



CITY OF
West Linn

**STAFF REPORT
PLANNING MANAGER DECISION**

DATE: June 12, 2024

FILE NO.: VAR-24-01

REQUEST: Class I Variance to reduce the rear yard setback by 20% from 20 feet to 16 feet at 4285 Kenthorpe Way.

PLANNER: Aaron Gudelj, Associate Planner

Planning Manager

DSW

TABLE OF CONTENTS

STAFF ANALYSIS AND RECOMMENDATION

GENERAL INFORMATION2

EXECUTIVE SUMMARY3

PUBLIC COMMENTS.....3

DECISION AND CONDITION OF APPROVAL.....3

ADDENDUM4

EXHIBITS

PD-1 APPLICANT SUBMITTAL 10

PD-2 COMPLETENESS LETTER.....17

PD-3 AFFIDAVIT AND NOTICE PACKET 19

GENERAL INFORMATION

OWNER/APPLICANT: Brian Pletcher and Erika Tarjan
4285 Kenthorpe Way
West Linn, OR 97068

SITE LOCATION: 4285 Kenthorpe Way

LEGAL DESCRIPTION: Tax Lot Number 21E24BA04200

SITE SIZE: 13,231 Square feet

COMP PLAN DESIGNATION: Low Density Residential

ZONING: Residential, R-10

APPROVAL CRITERIA: Community Development Code (CDC)
Chapter 11: Residential, R-10
Chapter 34: Accessory Structures, Accessory Dwelling Units, & Accessory Uses
Chapter 75: Variances and Special Waivers
Chapter 96: Street Improvement Construction

120-DAY RULE: The application became complete on March 6th, 2024. The 120-day period therefore ends on July 3rd, 2024.

PUBLIC NOTICE: Notice was mailed to property owners within 300 feet of the subject property and the Robinwood Neighborhood Association on March 12, 2024. The property was posted with a notice sign on March 12, 2024. The notice and application were posted on the City's website March 12, 2024. Therefore, public notice requirements of CDC Chapter 99 have been met.

EXECUTIVE SUMMARY

The request includes the reduction of the rear yard setback by 20% from 20 feet to 16 feet, as prescribed in a Class I Variance. The purpose of the variance is to permit the property owner/applicant to construct a detached accessory dwelling unit on the rear of the property of an existing single-family dwelling at 4285 Kenthorpe Way.

The Class I Variance provides minor relief from certain code provisions that will not harm adjacent properties and conforms to all other code provisions. With approval of the variance, the rear yard setback would be reduced to 16 feet.

Public comments:

No public comments were received.

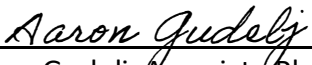
DECISION

The Community Development Director (designee) approves this application (VAR-24-01), 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 condition of approval below:

Conditions of Approval

- 1. The final plan shall conform to the plans for Proposed Class I Variance contained in PD-1.**
- 2. Total Building height of the proposed additional building height shall be no greater than 26 ft in height.**
- 3. Lighting for the proposed ADU shall comply with the lighting standards outlined in Section 5.426 of the City of West Linn Municipal Code.**
- 4. All public improvements and facilities associated with the approved site design, including but not limited to street improvements, driveway approaches, curb cuts, utilities, grading, onsite and offsite stormwater, street lighting, easements, easements locations, and connections for future extension of utilities are subject to conformance with the City Municipal Code and Community Development Code.**

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



Aaron Gudelj, Associate Planner

June 12, 2024
DATE

Appeals to this decision must be filed with the West Linn Planning Department within 14 days of mailing date. Cost is \$400. An appeal to City Council of a decision by the Planning Manager shall be a de novo hearing. The appeal must be filed by an individual who has established standing by submitting comments prior to the decision date. Approval will lapse 3 years from effective approval date unless substantial construction has taken place or an extension is granted per Chapter 99 CDC.

Mailed this **12th** day of **June 2024**.

Therefore, the 14-day appeal period ends at 5 p.m., on **June 26th, 2024**.

**ADDENDUM
APPROVAL CRITERIA AND FINDINGS
VAR-24-01**

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

Chapter 11 Residential R-10

11.030 PERMITTED USES

The following uses are permitted outright in this zone:

1. *Single-family attached and detached residential unit.*

...

11.040 ACCESSORY USES

Accessory uses are allowed in this zone as provided by Chapter 34 CDC.

Staff Finding 1: The applicant proposes the addition of a detached accessory dwelling unit on an existing 13,231 sq. ft. lot in the R-10 zone. The existing lot has a single-family residence and permits one accessory dwelling unit. The criteria are met

11.070 Dimensional Requirements, Uses Permit

Except as may be otherwise provided by the provisions of this code, the following are the requirements for uses within this zone:

STANDARD	REQUIREMENT	ADDITIONAL NOTES
<i>Minimum lot size Average minimum lot or parcel size for a townhouse project</i>	<i>10,000 sf 1,500 sf</i>	<i>For a single-family attached or detached unit</i>
<i>Minimum lot width at front lot line</i>	<i>35 ft</i>	<i>Does not apply to townhouses or cottage clusters</i>
<i>Average minimum lot width</i>	<i>50 ft</i>	<i>Does not apply to townhouses or cottage clusters</i>
<i>Minimum yard dimensions or minimum building setbacks</i>		<i>Except as specified in CDC 25.070(C)(1) through (4) for the Willamette Historic District. Front, rear, and side yard setbacks in a cottage cluster project are 10 ft. There are no additional setbacks for</i>

STANDARD	REQUIREMENT	ADDITIONAL NOTES
		<i>individual structures on individual lots, but minimum distance between structures shall follow applicable building code requirements.</i>
<i>Front yard</i>	<i>20 ft</i>	<i>Except for steeply sloped lots where the provisions of CDC 41.010 shall apply</i>
<i>Interior side yard</i>	<i>7.5 ft</i>	<i>Townhouse common walls that are attached may have a 0-ft side setback.</i>
<i>Street side yard</i>	<i>15 ft</i>	
<i>Rear yard</i>	<i>20 ft</i>	
<i>Maximum building height</i>	<i>35 ft</i>	<i>Except for steeply sloped lots in which case the provisions of Chapter 41 CDC shall apply.</i>
<i>Maximum lot coverage</i>	<i>35%</i>	<p><i>Maximum lot coverage does not apply to cottage clusters. However, the maximum building footprint for a cottage cluster is less than 900 sf per dwelling unit.</i></p> <ul style="list-style-type: none"> <i>• This does not include detached garages, carports, or accessory structures.</i> <i>• A developer may deduct up to 200 sf for an attached garage or carport.</i>
<i>Minimum accessway width to a lot which does not abut a street or a flag lot</i>	<i>15 ft</i>	
<i>Maximum floor area ratio</i>	<i>0.45</i>	<i>Maximum FAR does not apply to cottage clusters.</i>
<i>Duplex, triplex, and quadplex</i>	<i>0.60</i>	<i>Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a</i>

STANDARD	REQUIREMENT	ADDITIONAL NOTES
		<i>minimum floor area ratio of 0.30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property, including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a non-conforming structures permit under Chapter 66 CDC.</i>

.....

Staff Finding 2: The subject lot is 13,231 square feet per the recorded plat. The approximate footprint of the existing single-family residence is 2,000 square feet and the proposed additional dwelling unit will have an approximate footprint of 988 square feet. The total proposed lot coverage of 2,988 square feet is under the maximum allowable lot coverage of 35% ((2988 / 13,231) x 100 = 22.58%) in the R-10 zone. The FAR is the same as the lot coverage. Front yard setbacks are met as the proposed construction is 156 feet from the front property line. Side yard setbacks of 21 feet and 7.5 feet are compliant with R-10 standards. The proposed 16 foot rear yard setback is allowable through a Class 1 Variance; findings for the reduction of the required rear yard setback of 20 feet to 16 feet are detailed in this report. The criteria are met.

Chapter 34 Accessory Structures, Accessory Dwelling Units, and Accessory Uses

34.030 Accessory Dwelling Units (ADUs)

A. *One accessory dwelling unit (ADU), either attached or detached, may be allowed in conjunction with an existing primary single-family detached dwelling (excluding duplexes, triplexes and quadplexes) by conversion of existing space inside the primary dwelling; by means of an addition to an existing dwelling; by means of an addition as an accessory structure; or by converting or adding to an existing accessory structure, such as a garage, on the same lot with an existing primary dwelling, when the following conditions are met:*

1. *Public services can serve both dwelling units.*
2. *The maximum size of an ADU shall be:*
 - a. *One thousand square feet when attached to the primary dwelling.*
 - b. *One thousand square feet or 75 percent of gross square footage of the primary dwelling, whichever is less, when contained in a detached accessory structure.*

3. *The ADU is in conformance with the setback and lot coverage requirements of the underlying zone.*
4. *The maximum height of a detached ADU shall be the greater of:*
 - a. *The height of the primary structure; or*
 - b. *Twenty-six feet. (Ord. 1463, 2000; Ord. 1742 § 1 (Exh. A), 2023)*

Staff Finding 3: The proposed detached accessory dwelling unit is equal to 988 square feet; less than the maximum 1,000 square feet allowed. See Staff Finding 2 for compliance with lot coverage and setback requirements. Building height is not identified as part of the applicant's submittal; as such the project is conditioned to require compliance with the 26 foot maximum height allowance for ADUs. Subject to the Conditions of Approval, the criteria are met.

Chapter 75: Variances and Special Waivers

CDC Chapter 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;*

Staff Finding 4: The proposed 20% reduction in the rear yard setback will allow for increased open space between the primary dwelling and the proposed accessory dwelling unit. This will enable the applicant to create more usable landscape and gathering areas at the center of the property. The criteria are met.

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

Staff Finding 5: The proposed 20% reduction in the rear yard setback will preserve the existing trees and landscaping onsite. The increased separation from the primary dwelling and proposed secondary dwelling will minimize disturbance of the existing open areas at the center of the lot, thereby preserving much of the natural features on the lot and incorporating their anticipated use into the design of the proposed detached accessory dwelling unit. The criteria are met.

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

Staff Finding 6: The proposed detached ADU will be approximately 45-50 feet from a detached garage located on the lot to the north, approximately 40 feet from a detached storage shed on the property to the west, and approximately 65 feet from the dwelling on

the lot to the east. Impacts to air circulation, noise levels, and privacy of adjoining properties are not anticipated.

Lighting for the ADU is not specified in the applicant's submittal, as such the project is conditioned to require compliance with the lighting standards outlined in Chapter 5.426 of the West Linn Municipal Code.

Tualatin Valley Fire & Rescue (TVF&R) reviewed the applicant's submittal and did not have any feedback or additional requirements. A copy of the exchange between the applicant and a TVF&R is included as part of the applicant's submittal. The criteria are met.

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

.....

Staff Finding 7: The proposed project does not change vehicular and/or pedestrian access to the site. The existing 20 foot wide driveway for vehicular access will not be modified and existing pedestrian pathways along the side yards will not change. Existing pedestrian and vehicular access includes a 20 foot wide driveway fronting Kenthorpe and will continue to provide safe access to the site. The criteria are met.

Chapter 96: Street Improvement Construction

96.010 Construction Required

A. Street improvements for residential construction are required when:

- 1. Construction of a new single-family attached or detached structure (replacement of an existing structure is exempt); or*
- 2. Replacement of a single-family home increases the square feet by 50 percent or greater; or*
- 3. Construction of a new multifamily structure; or*
- 4. Increase in dwelling unit density on site (accessory dwelling units are exempt).*

Staff Finding 8: The proposed construction of an accessory dwelling unit is exempt from street improvements. The criteria are met.

EXHIBIT PD-1 APPLICANT SUBMITTAL

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT	PROJECT NO(S). VAR-24-01	PRE-APPLICATION NO. n/a
NON-REFUNDABLE FEE(S) \$1,000	REFUNDABLE DEPOSIT(S) \$0	TOTAL \$1,000

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) Related File # _____
<input type="checkbox"/> Flood Management Area (FMA)
<input type="checkbox"/> Historic Review (HDR)
<input 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: 4285 Kenthorpe Way, West Linn	Assessor's Map No.: 21E24BA04200
	Tax Lot(s): 04200
	Total Land Area: 13,231 sqft

Brief Description of Proposal:
Class 1 Variance for rear yard set back from 20 feet to 16 feet

Applicant Name*: Brian Pletcher Address: 4285 Kenthorpe Way City State Zip: West Linn Oregon 97068	Phone: 971.295.8848 Email: brianjpletcher@gmail.com
---	--

Owner Name (required): Brian Pletcher and Erika Tarjan Address: 4285 Kenthorpe Way City State Zip: West Linn Oregon 97068	Phone: 971.295.8848 Email: brianjpletcher@gmail.com
--	--

Consultant Name: NA Address: City State Zip:	Phone: NA Email:
---	---------------------

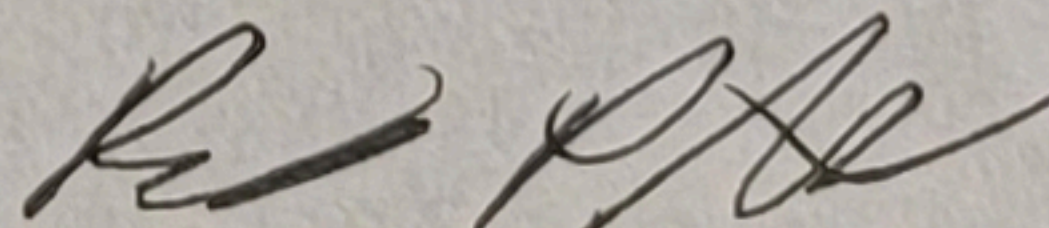
1. Application fees are non-refundable (excluding deposit). Applications with deposits will be billed monthly for time and materials above the initial deposit. ***The applicant is financially responsible for all permit costs.**
2. The owner/applicant or their representative should attend all public hearings.
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.

Brian Pletcher/Erika Tarjan

Applicant's signature

Date


Owner's signature (required)

Date

6/7/24

February 7, 2024

Class 1 Variance Narrative for Property Located at 4285 Kenthorpe Way, West Linn, OR 97068

To whom it may concern,

Hello, our names are Brian Pletcher and Erika Tarjan, the property owners of 4285 Kenthorpe Way. We are planning to submit a building permit for the construction of an Accessory Dwelling Unit (ADU) for my wife’s elderly parents. The ADU will be approximately 26 wide and 38 feet long. To make better use of open space and more livable space between the main residence and the ADU we are requesting a class 1 variance to reduce that setback from 20 feet to 16 feet. This will provide 4 additional feet between the main residence and the ADU.

We believe that we meet the following Dimensional criteria of a class 1 lot variance per CDC 11.070 , due to the following:

STANDARD	REQUIREMENT	ADDITIONAL NOTES	Homeowner Notes for Variance Request
Minimum lot size Average minimum lot or parcel size for a R10 project	10,000 sf	For a single-family attached or detached unit	Home meets the lot size requirements, no change proposed
Minimum lot width at front lot line	35 ft		Home meets the lot width requirements, no change proposed
Average minimum lot width	50 ft		Home meets the average minimum lot width requirements, no change proposed
Minimum yard dimensions or minimum building setbacks		Except as specified in CDC <u>25.070(C)(1)</u> through (4) for the Willamette Historic District. structures on individual lots, but minimum distance between structures shall follow applicable building code requirements.	Home meets the minimum yard dimensions or minimum building setbacks
Front yard	20 ft	Except for steeply sloped lots where the provisions of CDC <u>41.010</u> shall apply	Home meets the front yard requirements, no change proposed
Interior side yard	7.5 ft		Home meets the side yard requirements, no change proposed
Street side yard	15 ft		Home meets the front yard requirements, no change proposed

Rear yard	20 ft		The ADU project with a class 1 variance would reduce the rear setbacks to 16 feet. The ADU is proposed to encroach 4 feet into the 20 foot rear yard setback. This would reduce the setback to 16 feet., see attached Site Map
Maximum building height	35 ft	Except for steeply sloped lots in which case the provisions of Chapter 41 CDC shall apply.	Project meets the maximum building height. The proposed ADU will be a single story and will not be taller than the existing main residence.
Maximum lot coverage	35%	• The existing residence is 2000 square feet and the proposed ADU is 988 square feet. The lot size is 13,231 square feet. Total Lot coverage proposed (existing residence and proposed ADU) is 2988 square feet. Coverage divided by the lots size (13,231 square feet) equals 22.4 % lot coverage.	Project meets the maximum lot coverage. No change proposed.
Minimum accessway width to a lot which does not abut a street or a flag lot	15 ft	.	Home meets the front yard requirements, no change proposed

We believe that we meet the following criteria of a class 1 lot variance per CDC 75.020(A)(1), due to the following:

- a. Provides for a more efficient use of the site;** The variance will allow us to build the ADU with more social space between the existing residence and the ADU and will provide more landscaping opportunities to enjoy. This will allow us to utilize our yard as we have in the past for family gatherings.

- b. Preserves and incorporates natural features into the overall design of the project;** the additional space between the ADU and the existing residence will preserve the openness of the yard and allow for more enjoyment of the outdoors.

- c. Does not adversely affect adjoining properties in terms of light, air circulation, noise levels, privacy, and fire hazards;** The proposed single story ADU will not adversely affect adjoining properties in any regard. The neighbor's residence at the rear of the property (4206 Cedar Oak) is located approximately 100 feet from the back of the proposed ADU. This distance and planned landscaping will result in no impact any of the above noted criteria.

- d. Provides for safe vehicular and pedestrian access to the site and safe on-site vehicular and pedestrian circulation.** The proposed ADU and setback variance will have no impact on vehicular or pedestrian access to the site or circulation. Engineered plans have been prepared and will be submitted to the City this spring.

Thank you so much for considering the Class 1 Variance for our proposed ADU so that we can continue to make plans for our family and move forward with our project to improve the enjoyment our growing family receives from our home for years to come.

Brian Pletcher and Erika Tarjan

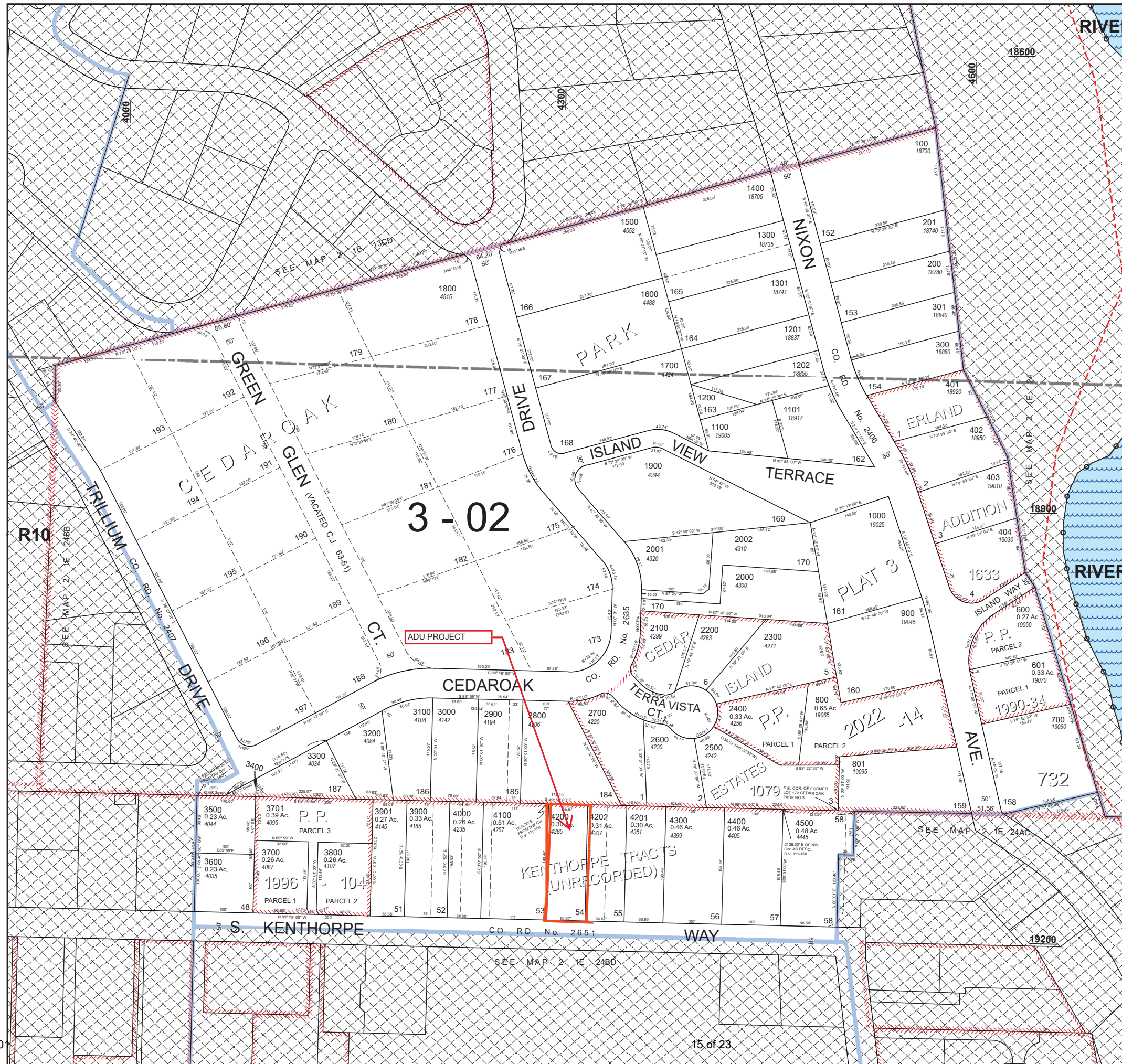
Calculation of Lot Coverage

Property Lot Size	<u>13,231.32 square feet</u>
	<u>35% Maximum allowable</u>
	4,630 Calculated maximum coverage sqft
Existing Home Roof	<u>2,000 square feet</u>
Proposed ADU	<u>988 square feet</u>
	<u>2988 square feet proposed total coverage or 22.5% coverage</u>

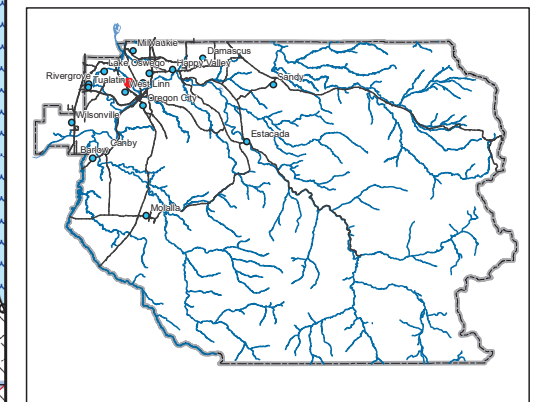
D. L. C.
GEORGE WALLING NO. 62

Cancelled Taxlots

400
500
701



- 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'

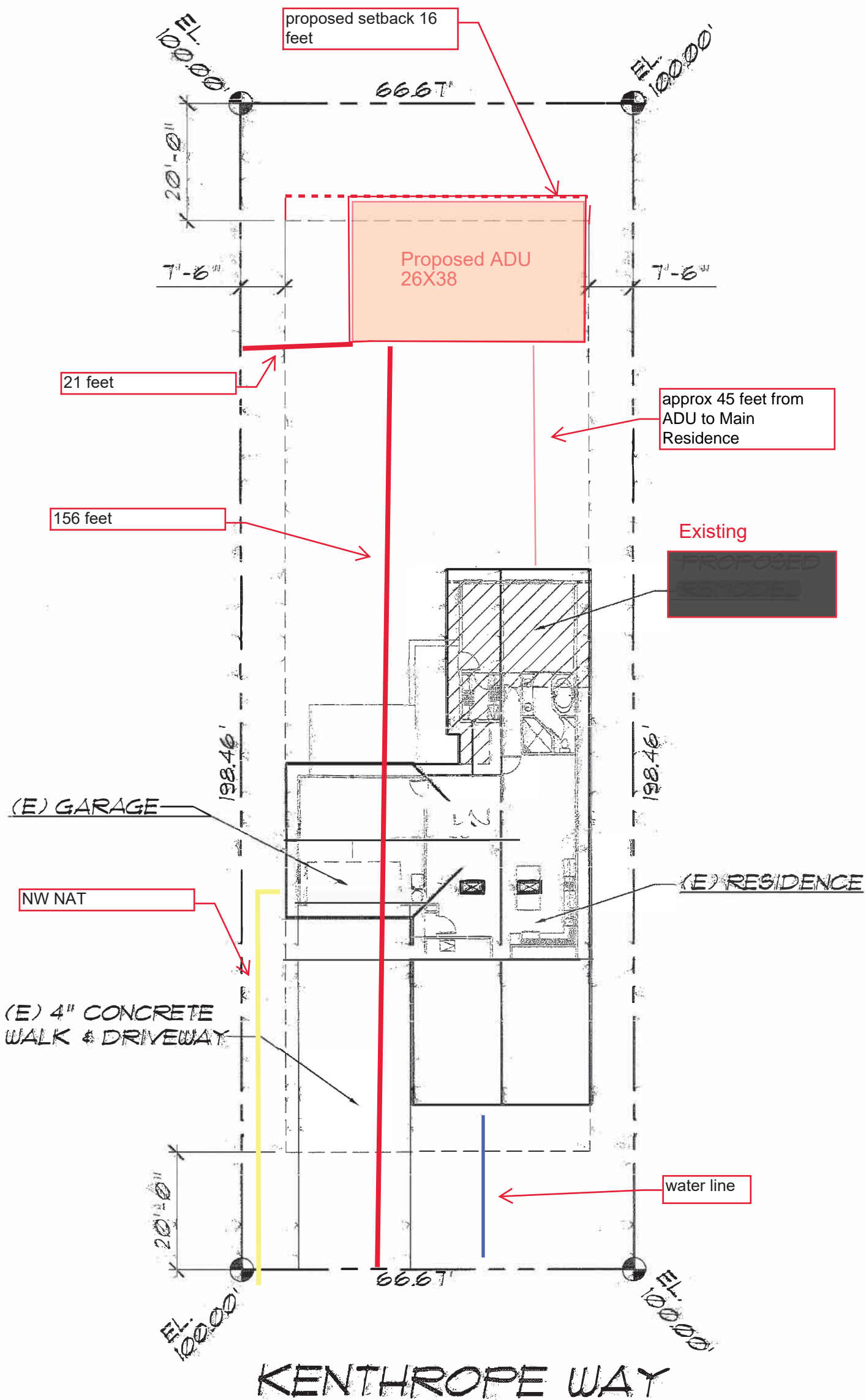


THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY

2/22/2022

NOTE:

ALL GRADES SHOWN ARE APPROXIMATE.
CONTRACTOR TO VERIFY ALL EXISTING
AND FINISH GRADES.



SITE ADDRESS

4285 KENTTHROPE WAY
WEST LINN, OREGON 97068
Robinwood Neighborhood Asso

TITLE: SITE PLAN

PROJECT: PLETCHER and TARJAN ADU
OWNERS: Brian Pletcher and Erika Tarjan

DATE: MARCH 19, 2019
PROJECT NO: 19019
REVISIONS:

TAX LOT 04200
MAP NO. 21E24BA
CITY OF WEST LINN
CLACKAMAS COUNTY
STATE OF OREGON

SITE PLAN
SCALE: 1" = 20'-0"

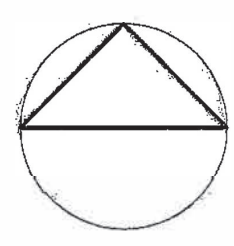


EXHIBIT PD-2 COMPLETENESS LETTER



CITY OF West Linn

March 6, 2024

Brian Fletcher and Erika Tarjan
4285 Kenthrope Way
Portland, OR 97068

SUBJECT: VAR-24-01 Application for a Class I Variance to reduce rear yard setback by 20% at 4285 Kenthrope Way

Dear Brian Fletcher and Erika Tarjan:

The city accepted this application for review on February 7th, 2024. The Planning Department finds the application to be **complete** as of March 6, 2024. The city has 120 days to exhaust all local review once an application has been deemed complete; that period ends July 3rd, 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 Manager to render a decision on your proposal.

A 14-day public notice will be prepared and mailed to property owners within 300 feet of the property, neighborhood associations, and relevant agencies. The City will review and respond to all comments about the project and prepare findings as to whether the application meets the approval criteria of the applicable Community Development Code Sections.

This decision for this application will be made by the Planning Manager.

Please contact me at 503-742-6057, or by email at agudelj@westlinnoregon.gov if you have any questions or comments.

Sincerely,

Aaron Gudelj
Associate Planner

EXHIBIT PD-3 AFFADIVIT 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.: VAR-24-01 Applicant's Name: Brian Pletcher & Erika Tarjan
Development Address: 4285 Kenthorpe Way
Planning Manager Decision no later than July 3, 2024

APPLICATION

The application was posted on the website at least 14 days before the decision.

3/12/24 Lynn Schroder

MAILED NOTICE

Notice of Upcoming Planning Manager Decision was mailed at least 20 days before the decision, per Section 99.080 of the CDC to:

Table with 3 columns: Recipient, Date, and Signatory. Includes Brian Pletcher & Erika Tarjan, Property owners within 300ft, and Robinwood Neighborhood Association.

EMAILED NOTICE

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

Table with 3 columns: Recipient, Date, and Signatory. Includes Robinwood Neighborhood Association and Brian Pletcher & Erika Tarjan.

WEBSITE

Notice was posted on the City's website at least 14 days before the decision.

3/12/24 Lynn Schroder

SIGN

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

3/12/2024 Aaron Gudelfj

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.

6/12/2024 Aaron Gudelfj

**CITY OF WEST LINN
NOTICE OF UPCOMING PLANNING MANAGER DECISION
FILE NO. VAR-24-01**

The West Linn Planning Manager is considering a Class I Variance at 4285 Kenthorpe Way to reduce the required rear yard setback by 20% from 20 feet to 16 feet.

You have been notified of this proposal because County records indicate that you own property within 300 feet of the property (Clackamas County Assessor's Tax Lot #21E24BA04200), or as otherwise required by CDC Chapter 99.080.

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

The application is posted on the City's website, <https://westlinnoregon.gov/projects>. The application, all documents or evidence relied upon by the applicant and applicable criteria are available for inspection at City Hall at no cost. Copies may be obtained at reasonable cost.

A public hearing will not be held for this decision. **Anyone wishing to submit comments for consideration must submit all material before 4:00 p.m. on March 26, 2024 to agudelj@westlinnoregon.gov or mail them to City Hall. 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 (CDC Section 99.090).

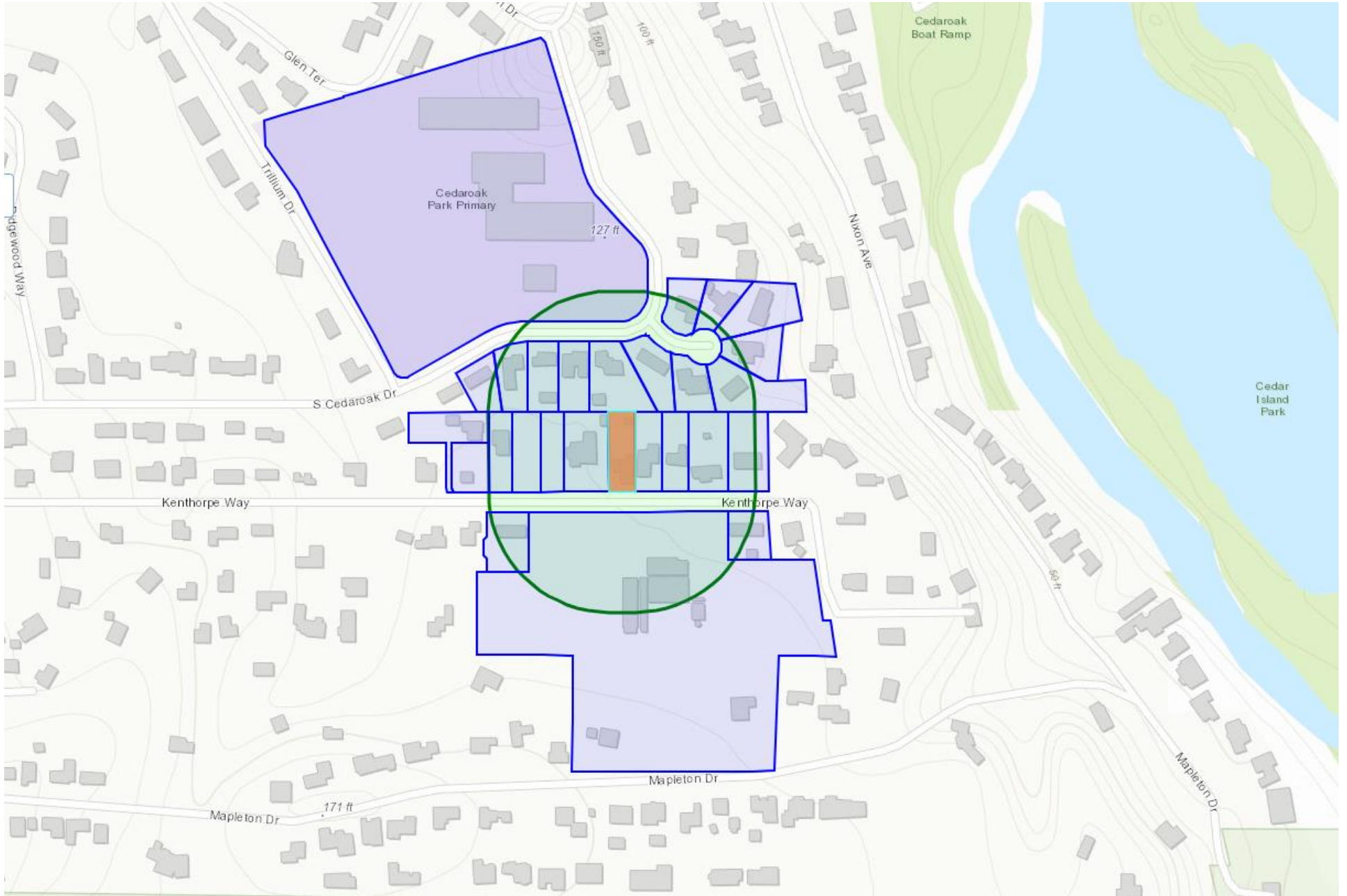
The final decision will be posted on the website and available at City Hall. Persons with party status may appeal the decision by submitting an appeal application to the Planning Department within 14 days of mailing the notice of the final decision pursuant to CDC [99.240](#).

For additional information, please contact Aaron Gudelj, Associate Planner, City Hall, 22500 Salamo Rd., West Linn, OR 97068, 503-742-6057.

Scan this QR Code to go to Project Web Page:



VAR-24-01 – Notified Properties within 300 feet of 4285 Kenthorpe Way





**NOTICE OF UPCOMING
PLANNING MANAGER DECISION**

**PROJECT # VAR-24-01
MAIL: 3/12/24 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.