

## 9. LOT LINE ADJUSTMENT

The City of West Linn approved a lot line adjustment for the subject properties on October 14, 2011. (LLA-11-01.) Consequently, the WTP property is one tax lot. The County Recorder has not yet assigned a new tax lot number to the adjusted property.



### NOTICE OF PLANNING DIRECTOR DECISION

LLA-11-01

**FILE NO.:** LLA-11-01  
**DESCRIPTION:** Lot Line Adjustment  
**LOCATION:** Lots 21E24BD300, 401, 1200, 1300, 1400 and 1500. 4260 Kenthorpe Way, no street address, 4245 Mapleton Drive, 4305 Mapleton Drive, 4315 Mapleton Drive and no street address, respectively.  
**APPLICANT:** Eric Day  
4101 Kruse Way  
Lake Oswego, OR 97035  
503-534-4238  
[eday@ci.oswego.or.us](mailto:eday@ci.oswego.or.us)  
**OWNER:** City of Lake Oswego  
Agt: Joel Komarek  
4101 Kruse Way  
Lake Oswego, OR 97035  
[jkomarek@ci.oswego.or.us](mailto:jkomarek@ci.oswego.or.us)

Based upon the approval criteria of the applicable Development Code Section 85.210, the Planning Director:

APPROVED       APPROVED WITH CONDITIONS       DENIED this application

#### Conditions of approval (if applicable):

1. The lot line adjustment shall conform to the applicant's Drawing No. 2: Water Treatment Plant Proposed Lot Configuration (stamped October 3, 2011).
2. The applicant shall record a new deed for any consolidated lot or parcel.
3. The applicant shall remove all existing residential dwellings on the consolidated lots prior to the West Linn Planning Director signing the map and recording it with the County.

  
\_\_\_\_\_  
JOHN SONNEN, PLANNING DIRECTOR

October 14, 2011  
\_\_\_\_\_  
DATE

Mailed this 14<sup>th</sup> day of October, 2011.

Therefore, the final day to appeal this decision is the 28<sup>th</sup> day of October, 2011.

### DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT <i>C. Kerr / Z. Pelz</i>	PROJECT No(s). <i>LLA-11-01</i>	
NON-REFUNDABLE FEE(S) \$ <i>800-</i>	REFUNDABLE DEPOSIT(S)	TOTAL

**Type of Review (Please check all that apply):**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Annexation (ANX)                      | <input type="checkbox"/> Historic Review                                 | <input type="checkbox"/> Subdivision (SUB)                           |
| <input type="checkbox"/> Appeal and Review (AP)*               | <input type="checkbox"/> Legislative Plan or Change                      | <input type="checkbox"/> Temporary Uses *                            |
| <input type="checkbox"/> Conditional Use (CUP)                 | <input checked="" type="checkbox"/> Lot Line Adjustment (LLA)*/**        | <input type="checkbox"/> Time Extension *                            |
| <input type="checkbox"/> Design Review (DR)                    | <input type="checkbox"/> Minor Partition (MIP)(Preliminary Plat or Plan) | <input type="checkbox"/> Variance (VAR)                              |
| <input type="checkbox"/> Easement Vacation                     | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures          | <input type="checkbox"/> Tualatin River Greenway                     |
| <input type="checkbox"/> Extraterritorial Ext. of Utilities    | <input type="checkbox"/> Planned Unit Development (PUD)                  | <input type="checkbox"/> Water Resource Area Protection/Wetland(WAP) |
| <input type="checkbox"/> Final Plat or Plan (FP)               | <input type="checkbox"/> Pre-Application Conference (PA)*/**             | <input type="checkbox"/> Willamette River Greenway                   |
| <input type="checkbox"/> Flood Management Area                 | <input type="checkbox"/> Street Vacation                                 | <input type="checkbox"/> Zone Change                                 |
| <input type="checkbox"/> Hillside Protection & Erosion Control |  |  |

Home Occupation, Pre-Application, Sidewalk Use, Sign Review Permit, and Temporary Sign Permit applications require different or additional application forms, available on the City website or at City Hall.

**Site Location/Address:**

**SITE IS COMPRISED OF 6 LOTS ON KENTHORPE WAY AND MAPLETON DR. IN WEST LINN. (NO SITE ADD.)**

Assessor's Map No.: **21E24BD**

Tax Lot(s): **21E24BD00300, 401, 1200, 1300, 1400, 1500.**

Total Land Area: **9.24 Acres**

**Brief Description of Proposal: APPLICANT PROPOSES TO CONSOLIDATE (6) LOTS INTO ONE LOT THROUGH A LOT LINE ADJUSTMENT APPLICATION. APPLICANT HAS PREVIOUSLY HELD A MEETING ON THIS PROPOSAL WITH WEST LINN CITY PLANNING AND CLACKAMAS COUNTY SURVEYING.**

**Applicant Name:** ERIC DAY

(please print)

Address: **4101 KRUSE WAY**

City State Zip: **LAKE OSWEGO, OR. 97035**

Phone: **(534) 4238**

Email: **eday@ci.oswego.or.us**

**Owner Name (required):** CITY OF LAKE OSWEGO (AGT: JOEL KOMAREK)

(please print)

Address: **SAME AS APPLICANT**

City State Zip:

Phone: **(697)- 6588**

Email: **jkomarek@ci.oswego.or.us**

**Consultant Name:**

(please print)

Address:

City State Zip:

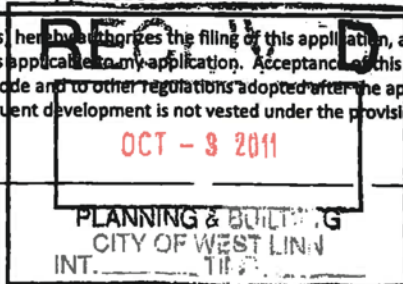
Phone:

Email:

- All application fees are non-refundable (excluding deposit). Any overruns to deposit will result in additional billing.
- The owner/applicant or their representative should be present at all public hearings.
- A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
- Three (3) complete hard-copy sets (single sided) of application materials must be submitted with this application. One (1) complete set of digital application materials must also be submitted on CD in PDF format. If large sets of plans are required in application please submit only two sets.

\* No CD required / \*\* Only one copy needed

The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. All amendments to the Community Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.



WL LIA Application.Docx

*[Signature]*  
Applicant's signature

*10/4/11*  
Date

*Joel B. Komarek*  
Owner's signature (required)

*10/3/12*  
Date

# 85.210 LOT LINE ADJUSTMENTS

## APPROVAL STANDARDS

A. The Director shall approve or deny a request for a lot line adjustment based on the criteria stated below:

1. An additional lot or buildable lot shall not be created by the lot line adjustment and the existing parcel shall not be reduced in size by the adjustments below the minimum lot size established by the approved zoning for that district.

Response: The proposed adjustment does not create an additional lot or buildable lot. The minimum lot area in the R-10 zoning district is 10,000- square feet; the total area of all lots owned by the city of Lake Oswego is approximately 9 acres. The adjustment will consolidate all lots owned by Lake Oswego into one lot and will not alter the total lot area.

2. By reducing the lot size, the lot or structure(s) on the lot shall not be in violation of the site development regulations for that district. For example, the lot line adjustment shall not result in an overall loss of density below 70 percent except as allowed by CDC 85.200(j)(7).

Response: The proposal will consolidate all lots into one lot and therefore will not alter the overall potential residential density.

3. The lot line adjustment is intended to allow minor lot line deviations, or to consolidate undersized or irregular-shaped lots. It can also be used to change a limited number of property lines up to the point that the County Surveyor would determine a replat of the subdivision is in order. A replat is the complete reconfiguration and realignment of a subdivision's lot lines.

Response: Lake Oswego representatives met with the County Surveyor and with Chris Kerr, West Linn Senior Planner, on September 15, 2011. The County Surveyor determined that a replat of the entire subdivision is not required.

4. New lot lines shall be generally straight with only a few deviations. Lot lines shall not gerrymander or excessively zigzag along to accommodate tool sheds, accessory structures, other buildings, etc. The figure below serves as a guide to lot line adjustments.

Response: The proposal will maintain the integrity of the straight perimeter lot lines.

5. The lot line adjustment will not affect existing public utility easements nor existing utilities unless an easement vacation is obtained and any required utility relocations are paid for by the applicant.

Response: The proposal maintains the integrity of the existing perimeter lot lines and does not impact existing utility easements or utilities.

6. An appeal must be filed in accordance with CDC 99.240.



B. The provisions of CDC 85.070 shall also apply to lot line adjustments. (Ord. 1401, 1997; Ord. 1442, 1999)

Response: This proposal is filed by an authorized agent of the City of Lake Oswego, the record owner. The city of West Linn reviews requests for a lot line adjustment as a Type I administrative review.



