

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT: Aaron Gudelj	PROJECT NO(S): ELD-25-07	PRE-APPLICATION NO: n/a
NON-REFUNDABLE FEE(S)	REFUNDABLE DEPOSIT(S)	TOTAL

Type of Review (Please check all that apply):

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

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

Site Location/Address: 3815 Poseidon Court	Assessor's Map No.: 2-1e-25BB
	Tax Lot(s): 145
	Total Land Area: 0.41 acre

Brief Description of Proposal:

Application for middle housing land division to divide one parcel into two lots.

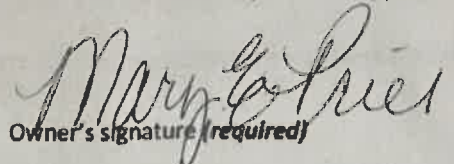
Applicant Name*: Mary Prier Address: 3815 Poseidon Court, West Linn, Oregon 97068 City State Zip:	Phone: 503-422-1612 Email: prierme@yahoo.com
Owner Name (required): Same as applicant Address: City State Zip:	Phone: Email:
Consultant Name: Emerio Design Address: 1500 Valley River Drive Suite 100, Eugene, Oregon 97401 City State Zip:	Phone: 503-446-8812 Email: jarnold@emeriodesign.com

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 application costs.
2. All information provided with the application is considered a public record and subject to disclosure.
3. The owner/applicant or their representative should attend all public hearings related to the application.
4. A decision may be reversed on appeal. The decision will become effective once the appeal period has expired.
5. Submit this form, application narrative, and all supporting documents as a single PDF through the 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. The applicant and owner affirm that the information provided in this application is true and correct. 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

Date

 **Mary Prier** 9/25/25
 Owner's signature (required) Date

Poseidon Court Middle Housing Land Division

Prepared for:

Mary Prier
3815 Poseidon Court
West Linn, Oregon 97068

Prepared by:



1500 Valley River Drive, Suite 100
Eugene, OR 97401
503.746.8812
emeriodesign.com

September 5, 2025

Project Summary

Request:	Application for Middle Housing Land Division to divide one parcel into two lots.	
Location and Map Number:	3815 Poseidon Court, West Linn, Oregon 97068 Clackamas County Assessor's Map No. 2-1e-25BB, Tax Lot 145	
Applicant/Owner:	Mary Prier 3815 Poseidon Court West Linn, Oregon 97068 Phone: 503-422-1612 Email: prierme@yahoo.com	
Engineer/Planner:	Emerio Design, LLC 1500 Valley River Drive Suite 100 Eugene, OR 97401 503-746-8812 Engineer: Keelan Smith, PE Planner: Jennifer Arnold keelan@emeriodesign.com jarnold@emeriodesign.com	

Exhibits:

A – County Assessor's Map

B – Aerial Photograph

C – Zoning Map

I. Project Description

Mary Prier, the owner and applicant, is proposing a middle housing land division to create two lots from a single parcel identified as Clackamas County Assessor's Map No. 2-1e-25BB, Tax Lot 145; the parcel can also be identified by its address, 3815 Poseidon Court, West Linn, Oregon 97068. The base zone applied to the property is Residential, R-10.

The proposed development conforms to all applicable sections of the Oregon Revised Statutes (ORS) and the City of West Linn Community Development Code (CDC). This application provides findings of fact that demonstrate conformance with all applicable standards of the previously mentioned governing regulations. Applicable criteria of the ORS and CDC will appear in *italics* followed by the applicant's responses in **bold** font.

II. Existing Conditions

The subject property is approximately 18,830 square feet and contains an existing dwelling, driveway, and other supporting infrastructure. The subject property has frontage on Poseidon Court, an improved local street under the City of West Linn's jurisdiction. Sidewalk, curb, gutter, and driveway cuts already exist and are available to serve development of the proposed lot. Elevations on the subject property range from 476 feet near the east property boundary to 500 feet above mean sea level near the northwest corner. There are no significant natural features located within the boundaries of the subject properties.

For adjacent zones and land uses refer to Exhibit B for an aerial photograph and Exhibit C for a zoning map. All surrounding uses are detached single-dwelling units zoned R10.

III. Middle Housing Land Division; Conditions of Approval (ORS 92.031)

- (1) *As used in this section, "middle housing land division" means a partition or subdivision of a lot or parcel on which the development of middle housing is allowed under ORS 197A.420 (2) or (3).*
- (2) *A city or county shall approve a tentative plan for a middle housing land division if the application includes:*
 - (a) *A proposal for development of middle housing in compliance with the Oregon residential specialty code and land use regulations applicable to the original lot or parcel allowed under ORS 197A.420 (5);*

Response: The applicant is proposing a middle housing land division to create two lots from one parent parcel to construct a single-family detached residential unit. The subject property is zone R-10 and per CDC 11.030(1) single-family detached residential units are an outright permitted use.

Compliance with the applicable Oregon Residential Specialty Code regulations will be demonstrated during the Building Permit review process. This element of the criterion will be addressed at a future date and time. As for the local land use regulations applicable to this project, ORS 197.758(5) states:

"Local governments may regulate siting and design of middle housing required to be permitted under this section, provided that the regulations do not, individually or cumulatively, discourage the development of all middle housing types permitted in the area through unreasonable costs or delay. Local governments may regulate middle housing to comply with protective measures adopted pursuant to statewide land use planning goals."

The City of West Linn has the authority to regulate siting and design of middle housing units. These standards include minimum property line setbacks, sidewall transitions, maximum floor-area-ratio, lot coverage, and building height. These standards, however, are traditionally reviewed under the Building Permit review process. Consequently, this element of the criterion will also be addressed at a future date and time.

(b) *Separate utilities for each dwelling unit;*

Response: As illustrated by the attached utility plan, separate utilities will be provided for the existing and proposed dwelling units. Therefore, this criterion is satisfied.

(c) *Proposed easements necessary for each dwelling unit on the plan for:*

(A) *Locating, accessing, replacing and servicing all utilities;*

Response: There is an existing public utility easement along the frontage of the subject property. No new easements are required for locating, access, replacing, or servicing utility systems. Therefore, this criterion is satisfied.

(B) *Pedestrian access from each dwelling unit to a private or public road;*

Response: The existing and proposed dwellings will have pedestrian access to Poseidon Court, a public street, via dedicated driveways. Therefore, this criterion is satisfied.

(C) *Any common use areas or shared building elements;*

Response: The proposed land division does not create any common areas or shared building elements. Therefore, no easements are required, and this criterion is met.

(D) *Any dedicated driveways or parking; and*

Response: The existing driveway cut will be used to provide access to the existing dwelling and the eventual second dwelling. Shared access easements will be shown over this driveway on the final plat. Therefore, this criterion will be satisfied in the future.

(E) *Any dedicated common area;*

Response: The proposed land division will not create dedicated common use areas. Therefore, no easements are required, and this criterion is met.

(d) *Exactly one dwelling unit on each resulting lot or parcel, except for lots, parcels or tracts used as common areas; and*

Response: No single parcel will contain more than one dwelling unit. This land division does not create common lots, parcels, or tracts. Therefore, this criterion is satisfied.

(e) *Evidence demonstrating how buildings or structures on a resulting lot or parcel will comply with applicable building codes provisions relating to new property lines and, notwithstanding the creation of new lots or parcels, how structures or buildings located on the newly created lots or parcels will comply with the Oregon residential specialty code.*

Response: Building setbacks are shown on the submitted site plan, which demonstrates compliance with the appropriate standards outlined the West Linn CDC. Compliance with the applicable Oregon Residential Specialty Code regulations will be demonstrated during the Building Permit review process. Therefore, this element of the criterion will be addressed at a future date and time.

- (3) *A city or county may add conditions to the approval of a tentative plan for a middle housing land division to:*
- (a) *Prohibit the further division of the resulting lots or parcels.*
 - (b) *Require that a notation appear on the final plat indicating that the approval was given under this section.*

Response: The applicant acknowledges and understands that the above conditions of approval may be required with the approval of this application.

- (4) *In reviewing an application for a middle housing land division, a city or county:*
- (a) *Shall apply the procedures under ORS 197.360 to 197.380.*
 - (b) *May require street frontage improvements where a resulting lot or parcel abuts the street consistent with land use regulations implementing ORS 197A.420.*
 - (c) *May not subject an application to approval criteria except as provided in this section, including that a lot or parcel require driveways, vehicle access, parking or minimum or maximum street frontage.*
 - (d) *May not subject the application to procedures, ordinances or regulations adopted under ORS 92.044 or 92.046 that are inconsistent with this section or ORS 197.360 to 197.380.*
 - (e) *May allow the submission of an application for a middle housing land division at the same time as the submission of an application for building permits for the middle housing.*
 - (f) *May require the dedication of right of way if the original parcel did not previously provide a dedication.*

Response: The applicant acknowledges and understands this application will be processed according to the procedures under ORS 197.360 to 197.380. Compliance with this portion of the criterion will occur through completion of the land use process.

- (5) *The type of middle housing developed on the original parcel is not altered by a middle housing land division.*

Response: The proposed land division does not create any conflicts with the existing dwelling. All existing setbacks and restrictions are met, and all newly created setbacks can be met. Therefore, this criterion is met.

- (6) *Notwithstanding ORS 197A.425 (1), a city or county is not required to allow an accessory dwelling unit on a lot or parcel resulting from a middle housing land division.*

Response: The applicant acknowledges and understands that the city is not required to allow accessory dwelling units now or in the future.

- (7) *The tentative approval of a middle housing land division is void if and only if a final subdivision or partition plat is not approved within three years of the tentative approval. Nothing in this section or ORS 197.360 to 197.380 prohibits a city or county from requiring a final plat before issuing building permits.*

Response: The applicant acknowledges and understands that this application is void if the final plat is not approved within three years of the tentative approval.

IV. Conclusion

This application narrative and accompanying plan set demonstrate that all applicable provisions of the Oregon Revised Statutes Chapter 92, Subdivisions and Partitions, and the City of West Linn Community Development Code are satisfied.

Exhibit A – Clackamas County Assessor Map



2 1E 25BB
WEST LINN

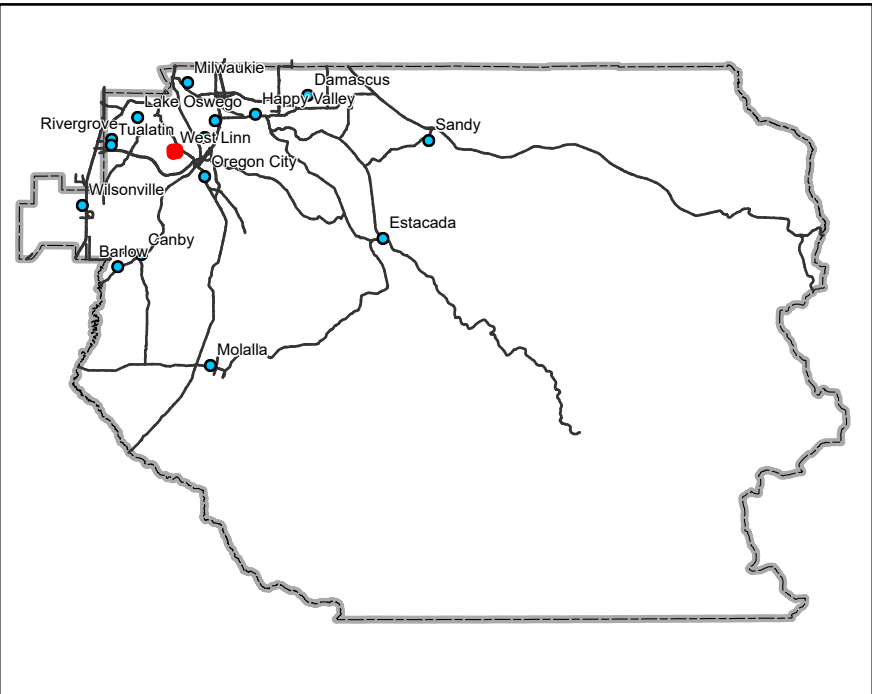
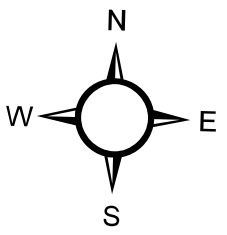
N.W. 1/4 N.W. 1/4 SEC.25 T.2S. R.1E. W. M.
CLACKAMAS COUNTY

1" = 100'

D. L. C.
SAMUEL W. SHANNON NO. 70

Cancelled

- 200
- 300
- 400
- 100
- 501
- 346
- 402
- 101
- 103
- 147
- 148
- 5200
- 102
- 104
- 126

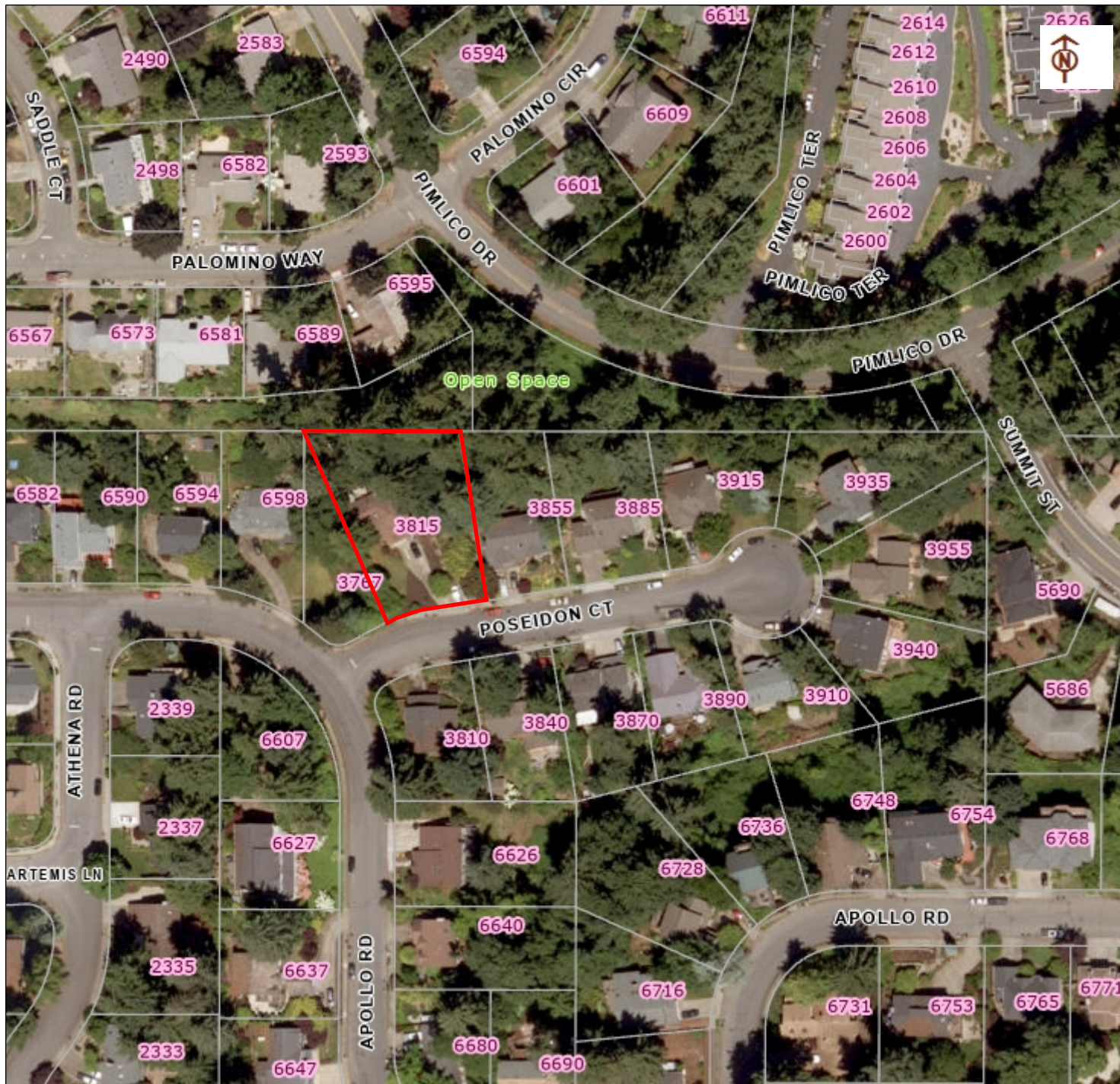


THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY

2 1E 25BB
WEST LINN

Print Date: 4/4/2024

Exhibit B – Aerial Photograph



Legend

Addresses

dissolved 0-5K

Points of Interest

 Fire Station

 City Hall

 Police Station

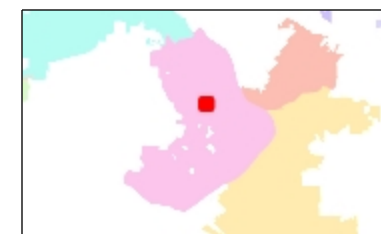
 Public School

Named Parks and OS

0 0.03 0.06 Miles



1: 2,257



Notes

This map was automatically generated using Geocortex Essentials.

Exhibit C – West Linn Zoning Map



Legend

Zoning

- Single and Multi Family R-2.1
- Single and Multi Family R-3
- Single-Family R-4.5
- Single-Family R-5
- Single-Family R-7
- Single-Family R-10
- Single-Family R-15
- Single-Family R-20
- Single-Family R-40
- Mixed Use
- Neighborhood Commercial
- General Commercial
- Office Business Center
- Campus Industrial
- General Industrial

dissolved 0-5K

Points of Interest

- Fire Station
- City Hall
- Police Station
- Public School

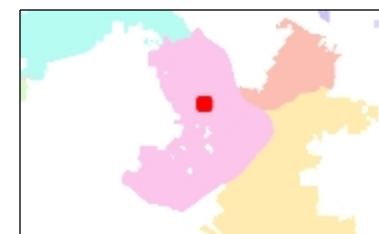
Named Parks and OS

River Label

0 0.03 0.06 Miles



1: 2,257



Notes

This map was automatically generated using Geocortex Essentials.

**FIRE CODE / LAND USE / BUILDING REVIEW
APPLICATION**



North Operating Center
11945 SW 70th Avenue
Tigard, OR 97223
Phone: 503-649-8577

South Operating Center
8445 SW Elligsen Rd
Wilsonville, OR 97070
Phone: 503-649-8577

REV 6-30-20

Project Information

Applicant Name: Mary Prier
Address: 3815 Poseidon Court, West Linn, OR 97068
Phone: _____
Email: prierme@yahoo.com
Site Address: 3815 Poseidon Court
City: West Linn, Oregon 97068
Map & Tax Lot #: Map 2-1e-25BB, Lot 145
Business Name: _____
Land Use/Building Jurisdiction: City of West Linn
Land Use/ Building Permit # _____
Choose from: Beaverton, Tigard, Newberg, Tualatin, North Plains, West Linn, Wilsonville, Sherwood, Rivergrove, Durham, King City, Washington County, Clackamas County, Multnomah County, Yamhill County

Project Description

Middle housing land division to divide one parcel into two lots.

Permit/Review Type (check one):

- ☒ Land Use / Building Review - Service Provider Permit
- ☐ Emergency Radio Responder Coverage Install/Test
- ☐ LPG Tank (Greater than 2,000 gallons)
- ☐ Flammable or Combustible Liquid Tank Installation (Greater than 1,000 gallons)
- * Exception: Underground Storage Tanks (UST) are deferred to DEQ for regulation.
- ☐ Explosives Blasting (Blasting plan is required)
- ☐ Exterior Toxic, Pyrophoric or Corrosive Gas Installation (in excess of 810 cu.ft.)
- ☐ Tents or Temporary Membrane Structures (in excess of 10,000 square feet)
- ☐ Temporary Haunted House or similar
- ☐ OLCC Cannabis Extraction License Review
- ☐ Ceremonial Fire or Bonfire (For gathering, ceremony or other assembly)

For Fire Marshal's Office Use Only

TVFR Permit # 2025-0164
Permit Type: SPP-West Linn
Submittal Date: 8-28-25
Assigned To: DFM Arn
Due Date: NA
Fees Due: 0
Fees Paid: 0

Approval/Inspection Conditions
(For Fire Marshal's Office Use Only)

This section is for application approval only

[Signature]
Fire Marshal or Designee

9-10-25
Date

Conditions: See approved fire service plans.

See Attached Conditions: ☐ Yes ☒ No

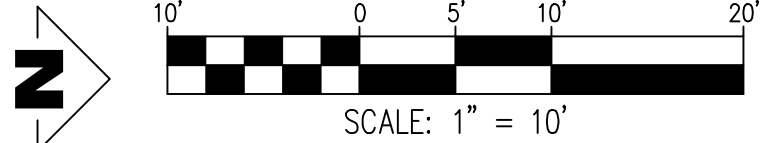
Site Inspection Required: ☐ Yes ☒ No

This section used when site inspection is required

Inspection Comments:

Final TVFR Approval Signature & Emp ID

Date



3815 POSEIDON COURT
TAXLOT 145
WEST LINN
CLACKAMAS COUNTY, OREGON

FS-1

REVISIONS	
NO.	DATE

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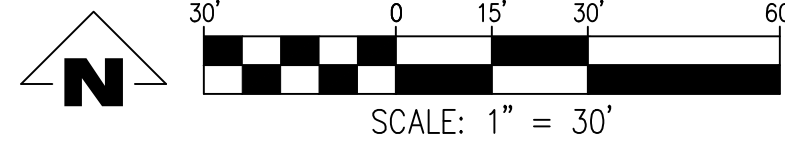
1500 VALLEY RIVER DRIVE, STE 100
EUGENE, OREGON 97401
TEL: (603) 748-8812
FAX: (603) 638-8592
www.emeriodesign.com

FILE: P:\2054-002 3815 Poseidon Ct - Phase 2\img\plan\2054-002_051WFR Layout: 05 SITE PLAN, Plot Date: 8/27/2025 1:53 PM, by: Brandy Smay

TAX MAP 21E25BB
N.W. 1/4 N.W. 1/4 SECTION 25 T.2S. R.1E. W.M.
CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON

**N.W. 1/4 N.W. 1/4 SECTION 25 T.2S. R.1E. W.M.
CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON**

THESE PLANS ARE FULL SIZED ON 22"x34" PAPER, IF 11"x17",
SCALE ACCORDINGLY.



●	INDICATES FOUND MONUMENT (PROTECT AT ALL TIMES)
○	INDICATES MONUMENT SET ON 05-02-2024
— — — — —	INDICATES ROADWAY CENTERLINE
== == == == ==	INDICATES SUBJECT PROPERTY BOUNDARY
- - - - -	INDICATES ADJACENT PROPERTY LINE
- - - - -	INDICATES PROPOSED PROPERTY LINE
— — — — —	INDICATES RIGHT-OF-WAY LINE
— — — — — □	INDICATES WOODEN FENCE LINE
	INDICATES EXISTING CONCRETE
	INDICATES EXISTING BUILDING
— W — W —	INDICATES EXISTING WATER LINE
— SS —	INDICATES EXISTING SANITARY SEWER LINE
— SD — SD —	INDICATES EXISTING STORM SEWER LINE
	INDICATES EXISTING WATER METER
	INDICATES EXISTING SANITARY SEWER MANHOLE
	INDICATES EXISTING STORM SEWER MANHOLE
	INDICATES EXISTING CATCH BASIN

SITE AREA:	0.41 AC
CURRENT ZONING:	R-10
TAXLOT:	145
NO OF LOTS:	2

THE VERTICAL DATUM FOR THIS SURVEY IS BASED UPON NAVD88, CITY OF WEST LINN BENCHMARK NO. A8196, BEING A BRONZE CAP SET IN A MONUMENT BOX AT THE CENTER OF SALAMO ROAD, SOUTH OF HOODVIEW AVENUE AND 12' NORTH OF THE CONCRETE MEDIAN. ELEVATION=962.585'.

<u>SHEET NUMBER</u>	<u>SHEET TITLE</u>
01	COVER SHEET
02	EXISTING CONDITIONS MAP
03	PRELIMINARY PLAT
04	PRELIMINARY STREET AND UTILITY PLAN

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES SHOWN ON THESE PLANS ARE OBTAINED BY A SEARCH OF AVAILABLE RECORDS. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT THOSE SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN ON THESE DRAWINGS. THE CONTRACTOR FURTHER ASSUMES ALL LIABILITY AND RESPONSIBILITY FOR THE UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN OR NOT SHOWN ON THESE DRAWINGS.

THE CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR THE JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LOSS, DAMAGE, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPT FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO THE COMMENCEMENT OF WORK.

THIS DESIGN COMPLIES WITH ORS 92.044 (7) IN THAT NO UTILITY INFRASTRUCTURE IS DESIGNED TO BE WITHIN ONE (1) FOOT OF A SURVEY MONUMENT LOCATION SHOWN ON A SUBDIVISION OR PARTITION PLAT. NO DESIGN EXCEPTIONS NOT FINAL FIELD LOCATION CHANGES SHALL BE PERMITTED IF THAT CHANGE WOULD CAUSE ANY UTILITY INFRASTRUCTURE TO BE PLACED WITHIN THE PROHIBITED AREA.

EMERIO DESIGN, LLC
1500 VALLEY RIVER DRIVE, SUITE 100
EUGENE, OR 97401
CONTACT: KEELAN SMITH, PE
(503) 746-8812 (P)

NOTICE TO EXCAVATORS:
ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW THE RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER.
(NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS (503)-232-1987).

Dig Safely.

Call the Oregon One-Call Center
DIAL 811 or 1-800-332-2344

DESCRIPTION

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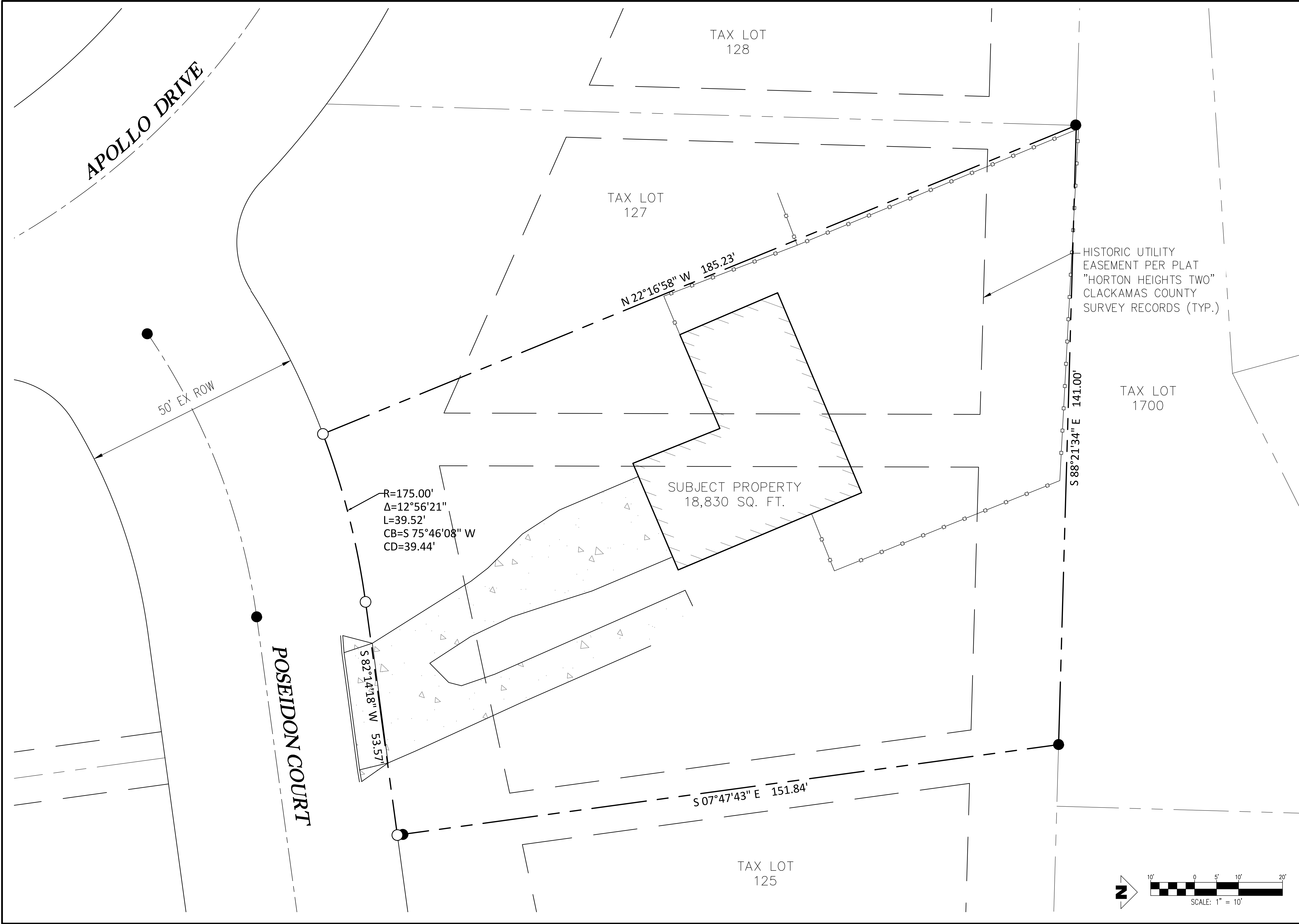
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www.emeriodesign.com

**3815 POSEIDON COURT
TAXLOT 145
WEST LINN
CLACKAMAS COUNTY, OREGON**

01

4



3815 POSEIDON COURT

TAXLOT 145

WEST LINN

CLACKAMAS COUNTY, OREGON

EXISTING CONDITIONS

MAP

REVISIONS	
NO.	DESCRIPTION

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EUGENE, OREGON 97401

TEL: (503) 748-5812

FAX: (503) 639-9592

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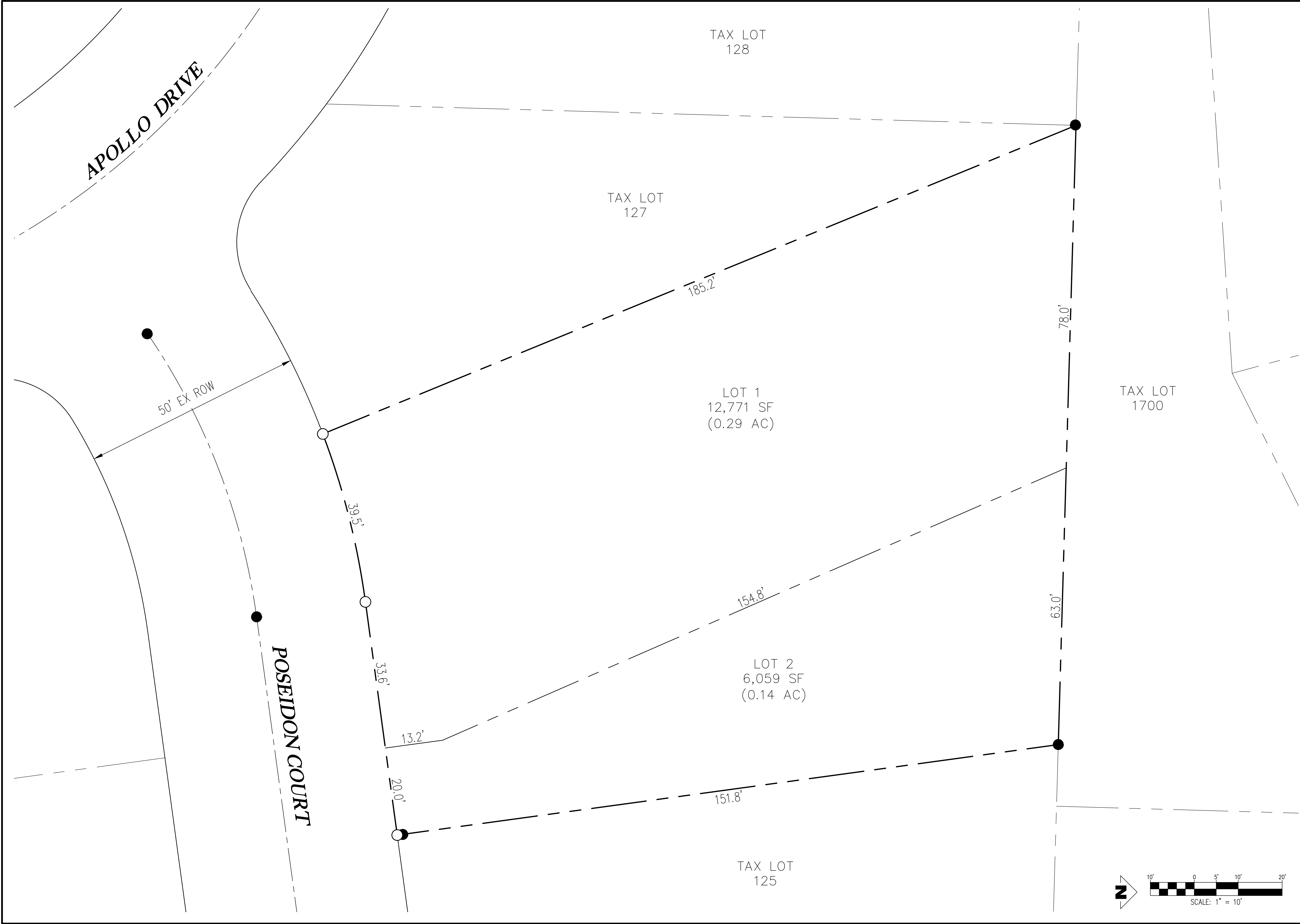
FILE P:\2054-002 3815 Poseidon Ct - Phase 2\wg\plan\2054-002_02ECM Layout - 02 EXISTING CONDITIONS MAP, Plot Date: 9/25/2025 4:25 PM, by: Kyle McDermott

SHEET

02

OF

04



3815 POSEIDON COURT
TAXLOT 145
WEST LINN
CLACKAMAS COUNTY, OREGON

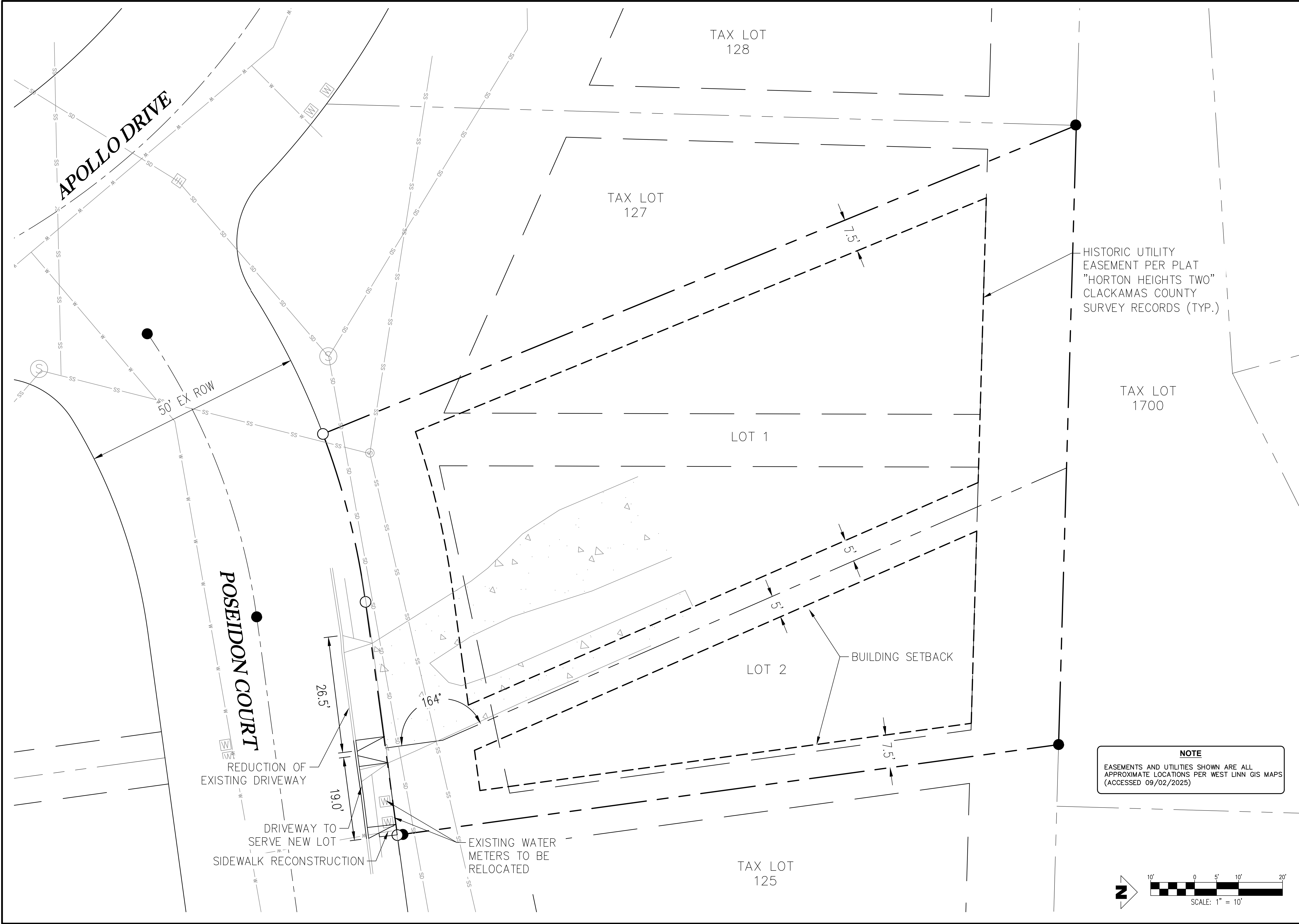
PRELIMINARY PLAT

REVISIONS	
NO.	DATE
	DESCRIPTION

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1500 VALLEY RIVER DRIVE, STE 100
EUGENE, OREGON 97401
TEL: (503) 748-5812
FAX: (503) 638-6592
www.emeriodesign.com

SHEET
03
OF
04

FILE P:\2054-002 3815 Poseidon Ct - Phase 2\img\plan\2054-002_03.plt Layout: 03 PRELIMINARY PLAT, Plot Date: 9/25/2025 4:25 PM, by: Kyle McDermott



PRELIMINARY STREET AND UTILITY PLAN

3815 POSEIDON COURT
TAXLOT 145
WEST LINN
CLACKAMAS COUNTY, OREGON

REVISIONS	
NO.	DESCRIPTION

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1500 VALLEY RIVER DRIVE, STE 100
EUGENE, OREGON 97401
TEL: (503) 746-5812
FAX: (503) 639-9592
www.emeriodesign.com

SHEET
04
OF
04

FILE P:\2024-002 3815 Poseidon Ct - Phase 2\wp\plan\2024-002_04aup Layout: 04 PRELIMINARY STREET AND UTILITY PLAN, Plot Date: 9/25/2025 4:25 PM, by: Kyle McDermott