

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT Aaron Gudelj	PROJECT No(s). WAP-26-02/WRG-26-01/FMA-26-01	PRE-APPLICATION No. PA-26-02
NON-REFUNDABLE FEE(S) \$5,700	REFUNDABLE DEPOSIT(S) \$0	TOTAL \$5,700

Type of Review (Please check all that apply):

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

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

Site Location/Address: 19340 Nixon Avenue	Assessor's Map No.: 21E24AC
	Tax Lot(s): 1000
	Total Land Area: 0.32 acres

Brief Description of Proposal:

Water Resource Area Permit, Flood Management Permit, and Willamette River Greenway Permit for an Addition to a Single-Family Dwelling

Applicant Name*: Firenze Development, Attn: Peter Kusyk	Phone: 503-381-4513
Address: 7110 SW Old Wilsonville Road	Email: peter@fdipdx.com
City State Zip: Wilsonville, OR 97070	

Owner Name (required): Byron G. Zahler and Joan Zahler	Phone: 503 913-5364
Address: 19340 Nixon Avenue	Email: BZahler@Comcast.net
City State Zip: West Linn, OR 97068	

Consultant Name: Cascadia Planning & Development Services, Attn. Steve Kay	Phone: 503-804-1089
Address: PO Box 1920	Email: steve@cascadiapd.com
City State Zip: Silverton, OR 97381	

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.

Firenze Development, Inc.
Aaron Gudelj, President 4-17-26
Applicant's signature Date

Byron G. Zahler 4/17/26
Owner's signature (required) Date
Joan M. Zahler 4/17/26

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.



PO Box 1920, Silverton, OR 97381
www.cascadiapd.com / 503-804-1089

CITY OF WEST LINN APPLICATION FOR LAND USE REVIEW

NIXON AVENUE ENVIRONMENTAL REVIEW

Location: 19340 Nixon Avenue
West Linn, OR 97068
T.L. 1000 of T.M. 21E24AC
Clackamas County, Oregon

Prepared by: Steve Kay, AICP
Mason McGonagall, PhD Arch

Prepared for: Peter Kusyk
Firenze Development
7110 SW Old Wilsonville Road
Wilsonville, OR 97070

April 10, 2026

APPLICANT'S STATEMENT

PROJECT NAME:	Nixon Avenue Environmental Review
REQUEST:	Water Resource Area Permit, Flood Management Permit, and Willamette River Greenway Permit for an Addition to a Single-Family Dwelling
ASSESSOR'S DESCRIPTION:	Tax Lot 1000 of Tax Map 21E24AC Clackamas County, Oregon
APPLICANT'S REPRESENTATIVE:	Steve Kay, AICP Cascadia Planning + Development Services P.O. Box 1920 Silverton, OR 97381 503-804-1089 steve@cascadiapd.com
APPLICANT:	Firenze Development Attn: Peter Kusyk 7110 SW Old Wilsonville Road Wilsonville, OR 97070
PROPERTY OWNER:	Byron G. Zahler and Joan Zahler 19340 Nixon Ave West Linn, OR 97068
PROPERTY SIZE:	0.32 acres
PROPERTY ADDRESS:	19340 Nixon Avenue West Linn, OR 97068

I: APPLICABLE REGULATIONS

A. WEST LINN COMMUNITY DEVELOPMENT CODE

Chapter 11:	Residential, R-10
Chapter 27:	Flood Management Areas
Chapter 28:	Willamette and Tualatin River Protection
Chapter 32:	Water Resource Area Protection
Chapter 99:	Procedures for Decision Making: Quasi-Judicial

II: BACKGROUND

The applicant, Firenze Development, is proposing to convert 248 sq. ft. of an existing garage into livable space for a single-family dwelling located at 19340 Nixon Avenue. In addition, the applicant is proposing to convert 233 sq. ft. of an existing covered patio into living space for the home. Due to the proximity to the Willamette River, a Water Resource Area Permit, Flood Management Area Permit, and Willamette River Greenway Permit are required. The subject site property is zoned R-10, contains approximately 0.32 acres, and is identified by the Clackamas County Assessor as Tax Lot 1000 of Tax Map 21E24AC. The limits of the Water Resource Area and Willamette River Greenway are identified on West Linn Maps, while the 100-year floodplain has been delineated on the submitted Existing Conditions Plan (see Exhibit 4).

The 2005 Metro Habitat Conservation Areas Map indicates that a “High” Habitat Conservation Area is located on the site. Per Clackamas County records, the home was constructed in 1977 and the attached Existing Conditions Plan identifies current improvements on the property (see Exhibit 4). The submitted Aerial Photographs provides documentation which verifies that the current dwelling footprint was in the same configuration when the July 2002 aerial photograph was taken (see Exhibit 5). Since the applicant is not proposing to expand the footprint of the existing dwelling, it is reasonable to conclude that no impacts to the mapped habitat conservation area will occur.

Since the subject site is located within the 100-year floodplain, a Floodplain Elevation Certificate was prepared for the dwelling and is included with this combined land use application (see Exhibit 6). This certificate indicates that the base flood elevation for the property is 46.0-ft. and the finished floor elevation within the dwelling is 47.77-feet. The submitted Architectural Plans demonstrate that the finish floor for the remodeled spaces in the garage and covered patio will match the existing finish floor elevation in the home (see Exhibit 4). In compliance with the floodplain development standards, the crawl space for the additional living areas includes flow-through openings meeting City requirements.

This Applicant’s Statement addresses the applicable provisions of the West Linn Community Development Code. Copies of the Application Form, Property Deed, Pre-Application Conference Summary Notes, Development Plans, Aerial Photographs, Floodplain Elevation Certificate, and the TVFR Service Provider Letter have been attached to this narrative. The applicant’s exhibits and narrative demonstrate that the proposed additions meet the criteria for approval.

III. FINDINGS

CHAPTER 11: RESIDENTIAL, R-10

Section 11.030: Permitted Uses. The following are uses permitted outright in this zoning district:

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

COMMENT:

The subject property is located in the R-10 zoning district and it contains an existing residential unit. The submitted Architectural Plan indicates that additional living space is proposed for the single-family dwelling, which is a permitted use in the zone (see Exhibit 4).

CHAPTER 27: FLOOD MANAGEMENT AREAS

Section 27.020: Applicability

This chapter shall apply to all flood management areas within the jurisdiction of West Linn. A flood management area permit is required for all development in the flood management area overlay zone. The standards that apply to flood management areas apply in addition to State or federal restrictions governing floodplains or flood hazard areas.

COMMENT:

FEMA's FIRM Flood Map No. 41005C0019D, dated June 17, 2008, indicates that the site is within the flood zone AE. Specifically, the site contains a regulatory floodway along the Willamette River with a 1 percent annual flood chance, therefore Chapter 27 standards apply. The submitted Existing Conditions Plan illustrates the limits of 100-year base flood elevation of 46.0-ft and that the entire dwelling is located within the regulatory flood management area.

Section 27.060: Administration

Establishment of Development Permit.

- 1. A development permit shall be obtained before construction or development begins within any area horizontally within the special flood hazard area established in CDC 27.020(A). The development permit shall be required for all structures, including manufactured dwellings, and for all other development, as defined in Chapter 2 CDC, including fill and other development activities.**

COMMENT:

The submitted Architectural Plans indicate that the applicant is proposing to convert 248 sq. ft. of an existing garage and 233 sq. ft. of an existing covered patio into living space within the home. As required, the applicant is requesting approval of a Flood Management Permit. The above criteria are included among the application materials and/or addressed in the narrative below.

- 2. Application for a development permit may be made on forms furnished by the Floodplain Administrator and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:**
 - a. In riverine flood zones, the proposed elevation (in relation to mean sea level), of the lowest floor (including basement) and all attendant utilities of all new and substantially improved structures; in accordance with the requirements of subsection (B)(2) of this section.**

COMMENT:

The attached Existing Conditions Plan indicates that the elevation of the garage of the existing dwelling is 44.7-ft. and the base flood elevation is 46.0-ft. (see Exhibit 4).

- b. Proposed elevation in relation to mean sea level to which any nonresidential structure will be floodproofed.**

COMMENT:

The submitted Architectural Plans illustrate that 248 sq. ft. of the existing garage and 233 sq. ft. of the existing covered patio will be converted into new living space for the single-family dwelling. The plans indicate that the building additions will have a finish floor elevation of 47.77-ft., which is the same finish floor elevation as the existing home (see Exhibit 4).

- c. Certification by a registered professional engineer or architect licensed in the State of Oregon that the floodproofing methods proposed for any nonresidential structure meet the floodproofing criteria for nonresidential structures in CDC 27.080(C)(3).**

COMMENT:

A registered professional engineer licensed in the State of Oregon prepared the attached Floodplain Elevation Certificate (see Exhibit 6). The applicant is not proposing to develop a nonresidential structure within the floodplain.

- d. Description of the extent to which any watercourse will be altered or relocated.**

COMMENT:

The attached Architectural Plans demonstrate that the crawl spaces for the proposed building additions include flow through openings (see Exhibit 4). Therefore, the garage and covered porch conversions will not impact the flood carrying capacity within the floodplain, or alter or relocate the watercourse.

- e. Base flood elevation data for subdivision proposals or other development when required per subsection (B) of this section and CDC 27.070(F).**

COMMENT:

The applicant is not requesting the approval of a subdivision. Therefore, this standard does not apply.

- f. Substantial improvement calculation for any improvement, addition, reconstruction, renovation, or rehabilitation of an existing structure.**

COMMENT:

The subject property is currently developed with a 1,383 sq. ft. single-family dwelling which has a market value of approximately \$1,250,000. As demonstrated by the submitted Architectural Plans, only 248 sq. ft. of an existing garage and 233 sq. ft. of an existing covered patio will be converted into new living space for the home. Therefore, it is reasonable to conclude that the proposed project does not meet the threshold for a substantial improvement, where the cost of the improvement equals or exceeds 50% of the market value of the structure.

- g. The amount and location of any fill or excavation activities proposed.**

COMMENT:

The submitted Architectural Plans demonstrate that no grading activities are proposed within the regulatory floodplain (see Exhibit 4). The proposed conversion of the garage and covered patio to livable space is located within the existing footprint of the dwelling.

Section 27.070: General Standards. In all special flood hazard areas, the following standards shall be adhered to:

B. Anchoring.

- 1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.**

COMMENT:

The submitted Architectural Plans illustrate how the new construction will be anchored to concrete stemwalls to prevent flotation, collapse, or lateral movement of the structure (see Exhibit 4).

C. Construction Materials and Methods.

- 1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.**
- 2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.**

COMMENT:

As demonstrated by the attached Architectural Plans, the proposed additions to the home will use materials that are resistant to flood damage (see Exhibit 4). In compliance with the above standards, the crawl spaces for the additions include flow through openings to minimize flood damage.

H. Structures Located in Multiple or Partial Flood Zones. In coordination with the State of Oregon Specialty Codes:

- 1. When a structure is located in multiple flood zones on the community's flood insurance rate maps (FIRM) the provisions for the more restrictive flood zone shall apply.**
- 2. When a structure is partially located in a special flood hazard area, the entire structure shall meet the requirements for new construction and substantial improvements.**

COMMENT:

FEMA maps indicate that the subject property is located within the 100-year and 500-year flood zones. In conformance with the above standards, the proposed project has been designed to meet 100-year floodplain standards.

J. Minimum Finished Floor Elevation

- 1. Minimum finished floor elevations must be at least one foot above the design flood height or highest flood of record, whichever is higher, for new habitable structures in the flood area.**

COMMENT:

Per the Floodplain Elevation Certificate, the base flood elevation is 46.0 feet and the existing finish floor elevation of the home is 47.77 feet (see Exhibit 6). The applicant's Architectural Plans illustrate that the new livable space will have the same finish floor elevation as the existing dwelling (see Exhibit 4). Therefore, the finished floor elevation for the addition is at least one foot above the base flood elevation.

Section 27.080: Specific Standards for Riverine Flood Zones. These specific standards shall apply to all new construction and substantial improvements in addition to the general standards contained in CDC 27.070.

A. Flood Openings.

- 1. All new construction and substantial improvements with fully enclosed areas below the lowest floor (excluding basements) are subject to the following requirements:**
- 2. Enclosed areas below the base flood elevation, including crawl spaces, shall:**
 - a. Be designed to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters;**
 - b. Be used solely for parking, storage, or building access;**
 - c. Be certified by a registered professional engineer or architect or meet or exceed all of the following minimum criteria:**
 - 1. A minimum of two openings**
 - 2. The total net area of nonengineered openings shall be not less than one square inch for each square foot of enclosed area, where the enclosed area is measured on the exterior of the enclosure walls**
 - 3. The bottom of all openings shall be no higher than one foot above grade**
 - 4. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they shall allow the automatic flow of floodwater into and out of the enclosed areas and shall be accounted for in the determination of the net open area**
 - 5. All additional higher standards for flood openings in the State of Oregon Residential Specialty Codes**

Section R322.2.2 shall be complied with when applicable.

COMMENT:

The attached Architectural Plans demonstrate that a minimum of 2 flow through openings are provided for each crawl space below the covered patio and garage conversions (see Exhibit 4). The proposed openings for the 248 sq. ft. garage conversion contain a total of XX sq. in, while the openings for the 233 sq. ft. covered patio conversion have a total of XX sq. in. of openings. As required, the openings are no higher than 1-ft. above grade and are covered with louvers. Therefore, the above standards are met for these nonengineered openings.

B. Garages.

- 1. Attached garages may be constructed with the garage floor slab below the base flood elevation (BFE) in riverine flood zones, if the following requirements are met:**
 - a. If located within a floodway the proposed garage must comply with the requirements of CDC 27.090.**
 - b. The floors are at or above grade on not less than one side;**
 - c. The garage is used solely for parking, building access, and/or storage;**
 - d. The garage is constructed with flood openings in compliance with subsection (A) of this section to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater;**
 - e. The portions of the garage constructed below the BFE are constructed with materials resistant to flood damage;**
 - f. The garage is constructed in compliance with the standards in CDC 27.070; and**
 - g. The garage is constructed with electrical and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.**

COMMENT:

The Architectural Plans illustrate that a portion of the existing garage will remain with the proposed remodel (see Exhibit 4). The applicant is not proposing to develop a new garage with the home additions, therefore the above standards do not apply.

- C. For Riverine Special Flood Hazard Areas With Base Flood Elevations. In addition to the general standards listed in CDC 27.070 the following**

specific standards shall apply in riverine (noncoastal) special flood hazard areas with base flood elevations (BFE): zones A1-30, AH, and AE.

2. Residential Construction.

- a. New construction, conversion to, and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated at or above one foot above the base flood elevation.
- b. Enclosed areas below the lowest floor shall comply with the flood opening requirements in subsection (A) of this section.

COMMENT:

As indicated on the attached Architectural Plans, the proposed renovations match the finish floor elevation of the single-story dwelling. The base flood elevation is 46.0-feet. The finish floor elevation is 47.77-feet, which is more than one foot higher. The submitted Architectural Plans demonstrate that flood openings are provided for the crawlspaces underneath the new livable space in accordance with Section 27.080(A) standards.

7. Below-Grade Crawl Spaces.

COMMENT:

The submitted Architectural Plan indicates that the applicant is not proposing to develop a below grade crawl space. Therefore, the above standards do not apply.

CHAPTER 28: WILLAMETTE AND TUALATIN RIVER PROTECTION

Section 28.030: Applicability

- A. The Willamette and Tualatin River Protection Area is an overlay zone. The zone boundaries are identified on the City's zoning map, and include:
 1. All land within the City of West Linn's Willamette River Greenway Area.

COMMENT:

The West Linn Maps indicate that the subject site is located within the Willamette River Protection Area overlay zone, therefore Chapter 28 standards apply.

Section 28.040: Exemptions/Uses Permitted Outright

The following development activities do not require a permit under the provisions of this chapter. (Other permits may still be required.)

- M. Minor modifications. A modification shall be considered “minor” when it results in a change in the approved design that is equal to or less than a 10 percent increase in the length, width or height of the facility. A change of location by under 20 feet laterally for any part of the structure, ramp, dock, etc., also constitutes a minor modification.**

COMMENT:

Per County Assessor’s Office records, the existing home was built in 1977, prior to the adoption of the Willamette River Greenway standards. Since the dwelling was not an approved design under Chapter 28 standards, the minor modification criterion does not apply.

- U. Maintenance, alteration, expansion, repair and replacement of existing structures are exempt, provided impermeable surfaces do not exceed 5,000 square feet and that it complies with the provisions of Chapters 27 and 28 CDC. The following standards shall also apply:**
 - 1. Rebuilding of existing residential and non-residential structures within the same foundation lines as the original structure(s) including, but not limited to, those damaged or destroyed by fire or other natural hazards; or**
 - 2. The alteration, expansion, repair and replacement of a house or structure per the standards of CDC 28.110(E) not to exceed 5,000 square feet of impermeable surface per that section; or**
 - 3. The alteration, expansion, repair and replacement of a house or structure vertically where the applicant is adding additional floors or expanding above the footprint of the existing structure regardless of whether the structure’s footprint is in an HCA or not.**

COMMENT:

County Assessor’s Office records indicate that the existing home contains 1,383 sq. ft. and the applicant is proposing the conversion of 481 sq. ft. of unfinished space to livable space within the existing building (see Exhibit 4). The submitted Existing Conditions Plan demonstrates that there is currently less than 5,000 sq. ft. of impervious area on the subject property. The proposed project does not include additional impervious areas since the conversion of non-habitable space to livable space is located within the existing footprint of the home. Based on these factors, the proposed development does not require a permit under the provisions of this chapter.

CHAPTER 32: WATER RESOURCE AREA PROTECTION

Section 32.030: Prohibited Uses

Alteration, development, or use of real property designated as, and within, a WRA is strictly prohibited except as specifically allowed or exempted in this chapter.

COMMENT:

The delineated WRA (Water Resource Area) for the subject site includes a riparian corridor that extends from the waterway to the eastern third of the dwelling. The WRA is also defined by the mapped "High" HCA (Habitat Conservation Area) located in the western third of the parcel. West Linn Maps indicates that According to Section 32.030 Table 32-1, additions to the existing dwelling are allowed in a WRA (Water Resource Area) so long as the home gets no closer to the WRA than the building footprint that existed on January 1, 2006. The attached Aerial Photographs demonstrate that the current footprint of the existing dwelling was present in July 2002 (see Exhibit 5). The submitted Architectural Plans illustrated that the applicant is proposing to convert 248 sq. ft. of the existing garage and 233 sq. ft. of the existing covered patio into living space. Therefore, since the proposed conversions are located within the building footprint which existed in January 2006, the development activity is permitted.

Section 32.050: Application

- A. An application requesting approval for a use or activity regulated by this chapter shall be initiated by the property owner, or the owner's authorized agent, and shall include an application form and the appropriate deposit or fee as indicated on the master fee schedule.**
- B. A pre-application conference shall be a prerequisite to the filing of the application.**
- C. The applicant shall submit maps and diagrams at 11 by 17 inches and a written narrative addressing the approval criteria and requirements of this chapter, and any additional copies required by the Planning Director.**
- D. Where review of soil maps, Department of Geology and Mineral Industries (DOGAMI) maps, or on-site inspection by the City Engineer reveals evidence of slope failures or that WRA slopes are potentially unstable or prone to failure, geotechnical studies may be required to demonstrate that the proposed development will not cause, or contribute to, slope failure or increased erosion or sedimentation in the WRA or adversely impact surface or modify groundwater flow or hydrologic conditions. These geotechnical studies shall include all necessary measures to avoid or correct the potential hazard.**

COMMENT:

The attached Pre-Application Conference Summary Notes indicate that the applicant and the property owner discussed the proposed development with City staff on March 5, 2026 (see Exhibit 3). As required, the submitted Application Form includes the signature of the property owner (see Exhibit 1). The applicant has also submitted the attached Development Plans to comply with the above standards (see Exhibit 4). Since there is no evidence of landslide hazards on the subject site, a geotechnical study is not required for this land use review.

F. Site plan. The applicant shall submit a site plan which contains the following information, as applicable:

- 1. The name, address, and telephone number of the applicant, the scale (lineal) of the plan, and a north arrow.**
- 2. Property lines, rights-of-way, easements, etc.**
- 3. A storm detention and treatment plan and narrative statement pursuant to CDC 92.010(E).**

COMMENT:

The attached Existing Conditions Plan provides the applicable information listed above. As mentioned earlier, the proposed development is the conversion of an existing garage and an existing covered patio within the current dwelling footprint. Since the applicant is not proposing to develop new impervious areas on the subject property, new stormwater facilities are not required.

- 4. Tables and maps identifying acreage, location and type of development constraints due to site characteristics such as slope, drainage and geologic hazards. For Type I, II, and III lands (refer to definitions in Chapter 02 CDC), the applicant must provide a geologic report, with text, figures and attachments as needed to meet the industry standard of practice, prepared by a certified engineering geologist and/or a geotechnical professional engineer, that includes:**
 - a. Site characteristics, geologic descriptions and a summary of the site investigation conducted;**
 - b. Assessment of engineering geological conditions and factors;**
 - c. Review of the City of West Linn's Natural Hazard Mitigation Plan and applicability to the site; and**
 - d. Conclusions and recommendations focused on geologic constraints for the proposed land use or development activity, limitations and potential risks of development, recommendations for mitigation approaches and additional work needed at future development stages**

including further testing and monitoring.

COMMENT:

The subject site does not contain steep slopes or geological hazards, therefore a geotechnical report is not required for this application.

5. **Boundaries of the WRA, specifically delineating the water resource, and any riparian corridor boundary. If the proposal includes development of a wetland, a wetlands delineation prepared by a professional wetland specialist will be required. The wetland delineation may be required to be accepted or waived through the Department of State Lands (DSL) delineation review process.**

COMMENT:

Per the West Linn Maps website, the subject site does contain a "High" HCA in the western third of the site and a mapped riparian corridor extends to the eastern third of the dwelling footprint. There are no mapped wetlands on the property.

6. **Location of existing and proposed development, including all existing and proposed structures, accessory structures, any areas of fill or excavation, water resource crossings, alterations to vegetation, or other alterations to the site's natural state.**
7. **Identify the location and square footage of previously disturbed areas, areas that are to be temporarily disturbed, and area to be permanently disturbed or developed.**

COMMENT:

The locations of the proposed conversion of 248 sq. ft. of the garage and 233 sq. ft. of the covered patio to livable space is identified in the submitted Architectural Plans (see Exhibit 4). Since the new livable areas are located within the existing dwelling's 1,383 sq. ft. footprint, there are no new temporary or permanently disturbed areas within the WRA.

8. **When an application proposes development within the WRA, an inventory of vegetation within the WRA, sufficient to categorize the existing condition of the WRA, including:**
 - a. **The type and general quality of ground cover, including the identification of dominant species and any occurrence of non-native, invasive species;**
 - b. **Square footage of ground cover; and**
 - c. **Square footage of tree canopy as measured either through aerial photographs or by determining the tree drip lines. Where only a portion of a WRA is to be disturbed, the tree**

inventory need only apply to the impacted area. The remaining treed area shall be depicted by outlining the canopy cover.

9. Locations of all significant trees as defined by the City Arborist.

COMMENT:

As discussed above, the riparian corridor within the WRA extends to the eastern third of the dwelling footprint, and the "High" HCA is located in the western third of the property. Per the attached Architectural Plans and Aerial Photographs, an inventory of vegetation is not required for this application since the proposed development is located within the existing dwelling, which has the same configuration as the building footprint which was on the site in 2002 (see Exhibits 4 and 5).

10. Identify adopted transportation, utility and other plan documents applicable to this proposal.

11. For cases processed under CDC 32.110 (hardship), provide the maximum disturbed area (MDA) calculations.

COMMENT:

The attached Site Plan demonstrates that the proposed development complies with the above standards. The proposed development activity is located within the existing footprint of the home. Therefore, the activity will not alter, disturb, or otherwise impact slope, drainage, water resources, or vegetation on the site (see Exhibit 4).

G. Construction management plan. The applicant shall submit a construction management plan which includes the following:

- 1. The location of proposed TDAs (site ingress/egress for construction equipment, areas for storage of material, construction activity areas, grading and trenching, etc.) that will subsequently be restored to original grade and replanted with native vegetation, shall be identified, mapped and enclosed with fencing per subsection (G)(3) of this section.**
- 2. Appropriate erosion control measures consistent with Clackamas County Erosion Prevention and Sediment Control Planning and Design Manual, rev. 2008, and a tentative schedule of work.**
- 3. The WRA shall be protected, prior to construction, with an anchored chain link fence (or equivalent approved by the City) at its perimeter that shall remain undisturbed, except as specifically authorized by the approval authority. Additional fencing to delineate approved TDAs may be required. Fencing shall be mapped and identified in the construction management plan and maintained until construction is complete.**

- H. Mitigation plan prepared in accordance with the requirements in CDC 32.090.
- I. Re-vegetation plan prepared in accordance with the requirements in CDC 32.100.
- J. The Planning Director may modify the submittal requirements per CDC 99.035.

COMMENT:

Although a “High” HCA is mapped for the site, the attached Aerial Photographs demonstrate that only a driveway and no vegetation is currently located within the mapped area. As such, a construction management plan is not required to protect sensitive habitat areas on the site. The applicant will be storing construction materials and equipment within the garage during the construction activities. Since the construction activities are located within the existing dwelling footprint, erosion control measures and fencing of the WRA are also not required for this project. In addition, since the project does not impact the riparian area in the eastern are of the site, and only paved areas are located where the “High” HCA were mapped, a mitigation plan or re-vegetation plan are not required for the proposed development.

- K. The following additional requirements apply to applications being submitted under the alternative review process pursuant to CDC 32.070 and 32.080.

COMMENT:

This application is not being submitted under the alternative review process, therefore the above standards do not apply.

Section 32.060: Approval Criteria (Standard Process)

No application for development on property containing a WRA shall be approved unless the approval authority finds that the proposed development is consistent with the following approval criteria, or can satisfy the criteria by conditions of approval:

- A. WRA protection/minimizing impacts.
 - 1. Development shall be conducted in a manner that will avoid or, if avoidance is not possible, minimize adverse impact on WRAs.
 - 2. Mitigation and re-vegetation of disturbed WRAs shall be completed per CDC 32.090 and 32.100, respectively.

COMMENT:

As discussed above, the proposed project is located within the existing dwelling footprint. Since the development avoids the WRA, adverse impacts will be minimized, and mitigation and re-vegetation of the WRA will not be required.

B. Storm water and storm water facilities.

- 1. Proposed developments shall be designed to maintain the existing WRAs and utilize them as the primary method of storm water conveyance through the project site unless:**
 - a. The surface water management plan calls for alternate configurations (culverts, piping, etc.); or**
 - b. Under CDC 32.070, the applicant demonstrates that the relocation of the water resource will not adversely impact the function of the WRA including, but not limited to, circumstances where the WRA is poorly defined or not clearly channelized.**

Re-vegetation, enhancement and/or mitigation of the re-aligned water resource shall be required as applicable.

COMMENT:

The submitted Architectural Plans illustrate that the proposed development is located within the existing building footprint (see Exhibit 4). Since no new impervious areas are proposed, new stormwater facilities are not required for the conversion of non-habitable space to habitable space.

- D. WRA width. Except for the exemptions in CDC 32.040, applications that are using the alternate review process of CDC 32.070, or as authorized by the approval authority consistent with the provisions of this chapter, all development is prohibited in the WRA as established in Table 32-2 below:**

COMMENT:

City staff has indicated that West Linn Maps provides the correct WRA width for the subject site. As mentioned above, the proposed development is within the current dwelling footprint, which was in existence when the HCA was applied to the site in 2005 (see Exhibits 4 and 5).

- E. Per the submittals required by CDC 32.050(F)(4), the applicant must demonstrate that the proposed methods of rendering known or potential hazard sites safe for development, including proposed geotechnical remediation, are feasible and adequate to prevent landslides or other damage to property and safety. The review authority may impose conditions, including limits on type or intensity of land use, which it determines are necessary to mitigate known risks of landslides or property damage.**

COMMENT:

There are no landslide hazard areas identified for the subject site, therefore a geotechnical study with the information listed above is not required.

F. Roads, driveways and utilities.

- 1. New roads, driveways, or utilities shall avoid WRAs unless the applicant demonstrates that no other practical alternative exists. In that case, road design and construction techniques shall minimize impacts and disturbance to the WRA by the following methods:**

COMMENT:

The applicant is not proposing to develop a road, driveway, or utilities within the WRA, therefore the above criterion does not apply.

- G. Passive recreation. Low impact or passive outdoor recreation facilities for public use including, but not limited to, multi-use paths and trails, not exempted per CDC 32.040(B)(2), viewing platforms, historical or natural interpretive markers, and benches in the WRA, are subject to the following standards:**

COMMENT:

The applicant is not proposing to develop low impact or passive outdoor recreation facilities within the WRA. Therefore, this criterion does not apply.

H. Daylighting Piped Streams.

- 1. As part of any application, covered or piped stream sections shown on the WRA Map are encouraged to be “daylighted” or opened. Once it is daylighted, the WRA will be limited to 15 feet on either side of the stream. Within that WRA, water quality measures are required which may include a storm water treatment system (e.g., vegetated bioswales), continuous vegetative ground cover (e.g., native grasses) at least 15 feet in width that provides year round efficacy, or a combination thereof.**

COMMENT:

There are no mapped streams on the subject property, therefore this criterion does not apply.

- I. The following habitat friendly development practices shall be incorporated into the design of any improvements or projects in the WRA to the degree possible:**

COMMENT:

As demonstrated by the attached Architectural Plans, the proposed development is within the existing dwelling footprint and impacts to the WRA are not proposed. Since the applicant is not proposing development in the WRA, a mitigation plan or re-vegetation plan is not required.

CHAPTER 99: PROCEDURES FOR DECISION MAKING: QUASI-JUDICIAL

Section 99.030: Application Process: Who May Apply, Pre-Application Conference, Requirements, Refusal of Application, Fees

Alteration, development, or use of real property designated as, and within, a WRA is strictly prohibited except as specifically allowed or exempted in this chapter.

B. Pre-application conferences

1. Subject to subsection (B)(4) of this section, a pre-application conference is required for, but not limited to, each of the following applications:
 - p. Development subject to Chapter 32 CDC, Water Resource Area Protection;
 - q. Development subject to Chapter 27 CDC, Flood Management Areas;
 - r. Development subject to Chapter 28 CDC, Willamette and Tualatin River Protection;

COMMENT:

A pre-application conference was held on March 5, 2026 to identify relevant code sections, key issues, and to summarize the application process and associated fees. Therefore, this standard is met.

Section 99.060: Approval Authority

This section explains the authority of the Planning Director, Planning Commission, City Council, and Historic Review Board as it relates to quasi-judicial and legislative action.

- A. Planning Director authority. The Planning Director, or designee, shall have the authority to:
 1. Approve, deny, or approve with conditions the following applications:
 - o. Flood management area permit (Chapter 27 CDC).

- r. **Water resource area permit (Chapter 32 CDC).**
- t. **Willamette River Greenway Permit (Chapter 28 CDC).**

COMMENT:

As noted in the Pre-Application Conference Summary Notes, the subject property is located within the FEMA 100-year flood zone, the Willamette River Greenway, and a 'High' Habitat Conservation Area (HCA). This application narrative and the submitted exhibits provide required information for the environmental review permits.

Section 99.070: Consolidation of Proceedings

- A. **When an applicant requests more than one approval, and more than one approval authority is required to decide the applications, the proceedings shall be consolidated so that one approval authority shall decide all applications in one proceeding. In such cases, the hearings shall be held by the approval authority having original jurisdiction over one of the applications under CDC 99.060, in the following order of preference: City Council, Planning Commission or Historic Review Board, or the Planning Director.**

COMMENT:

As noted in the Pre-Application Conference Summary Notes, the request for a Water Resource Area Permit, Flood Management Permit, and Willamette River Greenway Permit may be reviewed concurrently with a decision provided by the Planning Director.

Section 99.080: Notice

- A. **Class A Notice. Notice of proposed action or a development application pursuant to CDC 99.060 shall be given by the Director in the following manner:**
- B. **Class B Notice. Notice of a proposed action on a development application pursuant to CDC 99.060 shall be given by the Director in the following manner:**

COMMENT:

Based on the Table of Notices in CDC 99.080, a Flood Management Area land use application requires a Class B notice. The Water Resource Area Permit (NDW) and the Willamette River Greenway Development Permit both require Class A notice.

IV. SUMMARY AND CONCLUSIONS

Based on the above findings, the applicant has demonstrated compliance with applicable sections of the City of West Linn Community Development Code. Therefore, the applicant requests approval of the submitted Flood Management Area Permit, Water Resource Area Permit, and Willamette River Greenway Development Permit applications.

V. EXHIBITS

- 1. Application Form**
- 2. Property Deed**
- 3. Pre-Application Conference Summary Notes**
- 4. Development Plans**
Existing Conditions Plan
Architectural Plans
- 5. Aerial Photographs**
- 6. Floodplain Elevation Certificate**
- 7. TVFR Service Provider Letter**

APPLICATION FORM

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT	PROJECT No(s).	PRE-APPLICATION No.
NON-REFUNDABLE FEE(S)	REFUNDABLE DEPOSIT(S)	TOTAL

Type of Review (Please check all that apply):

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

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

Site Location/Address: 19340 Nixon Avenue	Assessor's Map No.: 21E24AC
	Tax Lot(s): 1000
	Total Land Area: 0.32 acres

Brief Description of Proposal:

Water Resource Area Permit, Flood Management Permit, and Willamette River Greenway Permit for an Addition to a Single-Family Dwelling

Applicant Name*: Firenze Development, Attn: Peter Kusyk
Address: 7110 SW Old Wilsonville Road
City State Zip: Wilsonville, OR 97070
Phone: 503-381-4513
Email: peter@fdipdx.com

Owner Name (required): Byron G. Zahler and Joan Zahler
Address: 19340 Nixon Avenue
City State Zip: West Linn, OR 97068
Phone: 503 913-5364
Email: BZahler@Comcast.net

Consultant Name: Cascadia Planning & Development Services, Attn. Steve Kay
Address: PO Box 1920
City State Zip: Silverton, OR 97381
Phone: 503-804-1089
Email: steve@cascadiapd.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
Robert Kusyk, President
 Date: 4-17-26

Owner's signature (required)
Byron G. Zahler
 Date: 4/17/26
Joan M. Zahler
 Date: 4/17/26

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.

PROPERTY DEED

LAWYERS TITLE 872501628

RECORDING REQUESTED BY:



6000 Meadows Rd, Ste 100
Lake Oswego, OR 97035

AFTER RECORDING RETURN TO:

Order No.: 872501628-JD
Byron G. Zahler and Joan Zahler
6611 SW Burlingame Ave
Portland, OR 97239

SEND TAX STATEMENTS TO:

Byron G. Zahler and Joan Zahler
19340 Nixon Avenue
West Linn, OR 97068

APN:00371225
Map: 21E24AC01000

19340 Nixon Avenue, West Linn, OR
97068-2108

Clackamas County Official Records
Catherine McMullen, County Clerk

2025-039724

10/10/2025 11:53:03 AM

D-D Cnt=1 Stn=112 LISA
\$25.00 \$16.00 \$10.00 \$62.00

\$113.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Patricia Albrecht and David Plotkin, Grantor, conveys and warrants to **Byron G. Zahler and Joan Zahler, as tenants by the entirety**, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Clackamas, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS ONE MILLION TWO HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS **(\$1,250,000.00)**. (See ORS 93.030).

Subject to:

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

STATUTORY WARRANTY DEED
(continued)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 10-9-25

Patricia A. Albrecht
Patricia Albrecht

David Plotkin
David Plotkin

State of Oregon
County of Clackamas

This instrument was acknowledged before me on 10/9/2025 by Patricia Albrecht and David Plotkin.

Jennifer Lynn Dunaway
Notary Public - State of Oregon

My Commission Expires: 6/20/2028

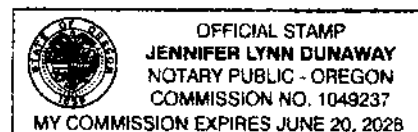


EXHIBIT "A"
Legal Description

Lot 77, KENTHORPE, unrecorded, in Section 24, Township 2 South, Range 1 East, of the Willamette Meridian, in the City of West Linn, County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at a point in the meander line of the West bank of the Willamette River, which point bears South 89°59' East 2739.75 and South 44°32' East along said meander line of the West bank of the Willamette River 309.99 feet from the Northwest corner of the Alexander Christie tract as described in Book 111, Page 160, Deed Records; from said place of beginning, thence continuing South 44°21' East along said meander line 70.34 feet; thence leaving said meander line South 51°19' West 95.35 feet to an iron rod; thence continuing South 51°19' West 115.49 feet to an iron rod in the Northeasterly right of way line of a 50.00 feet roadway; thence North 29°16' West along said Northeasterly right of way line 70.98 feet to an iron rod; thence leaving said Northeasterly right of way line North 51°19' East 95.92 feet to an iron rod; thence continuing North 51°19' East 95.78 feet to the place of beginning.

EXHIBIT "B"

Exceptions

Subject to:

1. Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2025-2026.
2. Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of Willamette River Slough.

Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 through 274.940.

Any adverse claim based on the assertion that any portion of the subject land is now or at any time has been below the ordinary high water line of Willamette River Slough.

Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of Willamette River Slough.

3. The interest of, or rights or easements, if any, that have been established and which are referenced in instrument

Recording Date: April 5, 1963

Recording No.: Book 32, Page 826

4. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: The City of Lake Oswego

Purpose: Drainage and pipe line for intermittent flow of water

Recording Date: June 17, 1968

Recording No.: 68-011249

Affects: Reference is hereby made to said document for full particulars

EXHIBIT "B"

Exceptions

5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of West Linn

Purpose: Sewer

Recording Date: August 14, 1970

Recording No.: 70-016094

Affects: Reference is hereby made to said document for full particulars

PRE-APPLICATION CONFERENCE SUMMARY NOTES



**PRE-APPLICATION CONFERENCE
SUMMARY NOTES
March 5, 2026**

FILE: PA-26-02

PROJECT PROPOSAL: Proposed 233 square foot addition to a single family residence in a Flood Management Area, FEMA 100-year Flood Zone, Willamette River Greenway, and Habitat Conservation Area

APPLICANTS PRESENT: Peter Kusyk (Firenze Development); Byron Zahler (Owner)

STAFF PRESENT: Erica Smith, Senior Planner; Aaron Gudelj, Associate Planner

PUBLIC PRESENT: N/A

These pre-application summary notes are provided to help the applicant identify relevant code sections, key issues, and to summarize the application process and associated fees. They are based on preliminary information and may not reflect all considerations. For additional guidance on the process, approval criteria, submittal requirements, or any questions or clarifications, please contact the assigned planner. Summary notes are valid for 18 months from the date of the meeting.

SITE INFORMATION:

Site Address: 19340 Nixon Ave
Tax Lot No.: 21E24AC01000
Site Area: 14,040 square feet
Neighborhood: Robinwood Neighborhood Association
Comp. Plan: Low Density Residential
Zoning: R-10, Residential
Zoning Overlays: FEMA 100-yr flood zone, Willamette River Greenway, Flood Management Area, Habitat Conservation Area, Riparian Corridor

PROJECT DESCRIPTION:

The applicant proposes construct a 233 square foot addition to an existing single-family residence located in the Willamette River Greenway, FEMA 100-year flood zone, and Habitat Conservation Area.

APPLICABLE COMMUNITY DEVELOPMENT CODE SECTIONS:

Approval standards and criteria in effect when an application is *received* will be applied to the proposed development. The following Community Development Code (CDC) Chapters apply to this proposal:

- [Chapter 11 Residential, R-10](#)
- [Chapter 27 FLOOD MANAGEMENT AREAS](#)
 - o 27.060(C), 27.070, 27.080
- [Chapter 28 WILLAMETTE AND TUALATIN RIVER PROTECTION](#)
 - o 28.040
- [Chapter 32 WATER RESOURCE AREA PROTECTION](#)
 - o 32.030; 32.050, 32.060
- [Chapter 99: Procedures for Decision Making: Quasi-Judicial](#)

KEY ISSUES & CONSIDERATIONS

Staff has identified the following development issues, design considerations, or procedural issues

that you should be aware of as you prepare your formal application for submittal. The identification of these issues or considerations here does not preclude the future identification of additional issues or considerations:

1. The property is located within the FEMA 100-year flood zone, Willamette River Greenway, and a 'High' Habitat Conservation Area.
 - o A Floodplain Permit, and Water Resource Area Permit will be required. These applications can be consolidated in one application and be applied/reviewed simultaneously pursuant to West Linn CDC 99.070.

RESPONSE TO APPLICANT QUESTIONS:

1. What limitations are there on the interior building permit within the current structure?
 - **Staff Response: Conversion of the garage to habitable space would trigger flood plain requirements.**
2. Based on the Elevation Certificate that was completed on February 3, 2026 by Reppeto and Associates are there any interior elevation changes that need to be made for compliance with the current building?
 - **Staff Response: Per West Linn CDC 27.070(J) – any new habitable area finished floor elevation must be one foot above the flood plain height. Your flood plain height = 46.0 feet and existing FFE for garage is 44.7 feet.**

ENGINEERING:

The Engineering department comments are attached. For further details, contact Clark Ide at 503-722-3437 or Cide@westlinnoregon.gov.

BUILDING:

For building code and ADA questions, contact Adam Bernert at abernert@westlinnoregon.gov or 503-742-6054 or Alisha Bloomfield at abloomfield@westlinnoregon.gov or 503-742-6053.

TUALATIN VALLEY FIRE & RESCUE:

A Service Provider Permit must be provided with this application - <https://www.tvfr.com/399/Service-Provider-Permit>. Contact Jason Arn at jason.arn@tvfr.com or 503-259-1510 with any questions.

TREE REMOVAL REGULATIONS:

Tree removal is regulated by [City Ordinance](#) and the [Community Development Code](#). Any proposed tree removal must be included in the development application.

PROCESS:

A Water Resource Area Permit, Flood Management Permit, and Willamette River Greenway Pemrit are Planning Director's decisions. No public hearing is required. Once the application is declared complete, Staff will review the application, send a 14-day public comment notice, and post a notice sign on the property. When the public comment period closes, the Planning Director will prepare a decision within 120 days. A final decision can take 6-10 months.

There is a 14-day appeal period after the decision. If the decision is not appealed, the applicant may proceed with the development after the appeal period ends.

NEIGHBORHOOD MEETING:

A Neighborhood Meeting is not required for the proposed single-family residential addition.

The full requirements for the neighborhood meeting are outlined in [CDC Section 99.038](#). To obtain Robinwood Neighborhood Association contact information, email agudelj@westlinnoregon.gov.

HOW TO SUBMIT AN APPLICATION:

Submit a complete application in a single PDF document through the [Submit a Land Use Application](#) web portal. A complete application should include:

1. A [development application](#);
2. Application materials identified in the [Development Review Checklist](#);

COMPLIANCE NARRATIVE:

Written responses supported by substantial evidence must address all applicable approval standards and criteria. Written materials must explain how and why the proposed application will meet each applicable approval criteria. "Not Applicable" is not an acceptable response to the approval criteria.

Submittal requirements may be waived, but the applicant must first identify the specific submittal requirement and request, in writing, that the Planning Manager waive the requirement. The applicant must identify the specific grounds for the waiver. The Planning Manager will respond with a written determination about the waiver request before applying.

APPLICATION FEES & DEPOSITS:

The Planning Division Fee Schedule can be found on our website: <https://westlinnoregon.gov/finance/current-fee-schedule>

- | | |
|---|-----------|
| • <u>fee</u> for a Willamette River Greenway Permit | = \$2,850 |
| • <u>fee</u> for a Flood Management Area Permit | = \$2,850 |
| • <u>fee</u> or Water Resource Area Permit | = \$2,850 |
| • <u>Combined Fee</u> for 3 Permits | = \$5,700 |

Applications with deposits will be billed monthly for time and materials. Please provide the name and address of the party responsible for the final invoice in your application.

*****FRAUD WARNING*****

Please be advised about a scam in which actors impersonate local government planning and zoning departments to extract illegitimate payments from businesses and residents. Scammers tailor emails and associated attachments to appear as official correspondence. It is important to note:

- The City will never request wire transfers or banking information by email.
- The Planning Commission does not issue invoices.
- Any email asking you to send funds, verify banking details, or initiate a wire transfer is fraudulent.
- Always check the sender's email address carefully. Legitimate emails will come from ***@westlinnoregon.gov
- Do not click links, open attachments, or respond to suspicious emails.
- If you receive a suspicious message, call the City to verify it. Your security is important to us.

Timelines:

Once the application and payment are received, the City has 30 days to determine if the application is complete. If the application is incomplete, the applicant has 180 days to complete it or provide written notice to staff that no other information will be provided. Once complete, the City has 120 days from the completeness determination to make a final decision on the application. Typical land use applications can take 6-10 months from beginning to end.

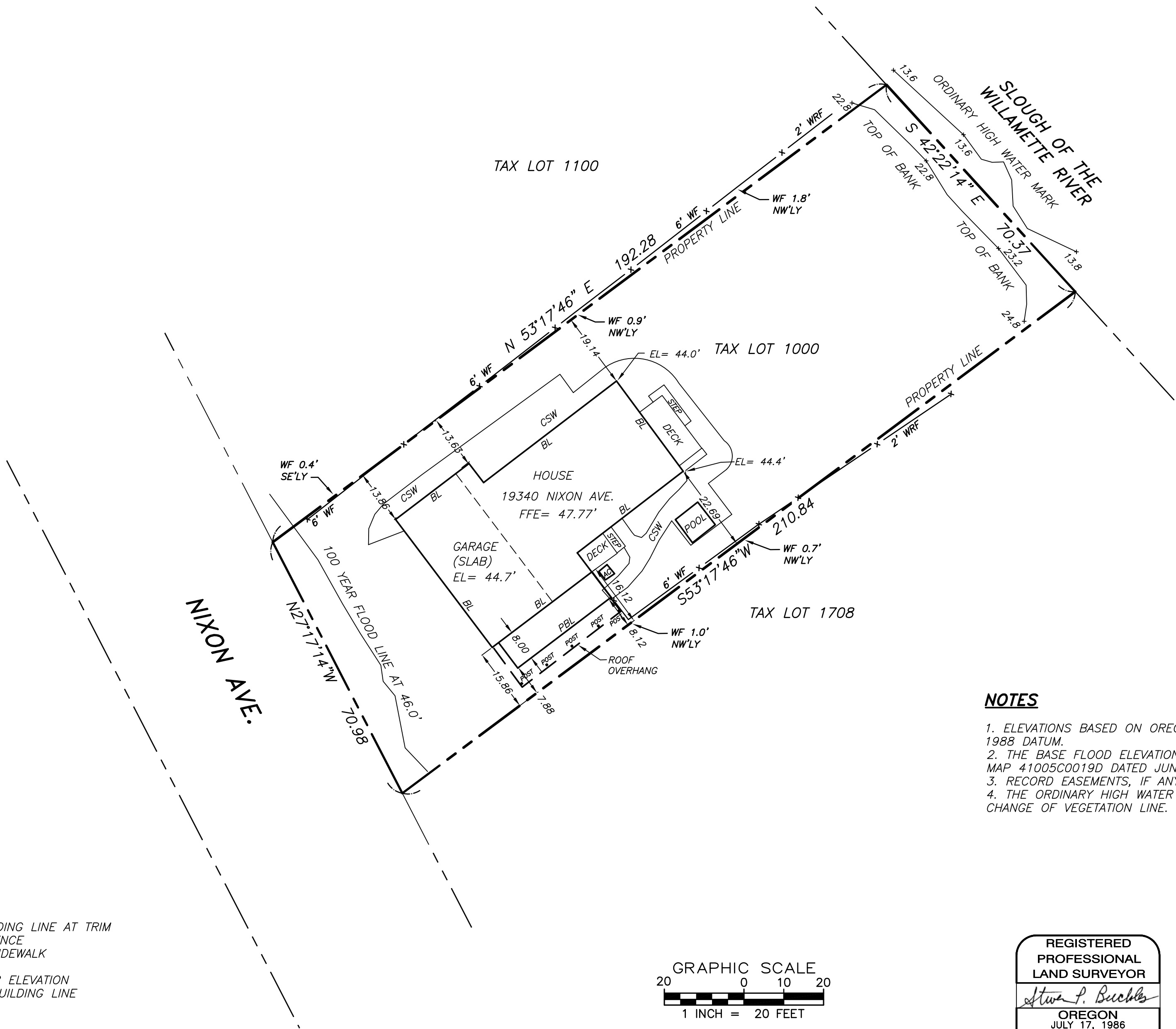
These pre-application notes have been prepared per [CDC Section 99.030.B.7](#). The information provided is an overview of the proposal considerations and requirements. Staff responses are based on limited material

presented at the pre-application conference. New issues and requirements can emerge as the application is developed. Failure to provide information does not constitute a waiver of the applicable standards or requirements. The applicant has the burden of proof to demonstrate that all approval criteria have been satisfied. These notes do not constitute an endorsement of the proposed application or assure project approval.

DEVELOPMENT PLANS

EXISTING CONDITIONS
& FEMA FLOOD SURVEY

TAX LOT 1000, ALSO BEING LOT 77, KENTHORPE, UNRECORDED,
SITUATED IN THE SE 1/4 OF SEC. 24, T.2S., R.1E., W.M.,
CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON

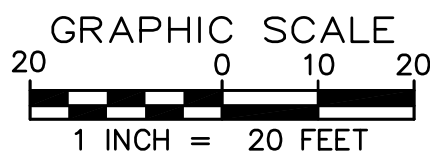


NOTES

1. ELEVATIONS BASED ON OREGON REAL TIME GPS NETWORK NAVD 1988 DATUM.
2. THE BASE FLOOD ELEVATION IS 46.0 FEET AS PER FEMA FIRM MAP 41005C0019D DATED JUNE 17, 2008.
3. RECORD EASEMENTS, IF ANY, ARE NOT SHOWN ON THIS SURVEY.
4. THE ORDINARY HIGH WATER MARK LINE WAS LOCATED AT THE CHANGE OF VEGETATION LINE.

LEGEND

BL = EXISTING BUILDING LINE AT TRIM
CLF = CHAINLINK FENCE
CSW = CONCRETE SIDEWALK
EL = ELEVATION
FFE = FINISH FLOOR ELEVATION
PBL = PROPOSED BUILDING LINE
WF = WOOD FENCE
WRF = WIRE FENCE
() = RECORD INFORMATION



REPPETO & ASSOCIATES
LAND SURVEYORS

10906 NE 39TH ST., SUITE A7
VANCOUVER, WA 98682
PHONE: (503) 408-1507
WWW.REPPETOSURVEYING.COM

DATE: APRIL 10, 2026	FILE: K26001.DWG
DRAWN BY: SB/DP	JOB NO. K26001

DESIGNER IS NOT AN ARCHITECT OR ENGINEER AND ASSUMES NO LIABILITY FOR THE PLANS IN PART OR WHOLE AND/OR THE CONSTRUCTION OF THE WORK CONTAINED HEREIN. A QUALIFIED PROFESSIONAL SHOULD REVIEW PLANS FOR ERRORS AND OMISSIONS. THESE PLANS SHOULD NOT BE UNDERTAKEN WITHOUT THE ASSISTANCE OF A QUALIFIED CONSTRUCTION PROFESSIONAL. THESE PLANS ARE INTENDED TO BE GUIDELINES FOR CONSTRUCTION. THE CONTRACTOR RESERVES THE RIGHT TO MAKE SUCH MINOR DEVIATIONS AS DEEMED NECESSARY AS LONG AS SUCH DEVIATIONS PROMOTE THE OVERALL EFFICACY AND AESTHETICS OF THE PLAN. CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB. DESIGNER MUST BE NOTIFIED OF ANY DISCREPANCIES OR VARIATIONS OF AND FROM THESE DRAWINGS PRIOR TO WORK ON THE JOB.

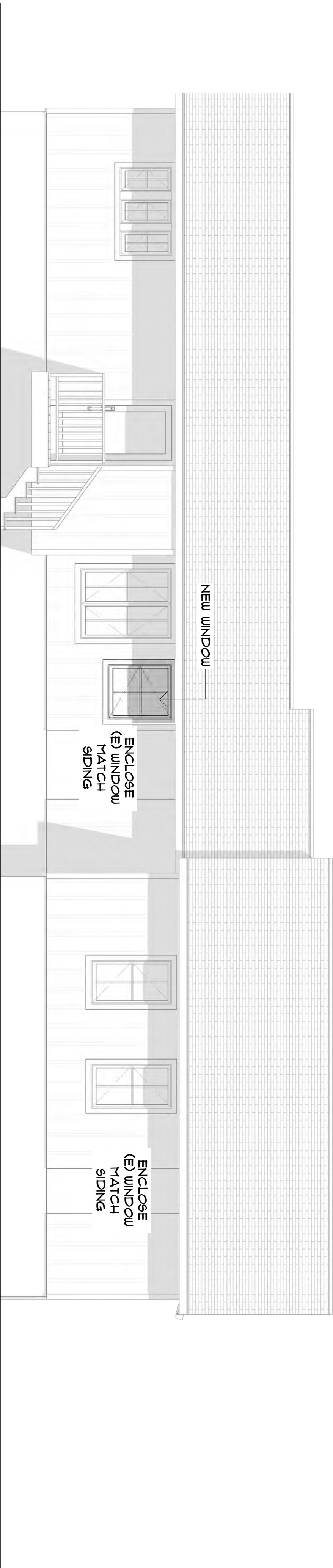
WHETHER THE BUILD OFFICIAL STATES A PERMIT, THE CONSTRUCTION DOCUMENTS SHALL BE APPROVED IN WRITING OR BY A STATE THAT STATES "REVIEWED FOR CODE COMPLIANCE." ONE SET OF CONSTRUCTION DOCUMENTS SO REVIEWED SHALL BE RETAINED BY THE BUILDING OFFICIAL. THE OTHER SET SHALL BE RETURNED TO THE APPLICANT. SHALL BE KEPT AT THE SITE OF WORK AND SHALL BE OPEN TO INSPECTION BY THE BUILDING OFFICIAL OR A DULY AUTHORIZED REPRESENTATIVE. CONSTRUCTION DOCUMENTS SHALL BE APPROVED IN THE TIMEFRAME SPECIFIED IN ONE 455.467.

PLANS MUST BE APPROVED AND STAMPED BY THE LOCAL BUILDING DEPARTMENT. ONLY BUILDING OFFICIAL APPROVED PLANS TO BE USED FOR CONSTRUCTION PURPOSES.



SCALE 1/8" = 1' 0"

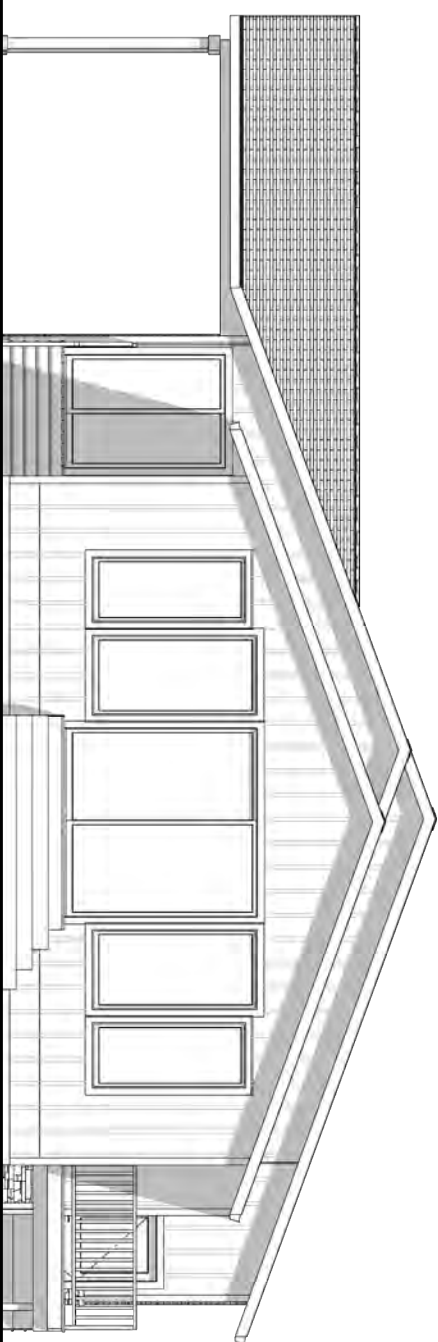
SCALE 1/4" = 1' @



SCALE 1/4" = 1' @

TABLE N1101.1(2) ADDITIONAL MEASURES 1. HIGH EFFICIENCY HVAC SYSTEM 1 GAS-FIRED FURNACE OR BOILER AFUE 94 PERCENT, OR 2 AIR SOURCE HEAT PUMP 16 SEER 14.0 SEER COOLING, OR 3 GROUND SOURCE HEAT PUMP COP 3.5 OR ENERGY STAR RATED	BUILDING DATA: FLOOR ONE 232 SF P. BATHROOM ADDITION AT (E) PORCH FRAME MEDIA ROOM FLOOR TO MATCH ENCLOSE STORAGE ROOM IN GARAGE KITCHEN CABINET/ADDITION BY OTHERS MATCH ALL WALL AND FLOOR HEIGHTS
TABLE N1101.1(2) PREScriptive ENVELOPE REQUIREMENTS WALLS - R21 FLAT CEILINGs - R49 VAULTED CEILINGs - R30 UNDER FLOOR - R30 WINDOWs - U-0.21 EXTERIOR DOORs - U-0.20	2023 ORSC

SCALE 1/8" = 1'-0"



[illegible][illegible]

GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL THAT MEETS ALL OF THE FOLLOWING CONDITIONS SHALL BE CONSIDERED TO BE A HAZARDOUS LOCATION:

- 1 THE EXPOSED AREA OF AN INDIVIDUAL PANE IS LARGER THAN 10 SQUARE FEET (0.83 M²)
- 2 THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 10 INCHES (25.4 CM) ABOVE THE FLOOR
- 3 THE TOP EDGE OF THE GLAZING IS MORE THAN 36 INCHES (91.4 CM) ABOVE THE FLOOR
- 4 ONE OR MORE GLAZING SURFACES ARE WITHIN 36 INCHES (91.4 CM) MEASURED HORIZONTALLY AND IN A STRAIGHT LINE, OF THE GLAZING.

EXCEPTIONS:

- 1 DECORATIVE GLAZING
- 2 WHERE GLAZING IS ADJACENT TO A WALKING SURFACE AND A HORIZONTAL RAIL IS INSTALLED 34 TO 36 INCHES (86.4 TO 96.5 CM) ABOVE THE WALKING SURFACE THE RAIL SHALL BE CAPABLE OF WITHSTANDING A HORIZONTAL LOAD OF 50 POUNDS PER LINEAL FOOT (300 N/M) WITHOUT CONTACTING THE GLASS AND HAVE A CROSS-SECTIONAL HEIGHT OF NOT LESS THAN 1/2 INCHES (38 MM)
- 3 OUTBOARDED PANES IN INSULATING GLASS UNITS AND OTHER MULTIPLE GLAZED PANELS WHERE THE BOTTOM EDGE OF THE GLAZING IS 25 FEET (7620 MM) OR MORE ABOVE GRADE A ROOF, WALKING SURFACES OR OTHER HORIZONTAL WITHIN 45 DEGREES (Ø 73 RAD) OF HORIZONTAL SURFACE ADJACENT TO THE GLASS EXTERIOR

[illegible][illegible]

TYPICAL STAIR DETAIL

THERE SHALL BE A LANDING OR FLOOR ON EACH SIDE OF EACH EXTERIOR DOOR. THE WIDTH OF EACH LANDING SHALL BE NOT LESS THAN THE DOOR SERVED. LANDINGS SHALL HAVE A DIMENSION OF NOT LESS THAN 36 INCHES (914 MM) MEASURED IN THE DIRECTION OF TRAVEL. THE SLOPE AT EXTERIOR LANDINGS SHALL NOT EXCEED 1/4 UNIT VERTICAL IN 12 UNITS HORIZONTAL (2 PERCENT).

106.2.3 MANUFACTURERS INSTALLATION INSTRUCTIONS

MANUFACTURER'S INSTALLATION INSTRUCTIONS. AS REQUIRED BY THIS CODE, SHALL BE AVAILABLE ON THE JOB SITE AT THE TIME OF INSPECTION. IT IS THE RESPONSIBILITY OF THE CONTRACTOR/USER TO REVIEW/VERIFY ALL MANUFACTURER DOCUMENTATION. DESIGNER IS NOT RESPONSIBLE FOR THE APPLICATION OF MANUFACTURED DETAILS, PRODUCTS AND INSTALLATION.

SCALE 1/4" = 1' @ "

PRIMARY BATHROOM ADDITION
FRAME FLOOR AT EXISTING MEDIA ROOM
19340 SW NIXON PETER@FDIPDX.COM
WEST LINN, OREGON 503-381-4513

WAVRA DESIGN CO.
DRAFTING & DESIGN

JAN. 2026

$$\frac{z}{w}$$

AERIAL PHOTOGRAPHS

JULY 2002 AERIAL PHOTOGRAPH



JULY 2024 AERIAL PHOTOGRAPH



FLOODPLAIN ELEVATION CERTIFICATE

U.S. DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
National Flood Insurance Program

OMB Control No. 1660-0008
Expiration Date: 06/30/2026

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A - PROPERTY INFORMATION	FOR INSURANCE COMPANY USE
A1. Building Owner's Name: <u>BYRON G. ZAHLER</u>	Policy Number: _____
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: <u>19340 NIXON AVE.</u>	Company NAIC Number: _____
City: <u>WEST LINN</u> State: <u>OR</u> ZIP Code: <u>97068</u>	
A3. Property Description (e.g., Lot and Block Numbers or Legal Description) and/or Tax Parcel Number: <u>TAX LOT 1000, MAP 2 IE 24 AC, CLACKAMAS COUNTY</u>	
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.): <u>RESIDENTIAL</u>	
A5. Latitude/Longitude: Lat. <u>45° 23' 10" N</u> Long. <u>122° 43' 41" W</u> Horizontal Datum: ☐ NAD 1927 ☒ NAD 1983 ☐ WGS 84	
A6. Attach at least two and when possible four clear photographs (one for each side) of the building (see Form pages 7 and 8).	
A7. Building Diagram Number: <u>8</u>	
A8. For a building with a crawlspace or enclosure(s):	
a) Square footage of crawlspace or enclosure(s): <u>1400</u> sq. ft.	
b) Is there at least one permanent flood opening on two different sides of each enclosed area? ☒ Yes ☐ No ☐ N/A	
c) Enter number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>8</u> Engineered flood openings: <u>—</u>	
d) Total net open area of non-engineered flood openings in A8.c: <u>469</u> sq. in.	
e) Total rated area of engineered flood openings in A8.c (attach documentation – see Instructions): <u>—</u> sq. ft.	
f) Sum of A8.d and A8.e rated area (if applicable – see Instructions): <u>—</u> sq. ft.	
A9. For a building with an attached garage:	
a) Square footage of attached garage: <u>765</u> sq. ft.	
b) Is there at least one permanent flood opening on two different sides of the attached garage? ☐ Yes ☒ No ☐ N/A	
c) Enter number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>—</u> Engineered flood openings: <u>—</u>	
d) Total net open area of non-engineered flood openings in A9.c: <u>—</u> sq. in.	
e) Total rated area of engineered flood openings in A9.c (attach documentation – see Instructions): <u>—</u> sq. ft.	
f) Sum of A9.d and A9.e rated area (if applicable – see Instructions): <u>—</u> sq. ft.	
SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION	
B1.a. NFIP Community Name: <u>WEST LINN, CITY OF</u>	B1.b. NFIP Community Identification Number: <u>410024</u>
B2. County Name: <u>CLACKAMAS</u>	B3. State: <u>OR</u> B4. Map/Panel No.: <u>41005C0019D</u> B5. Suffix: <u>C</u>
B6. FIRM Index Date: <u>JUNE 17, 2008</u>	B7. FIRM Panel Effective/Revised Date: <u>JUNE 17, 2008</u>
B8. Flood Zone(s): <u>AE</u>	B9. Base Flood Elevation(s) (BFE) (Zone AO, use Base Flood Depth): <u>46.0</u>
B10. Indicate the source of the BFE data or Base Flood Depth entered in Item B9: ☐ FIS ☒ FIRM ☐ Community Determined ☐ Other: _____	
B11. Indicate elevation datum used for BFE in Item B9: ☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: _____	
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? ☐ Yes ☒ No Designation _____ ☐ CBRS ☐ OPA	
B13. Is the building located seaward of the Limit of Moderate Wave Action (LiMWA)? ☐ Yes ☒ No	

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:	FOR INSURANCE COMPANY USE
City: _____ State: _____ ZIP Code: _____	Policy Number: _____
	Company NAIC Number: _____

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

- C1. Building elevations are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☒ Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.
- C2. Elevations – Zones A1–A30, AE, AH, AO, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, A99. Complete Items C2.a–h below according to the Building Diagram specified in Item A7. In Puerto Rico only, enter meters.
Benchmark Utilized: OR REAL TIME GPS NETWORK Vertical Datum: NAVD 1988

Indicate elevation datum used for the elevations in items a) through h) below.

☐ NGVD 1929 ☒ NAVD 1988 ☐ Other: _____

Datum used for building elevations must be the same as that used for the BFE. Conversion factor used?

☐ Yes ☒ No

If Yes, describe the source of the conversion factor in the Section D Comments area.

Check the measurement used:

a) Top of bottom floor (including basement, crawlspace, or enclosure floor):

42.3

☐ feet ☐ meters

b) Top of the next higher floor (see Instructions):

47.7

☒ feet ☐ meters

c) Bottom of the lowest horizontal structural member (see Instructions):

-

☐ feet ☐ meters

d) Attached garage (top of slab):

44.7

☒ feet ☐ meters

e) Lowest elevation of Machinery and Equipment (M&E) servicing the building (describe type of M&E and location in Section D Comments area):

-

☐ feet ☐ meters

f) Lowest Adjacent Grade (LAG) next to building: ☒ Natural ☐ Finished

44.0

☒ feet ☐ meters

g) Highest Adjacent Grade (HAG) next to building: ☐ Natural ☒ Finished

44.7

☒ feet ☐ meters

h) Finished LAG at lowest elevation of attached deck or stairs, including structural support:

44.0

☐ feet ☐ meters

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by state law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No

☐ Check here if attachments and describe in the Comments area.

Certifier's Name: STEVEN P. BUCKLES License Number: 2231

Title: Professional Land Surveyor

Company Name: REPPETO & ASSOCIATES

Address: 10906 NE 39TH ST., STE. A7

City: VANCOUVER State: WA ZIP Code: 98162

Date: 02/03/2026

Telephone: 503-408-1507 Ext.: _____ Email: Steve@repettosurveying.com

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including source of conversion factor in C2; type of equipment and location per C2.e; and description of any attachments):

SEE PAGE 7 & 8 FOR PHOTOS
(PAGES 4-6 OMITTED)



ELEVATION CERTIFICATE
IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19
BUILDING PHOTOGRAPHS

See Instructions for Item A6.

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:

19340 NIXON AVE.

City: WEST LINN

State: OR

ZIP Code: 97068

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

Instructions: Insert below at least two and when possible four photographs showing each side of the building (for example, may only be able to take front and back pictures of townhouses/rowhouses). Identify all photographs with the date taken and "Front View," "Rear View," "Right Side View," or "Left Side View." Photographs must show the foundation. When flood openings are present, include at least one close-up photograph of representative flood openings or vents, as indicated in Sections A8 and A9.

Photo One



Photo One Caption: FRONT

Clear Photo One

Photo Two



Photo Two Caption: RIGHT SIDE

Clear Photo Two

ELEVATION CERTIFICATE
IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19
BUILDING PHOTOGRAPHS

Continuation Page

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:

19340 NIXON AVE

City: WEST LINN

State: OR

ZIP Code: 97068

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

Insert the third and fourth photographs below. Identify all photographs with the date taken and "Front View," "Rear View," "Right Side View," or "Left Side View." When flood openings are present, include at least one close-up photograph of representative flood openings or vents, as indicated in Sections A8 and A9.

PHOTO 3



Photo Three Caption: LEFT SIDE

Clear Photo Three

Photo Four



Photo Four Caption: REAR

Clear Photo Four

TVFR SERVICE PROVIDER LETTER

**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: Cascadia Planning & Development Services
Address: PO Box 1920, Silverton, OR 97381
Phone: 503-804-1089
Email: steve@cascadiapd.com
Site Address: 19340 Nixon Avenue
City: West Linn
Map & Tax Lot #: T.M. 21E24AC, T.L. 1000
Business Name: _____
Land Use/Building Jurisdiction: West Linn
Land Use/ Building Permit # PA-26-02

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

The applicant is proposing to convert 248 sq. of an existing garage into livable space for the single-family dwelling. In addition, the applicant is proposing to convert 233 sq. ft. of an existing covered patio into living space for the home.

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 # 2026-0074
Permit Type: SPP-West Linn
Submittal Date: 5-6-26
Assigned To: DFM Arn
Due Date: NA
Fees Due: Ø
Fees Paid: Ø

Approval/Inspection Conditions

(For Fire Marshal's Office Use Only)

This section is for application approval only

Fire Marshal or Designee [Signature] Date 5-19-26

Conditions: See approved fire service plan.

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 _____