



Residential Infill Design Review Site Tour

Department of Planning & Building Services

Monday, October 15, 2018

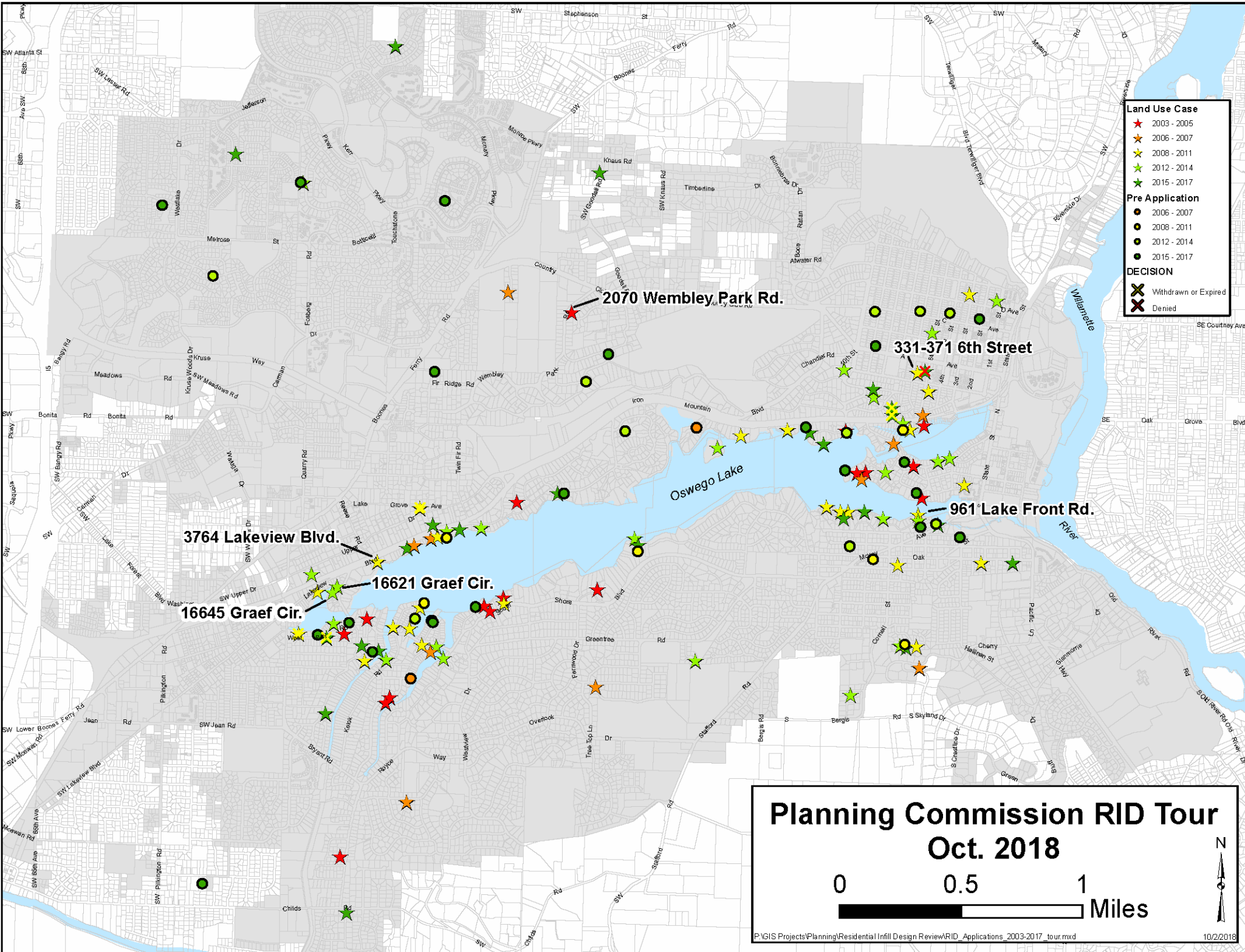
9:45 a.m.

Purpose of RID Site Tour:

To gain a better understanding of the Residential Infill Design (RID) review process by studying projects that received design variance approval when constructed or remodeled throughout the City of Lake Oswego. This tour aligns with a 2018 Planning Commission goal to “review the [RID] program and see if it is achieving the City’s goal of added flexibility and superior design for single family building projects.” The tour will also be used to help identify any concerns with the current RID process.

Itinerary:

Site	Time	Address
<i>Travel to Site 1 (10 minutes)</i>		
1	10:00 am – 10:30 am	961 Lake Front Road
<i>Travel to Site 2 (15 minutes)</i>		
2	10:45 am – 11:15 am	16621 & 16645 Graef Circle
<i>Travel to Site 3 (5 minutes)</i>		
3	11:20 am – 11:50 pm	3764 Lakeview Boulevard
<i>Travel to Site 4 (10 minutes)</i>		
4	12:00 pm – 12:30 pm	2070 Wembley Park Road
<i>Travel to Site 5 (5 minutes)</i>		
5	12:35 pm – 1:00 pm	331-371 6 th Street



Land Use Case	
★	2003 - 2005
★	2006 - 2007
★	2008 - 2011
★	2012 - 2014
★	2015 - 2017
Pre Application	
●	2006 - 2007
●	2008 - 2011
●	2012 - 2014
●	2015 - 2017
DECISION	
✕	Withdrawn or Expired
✕	Denied

Planning Commission RID Tour Oct. 2018

0 0.5 1

_____ Miles

P:\GIS Projects\Planning\Residential Infill Design Review\RID_Applications_2003-2017_tour.mxd 10/2/2018

961 Lake Front Road (LU 11-0024 and LU 12-0029)



Neighborhood: McVey-South Shore

Zone: R-7.5

Planner: Jessica Numanoglu

Completion Date: September 23, 2011 and August 23, 2012

Applicant's Request:

- Reduction in east side yard setback from 10' to 1'-9";
- Reduction in west side yard setback from 10' to six feet for a portion of a structure >18' in height;
- Reduction in the rear yard setback from 30' to 13'-8" for the dwelling;
- Reduction in the rear yard setback from 30' to seven feet for the deck;
- Reduction in the Oswego Lake Setback from 25' to 13'-8" for the dwelling;
- Reduction in the Oswego Lake setback from 25' to seven feet for the deck;
- Increase in the allowable lot coverage from 25% to 41.8%;
- Exception to the Side Yard Appearance and Screening standard to increase the Maximum Side Yard Plane from 750 square feet to approximately 1,047 square feet [LOC 50.08.045(3)(a)]; and,
- Exception to the Side Yard Setback Plane on the east elevation to allow three roof forms to penetrate the side yard setback plane for 54% of the structure length at 12 feet in height instead of 50%, and to allow approximately 75 square feet of wall area to penetrate the side yard setback plane [LOC 50.08.045(2)].

Background/Staff Decision:

The property owners wanted to rebuild on the site in order to age in place. The existing home was built in the 1920's and had multi-level floors on the upper story and an undesirable layout. The first pre-app in 2006 included 11 RID exceptions to pretty much every zone standard (including an increase in height from 28' to 38'!). Staff advised the owners that we could not support the RID exceptions as requested because the resulting dwelling would be out of scale with the neighborhood. The owners moved forward with a meeting with the RID Advisors, who relayed the same message as staff and suggested modifications. The owners considered other remodel options and held additional pre-apps with staff, but none were feasible for their needs. Another pre-app was held in 2011 with staff to remodel the dwelling with several RID exceptions, but significantly scaled back from the first pre-app proposal. Many of the exceptions were necessary because the 1920's dwelling was already nonconforming to setbacks and lot coverage.

The RID approval allowed the dwelling to be remodeled to include additions at the back of the dwelling, but maintain the overall existing footprint. The exterior materials were also upgraded and the overall character of the dwelling was much improved. The alternative design features the following:

- The dwelling is set back 32 feet from the front property line, which minimizes the perceived size of the dwelling by providing a larger separation than is required from the narrow right-of-way of Lake Front Road.

- Only a small portion of the addition is within the side yard setback on the west side due to the angled lot line.
- The proposed development maintained the existing setbacks along the east property line. The second level on the east side of the dwelling was designed so that it slopes away from the east property line and the living area is contained within the roof forms to minimize the scale of the dwelling along this elevation.
- The previously existing deck on the site crossed over the rear property line. The approved deck is seven feet from the rear property line at its closest point and is faced with a stone veneer to match the stone accents on the dwelling. The stone veneer of the deck wall provides an attractive “base” to the dwelling on the rear elevation.
- The reduced side, rear, and Oswego Lake setbacks are consistent with the pattern of setbacks on the lake-front dwellings within 200’ of the site, which are mostly nonconforming. Additionally, most of the lake-front properties have decks and/or terraces similar to the applicants within the rear and Oswego Lake setbacks.
- The approved lot coverage is substantially similar to the lot coverage of the original 1922 dwelling and is consistent with the pattern of development within 200’ of the site - particularly the lake-front lots.
- The perceived lot coverage of the proposed development is diminished by the L-shape design of the building, which allows for a 20’+ yard area on the west side of the dwelling despite the fact that the southern half of the subject lot narrows to less than 50 feet in width.
- The west wing of the house is kept to one story and the second story on the east side of the dwelling is contained within the roof forms. As a result, the one and a half story dwelling provides a transition from the larger 2-story dwelling abutting the site to the west and the low, one-story dwelling abutting the site to the east.
- On the east elevation, windows are minimized on the first level and placed to preserve the privacy of the one-story dwelling to the east.
- Several design treatments were utilized to break up the scale of the side wall. In addition to off-setting approximately half of the east wall on the first floor and a dormer on the second floor by 12 inches, varied materials such as lap siding and stucco with trim boards visually break up the wall planes and define the upper and lower floors. The placement of windows relieves larger elevation planes while still maintaining privacy.

16621 Graef Circle (LU 13-0048)



Neighborhood: Bryant

Zone: R-7.5

Planner: Leslie Hamilton

Completion Date: December 13, 2013

Applicant's Request:

- Lot Coverage (increase from 25% to 26%)
- Front Yard Setback (decrease from 25 feet to 6 feet)
- Oswego Lake Setback (decrease from 25 feet to 16 feet)
- Side Setback (decrease from 5 feet to 2 feet)
- Side Setback, Accessory Structure (decrease from 5 feet to 0.5 feet)

Staff Decision:

The lot is 6,505 sq. ft. in area, and the pre-RID dwelling was non-conforming to the front yard setback (10 feet), side yard setback (2 feet) and Oswego Lake setback (17 feet). The garage was virtually unusable due to the low clearance of the garage door and the narrow width of the lot. The RID variance to lot coverage was offset by the perceived lot size when the Lake Corp property was considered. Important design details were the addition of the small dormers on the front elevation, which break up the roof; the sunburst pattern in the porch gable; and the addition of two windows flanking the entry. These details provide visual interest and offer additional transparency at the street level. On the garage, the applicant provided two false windows on the northern elevation to decrease the perception of bulk within the zone setback. Additionally, there is a 15-foot wide public sewer easement on the abutting property, which would preclude any structure from being located closer than 15 feet to the side property line. In the context of Graef Circle, these variance requests do not appear out of place.

16645 Graef Circle (LU 13-0040)

Neighborhood: Bryant

Zone: R-7.5

Planner: Leslie Hamilton

Completion Date: February 20, 2014

Applicant's Request:

- Lot Coverage (increase from 25% to 33%)
- Rear yard setback (decrease from 30 feet to 25 feet)

Staff Decision: This was a vacant lot of only 4,446 square feet, platted in 1923; it had previously been developed as a consolidated site with 16621 Graef Circle. The front setback was reduced to 16.2 feet under the Front Setback Averaging exception of LOC 50.04.003.3.a; this exception does not require any analysis of impacts to the streetscape or neighbors. The RID variances to lot coverage and the rear yard setback only needed to address the criteria for overall residential dwelling size. The RID exceptions are not readily perceptible because of the Lake Corporation property at the rear of the lot, which provides a "perceived" lot size of 5,262 square feet. In addition, the material choice and design help diminish the perceived scale of the dwelling as follows: (1) the main and basement levels are clad in lap siding, while the upper floor is shingled; (2) multiple windows are provided on the front and rear elevations; (3) exposed rafters on the front gables reflect the Arts and Crafts style. Given the context of Graef Circle, these exceptions do not appear out of place.

DRC Decision: The abutting neighbor at 16621 Graef Circle appealed the staff decision to the Development Review Commission, stating concerns about neighborhood character, removal of an Oregon white oak, privacy separation and foundation loads. The DRC found that the new front setback (15.05 feet, based on updated Front Setback Averaging) and design changes at the northwest corner reduce the scope of the rear setback encroachment, and that the resulting design is consistent with surrounding development.

3764 Lakeview Boulevard (LU 09-0014)



Neighborhood: Lakeview-Summit

Zone: R-7.5

Planner: Johanna Hastay

Completion Date: May 4, 2009

Applicant's Request:

- Reduce averaged front yard setback to 19.2 feet;
- Reduce 30-foot rear yard setback to 27.8 feet;
- Reduce 10-foot side yard setback to 7 feet;
- Reduce 10-foot rear yard setback to 8 feet for accessory structure;
- Reduce 25-foot Oswego Lake setback to 8 feet for accessory structure;
- Increase lot coverage by 12.8% increase to 37.8% (or a total of 2,712 square feet); and,
- Increase floor area from .45:1 to .52:1 (or 4,046.2 square feet).

Staff Decision:

The existing dwelling was dominated by the front-loading garage (an earlier awkward addition) with no visible front entry as viewed from the street. The dwelling was also nonconforming to numerous standards, but with the Lake Corp property appeared to be located on a much larger lot. The RID Review variances to increase lot coverage and floor area were offset by the perceived lot size. The RID Review variances also allowed a full 2nd story above the garage, added in a turret to emphasize the entry way, and resulted an overhaul of the entire dwelling to bring it into architectural coherence in a rustic Italian style. The final design included lots of details such as wrought iron balconies, supporting beams/braces, shutters, and high quality cladding materials.

2070 Wembley Park Road (LU 05-0060)



Neighborhood: Uplands

Zone: R-10

Planner: Jessica Numanoglu

Completion Date: December 13, 2005

Applicant's Request:

- A 3-foot reduction to the 15-foot street side yard setback;
- An increase in the allowable lot coverage from 25% to 26.45%;
- An exception to the garage appearance and location standard to allow the garage to be located closer to the street than the dwelling.

Background/Staff Decision: At the pre-application meeting with staff, it was determined that a meeting with the Infill Advisors was not necessary given the scope of the exceptions and the conceptual design, which was very sensitive to the neighborhood context.

Initially, the property owners considered tearing down the house and building a new one, but decided to try doing a remodel and addition through the RID process. In the R-10 zone at that time, they could have built a home up to 30 feet in height, which would have towered over the single-story ranch next door and would be out of character with the mainly one-story and split level ranch homes in the vicinity. The RID review process allowed them to expand the existing dwelling, building off and updating the original architecture, and maintaining a lower profile consistent with the scale and character of development in the neighborhood. The alternative design features the following:

- The new additions are 26 feet from the northern (side) property line and 57 feet from the eastern (rear) property line, well in excess of the minimum side and rear setback requirements of the R-10 zone, minimizing impacts to neighbors. The south side setback is reduced by three feet, but is next to a wide ROW, well away from neighboring properties.
- Rather than adding a full second story, the dwelling features a partial second story with a max height of 24 feet. The varied roof heights creates a more complex massing of the structure.
- Consideration of the topography on the site is incorporated in the design by keeping the height of the structure low (maximum of 24 feet rather than 30 feet), which prevents the dwelling from towering over the house that is at a lower elevation to the north of the site.
- The slight increase in lot coverage allowed the additions to be accommodated by increasing the footprint, rather than the height of the dwelling, keeping it more in scale with development in the neighborhood.
- Moving the garage opening to the side street improves the streetscape along Wembley park Road and minimizes the appearance of the garage.

331-371 6th Street – 6 on 6th Development (LU 08-0005)

Neighborhood: Evergreen

Zone: R-7.5

Planner: Debra Andreades

Completion Date: August 20, 2008

Applicant's Request:

- Exceptions to the 25-foot front yard setback, as follows:
 - A 12-foot exception for Unit 2
 - A 10-foot exception for Unit 1
 - A 5-foot exceptions for Units 3 and 5
- A 5-foot exception to the 10-foot side yard setback for the exterior wall of all six units.
- A 15% exception to the maximum 25% lot coverage standard for all units resulting in 40% lot coverage.
- An exception to the limitations of LOC 50.08.050(3) in order for proposed garages to be constructed with common party walls. This exception allowed three pairs of attached garages.



Staff Decision: Although this started out as a Staff decision, staff referred the application to the DRC because the Evergreen neighborhood was against it. There were also members of FAN that took an interest and testified in opposition. Evergreen's basic objection was that attached homes would not fit in with the neighborhood character. Also, they believed that height should be limited to 1 ½ stories-not 2 stories, even though R-7.5 allows 28'. Subsequently this was put into their Evergreen Overlay. FAN's objection was allowing these 3,000 s.f. lots in the R-7.5 zone (they were legal lots of record) to be built on. They contended that allowing this would be an increase in density in the R-7.5 zone.

DRC Decision: During the review process, the hearing was continued so that the applicant could modify the design. The DRC encouraged the applicant to meet with the neighborhood to review the design modifications, which they did. Ultimately, the DRC approved the project, and found that density was not increased by allowing these lots to be built and that the purpose of RID is to ensure compatibility with the surrounding neighborhood (the front setbacks were staggered). The DRC also noted that zero-lot line dwellings on separate lots are defined as single family. The DRC also heard testimony that the RID process was not appropriate for residential development. The DRC found that the question before them was whether the proposal met the criteria for exceptions under RID, not whether RID is a good policy. Because height became an issue, the DRC imposed a condition of approval intended to avoid the possibility that an error in height would occur and not be detected until after the sheathing was installed:

1. A main floor sheathing inspection, based on a 166' elevation benchmark³, verifying the following floor elevations:

Unit 1 163.5'
Unit 2 162.0'
Unit 3 160.25'
Unit 4 158.75'
Unit 5 157.0'
Unit 6 155.5'

2. Survey Roof elevations prior to roof sheathing, based on a 166' elevation benchmark:

Unit 1 184.83'
Unit 2 183.33'
Unit 3 181.58'
Unit 4 180.08'
Unit 5 178.33'
Unit 6 176.83'



50.08.003 DESIGN VARIANCES

1. PURPOSE

The purpose of a design variance is to allow adjustments of certain standards of this Code where the resulting design would be superior to development in the surrounding neighborhood or would better achieve the purpose/objectives of the applicable zone or design districts and design standards.

(Ord. 2644, Amended, 04/07/2015; Ord. 2579, Repealed and Replaced, 03/20/2012)

2. DESIGN VARIANCE CLASSIFICATIONS



a. R-DD Design

For exterior modifications of a single-family detached dwelling in the R-DD zone built before 1960, minimum setbacks may be reduced between two ft. and five ft. if the modification maintains at least 50% of the exterior walls (measured by sq. ft.) and does not increase height by more than 100%. Minimum setback adjustments of two ft. or less are exceptions to the R-DD district standards pursuant to LOC [50.04.003.3.c](#).

b. Downtown Redevelopment Design District

A variance from any standard of this Code, unless prohibited by LOC [50.08.001.2](#).

c. Foothills Mixed Use District

A variance from the FMU zone standards except height and floor area ratio standards (LOC [50.11.007](#), Appendix G).

d. Lake Grove Village Center Overlay District

A variance from any standard of this Code that cannot be approved through a minor variance pursuant to LOC [50.08.002.2.p](#), but not including variances to:

- i. Maximum building height limit (LOC [50.05.007.4.b.i](#));
- ii. Maximum lot coverage (LOC [50.05.007.4.c](#));
- iii. Village Transition Area yard setbacks adjacent to R-7.5 and R-10 parcels (LOC [50.05.007.4.d](#)); or
- iv. Any matter prohibited by LOC [50.08.001.2](#), Variances Not Allowed.

e. Residential Infill Design (RID) Review

Except for properties located in the R-DD zone or a design district, variances from any of the following standards for residential dwellings and accessory structures where those standards prevent development that is otherwise compatible with the character of the neighborhood and surrounding residential development:

- i. Floor area;
- ii. Lot coverage;
- iii. Building height;
- iv. Yard setbacks;
- v. Street front setback plane;
- vi. Side yard setback plane;
- vii. Side yard appearance and screening;

- viii. Garage appearance and location;
- ix. Accessory structure standards;
- x. Oswego Lake setbacks; and
- xi. Oswego Lake setback height and footprint requirements in LOC 50.04.003.7.b; provided, that no accessory structure may exceed 18 ft. in height and no boathouse footprint may exceed 800 sq. ft.

(Ord. 2644, Amended, 04/07/2015; Ord. 2579, Repealed and Replaced, 03/20/2012)

3. GENERAL DESIGN VARIANCE CRITERIA

The reviewing authority shall only approve a design variance if it determines that the following criteria have been met:

- a. The applicant demonstrates that:
 - i. Compliance with the applicable standard is not practicable due to the physical characteristics of the site or existing structure; or
 - ii. An alternative design will better accomplish the purposes, goals, or objectives of the base district and any adopted plan or overlay district applicable to the property.
- b. The applicant demonstrates that the proposed variance will:
 - i. Result in a project that is exceptional in the quality of detailing, appearance and materials; or
 - ii. Create a positive unique relationship to other nearby structures, views or open space; or
 - iii. If in the DRD (within R-2 only), the variance is necessary to create a complementary relationship with a viable existing structure on an abutting lot that is not designed in the Lake Oswego style.
- c. If the subject property is located in the R-DD zone or the Foothills Mixed Use District, the applicant demonstrates that:
 - i. The variance will not create an incompatible relationship between the proposed structure and the scale or character of the neighborhood, the scale or character of the street frontage, or the privacy of properties within 300 ft. of the subject property; and
 - ii. Any significant impacts to properties within 300 ft. of the applicant's property resulting from the variance are mitigated to the extent practical through building or site design features on the site.

(Ord. 2754, Amended, 09/05/2017; Ord. 2732, Amended, 02/21/2017; Ord. 2644, Amended, 04/07/2015; Ord. 2579, Repealed and Replaced, 03/20/2012)

4. DOWNTOWN REDEVELOPMENT DESIGN DISTRICT VARIANCE CRITERIA, EXCEPT WITHIN R-2

The reviewing authority shall approve a variance to the design requirements in LOC 50.05.004.5 through 50.05.004.7 if it determines that the application meets:

- a. At least one of the criteria in subsections 4.a.i through v of this section:
 - i. The variance is necessary to create a complementary relationship with a viable existing structure on an abutting lot that is not designed in the Lake Oswego style;
 - ii. Compliance with the applicable standard is not practicable due to the physical characteristics of the site or existing structure;
 - iii. The variance is necessary to allow a unique building function of a permitted use in the zone;

iv. The variance is necessary to allow one or more of the following features where the feature exceeds the minimum requirements of LOC Chapter 50 and other City regulations:

- (1) Renewable energy production (solar, geothermal, or wind);
- (2) Enhanced indoor air quality;
- (3) Use of daylight for interior lighting;
- (4) Protection of views of Lakewood Bay or Mount Hood;
- (5) Acoustic building performance;
- (6) Water efficiency, such as rainwater harvesting;
- (7) Increased seismic resiliency; or

v. The alternative design better accomplishes the objectives of the East End Redevelopment Plan or the objectives and principles of the Urban Design Plan.

b. And the variance:

- i. Results in a project that is exceptional in the quality of detailing, appearance and materials; and
- ii. Creates a positive unique relationship to other nearby structures, views or open space, and streetscapes.

(Ord. 2754, Amended, 09/05/2017; Ord. 2732, Amended, 02/21/2017; Ord. 2668, Amended, 12/01/2015; Ord. 2644, Amended, 04/07/2015; Ord. 2579, Repealed and Replaced, 03/20/2012)

5. LAKE GROVE VILLAGE CENTER OVERLAY (LGVCO) DESIGN VARIANCE CRITERIA

The reviewing authority shall only approve a design variance in the LGVCO District if it determines that the application meets criteria in LOC 50.08.003.3.a and 50.08.003.3.b, and also meets the following criteria:

- a. The variance will not adversely affect existing physical and natural systems such as traffic, access, circulation, connectivity, drainage, designated Sensitive Lands, historic resources, or parks, and the potential for abutting properties to use solar energy devices any more than would occur if the development fully met the LGVCO standards; and
- b. The applicant shall present an analysis of alternative designs in relation to variances from LGVCO standards requested to demonstrate that the application avoids the need for variances to the degree practicable; and
- c. The proposed design achieves the listed policies of the Lake Grove Village Center Plan better than would result if the LGVCO standards were fully met after considering each of the following goals and policies, as applicable:

TABLE 50.08.003-1: GOALS CONSIDERED FOR VARIANCE	
Goal Title	Policies
Enhance the Pedestrian Environment and Connectivity Within the Village Center	3.1, 3.2, 3.3, 3.4
Strengthen the Lake Grove Sense of Place and Community	5.1, 5.4
Enhance Village Character	6.1, 6.2, 6.3, 6.4, 6.5
Protect the Residential Character of Adjoining Neighborhoods	7.1, 7.2
Protect Natural Resources and Enhance the Natural Environment Within the Village Center	8.1, 8.2, 8.4, 8.5, 8.6
Support Businesses in the Village Center	9.3, 9.4, 9.6

d. For variances to setbacks or site perimeter landscaping and buffering standards, the applicant shall demonstrate that:

- i. If the requested variance is for a setback or landscaping or buffering required at the perimeter of the site that is adjacent to R-7.5 or R-10 zones, the applicant considered alternative site plans that adjusted internal landscaping or other dimensional standards internal to the site and there is no practicable alternative to the requested variance at the perimeter of the site.
- ii. If the requested variance is to a landscaping and buffering standard required around the perimeter of the site and is adjacent to any zone other than R-7.5 or R-10, the applicant considered alternative site plans to adjust internal landscaping and there is no practicable alternative to the requested variance at the perimeter of the site.

(Ord. 2687, Amended, 12/15/2015; Ord. 2644, Added, 04/07/2015)

6. RESIDENTIAL INFILL DESIGN (RID) REVIEW VARIANCE CRITERIA

The reviewing authority may grant a residential infill design (RID) variance for a residential dwelling or accessory structure in a residential zone if it determines that the criteria in LOC [50.08.003.3.a](#) and [50.08.003.3.b](#) and the additional criteria below have been met. In making these determinations, the reviewing authority shall consider the pattern and character of development of all lots within 300 ft. of the subject site and shall also consider any neighborhood design objectives or guidelines for residential development that have been adopted by the local neighborhood association.

a. Residential Dwelling or Accessory Structure Size

A variance to the following standards may be approved when a more compatible, positive relationship between the size of a proposed residential dwelling or accessory structure and the scale and character of a neighborhood can be demonstrated in other ways:

Floor area;

Lot coverage;

Yard setbacks;

Building height;

Accessory structures;

Boathouse footprint in the Lake Oswego setback; and

Height of accessory structures in the Oswego Lake setback (except as limited by LOC [50.08.003.2.e.xi](#)).

That relationship shall be evaluated by considering the degree to which a proposed design offers features that diminish the perceived scale and improve the perceived character of greater size. That review will include consideration of:

- i. Distance and visibility from street and adjoining properties;
- ii. Topography;
- iii. Building number (more smaller versus one larger, for example);
- iv. Building form(s), massing and orientation; and
- v. Landscaping.

b. Relationship to the Street

A variance to the following standards may be approved when a more compatible, positive relationship between a proposed design and the scale and character of the street can be demonstrated in other ways:

- Front yard setback;
- Front setback plane; and
- Garage door openings.

That relationship will be evaluated by considering the degree to which a proposed design offers features that enhance the perceived scale and character of the street from a pedestrian's perspective. While the scale and character will vary from neighborhood to neighborhood and from street to street, a positive contribution is typically one that enhances the safety and experience of a pedestrian using the street. That review will include consideration of:

- i. Distance and visibility from street;
- ii. Prevailing patterns of front yard setback, building alignment and spacing (rhythm);
- iii. Topography;
- iv. Preservation of existing trees and features of perceived value to the street;
- v. Perceived building form, proportion, massing and orientation relative to the street;
- vi. Porch and/or entry location and treatment relative to the street;
- vii. Garage distance and visibility from the street;
- viii. Perceived size and scale of garage doors from the street;
- ix. Perceived area and scale of driveways and parking areas from the street;
- x. Fencing or screens; and
- xi. Landscaping.

c. Relationship to the Neighbors

A variance to the following standards may be approved when a more compatible, positive relationship between a residential dwelling or accessory structure and the scale, character and privacy of its neighbors can be demonstrated in other ways:

- Side yard setback;
- Side yard setback plane; and
- Side yard appearance and screening.

That relationship will be evaluated by considering the degree to which a proposed design offers features that enhance perceived scale, character and privacy relative to adjoining properties. While the scale, character and privacy of one building relative to another will vary from street to street, and from lot to lot, a positive contribution is typically one that adjusts the location and perceived scale, character and views from or to a new residential dwelling or accessory structure to avoid visual conflict with neighbors. That review will include consideration of:

- i. Distance and visibility from adjoining properties;
- ii. Preservation of existing trees and features of perceived value to adjoining properties;
- iii. Topography;
- iv. Perceived building height, form, proportion, massing and orientation relative to adjoining properties;

- v. Treatment of elevations exposed to adjoining properties;
- vi. Perceived sight lines to and from windows, decks and outdoor living spaces;
- vii. Fencing or screening; and
- viii. Landscaping.

(Ord. 2644, Added, 04/07/2015)

The Lake Oswego Municipal Code is current through Ordinance 2784, passed July 3, 2018.

Disclaimer: The City Recorder's Office has the official version of the Lake Oswego Municipal Code. Users should contact the City Recorder's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.ci.oswego.or.us/>
(<http://www.ci.oswego.or.us/>)
City Telephone: (503) 635-0290
Code Publishing Company
(<https://www.codepublishing.com/>)