

**WEST LINN PLANNING COMMISSION**

**FINAL DECISION AND ORDER**

**VAR-24-18**

**IN THE MATTER OF A CLASS II VARIANCE PROPOSAL FOR A REDUCED REAR YARD SETBACK AT  
1490 SKYE PARKWAY**

**I. Overview**

At its meeting on January 15, 2025 the Planning Commission (Commission) opened the public hearing to consider the request by Megan and Brandon Kemp for a Class II Variance to reduce the rear yard setback from twenty feet to eighth feet for the installation of a swimming pool. The subject property is in the R-10 zone and meets the minimum lot size of 10,000 square feet. The approval criteria for this proposal are Community Development Code (CDC) Chapters 11, 34, 75, and 99. The hearing was conducted pursuant to the provisions of CDC Chapter 99.170.

Vice-Chair Metlen opened the hearing and during the bias and conflict of interest disclosures, Commissioner Watton expressed that he had a working relationship with the applicant's consultant but didn't feel that it would affect his ability to make an unbiased decision on this application. No one objected to Commissioner Watton's continued participation in the hearing.

The January 15, 2025 hearing commenced with a staff report presented by Chris Myers, Associate Planner. Clement Walsh, applicant's consultant, presented on behalf of the consultant team. Two community members testified, one in opposition and one in support of the application.

Commissioners asked staff to clarify several code related questions. Commissioners also asked the applicant and the applicant's consultant several clarifying questions. Commissioner Jones made a motion to continue the hearing to a date certain to allow further evidence into the record, the motion did not receive a second. The public hearing was closed. Deliberations were opened and Commissioners discussed aspects of the application. Commissioner Evans moved to approve the application as presented and Commissioner Watton seconded. The application was approved with a 6-0 vote.

**II. The Record**

The record was finalized at the January 15, 2025 public hearing.

**Findings of Fact**

- 1) The Overview set forth above is true and correct.
- 2) The applicants are Megan and Brandon Kemp.
- 3) The Commission finds that it has received all information necessary to make a decision based on the Staff Report and attached findings; public comment; and the evidence in the whole record.

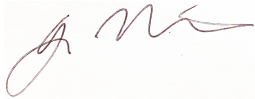
**III. Findings**

The Commission adopts the Staff Report for January 15, 2025, with attachments, as its findings, which are incorporated by this reference with one condition of approval. The Commission concludes that all the required approval criteria are met subject to the following condition of approval:

1. **Site Plans.** With the exception of modifications required by these conditions, the project shall substantially conform to all Tentative Plan Sheets.

**IV. Order**

The Commission concludes that **VAR-24-18** is approved based on the Record, Findings of Fact and Findings above.



01/16/2025

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Joel Metlen, VICE CHAIR  
WEST LINN PLANNING COMMISSION

\_\_\_\_\_  
DATE

This decision may be appealed to the City Council pursuant to the provisions of Chapter 99 of the Community Development Code and any other applicable rules and statutes. This decision will become effective 14 days from the date of mailing of this final decision as identified below.

Mailed this 17th day of January 2025.

Therefore, this decision becomes effective at 5 p.m., January 31, 2025.