owner's signature (required)

Date

January 31, 2023



Community Development Department & City Council
City of West Linn
22500 Salamo Road
West Linn, OR 87068

Subject: Appeal of Planning Director Decision, WAP-22-02

City of West Linn,

I am appealing the Planning Director Decision for the Water Resource Area (WRA) Protection application specified as File No. WAP-22-02. I submitted comments to the City in response to the Notice of Upcoming Planning Manager Decision, File No. WAP-22-02, within the established comment period and, therefore, have standing to file this appeal under CDC 99.140.

Please find attached a personal check to the City of West Linn for the appeal fee of \$400. Unfortunately, I am paying the filing fee personally since our Hidden Springs Neighborhood Association (HSNA) did not receive proper notice concerning this matter, and the City would not grant a brief extension of the appeal period because of the noticing error to allow reasonable review and comment by our HSNA.

I live at 19648 Wildwood Drive within 200 ft of the subject property. I am appealing this matter on behalf of numerous residents in the vicinity of the subject property herein referred to as Wildwood Drive Neighbors. At least 13 of these closest residents also submitted comments requesting the application be denied. Because the appeal hearing will be denovo, the HSNA, and any other individuals or interested parties may submit testimony to/at the hearing should they so choose.

This appeal is being filed because of inappropriate and/or incorrect interpretation and application of our WRA regulations/code. This planning decision, if approved, would also establish a new development precedent that would further threaten the safety and welfare of our citizenry from hazards known in our community today. The basis for denial and related concerns are most significantly founded in Community Development Code (CDC) Chapters 32, 34, 99, and our West Linn City Charter.

Respectfully,

A handwritten signature in black ink, appearing to read "Russell B. Axelrod".

Russell B. Axelrod
19648 Wildwood Drive
West Linn, OR 97068
Cell: (503) 312-8464