



**STAFF REPORT
PLANNING MANAGER DECISION**

DATE: January 9, 2024
FILE NO.: LLA-23-04/VAR-23-03
REQUEST: Property Line Adjustment (LLA) between two legal lots: 1601 Killarney Drive and 1627 Killarney Drive and Class I Variance to reduce the lot size at 1627 Killarney Drive below minimum standards for the R-10 zone
PLANNER: Darren Wyss, Planning Manager

Planning Manager DSW

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GENERAL INFORMATION

APPLICANT: The Portlock Company
2172 Tannler Drive
West Linn, OR 97068

OWNER: TPC Property LLC Steve Strickland
P.O. Box 521 1601 Killarney Drive
West Linn, OR 97068 West Linn, OR 97068

SITE LOCATION: 1627 Killarney Drive 1601 Killarney Drive
Proposed Parcel 1 Proposed Parcel 2

LEGAL DESCRIPTION: Lot 4, Block 1 Lot 3, Block 1
Green Hills Estates IV (1977) Green Hills Estates IV (1977)

SITE SIZE CURRENT: 10,025 sq. ft. 10,005 sq. ft.

SITE SIZE PROPOSED: 9,897 sq. ft. 10,134 sq. ft.

COMP PLAN DESIGNATION: Low Density Residential Low Density Residential

ZONING: R-10 R-10

APPROVAL CRITERIA: Community Development Code (CDC) Chapter 85 Land Division;
Chapter 11: R-10 Single Family Residential Detached; Chapter 75:
Variances and Special Waivers; Chapter 99: Procedures for Decision
Making: Quasi-Judicial.

120-DAY RULE: The application became complete on December 21, 2023. The 120-
day period therefore ends on April 21, 2024.

PUBLIC NOTICE: Notice was mailed to property owners within 300 feet of the subject
property and to the affected neighborhood association on December
22, 2023. A sign was placed on the property on December 22, 2023.
The notice was also posted on the City’s website on December 22,
2023. Therefore, public notice requirements of CDC Chapter 99 have
been met.

PROJECT BACKGROUND

The applicant proposes to adjust the shared property line between the existing lots of record located at 1601 Killarney Drive (Lot 3, Block 1, Green Hills Estates IV Plat) and 1627 Killarney Drive (Lot 4, Block 1, Green Hills Estates IV Plat). The proposal will correct an existing fence encroachment from 1601 Killarney Drive onto the 1627 Killarney Drive property that was discovered during surveying work associated with the HB2001/SB458 land division approved at 1627 Killarney Drive. The proposed property line adjustment will reduce the size of 1627 Killarney Drive below 10,000 square feet, the minimum for the R-10 Residential zone, and requires a Class I Variance, which allows the reduction of minimum lot sizes up to five percent. The proposal is for a reduction of the lot size by 1.3 percent.

	Before Adjustment	After Adjustment
1601 Killarney Drive	10,005 sq. ft.	10,134 sq. ft.
1627 Killarney Drive	10,025 sq. ft.	9,897 sq. ft.

PUBLIC COMMENT

The City received no public comments.


DECISION

The Planning Manager (designee) approves this application (LLA-23-04/VAR-23-03), based on: 1) the findings submitted by the applicant, which are incorporated by this reference; 2) supplementary staff findings included in the Addendum; and, 3) by the conditions of approval below:

Conditions of Approval

1. The applicant shall file, with the Clackamas County Clerk, conveyances conforming the approved property line adjustment as surveyed in accordance with ORS 92.060(7) and any documents required by the county surveyor (such as an overplat).
2. The final property line adjustment map (or partition plat) showing the survey of the adjusted line between Lots 3 and 4 shall substantially conform to the documents provided in Exhibit PD-1.

The provisions of the Community Development Code Chapter 99 have been met.



Darren Wyss, Planning Manager

January 9, 2024
Date

Appeals to this decision must be filed with the West Linn Planning Department within 14 days of the mailing date listed below. The cost of an appeal is \$400. The appeal must be filed by an individual who has established standing by submitting comments prior to the date identified in the public notice. Appeals will be heard by City Council. Approval will lapse 3 years from effective approval date if the final plat is not recorded.

Mailed this 9th day of January 2024.

Therefore, the 14-day appeal period ends at 5 p.m., on January 23, 2024.

**ADDENDUM
APPROVAL CRITERIA AND FINDINGS
LLA-23-04/VAR-23-03**

This decision adopts the findings for approval contained within the applicant’s submittal, with the following exceptions and additions:

I. Chapter 11 Single-Family Residential Detached, R-10

11.030 Permitted Uses

1. Single-family attached or detached residential unit.

a. Duplex residential units

b. Triplex residential units

c. Quadplex residential units

Staff Finding 1: An existing single-family detached home occupies 1601 Killarney Drive. A detached duplex is under construction on 1627 Killarney Drive. The criteria are met.

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

STANDARD	REQUIREMENT	ADDITIONAL NOTES
Minimum lot size	10,000 sf	For a single-family attached or detached unit
Average minimum lot or parcel size for a townhouse project	1,500 sf	

Staff Finding 2: The proposal will increase the lot size of 1601 Killarney Drive to 10,134 sq. ft. and reduce the lot size of 1627 Killarney Drive to 9,897 sq. ft. A Class I Variance is required for the reduction under the minimum lot size. Please see Staff Findings 3 to 6. No other dimensional requirements will be modified. The criteria are met.

II. Chapter 75 Variances and Special Waivers

75.020 Classification of Variances

A. Class I Variance. Class I variances provide minor relief from certain code provisions where it can be demonstrated that the modification will not harm adjacent properties, and it conforms with any other code requirements. Class I variances are allowed for the following code provisions:

1. Required Yard and Minimum Lot Dimensional Requirements. Required yards may be modified up to 20 percent, lot dimensions by up to 10 percent and lot area by up to five percent if the decision-making authority finds that the resulting approval:

Staff Finding 3: The proposal is to reduce the minimum lot area of 1627 Killarney Drive from 10,025 sq. ft. to 9,897 sq. ft. This is a 1.3 percent reduction. The criteria are met.

a. Provides for a more efficient use of the site;

Staff Finding 4: The proposal is to correct an existing fence encroachment from 1601 Killarney Drive onto the 1627 Killarney Drive property. The property owners agreed to this solution. The criteria are met.

b. Preserves and incorporates natural features into the overall design of the project;

Staff Finding 5: The proposal will avoid the potential loss of vegetation and potential grading required to move/reconstruct the encroaching fence. The criteria are met.

c. Does not adversely affect adjoining properties in terms of light, air circulation, noise levels, privacy, and fire hazards; and

d. Provides for safe vehicular and pedestrian access to the site and safe on-site vehicular and pedestrian circulation.

Staff Finding 6: The proposal does not affect the light, air circulation, noise levels, privacy, or fire hazards as the encroaching fence has been in its location for years. Pedestrian and vehicle access will not change. The criteria are met.

III. Chapter 85 General Provisions

85.210 Property Line Adjustments – Approval Standards

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

1. An additional lot or parcel shall not be created by the line adjustment.

Staff Finding 7: The proposal adjusts the common property line between two existing lots of record. No additional lots are proposed to be created. The criteria are met.

2. *The existing property shall not be reduced in size by the adjustments below the minimum lot or parcel size established by the approved zoning for that district. The property line adjustment shall not enlarge, increase or extend the non-conformity of a non-conforming lot or non-conforming structure.*

Staff Finding 8: The proposal will increase the lot size of 1601 Killarney Drive to 10,134 sq. ft. and reduce the lot size of 1627 Killarney Drive to 9,897 sq. ft. The minimum lot size in the R-10 Residential zone is 10,000 sq. ft. A Class I Variance is required for the reduction under the minimum lot size. Please see Staff Findings 3 to 6. There are no non-conformities associated with the lot or structures. The criteria are met.

3. *Property line adjustments shall be either:*
- a. *A straight line (see Figure 1 example);*
 - b. *A line with maximum of two 45- to 90-degree turns (see Figure 2 example); or*
 - c. *A maximum of three turns less than 45 degrees (see Figure 3 example).*
- (The following figures are only intended as examples.)*

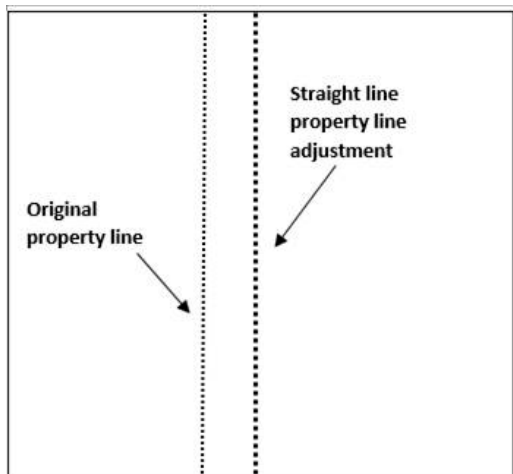


Figure 1.

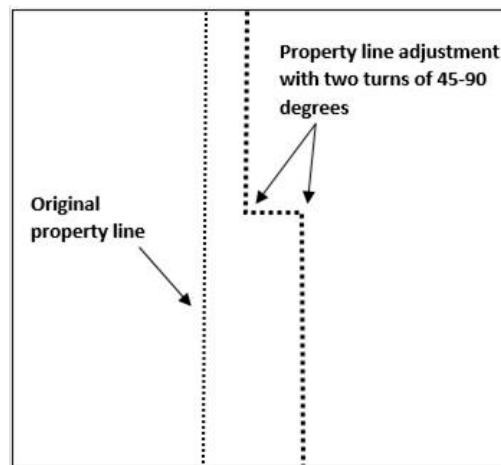


Figure 2.

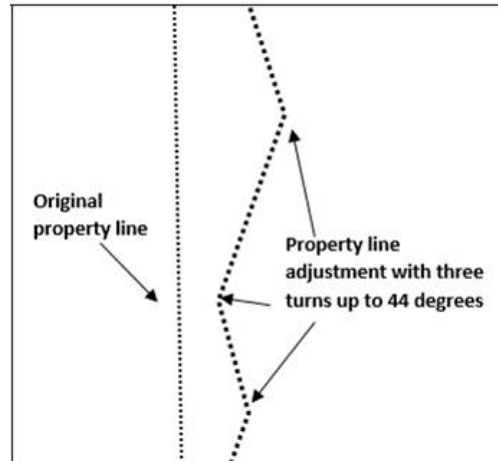


Figure 3.

Staff Finding 9: The proposal adjusts the common property line between two existing lots of record with one turn of less than 45 degrees. The criteria are met.

4. The property line adjustment shall not create a lot or parcel that violates applicable site development regulations.

Staff Finding 10: The proposal adjusts the common property line between two existing lots of record. No development regulations will be violated. The criteria are met.

5. The property line adjustment will not adversely affect existing easements or existing utilities unless an easement vacation is obtained, replacement easements are established, or any required utility relocations are paid for by the applicant.

Staff Finding 11: The proposal does not adversely affect any existing easements or utilities. The criteria are met.

6. Proposed property line adjustments that cannot meet these standards are subject to review under CDC 99.060(B)(2)(e).

Staff Finding 12: The proposal requires a Class I Variance for reduction of minimum lot area of up to five percent per CDC 75.020(A). The criteria are met.

7. Any appeal must be filed in accordance with CDC 99.240.

B. The provisions of CDC 85.070 shall also apply to property line adjustments.

Staff Finding 13: The applicant understands the process and right to appeal the decision. The provisions of CDC section 85.070 “ADMINISTRATION AND APPROVAL PROCESS” are satisfied by this application and by the applicant’s provided proof of ownership (see Exhibit PD-1) for the two lots of record subject to the proposal. The application is being processed in agreement with the provisions of CDC Chapter 99. The criteria are met.

EXHIBIT PD-1: APPLICANT SUBMITTAL

DEVELOPMENT REVIEW APPLICATION

STAFF CONTACT		For Office Use Only		PRE-APPLICATION NO.
Wyss		PROJECT NO(S). LLA-23-04/VAR-23-03		n/a
NON-REFUNDABLE FEE(S)	\$2,200.00	REFUNDABLE DEPOSIT(S)	n/a	TOTAL
				\$2,200.00

Type of Review (Please check all that apply):

- | | | |
|--|--|--|
| <input type="checkbox"/> Annexation (ANX)
<input type="checkbox"/> Appeal (AP)
<input type="checkbox"/> CDC Amendment (CDC)
<input type="checkbox"/> Code Interpretation (MISC)
<input type="checkbox"/> Conditional Use (CUP)
<input type="checkbox"/> Design Review (DR)
<input type="checkbox"/> Tree Easement Vacation (MISC)
<input type="checkbox"/> Expediated Land Division (ELD)
<input type="checkbox"/> Extension of Approval (EXT) | <input type="checkbox"/> Final Plat (FP) <i>Related File # _____</i>
<input type="checkbox"/> Flood Management Area (FMA)
<input type="checkbox"/> Historic Review (HDR)
<input checked="" type="checkbox"/> Lot Line Adjustment (LLA)
<input type="checkbox"/> Minor Partition (MIP)
<input type="checkbox"/> Modification of Approval (MOD)
<input type="checkbox"/> Non-Conforming Lots, Uses & Structures
<input type="checkbox"/> Planned Unit Development (PUD)
<input type="checkbox"/> Street Vacation | <input type="checkbox"/> Subdivision (SUB)
<input type="checkbox"/> Temporary Uses (MISC)
<input type="checkbox"/> Time Extension (EXT)
<input type="checkbox"/> Right of Way Vacation (VAC)
<input checked="" type="checkbox"/> Variance (VAR)
<input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP)
<input type="checkbox"/> Water Resource Area Protection/Wetland (WAP)
<input type="checkbox"/> Willamette & Tualatin River Greenway (WRG)
<input type="checkbox"/> Zone Change (ZC) |
|--|--|--|

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

Site Location/Address: 1627 Killarney Dr, West Linn OR 97068	Assessor's Map No.: 21E35BB
	Tax Lot(s): 9600
	Total Land Area: 0.23 Acres

Brief Description of Proposal:

Lot line adjustment to address a fence encroachment from the neighboring property. In addition the proposal is for a Class 1 variance as this LLA will require a variance for 5% reduction in required lot size as the lot will be 104 sq ft under the required 10,000 sq ft.

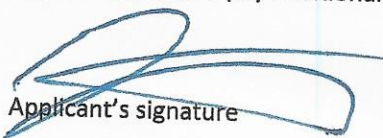
Applicant Name*: The Portlock Company Address: 2172 Tannler Dr City State Zip: West Linn OR 97068	Phone: 425-829-1566 Email: jportlock@theportlockco.com
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Owner Name (required): TPC Property LLC PO Box 521, West Linn 97068 Address: Steve Strickland 1601 Killarney Dr, West Linn 97068 City State Zip:	Phone: 425-829-1566 Email: jportlock@theportlockco.com
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Consultant Name: Emerio Design Address: 6445 SW Fallbrook PL, Suite 100 City State Zip: Beaverton OR 97008	Phone: 503-746-8812 Email:
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1. Application fees are non-refundable (excluding deposit). Applications with deposits will be billed monthly for time and materials above the initial deposit. ***The applicant is financially responsible for all permit costs.**
2. The owner/applicant or their representative should attend all public hearings.
3. A decision may be reversed on appeal. The decision will become effective once the appeal period has expired.
4. Submit this form, application narrative, and all supporting documents as a single PDF 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 authorizes the application and grants city staff the **right of entry** onto the property to review the application. Applications with deposits will be billed monthly for time and materials incurred above the initial deposit. The applicant agrees to pay additional billable charges.

 Applicant's signature
12/11/23 Date

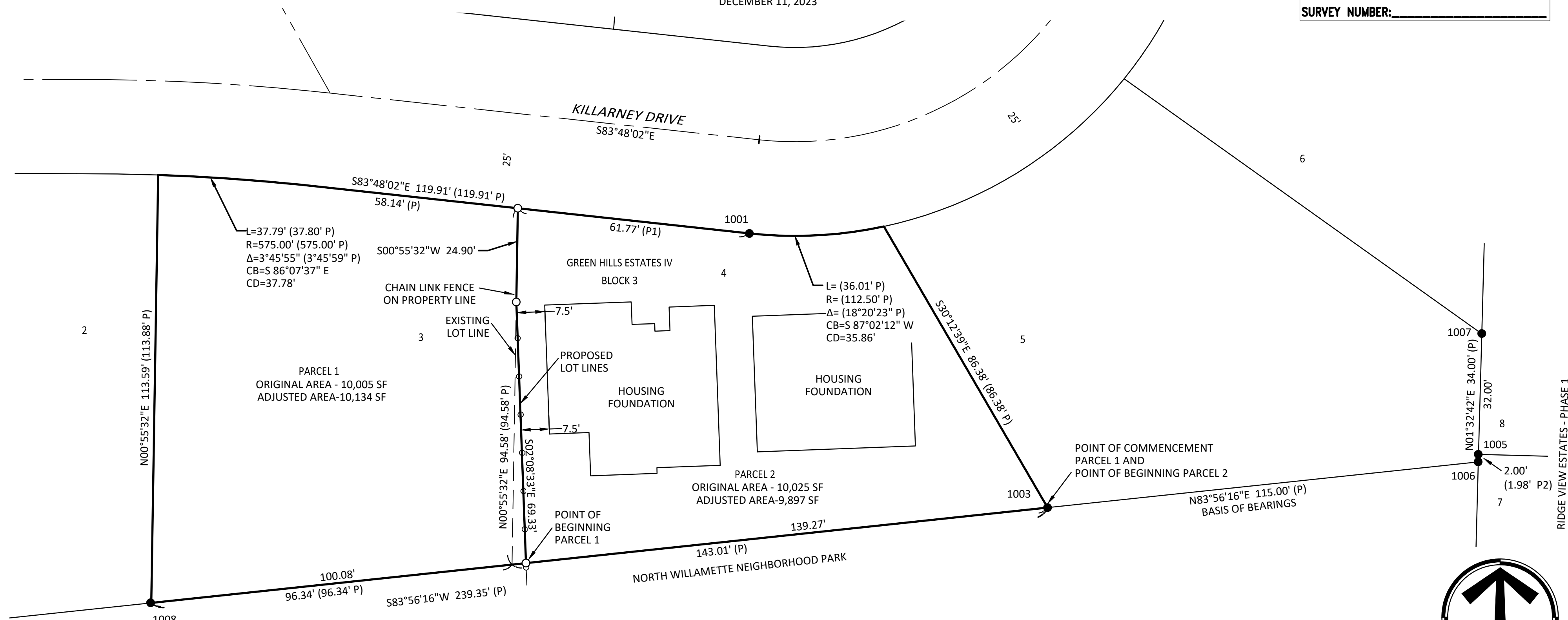
 Owner's signature (required)
12/11/23 Date

LOT LINE ADJUSTMENT - RECORD OF SURVEY

LOT 3 & 4, BLOCK 3 OF THE PLAT OF GREEN HILLS ESTATES IV
 LOCATED IN THE NW 1/4 OF SECTION 35, T.2 S., R.1 E., W.M.
 CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON
 DECEMBER 11, 2023

CLACKAMAS COUNTY SURVEYOR

DATE RECEIVED: _____
 DATE ACCEPTED/FILED: _____
 SURVEY NUMBER: _____



LEGEND

- 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "EMERIO DESIGN". SET ON _____
- FOUND MONUMENT AS NOTED IN MONUMENT REFERENCE TABLE
- SF DENOTES SQUARE FEET
- (000.00' P) RECORD DISTANCE PER (P)

MONUMENT REFERENCE TABLE

- 1001 - FOUND 5/8" IRON ROD WITH DAMAGED YELLOW PLASTIC CAP FALLS N71°27'21"W, 0.11' FROM END OF CURVE
- 1003 - FOUND 5/8" IRON ROD WITH DAMAGED YELLOW PLASTIC CAP HELD FOR SOUTHEAST CORNER OF SUBJECT PROPERTY
- 1005 - FOUND 5/8" IRON ROD WITH DAMAGED YELLOW PLASTIC CAP MARKED "KAMPE ASSOC. INC.", FALLS ON LINE PER THE PLAT OF "RIDGEVIEW ESTATES PHASE 1"
- 1006 - FOUND 5/8" IRON ROD, HELD FOR THE SOUTHEAST CORNER OF AND PER (P)
- 1007 - FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "COMPASS CORP.", HELD FOR SOUTHEAST CORNER LOT 6, BLOCK 4 OF AND PER (P)
- 1008 - FOUND 5/8" IRON ROD, BENT, TIED SPIN HOLE PER (P), FALLS N76°04'46"W, 0.17' FROM LOT CORNER

NOTE

EXISTING EASEMENTS, IF ANY, ARE NOT SHOWN HERON, AS NO TITLE REPORT WAS PROVIDED.

REFERENCES

- (P) = PLAT OF GREEN HILLS ESTATES IV
- (P2) = PLAT OF RIDGE VIEW ESTATES PHASE 1I

BASIS OF BEARINGS

THE BASIS OF BEARING IS THE OREGON STATE PLANE COORDINATE SYSTEM OREGON NORTH 3601/NAD 88 EPOCH 2011. WITH A RESULTING BEARING OF NORTH 83°56'16" EAST BETWEEN FOUND MONUMENTS #1003 AND #1006.

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO MONUMENT THE ADJUSTED PROPERTY LINE PER LOT LINE ADJUSTMENT DEED RECORDED AS DOCUMENT _____ AND _____, CLACKAMAS COUNTY DEED RECORDS PER THE CLIENTS REQUEST. THIS SURVEY IS SUBJECT TO THE CONDITIONS OF APPROVAL PER CITY OF WEST LINN FILE NO. MIP-22-05.

LOTS DESCRIBE AS FOLLOWS:

THE RECORD ANGLES AND DISTANCES PER SAID PLAT WERE HELD FOR THE BOUNDARY, THE LOTS, AND THE RIGHT OF WAY LINES. THE RECORD PLAT WAS ALIGNED TO MONUMENT #1003, HELD FOR THE SOUTHEAST CORNER OF SAID LOT 4, AND #1006 HELD FOR THE SOUTHEAST CORNER OF SAID PLAT. ADDITIONAL FOUND MONUMENTS FIT THIS RESOLUTION WITHIN A REASONABLE TOLERANCE AND SUPPORTED THIS RESOLUTION. FALLINGS FOR THE MONUMENTS ARE AS NOTED IN THE TABLE. AN EXTENSIVE SEARCH FOR MONUMENTATION WITHIN THIS PLAT AND SURROUNDING PROPERTIES WAS CONDUCTED, NO ADDITIONAL MONUMENTS WERE FOUND IN THE VICINITY EXCEPT AS SHOWN HEREON.

THE PROPOSED LOT LINE ADJUSTMENT WAS ESTABLISHED BY HOLDING THE DIRECTION OF THE WESTERLY LINE OF SAID LOT 4, 24.90 FEET TO THE INTERSECTION OF SAID LINE AND AN EXISTING FENCE. THE FENCE LINE WAS HELD SOUTHERLY FOR THE WESTERLY LINE OF PARCEL 2 AS SHOWN ABOVE.

CLIENT

JJ PORTLOCK

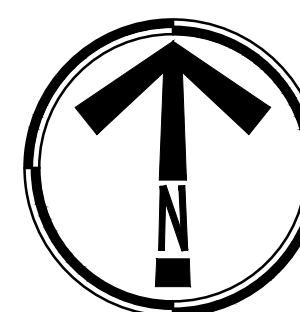
APPROVAL

CITY OF WEST LINN PLANNING DEPT. FILE NO. LLA-23-____
 APPROVED THIS ____ DAY OF _____, 20__

BY: _____
 DIRECTOR, PLANNING DEPARTMENT

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
MARCH 9, 2021
NICOLE ALLEN
84893PLS
EXPIRES 12-31-25



6445 SW FALLBROOK PLACE, SUITE 100
 BEAVERTON, OREGON 97008
 TEL: (503) 746-8812
 FAX: (503) 639-9592
 www.emeriodesign.com
 JOB NO. 1944-001

1627 Killarney Dr

Lot Line Adjustment

1. Project Description

The Portlock Company, the applicant, is proposing a property line adjustment to address a fence encroachment on parcels identified as Clackamas County Assessor's Map No. 2s-1E-35BB, Tax Lots 9500 and 9600 (Exhibit A); it can also be located by its address, 1601 and 1627 Killarney Dr., West Linn, OR 97068. The base zone applied to the property is R-10.

The proposed development conforms to all applicable sections of the Community Development Code. This application provides findings of fact that demonstrate conformance with all applicable standards of the previously mentioned governing regulations. Applicable criteria of the CDC will appear in italics followed by the applicant's responses in regular font.

2. 85.210 Property Line Adjustment – Approval standards

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

1. *An additional lot or parcel shall not be created by the property line adjustment.*

Response: The proposed lot line adjustment is not creating an additional lot or parcel. The criteria is met

2. *The existing property shall not be reduced in size by the adjustments below the minimum lot or parcel size established by the approved zoning for that district. The property line adjustment shall not enlarge, increase or extend the non-conformity of a non-conforming lot or non-conforming structure.*

Response: Lot 9600 is being reduced to 104 sq ft below the minimum 10,000 sq ft requirement. See the below narrative demonstrating compliance with a Class I variance to allow the lot area to be reduced by 5% which would then make the new lot size conforming. The criteria is met

3. *Property line adjustments shall be either:*

a. *A straight line (see Figure 1 example);*

b. *A line with maximum of two 45- to 90-degree turns (see Figure 2 example); or*

c. *A maximum of three turns less than 45 degrees (see Figure 3 example).*

Response: The line adjustment is a straight line. The criteria is met

4. *The property line adjustment shall not create a lot or parcel that violates applicable site development regulations.*

Response: The proposed lot line adjustment is not creating an additional lot or parcel. The criteria is met

5. *The property line adjustment will not adversely affect existing easements or existing utilities unless an easement vacation is obtained, replacement easements are established, or any required utility relocations are paid for by the applicant.*

Response: The proposed lot line adjustment does not affect any existing easements or utilities. The criteria is met

6. Proposed property line adjustments that cannot meet these standards are subject to review under CDC 99.060(B)(2)(e).
 7. Any appeal must be filed in accordance with CDC 99.240.
- B. The provisions of CDC 85.070 shall also apply to property line adjustments.

Response: This application does not propose to create a lot or parcel that violates site development standards as stated above in this narrative. This application does not propose to vacate, alter, or adversely affect existing easements or utilities. The applicant acknowledges and understands the approval and appeal provisions. To the extent they apply, the criteria are met.

3. 75.020 Classification of Variances

A. Class I Variance. Class I variances provide minor relief from certain code provisions where it can be demonstrated that the modification will not harm adjacent properties, and it conforms with any other code requirements. Class I variances are allowed for the following code provisions:

1. Required Yard and Minimum Lot Dimensional Requirements. Required yards may be modified up to 20 percent, lot dimensions by up to 10 percent and lot area by up to five percent if the decision-making authority finds that the resulting approval:

- a. Provides for a more efficient use of the site;*
- b. Preserves and incorporates natural features into the overall design of the project;*
- c. Does not adversely affect adjoining properties in terms of light, air circulation, noise levels, privacy, and fire hazards; and*
- d. Provides for safe vehicular and pedestrian access to the site and safe on-site vehicular and pedestrian circulation.*

Response: The reduction of 0.1% of lot area being proposed is well within the allowed 5% of lot area reduction. This does not adversely affect adjoining properties in terms of light, air circulation, noise levels, privacy or fire hazards. The rest of the criteria are non-applicable to this proposal. The criteria has been met

2. Off-street parking dimensional and minimum number of space requirements may be modified up to 10 percent if the decision-making authority finds that the use is designed for a specific purpose, which is intended to be permanent in nature.

Response: This criteria is not applicable

3. Dimensional sign requirements may be modified up to 10 percent if the decision-making authority finds that the proposed larger sign is:

- a. Necessary for adequate identification of the use on the property; and*
- b. Compatible with the overall site plan, the structural improvements, and with the structures and uses on adjoining properties.*

Response: This criteria is not applicable

4. Landscaping requirements in the applicable zone may be modified up to 10 percent if the decision-making authority finds that the resulting approval:

- a. Provides for a more efficient use of the site;*
- b. Preserves and incorporates natural features into the overall design of the project; and*
- c. Will have no adverse effect on adjoining property.*

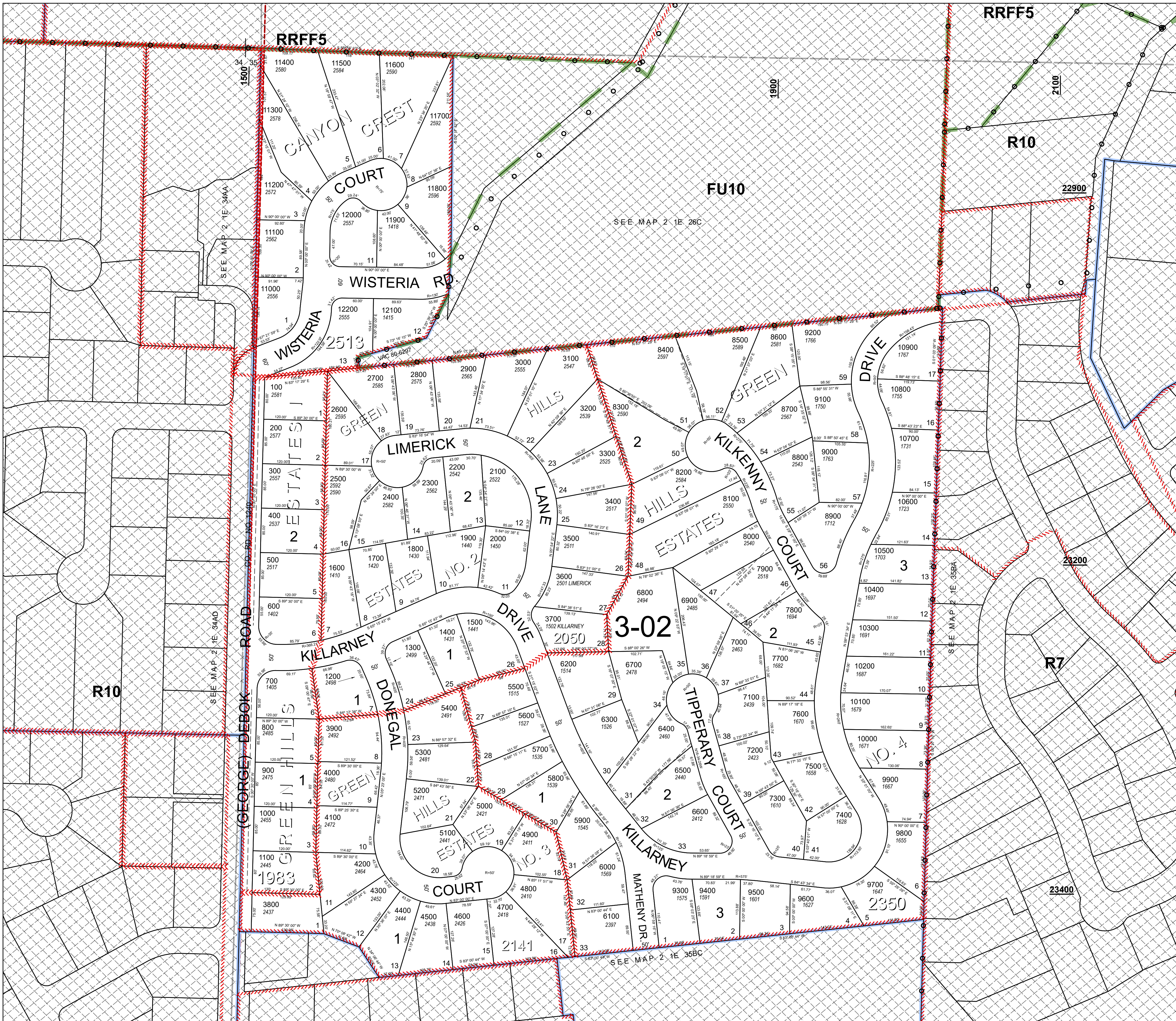
Response: This criteria is not applicable

4. Conclusion:

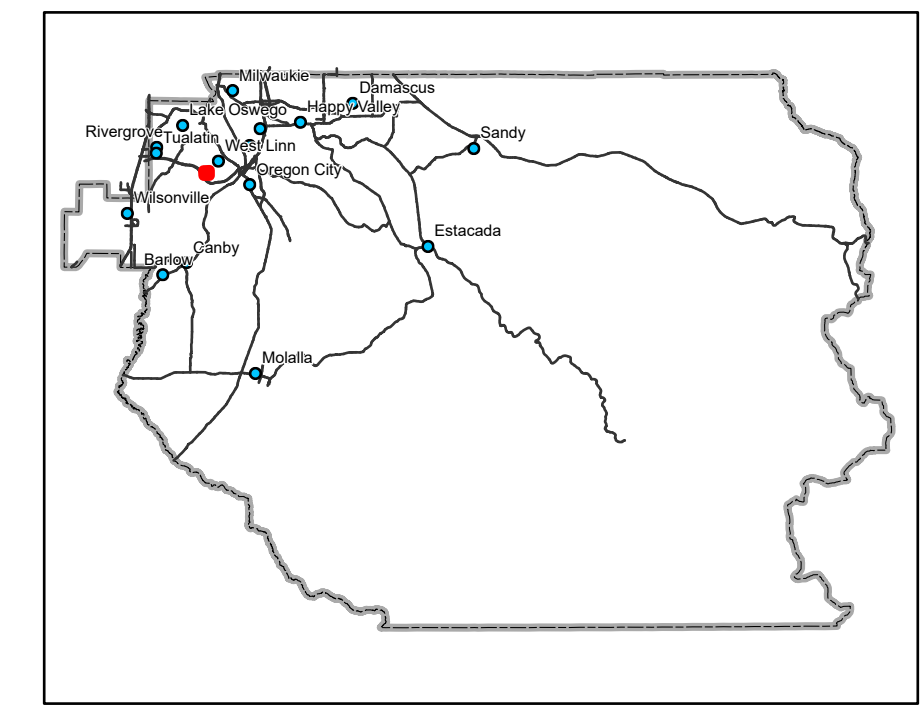
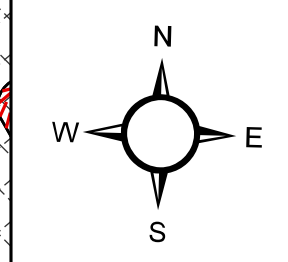
This application narrative and accompanying property line adjustment exhibit demonstrate that all applicable provisions of the West Linn Community Development Code are satisfied. The applicant respectfully requests approval of this proposal.

1" = 100'

Cancelled



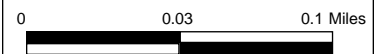
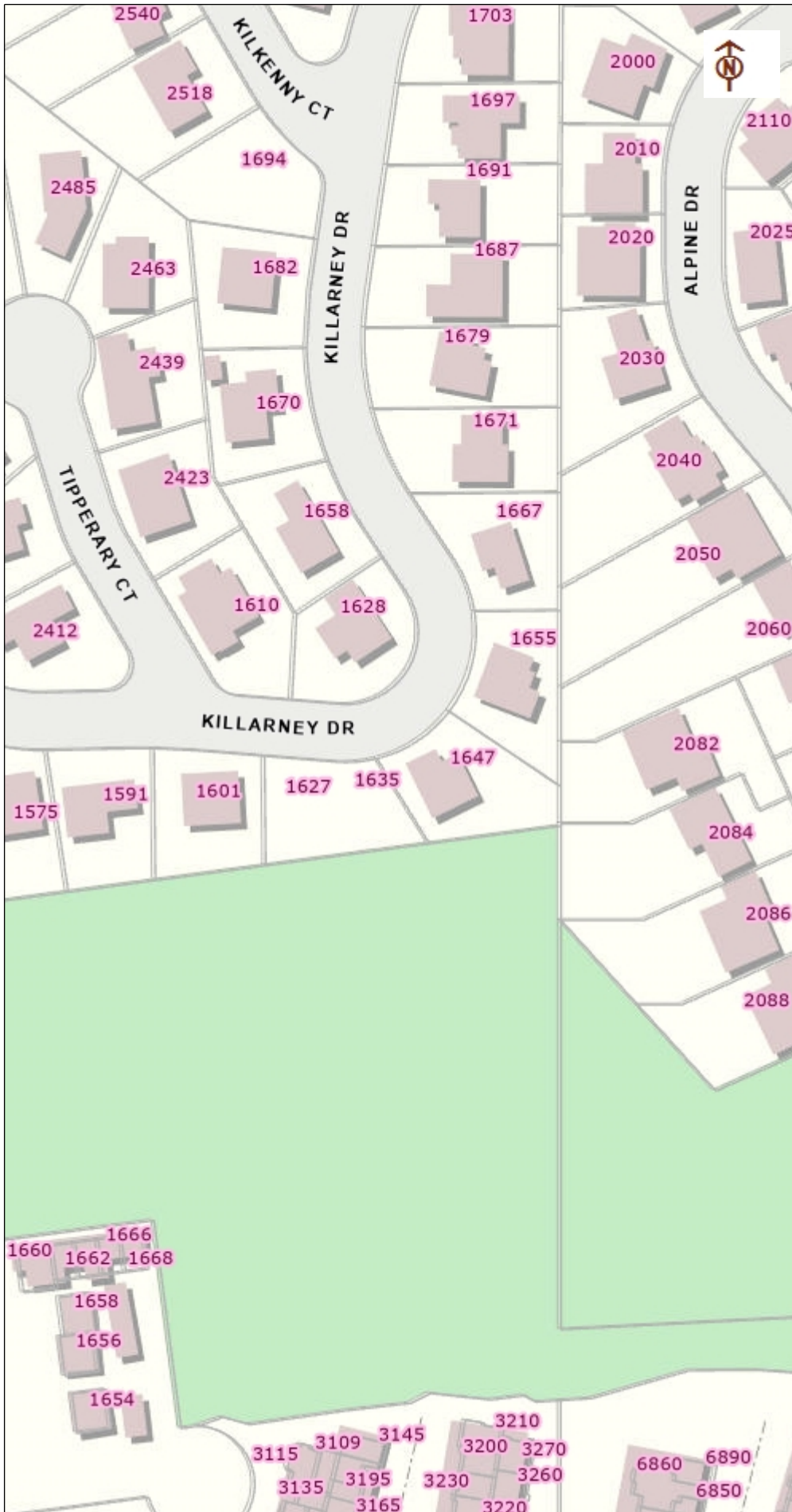
- Parcel Boundary
- - - Private Road ROW
- - - Historical Boundary
- - - Railroad Centerline
- Tax Code Lines
- Map Index
- Water Lines
- Land Use Zoning
- Plats
- Water
- Corner
- Section Corner
- 1/16th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



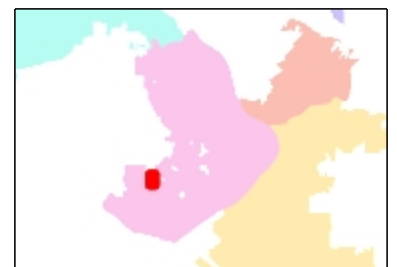
THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY

Legend

- Addresses dissolved 0-5K
- City Limit
- ⋮ Unimproved ROW
- Parks and Open Space
- City Owned Property



1: 2,256.99



Notes

This map was automatically generated using Geocortex Essentials.
 Planning Manager Decision

EXHIBIT PD-2: COMPLETENESS LETTER



CITY OF
West Linn

December 21, 2023

The Portlock Company
2172 Tannler Drive
West Linn, OR 97068

SUBJECT: LLA-23-04/VAR-23-03: A proposed property line adjustment between 1601 and 1627 Killarney Drive, as well as a Class I Variance to reduce the lot size at 1627 Killarney Drive below minimum standards for the R-10 zone

Greetings,

You submitted this application on December 12, 2023. The Planning Department has reviewed the materials and finds that this application is **complete**. The City has 120 days to exhaust all local review; that period ends on April 21, 2024.

Please be aware that a determination of a complete application does not guarantee a recommendation of approval from staff for your proposal as submitted – it signals that staff believes you have provided the necessary information for the Planning Director to render a decision on your proposal.

A 14-day public notice will be prepared and mailed. This notice will identify the earliest potential decision date by the Planning Director.

Please contact me at 503-742-6064, or by email at dwyss@westlinnoregon.gov if you have any questions or comments.

Sincerely,

Darren Wyss
Planning Manager

EXHIBIT PD-3: EXISTING RECORDED PLATS

76/12

THIS IS A TRUE COPY OF THE ORIGINAL PLAT OF "GREEN HILLS ESTATES IV"

GREEN HILLS ESTATES IV

IN THE WM. BLAND D.L.C. NO. 55
IN THE N.W. 1/4 OF SECTION 35, T.2S., R.1E., W.M.
CLACKAMAS COUNTY, OREGON

*TEMPORARY TURNAROUND EASEMENT 45' RADIUS POINT AT CENTERLINE POINT-OF-COMPOUND-CURVATURE ON KILLARNEY DRIVE, TO AUTOMATICALLY TERMINATE WHEN KILLARNEY DRIVE IS EXTENDED EAST.

SCALE: 1" = 100'

CITY OF WEST LINN

SHEET 1

JULY, 1977

**A FIVE FOOT WIDE RIGHT-OF-WAY EASEMENT IS HEREBY RESERVED ALONG THE FRONT PROPERTY LINE OF LOT 4, BLOCK 3 AND LOT 41, BLOCK 2 ADJACENT TO KILLARNEY DRIVE.

NOTE: THIS IS A POST MONUMENT PLAT - SEE NOTIFICATION AND SECOND CERTIFICATE ON SHEET 2, DATED THIS 26 DAY OF DECEMBER, 1978.

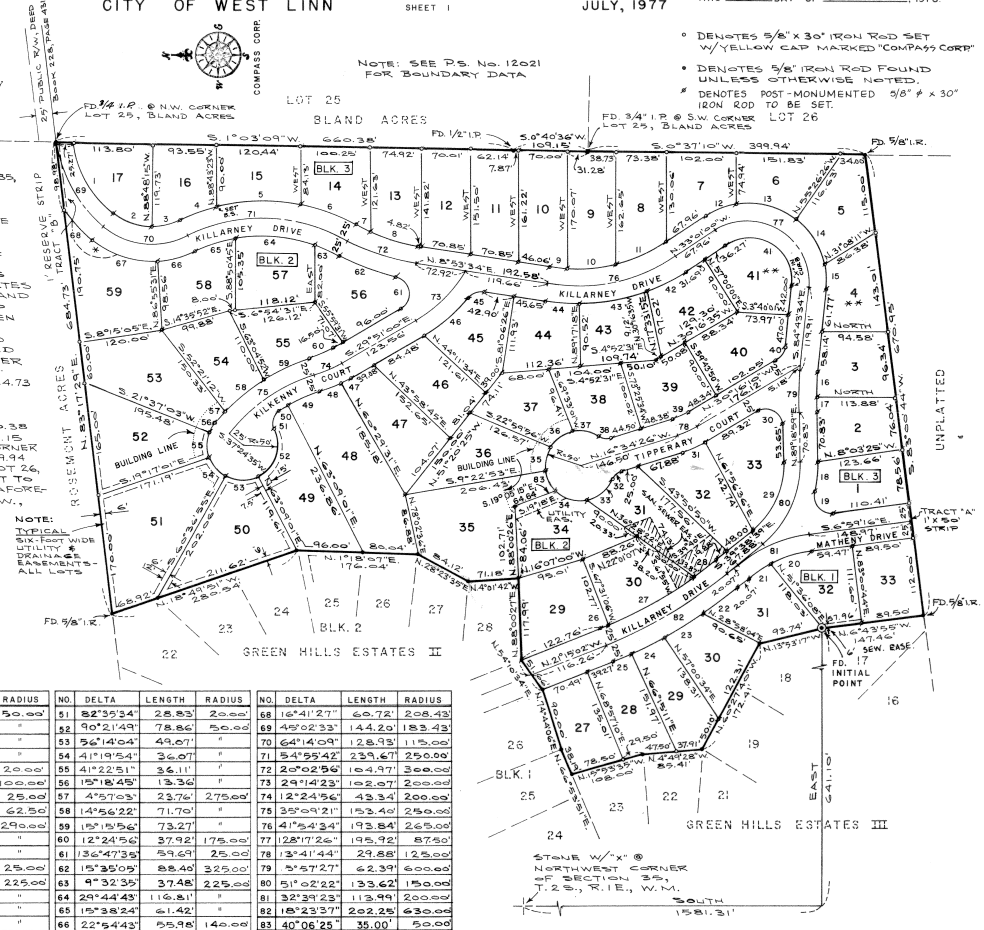
- DENOTES 5/8" x 30' IRON ROD SET W/YELLOW CAP MARKED "COMPASS CORP"
- DENOTES 5/8" IRON ROD FOUND UNLESS OTHERWISE NOTED.
- DENOTES POST-MONUMENTED 5/8" x 30' IRON ROD TO BE SET.

CERTIFICATE

I, WENDELL E. CLOEFFEL, BEING FIRST DULY SWORN SAY THAT "GREEN HILLS ESTATES IV" SUBDIVISION WAS CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS AS REPRESENTED IN THE ANNEXED MAP AND AT THE INITIAL POINT OF SAID SURVEY A 2 INCH GALVANIZED IRON PIPE 36 INCHES LONG WAS FOUND AND ACCEPTED AT THE INITIAL POINT OF "GREEN HILLS ESTATES III", A PLAT OF RECORD IN THE WM. BLAND D.L.C. NO. 55, IN THE NORTHWEST 1/4, SECTION 35, T.2S., R.1E., W.M., CLACKAMAS COUNTY, OREGON, SAID INITIAL POINT BEING LOCATED SOUTH 1581.31 FEET AND EAST 641.10 FEET FROM THE NORTHWEST CORNER OF SECTION 35, T.2S., R.1E., W.M.; THENCE ALONG THE EASTERLY BOUNDARY OF THE SAID GREEN HILLS ESTATES III N. 15°53'17"W, 93.74 FEET AND N. 66°27'45"W, 172.41 FEET AND N. 4°43'28"W, 85.41 FEET AND N. 65°53'35"W, 108.00 FEET TO A POINT ON THE SOUTH LINE OF LOT 25, BLOCK 1, GREEN HILLS ESTATES II, A PLAT OF RECORD IN CLACKAMAS COUNTY, OREGON; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID GREEN HILLS ESTATES II N. 66°53'51"E, 38.19 FEET AND N. 74°44'06"E, 90.00 FEET AND N. 54°10'34"E, 51.64 FEET AND N. 88°00'27"E, 117.49 FEET TO THE SOUTHEAST CORNER OF LOT 26, BLOCK 2 OF SAID GREEN HILLS ESTATES II; THENCE ALONG THE EAST BOUNDARY OF SAID GREEN HILLS ESTATES II N. 4°01'42"W, 71.18 FEET AND N. 28°23'38"E, 84.12 FEET AND N. 11°18'07"E, 176.04 FEET AND N. 18°49'51"W, 280.54 FEET TO THE MOST NORTHERLY CORNER OF LOT 22, BLOCK 2, OF SAID GREEN HILLS ESTATES II; THENCE LEAVING SAID BOUNDARY N. 83°17'25"E, 84.73 FEET TO A 1/2 INCH IRON ROD FOUND AT THE NORTHWEST CORNER OF LOT 25, ISLAND ACRES, A PLAT OF RECORD IN CLACKAMAS COUNTY, OREGON; THENCE ALONG THE WEST LINE OF LOT 25 OF SAID ISLAND ACRES S. 1°03'09"W, 660.38 FEET TO A 1/2 INCH IRON PIPE; THENCE S. 6°40'36"W, 109.15 FEET TO A 3/4 INCH IRON PIPE FOUND AT THE SOUTHWEST CORNER OF LOT 25, OF SAID ISLAND ACRES; THENCE S. 0°37'10"W, 399.94 FEET TO A 5/8 INCH IRON ROD FOUND ON THE WEST LINE OF LOT 26, OF SAID ISLAND ACRES; THENCE S. 83°00'44"W, 670.95 FEET TO THE MOST EASTERLY CORNER OF LOT 17, BLOCK 1, OF THE ABOVE MENTIONED GREEN HILLS ESTATES III; THENCE N. 6°43'55"W, 147.46 FEET TO THE INITIAL POINT.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 13th DAY OF August, 1978.

Wendell E. Cloffel
NOTARY PUBLIC FOR OREGON
August 13, 1982
MY COMMISSION EXPIRES



CURVE DATA			CURVE DATA			CURVE DATA			CURVE DATA			CURVE DATA			
NO.	DELTA	RADIUS	NO.	DELTA	RADIUS	NO.	DELTA	RADIUS	NO.	DELTA	RADIUS	NO.	DELTA	RADIUS	
1	43°48'32"	121.14	158.43	17	2°11'28"	21.99	575.00	34	52°53'57"	46.16	50.00	51	82°35'34"	25.83	20.00
2	36°10'11"	56.82	90.00	18	14°19'35"	43.74	175.00	35	40°32'53"	35.38	"	52	90°21'49"	78.86	50.00
3	28°03'58"	44.09	90.00	19	11°03'75"	48.27	25.00	36	45°27'28"	39.47	"	53	56°14'04"	49.07	"
4	11°25'21"	54.87	275.00	20	28°03'06"	61.24	175.00	37	46°47'47"	40.84	"	54	41°19'54"	36.07	"
5	25°44'04"	123.52	"	21	12°32'07"	58.56	"	38	49°49'21"	17.45	20.00	55	41°22'51"	36.11	"
6	17°46'22"	85.31	"	22	5°24'50"	61.89	655.00	39	13°41'44"	23.50	100.00	56	15°18'45"	13.36	"
7	4°45'27"	22.84	"	23	5°46'11"	65.96	"	40	54°27'24"	23.76	25.00	57	4°57'03"	23.76	275.00
8	15°17'29"	73.39	"	24	4°42'42"	53.86	"	41	12°17'26"	139.94	62.50	58	14°56'22"	71.70	"
9	5°52'54"	24.64	240.00	25	2°29'54"	28.56	"	42	12°37'40"	63.91	290.00	59	15°15'56"	73.27	"
10	16°50'48"	70.57	"	26	1°13'52"	13.00	605.00	43	19°40'38"	99.60	"	60	12°24'56"	37.92	175.00
11	19°10'52"	80.35	"	27	13°21'45"	141.10	"	44	3°32'16"	48.61	"	61	13°6'47'35"	59.69	25.00
12	24°41'31"	48.48	112.50	28	3°48'00"	40.12	"	45	60°00'21"	26.18	25.00	62	15°35'05"	88.40	325.00
13	44°33'46"	91.03	"	29	51°02'25"	111.55	125.00	46	21°15'47"	83.50	225.00	63	4°32'35"	37.48	225.00
14	38°11'37"	76.30	"	30	10°35'09"	48.00	235.00	47	3°35'13"	14.50	"	64	20°44'45"	116.81	"
15	18°20'32"	36.01	"	31	13°41'44"	35.85	150.00	48	2°48'43"	34.65	"	65	15°38'24"	61.42	"
16	3°45'59"	37.80	575.00	32	49°59'41"	17.45	20.00	49	12°44'44"	50.05	"	66	22°54'43"	55.98	140.00
				33	54°10'51"	47.28	50.00	50	4°26'24"	17.44	"	67	41°19'26"	100.97	"

11-29-78
9-29-78

2350

76/12

GREEN HILLS ESTATES IV

IN THE WM. BLAND D.L.C. NO. 55
IN THE N.W. 1/4 OF SECTION 35, T.2S., R.1E., W.M.
CLACKAMAS COUNTY, OREGON

CITY OF WEST LINN

SHEET 2

JULY, 1977

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT CHARLES RAY MEANS AND MARGARET C. MEANS, HUSBAND AND WIFE, OWNERS OF THE LAND DESCRIBED IN THE ATTACHED SURVEYORS CERTIFICATE HEREBY WRITTEN AND SHOWN ON THE ACCOMPANYING MAP OF "GREEN HILLS ESTATES IV", DO HEREBY PLAT AND LAYOUT SAID PARCEL OF LAND INTO LOTS AS SHOWN ON SAID MAP AND WE DEDICATE TO THE USE OF THE PUBLIC FOREVER THE ROADWAYS AND A 6 FOOT UTILITY AND DRAINAGE EASEMENT ALONG THE INTERIOR OF ALL LOT LINES.

DATED THIS 28th DAY OF July/August, 1977.

Charles Ray Means 7-28-77
CHARLES RAY MEANS

Margaret C. Means 8-1-77
MARGARET C. MEANS

EASEMENTS

UTILITY EASEMENTS ARE HEREBY RESERVED UNDER AND UPON A STRIP FIVE FEET IN WIDTH CONTIGUOUS TO ALL INTERIOR LOT LINES OF ALL LOTS AND TEN FEET IN WIDTH CONTIGUOUS TO THE SUBDIVISION BOUNDARY LINES FOR THE PURPOSES OF INSTALLING, CONSTRUCTING, OPERATING AND MAINTAINING UTILITIES AND DRAINAGE FACILITIES; EXCEPT WHERE SHOWN OTHERWISE.

ACKNOWLEDGEMENT

STATE OF OREGON } S.S.
COUNTY OF CLACKAMAS }

BE IT REMEMBERED THAT ON THIS 28th DAY OF July/August, 1977, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE APPEARED CHARLES RAY MEANS AND MARGARET C. MEANS, HUSBAND AND WIFE, WHO ARE KNOWN BY ME TO BE THE IDENTICAL INDIVIDUALS DESCRIBED WITHIN AND WHO EXECUTED THE INSTRUMENT AND WHO PERSONALLY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME VOLUNTARILY FOR THE USE AND PURPOSES HEREIN NAMED.
IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL THE DAY AND YEAR WRITTEN ABOVE.

Wendell E. Cloepfil
NOTARY PUBLIC FOR OREGON
June 23, 1978
MY COMMISSION EXPIRES



NOTIFICATION

I, WENDELL E. CLOEPFIL, CERTIFY THAT THE POST MONUMENTION OF THE INTERIOR MONUMENTS OF THIS PLAT WILL BE ACCOMPLISHED WITHIN 90 CALENDAR DAYS FOLLOWING NOTIFICATION OF COMPLETION OF PAVING IMPROVEMENTS, OR WITHIN ONE YEAR OF THE PLAT RECORDING DATE, WHICHEVER OCCURS FIRST.

THIS IS A TRUE COPY OF THE ORIGINAL
PLAT OF "GREEN HILLS ESTATES IV". WC

APPROVALS

Law Miller 8/1/78
CITY OF WEST LINN PLANNING
COMMISSIONER

John Renfro 8/28/78
CITY OF WEST LINN DIRECTOR
OF PUBLIC WORKS

8-22-78
ALL TAXES PAID TO

John Renfro
COUNTY SHERIFF

Edwin Pappert 10-2-78
DEPUTY SHERIFF

JUANITA ORR 9-28-78
COUNTY ASSESSOR

Paul Brown
DEPUTY ASSESSOR

Doctor E. Milne 9-29-78
COUNTY SURVEYOR

DEPUTY SURVEYOR

George D. Pappert 10-6-78
COUNTY CLERK

Susan Bennett
DEPUTY CLERK

Robert Cassen
COUNTY ENGINEER

Wendell E. Cloepfil
COMMISSIONER

John Renfro
COMMISSIONER

SECOND CERTIFICATE

STATE OF OREGON
COUNTY OF CLACKAMAS

I, WENDELL E. CLOEPFIL, CERTIFY THAT I AM THE SURVEYOR OF THIS PLAT OF "GREEN HILLS ESTATES IV", A SUBDIVISION PLAT RECORDED IN BOOK _____, PAGE _____ CLACKAMAS COUNTY PLAT RECORDS; THAT INTERIOR MONUMENTION WHICH WAS DELAYED AT THE TIME OF SAID RECORDING IS NOW COMPLETED AND IN COMPLIANCE WITH APPLICABLE STATUTES; THAT ALL INTERIOR MONUMENTS CONSIST OF 5/8" x 30" IRON RODS, EXCEPT WHERE OTHERWISE DESCRIBED UPON THE PLAT.

DATED THIS 28th DAY OF December, 1978.

Wendell Cloepfil
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 222

ENDORSEMENT

UPON NOTICE OF THE ABOVE MENTIONED INTERIOR MONUMENTION, I HAVE DIRECTED A FIELD INSPECTION AND HAVE FOUND THEM TO BE PROPERLY PLACED.

Doctor E. Milne by Sheri Johnson Deputy
CLACKAMAS COUNTY SURVEYOR

2350

EXHIBIT PD-4: AFFIDAVIT AND NOTICE PACKET

**AFFIDAVIT OF NOTICE
PLANNING MANAGER DECISION**

We, the undersigned, certify that, in the interest of the party (parties) initiating a proposed land use, the following took place on the dates indicated below:

PROJECT

File No.: **LLA-23-04/VAR-23-03**

Applicant's Name: JJ Portlock

Development Address: 1627 Killarney DR

Planning Manager Decision no earlier than Jan 5, 2024.

MAILED NOTICE

Notice of Upcoming Planning Manager Decision was mailed at least 14 days before the decision, per Section 99.080 of the CDC to:

Emerio Design, applicant representative	12/22/23	<i>Lynn Schroder</i>
The Portlock Company, property owner	12/22/23	<i>Lynn Schroder</i>
Steve Strickland, property owner	12/22/23	<i>Lynn Schroder</i>
Property owners within 300ft of the site perimeter	12/22/23	<i>Lynn Schroder</i>
Willamette Neighborhood Association	12/22/23	<i>Lynn Schroder</i>

EMAILED NOTICE

Notice of Upcoming Planning Manager Decision was emailed at least 14 days before the decision to:

WillametteNeighborhood Association	12/22/23	<i>Lynn Schroder</i>
JJ Portlock, applicant	12/22/23	<i>Lynn Schroder</i>

WEBSITE

Notice of Upcoming Planning Manager Decision was posted on the City's website at least 14 days before the decision.

12/22/23	<i>Lynn Schroder</i>
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SIGN

A sign for Upcoming Planning Manager Decision was posted on the property at least 10 days before the decision, per Section 99.080 of the CDC.

12/22/23	Ben Gardner
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FINAL DECISION

Notice of Final Decision was mailed to the applicant, all parties with standing, and posted on the City's website, per Section 99.040 of the CDC.

01/09/23	<i>Lynn Schroder</i>
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CITY OF WEST LINN
NOTICE OF UPCOMING PLANNING MANAGER DECISION
FILE NO. LLA-23-04/VAR-23-03

The West Linn Planning Manager is considering a request for a Property Line Adjustment between 1601 Killarney Drive and 1627 Killarney Drive, including a Class I Variance for 1627 Killarney Drive to reduce the minimum required lot size by 0.1 percent to accommodate an existing fence encroachment.

The decision will be based on the approval criteria in Chapters 11, 75, 85, and 99 of the Community Development Code (CDC). The approval criteria from the CDC are available for review on the City website <http://www.westlinnoregon.gov/cdc> or at City Hall and the City Library.

All relevant materials for the proposal are available for inspection at no cost at City Hall, and on the City's website <https://westlinnoregon.gov/planning/1627-killarney-drive-lot-line-adjustment-and-class-1-variance> or copies may be obtained at a minimum charge per page.

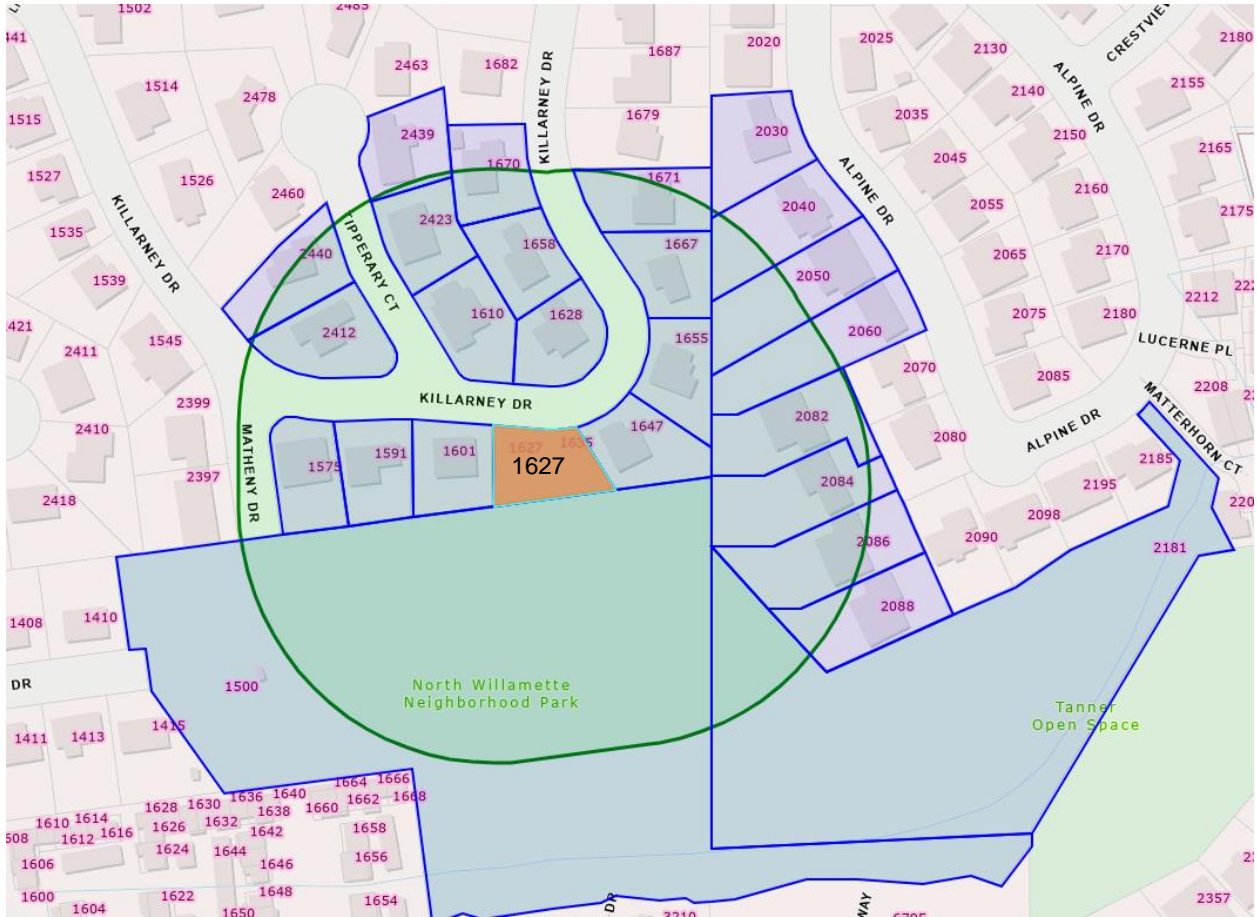
A public hearing will not be held for this decision. **Anyone wishing to submit written testimony for consideration on this matter shall submit all material before 4:00 p.m. on January 5, 2024, to dwyss@westlinnoregon.gov or mail them to City Hall, 22500 Salamo Road, West Linn, OR 97068. All comments must be received by the deadline.**

It is important to submit all testimony in response to this notice. All comments submitted for consideration of this application should relate specifically to the applicable criteria. Failure to raise an issue in a hearing, in person, or by letter, or failure to provide sufficient specificity to afford the decision-maker an opportunity to respond to the issue, precludes appeal to the Oregon Land Use Board of Appeals based on that issue.

The final decision will be posted on the website and available at City Hall. Persons with party status may appeal the decision by submitting an appeal application to the Planning Department within 14 days of mailing the notice of the final decision pursuant to CDC [99.240](#).

For additional information, please contact Darren Wyss, Planning Manager, at 503-742-6064 or dwyss@westlinnoregon.gov.

LLA-23-04 Notified Properties within 300 feet of 1627 Killarney Drive





**NOTICE OF UPCOMING
PLANNING MANAGER DECISION**

**PROJECT # LLA-23-04/VAR-23-03
MAIL: 12/22/2023 TIDINGS: N/A**

CITIZEN CONTACT INFORMATION

To lessen the bulk of agenda packets and land use application notice, and to address the concerns of some City residents about testimony contact information and online application packets containing their names and addresses as a reflection of the mailing notice area, this sheet substitutes for the photocopy of the testimony forms and/or mailing labels. A copy is available upon request.