

DEVELOPMENT REVIEW APPLICATION

For Office Use Only			
STAFF CONTACT Darren Wyss	PROJECT NO(S). MISC-24-04	PRE-APPLICATION NO.	
NON-REFUNDABLE FEE(S) \$1,200	REFUNDABLE DEPOSIT(S) \$0	TOTAL	\$1,200

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 checked="" 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 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: 2195 5th Ave. Corner of 5th Ave & 9th Street	Assessor's Map No.: 31E02AB5500 <hr/> Tax Lot(s): 5500 <hr/> Total Land Area: 10,612
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Brief Description of Proposal:

The current residential structure is considered non-conforming. It is partially built over the front and left building setback. The owner is proposing to replace a majority of the house and expand its footprint. The owner would like to keep the existing carport in its current location. The carport is over the left building

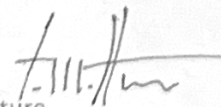

Applicant Name* : Watton Design Works, Inc., Tom Watton Address: 1880 Willamette Falls Drive, Suite 200-D City State Zip: West Linn, Or. 97068	Phone: 503-504-7775 Email: thomas@wattondesign.com
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Owner Name (required) : Noah Kamp Address: 2195 5th Ave. City State Zip: West Linn, Or. 97068	Phone: 503-709-3922 Email: noah@concretealt.com
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Consultant Name: Address: City State Zip:	Phone: 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 web page: https://westlinnoregon.gov/planning/submit-land-use-application](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	9-24-2024 Date	 Owner's signature (required)	9-24-2024 Date
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DEVELOPMENT REVIEW CHECKLIST

The application form and supporting materials should be submitted electronically through <https://westlinnoregon.gov/planning/submit-land-use-application> as one (1) .pdf file. To create a single PDF file, go to [Adobe Acrobat Free Merge PDF](#) online tool. Other free Acrobat PDF tools like converting a file to PDF or reducing the file size are available on the Adobe website.

Supporting reports may be uploaded separately through this web form *if* the file size is too large. The separate submissions should be numbered (i.e., Submittal 1 of 2) and noted under transmittal contents. All plan set files **MUST** be flattened and reduced.

Submission requirement to upload through the web form:

- .pdf format.
- Individual file size no larger than 128 MB.
- Do not attach 'zip' files. Our server will reject all 'zip' files.
- Reduce and flatten all plan sets BEFORE uploading plan sets. The raster/vector settings should be optimized for printing.

A complete application must include the following:

- Development Review Application. Original signatures from all owners must be on the application form. **Do NOT use DocuSign.**
- A **project narrative** outlining the project's scope in detail, including the changes to the site, structure, landscaping, parking, land use, and lot consolidations.
- Complete written responses to identified approval criteria in the [Community Development Code \(CDC\)](#).
- A Service Provider Letter from Tualatin Valley Fire and Rescue - <https://www.tvfr.com/399/Service-Provider-Permit> Please contact Jason Arn at jason.arn@tvfr.com with any questions about TVF&R requirements.
- Vicinity Map showing the site within the City.
- Site Plan drawn to scale showing the:
 - Taxlot and address of the project,
 - Area of the site (acres or square feet),
 - Zoning and Neighborhood Association,
 - Location and dimensions of existing and proposed buildings, structures,
 - Location of existing and proposed on-site driveways and off-street parking,
 - Configuration and dimensions of all existing and proposed lots and tracts, including a proposed park, open space, and or drainage tracts or easements,
 - Location and width of existing and proposed easement for access, drainage, etc., and
 - Location of existing and proposed trees and other proposed landscaping.
 - Location of existing public and private utilities, easements, and 100-year floodplain,
 - Sensitive areas, including the location of on-site wetlands and riparian areas,
 - Location of existing off-site driveways across the street,
 - If applicable, internal circulation system, name, and location of existing and proposed roadways and roadway easements (private and public), and
 - Location and width of existing and proposed on-site pedestrian and bicycle facilities on-site.
- If applicable, a Utility Plan and Landscape plan, drawn to scale.
- If applicable, Building elevation drawings with exterior elevations for every side of each structure, height including building materials and floor levels, drawn to scale.
- If required, documentation of any required meeting with the respective City-recognized neighborhood association per CDC [99.038](#).
- Any other materials identified by city staff at the pre-application meeting.

For applications that the Planning Commission decides, the applicant or applicant's representative should present their proposal to the PC at the public hearing.



1880 Willamette Falls Dr.
Suite 200-D
West Linn, Or. 97068
503.5045.7775
thomas@wattondesign.com
wattondesign.com

Client Information:

Noah Kamp
1796 8th Ave.
West Linn, Or. 97068

Darren Wyss
Planning Manager
22500 Salamo Road
West Linn, Or. 97068

Project:

Non-Conforming Review
Existing garage setback encroachment
Address: 2195 5th Ave.

Planning Manager Wyss,

Please see attached application and supporting documents for a non-conforming review. This is an R-10 zoned property that currently has a single-family residence on it. A portion of the existing residential structure encroaches the side yard building setback. The owner would like to keep this portion of the residence in place. All other existing and proposed construction associated with the project will be located inside the building setbacks as well as comply with all other code requirements. The non-conforming portion of the structure is currently a 1-story garage. The non-conforming area will continue to be 1-story and will continue to be a garage. The specific non-conformity of the existing structure is that it is currently located 6'-4" from the east street side yard property line. It does not encroach on any other building setbacks. There will be no expansion to the structure in the non-conforming area. The site itself will remain relatively unchanged. The current rear yard access point from 9th Street will move slightly south to allow for garage under access as well as additional off-street parking. The city is requiring street improvements on 9th street as part of the project. This will automatically revise this access area. These improvements are currently in process with a licensed civil engineering firm. This property will continue to be single family use.

Below is the narrative addressing approval criteria of chapters 11 & 66.080.B(2) of the West Linn CDC.

11.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS

This is an R-10 lot that is sized to code; Minimum lot size, minimum lot width, Average minimum lot width, minimum yard dimension requirements are all unchanged and code compliant. See site plan attached.

SETBACKS:

- Front yard setback is 20'. After averaging existing neighboring building setbacks this lot allows for a front setback of 15'-4". This information was calculated by a professional surveyor.
- Interior side yard 7'-6". All existing and proposed buildings will not encroach into this setback.
- Street Side yard 15'-0". This is the area where the non-conforming existing structure is located. Please see the attached existing and proposed site plans for additional visual information.
- Rear yard 20'-0". All existing and proposed buildings will not encroach into this setback.

HEIGHT:

- Max. Building height 35'-0". The non-compliant structure will remain as a 1-story structure. The proposed design for the rest of the structure meets this requirement. This will be reviewed by the planner at the time of permitting.

COVERAGE:

- Lot coverage 35%. See attached sheet Site-2 for proposed lot coverage calculation. Compliant.
- Max. floor area ratio 45%. See attached sheet Site-2 for proposed FAR calculation. Compliant.

All other chapter 11 requirements either don't apply or are clearly in compliance.

66.080 ENLARGEMENT OF OR ALTERATION TO A NON-CONFORMING STRUCTURE: PROCESS AND APPROVAL STANDARDS

A. An enlargement of or alteration to a non-conforming structure containing a non-conforming use may be permitted subject to review and approval by the Planning Commission under the provisions of CDC [99.060\(B\)](#) and CDC [65.120](#) through [65.140](#).

Response: This is currently considered a standard single family residence. That will continue to be its conforming use. The existing structure to remain will be a 1-story car port. Although this is a non-conforming structure it will have a conforming use. A significant amount of the existing structure will be removed and replaced.

B. An enlargement or alteration to a non-conforming structure containing a conforming use may be permitted subject to the following:

1. If the enlargement, in and of itself, meets all provisions of this code, the enlargement will be permitted. This exception does not preclude design review or other applicable provisions of this code.
2. If the enlargement, in and of itself, does not meet all provisions of the code, review and approval by the Planning Director for single-family structures, and by the Planning Commission for non-single-family structures under the provisions of CDC [99.060\(B\)](#) is required subject to the following standards.
 - a. The enlargement or alteration will not change the non-conformity; and
 - b. All other applicable ordinance provisions will be met. (Ord. [1192](#), 1987)

Response to "B": The proposed enlargement to the existing non-conforming structure meets all provisions of the city code. These modifications will not change the non-conformity of the building.

We will be required to update the existing framing in the non-conforming area. This upgrade will also allow us to upgrade the lateral design of the old structure. We will be able to install a port-hole frame at the garage door face that will greatly improve this structure to wind and earthquake forces.

Note: street improvements will required and be designed by a Civil Engineer for 9th Street. This is currently in process. Plans will not be approved through the permitting process until this design has been submitted and approved by the city engineering staff. This project is currently in for design review 935-24-000562.

From: [Arn, Jason S.](#)
To: thomas.wattondesign.com
Subject: RE: 2195 5th Ave. West Linn
Date: Monday, September 30, 2024 8:06:52 AM

Hi Tom,

Thanks for reaching out. Tualatin Valley Fire & Rescue as requirements to apply to your project. No review required as per our guide. [Access and Water Supplies Code Guide \(tvfr.com\)](#)

Thank you,

Jason Arn | Deputy Fire Marshal CFI

Tualatin Valley Fire & Rescue

Direct: 503-259-1510

www.tvfr.com

From: thomas.wattondesign.com <thomas@wattondesign.com>
Sent: Saturday, September 28, 2024 1:07 PM
To: Arn, Jason S. <Jason.Arn@tvfr.com>
Subject: 2195 5th Ave. West Linn

*****The sender is from outside TVF&R – Do not click on links or attachments unless you are sure they are safe*****

Jason,

We are applying for a non-conforming remodel to an existing residence to the address listed above.

I have attached an existing and proposed site plan. We are keeping the garage / driveway access to 5th Ave. We will be adding a driveway off of 9th street to access a proposed garage under the updated residence. There will be no more structures places on this lot at this time. It will be a single family residence, just larger.

I am required to receive a "Service Provider Letter from you to include in my application. Please let me know if you need any additional information to help you in any way.

Thanks,

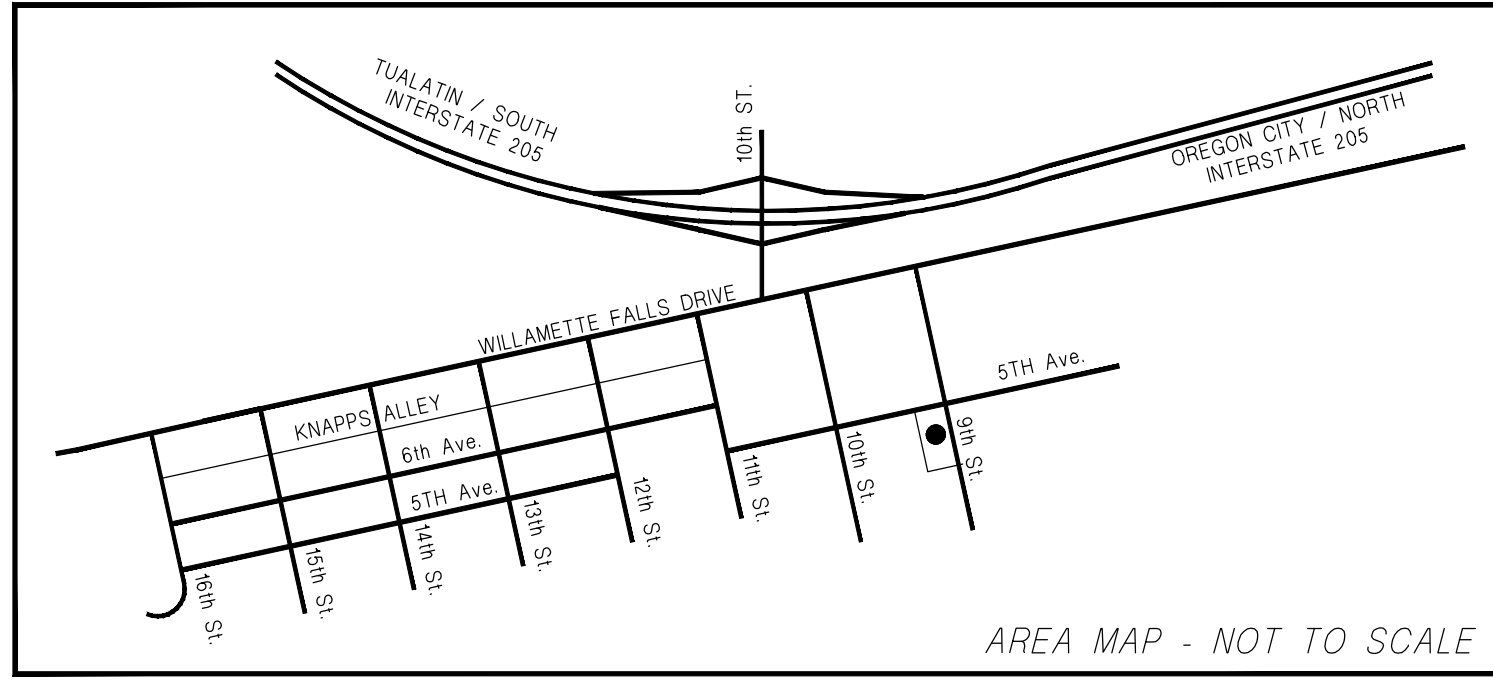
Tom Watton

Watton Design Works, Inc.

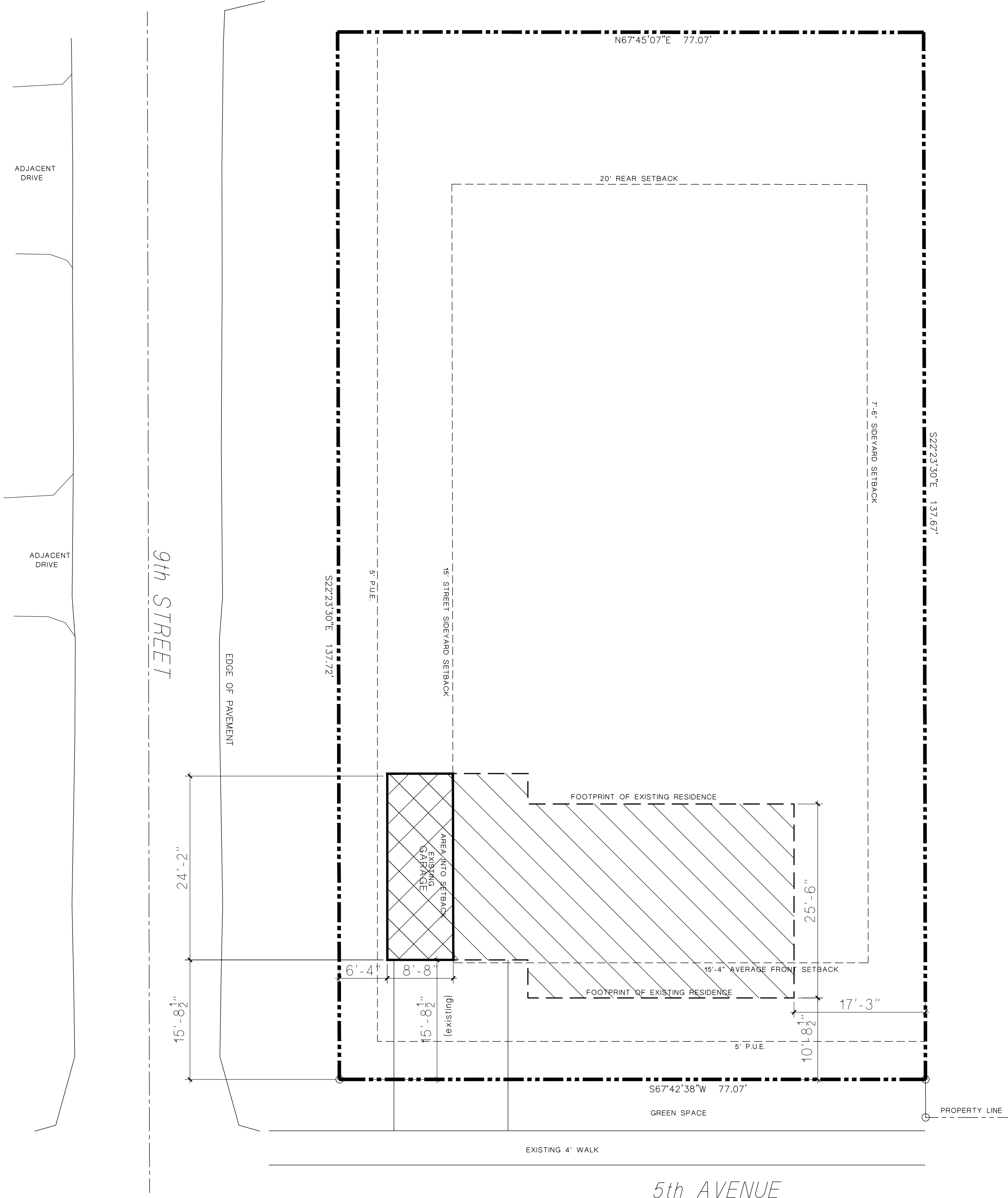
1880 Willamette Falls Drive, Suite 200-D

West Linn, Or. 97068

503.504.7775 c

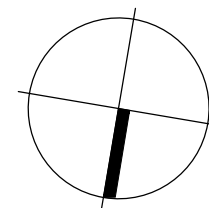


AREA MAP - NOT TO SCALE

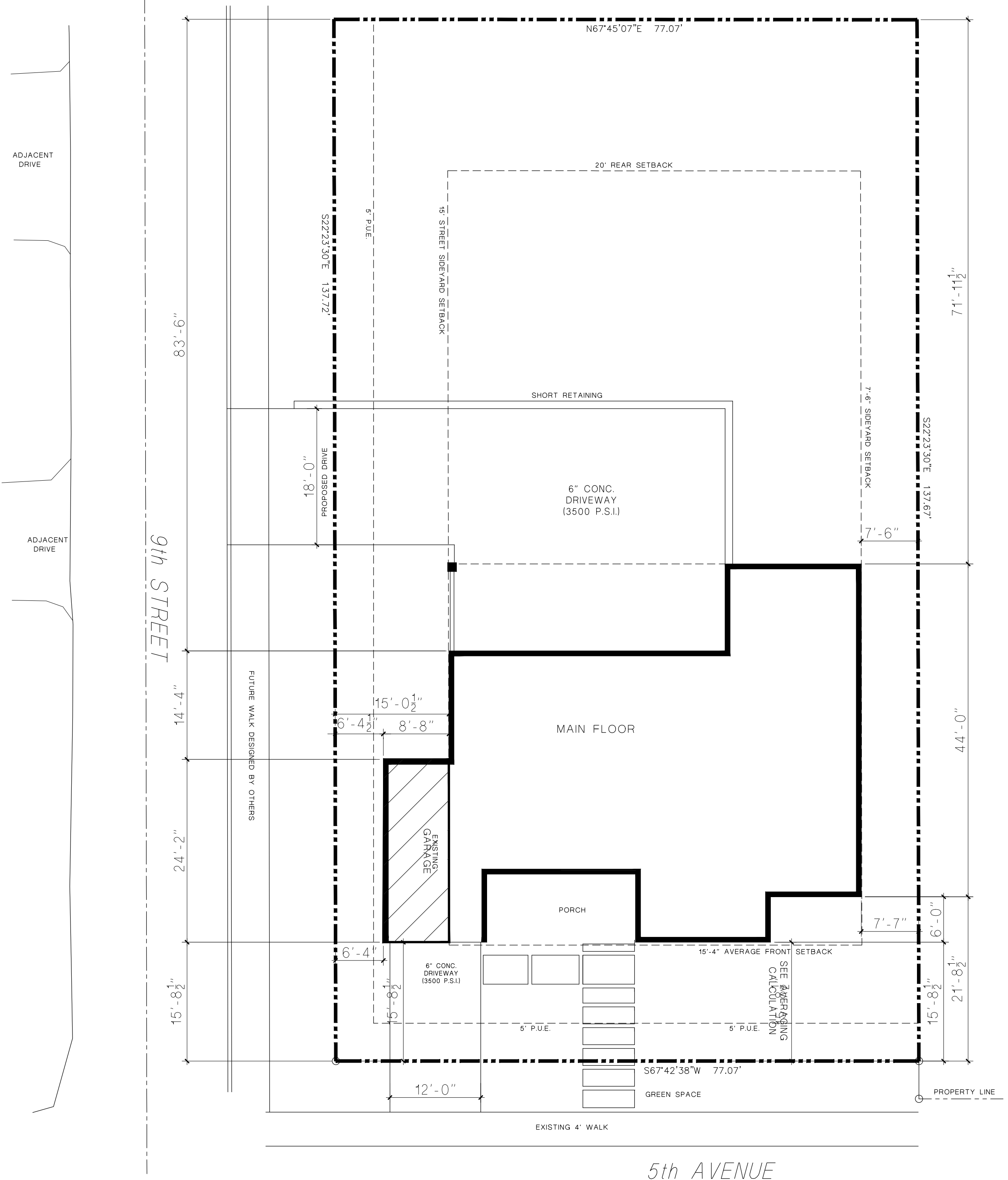


EXISTING SITE PLAN

SCALE 1" = 10' - 0"



JOB No.	24057	DATE:	9-25-2024	SITE-1
SITE INFORMATION: RESIDENTIAL REMODEL / ADDITION				
BUILDING SITE ADDRESS:				
2195 5th AVE.				
CITY OF WEST LINN 97068				
CLACKAMAS COUNTY				
TAX LOT NUMBER: 31E02AB05500				
ZONE R-10				
WILLAMETTE NEIGHBORHOOD				
PROJECT:	EXISTING SITE PLAN	OWNER:	KAMP RESIDENCE	
			NOAH KAMP	
			NOAH@CONCRETEALT.COM	
			503-709-3922	
WATTON DESIGN WORKS WILL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE TOPOGRAPHY INFORMATION. IT IS THE SOLE RESPONSIBILITY OF THE BUILDER / OWNER TO VERIFY ALL SITE CONDITIONS, INCLUDING ANY FILL PLACED ON THE SITE THAT MAY CAUSE OF ANY POTENTIAL FIELD MODIFICATIONS.				
WATTON DESIGN WORKS, inc	1880	Willamette Falls Drive, 200-D		
		West Linn, Oregon		
		97068		
		503.504.7775		



PROPOSED SITE PLAN

SCALE 1" = 10' - 0"

FLOOR AREA RATIO

TOTAL FLOOR AREA	3,482 SQ. FT.
LOT AREA	10,612 SQ. FT.
PERCENTAGE	32.8 %

LOT COVERAGE

LOT AREA	10,612 SQ. FT.
HOUSE	2,862 SQ. FT.
PERCENTAGE	26.9 %

IMPERVIOUS COVERAGE

HOUSE ROOF	3,147 SQ. FT.
WALK	161 SQ. FT.
UPPER DRIVE	177 SQ. FT.
LOWER DRIVE	1,061 SQ. FT.
TOTAL	4,546 SQ. FT.
LOT AREA	10,612 SQ. FT.
PERCENTAGE	42.8 %

FRONT SETBACK AVERAGING

WEST NEIGHBOR FRONT SETBACK	10.6'
FRONT SETBACK	20.0'
AVERAGE ABOVE SETBACKS	
ALLOWED SETBACK	15.3' (15'-4")

WATTON DESIGN WORKS, inc 1880 Willamette Falls Drive 200-D West Linn, Oregon 97068 503.504.7775	PROJECT: PROPOSED SITE PLAN	SITE INFORMATION: RESIDENTIAL REMODEL / ADDITION	JOB No. 24057 DATE: 9-25-2024
	OWNER: KAMP RESIDENCE NOAH KAMP NOAH@CONCRETEALT.COM 503.709.3922	BUILDING SITE ADDRESS: 2195 5th AVE. CITY OF WEST LINN 97068 CLACKAMAS COUNTY	TAX LOT NUMBER: 31E02AB05500 ZONE R-10 WILLAMETTE NEIGHBORHOOD

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